CONNECTICUT DEPARTMENT OF CONSUMER PROTECTION, FOOD & STANDARDS DIVISION

Food Labeling Guide for Products Manufactured or Sold in Connecticut

Special Note: This guide summarized *general* labeling requirements for food products though most are applicable to other consumer products as well. It is impossible to summarize in a few pages all the applicable labeling requirements, this document therefore is intended for *informational purposes only* and in no way intends to replace those statutes and regulations on labeling.

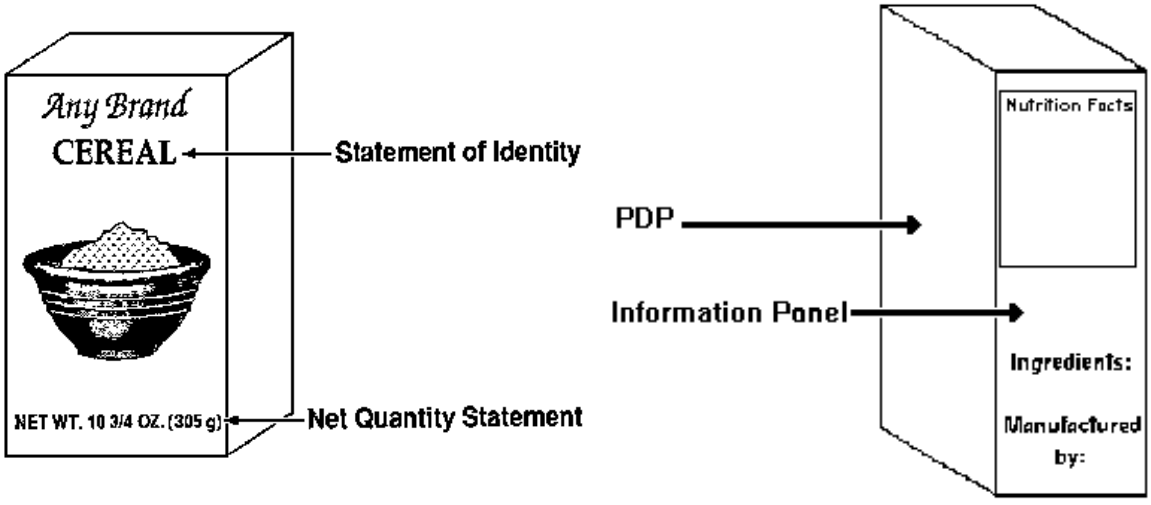
In the State of Connecticut the Food & Standards Division is primarily responsible for assuring that food and other consumer packages are properly labeled and that the labels accurately and honestly represent the product located within. This responsibility is derived from the Connecticut Uniform Food and Drug Act, Chapter 418 of the Connecticut General Statutes and as adopted by reference pursuant to Chapter 418, Title 21 of the Code of Federal Regulations (21 CFR), and the Unfair Sales Practices Act, Chapter 736 of the Connecticut General Statutes. These two Public Acts are the primary State laws governing food labeling.

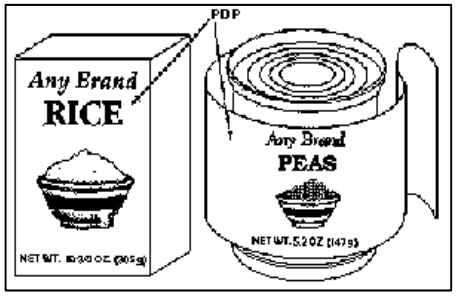
FDA General Labeling Web Site:
http://www.fda.gov/Food/GuidanceRegulation/GuidanceDocumentsRegulatoryInformation/LabelingNutrition/ucm2006828.htm

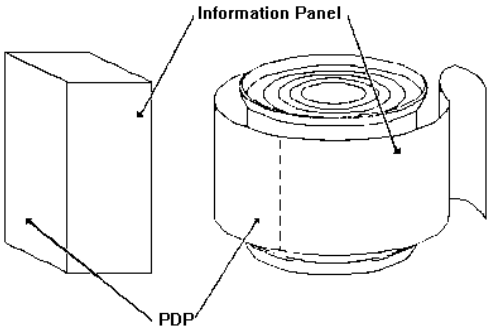
There are two ways to label packages and containers:

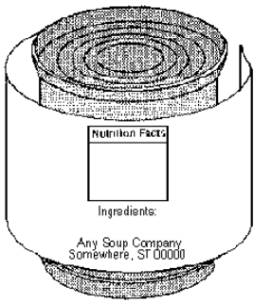
a. Place all required label statements on the front label panel (the principal display panel or PDP), or,

b. Place certain *specified* label statements on the principal display panel and other labeling on the information panel (the label panel immediately to the right of the principal display panel, as seen by the consumer facing the product).









