



OHIO BOARD OF DIETETICS

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BULLETIN #8

GENERAL NON-MEDICAL NUTRITION INFORMATION

The purpose of Bulletin #8 is to clarify the provision of GENERAL NON-MEDICAL NUTRITION INFORMATION by ANYONE.

Chapter 4759 of the Ohio Revised Code requires everyone who practices dietetics as defined in the law (including nutrition education) to be licensed or specifically exempted from licensure. Although providing nutrition information closely aligns with nutrition education, anyone may provide general non-medical nutrition information, as defined in rule, and it is not considered the practice of dietetics if the provider does not use titles tending to indicate the practice of dietetics. Individuals or business entities that intend to offer general non-medical nutrition information should be aware of this provision and its limitations. Unlicensed individuals intending to engage in activities that go beyond the provision of general non-medical nutrition information may wish to review the criteria for claiming one or more of the numerous exemptions from licensure contained in section 4759.10 of the Ohio Revised Code.

Ohio Revised Code defines the practice of dietetics as follows:

Division (A) of section 4759.01 “The practice of dietetics” means any of the following:

- (1) Nutritional assessment to determine nutritional needs and to recommend appropriate nutritional intake, including enteral and parenteral nutrition;
- (2) Nutritional counseling or education as components of preventive, curative, and restorative health care;
- (3) Development, administration, evaluation, and consultation regarding nutritional care standards.

Nutrition education is defined in the Administrative Code:

Division (C) of Rule 4759-2-01 “Nutritional education” means a planned program based on learning objectives with expected outcomes designed to modify nutrition-related behaviors. This does not prohibit an individual from providing general non-medical nutrition information if the person does not violate division (B) of section 4759.02 of the Revised Code. (effective March 15, 2003).

General non-medical nutrition information is defined in the Administrative Code:

Division (M) of Rule 4759-2-01 “General non-medical nutrition information” means information on the following:

1. principles of good nutrition and food preparation;
2. food to be included in the normal daily diet;
3. the essential nutrients needed by the body;
4. recommended amounts of the essential nutrients;
5. the actions of nutrients on the body;
6. the effects of deficiencies or excesses of nutrients; or
7. food and supplements that are good sources of essential nutrients.

The following examples appear to meet the definition of general non-medical nutrition information:

1. demonstrating how to prepare and cook food;
2. providing information about food guidance systems, healthy eating out or healthy snacks;
3. talking about carbohydrates, proteins, fats, vitamins, minerals, and water as essential nutrients needed by the body and how nutrient requirements may vary through the life cycle;
4. giving statistical information about the relationship between chronic disease and the excesses or deficiencies of certain nutrients;
5. providing information about nutrients contained in foods or supplements.

Ohio Revised Code protects titles tending to indicate the practice of dietetics:

Division (B) of Section 4759.02 Except for a licensed dietitianor as otherwise provided in section 4759.10 of the Revised Code:

- (1) No person shall use the title “dietitian”; and
- (2) No person except for a person licensed under Chapters 4701 to 4755 of the Revised Code, when acting within the scope of their practice, shall use any other title, designation, words, letters, abbreviation, or insignia or combination of any title, designation, words, letters, abbreviation, or insignia tending to indicate that the person is practicing dietetics.

Division (K) of Rule 4759-2-01 OAC For purposes of division (B)(2) of section 4759.02 of the Revised Code, the terms “Nutritionist”, “Nutrition counselor” and like terms tend to indicate the person is practicing dietetics.

Nutrition information may be freely disseminated by anyone to acquaintances, customers and clients pursuant to 4759.10 (G) of the Ohio Revised Code. This information may include: information on vegetarian diets, alternative diet philosophies, government or agency nutrition literature; books, articles and may include their sale.

Additional exemptions may be of interest to those wanting to provide more than general non-medical nutrition information in the area of education.

4759.10(D) ORC Persons employed by an agency of the government or a non-profit agency approved by the Board who provide nutrition education only. *(bulletin #2)*

4759.10(H) ORC Persons involved in the sale, promotion or explanation, marketing or distribution of food, food materials or dietary supplements. *(bulletin #6)*

4759.10(I) ORC Persons making statements consistent with the label or labeling of dietary supplements. *(bulletin #6)*

4759.10(J) ORC Persons presenting a general program of weight control approved in writing by a licensed physician, licensed dietitian or registered dietitian. *(bulletin #3)*

If you have any further questions about this topic or need additional information, please contact:

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This bulletin is not to be interpreted as being all inclusive or exclusive. Violations reported to the Board will be reviewed on a case by case basis.

See also: The Laws and Rules Governing the Practice of Dietetics in the State of Ohio