

# LABELING OF PACKAGED FOODS

Food labels serve as a primary means by which consumers can make informed decisions about their food selections. Many items in a food establishment are provided by the food employee to the consumer upon consumer request. When food is under the direct control of the operator and provided to the consumer upon consumer request, the consumer has the opportunity to ask about ingredients, nutrients, allergens and weight.

Alternatively, some food items are enclosed in a container or wrapping for use in the display of that item for consumer self-service. In these instances, the label provides an important source of information for consumers to answer questions about ingredients, allergens, weight, and manufacturer.

It is important that the list of ingredients accurately describes all of the ingredients present in the food, in some instances, an ingredient may be composed of two or more ingredients, sub-ingredients. The sub-ingredients must be declared on the label.

One example includes listing the individual sub-ingredients in descending order of predominance after the common or usual name of the main ingredient.

See Example:

- Bread pudding ingredients: bread (*wheat flour, water, yeast, salt, honey*), milk, eggs, and sugar

Another example is to incorporate the common or usual name of each sub-ingredient into the list of ingredients in descending order of predominance in the finished food without listing the main ingredient itself.

See Example:

- Bread pudding ingredients: milk, wheat flour, water, eggs, sugar, yeast, salt, and honey

## ALLERGEN LABELING

The Food Allergen Labeling and Consumer Protection Act of 2004 requires that all affected packages of food labeled on or after January 1, 2006 identify on the label the names of the food sources of any major food allergens (milk, egg, fish, Crustacean shellfish, tree nuts, wheat, peanuts, soybeans, and sesame) used as ingredients in the food. Providing the name of the food source on the label of packaged foods alerts consumers to the presence of a major food allergen and may prevent an inadvertent exposure.



## **NUTRITION LABELING**

There are requirements and exemptions for nutrition labeling when it comes to the retail environment and to alert regulators.

See Below:

1. The following foods need not comply with nutrition labeling if they do not bear a nutrient content claim, health claim, or other nutrition information.
  - (A) Foods packaged in a food establishment if:
    - (1) The food establishment has a total annual sales to consumers of no more than \$500,000 ( or no more than \$50,00 in food sales alone), and
    - (2) The label of the food does not bear a reference to the manufacturer or processor other than the food establishment:
  - (B) Low-volume package food products if:
    - (1) The annual sales are less than 100,000 units per product for which a notification claiming exemption has been filed with FDA's Office of Nutrition and Food Labeling or Office of Dietary Supplement Program by a small business with less than 100 full-time equivalent employees, or
    - (2) The annual sales are less than 10,000 units per product by a small business with less than 10 full-time equivalent employees;
  - (C) Foods served in food establishments with facilities for immediate consumption such as restaurants, cafeterias, and mobile food establishments, and foods sold only in those establishments;
  - (D) Foods similar to those specified in the preceding bullet but that are sold by food establishments without facilities for immediate consumption such as bakeries and grocery stores if the food is:
    - (1) Ready-to-eat but not necessarily for immediate consumption,
    - (2) Prepared primarily in the food establishment from which it is sold, and
    - (3) Not offered for sale outside the food establishment;
  - (E) Foods of no nutritional significance such as coffee;
  - (F) Bulk food for further manufacturing or repacking; and
  - (G) Raw Fruits, vegetables, and fish