COMMON TERMS

- PRINCIPAL DISPLAY PANEL (PDP). The PDP is the portion of the package that is most likely to be seen by the consumer at the time of purchase**.** The product identity and the declaration of quantity must appear on the PDP. All other required information may be placed either on the PDP or the information panel.

- INFORMATION PANEL (IP). The IP is typically the label panel located to the immediate right of the PDP, as seen by the consumer facing the product (a few exceptions exist for irregular-size packages—refer to 21 CFR §101.2).

SUMMARY OF THE BASIC REQUIREMENTS:

1. DECLARATION OF IDENTITY: The name of the food must be the common or usual name of the food.
    a. 21 CFR 102.5(d) -- A common or usual name of a food may be established by common usage, by establishing a common or usual name by regulation (see 21 CFR 102.19), or by establishing a standard of identity by regulation (see 21 CFR 130.5).

    b. It would be misleading to label a food with a new name when that food has an established name. If no common or usual name exists, then an appropriately descriptive phrase must be used; the phrase must accurately describe the basic nature of the food or its characterizing ingredients or properties. If the food is subject to a standard of identity, it must bear the name specified in the standard.

    c. **The statement of identity must appear on the principal display panel** in lines generally parallel to the base of the package. It must be prominent and of a type size reasonably related to the most prominent printed matter on the front panel; generally, this means at least one-half the size of the largest print on the label.

    d. ARTIFICIALLY FLAVORED: When artificial flavorings are used that simulate, resemble, or reinforce the characterizing flavor of the food, the product name must be accompanied by the phrase “artificially flavored” or “artificial” in type not less than

one-half the size of the name of the food; for example, "Artificial Orange Flavored Punch" or "Artificially Flavored Strawberry Cheesecake" (21 CFR §101.22).

e. ARTIFICIALLY SWEETENED: Beverages that contain artificial sweeteners shall be identified as "artificially sweetened" in letters not less than one-half the height of the other words in the product identify (21 CFR §105.66).

f. FANCIFUL TERMS: Fanciful terms are not encouraged since they are often confusing to the consumer. However, they may be used as a supplement to a proper statement of identity and are in no way false or misleading. For example, a label may read "Cuban Ham & Cheese Sandwich" (but not "Cuban" by itself).

g. FORM OF THE FOOD: Where a food is marketed in several forms (sliced, diced, whole, dried, etc.), the particular form must be part of the identity statement (21 CFR §101.3(c)).

h. IMITATION: Any product that resembles and substitutes for a traditional food and contains less nutritional value than the traditional food is considered an imitation (21 CFR §101.3(e)(1)) and may be considered misbranded unless its label bears, in type of uniform size and prominence, the word "imitation" and, immediately thereafter, the name of the food imitated.

2. DECLARATION OF RESPONSIBILITY: The name and address of the responsible person must be declared as a unit and not separated by other label information. The address must include street address, city, state, and zip code. However, if the street address is listed in a current city or telephone directory under the responsible party name, then street address may be omitted on the label. If the responsible party is other than the manufacturer, the name must be qualified by a term describing the relationship to the product e.g.: "Distributed by_____" (21 CFR §101.5).

3. DECLARATION OF NET QUANTITY BY VOLUME OR WEIGHT: **Must be placed on the principal display panel (PDP)** in the lower third of the panel. It must be printed in the required minimum type size and surrounded by sufficient clear space. The print size of the statement is regulated by the area of the PDP and is based on the size of a lower case "o." If only upper case letters are used, the size is based on the height of the upper case letters. Solid or semi-solid products must be listed by weight.

Area of Principal Display Panel	**Minimum Type Size of Net Quantity Statement**
< 5 square inches	1/16 inch
> 5 square inches < 25 square inches	1/8 inch
> 25 square inches < 100 square	3/16 inch
> 100 square inches < 400 square	1/4 inch
> 400 square inches	1/2 inch

(21 CFR §101.105)

DUAL DECLARATION - METRIC DECLARATION: Both metric and inch/pound measures must be declared in the net quantity statement. Either may be primary, for example, "Net wt 1 lb (453 g)" or Net wt 453 g (1 lb)." This requirement for the net quantity statement to include

metric units does not apply to foods packaged at the retail store level or for random weight packages. (Fair Packaging & Labeling Act)

4. INGREDIENT STATEMENT: A food product made from **more than one** ingredient must bear a complete list of ingredients in order of descending predominance by weight (21 CFR §101.4). Ingredients must be listed by their common or usual name. Spices and flavorings may be declared by the generic term, "spices" or "flavorings" (artificial flavorings must be identified as artificial). The source of all fats and oils must be specified (e.g., soybean oil rather than vegetable oil; lard rather than shortening). Preservatives must have their function declared (e.g., "preserved with sulfur dioxide").

