

## 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, 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.

**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