

## **BASIC LABELING GUIDELINES FOR HOME PRODUCED FOODS**

The State of Utah through the Utah Code Annotated (UCA) has adopted the regulations promulgated under the Federal Fair Packaging and Labeling Act as set forth in the Code of Federal Regulations (CFR).

**The following information is required by law to be on a food label for a home produced food before the product is offered for sale. The minimum print height for any of this required information is 1/16 inch (based on the lower case letter “o” unless only upper case letters are used).**

- Statement of Identity (Common or usual name of product). (21 CFR 101.3)
- The net quantity statement. (21 CFR 101.105)
- The words "Home Produced" in bold and conspicuous 12 point type on the principal display panel. (R70-560-6)
- An ingredient statement (unless it is a single ingredient product). (21 CFR 101.4)
- The name, street address, city, state, zip code, and telephone number of the cottage food production operation. (21 CFR 101.5 and R70-560-6)
- Nutrition Statement: Most products must also have a Nutrition Facts statement following the FDA approved format. (21 CFR 101.9)

1. The product name must appear on the principal display panel (PDP = the portion of the label expected to be displayed when the product is offered for sale.) It must be prominent and in bold type and be an appropriate descriptive name that is not misleading. It should be printed generally parallel to the base of the package and at least 1/2 the size of the largest print on the label.

2. The net quantity statement must be appropriate for the type of product. Generally, products that are solid, semi-solid, viscous, or a mixture of liquid and solid, are labeled by net weight (unless trade custom allows them to be labeled by count.) Liquids are generally labeled in fluid volume. Some products are required to be labeled by dry volume, length, area, etc. Any net content statement that does not permit price and quantity comparison is forbidden.

The net quantity is to be stated as a definite amount - do not use qualifying statements such as: when packed, approximately, minimum, or words of similar import. Nor shall any unit of weight or measure be qualified with terms that tend to exaggerate the amount of the commodity, such as: jumbo, giant, full, etc. On the average the quantity of the commodity in the package must **at least equal** or exceed **the labeled quantity** with no unreasonable shortages in any package even when overages in other packages compensate for such shortage.

The net quantity statement must appear in the bottom 1/3 of the PDP label in the largest whole units of both the US System of Measures and the metric equivalent. This means the net weight will show the **total number of ounces** if product net weight is **less than one pound**, or show both **ounces and pounds** if the net weight is **one pound or more**. Either US or metric quantity may be printed first, the equivalent quantity following in parenthesis. Do not use periods behind abbreviations or “s” to indicate plurals. Metric abbreviations must be printed in lower case letters, except you may use either “l” or “L” to indicate liter and “ml” or “mL” for milliliter. (Use **1 oz = 28.3495 g** to calculate net **weight** conversions or **1 fluid ounce = 29.5735 mL**, then round appropriately.)

The print size required for the net quantity statement is based on the area of the principal display panel (print size is based on the height of the lower case letter “o” unless only upper case letters are used.) The statement must be prominent, conspicuous and easy to read. An area equal to the height of the required lettering **above and below** the quantity statement must be left **free** of other print.

### **Area of Principal Display Panel**

**5 square inches or less**

**More than 5, but not more than 25 sq. in.**

**More than 25, but not more than 100 sq. in.**

**More than 100, but not more than 400 sq. in.**

**Over 400 square inches**

### **Type Size Required**

**Not less than 1/16 inch**

**Not less than 1/8 inch**

**Not less than 3/16 inch**

**Not less than 1/4 inch**

**Not less than 1/2 inch**

3. The words "**Home Produced**" must appear in bold, 12 point type on the principal display panel.

*The next three items may be on the PDP or on the information panel (IP = usually the portion of the package immediately to the right of the PDP). Nonessential, intervening print and/or art work are not permitted between the required labeling items (e.g., the UPC bar code is not required labeling).*

4. **Ingredient statements must begin with the word “Ingredients:” followed by a colon.** All ingredients must be listed by **common or usual name** in descending order of predominance by weight (**from heaviest to lightest**). Any ingredient which itself contains two or more ingredients:

a) shall declare the common or usual name of the ingredient followed by a parenthetical listing of all ingredients contained therein in descending order of predominance;

b) or by incorporating into the statement of ingredients in descending order of predominance in the finished food, the common or usual name of every component of the ingredient without listing the ingredient itself. (This can only be done if the weights of ALL components of all ingredients used are known.)

For any product containing an ingredient which is, or is derived from, one of the eight major food allergens (milk, egg, wheat, soy, fish, shellfish, tree nuts, or peanuts), the presence of the allergen must be indicated in the ingredients. If the common or usual name of the ingredient contains the name of the allergen (i.e. soybean oil or milk), then no further notation is required. If the name does not clearly indicate the allergen (i.e. casein, whey protein, butter, or cream) then the allergen must be stated either in parenthesis following the ingredient or in a "Contains" statement immediately below or next to the ingredients, in a type size no less than that used for the ingredients. If the "Contains" statement is used, it must list all of the allergens present in the product, whether listed by name in the ingredients or not.

5. The name, street address, city, state, zip code, and phone number of the cottage food production operation.

6. Nutrition Statement: FDA requires a Nutrition Statement on almost all food offered for sale. One exception is if the company qualifies for the small business exemption. Small businesses must still provide a Nutrition Statement if the label contains qualified health claims.

The statement must follow the approved FDA format. Some foods categories are **exempt from the nutrition statement**: foods produced by small (as defined by FDA) businesses; foods served in restaurants and/or sold ready for immediate consumption; certain foods sold directly to consumers from the location where they are prepared (delis and bakeries); foods that provide no significant nutrition (plain, unsweetened coffee; most single ingredient spices, etc.) **Any health or nutrition claim or nutrition information on product labeling or advertisements void these exemptions.**

#### **SELF-SERVE BULK FOOD DISPENSERS**

The requirements for food products sold from **bulk, self-serve containers** differ only slightly from those for packaged foods. The product name; name and address of the cottage food production operation; price per unit (per pound or per each); nutrition facts; and ingredient list in descending order of predominance must be on all dispensing units. **Ingredients must be printed in letters measuring at least 1/8" in height (again based on lower case letter “o”, unless only upper case letters are used).**

#### **FULL-SERVICE FOOD (CUSTOM / ON-DEMAND)**

Food items which are accessible to customers only through employee-assistance, such as cakes made to order and delivered personally, or items to be served in coffee shops or restaurants, need not be labeled with all of the above information. However, complete and correct ingredient information for all products offered for sale shall be readily available to all store personnel in case of consumer questions. This information must be accurate and kept current for the benefit of any customer who may need it. Any nutrition or health information or claims about any such product also mandates the availability of Nutrition Facts for that product.