



**CONNECTICUT**  
Consumer Protection

**Food Labeling and  
Packaging Workshop**  
April 2025

# Presenters

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- Volunteers
- DCP Staff

# Disclaimers and Housekeeping

- Commercial product labels are used in this presentation. Use is for illustrative purposes only.
- Reference Guide with regulations (Link on agenda)
- Questions/Limitations
- Breaks
- Facilities

# Introduction & Objectives

# Objectives

By the end of the course, participants will be able to:

- **Understand** legal requirements for food labeling
- **Interpret** key labeling components (nutrition facts, ingredient lists, allergens, claims, etc.)
- **Identify** misleading or non-compliant labels
- **Apply** best practices in food labeling to ensure compliance and consumer transparency

# THE ASSIZE OF BREAD.

*Together*

With sundry good and needfull ordinances for Bakers, Brewers, Inholders, Victualers, Vintners, and Butchers: And also other Affizes in Weights and Measures, *which by the Lawes of this REAUME, are commanded to be obserued and kept by all manner of Persons, as well within Liberties as without.*

Whereunto there are also added, fundrie good and needfull Orders, in making and retayling of all kinds of lawfull Breads, vendible vnto his *Majesties* Subjects in the Common-wealth, agreeing with the Statutes, Lawes, and Ancient Orders and Customes of this Realme of England.

The which Statutes and ancient Orders and Customes, for making and retayling of all lawfull sorts of Bread, as aforesaid, haue bene heretofore seene, allowed, and are commanded to be kept, by the Right Honourable the Lords, and others of the Kings *Majesties* Honourable Priuie Counsell.

*Newly corrected and enlarged from twelve pence the Quarter of Wheate, vnto three pound and six pence the Quarter, according to the rising and falling of the price thereof in the Market, by six pence altring in euery Quarter of wheate.*

{	Job. Cant.	{	Tho. Buchart.	}
{	Ch. Hatton.	{	S. Francis Knowles.	}
{	W. Burley.	{	S. Tho. Heneage.	}
{	H. Derby.	{	S. I. Fortescue.	}
{	Cha. Howard.	{	S. I. Woolley.	}
{	H. Hunston.	{		}

L O N D O N,

Printed by *William Stansby*, and are to be sold by *John Grismandi*, in Pawles Alley at the Signe of the Gun.

1 6 2 6.

## Consumer Rights: Accurate and Honest

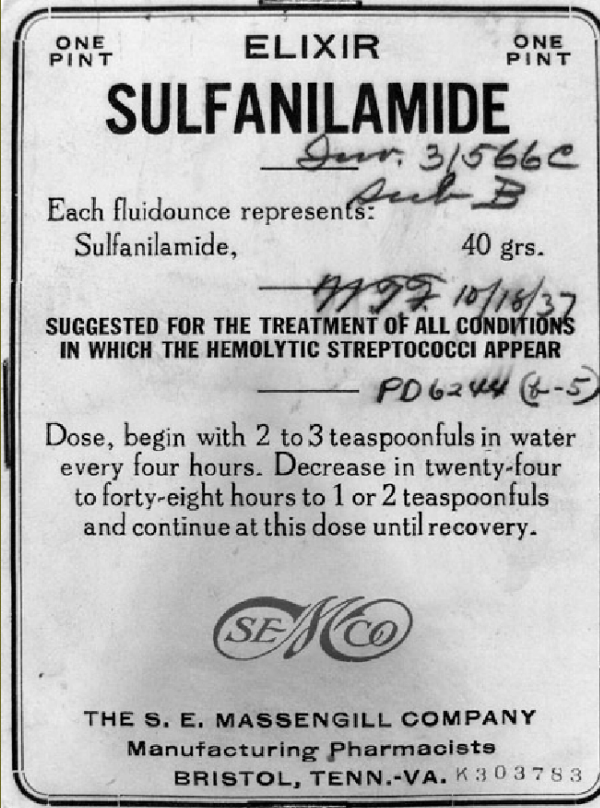
- The Assize of Bread and Ale
- 13<sup>th</sup> Century Law from medieval England
- Adopted by the Colonies, including Connecticut
- Regulated the price, weight, and quality of the bread and beer manufactured.
- Controlled quality, pricing, checking weights to avoid fraudulent activity

THE



JUNGLE

UPTON SINCLAIR



## Evolution of Labeling in the U.S.

- 1906: *The Jungle* by Upton Sinclair
- Harvey Wiley and Poison Squad
- Taste of Raspberries, Taste of Death: The 1937 Elixir Sulfanilamide Incident
- Fair Packaging and Labeling Act
- NLEA and DSHEA
- FALCPA
- FSMA

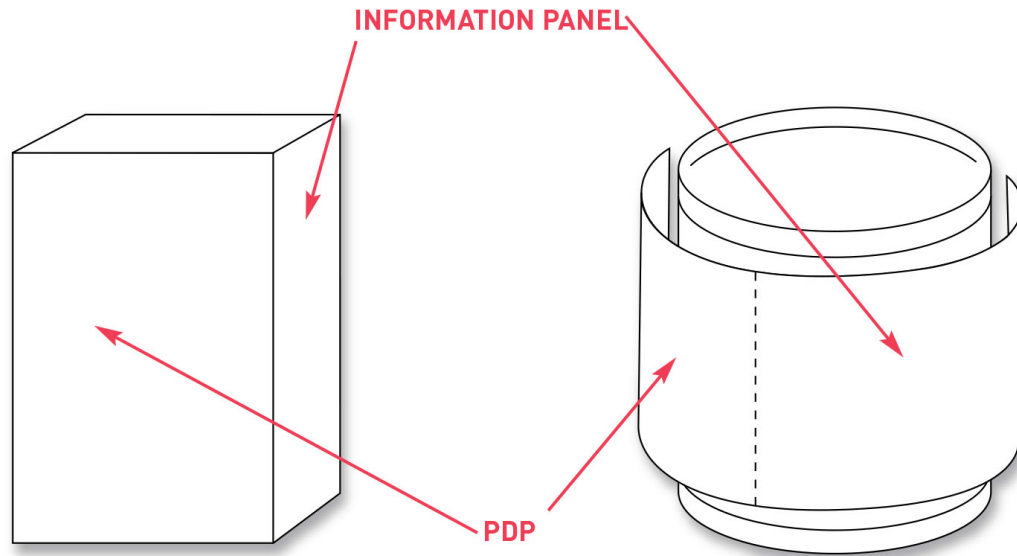


# General Food Labeling Requirements

Frank Greene



# General Food Labeling Requirements:

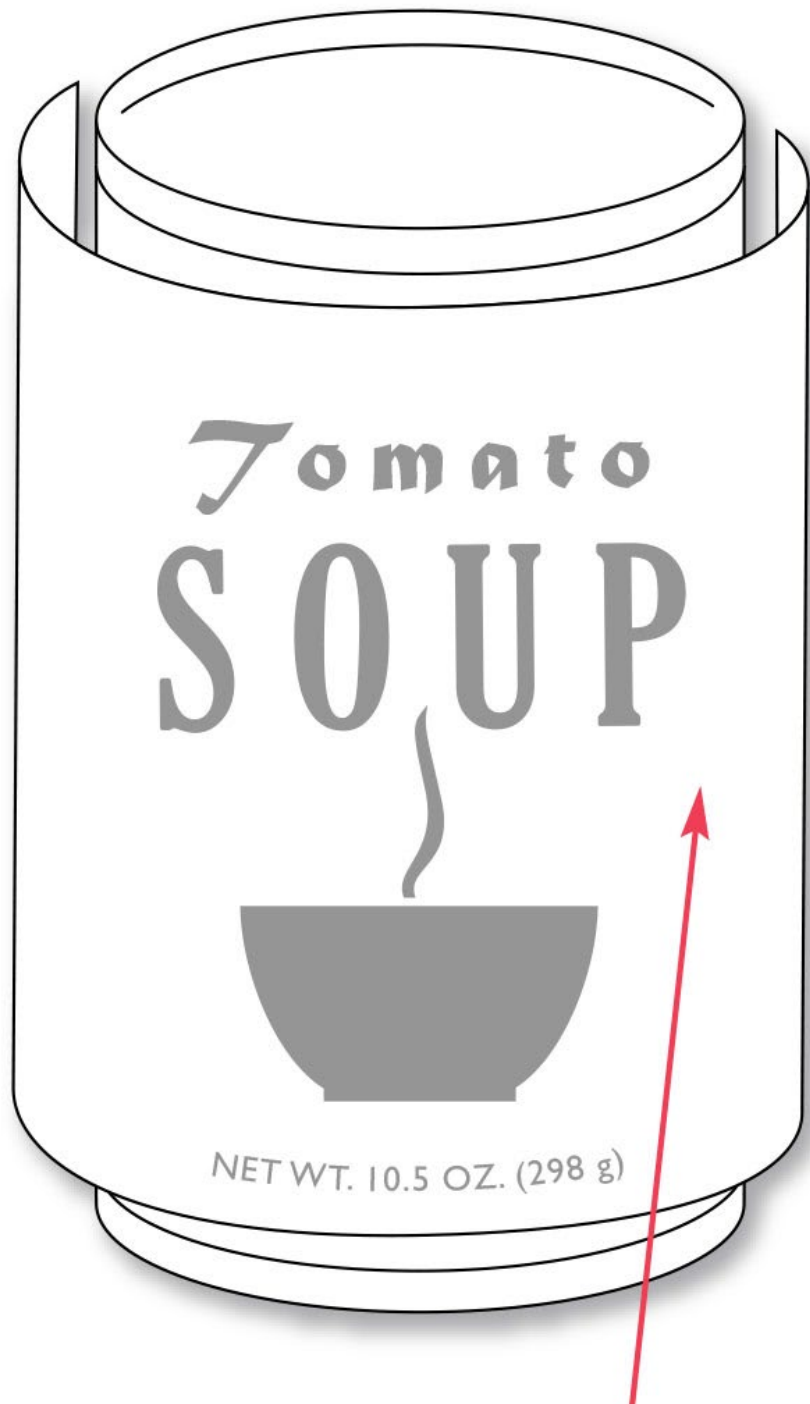


## Principal display panel or PDP:

- All required label statements can be on front label
- Typically, common or usual name and net quantity statement

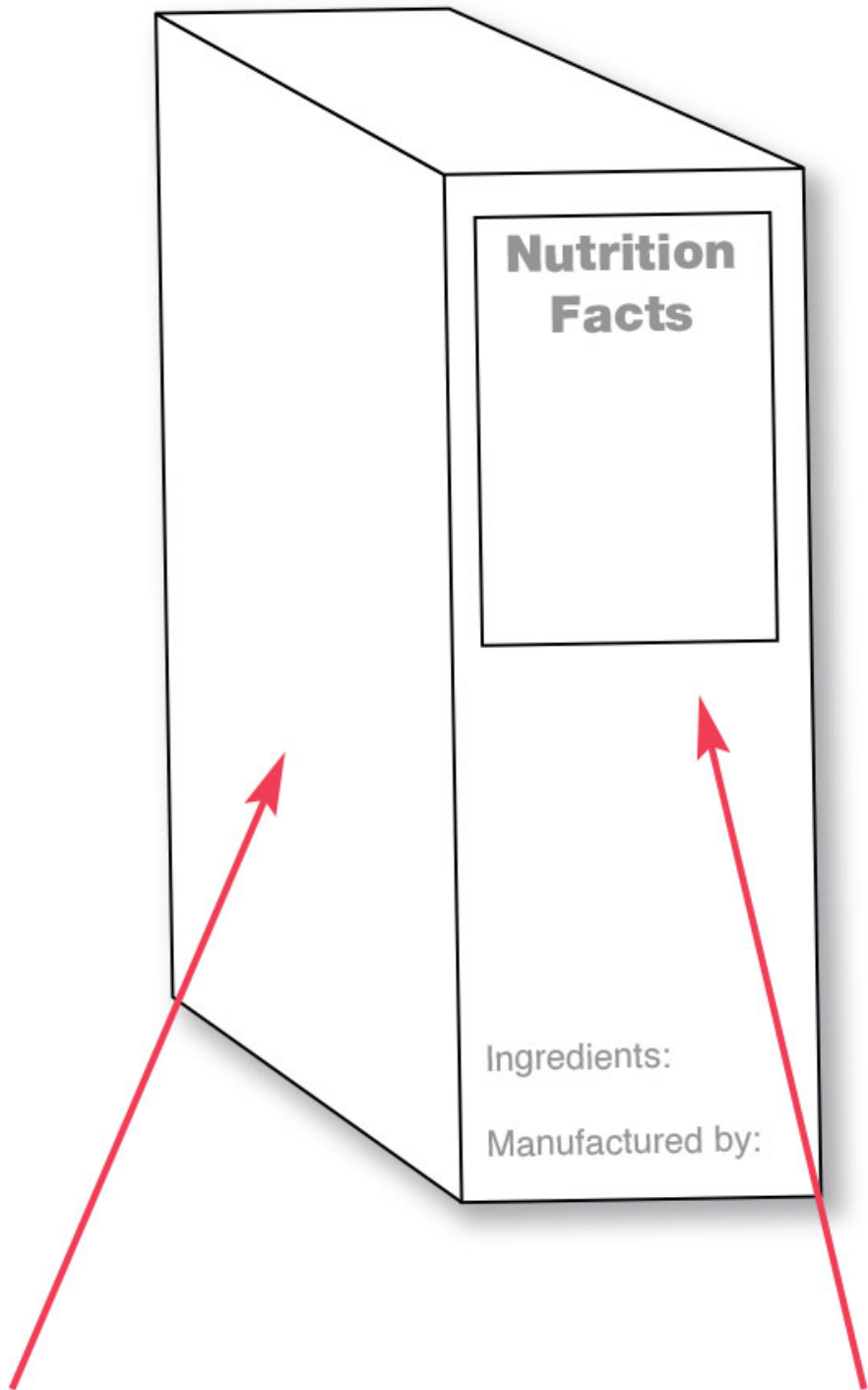
## Information Panel

- To right of the PDP
- Nutrition Facts, Ingredients (allergens) and Responsibility Statement



