



Food Safety

Food Labeling for Vermont Food Producers and Processors

UVM Extension Fact Sheet- August 2012

State and federal food labeling requirements can be very confusing for food producers and processors. This fact sheet aims to clarify regulations for the food products most commonly sold by Vermont food producers and processors.

The Vermont Agency of Agriculture, Food and Markets (VAAFAM) is the State Agency responsible for most food labeling. Within the Agency, the responsible section depends on the type of product, as indicated below. Note that in addition to the requirements listed below, meat¹, poultry¹, dairy², and alcohol³ products must meet additional labeling requirements. These State government entities are very open to answering questions regarding Vermont and federal requirements and reviewing label proofs for compliance before printing.

Product type	Responsible VAAFAM section	Contact details
Meat and poultry products	Meat Inspection Section	Meat Section: (802) 828-2426
Dairy products	Dairy	Dairy Section: (802) 828-2433
All other food products	Consumer Protection	Consumer Protection: (802) 828-2436

General requirements for all food products

There are three primary requirements for labeling of all products sold by weight or liquid measure, including: 1) identity of product, 2) quantity and 3) declaration of responsibility. All products containing two or more ingredients must also be labeled with a list of ingredients.

1) Identity of product/ Statement of identity

- *What it is:* The common or usual name of the food, if it has one. Note that the name of some foods (such as “maple syrup” or “fruit jam”) are State or Federally regulated as to what the product must contain to bear that name (the “standard of identity”⁴)
- *Where it must appear:* On the Principle Display Panel (PDP)⁵- the main label panel.

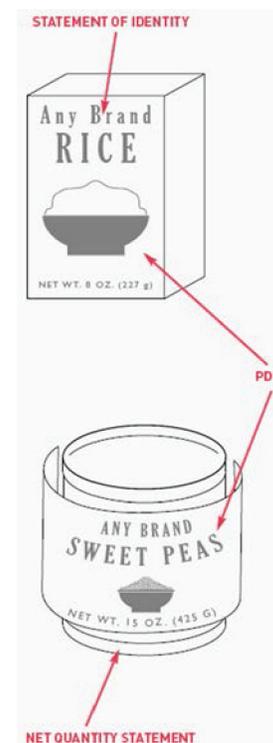
¹ More information on meat and poultry labeling requirements is available in a UVM Extension Fact Sheet: http://www.uvm.edu/extension/food/pdfs/meat_labeling_factsheet_march2012.pdf

² Contact the Dairy Section of the Agency of Agriculture at (802) 828-2433 for more information.

³ More information available from Vermont Department of Liquor Control:

<http://liquorcontrol.vermont.gov/enforcement/>

⁴ Examples and more information at: www.ag.ndsu.edu/foodlaw/processingsector/standardofidentity



- *Exemptions:* An identity is not required, in some cases, if the commodity is easily recognizable through the wrapper.
- *Other notes:* The name used to identify the product cannot be misleading or deceptive.

2) Quantity

- *What it is:* an accurate declaration of the weight, volume, or number of products in the package.
 - o Generally, solids are sold by weight and liquids by volume. Combinations may be sold by weight or volume.
 - o Metric quantities (liter, grams, etc.) are now required on most labels. The metric units may appear before or after the customary declaration and must be shown in three digits.
 - For example: 1lb (454 grams) OR 1 quart (.946 L)
- *Where it must appear:* In the lower third of the principal display panel (PDP) (see above image).
 - o If the package has a PDP of less than 5 square inches, the quantity can appear anywhere.
- *Exemptions:*
 - o Small Packages that are less than ½ ounce or those intended for use in a restaurant, institution, etc.
 - o Meat, poultry, fluid dairy, ice cream, alcohol- have specific Federal Labeling Requirements.
 - o Foods packaged at retail stores (metric weight not required)
- *Other notes:*
 - o A few containers in a lot may be under weight or measure but the average must meet the stated value and the shortages (in any container) must be small.
 - o A declaration of quantity shall not be qualified. "Jumbo Pound", "Minimum Weight", "Full Gallon" or any other term that exaggerates the amount is not allowed.
 - o The area of the PDP determines the minimum height of the numbers and letters in the quantity statement⁶.
 - o Quantities must be expressed in the largest whole unit of measure. i.e. Products that are less than a pound (or a pint) must be labeled in terms of ounces or fluid ounces.

3) Responsibility

- *What it is:* name, address⁷ and zip code of the manufacturer, packer OR distributor taking responsibility for the product (see bottom of Examples A and B below)
- *Where it must appear:* on the front panel OR with the ingredients on the informational panel (side panel).
- *Exemptions:* Not required if the product is sold on the same premises where it was packed.
- *Other notes:*
 - o Minimum letter and number height is 1/16 inch for most packages.
 - o Unless the name given is the actual manufacturer of the product, the name must be accompanied by a qualifying phrase which states the firm's relation to the product.

EXAMPLE: "Manufactured for _____" or "Distributed by _____"

Note that identity, responsibility, and quantity statements may be hand written so long as the size requirements are met and the writing is clearly legible.

⁵ The PDP is the portion of the package label that is most likely to be seen by the consumer at the time of purchase.

⁶ See FDA Document "Guidance for Industry: A Food Labeling Guide" (Rev October 2009, available online) for more information.

⁷ The street address may be omitted if the address can be found in the phone book or city directory.

