

Selenium, 70 micrograms
 Copper, 2.0 milligrams
 Manganese, 2.0 milligrams
 Chromium, 120 micrograms
 Molybdenum, 75 micrograms
 Chloride, 3,400 milligrams

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4. Section 101.36 is amended by revising the introductory text of paragraph (b)(3), paragraphs (b)(3)(i), (b)(3)(ii), the introductory text of paragraph (b)(4), and paragraphs (b)(4)(vi) to read as follows:

§ 101.36 Nutrition labeling of dietary supplements of vitamins or minerals.

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(b) * * *

(3) A listing of all nutrients required in § 101.9(c) that are present in the dietary supplement in quantitative amounts by weight that exceed the amount that can be declared as zero in § 101.9(c). Those nutrients that are not present, or present in amounts that would be declared as zero, shall not be declared. In addition, potassium shall be declared except when present in quantitative amounts by weight that allow a declaration of zero. The name of each nutrient listed shall be immediately followed by the quantitative amount by weight of the nutrient. Nutrient names and quantitative amounts shall be presented in a column under the heading "Amount Per Serving" and aligned on the left side of the nutrition label. The heading "Amount Per Serving" shall be separated from other information on the label by a bar above and beneath it, except that when calories are listed, the bar shall be placed beneath the calorie declaration. When the serving size of the product is one unit (e.g., 1 tablet), a heading consistent with the declaration of serving size, such as "Amount per Tablet" or "Each Tablet Contains," may be used in place of the heading "Amount per Serving." Other appropriate terms, such as capsule, packet, or teaspoonful, may be used in place of the term "Serving."

(i) These amounts shall be expressed in the increments specified in § 101.9(c), except that the amounts of vitamins and minerals, excluding sodium and potassium, declared on the nutrition label shall be the actual amount of the vitamin or mineral included in the dietary supplement, using the units of measure and the levels of significance given in § 101.9(c). In declaring the amounts of vitamins and minerals, zeros following decimal points may be dropped, and additional levels of significance may be used when the number of decimal places indicated is not sufficient to express lower amounts (e.g., the RDI for copper is given in whole milligrams, but the quantitative amount may be declared in tenths of a milligram). Amounts for chloride and manganese shall be expressed in mg, and, amounts for chromium, molybdenum, selenium, and vitamin K shall be expressed in micrograms. These values shall be expressed in whole numbers.

(ii) Nutrients that are present shall be listed in the order specified in § 101.9(c); except that, when present, vitamin K shall follow vitamin E; calcium and iron shall follow pantothenic acid; selenium shall follow zinc; and manganese, chromium, molybdenum, chloride, sodium, and potassium shall follow copper. This results in the following order for vitamins and minerals: Vitamin A, vitamin C, vitamin D, vitamin E, vitamin K, thiamin, riboflavin, niacin, vitamin B6, folate, vitamin B12, biotin, pantothenic acid, calcium, iron, phosphorus, iodine, magnesium, zinc, selenium, copper, manganese, chromium, molybdenum, chloride, sodium, and potassium. A bar shall separate the last nutrient to be listed from the bottom of the nutrition label, as shown in the sample labels in paragraph (c)(9) of this section.

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(4) A listing of the percent of the Daily Value (i.e., the percent of the RDI as established in § 101.9(c)(8)(iv) or DRV as

established in § 101.9(c)(9)), where appropriate, of all nutrients listed in the nutrition label, except that the percent for protein may be omitted as provided in § 101.9(c)(7), no percent shall be given for sugars, and for labels of dietary supplements of vitamins and minerals that are represented or purported to be for use by infants, children less than 4 years of age, or pregnant or lactating women, no percent shall be given for vitamin K, selenium, manganese, chromium, molybdenum, or chloride. This information shall be presented in one column aligned under the heading of "% Daily Value" and to the right of the column of nutrient names and amounts. The headings "% Daily Value (DV)," "% DV," "Percent Daily Value," or "Percent DV" may be substituted for "% Daily Value." The heading "% Daily Value" shall be placed on the same line as the heading "Amount per Serving" or placed beneath this heading and the bar underneath it, except that "% Daily Value" shall be placed beneath this bar when calorie information is required to be declared. Calorie information shall be placed beneath "Amount Per Serving" and above the bar.

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(vi) When no percent is given for sugars, or for labels of dietary supplements of vitamins and minerals that are represented or purported to be for use by infants, children less than 4 years of age, or pregnant or lactating women, when no percent is given for vitamin K, selenium, manganese, chromium, molybdenum, or chloride, an asterisk shall be placed in the "Percent Daily Value" column that shall refer to another asterisk that is placed at the bottom of the nutrition label and followed by the statement "Daily Value not established."

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Dated: September 26, 1995.

William B. Schultz

Deputy Commissioner for Policy.

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