    a. STANDARDS OF IDENTITY: Specify in detail what can and cannot be sold under a certain product name. To a great extent, a standard of identity is a recipe for a food established by law, but it also prescribes ingredient labeling requirements and identification (naming) requirements. Examples of foods with standards of identities include bread, jams, jellies, preserves, cocoa, chocolate, and macaroni.

    b. COLORINGS: All certified colors must be listed in the ingredient statement by their common name (e.g., FD&C Blue No.1). Butter, cheese, and ice cream are exempt from this requirement except when it is necessary to assure safe use (e.g., FD&C Yellow No. 5). Noncertified and natural colors may be listed by the generic term "colorings."

    c. INGREDIENT STATEMENTS THAT INCLUDE OTHER FOODS AS INGREDIENTS: Often ingredients listed include other foods as ingredients. If these foods have constituent ingredients, then each constituent ingredient must also be listed on the ingredient statement. Constituent ingredients are enclosed in parentheses to segregate them from the other ingredients.

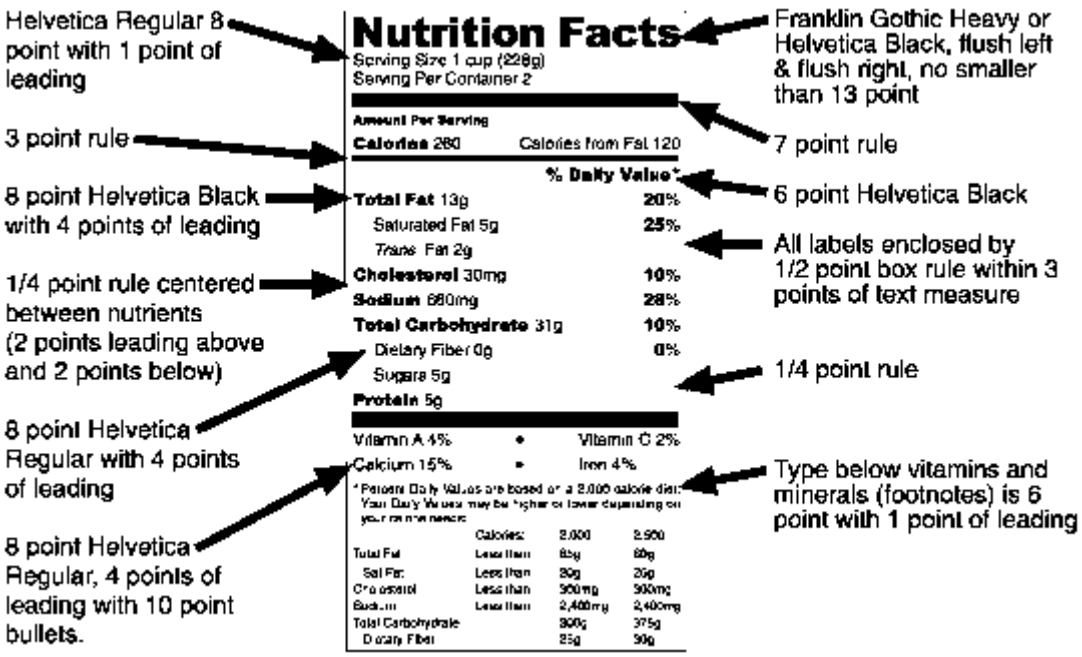
5. TYPE SIZE: All required information must be printed in a type size of at least 1/16 inch in height (21 CFR §101.2(c)). Other specific requirements may apply which require type size larger than 1/16 inch, and all required information must be conspicuous and easy to read.

6. NUTRITION FACTS: (NLEA requirements) Nutrition labeling is required on all prepackaged food products that are not exempt. Some foods exempt from nutrition labeling include restaurant foods, foods produced by small businesses, and food served for immediate consumption. However, use of any nutrient or health claim, such as "low fat," "diet," or "lean," forfeits any exemption from complete nutrition labeling.

    The mandatory components and the order in which they must appear are: total calories, calories from fat, total fat, saturated fat, trans fats, cholesterol, sodium, total carbohydrate, dietary fiber, sugars, protein, vitamin A, vitamin C, calcium, and iron.

    Serving sizes are based upon the FDA-established list of reference amounts.

The regulations also spell out what terms may be used to describe the level of a nutrient in a food and how they may be used. These definitions include the terms “light,” “low,” “reduced,” “less,” “more,” and “high” (21 CFR §101.9).



FDA Nutrition Facts Labeling Guide Site:
http://www.fda.gov/Food/IngredientsPackagingLabeling/LabelingNutrition/ucm20026097.htm

7. SELL-BY DATE: Sell-by or use-by dates are not required on most food products sold in Connecticut, however products that are imprinted with sale or use by date must comply with national standards adopted by Connecticut. Once a product is stamped with a datesp, the date cannot be changed or modified.

