

Interim Decision #1998

MATTER OF DE VERA
In Visa Petition Proceedings

A-17853514

Decided by District Director July 17, 1969

A dietitian who has a bachelor's degree with a major in foods and nutrition or who has the equivalent of such education and training is a member of the professions within the meaning of sections 101(a) (32) and 203(a) (3) of the Immigration and Nationality Act, as amended.

The petition was filed to accord the beneficiary third preference classification as a dietitian based on her qualifications as a dietitian. The beneficiary is a female, single, native and citizen of the Philippines, age 22, and presently residing in Navotas, Philippines.

The beneficiary received a Bachelor of Science Degree in Foods and Nutrition in April, 1967, from Centro Escolar University, Manila, Philippines. She has been employed as a dietitian at the University of the East Hospital, Quezon City, Philippines, since July 16, 1968. The beneficiary intends to engage in her profession in the United States as a professional dietitian.

Dietetics are listed in Schedule A, Group II of 29 CFR for blanket labor certification.

Dietitians are listed among the professional occupations under code 077, in the Dictionary of Occupational Titles, Volume II, third edition, prepared by the United States Department of Labor. Under specific classifications, within code 077, listed as professional and kindred, are: Research Nutritionist; Dietitian, Chief; Dietary Consultant; Dietitian, Teaching; Dietitian, Therapeutic; Nutritionist; *Dietitic Intern*; Dietitian; and Dietitian, Administrative. Dietitians plan and supervise the preparation and serving of appetizing and nutritious meals to help people maintain or recover good health. Their work includes planning general menus and modified diets to meet nutritional requirements for medical treatment, supervising the personnel who prepare and serve the meals, managing purchases and accounts, and providing guid-

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ance on good eating habits. They may also serve as instructors in the field of nutrition or take part in research projects concerned with the nutritional needs of the aging, persons with chronic diseases or space travelers.

The Occupational Outlook Handbook, 1968-1969 edition of the United States Department of Labor, states the minimum educational requirements for dietitians is a bachelor's degree with a major in foods and nutrition or institution management. While the American Dietetic Association *recommends* the completion of a one-year dietetic internship program approved by the association or three years experience to qualify for professional recognition, such a requirement appears to be solely for recognition by their association. The views of the United States Department of Labor in setting the minimum educational requirements for dietitians and in classifying Dietetic Interns (077.168) as professional and kindred, must be given considerable weight.

It is concluded that a person who has a bachelor's degree with a major in foods and nutrition or a person who has the equivalent of such education and training is a member of the professions within the meaning of sections 101(a)(32) and 203(a)(3) of the Act, as amended. The applicant is entitled to classification as a member of the professions by virtue of her educational attainments.

ORDER: It is ordered that the petition be approved.