

What's On A LABEL?



CONTENTS

INTRODUCTION	3
LABEL APPROVAL	3
LABEL REQUIREMENTS	3
Name of Product	3
Quantity or Net Contents Statement	3
Name of the Manufacturer	4
List of Ingredients	4
OTHER LABEL DECLARATIONS	5
Nutritional Labeling	5
Dates and Handling Instructions	5
Number of Servings	5
Statement of "Imitation"	5
Sulfites	5
Percentage Juice	5
RETAIL RAW PRODUCE AND FISH	5
GRADES AND INSPECTION	6
Grades of Food	6
Inspection Shields	6
UNIVERSAL PRODUCT CODE	7
GENERIC FOODS	7
IRRADIATED FOODS	7
SAFE HANDLING INSTRUCTIONS	7
DESCRIPTIVE TERMINOLOGY AND HEALTH CLAIMS	7
LABEL CHECKLIST	8
SUMMARY	8

LIST OF FIGURES AND TABLES

Table 1 - Foods With Standards of Identity and Standard Names	3
Table 2 - Listing of Most Often Used Food Additives, Their Use and Function	4
Table 3 - Twenty (20) Most Frequently Consumed Raw Fruits, Vegetables and Fish Subject to Nutritional Labeling at the Point-of-Purchase in Retail Stores	6
Figure 1 - Grade Shield	6
Figure 2 - Inspection Stamp	6
Figure 3 - Combination Grade and Inspection Logo	6
Figure 4 - Universal Product Code	7
Figure 5 - Irradiated Foods Logo	7
Figure 6 - Safe Handling Instructions for Meat and Poultry	7
Table 4 - Minimum Height of Numbers and Letters Required in Net Weight Statements	8

What's on a LABEL?

INTRODUCTION

Food products that are placed into commerce for marketing and sales are required by federal and state law to have a label on the container. Both small and large food processors must comply with the laws and regulations. Otherwise, the produce is considered to be mislabeled or misbranded. Oftentimes, the language of the regulations can be overwhelming and confusing. This publication is intended to provide, to food processors, a concise summary of label requirements so that labels can be prepared and be consistent with the laws.

LABEL APPROVAL

You or a friend may have, at one time or another, tasted a particularly good food and wanted to market that food in a can, frozen pouch or paper container. To do this, you should prepare a label and get it approved by the Georgia Department of Agriculture. Or, if you wish to market outside the state and the product is meat or poultry, it should be approved by the United States Department of Agriculture (USDA). Approval usually takes a week to ten days and is relatively simple. A piece of paper with the information you want to show on the label, in the exact size, together with any pictures are submitted with a form to the agency. Once the label approval is returned to you, it may be used on your package. If any changes are made to your product, it is best to check with the agency to determine if a change in labeling is required.

As consumers, the label gives us a tool to improve our food buying patterns and get the best buys for our food dollar.

LABEL REQUIREMENTS

Food labeling is mandated by federal and state laws to assure accurate representation of the product. The FDA regulations on labeling are contained in the Code of Federal Regulations (CFR), Title 21. The USDA requirements for meat and poultry are published in the CFR, Title 7.

A label gives a written declaration of information for the consumer. Certain items of interest to the consuming public **MUST** be on all labels, i.e., declaration of identity, quantity, responsibility and ingredients.

Name of Product -- The common or usual name of the product is shown in bold letters and is a statement of identity. Some foods are specifically

defined in the regulations through standards of identity and must be identified by a standard name. Foods with standards of identity are presented in Table 1.

Table 1 - Foods With Standards of Identity and Standard Names

<p>Milk and Cream Products Cheese and Related Cheese Products Frozen Desserts Bakery Products Cereal Flours and Related Products Macaroni and Noodle Products Canned Fruit Canned Fruit Juices Fruit Butters, Jellies, Preserves and Related Products Fruit Pies Canned Vegetables Vegetable Juices Frozen Vegetables Eggs and Egg Products Fish and Shellfish Cacao Products Tree Nut and Peanut Products Non-alcoholic Products Margarine Sweeteners and Table Syrups Food Dressings and Flavorings</p>

Food products not covered under standards of identity or a common and usual name are called non-standardized foods. A descriptive name should be used for a non-standardized product to accurately identify or describe the food. The name of the product must be on the principal display panel (portion most likely to be shown).