## Label Statements (PDP)

- Statement of Identity, or common or usual name of food
- Net quantity statement, or amount of product
  - Located on the PDP or alt. PDP
  - Bottom 30% of food product

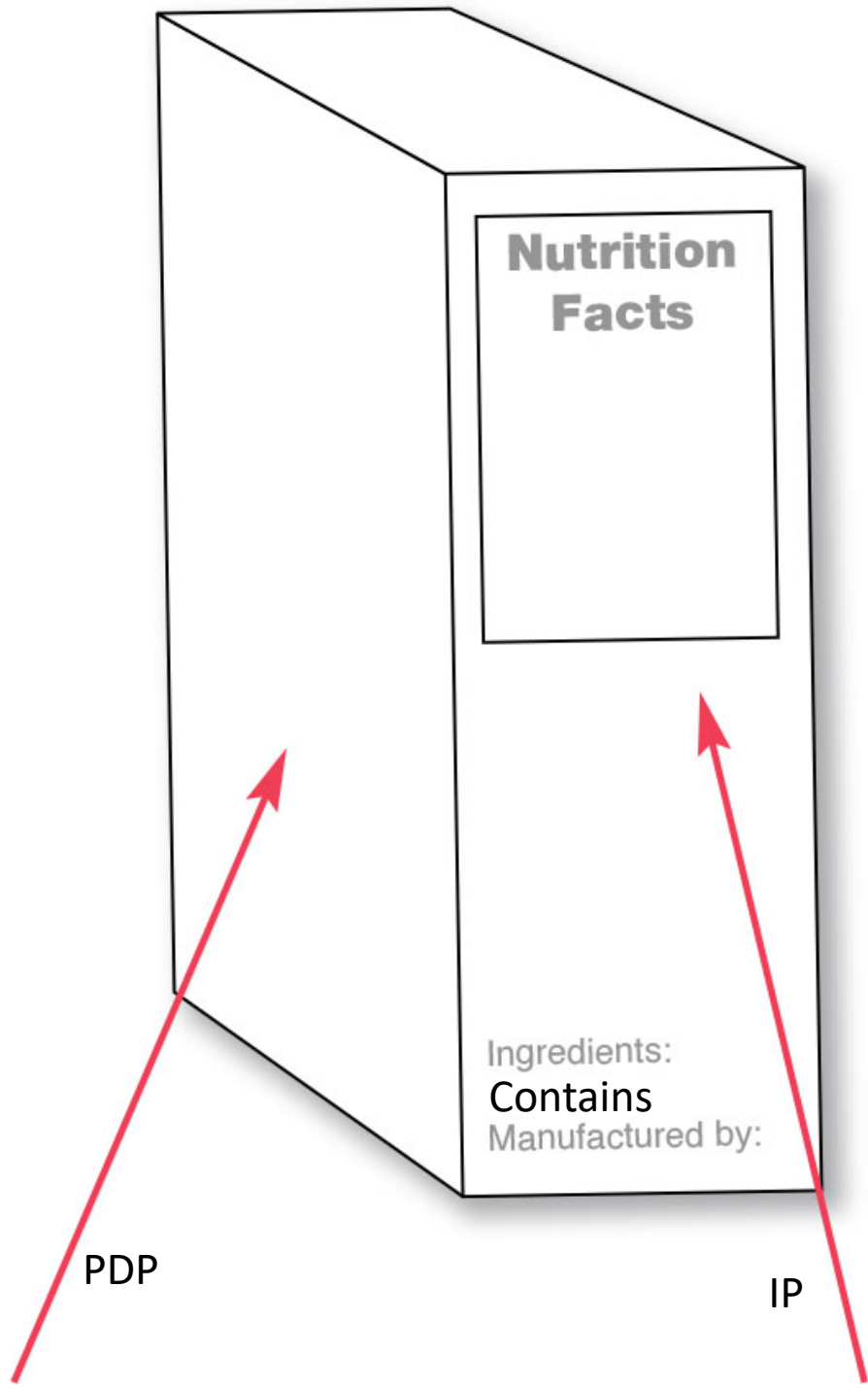


## Information Panel (IP)

- To the right of the PDP, as displayed to the consumer
- If not usable, due to package design (e.g., folded flaps), IP is next available panel to the right of the PDP

# Information Panel Labeling

- Nutrition Facts Panel
- Ingredient statement
- "Big Nine" allergens, either in ingredients and/or "Contains"
- Responsibility Statement
- Name and address of the manufacturer, packer & distributor



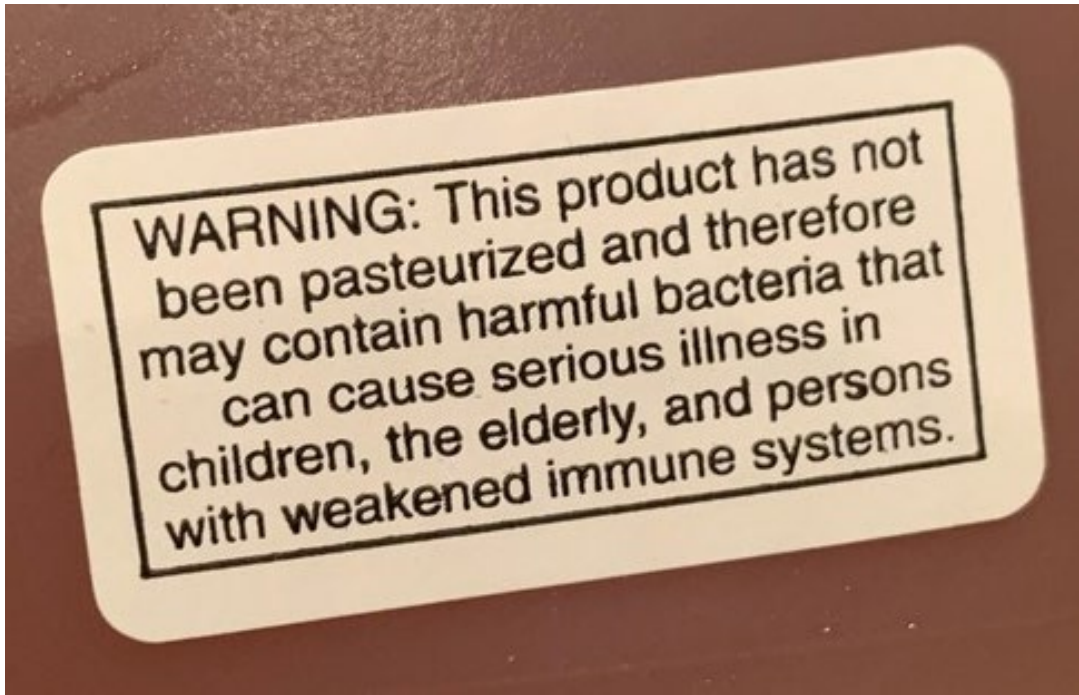
# Required type size

- Print or type size is prominent and easy to read
- Letters: 1/16 inch in height based on lower case "o", not more than 3 times as high as they are wide
- Contrasts with background
- Visual size of type is determined by factor above, **not** the point size
- Point size: the height of the ascender to the bottom of the descender.
- 72 points per inch, so 1/16 of an inch is 4.5 points



# Unpasteurized Cider (Any Juice) and Egg Label

- FDA requires warning label
- It has not been pasteurized and may contain harmful bacteria
- Can pose health risks for some



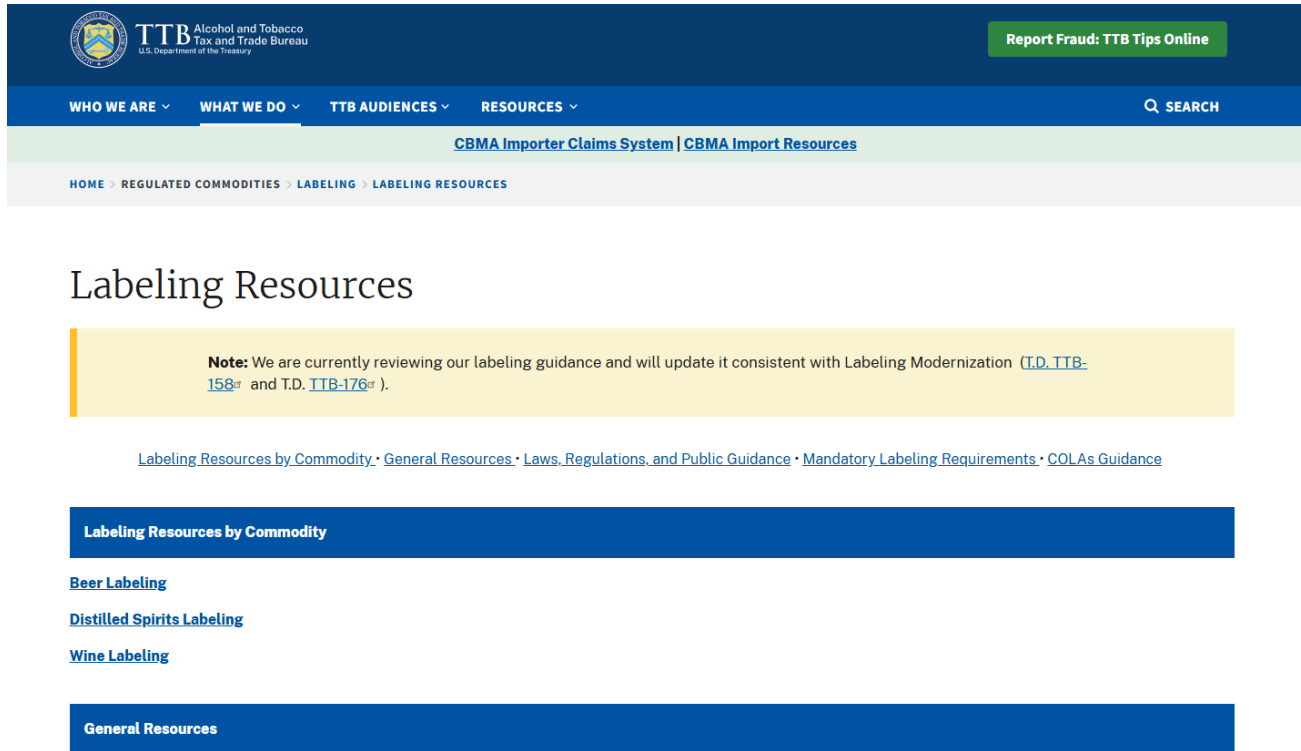


# Responsibility Statement

- Name of manufacturer, packer, or distributor.
  - If not, “the actual manufacturer” must be accompanied by a qualifying term such as “manufactured for” or “distributed by.”
- The address includes the following
  - Street address (can be exempted if Company is in a public directory)
  - City or town, State (or country, if outside the United States) or ZIP code (or mailing code)

**INGREDIENTS:** SUGAR, COCOA PROCESSED WITH ALKALI, SOY LECITHIN, CARRAGEENAN, SALT, NATURAL FLAVOR, SPICE, VITAMINS AND **MINERALS:** SODIUM ASCORBATE (VITAMIN C), FERRIC PYROPHOSPHATE (IRON), NIACINAMIDE, ZINC OXIDE, THIAMIN HYDROCHLORIDE, COPPER GLUCONATE, MANGANESE SULFATE, BIOTIN.  
**CONTAINS: SOY INGREDIENT. MAY CONTAIN: MILK AND WHEAT.**  
**DISTRIBUTED BY NESTLÉ USA, INC., GLENDALE, CA 91203 USA**

# Other Labeling Resources



The screenshot shows the TTB website's 'Labeling Resources' page. At the top is the TTB logo and a 'Report Fraud: TTB Tips Online' button. A navigation bar includes 'WHO WE ARE', 'WHAT WE DO', 'TTB AUDIENCES', and 'RESOURCES'. Below this is a breadcrumb trail: 'HOME > REGULATED COMMODITIES > LABELING > LABELING RESOURCES'. The main heading is 'Labeling Resources'. A yellow note box states: 'Note: We are currently reviewing our labeling guidance and will update it consistent with Labeling Modernization (T.D. TTB-158<sup>st</sup> and T.D. TTB-176<sup>st</sup> )'. Below the note is a link: 'Labeling Resources by Commodity • General Resources • Laws, Regulations, and Public Guidance • Mandatory Labeling Requirements • COLAs Guidance'. A blue bar labeled 'Labeling Resources by Commodity' contains links for 'Beer Labeling', 'Distilled Spirits Labeling', and 'Wine Labeling'. Another blue bar at the bottom is labeled 'General Resources'.

