

Minimum Requirements for Packaged-food Labeling

The Massachusetts Food Protection Program has prepared this guide to help you develop a food label that complies with Massachusetts and federal labeling requirements. For additional information, please refer to the resources listed on the back panel.

Foods that Require Labeling

All packaged foods must be labeled in accordance with Massachusetts and federal labeling regulations, including all foods intended for retail sale that are manufactured in licensed residential kitchens.

For interpretations and assistance with labeling regulations, please contact:

**Food Protection Program
Center for Environmental Health
Massachusetts Department of Public Health
305 South Street
Jamaica Plain, MA 02130**

**Phone: 617-983-6712
Fax: 617-983-6770
Web: www.mass.gov/dph/fpp**

**Or the U.S. Food and Drug Administration
<http://www.cfsan.fda.gov/label.html>
Office of Nutritional Products, Labeling, and
Dietary Supplements at 301-436-2371**

Minimum Information Required on a Food Label

The Massachusetts and federal labeling regulations require the following information on every food label:

- Common or usual name of the product.
- **All** Ingredients listed in descending order of predominance by weight, and a complete listing of sub-ingredients in a composite food ingredient.
- Net weight of product.
- Dual declaration of net weight if product weighs one pound or more.
Example: 1 pound [16 oz]
- “Keep refrigerated” or “Keep frozen” (if product is perishable)
- All perishable or semi-perishable foods require open-dating and recommended storage conditions printed, stamped, or embossed on the retail package.
Once an open-date has been placed on a product, the date may not be altered.
- Name and address of the manufacturer, packer, or distributor. If the company is not listed in the current edition of the local telephone book under the name printed on the label, the street address must also be included on the label.
- Nutrition labeling.
- If a food product has a standard of identity, the food must meet the standard in order to be offered for sale under that product name.
- All FDA certified colors.

Example: FD&C Yellow #5, FD&C Red #3

Massachusetts Open-dating Regulation

To comply with the Massachusetts open dating labeling regulation, a “sell-by” or “best-if-used-by” date is required if the product has a recommended shelf life of fewer than 90 days.

Foods exempt from this requirement include: fresh meat, fresh poultry, fresh fish, fresh fruits, fresh vegetables offered for sale unpackaged or in containers permitting sensory examination, and food products prepackaged for retail sale with a net weight of less than 1½ ounces.

Selling Food that is Open-dated Beyond its Designated Date

Foods may be sold after the open-date if the following conditions are met:

- It is wholesome and its sensory physical qualities have not significantly diminished.
- The product is segregated from food products that are not “past date.”
- The product is clearly marked as being “past date.”

Health Claims

Health claims allowed by the FDA on a package label are limited to seven relationships between diet and disease:

1. calcium and a reduced risk of osteoporosis (a condition of lowered bone mass)
2. sodium and an increased risk of hypertension (high blood pressure)
3. dietary saturated fat and cholesterol and an increased risk of coronary heart disease
4. dietary fat and an increased risk of cancer
5. fiber-containing grain products, fruits, and vegetables and a reduced risk of cancer
6. fruits, vegetables, and grain products that contain fiber, particularly soluble fiber, and a reduced risk of coronary heart disease
7. fruits and vegetables and a reduced risk of cancer.

Food Allergen Labeling

The Food Allergen Labeling and Consumer Protection Act of 2004 (FALCPA) addresses the labeling of foods that contain certain food allergens.

All packaged-foods labeled on or after January 2006 must comply with FALCPA's food allergen labeling requirements.

Under FALCPA, a "major food allergen" is an ingredient that is one of the following eight foods or food groups

MILK
EGG
FISH
CRUSTACEAN SHELLFISH
TREE NUTS
WHEAT
PEANUTS
SOYBEANS

FALCPA requires that:

- For tree nuts, the specific type of nut must be declared:
Example: almonds, pecans, or walnuts
- For fish, the species must be declared:
Example: bass, flounder, or cod
- For Crustacean shellfish, the species must be declared:
Example: crab, lobster, or shrimp

FALCPA's requirements apply to all packaged foods sold in the United States, including both domestically manufactured and imported foods.

Resource Information on Labeling

Principal display panel
105 CMR 520.101
21 CFR 101.1

Information panel
105 CMR 520.102
21 CFR 101.2

Identity labeling of food
105 CMR 520.103
21 CFR 101.3

Nutrition labeling
105 CMR 520.109
21 CFR 101.9

Misbranding of food
105 CMR 520.118
MGL C. 94 sec. 187
21 CFR 101.18

Mandatory labeling information
105 CMR 520.020

Natural and organic labeling
105 CMR 520.116

Trans Fat
<http://www.cfsan.fda.gov/~dms/transgui.html>

Allergens
Food Allergen Labeling and Consumer Protection Act of 2004 (FALCPA) (Public Law 108-282)

Misleading containers
21 CFR 100.100

NOTE: This brochure is only a guide.

Since regulations are amended from time to time, it is the responsibility of licensees to know and abide by all current labeling regulations. Always consult official Massachusetts and federal regulations to ensure labels are in full compliance

Massachusetts Minimum Requirements for Packaged-Food Labeling

WHEAT BREAD

Ingredients: Flour (bleached wheat flour, malt barley, flour, niacin, iron, potassium thiamine, thiamine mononitrate, riboflavin), Sugar, Eggs, Water, Milk, Margarine (liquid soybean oil, partially hydrogenated soybean oil, water, salt, whey, soybean lecithin, vegetable mono & diglycerides, sodium benzoate as a preservative, potassium caseinate (a protein), artificially colored, FD&C Red # 3, artificially flavored, vitamin A, dalmite added), Yeast, Salt

Sell by: 6/22/06
Net Weight: 1 pound (16 oz)

The Bakery
412 Main Street
Anytown, MA 01234

Food Protection Program
Center for Environmental Health
Massachusetts Department of Public Health
March 2006