

# NEW YORK

# STATE

# FOOD LABELING

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This pamphlet is a brief summary of the labeling regulations governing foods offered for sale in New York State. It is not meant to be all inclusive of all of the labeling requirements. It is strongly suggested that labels be submitted to this agency for review prior to printing.

For specific information write to:

State of New York  
Department of Agriculture and Markets  
Division of Food Safety and Inspection  
Attn: Economic Section  
10B Airline Drive  
Albany, NY 12235

**FSI-514 (Revised 5/01)**

## Five Basic Label Requirements

- Identity of Food in Package Form
  - Name of Manufacturer, Packer or Distributor
  - Place of Business
  - Ingredient Declaration
  - Net Quantity of Contents
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### ➤ IDENTITY OF FOOD IN PACKAGE FORM

- a. The principal display panel of a label for a food in package form shall bear as one of its principal features a statement of the identity of the commodity by its common or usual name.
- b. Where a food is marketed in various forms (grated, sliced, diced, etc.) the particular form shall be considered as part of the identity statement.
- c. The statement of identity shall be present in bold type on the principal display panel and shall be in a size reasonably related to the most prominent printed matter.

### ➤ Name of Manufacturer, Packer or Distributor

- a. In the case of a corporation, only the actual corporate name, and this may be preceded or followed by the name of the particular division involved.
- b. In the case of an individual, partnership or association, the name under which the business is conducted shall be used.
- c. When the food is not manufactured by the person whose name appears on the label, a qualifying phrase such as "Manufactured for \_\_\_\_\_", "Distributed by \_\_\_\_\_", or other expression of facts, shall appear with the name.

➤ **Place of Business**

The place of business shall include the street address, city, State and ZIP code. However, the street address may be omitted if it is shown in a current city or telephone directory.

➤ **Ingredient Declaration**

- a. The ingredients shall be listed by their common or usual name in descending order of predominance by weight, on a single panel of the label.
- b. The name of the ingredient shall be a specific name and not a collective name.
  1. If the ingredient is a designated spice, flavoring or natural color, it need only be stated as spices, artificial color or artificial flavor. Colorings subject to certification (FD&C) must be listed by their specific name, i.e. FD&C Yellow #5.
  2. If an ingredient used in the product conforms to a standard of identity or is a multi-ingredient product, its ingredients are required to be listed on the label.
  3. When blends of fats and/or oils are used, the common or usual name of each fat or oil used must be listed in parenthesis following the term vegetable shortening, animal fat or marine oil.
  4. If an individual fat and/or oil ingredient is used, not a blend, the common name of that product must be listed in the correct order of predominance.
- c. No abbreviations of an ingredient's common or usual name are permitted, unless explicitly provided for in the statutes.
- d. Water used in fabricated foods shall be declared on the label in its order of predominance.

➤ **Net Quantity of Contents**

- a. The principal display panel of a label for a food in packaged form shall bear a declaration of net quantity of contents.

1. The declaration shall be expressed in terms of avoirdupois pound and ounce, volume, and/or numerical count.
2. The declaration shall appear as a distinct item within the lower 30 percent of the principal display panel. The declaration shall be printed in boldface print or type in letters and numbers in a size in relationship to the total square inches of the principal display panel.

<u>Area of PDP</u>	<u>Minimum Type Size</u>
5 sq. inches or less	1/16 inch (1.6 mm/6 point)
> 5 sq. inches, but < 25 sq. inches	1/8 inch (3.2mm/14 point)
> 25 sq. inches, but < 100 sq. inches	3/16 inch (4.8mm/20 point)

3. The declaration of net quantity of contents shall be expressed in the following terms:
  - a. Weight (one pound, but less than four pounds) expressed in ounces and followed by the largest whole unit in parenthesis, i.e. NET WT. 24 OZ (1 LB 8 OZ).
  - b. Fluid measure (one pint, but less than one gallon) expressed in fluid ounces and followed by the largest whole unit in parenthesis, i.e. 20 FL OZ (1 PT 4 OZ).
4. A separate statement of the net quantity of contents in terms of the metric system is required to appear on the principal display panel as part of the required declaration, i.e. NET WT 9 OZ (255g) or 9 FL OZ (266 ml).

➤ **General Label Information**

a. **Principal Display Panel:**

The term “principal display panel” as it applies to food in packaged form means the part of the label that is mostly to be displayed, presented, shown or examined under customary conditions of display for retail sales. The principal display panel shall be large enough to accommodate all the mandatory label information required to be placed thereon with clarity and conspicuousness and without obscuring design, vignettes, or crowding.

**b. Information Panel:**

The term "information panel" as it applies to packaged food means that part of the label immediately contiguous and to the right of the principal display panel as observed by an individual facing the principal display panel.

**c. Labeling Information Requirements:**

All information appearing on the principal display panel or information panel shall appear prominently and conspicuously, but in no case may the letters/numbers be less than one-sixteenth of an inch in height, except for those requirements previously addressed.

**d. Language:**

1. All required label information shall appear in the English language.
2. If the labeling bears any statutory information in a foreign language, all the required labeling information shall appear in both the foreign and English language.

**e. Imitation Foods:**

If any food product is an imitation of another, and is nutritionally inferior to that product, it must be labeled "Imitation \_\_\_\_\_", with the space being filled in with the name of the food imitated, and with the word "imitation" in type of uniform size and prominence as used for the name of the food.

**f. Packaging:**

A package or commodity in packaged form means any commodity put up or packaged in any manner in advance for retail sale. This should include cellophane wrapped products kept in a closed display case, even if these products need to be weighed and priced at the time of sale.

**g. Nutrition Information:**

Information as to the requirements for inclusion of nutrition information on a label should be addressed to this agency.