**Labeling Resources**

**Note:** We are currently reviewing our labeling guidance and will update it consistent with Labeling Modernization (T.D. TTB-158<sup>st</sup> and T.D. TTB-176<sup>st</sup> ).

[Labeling Resources by Commodity](#) • [General Resources](#) • [Laws, Regulations, and Public Guidance](#) • [Mandatory Labeling Requirements](#) • [COLAs Guidance](#)

**Labeling Resources by Commodity**

- [Beer Labeling](#)
- [Distilled Spirits Labeling](#)
- [Wine Labeling](#)

**General Resources**

- TTB
- USDA – FSIS
- USDA Organic, COOL ,
- Customs – COOL
- Halal
- Kosher
- Pareve



# **Name of Food & Labeling Requirements**



## Name of the Food

- Placement - Statement of identity on PDP in lines parallel to base of package.
- Common or usual name usage should be used if product has one.
- If subject to a standard of identity, must bear that name specified in the standard.
- Labels must describe form in the package if the food is sold in different optional forms
  - (sliced and unsliced, whole or halves, etc.)
- Imitation, <Name of Food imitated>



## Name and Placement

- Type size must be reasonably related to the most prominent printed matter on the front panel
- Should be one of the most important features on the PDP
  - At least 1/2 the size of the largest print



# Statement of Identity and Common or Usual Name

## Standardized Food

- Name established by law, or in the absence of common or usual name of the food
- If not, use appropriate descriptive name that is not misleading.
- Brand names are not statements of identity and should not be unduly prominent to the statement of identity.



## Foreign Language Labels

- If foreign language is used, then all label statements must appear both in English & the foreign language
- Exception (Puerto Rico)

# Misbranding

# Misbranding

- Purpose of labels and labeling:
  - Inform the consumer about the product
  - Induce the consumer to buy the product
- Why regulate labels and labeling:
  - Prevent fraud, deception or misleading statements
  - Require disclosure of information necessary for consumer to make “informed decision”
  - Prevent injury or death related to allergens

# Misbranding

- False or Misleading Labeling
- Missing Required Information – common or usual..., name and address..., net quantity, ingredients, Nutrition Facts\*, Allergen\*
- Misrepresentation
- Unsubstantiated claims
- Misleading packaging (slack fill)



# Label vs. Labeling

- Label:
  - A display of written, printed or graphic matter upon the *immediate container* of any article.
- Labeling:
  - *All labels* and other written material upon any article or *any* of its containers or wrapper or accompanying the product.

# Misbranding Preventive vs Punitive

- Label must not be “false or misleading in any particular”
  - Every aspect of label is considered in determining if false or misleading
  - Required information is missing or not prominently displayed.
- FDA need not show consumer actually misled
- Test is effect of labeling on “ignorant, the unthinking and the credulous” consumer

# Mandatory Labeling Requirement

- Product identity statement (common or usual name)
  - Standards of Identity or common/usual
  - Appropriately descriptive terms
- Ingredient Line
  - List in descending order of predominance by weight of all ingredients
- Statement of Net Content
  - Statement of contents in terms of weight, measure or numerical count
- Identity of Manufacturer Packer or Distributor

# Standards of Identity

- FDCA can establish a “**standard of identity**”
- To promote “honesty and fair dealing”
- Products Development
  - Choosing a name for a product (Must first consult standard of identity)
  - Must use name set forth in standard, if there is one.
  - Appropriately descriptive name, if no standard.

# Net Content Statements

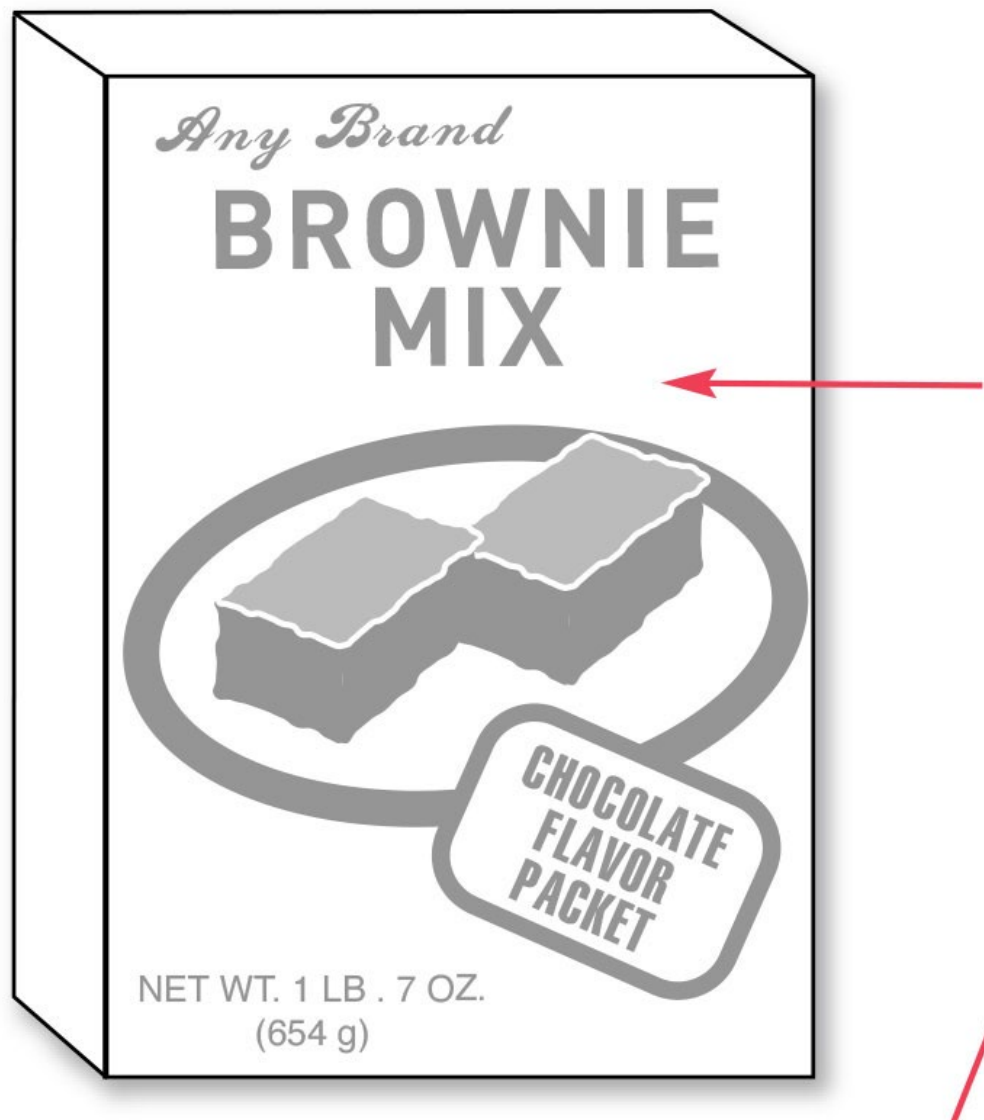
Bill Timko



## Net Quantity of Contents Statements

- Provides the amount of food in the container or package.
- Weight, measure or numeric count
  - Weight for solid, semisolid or viscous foods
  - Fluid Measure (fl oz) if the food is a liquid
- **Note:** Net Weight should be expressed in the largest whole unit.

\*UPLR



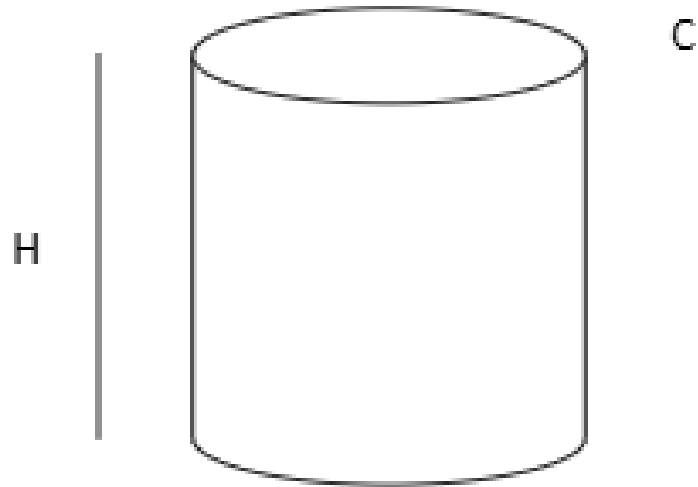
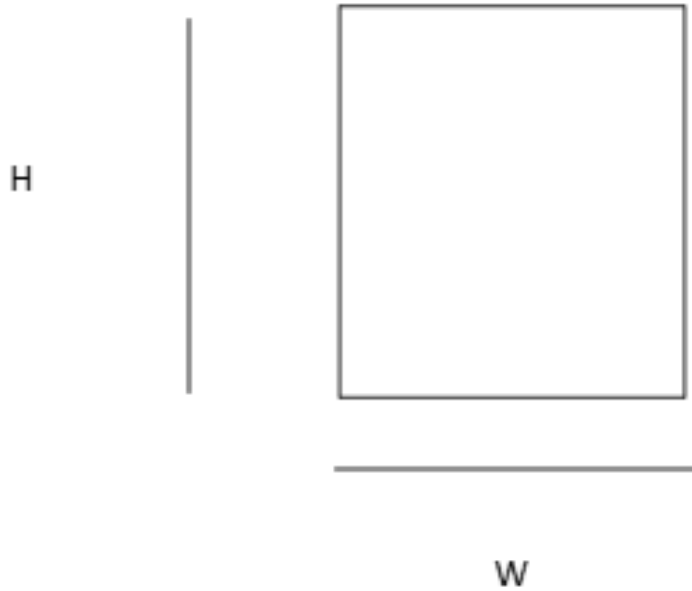
## Net Quantity of Content

- Net quantity of contents statement placed on the label:
  - Placed as a distinct item
  - Bottom 30% of PDP
  - In line or parallel with base of container

# Net Quantity of Contents Statements

- Dual declarations, food labels must show net contents in both grams and ounces
  - Metric: grams, kilograms, milliliters, liters
  - U.S. Customary System: ounces, pounds, fluid ounces
- Metric can be placed on either side of the U.S. customary statement. Examples:
  - Net wt 1 lb 8 oz (680g)
  - 500 ml (1 pt 0.9 fl oz)
  - Net contents 1 gal (3.79 L)





## Calculate the area of the PDP

- Area of PDP (in inches or square centimeters) **determines** the minimum type size permitted for net quantity statement
- To calculate:
  - Rectangles,  $\text{Area} = \text{Height} * \text{Width}$  (inches or centimeters)
  - Cylindrical,  $\text{Area} = 0.4 (\text{Height} * \text{Circumference})$

# Minimum Type Size

- Net quantity statements:
  - Minimum type size is the **smallest type size** allowed on PDP
- Determine the type's height by measuring the height of lower-case "o" when mixed upper/lower case letters are used
  - Or height of upper-case letters when only upper-case is used

Min Type Size	Area of PDP
1/16 in. (1.6 mm)	<= 5 sq. in. (32 sq. cm.)
1/8 in. (3.2 mm)	> 5 sq. in. (32 sq. cm.), <= 25 sq. in. (161 sq. cm.)
3/16 in. (4.8 mm)	> 25 sq. in. (161 sq. cm.), < 100 sq. in. (645 sq. cm.)
1/4 in. (6.4 mm)	More than 100 sq. in. (645 sq. cm.) but not more than 400 sq. in. (2580 sq. cm.)
1/2 in. (12.7 mm)	Over 400 sq. in. (2580 sq. cm.)