Quantity or Net Contents Statement -- This is an accurate statement of how much is inside the package or container, the quantity declaration. This is stated as "*Net Contents*", which means the edible portion. In canned goods, the net contents includes the juices and water. The drained weight is the content without juice or water. In meats, the net contents includes the water also. However, another label is required when water is intentionally added as in certain hams. This label simply states "*water added*".

As of February 14, 1994, the metric declaration of net contents is mandatory along with the pound, ounce, gallon, pint system. Examples of proper designation of net contents are:

"Net Wt. 454g (1 lb)"

or

"Net Wt. 1 lb (454g)"

The declaration must be on the principle display panel and, if applicable, the alternate principle display panel.

In prepackaged poultry and some meat products, such as bacon, it is very difficult to maintain 100 percent accuracy in weight because of the moisture in these products. Generally, processors over pack. That is, they put more product in the package than the label claims so that when the consumer gets it, there will be at least 12 ounces of bacon or 3.25 pounds of chicken, etc. Be aware that it is much easier to control dry weights of items like cereals, cake mixes and canned goods than of meat and poultry products or prepackaged fruits and vegetables.

The Name of the Manufacturer, packer, or a statement indicating "*distributed by _____*" is the declaration of responsibility. The business address must accompany the name of the responsible firm and include city, state and zip code and appear on the information panel.

List of Ingredients appears in descending order of predominance by weight. The ingredient statement may be on either the principal display panel or an information panel.

Foods using other standardized foods, i.e., ketchup, mustard, mayonnaise, etc., as an ingredient must disclose the contents of the standardized food in the ingredient statement. An approach to compliance for this regulation is a parenthetical statement pertaining to the standardized food ingredient:

Ketchup (Tomato Concentrate, High Fructose Corn Syrup, Distilled Vinegar, Corn Syrup, Distilled Vinegar, Corn Syrup, Onion Powder, Garlic Powder, Natural Flavors)

When foods such as bananas, apples and potatoes darken when exposed to air, we call the change in color "*enzymatic browning*". This darkening can be prevented by the use of food additives, antioxidants. Vitamin C (ascorbic acid, *Fruit Fresh*) is commonly used in the home to dip these foods to prevent browning. Pineapple, lemon, orange or other citrus juices could be used also.

Other antioxidants such as BHA (butylated hydroxy anisole), BHT (butylated hydroxy toluene) and TBHQ (tert-butyl-hydroquinone) are used to prevent oxidative rancidity and are listed on the labels of bread, cereals, cookies and cake mixes as

well as certain meat and poultry products. Without these, the fat in these foods would oxidize quickly causing an off-odor and bad taste. The product would have to be thrown away.

Additives such as nitrites, used to retard bacterial growth, are used extensively in cured meats and poultry products such as smoked turkey, hams and bacon. Without this additive, it would be difficult to handle these products as we do.

The list of other additives and their functions is long and discussion of them is not within the scope of the publication. A partial list of additives, together with their most popular use and function, is found in Table 2.

Table 2 - Listing of Most Often Used Food Additives, Their Use and Function*

<i>Additive</i>	<i>Use</i>	<i>Function</i>
acidulants	sherbets	increase acidity
leavening agents	cakes	increase texture
coloring agents	margarine	change color of product
bleaching agents	flour	speed up milling process
sequestrants	soft drinks	inactivate minerals in water
humectants	coconut	maintain moistness
anti-caking agents	salts	free flowing
firming agent	pickles	improve texture
clarifying agents	vinegar	settle out and clarify
curing agents	frankfurters	preserve and color
non-nutritive sweeteners	dietetic foods	low calories

** The use and function of these additives is given as a general guide only and should not be construed to mean that this is their only use.*

With some food additives, label statements and declarations are defined more completely under the regulations. Spices, flavorings, colorings and chemical preservatives must be properly identified on a label to avoid misrepresentation of the product.

Spices are considered as "*aromatic vegetable substances in whole, broken or ground form*" and

are used for seasoning. With the exception of onions, garlic and celery, the term spice(s) can be used in the ingredient statement without listing all spices. Additionally, paprika, turmeric and saffron must be listed as "*spice and coloring*" unless declared by their common names.