4) Ingredient list

- *What it is:* Listing of ingredients in decreasing order of predominance by weight (the most first, the least last). Even ingredients used in trace quantities must be listed.
 - o The food source of major allergens⁸ must be listed either adjacent to (Example A) or in (Example B) the ingredients statement.
- *Where it must appear:* On the same label panel as the name and address of the manufacturer, packer or distributor.
- *Exemptions:* Not required on products containing only one ingredient
- *Other notes:*
 - o If the product contains a processed or standardized food as an ingredient (such as enriched flour- see examples on right), then the ingredients of that food must also appear in parenthetical form in the list.

Nutrition Facts

Example A

Ingredients: Enriched flour (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

Nutrition Facts

Example B

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

Nutritional Labeling

Larger food processors (selling >\$50,000 of food/year) are legally required to include Nutrition Facts on their retail product labels. However, Nutrition Facts may be required by some retailers/buyers and are helpful in marketing to consumers.

- *What it is:* "Nutrition Facts" labeling listing serving size, calories and key nutrients (see example image at right)
- *Where it must appear:* On the same label panel as the ingredient list and the name and address of the manufacturer, packer or distributor.
- *Exemptions:*
 - o Small businesses selling less than \$50,000 of food/year are exempted.
 - NOTE: If any company makes a nutritional or health claim on the label or if the food is fortified or for baby food, nutrition labeling is required.
- *Other notes:*
 - o Most Vermont companies hire a dietician⁹ to use a computer database to generate Nutrition Facts. However, companies could also send in the product to a laboratory for complete analysis, but this would be considerably more expensive.

Nutrition Facts			
Serving Size 1 Piece (15g)			
Servings Per Container - Varies			
Amount Per Serving			
Calories 80	Calories From Fat 40		
% Daily Value*			
Total Fat 4.5g			7%
Saturated Fat 2g			10%
Trans Fat 0g			0%
Cholesterol 0mg			0%
Sodium 25mg			1%
Total Carbohydrates 7g			3%
Dietary Fiber 0g			0%
Sugars 6g			
Protein 2g			
Vitamin A 0%	•	Vitamin C 0%	
Calcium 2%	•	Iron 0%	
<small>*Percent Daily Values are based on a 2,000 calorie diet. Your daily values may be higher or lower depending on your calorie intake.</small>			
	<small>Calories</small>	<small>2,000</small>	<small>2,500</small>
Total Fat	<small>Less Than</small>	<small>65g</small>	<small>80g</small>
Saturated Fat	<small>Less Than</small>	<small>20g</small>	<small>25g</small>
Cholesterol	<small>Less Than</small>	<small>300mg</small>	<small>300mg</small>
Sodium	<small>Less Than</small>	<small>2,400mg</small>	<small>2,400mg</small>
Total Carbohydrate		<small>300g</small>	<small>375g</small>
Dietary Fiber		<small>25g</small>	<small>30g</small>

⁸ The eight food sources for allergens are milk, eggs, fish, crustacean shellfish, tree nuts (walnuts, almonds, pecans, etc.), wheat, peanuts and soybeans, as well as their derivatives, such as caseinate, albumin or whey.

⁹ Many Vermont companies utilize this service: www.nutrient-analysis.com

- Note that meat and poultry products have different requirements, as outlined in a fact sheet listed in the footnotes.¹⁰
- The Nutrition Labeling and Education Act (1990) that regulates Nutrition Facts also authorizes the use of very specific and FDA approved nutrition content and health claims, such as “low fat”¹¹.

Non-regulatory items

1) Bar Codes (UPC)

- *What it is:* The bar code, or Universal Product Code (UPC) provides information about the product identity, size, price and other necessary data. The retailer may provide the UPC for you if asked.
- *Where it must appear:* Anywhere on the package, other than it may NOT appear between the required labeling on the information panel (i.e. between the Nutrition Facts and the Ingredient statement).
- *Exemptions:* NOT a regulatory requirement. However, it may be required by a retailer/distributor, particularly larger stores.
- *Other notes:*
 - UPC numbers can be purchased from a company called GS1 (www.gs1us.org). The yearly fee for the bar code is based on the number of products and gross sales.
 - If you are not planning to sell to stores that require GS1 codes but still would like a bar code, you can also use discounted bar codes such as from: www.nationwidebarcode.com



2) Organic, Gluten-free and other labeling topics

- For more information about “organic” food labeling and processing contact the Northeast Organic Farming Association of Vermont (www.nofavt.org).
- Topic-specific food labeling information, including on Gluten-Free labeling is available from: www.fda.gov/Food/LabelingNutrition/FoodLabelingGuidanceRegulatoryInformation/Topic-SpecificLabelingInformation/default.htm

For more information:

FDA Document “Guidance for Industry: A Food Labeling Guide” (Rev October 2009) www.fda.gov/Food/GuidanceComplianceRegulatoryInformation/GuidanceDocuments/FoodLabelingNutrition/FoodLabelingGuide/default.htm

UVM Extension helps individuals and communities put research-based knowledge to work.

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¹⁰ See Meat labeling fact sheet for more information: www.uvm.edu/extension/food/pdfs/meat_labeling_factsheet_march2012.pdf

¹¹ More information on these claims is available from: www.fda.gov/Food/GuidanceComplianceRegulatoryInformation/GuidanceDocuments/FoodLabelingNutrition/FoodLabelingGuide/ucm2006828.htm