# Requirements for net quantity statements

- Print Style: Prominent, conspicuous and easy to read
- Do not crowd the net quantity statement with artwork or other labeling
  - Minimum separation requirements are specified in the regulation

# Included in the net quantity of contents statement

Do include: Quantity of food in the container or package

Do not include: Weight of container, wrappers and package

To determine net weight:

- Subtract average weight of empty container, lid, wrappers and packaging materials **from** average weight of container when filled with food
- **Full Cont. 18 oz. – Empty Cont. 2 oz. – Wrapper 1 oz. = Net 15 oz. (425 g)**

# Water/packing medium included in determining the net quantity of contents in a food container

- Water or other liquid added to food in a container is usually included in the net quantity declared on a label.
- In some cases where the packing medium is normally discarded, the drained weight is given (e.g., olives and mushrooms).

Beans weigh	9 oz. -
Water weighs	4 oz. -
Sugar weighs	1 oz. -

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<b>Net Weight</b>	<b>14 oz. (396 g)</b>
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# Net quantity: Contents for a Pressurized Can

- Net quantity: Weight or volume (of product that will be delivered from the pressurized container) **with** the weight or volume (of the propellant)

Whipped cream -

11.95 oz.

Propellant -

.05 oz.

---

Net Weight

12 oz. (340 g)

21 CFR 101.105(g)

# Net Quantity Statements: Using Qualifying Phrases

- Do not use qualifying phrases or terms that exaggerate the amount of food

INCORRECT

**Net Wt. = 2 Large oz. (5g)**

CORRECT

**Net Wt. = 2 oz. (5g)**

# Ingredients

Monica Robotin

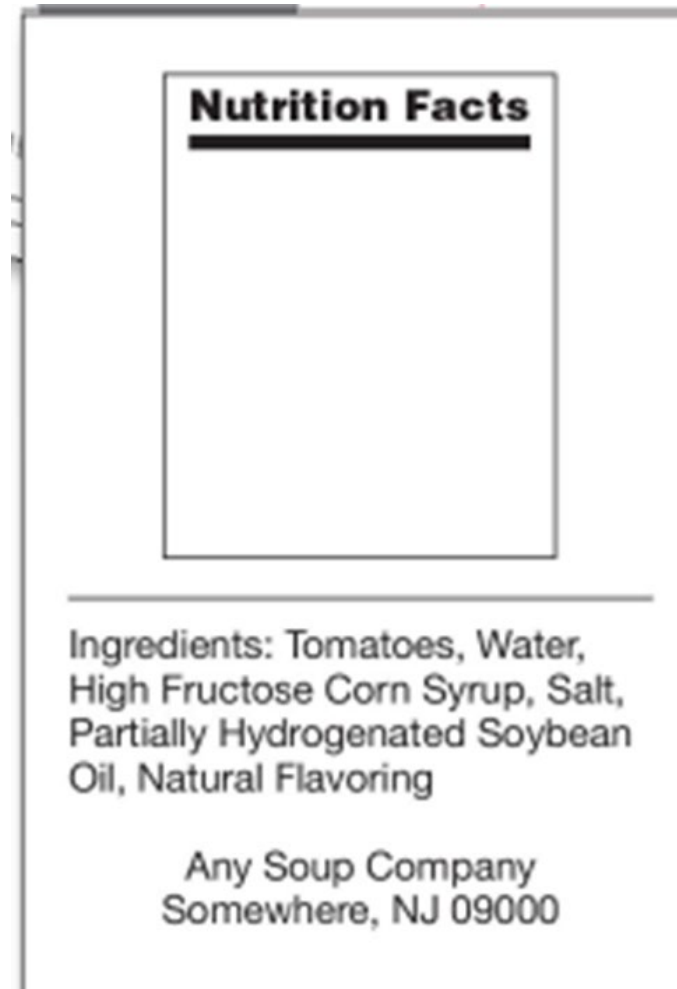


# Ingredient List

- Listing of each ingredient in descending order of predominance by weight with the heaviest item first.
  - “Ingredients: Pinto Beans, Water, and Salt”



# Ingredient List Placement on the Label



- Located on the Information Panel, usually
- Listing ingredients in descending order of predominance by weight
- The ingredient that weighs the most is listed first

# Water listed as an ingredient

- Water added in making food is an ingredient
  - Must be identified in the ingredient list (in descending order based on weight)
- When is water not included in the ingredient list?
  - If all water added during processing was subsequently removed by baking or another means of processing
  - Example: “INGREDIENTS: Water, Navy Beans, and Salt”



## Bilingual Labeling

- When an accepted common name for a food is not in English (e.g., salsa, chili con carne, croissants, rigatoni)
- Common name does not require dual language declaration.
- If name of the food brings the article to the attention of a person who does not speak English (e.g., Frijoles Pintos), all required information must be presented in foreign language.

# Common or usual name used for the Ingredient Statement

- Always list the **common or usual name** for ingredients unless there is a regulation that provides for a different term.
  - For instance, use the term “sugar” instead of the scientific name “sucrose” or “Milk” instead of “Whey”
- “INGREDIENTS: Apples, Sugar, Water, and Spices”

# Declaring “Trace” Ingredients

- FDA does not define “trace amounts
- There are some exemptions for declaring ingredients present in “incidental” amounts in a finished food.
- If an ingredient is present at an incidental level with no functional or technical effect in the finished product, then it need not be declared on the label.
- An incidental additive is usually present because it is an ingredient of another ingredient.
- Sulfites added to any food or to any ingredient in any food and that has no technical effect in that food are incidental only if present at **less than 10 ppm.**

# Ingredients: Alternative Fat and Oil

- Listing alternative fat and oil ingredients (“and/or” labeling) in parentheses following the declaration of fat and oil blends is permitted:
  - Only when foods in which added fats or oils are not the predominant ingredient
  - & if manufacturer is unable to predict which fat/oil ingredient will be used.
- “INGREDIENTS: . . . Vegetable Oil (contains one or more of the following: Corn Oil, Soybean Oil, or Safflower Oil) . . .”



# Alcohol in Confections



It comes with all the depth of flavor, yet with less than 0.5% alcohol by volume

- The amount allowed under SB 984, 2021, is limited to 5/10's of 1% by weight or 0.5% by weight.
- The label must include a contains statement with respect to alcohol content, e.g., "Contains no more than 0.5% by weight of alcohol."
- $ABW = ABV * 0.8.$



# Ingredients: Chemical Preservatives

- When an approved chemical preservative is added to a food:
  - The common or usual name of the preservative must be included
  - And function of the preservative by including terms:
    - “preservative”
    - “to retard spoilage”
    - “a mold inhibitor”
    - “to help protect flavor”
    - “to promote color retention”
- “INGREDIENTS: Dried Bananas, Sugar, Salt, and Ascorbic Acid to Promote Color Retention”

# Ingredient List: Spices, Natural or Artificial Flavors



**INGREDIENTS:** SALT, GARLIC, SPICES (INCLUDING BLACK PEPPER AND RED PEPPER), ONION, SUNFLOWER OIL, NATURAL FLAVOR AND EXTRACTIVES OF PAPRIKA.

- Use specific common name or declarations of “spices,” “flavor,” etc.
- Spice or spice blend products, flavors or colors must list each ingredient by name
- “INGREDIENTS: Apple Slices, Water, Cane Syrup, Corn Syrup, Modified Corn Starch, Spices, Salt, Natural Flavor and Artificial Flavor”



## Canned/Bottled Juice from Concentrate

- If the reconstituted juice in which the fruit is canned/bottled is prepared from juice concentrate and water, then both ingredients must be declared.

**INGREDIENTS:** FILTERED WATER, SUGAR, CRANBERRY JUICE FROM CONCENTRATE (FILTERED WATER, CRANBERRY JUICE CONCENTRATE), PINEAPPLE JUICE FROM CONCENTRATE (FILTERED WATER, PINEAPPLE JUICE CONCENTRATE), NATURAL FLAVORS, FUMARIC ACID, PECTIN, ASCORBIC ACID (VITAMIN C), VEGETABLE JUICE FOR COLOR, MALIC ACID, GUM ARABIC, ESTER GUM.

# Can juice concentrates be grouped in the ingredient statement?

No.

“Fruit juice concentrates” is not established as a common or usual name, nor established as an appropriate collective name for a variety of different concentrated fruit juices.

# Declaring Foods, When Ingredients Contain Multiple Ingredients

- Use parenthesis to declare sub ingredients
  - Placed directly after the name of the ingredient
- **OR** can be declared by dispersing each ingredient in order of predominance without naming the original ingredients.



# Flavors

If the flavor is declared by the standardized name  
eg. vanilla extract (vanilla bean extractives in  
water & alcohol)

- Each ingredient **must be** declared parenthetically following the standardized name.
- Standardized flavor may simply be declared as flavoring, natural flavoring, or artificial flavoring, as appropriate.

# Colors

- Vegetable powders **must be** declared by common or usual name, ex. “onion powder” or “celery powder.”
- Spices, such as paprika, turmeric, saffron, etc. that are also colorings **must be** declared either by the term “spice and coloring” or by the actual (common or usual) names, such as “paprika.”

# Colors

- The artificial color is a certified color listed by specific or abbreviated name such as “FD&C Red No. 40” or “Red 40.”
- Noncertified colors: List as “artificial color,” “artificial coloring,” or by their specific common or usual names such as “caramel coloring” and “colored with beet juice.”
- Certified color additives and their lakes are separate ingredients and, thus, must be declared as such.



# Food Allergen Labeling

Virginia Veneziano

# Food Allergen Labeling (FALCPA)



**Scan for FALCPA  
(2004)**

- Food Allergen Labeling and Consumer Protection Act of 2004
- FALCPA addresses the labeling of all packaged foods regulated by the FDA.

# Major Food Allergens

- An ingredient that is one of nine specified foods or food groups
- OR an ingredient that contains protein derived from one of them
  - Milk, Egg, Fish, Crustacean shellfish, Tree nuts, Wheat, Peanuts, soybeans and sesame (recently added)



# Major Food Allergens

- The FALCPA major allergens account for 90+% of all food allergens
  - There are at least 160 different foods and substances that have been identified to cause allergies in sensitive people.
- Other foods (not under FALCPA )though may be addressed under other requirements such as sulfites (> 10 ppm) and various dyes (yellow no 2)

# Allergens at Retail

- Pre-packaged foods, covered by FALCPA
- Foods packed to order, not covered by FALCPA
- Color and Food Additives (FDA)
  - Some individuals may have hypersensitivity reactions to a color additive.
  - The FDA requires all products containing FD&C Yellow No. 5 to identify it on their labels

# Color and Food Additives (FDA)

- Color additives made from cochineal extract and carmine (derived from insects) identified as allergenic substances:
  - **Must be** declared on the label of all food and cosmetic products.
- Various sulfiting agents (sodium bisulfite) are allowed as food ingredients.
  - Must be declared if  $\geq 10$  parts per million total sulfites.

# Allergen Exemptions

- Under FALCPA the following foods are exempt:
  - Raw agricultural commodities are exempt
  - Highly refined oils derived from one of the nine major food allergens and
  - Any ingredient derived from such highly refined oil.
  - FALCPA provides mechanisms by which a manufacturer may request that a food ingredient may be exempt from FALCPA's labeling requirements.

# Allergen Questions

- Molluscan shellfish:
  - Under FALCPA, molluscan shellfish (e.g., such as oysters, clams, mussels, or scallops) are not major food allergens. However, Crustacean shellfish (e.g., crab, lobster, or shrimp), and ingredients that contain protein derived from Crustacean shellfish, are major food allergens.