You may find a list of artificial flavors and colors on a label of Maraschino cherries. These cherries are naturally green, but we, as consumers, have come to expect the packaged Maraschino cherry product to be bright red in color.

Flavorings and colorings should distinguish between those which are natural versus artificial. Certified colors and protein hydrolysates must be declared by their common and usual name. Also, foods characterized by a particular flavor can require a qualifying statement along with the product name, i.e. "*artificially flavored*".

When a chemical preservative is used, a declaration of the chemical by its common or usual name and its function can be required. Typical functional qualifications often seen on labels include the terms or phrases, "*preservative*", "*to retard spoilage*", "*a mold inhibitor*", "*to help protect flavor*" or "*to promote color retention*".

OTHER LABEL DECLARATIONS

Where applicable, other declarations may be made, such as:

Nutritional Labeling - The labeling of foods with nutritional information has been a voluntary program for the food manufacturer unless specific claims, i.e. cholesterol, sodium, etc., were declared on the label. The Nutritional Labeling and Education Act (NLEA) of 1990 requires mandatory nutritional labeling of most foods even in cases where specific nutritive claims are not intended by the processor. The FDA and USDA have responded to the act by issuing new or modified regulations concerning nutritional labeling of foods.

Mandatory nutritional labeling of most packaged foods is now required by FDA or USDA. The specific details of mandatory nutritional labeling exceed the capability of this publication. Therefore, mandatory nutritional labeling is covered in a separate bulletin.

Dates and Handling Instructions -- Perishable products must give handling instructions such as "*keep refrigerated*" or "*keep frozen*". Pack date is the date the product was packaged. Sell by date is the last day the product should be sold. Use by date is the last date the product is expected to maintain top quality. Expiration date is the last day the product should be consumed.

Number of Servings -- Unless a nutritional labeling exemption applies, foods with more than one serving per package should state the number of servings. In so doing, the net quantity of a serving must immediately accompany serving size claims and be the same print size.

Statement of "Imitation" -- If the product is an imitation of the real thing, it must be stated on the label. Examples are products such as cottage cheese-like foods made from soybeans or other imitation dairy products where milk is absent or is used only as a minor ingredient.

Sulfites -- Foods or beverages, i.e., wines, if permitted to contain sulfites, must declare the presence of this additive if the level is ≥ 10 ppm. The declaration must be on the principle display panel, i.e. "*contains sulfites*".

Percentage Juice -- Any fruit or vegetable beverage or one purporting to be a fruit or vegetable beverage must declare the percentage juice content on the information panel. Declaration on the principle display panel is an alternative for placement of the declaration. Examples are:

"Contains _____ percent _____ Juice"
or
"Contains No _____ Juice"

RETAIL RAW PRODUCE AND FISH

A final rule was issued November 27, 1991, on voluntary nutritional labeling for retailers of the 20 most frequently consumed raw fruits, vegetables and fish. The nutritional information is intended to be displayed at the point-of-purchase as a label, sign, brochure, notebook or leaflet. The 20 most frequently consumed raw fruits, vegetables and fish, as defined by the regulation, are presented in Table 2. A simplified format for the declaration of nutritional information is accepted by FDA. The information for fruits and vegetables should include kilocalories, protein (grams), carbohydrates (grams), fat (grams), dietary fiber (grams), sodium (milligrams) and the percent Recommended Daily Allowance (RDA) for Vitamins A and C, calcium and iron, based on the raw edible portion. The required nutrient claims for fish are kilocalories, protein (grams), carbohydrates (grams), fat (grams), saturated fatty acid (grams), cholesterol (milligrams), sodium (milligrams) and the percent U.S. RDA for Vitamins A and C, calcium and iron, based on cooked edible portion without fat or seasoning. Declaration of the servings per container, complex carbohydrates, sugars, percent U.S. RDA for protein, thiamin, riboflavin and niacin are not required as part of the voluntary nutritional labeling program. The nutrient data can be derived by analysis, from FDA approved databases or databases organizations believe to be valid. FDA approved databases for fruits, vegetables and fish have been published in the Federal Register (Vol. 56, No. 229, 11/27/91).

