

INTRODUCTION

The purpose of this "labeling guide" is to help retail food establishment operators in developing labels for the food products that they package.

The **Sherman Food, Drug, and Cosmetic Law (State Sherman Law)** and adopted Federal laws, regulate the labeling of packaged foods in California.

The **Sherman Law** requires that all packaged foods be labeled in accordance with the codes. Any food that is not properly labeled shall be deemed **misbranded**. "It is unlawful to misbrand or manufacture, sell, deliver, hold or offer for sale any food that is misbranded."

The **Code of Federal Regulations (21 CFR Parts 1-199)** provide specific food labeling requirements, i.e., format and printing, declaration of food coloring and additives, nutrition labeling and warning statements.

DEFINITIONS

A "**package**" is any container or wrapper, which may be used by a manufacturer, producer, jobber, packer, or dealer for enclosing or containing any food. A shipping container or "outer" wrapper for transporting a food is **not** a package.

"**Label**" means a display of written, printed, or graphic matter on a food or on its immediate container.

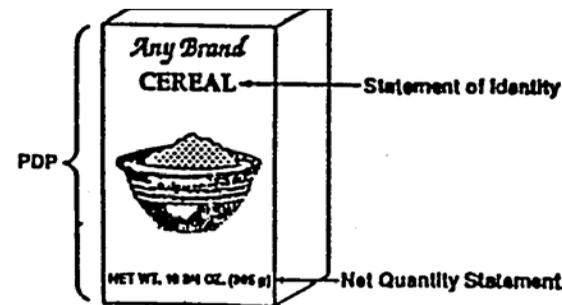
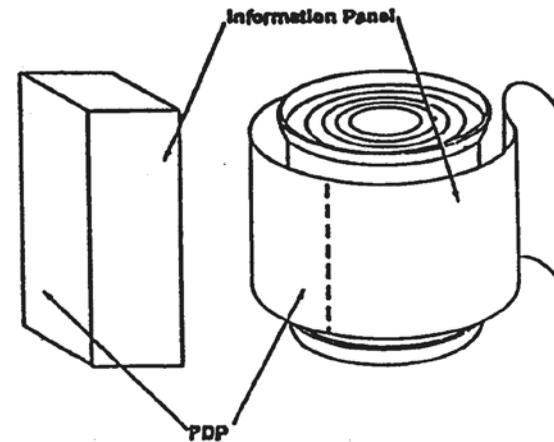
"**Labeling**" is any label on a food or its package, or which accompanies any food.

PARTS OF A LABEL

Two label parts are identified for the purpose of uniformly locating required information.

"**Principal display panel (PDP)** is that part of a label or package that is usually displayed.

"**Information panel**" is that part of the label immediately to the right of the PDP.



BASIC LABELING REQUIREMENTS

All required labeling information shall be printed prominently and conspicuously in **ENGLISH**. Unless otherwise stated, print size shall be at least **1/16 of an inch**.

The following are the required information, which shall be placed on the **principal display panel (PDP)**.

1. PRODUCT IDENTITY

- The common, usual, descriptive, fanciful, or standard name of the packaged food shall be declared.
- If fanciful name is used, it must be accompanied with descriptive phrase, at least 1/2 the type size of the product name.
- If it is a "flavored" product, it must so stated.
- Form of the food, if sold in optional form, i.e., sliced, or halves shall be included.
- Print size shall be at least 1/2 of the largest print on label but not less than 1/16".

2. NET QUANTITY OF CONTENTS

- The amount of food in container or package shall be stated as:
- Net weight** - ounces, pounds, and/or grams, or **Net content** - fluid ounces, pints and/or liters or number of pieces.
- The net quantity must be printed in the lower 30% of the PDP, parallel to the base.
- Dual declaration of net quantity is required for packages that are equal to or greater than **one pound or one pint** but less than **four pounds or one gallon**.

- Print size is dependent on the PDP area, determined as follows:

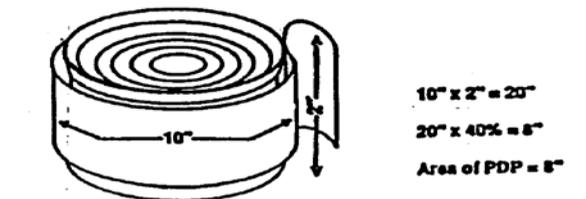
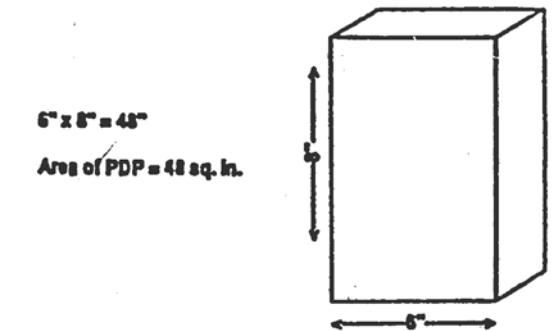
PDP AREA (SHAPE) - SQUARE INCH