## List of tree nuts/allergens

Almond	Heartnut/Japanese Walnut
Black Walnut	Macadamia nut/Bush nut
Brazil nut	Pecan
California walnut	Pine nut/Pinon nut
Cashew	Pistachio
Filbert/Hazelnut	English and Persian Walnut

## Allergen: Nuts

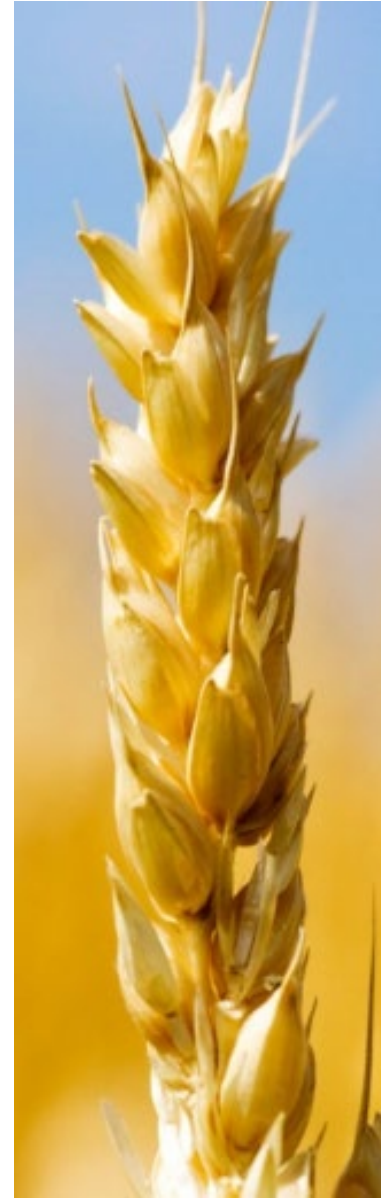
- **Jan. 6th FDA guidance on Allergens:**
  - Changes to its classification of tree nuts.
  - **coconut and cola/kola nut no longer considered as an allergen**
  - Table demonstrates included nuts.

# Additional Changes in Jan. 6 FDA Guidance

- Additional varieties of Eggs such as duck, geese, and quail are now included
- Milk varieties have also been expanded to encompass sheep and goat.

# Allergen: Wheat

- Definition of “wheat” as a major food allergen per Section 201(qq) of the FD&C Act:
  - “Wheat” means any species in the genus *Triticum*. Wheat would include grains such as:
    - common wheat (*Triticum aestivum* L.)
    - durum wheat (*Triticum durum* Desf.)
    - club wheat (*Triticum compactum* Host.)
    - spelt (*Triticum spelta* L.)
    - semolina (*Triticum durum* Desf.)
    - Einkorn (*Triticum monococcum* L. subsp. *Monococcum*),
    - emmer (*Triticum turgidum* L. subsp. *dicoccon* (Schrank) Thell.)
    - kamut (*Triticum polonicum* L.)
    - triticale (*x Triticosecale* ssp. Wittm.)



# Allergen: Singular vs Plural

- Singular terms “peanut,” and “soybean,” and terms for tree nuts e.g., almond, pecan, or walnut are acceptable substitutes for the plural terms under FALCPA
  - Terms “**soybean,**” “**soy,**” and “**soya**” are reasonable synonyms for the common name “soybeans,” and can be used to identify the food source of the allergen, “soybeans.”

# Allergen: Singular vs Plural

- Packaged foods that are made using “soybeans” as or part of a multi-component ingredient (soy sauce or tofu) should use the word “soybeans”
  - Common or usual name for this ingredient to identify properly the ingredient
  - Ex. “soy sauce (water, wheat, soybeans, salt)”
- Contents should be clear. Using “soy lecithin” and “milk” along with “whey” if those ingredients are used

## Nutrition Facts

**Ingredients:** Enriched flour (wheat flour, malted barley, niacin, reduced iron, thiamin mononitrate, riboflavin, folic acid), sugar, partially hydrogenated cottonseed oil, high fructose corn syrup, whey (milk), eggs, vanilla, natural and artificial flavoring, salt, leavening (sodium acid pyrophosphate, monocalcium phosphate), lecithin (soy), mono- and diglycerides.

Any Cookie Company  
College Park, MD 20740

1. Include the name of the food source in parenthesis following the common or usual name of the major food allergen in the list of ingredients in instances when the name of the food source of the major food allergen does not appear elsewhere in the ingredient statement for another allergenic ingredient.

2. Place the word "Contains," followed by the name of the food source from which the major food allergen is derived, immediately after or adjacent to the list of ingredients, in a type size that is no smaller than that used for the ingredient list.

## Nutrition Facts

**Ingredients:** Enriched flour (wheat flour, malted barley, niacin, reduced iron, thiamin mononitrate, riboflavin, folic acid), sugar, partially hydrogenated cottonseed oil, high fructose corn syrup, whey, eggs, vanilla, natural and artificial flavoring, salt, leavening (sodium acid pyrophosphate, monocalcium phosphate), lecithin, mono- and diglycerides.

**Contains:** Wheat, Milk, Egg and Soy.

Any Cookie Company  
College Park, MD 20740

# Allergen Labeling, Acceptable Formats

- Food allergens **must be declared** on food labels to comply with FALCPA
- Requires food manufacturers to label food products that are made with an ingredient that is a major food allergen

# Single-Ingredient Foods (FALCPA)

- Single-ingredient foods must comply with the allergen declaration requirements
- Single-ingredient foods intended for further manufacturing where the “Contains” statement format is used, the statement should be placed on the PDP.

# Allergen: “Contains Statements”

- “Contains” statement **must include**:
  - Names of the food sources of all major food allergens used as ingredients in the packaged food.
  - *Ex. if “sodium caseinate,” “whey,” “egg yolks,” and “natural peanut flavor” are declared in a product’s ingredients list*
  - Then, the “Contains” statement **immediately after or adjacent** to the list is required to identify all 3 sources of the present major food allergens.
  - *“Contains milk, egg, peanuts”*
  - Displayed in same type (i.e., print or font) size as that used for the ingredient list.



# Allergen Statement Format: The 3 Conditions

1. "Contains" with a capital "C"
2. Names of the food sources of the major food allergens declared on the food label must be the same as FALCPA
3. If included on food label, the "Contains" statement must identify all major food allergens that either are in the food or are contained in ingredients of the food.





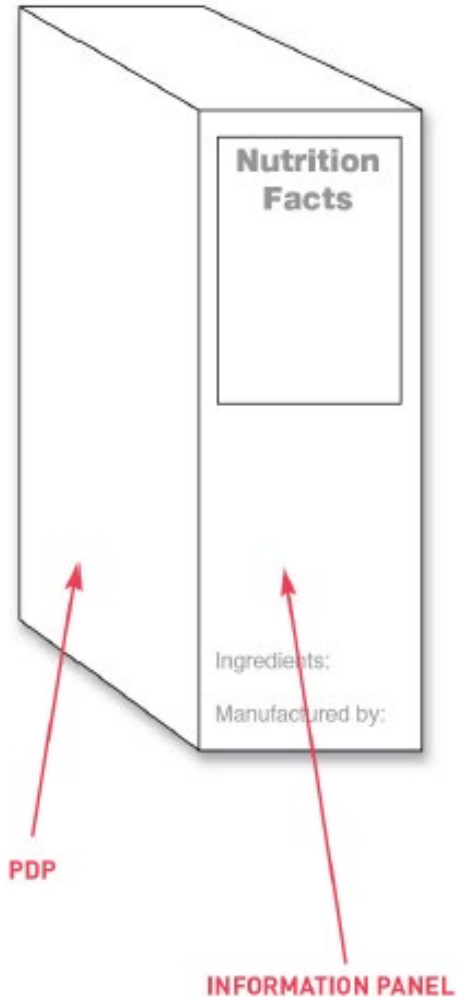
## Gluten Free

- FDA defined “gluten-free” and established conditions for the voluntary use of the term in the labeling of foods.
- Applies to FDA-regulated packaged foods, including dietary supplements and fermented, hydrolyzed, or distilled foods.
- FDA works with USDA and TTB to harmonize requirements as much as possible, taking into consideration different statutory authorities.

# ACTIVITY

# Nutrition Labeling

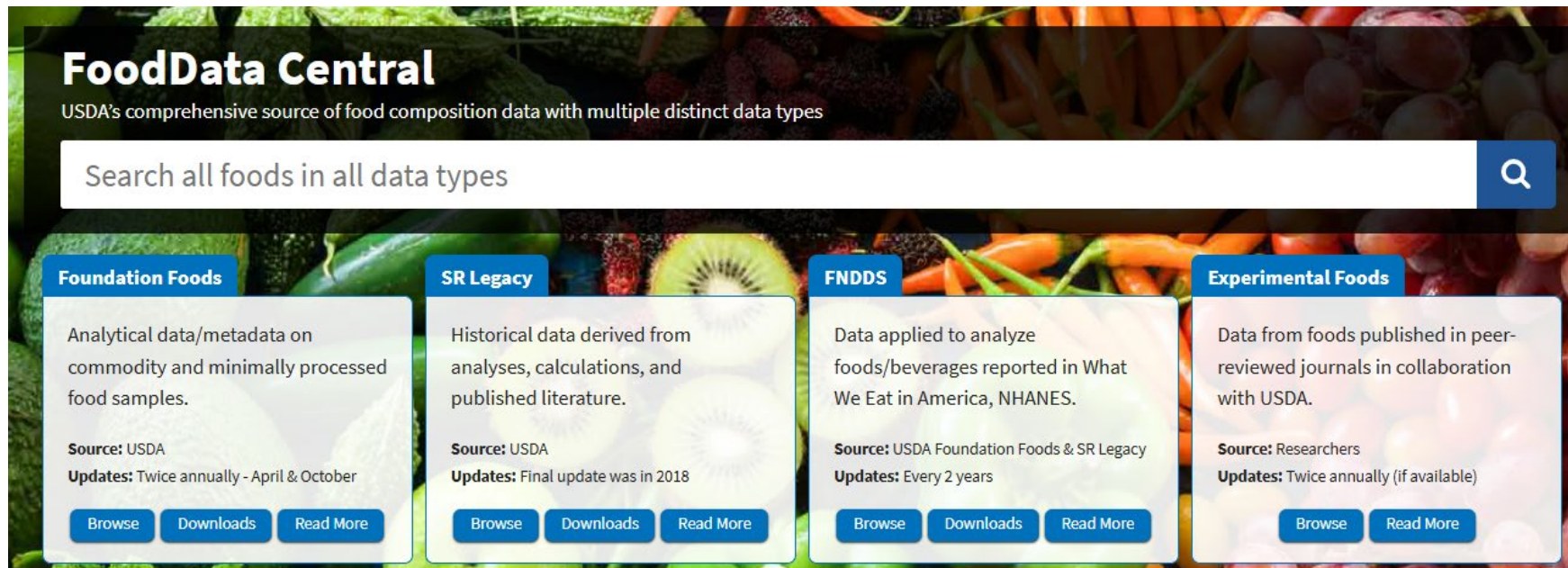
# Nutrition Labeling



- The Nutrition Facts label may be placed on the PDP or on the information panel
- On packages with insufficient area on the PDP and information panel, the Nutrition Facts label may be placed on any alternate panel that can be seen by the consumer.

# Nutrition Labeling Determination

Nutrition Facts panels are determined by government or third-party food composition databases (USDA FoodData Central) to estimate nutrition facts based on ingredient amounts.



**FoodData Central**  
USDA's comprehensive source of food composition data with multiple distinct data types

Search all foods in all data types

**Foundation Foods**  
Analytical data/metadata on commodity and minimally processed food samples.  
**Source:** USDA  
**Updates:** Twice annually - April & October  
[Browse](#) [Downloads](#) [Read More](#)

**SR Legacy**  
Historical data derived from analyses, calculations, and published literature.  
**Source:** USDA  
**Updates:** Final update was in 2018  
[Browse](#) [Downloads](#) [Read More](#)

**FNDDS**  
Data applied to analyze foods/beverages reported in What We Eat in America, NHANES.  
**Source:** USDA Foundation Foods & SR Legacy  
**Updates:** Every 2 years  
[Browse](#) [Downloads](#) [Read More](#)

**Experimental Foods**  
Data from foods published in peer-reviewed journals in collaboration with USDA.  
**Source:** Researchers  
**Updates:** Twice annually (if available)  
[Browse](#) [Read More](#)



# Ingredient composition databases to calculate the values for nutrition labeling

- Manufacturers are responsible for their products' nutrition labeling values and its accuracy.
- If they decide to use databases, they should be assured that it is accurate.
- Validate the resulting calculations by comparing them with values for the same foods obtained from lab analyses.

# Nutrient Declaration

Required on most food packages. The FDA provides a sample for readability, but not all type specifications are mandatory:

- (1) Any legible type style can be used, not just Helvetica.
- (2) "Nutrition Facts" must be largest text on label, larger than 8-point but not necessarily 13-point.
- (3) No specific text thickness is required.