Table 3 - Twenty (20) Most Frequently Consumed Raw Fruits, Vegetables and Fish Subject to Nutritional Labeling at the Point-of-Purchase in Retail Stores		
Fruits	Vegetables	Seafood
Banana	Potato	Shrimp
Apple	Iceberg	Cod
Watermelon	Lettuce	Pollack
Orange	Tomato	Catfish
Cantaloupe	Onion	Scallop
Grape	Carrot	Atlantic/Coho
Grapefruit	Celery	Salmon
Strawberry	Sweet Corn	Flounder
Peach	Broccoli	Sole
Pear	Green	Oyster
Nectarine	Cabbage	Orange Roughy
Honeydew	Cucumber	Atlantic/ Pacific
Melon	Bell Pepper	& Jack
Plum	Cauliflower	Mackerel
Avocado	Leaf Lettuce	Ocean Perch
Lemon	Sweet Potato	Rockfish
Pineapple	Mushroom	Whiting
Tangerine	Green Onion	Clam
Sweet Cherry	Green (Snap)	Haddock
Kiwi fruit	Beans	Blue Crab
Lime	Radish	Rainbow Trout
	Summer	Halibut
	Squash	Lobster
	Asparagus	

GRADES AND INSPECTION

Grades of Food - If a company makes a decision to grade its own product, as is often the case with fruits and vegetables, the label may simply state "Fancy Grade", "Grade A", or "AA", or whatever the company wishes to call its grades. This is confusing, so the USDA sets guidelines for grades. As present, a company may voluntarily use U.S. Grade 1, U.S. Grade 2, etc. When you see "U.S." in front of a grade, it means that it conforms to government set standards. There is usually a shield, similar to the one in Figure 1, present on the label of products where this is applicable.



Figure 1 - Grade Shield

Grading is voluntary and is used to indicate the quality of the product, i.e., the amount of green in black-eyed peas, the absence of discolorations, tear defects or missing parts in poultry, the degree of

finish and mottling in meats. As a general "rule of thumb", the lower the letter grade or number, the more nearly perfect is a product. Grade A eggs, for instance, should contain fewer spots, be less dirty or have less stained shells and be more uniform in shape than Grade B eggs. Notice that size of the egg has nothing to do with the grade of the egg.

Inspection Shields - These may also appear on the label indicating the product was processed or packaged under continuous inspection of a government inspector. This usually appears as a circle similar to the one in Figure 2. The P in P-42 indicates the manufacturer is a poultry plant, while the 42 identifies the location of the plant.



Figure 2 - Inspection Stamp

The inspection mark must appear on primary containers (box) and may nor may not be printed on the label of each individual bird available for purchase at grocery stores. Generally, all poultry and meat available for sale is inspected for wholesomeness. This has nothing to do with quality or grades; it simply means the product was processed under sanitary conditions, is free of disease and is a wholesome food. An inspected product may be graded as U.S. Grade B or U.S. Grade 2 because of a missing part in poultry or a less than average size or slightly shriveled squash.

In some cases, the grade and inspection mark may be incorporated into the one mark as in Figure 3, which shows that the chicken in the package was inspected for wholesomeness and is of high quality (Grade A).



Figure 3 - Combination Grade and Inspection Logo

UNIVERSAL PRODUCT CODE

You may have seen a symbol similar to that in Figure 4 on the label of a package, can or even a magazine. This is the Universal Product Code (UPC) which consists of ten digits and a series of vertical bars above the numbers.



Figure 4 - Universal Product Code

The first five digits name the manufacturer and the last five identify the product (peas, corn, *Redbook*, etc.). The store feeds information into the computer about the bar combinations, telling the computer what certain combinations mean - for example, \$0.49. A scanner passes over the UPC and the information is printed out on tape (i.e., Del Monte pears - \$0.49, Heinz catsup - \$0.79). At the same time, the computer keeps track of inventory and tells the store manager which items should be ordered. Future uses of the UPC code may result in the consumer being issued a small marker-type device to rub over the UPC code as the consumer traverses the aisles of the grocery or department store. The order would be processed from a warehouse and bagged by the time the consumer reaches the check out. Sounds complicated, but the savings in shelf stocking space, breakage and theft prevention are enormous.

