

THE BASICS OF LABELING

When Is A Label Required?

A label is required when a product is packaged & made available for *self-service* to the consumer.

Examples include:

Deli sandwiches or prepared meals placed on to a shelf for the consumer to grab *would* require a label.

A deli sandwich or prepared meal handed to the consumer by a store employee *would not* require a label.

What Is Required To Be On A Label?

- product name
- net weight in ounces (oz) & grams (g)
- company name & address including city, state, & zip code
- ingredients must be listed with the ingredient appearing in the largest quantity first followed by the remaining ingredients in descending order by weight

Example - Ingredients: Organic Unbleached Wheat Flour, Honey, Barley Malt, Rice Extract, Expeller Pressed Safflower Oil, Sea Salt, Baking Soda, Lecithin

when an ingredient itself contains 2 or more ingredients, the components of that ingredient must be listed in parentheses after it

Example - Ingredients: Water, vital wheat gluten, *tofu (water, soybeans, calcium sulfate)*, white beans, garbanzo beans

- nutritional information is required on a label only if a health claim (low fat, etc.) or nutrient content claim (good source of calcium, etc.) is made about the product
- product dates are required only for baby food, baby formula, & over-the-counter drugs
a date may be voluntarily placed onto a product for quality & marketing purposes

LABELING REQUIREMENTS

I. Name of Product - Reference: CFR 21, Part 101.3

II. Statement of Ingredients - Reference: CFR 21, Part 101.4

- A. Complete breakdown of Ingredients (with sub-ingredients) listed by common or usual name in descending order of predominance by weight.
- B. An ingredient which itself contains two or more ingredients shall be designated in the statement of ingredients on the label of such food:

By declaring the established common or usual name of the ingredient followed by a parenthetical listing of all ingredients contained therein in descending order of predominance.

- C. When listing vegetable shortening or oil, the type shall also be listed, e.g., Soybean, Cottonseed and/or Canola Oil. If Hydrogenated, this must be specified.

III. Statement of Responsibility - Reference: CFR 21, Part 101.5

The label of a food in packaged form shall specify conspicuously the name and place of business of the manufacturer, packer, or distributor. Where the food is not manufactured by the person whose name appears on the label, the name shall be qualified by a phrase that reveals the connection such person has with such food; such as "Manufactured for" "Distributed by", or any other wording that expresses the facts. The statement of the place of business shall include the street address, city, State and ZIP code; however, street address may be omitted if it is shown in a current telephone directory.

A Telephone Number is not required. It is their prerogative if they want to display a telephone number.

IV. Net Weight - Reference: CFR 21, Part 101.105

Net Wt. Shall be demonstrated in both **English and Metric** form. Either one can follow the other parenthetically.

The Net Wt. shall be placed on the principal display panel within the bottom 30 percent of the area of the label panel in lines generally parallel to the base on which the package rests as it is designed to be displayed.

Note: (Retail Food Establishments are exempt from dual weights on "foods packaged at the retail store.")

V. Sell by Date - Reference: ODA Reg. 901:3-57-01 thru 901:3-57-08

Product with a shelf life of less than 30 days is required to show a sell by date.

VI. Refrigeration or Frozen

- A. If a product requires refrigeration, as displayed or after opening, it must be properly demonstrated on the principal display panel, e.g., **Keep Refrigerated or Refrigerate after Opening**, respectively.
- B. If a product should be kept **frozen**, for proper storage, then the label should speak to this.

CONVERSION CHART

Examples		
Weight: to convert ounces to grams - multiply ounces x 28.3495 grams		
Inch-pound	Calculated SI	Rounded SI
1.0 oz	28.349 5 g	28 g
5.0 oz	141.747 6 g	142 g
10 1/4 oz	290.582 38 g	291 g
16.0 oz	453.592 4 g	454 g
32.0 oz	907.184 g	907 g
48.0 oz	1360.776 g	1.36 kg
5 lb	2.267 961 85 kg	2.27 kg
10 lb	4.535 923 7 kg	4.54 kg
25 lb	11.339 809 25 kg	11.3 kg
Liquid Volume: to convert fluid ounces to milliliters multiply fluid ounces x 29.573 5 milliliters		
Inch-pound	Calculated SI	Rounded SI
1.0 fl oz	29.573 5 mL	30 mL
8.0 fl oz	236.588 mL	237 mL
16.0 fl oz	473.176 mL	473 mL
32.0 fl oz	947.353 mL	947 mL
1 gal	3.785 41 L	3.79 L
2 1/2 gal	9.463 525 L	9.46 L
5 gal	18.927 05 L	18.9 L
Dry Measure: to convert dry pints to milliliters - multiply dry pints x 550.610 5 milliliters		
Inch-pound	Calculated SI	Rounded SI
1 dry pt	550.610 5 mL	551 mL
1 dry pt	1.101 221 L	1.1 L
Length: to convert inches to millimeters - multiply inches x 25.4 millimeters		
Inch-pound	Calculated SI	Rounded SI
1 in	25.4 mm	25 mm
10.5 in	266.7 mm	267 mm or 26.7 cm
1 ft	30.48 cm	305 mm or 30.5 cm
5 ft	152.4 cm	152 cm or 1.5 m
50 ft	15.240 03 m	15.2 m
100 ft	30.480 06 m	30.5 m

VII. Nutritional Labeling - Reference: CFR 21, Part 101.9

A. Retail

With less than \$500,000 in total sales the firm is **exempt** from nutritional labeling provided no nutritional claims are made. This pertains to food products manufactured by firm and not sold outside that firm.

B. Manufacturers/Wholesalers

- 1 Exemption for low-volume food products introduced before **MAY 8, 1994**:

	<u>No. Employees</u>	<u>Units Sold</u>
1994:	<300	<600,000
1995:	<300	<400,000
1996:	<200	<200,000
1997:	<100	<100,000

2. Products introduced on or after **May 8, 1994** must meet 1997 levels to be exempt.

- C. Foods in small packages that have a total surface area available to bear labeling of less than 12 square inches, provided, that the labels for these foods bear no nutrition claims or other nutrition information in any context on the label or in labeling or advertising. Claims or other nutrition information subject the food to nutritional labeling.

The manufacturer, packer, or distributor shall provide, on the label of packages that qualify for and use this exemption, an address or telephone number that a consumer can use to obtain the required nutrition information e.g., "For nutrition information, call 1-800-123-4567".

- D. Establishment must submit **annual** notification to FDA to maintain exemption.

VIII. UPC Code

We do not regulate the UPC code. The following address and number is provided if you wish further information:

Uniform Grocery Code
7051 Corporate Way
Dayton, Ohio 44459
(513) 435-3870

LABELS MAY BE SUBMITTED TO THE DEPARTMENT OF AGRICULTURE FOR REVIEW PRIOR TO YOUR HAVING THEM PRINTED, IF YOU SO DESIRE.

MAILING ADDRESS:

OHIO DEPARTMENT OF AGRICULTURE
ATTN: DUANE L. MURRAY
DIVISION OF FOOD SAFETY
8995 E. MAIN STREET
REYNOLDSBURG, OHIO 43068