# Nutrient Labeling

## Summary of Exemptions

Manufactured by small businesses	21 CFR 101.9(j)(1) and 101.9(j)(18)
Food served in restaurants, etc. or delivered - to homes ready for immediate consumption	21 CFR 101.9(j)(2)
Delicatessen-type food, bakery products and confections that are sold directly to consumers from the location where prepared	21 CFR 101.9(j)(3)
Foods that provide no significant nutrition such as instant coffee (plain, unsweetened) and most spices	21 CFR 101.9(j)(4)
Infant formula, and infant and junior foods for children up to 4 years of age (modified label provisions for these categories)	21 CFR 101.9(j)(5) and 101.9(j)(7)
Dietary supplements (must comply - with 21 CFR 101.36)	21 CFR 101.9(j)(6)
Medical foods	21 CFR 101.9(j)(8)
Bulk foods shipped for further processing - or packaging before retail sale	21 CFR 101.9(j)(9)

Fresh produce and seafood (a voluntary nutrition labeling program covers these foods through the use of the appropriate means such as shelf labels, signs, and posters)	21 CFR 101.9(j)(10) and 101.45
Packaged single-ingredient fish or game meat may be labeled on basis of 3-ounce cooked portion (as prepared). Custom-processed fish and game are exempt from nutrition labeling.	21 CFR 101.9(j)(11)
Certain egg cartons (nutrition information inside lid or on insert in carton)	21 CFR 101.9(j)(14)
Packages labeled "This unit not labeled for retail sale" within multiunit package, and outer wrapper bears all required label statements	21 CFR 101.9(j)(15)
Self-service bulk foods-nutrition labeling by placard, or on original container displayed clearly in view	21 CFR 101.9(a)(2) and 101.9(j)(16)
Donated food that is given free (not sold) to the consumer.	You are not required to put Nutrition Facts labels on donated food unless the donated food is later placed on sale (the law applies only to food that is "offered for sale") – 21 CFR 101.9(a)
Game meats may provide required nutrition information on labeling in accordance with 21 CFR 101.9(a)(2) (eg. counter cards)	21 CFR 101.9(j)(12)

# Old

## Nutrition Facts

Serving Size 1 cup (228g)  
Servings Per Container 2

Amount Per Serving

Calories 260      Calories from Fat 120

% Daily Value\*

Total Fat 13g

Saturated Fat 5g

Trans Fat 2g

Cholesterol 30mg

Sodium 660mg

Total Carbohydrate 31mg

Dietary Fiber 0g

Sugars 5g

Protein 5g

Vitamin A 4%      •      Vitamin C 2%

Calcium 15%      •      Iron 4%

\* Percent Daily Values are based on a 2,000 calorie diet. Your Daily Values may be higher or lower depending on your calorie needs:

		Calories:	2,000	2,500
Total Fat	Less than		65g	80g
Sat Fat	Less than		20g	25g
Cholesterol	Less than		300mg	300mg
Sodium	Less than		2,400mg	2,400mg
Total Carbohydrate			300g	375g
Dietary Fiber			25g	30g

Franklin Gothic Heavy or Helvetica Black, flush left & flush right, no smaller than 13 point

7 point rule

6 point Helvetica Black

All labels enclosed by 1/2 point box rule within 3 points of text measure

1/4 point rule

Type below vitamins and minerals (footnotes) is 6 point with 1 point of leading

Helvetica Regular 8 point with 1 point of leading

3 point rule

1/4 point rule centered between nutrients (2 points leading above and 2 points below)

8 point Helvetica Regular with 4 points of leading

8 point Helvetica Regular, 4 points of leading with 10 point bullets

# New

## New Label / What's Different?

## Nutrition Facts

8 servings per container

Serving size 2/3 cup (55g)

Amount per serving

Calories 230

% Daily Value\*

Total Fat 8g 10%

Saturated Fat 1g 5%

Trans Fat 0g

Cholesterol 0mg 0%

Sodium 160mg 7%

Total Carbohydrate 37g 13%

Dietary Fiber 4g 14%

Total Sugars 12g

Includes 10g Added Sugars 20%

Protein 3g

Vitamin D 2mcg 10%

Calcium 260mg 20%

Iron 8mg 45%

Potassium 240mg 6%

\* The % Daily Value (DV) tells you how much a nutrient in a serving of food contributes to a daily diet. 2,000 calories a day is used for general nutrition advice.

Servings: larger, bolder type

New: added sugars

Change in some nutrients required

Serving sizes updated

Calories: larger type

Daily Values Updated

Actual amounts declared

New footnote



## New Label / What's Different?

Servings:  
larger,  
bolder type

# Nutrition Facts

8 servings per container

**Serving size** 2/3 cup (55g)

**Amount per serving**

**Calories** **230**

**% Daily Value\***

**Total Fat** 8g **10%**

Saturated Fat 1g **5%**

Trans Fat 0g

**Cholesterol** 0mg **0%**

**Sodium** 160mg **7%**

**Total Carbohydrate** 37g **13%**

Dietary Fiber 4g **14%**

Total Sugars 12g

Includes 10g Added Sugars **20%**

**Protein** 3g

Vitamin D 2mcg 10%

Calcium 260mg 20%

Iron 8mg 45%

Potassium 240mg 6%

\* The % Daily Value (DV) tells you how much a nutrient in a serving of food contributes to a daily diet. 2,000 calories a day is used for general nutrition advice.

Serving sizes  
updated

Calories:  
larger type

Daily Values  
Updated

Actual  
amounts  
declared

New  
footnote

New:  
added sugars

Change  
in some  
nutrients  
required

## Additional Nutrients on Nutrition Facts Label

- Calories from saturated fat
- Polyunsaturated fat
- Monounsaturated fat
- Potassium
- Soluble and Insoluble fiber
- Sugar alcohol
- Other carbohydrates, vitamins, & minerals for which Reference Daily Intake have been established or percent of vitamin A that is present as beta-carotene.

# Nutrients

- Only those nutrients listed in FDA's nutrition regulations, as mandatory or voluntary components of the nutrition label, may be included in the Nutrition Facts label.

## Nutrition Facts Label must include:

Total Fat	Saturated Fat
Trans Fat	Cholesterol
Sodium	Total Carbohydrates
Dietary Fiber	Total sugars
Added sugars	Protein
Certain vitamins and minerals	

### For nutrients:

- Declarations for required/permitted nutrients have been updated
- Required:
  - Vitamin D
  - Potassium
  - Calcium
  - Iron
  - "Total Fat"
  - "Saturated Fat"
  - "Trans fat"
- No longer required:
  - Vitamins A & C
  - "Calories from Fat" (Type of fat is more important than the amount)

# Voluntary Nutrients

In addition to the nutrients shown on the sample, other nutrients (listed in FDA's regulations, e.g., thiamin) **must be included** in Nutrition Facts label:

- Nutrients added as a nutrient supplement
- Label makes nutrition claim (such as NCC)
- The advertising or product literature provides information connecting the nutrients to the food.

## Example – Omega 3 Fatty Acids

- FDA does not require omega-3s to be listed, but nutrients can be included voluntarily if they meet certain criteria.
- Cannot make a claim like "High in Omega-3s" or "Good source of Omega-3s" unless:
  - The specific omega-3 (e.g., ALA) is recognized by FDA as a nutrient with a Daily Value (DV) – which it is not
  - Product contains at least 10% of the DV per serving
- Example of permissible label "Omega-3 (ALA) 1.2g"



# Vitamins and Minerals in flour

- Vitamin A & C, Calcium and Iron **must be declared**
- Other enrichment vitamins & minerals **must be declared** when added directly to the packaged food (Enriched bread)
  - Except if enriched product is added as an ingredient to another food.

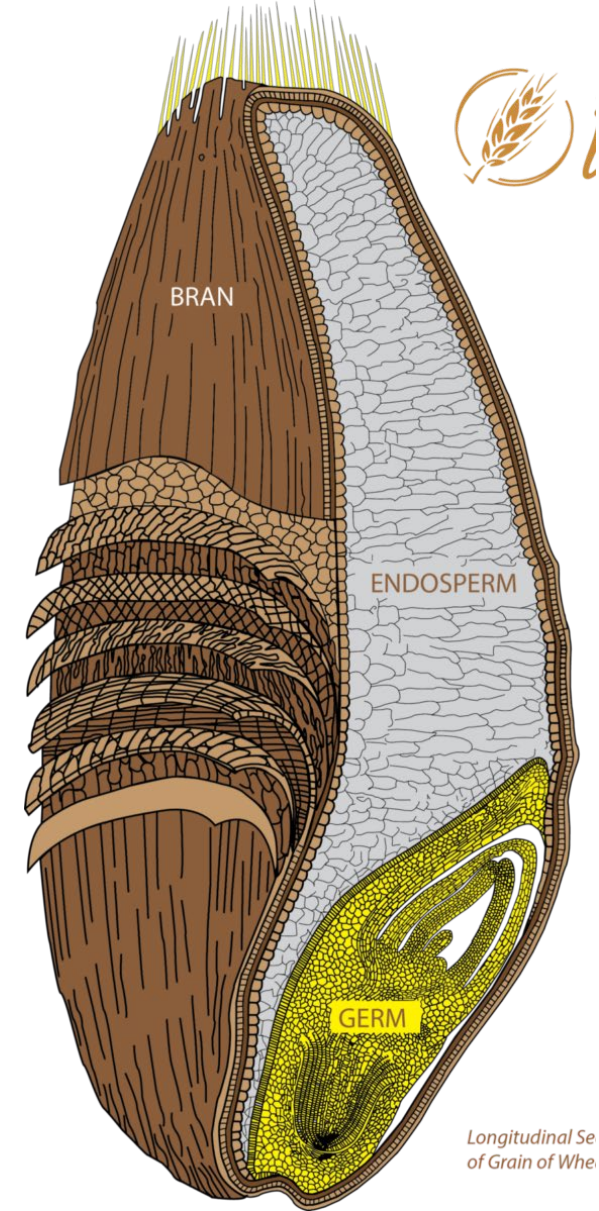


# Enriched Flour

**Enriched flour:** flour with specific nutrients added.

- Iron & B Vitamins (folic acid, riboflavin, niacin, and thiamine).
- Calcium may also be supplemented.
- **Fortified vs. Enriched** – The purpose is to replenish the nutrients to match the nutritional status of the unrefined product.
- 79 countries have fortification or enrichment for wheat or maize flour made "mandatory."

- Endosperm
- About 83 percent of the kernel weight and the source of white flour.
- Bran
- About 14 ½ percent of the kernel weight. Bran is included in whole wheat flour and can also be bought separately.
- Germ
- About 2 ½ percent of the kernel weight. The germ is the embryo or sprouting section of the seed, often separated from flour in milling because the fat content limits flour's shelf-life.



# Analysis

- FDA or CT do not analyze nutritional information on products for firms.
- FDA reviews and accepts industry databases but does not share the information.
- FDA or CT do not approve or endorse certain laboratories.
- Food lab licensure in CT.

# Nutrition Facts Label: Size

- No specific size requirements for the nutrition label.
- Except “Nutrition Facts” heading must be in a **type size larger than all other print size** & generally set the full width of Nutrition Facts label.
- Minimum type sizes of 6 and 8 point **are required** for all other information.
- Minimum spacing requirements between lines of text.

## Nutrition Facts/Datos de Nutrición

Serving Size/Tamaño por Ración 1 cup/1 taza (228 g)

Servings Per Container/raciones por Envase 2

### Amount Per Serving/Cantidad por Ración

Calories/Calorías 260      Calories from Fat/Calorías de Grasa 120

% Daily Value\*/ Valor Diario\*

**Total Fat/Grasa Total** 13g **20%**

Saturated Fat/Grasa Saturada 5g **25%**

Trans Fat/Grasa Trans 2g

**Cholesterol/Colesterol** 30mg **10%**

**Sodium/Sodio** 660mg **28%**

**Total Carbohydrate/Carbohidrato Total** 31g **11%**

Dietary Fiber/Fibra Diética 0g **0%**

Sugars/Azúcares 5g

### Protein/Proteínas 5g

Vitamin A/Vitamina A 4% • Vitamin C/Vitamina C 2%

Calcium/Calcio 15% • Iron/Hierro 4%

\* Percent Daily Values are based on a 2,000 calorie diet. Your Daily Values may be higher or lower depending on your calorie needs:

\* Los porcentajes de Valores Diario están basados en una dieta de 2,000 calorías. Sus Valores Diarios pueden ser mayores o menores dependiendo de sus necesidades calóricas:

Calories/Calorías:	2,000	2,500
Total Fat/Grasa Total 13g	Less than/Menos de 65g	80g
Saturated Fat/Grasa Saturada 5g	Less than/Menos de 20g	25g
Cholesterol/Colesterol 30mg	Less than/Menos de 300mg	300mg
Sodium/Sodio 660mg	Less than/Menos de 2,400mg	2,400mg
Total Carbohydrate/Carbohidrato Total 31g	300g	375g
Dietary Fiber/Fibra Diética 0g	25g	30g

Total Fat/Grasa Total 13g	Less than/Menos de 65g	80g
Saturated Fat/Grasa Saturada 5g	Less than/Menos de 20g	25g
Cholesterol/Colesterol 30mg	Less than/Menos de 300mg	300mg
Sodium/Sodio 660mg	Less than/Menos de 2,400mg	2,400mg
Total Carbohydrate/Carbohidrato Total 31g	300g	375g
Dietary Fiber/Fibra Diética 0g	25g	30g

## Bilingual Format

- Separate nutrition labels for each language or
- Label with second language translates all required information, following that by English.
- Numeric characters that are identical in both languages do not need to be repeated.