GENERIC FOODS

Foods without fancy labels -- no pictures, no recipes or instructions, and with no color on the labels -- are termed generic foods. Black and white photographs are cheaper than color; so, too, black and white labels are less expensive than color. As a rule, these foods are overruns and are a way for the manufacturer to turn overstocked merchandise into cash without distracting from his labeled brands. There is no assurance of quality since grades are not shown on generic labels. Usually, the manufacturer doesn't want to be associated with the product, perhaps for fear that the prestige of this "branded" product would suffer. So, the labels of most generic foods state "*packed for* _____" or "*distributed by* _____" rather than giving the name of the manufacturer. Sometimes, savings of up to 50 percent and more can be realized by the wise purchase of generic labels.

IRRADIATED FOODS

When this logo appears on a package, it means the contents have been subjected to irradiation to improve the shelf life of the product. Irradiation controls sprouting as well as microorganisms which cause spoilage. An irradiated product must be labeled "*treated with radiation*" or a similar statement and the irradiation logo must appear on the label.



Figure 5 - Irradiated Foods Logo

SAFE HANDLING INSTRUCTIONS

Meat, Meat products, poultry or poultry products that are raw or not further processed according to USDA-FSIS time/temperature requirements for a ready-to-eat product must carry "*Safe Handling Instructions*" as specified by the regulation is presented in Figure 6. The information should be placed on the labels of the above described products that are intended for retail or food service sales. Placement is to be conspicuous with lettering not less than 1/16 inch.



Figure 6 - Safe Handling Instructions for Meat and Poultry

DESCRIPTIVE TERMINOLOGY AND HEALTH CLAIMS

Nutrient or health claims for a food require nutritional labeling regardless of possible exemptions. The terminology for such claims is specifically defined under the NLEA of 1990.

"Lite", "lean", "no cholesterol", "low sodium", "fresh", or "reduced salt" are some of the descriptive terms appearing on food product labels. The wording is used to communicate a quality or nutritional aspect of the food item. Descriptions on food labels must meet specific FDA or USDA criteria to properly represent the food. The conditions under which descriptive terms that are allowable are specified in the Code of Federal Regulations.

As a result of the 1990 Nutritional Labeling and Education Act, descriptive terms have been reviewed and the regulations amended, where appropriate, to modify the conditions for using descriptive terminology. An important change has been made concerning a claim for "no cholesterol". In the past, foods of non-animal origin, either whole or in part, have claimed "no cholesterol" or "cholesterol free". Under the current regulations, the use of such wording requires further clarification so that the consumer recognizes that the absence of cholesterol or insignificant levels are typical of the food and not revolutionary.

Health claims are sometimes desirable on a label. Foods having a scientifically proven and regulatory approved relationship to cancer, heart disease, hypertension or other health condition can be labeled as such under the conditions of FDA and/or USDA regulations. Errors in health claims relating to fats, cholesterol, sodium, calcium, fiber and other nutrients are misbranding/mislabeling and considered non-compliance. Food regulations for health claims must be followed very strictly.

Specific details on descriptive terminology and health claims are published in a separate bulletin on nutritional labeling.

LABEL CHECKLIST

The label must properly represent the food in the container. The following are key checkpoints for new or modified labels:

1. Name of product.
2. Name of company responsible for the product.
3. Address of company: city, state, zip code.
4. Net weight statement on bottom one-third of display panel (except sandwiches).
5. List of ingredients in order of predominance.
6. Handling procedures (if needed), i.e., refrigerate after opening, etc.

7. Nutritional information, descriptors and/or health claims.
8. Prominence of the wording and relative print size.

For detailed information, see *Rules of Georgia Department of Agriculture Weights and Measures, Chapter 40-15-3, Packaging and Labeling Advertising and Representations in General which are consistent with federal regulations.*

Table 4 - Minimum Height of Numbers and Letters Required in Net Weight Statements	
If area of principal display panel is:	Minimum height must not be less than:
5 sq. inches or less	1/16 inch
5 sq. inches to 25 sq. inches	1/8 inch
25 sq. inches to 100 sq. inches	3/16 inch
100 sq. inches to 400 sq. inches	1/4 inch
more than 400 sq. inches	1/2 inch

SUMMARY

Let's assume the most simple scenario of an individual who has a product he desires to sell in Georgia. Before having labels printed (which is quite expensive), he (or she) should sketch the proposed label as accurately as possible using the correct height of numbers and letters as outlined in Table 4 and submit it to *Georgia Department of Agriculture, Consumer Protection Division, Capitol Square, Atlanta, GA 30334.*



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