Rectangular = Length x Width

Cylindrical = 40% (Height x Circumference)

PDP AREA (sq. in.)	MIN. PRINT SIZE (Inch)
less than 5.....	1/16
5 to less than 25.....	1/8
25 to less than 100	3/16
100 to less than 400	1/4
400 or more	1/2

Example:



The following required information shall be printed together, either, on the PDP or on the Information Panel.

3. NAME & ADDRESS OF RESPONSIBLE FIRM

- Only the actual manufacturer can claim to be the maker of the food product.
- Other firms must be identified as: Manufactured for, Packed by, or Distributed by
- Full address of the firm shall be printed, including:
 - Street address - (if firm name is not listed in current city directory or phone book)
 - City, State, Zip Code and Country - (if outside USA)

4. INGREDIENT STATEMENT

- All ingredients shall be listed by their common or usual name in descending order of predominance by weight.
- Declare all the ingredients of the food products that are used as ingredients.
- Ingredient list must appear on the same panel where the name and address of the responsible firm are printed.
- Certain ingredients require special declarations as specified in 21 CFR § 101.4. Examples of ingredients:

Fats and oils must be listed by their specific common or usual names. Hydrogenation state is also declared, such as, "VEGETABLE OIL (may contain partially hydrogenated cottonseed oil or hydrogenated palm oil).

- Preservatives are declared by their common

names and their functions, e.g., "SODIUM BENZOATE (added as a preservative) 0.1%".

- Use of sulfur dioxide or other sulfite compounds as preservatives shall be declared.
- FD&C food colors are listed individually, as, FD&C YELLOW #5 and #6, FD&C RED #40.
- Spices and flavors are listed as "spices", "artificial flavors" and "natural flavors". Generic names do not have to be specified.
- Salt and monosodium glutamate are not spices and are declared separately.
- Leavening ingredients that are used to make "gas" to expand a product before or during baking must be listed.
- Water may not be declared if it is removed during processing, like baking or drying.
- Alcohol is declared, "contains in excess of 1/2% by weight" if food contains this much.

ADDITIONAL LABELING INFORMATION

Many types of food need additional labeling information regarding their storage requirements, or facts to support advertising claims, such as the following:

- **"PERISHABLE, KEEP REFRIGERATED"** must be printed conspicuously on the PDP of food products that need to be kept refrigerated at 41°F or below.
- **WARNING STATEMENTS** are required on the PDP of self-pressurized containers and dietary products, such as, high-protein formulations, low-sugar or sugar-free products, and foods with artificial sweeteners.

Details about specific listing requirements for each ingredient or additive are found in Title 21 CFR §§ 101 series.

- **NUTRITION FACTS** - Standardized form of nutrition labeling is required on food products that are imported from foreign countries; food products with nutritional claims, i.e., low fat, heart healthy, low cholesterol; and food products manufactured in large quantity as defined by the Nutrition Labeling & Education Act of 1990.
- The required nutrition labeling includes: serving size, calories, protein, carbohydrates, fats, percent of U.S. RDA per serving (of proteins, vitamins and minerals) and sodium (potassium may be declared voluntarily).

PRINT REQUIREMENT

Unless otherwise stated, print size of all required information shall be at least 1/16 of an inch. Print size for mixed lower/upper case letters is based on height of lower case "o".

Illustrations were reprinted from the FDA Food Labeling Guide.

For more information on specific labeling requirements, particularly on NUTRITION FACTS, refer to the current edition of the Code of Federal Regulations, Title 21, Parts 1-199, available at:

San Diego County Law Library
1105 Front Street, San Diego, CA 92101
(619) 531-3910

You may also call the Department of Environmental Health, Food & Housing Division, at (858) 505-6900, and ask for the Specialist on Duty.

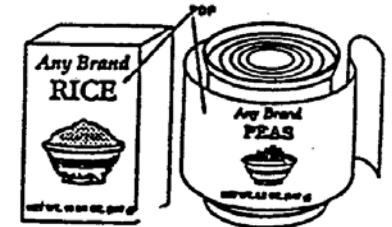


COUNTY OF SAN DIEGO

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FOOD LABELING

GUIDE



DEPARTMENT OF ENVIRONMENTAL HEALTH FOOD AND HOUSING DIVISION
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SAN DIEGO, CA 92123