8. ALLERGEN LABELING: Eight common allergens cause 90% of all food allergies and must be listed on a packaged food label. These common allergens are: Wheat, Milk, Eggs, Soy, Tree Nuts (must state the specific nut), Peanuts, Fish, and Crustacean Shell Fish. These items or ingredients derived from these items must be stated using the common name and may be listed in the ingredient list statement or in a separate listing after the ingredient list, e.g.: “Contains: .” Note: manufacturers must be particularly mindful of allergenic ingredients that that do not bear the name of the allergen in the name of the ingredient, e.g.: Casein instead of Milk Casein, Whey instead of Milk Whey, or Albumen instead of Egg Albumen (FALCPA of 2004).

FDA Allergen Q&A Web Site:
http://www.fda.gov/Food/GuidanceRegulation/GuidanceDocumentsRegulatoryInformation/Allergens/ucm059116.htm

OTHER SPECIAL CONSIDERATIONS:

- BOTTLED BEVERAGES & JUICES: Bottled products must meet the labeling requirements of Title 21 of the Code of Federal Regulations as adopted by reference by the State There are also specific labeling requirements for water, juices, juice beverages and other beverages, whether 100% juice, juice from concentrate or beverages that contain a percentage of juice as an ingredient. Firms selling or distributing bottled water, bottled beverages such as sodas and juice beverages other than 100% juice must be registered/licensed by the Food Division before the beverage is offered for sale.

- MEATS AND MEAT PRODUCTS – USDA: Persons planning to wholesale processed meat products (other than sandwiches), such as pizza pockets, meat pizzas, meat burritos, or meat egg rolls, must contact the U.S. Department of Agriculture (USDA) for labeling guidance. Generally, products containing more than 2% cooked meat/poultry or 3% raw product, fall under the jurisdiction of the USDA.

- ORGANIC CLAIMS: In most situations persons who plan to make organic claims about their products, ingredients or business must meet state and federal organic certification requirements of the U.S. Department of Agriculture, National Organic Program. Information may be obtained at: www.ams.usda.gov/nop or by calling the National Organic Program at 202-720-3252.

LABEL REVIEW:

Labels are not subject to prior approval but improperly labeled products can be removed from sale. You are therefore urged to submit labels to DCP or FDA for review and comment before marketing a new product. Please send labels for review to:

CT DCP
Food & Standards Division
Attn: Label Review
450 Columbus Blvd
Hartford, CT 06103

DCP Labeling Checklist

Name of Product:_____

Date: _____

Reviewer: _____

Declaration of Identity
- Appears on the principal display panel.
- Is generally parallel to the base of the package.
- Is the name specified in, or required by, federal or state regulation (standard of identity); the common or usual name; or the generic name or other appropriate description including a statement of function?

Declaration of Responsibility
- Is conspicuously displayed on any package that is sold, kept, offered, or exposed for sale at a location other than the premises where it was packed.
- Includes the name and address of the manufacturer, the packer, or the distributor.
- Uses the actual corporate name or, when not incorporated, the name under which the business is conducted.
- Includes the city, state (or country), and ZIP code (or mailing code used in other countries).
- Includes the street address unless this information is listed in a current city or telephone directory.
- Uses the address of the responsible party's principal place of business or the address of the location where the package was manufactured, packed, or distributed unless such address would be misleading.
- If the responsible party is not the manufacturer, then includes the party's connection with the package (i.e., "Manufactured for and packed by," or "Distributed by").

Declaration of Quantity
- Appears in the lower 30 % of the principal display panel.
- Appears generally parallel to the base of the package.
- Is prominently displayed in English (multi-lingual information is permitted as long as all required elements are in English and the alternate language).
- English and Metric measurement units
- Is in a color that contrasts conspicuously with its background.
- Has an adequate amount of free area around it.
- Appears in a style of type or lettering is bold, clear, and conspicuous.
- Is of a type or lettering that is proportional.
- Is of a type or lettering that meets the minimum height requirements.

Ingredient Statement
- A complete list of ingredients in order of descending predominance by weight.
- Ingredients must be listed by their common or usual name.
- The source of all fats and oils must be specified (e.g., soybean oil rather than vegetable oil; lard rather than shortening).
- Preservatives must have their function declared (e.g., “preserved with sulfur dioxide”).

- All certified colors must be listed in the ingredient statement by their common name (e.g., FD&C Blue No.1).
- Allergens, if present, listed on a packaged food label. These allergens are: Wheat, Milk, Eggs, Soy, Tree Nuts (must state the specific nut), Peanuts, Fish, and Crustacean Shell Fish.