# Nutrition Facts

5 servings per container

**Serving size** 2.5 oz (70g / 1/5 of package) **Makes 1 cup prepared**

	<b>As Packaged</b>		<b>As Prepared</b>	
<b>Calories</b>	<b>220</b>		<b>420</b>	
		<b>% DV*</b>		<b>% DV*</b>
<b>Total Fat</b>	9g	<b>12%</b>	19g	<b>24%</b>
Saturated Fat	2.5g	<b>13%</b>	7g	<b>35%</b>
Trans Fat	0g		0g	
<b>Cholesterol</b>	10mg	<b>3%</b>	85mg	<b>28%</b>
<b>Sodium</b>	910mg	<b>40%</b>	990mg	<b>43%</b>
<b>Total Carb.</b>	31g	<b>11%</b>	31g	<b>11%</b>
Dietary Fiber	1g	<b>4%</b>	1g	<b>4%</b>
Total Sugars	6g		6g	
Incl. Added Sugars	0g	<b>0%</b>	0g	<b>0%</b>
<b>Protein</b>	5g		30g	
Vitamin D	0mcg	0%	0mcg	0%
Calcium	110mg	8%	120mg	10%
Iron	0mg	0%	3mg	15%
Potassium	290mg	6%	670mg	15%

\* The % Daily Value (DV) tells you how much a nutrient in a serving of

## “As Packaged” vs. “As Prepared”

- **As packaged:** state of product as it is marketed for purchase.
- **As prepared:** product after it has been made ready for consumption
  - Ex. Cake mix– Ingredients added per instructions, was prepared and baked
  - Condensed or dry soup– has been reconstituted.

## **Q: What are insignificant amounts of nutrients?**

**A:** Defined as amount that allows a declaration of zero in nutrition labeling.

- Except total carbohydrates, dietary fiber, and protein.
- Must be an amount that allows a declaration of “less than one gram.”



# Nutrition Facts

Serving Size 1 can

Amount Per Serving

Calories 140

% Daily Value\*

Total Fat 0g 0%

Sodium 20mg 1%

Total Carbohydrate 36g 12%

Sugars 36g

Protein 0g

\*Percent Daily Values are based on a 2,000

**Q: Is there a Nutrition Facts format for a food in which most nutrients are present in insignificant amounts?**



**A:** A simplified Nutrition Facts label may be used if at least 8 of the following nutrients are present in insignificant amounts:

- Calories, total fat, saturated fat, trans fat, cholesterol, sodium, total carbohydrate, dietary fiber, sugars, protein, vitamin A, vitamin C, calcium and iron.

<b>Nutrition Facts</b>	
Serving Size 1 can	
Amount Per Serving	
<b>Calories</b> 140	
	<b>% Daily Value*</b>
<b>Total Fat</b> 0g	<b>0%</b>
<b>Sodium</b> 20mg	<b>1%</b>
<b>Total Carbohydrate</b> 36g	<b>12%</b>
Sugars 36g	
<b>Protein</b> 0g	
*Percent Daily Values are based on a 2,000	

## Simplified Format

- 5 core nutrients (in **bold**) must always appear on all Nutrition Facts regardless of amounts present in the food.
- Any of the required nutrients on full Nutrition Facts label that are naturally present or added **must be declared** on simplified label.

If labeling issues persist, after trying all available format options:

FDA may permit alternative means of compliance or additional exemptions for special situations.

Must make **written request** to the Office of Nutrition, Labeling, and Dietary Supplements:

- (1) Specify that you are requesting an exemption or special provision.
- (2) The petitioner should identify the product(s)
- (3) The reason(s) why it is technologically infeasible or impracticable to adhere to the regulations for such products.
- (4) Identify the proposed alternative procedure. If possible, include an example of the proposed label(s).

# Handwritten Labels and Legibility

- While the FDA **does not explicitly ban** all handwritten labels, the critical factor is legibility.
  - If a handwritten label is clear, conspicuous, and meets all required information standards, it may be acceptable.
- Note: Handwritten labels pose a higher risk of illegibility, inconsistent information and errors.

# Claims

Claim Name	FDA Approval?	Example
<b>Structure Function Claims (Least Regulated)</b>	No, but must have scientific evidence to support claim	"Calcium builds strong bones"
<b>Health Claims (Most Rigorously Reviewed)</b>	Yes, required Significant Scientific Agreement (SSA)	"A diet low in saturated fat and cholesterol may reduce the risk of heart disease."
<b>Qualified Health Claims (Moderate Review)</b>	Yes, but less scientific evidence than a full health claim	"Some scientific evidence suggests that green tea may reduce the risk of breast cancer, but this evidence is limited and not conclusive."

Claim Name	Requirements
<b>Structure Function Claims (Least Regulated)</b>	<ul style="list-style-type: none"><li>• Must notify FDA 30 days of marketing product</li><li>• Disclaimer needed (not evaluated by FDA)</li><li>• No reference to specific disease</li></ul>
<b>Health Claims (Most Rigorously Reviewed)</b>	<ul style="list-style-type: none"><li>• High-quality scientific evidence from well-established studies</li><li>• Undergo FDA review before use</li><li>• No disclaimer</li></ul>
<b>Qualified Health Claims (Moderate Review)</b>	<ul style="list-style-type: none"><li>• Must submit petition to FDA for review</li><li>• Some scientific support but not SSA standards</li><li>• <i>Disclaimer: "claim has not been evaluated by the FDA and that the product is not intended to diagnose, treat, cure or prevent any disease."</i></li></ul>

# Nutrient Content Claims (NCC)

- Needs FDA approval (based on predefined criteria)
- Must follow FDA-defined nutrient levels ex. “low fat”
- “High,” “Low,” “Reduced,” “Excellent Source Of” :  
tightly regulated
- “Good source of fiber” = must contain 10–19% of the  
Daily Value per serving
- NCC cannot be no more than twice as prominent  
than name of food



# Nutrient Content Claims

<b>Sugar free</b>	less than 5 calories per serving
<b>Reduced sugar</b>	at least 25% less sugar than regular version
<b>No added sugar</b>	no sugars added during processing or packing, including ingredients that contain sugar such as juice or dry fruit
<b>Sodium free</b>	less than 5 mg of sodium per serving
<b>Reduced sodium</b>	at least 25% less sodium than regular version
<b>Low sodium</b>	140 mg or less sodium per serving
<b>Light/Lite</b>	1/3 fewer calories or 50% less fat than regular version

# What Is Puffery?

- Puffery is generally defined as exaggerated or vague claims that are considered opinions rather than factual statements.
- As an example, saying “better ingredients” is puffery. It cannot be proven true or false, and no reasonable person would take it as a literal. A customer may partake of your product and hate it. But they cannot go to court and allege that the statement is false.

## 5th Circuit Court Rules on Papa John's Slogan: Context Trumps Slogan

The 5<sup>th</sup> Circuit agreed with Papa John's that the **slogan was puffery**, essentially that the slogan, taken alone, constituted “exaggerated advertising, blustering, and boasting by a manufacturer upon which no consumer could reasonably rely.”

However, the 5th Circuit Court also ruled that the context of Pappa John's advertising campaign regarding assertions about the poor quality of Pizza Hut's water and dough changed the slogan from non-actionable puffery to false advertising.

The Court reasoned that Papa John's specific fact claims regarding poor food quality were quantifiable statements of fact that required substantiation as ad claims.

The *Papa John's* case is an illustrative example of why determining the fine line between a legal puff and a false advertising can be so tricky.

# Nutrition Designations

## Nutrient Content Claim (NCC)



### Implied Nutrient Content Claim



### Expressed Nutrient Content Claim



# Exemptions & Special Labeling Provisions

# Imported products

- All imported products are required to have nutrition labeling.
- Unless the product qualifies for an exemption.

# Exemptions/Special Labeling Provisions (Small Business)

<i>Sales in Food to Consumers</i>	<i>Total Sales (Food &amp; Non-Food)</i>	<i>Status</i>
\$50,000 or less	\$500,000 or less	Exempt
\$50,000 or less	\$500,001 or more	Exempt
\$50,001 or more	\$500,000 or less	Exempt
\$50,001 or more	\$500,001 or more	Not Exempt

**Q: A manufacturer with a small business exemption sells his product to a large retailer who then repacks it in the deli for self service shelves. Is the product exempt from nutrition labeling if the retailer puts the small manufacturer's name on product?**

**A: Yes.** If the retailer is simply repacking the food into smaller containers and placing the small business's information on the packaged food.

- Package label bears no name or logo that would tie the product to the larger retailer.
- Food would retain any exemption it was eligible for.



**Q: A small retailer purchases bulk products from a large manufacturer and repacks the product for retail sale using the retailer's name and logo.**

**Is the product exempt from nutrition labeling?**

**A:** If the retailer is eligible for exemption:

- Product purchased from a large manufacturer but repacked by the retailer would be exempt from nutrition labeling
- If package label **bears no name or logo** that resembles manufacturer.
- For exemption, the product must meet the definition of **low volume products**. Based on the total # of units of the product sold by the large manufacturer in the U.S.

## Low volume food product

- Firms eligible for the exemption based on gross sales and firms with less than 10 FTE's and less than 10,000 units do not have to file with the FDA.
- Such firms can choose to do so voluntarily to establish a record that they are claiming an exemption.
- All importers must file.

# Restaurants

- Separate exemption from nutrition labeling for foods sold in restaurants of any size, provided the food does not bear a claim.
- These foods **do not need** small business exemptions.
- If restaurant distributes food products for sale outside the restaurant, such products may be eligible for an exemption from nutrition labeling.

# Does not meet the definition of packaged food

- Food sold in a restaurant or other retail establishment (bakery/ delicatessen) and sold from behind a counter.

In wrapper, carry-out box, non-durable container.  
(Used to facilitate handling)

**Does not need:** net weight statement, ingredient declaration, or other labeling requirements of packaged food.

If food is wrapped or boxed by retailer and sold from self-service case.  
(Selection is made from its packaged form)

**Does need:** All required information

# Nutrition Labeling for Vending Machines

- Required
  - Own/operate 20 or > machines
  - Part of chain operates 20+ machines
- What needs to be labeled?
  - Visible calorie content before purchase
- Where and how to post
  - Near selector button
  - Sign or display near machine
  - Easy to read, prominent, and accurate
  - Include “Calorie”
- Maintain records of compliance

# Nutrition Labeling for Restaurants

- Required
  - Part of chain operates 20+ retail locations
- What needs to be labeled?
  - Visible calorie content before purchase on menus
  - Total fat, saturated fat, trans fat, cholesterol, sodium, total carbohydrates, sugars, protein (available upon request)
- Where and how to post
  - Visible, Calories = or > Price Statement
  - Easy to read, prominent, and accurate
  - Include “Calorie”
  - EXEMPT – Daily specials, custom orders, condiments on the table, temporary menu items (on menu <60 days/year)

# Nutrition Labeling: Spices, Coffee, and Tea

- Regulations provide for an exemption for foods that contain insignificant amounts.

Exempted nutrients and food components on nutrition label include:

- Coffee beans (whole or ground)
- Tea leaves
- Plain instant unsweetened instant coffee and tea
- Condiment-type dehydrated vegetables
- Flavor extracts & food colors
- Caution – Some spices contain levels of nutrients that would not meet the criteria of “insignificant” and would require nutrition labeling.



**Q: Must aerosol oil sprays have nutrition labeling? The serving size is so small, and all nutrient values are zero.**

**A:** A product would be exempt from nutrition labeling if:

- Contains insignificant amounts of all the nutrients required to be on the label.
- & if there is no nutrient content or health claims are made for the product.

# Small Packages and Intermediate Sized Packages

- Food packages with a surface area of 40 sq. in. or less available for labeling may place the Nutrition Facts label on any label panel
- Not limited to information panel

<b>Nutrition Facts</b> Serv. Size 1/3 cup (56g) Servings about 3 <b>Calories</b> 90 Fat Calories 20 <small>* Percent Daily Values (DV) are based on a 2,000 calorie diet.</small>	<b>Amount Per Serving</b>	<b>% DV*</b>	<b>Amount Per Serving</b>	<b>% DV*</b>
	<b>Total Fat</b> 2g	<b>3%</b>	<b>Total Carb.</b> 0g	<b>0%</b>
	Sat. Fat 1g	<b>5%</b>	Fiber 0g	<b>0%</b>
	<i>Trans</i> Fat 0.5g		Sugars 0g	
	<b>Cholesterol</b> 10mg	<b>3%</b>	<b>Protein</b> 17g	
	<b>Sodium</b> 200mg	<b>8%</b>		
	Vitamin A 0%	• Vitamin C 0%	• Calcium 0%	• Iron 6%

# Small Packages and Intermediate Sized Packages

- May omit footnote: if asterisk is placed at bottom of label with statement: "Percent Daily Values are based on a 2,000-calorie diet,"
- May also use tabular display label format.

<b>Nutrition Facts</b> Serv. Size 1/3 cup (56g) Servings about 3 <b>Calories</b> 90 Fat Calories 20 <small>* Percent Daily Values (DV) are based on a 2,000 calorie diet.</small>	<b>Amount Per Serving</b>		<b>% DV*</b>	<b>Amount Per Serving</b>		<b>% DV*</b>
	<b>Total Fat</b> 2g		<b>3%</b>	<b>Total Carb.</b> 0g		<b>0%</b>
	Sat. Fat 1g		<b>5%</b>	Fiber 0g		<b>0%</b>
	Trans Fat 0.5g			Sugars 0g		
	<b>Cholesterol</b> 10mg		<b>3%</b>	<b>Protein</b> 17g		
	<b>Sodium</b> 200mg		<b>8%</b>			
	Vitamin A	0%	•	Vitamin C	0%	•
				Calcium	0%	•
				Iron	6%	

# Nutrition Facts Labels: Using Abbreviations

Food packages with surface area of 40 sq. in. or less available for labeling may use following abbreviations:

<i>Label Term</i>	<i>Abbreviation</i>	<i>Label Term</i>	<i>Abbreviation</i>
Serving size	Serv size	Cholesterol	Cholest
Servings per container	Servings	Total carbohydrate	Total carb
Calories from fat	Fat cal	Dietary fiber	Fiber
Calories from saturated fat	Sat fat cal	Soluble fiber	Sol fiber
Saturated fat	Sat fat	Insoluble fiber	Insol fiber
Monounsaturated fat	Monounsatur fat	Sugar alcohol	Sugar alc
Polyunsaturated fat	Polyunsatur fat	Other carbohydrate	Other carb

# Exemption for small food packages



- Small packages (less than 12 sq. in. surface area available for labeling) may be printed with phone # or address to obtain information.
- **Permitted** only if there are no nutrient content claims or other nutrition information on label.

# Minimum type size for the Nutrition Facts label on small packages

Small packages (less than 12 sq. in. total surface area available to bear labeling):

- May use type sizes no smaller than 6 point or all uppercase type of not less than 1/16 inch for all required nutrition information.

# Q & A

# Activity

Find the following:

- Common or Usual Name
- Net Contents Statement
- Calories Per Serving
- First five ingredients
- Any allergens listed in a contains statement?  
(milk, eggs, nuts, fish, crustaceans, wheat, soy and sesame)







1. Mayonnaise
2. 20 FL OZ (1.25 pt) 591 ml)
3. 100 calories per serving
4. Soybean oil, water, whole eggs, distilled vinegar, egg yolks
5. Egg

# **1. Which of these claims has no official FDA definition?**

- a) Organic
- b) Natural
- c) Low-fat
- d) Gluten-free

# **2. Of the nine allergens listed by FALCPA the last allergen added to the list was sesame.**

- a) True   b) False

# **3. Which of the following are examples of claims?**

- a) Structure Function
- b) Health Claims
- c) Qualified Health Claims
- d) All of the above

**4. If a product is labeled "No Added Sugar," it means it contains no sugar at all.**

a) True b) False

**5. Which of these words on a food label might mislead consumers into thinking a product is healthier than it actually is?**

- a) Multigrain
- b) Lightly sweetened
- c) Fat-free
- d) All of the above

**6. A product labeled "Fat-Free" must contain:**

- a) 0 grams of fat per serving
- b) Less than 0.5 grams of fat per serving
- c) No artificial fat substitutes
- d) Less than 5 grams of fat per serving

**7. The term "Natural Flavors" on an ingredient list means the flavors come only from organic, whole-food sources.**

- a) True
- b) False

**8. The term "Cage-Free" on egg cartons means:**

- a) The hens roam freely outdoors
- b) The hens are kept in large indoor spaces but not in cages
- c) The hens are fed only organic grains
- d) The eggs are certified humane

**9. Which of these food label claims is regulated and verified by the USDA?**

- a) Non-GMO
- b) Organic
- c) All-Natural
- d) Fresh

**10. A "Serving Size" listed on a nutrition label always reflects a realistic portion that people typically eat.**

- a) True
- b) False

## Answer Key:

1. Natural
2. True
3. All of the above
4. False
5. All of the above
6. Less than 0.5 grams of fat per serving
7. False
8. The hens are kept in large indoor spaces but not in cages
9. Organic
10. False

What is the  
PDP for  
these  
products?



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# Net Weight or Contents Statement

The product is listed:

- By weight, volume or numerical count
- In English and metric units
- Note: Liquid vs. solids or viscous products





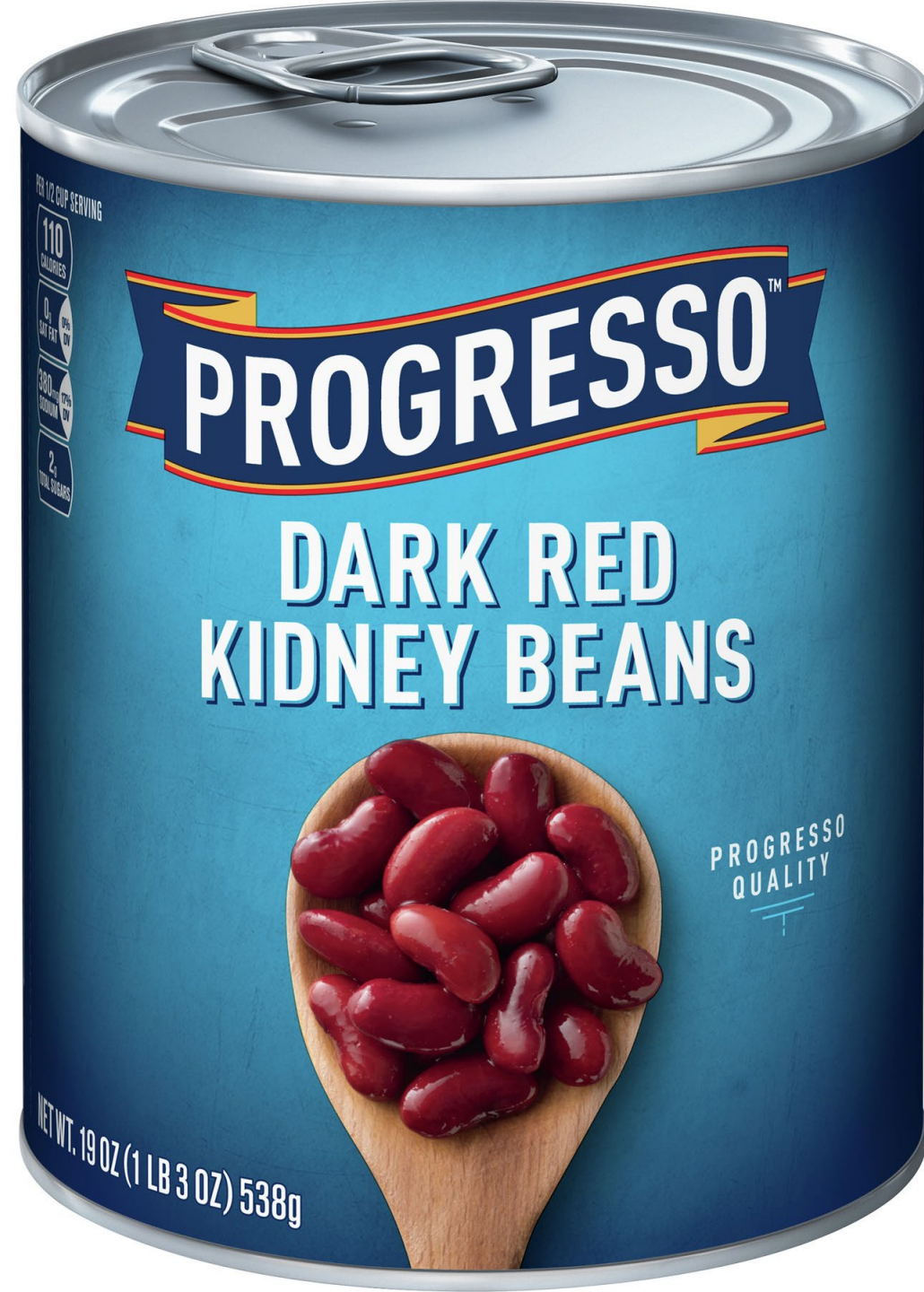
# Net Weight or Contents Statement

The product is listed:

- By weight, volume or numerical count
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- Note: Liquid vs. solids or viscous products



# Find the Net Content Statement





Find the  
Net Weight



**Which of these ingredient statements lists sugar as its largest ingredient by weight?**

**Ingredients:** wheat flour, whole oat flour, corn syrup, sugar, soybean and palm oil ...

**Ingredients:** sugar, whole grain corn flour, wheat flour, whole oat flour, oat fiber, soluble corn fiber, vegetable oil ...

**Ingredients:** water, vegetable oils, sugar, vinegar, modified starch, wheat starch, salt ...

**Which of these ingredient statements lists sugar as its largest ingredient by weight?**

**Ingredients:** wheat flour, whole oat flour, corn syrup, sugar, soybean and palm oil ...

**Ingredients:** sugar, whole grain corn flour, wheat flour, whole oat flour, oat fiber, soluble corn fiber, vegetable oil ...



**Ingredients:** water, vegetable oils, sugar, vinegar, modified starch, wheat starch, salt ...

# Ingredient Statement & Allergen Labeling

Nine allergens must  
be identified:

- Eggs
- Milk
- Wheat
- Soy
- Peanuts
- Type of Tree nuts
- Type of Fish
- Type of Shellfish
- Sessame



# Find the Allergen

**Ingredients:** whole grain rolled oats, sugar, flavored fruit pieces (dehydrated apples treated with sodium sulfite to promote color retention), creaming agent (maltodextrin, partially hydrogenated soybean oil, whey, sodium caseinate) ... CONTAINS MILK INGREDIENTS.

**Ingredients:** sugar, full cream milk powder, wheat flour, cocoa butter vegetable fat, emulsifiers (soya lecithin, 476) cocoa, yeast, salt, glucose syrup (derived from corn). Made on equipment that also processes products containing nuts.

# Find the Allergen

**Ingredients:** whole grain rolled oats, sugar, flavored fruit pieces (dehydrated apples treated with sodium sulfite to promote color retention), creaming agent (maltodextrin, partially hydrogenated soybean oil, **whey, sodium caseinate**) ... **CONTAINS: MILK INGREDIENTS.**

**Ingredients:** sugar, **full cream milk powder, wheat flour**, cocoa butter vegetable fat, emulsifiers (soya lecithin, 476) cocoa, yeast, salt, glucose syrup (derived from corn). Made on equipment that also processes products containing nuts.



# Find the Allergen

1. What is the newest allergen added to the list?

# Food Code P & L Requirements

Labeling Requirements (Section 3-602.11) For packaged foods sold in a food establishment, the label must include:

1. Common Name of the Food. If there is no common name, a descriptive name must be used.
2. Ingredients List. All ingredients listed in descending order by weight. Required if the food has two or more ingredients.
3. Allergens. Major food allergens (milk, eggs, fish, crustacean shellfish, tree nuts, peanuts, wheat, soybeans, sessame) must be declared, either in the ingredients list or separately with a "Contains" statement.

# Food Code P & L Requirements

Labeling Requirements (Section 3-602.11) For packaged foods sold in a food establishment, the label must include:

4. Net Quantity. Net weight or volume of the product (e.g., "Net Wt. 12 oz").
5. Name and Place of Business. The manufacturer, packer, or distributor's name and address.
6. Nutritional Labeling. Not required for food packaged and sold directly to consumers at the same retail location (like a bakery or deli), but it is required for foods sold through other distribution channels unless exempt.
7. Labeling Language. Must be in English unless the product is distributed in a territory where another language is predominant (e.g., Puerto Rico).

# Presenters

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