

# New York State Food Labeling Requirements

## FIVE BASIC LABEL REQUIREMENTS

Common Name of the Commodity

Name of Manufacturer, Packer or Distributor

Place of Business

Ingredient Declaration

Net Quantity of Contents

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## COMMON NAME OF COMMODITY

- A. The principal display panel of 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 (whole, slices, diced, etc.) the particular form shall be considered part of the identity statement.
- C. The statement of identity shall be presented 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 by the actual corporate name, and this may be preceded or followed by the name of the particular corporation 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 same.

## PLACE OF BUSINESS

The place of business shall include Street Address, City, State and ZIP Code. However, the street address may be omitted only 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 an ingredient shall be a specific name and not a collective name.
  - 1. If the ingredient is a designated spice, flavoring or color, it need only be stated as spices, artificial color, or artificial flavor. (Exception: F.D.&C. Yellow #5 and #6 must be listed by their specific name.)
  - 2. If the ingredient conforms to a definition and standard of identity prescribed by regulations, only the specified name is needed. However, optional ingredients are required to be shown if present.
  - 3. When blends of fats and/or oils are used, the common or usual name of each oil or fat used must be listed in parenthesis following the term vegetable oil, 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 ingredients common or usual name is permitted.
- D. Water used in fabricated foods, or to reconstitute certain ingredients, shall be declared on the label in its order of predominance.

## NET QUANTITY OF CONTENTS

- A. The principal display panel of a food in packaged form shall bear a declaration of the net quantity of contents.
  - 1. This shall be expressed in terms of avoirdupois pound and ounce, fluid measure, and/or numerical count.
  - 2. The declaration shall appear as a distinct item on the principal display panel within the bottom 30% of the area of the panel in legible boldface print or type in letters not less than one-eighth inch in height.

3. The declaration of quantity shall be expressed in the following terms:
    - a. Less than one pound in ounces and fractions of ounces.
    - b. Less than one pint in fluid ounces and fraction of fluid ounces.
    - c. Four pounds or more in largest whole numbers, i.e. 4-1/2 lb.: 5 lb.
    - d. One gallon or more in largest whole units, i.e. 1-1/2 gallon.
  4. Dual Quantity Declaration
    - a. Weight (one pound but less than four pounds) expressed in ounces and followed by 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 largest unit, i.e. 20 fl. oz. (1 pint 4 oz.).
- B. A separate statement of the net quantity of contents in terms of the metric system is not required, but may appear on the principal display panel along with the required net quantity declaration.

#### GENERAL LABEL INFORMATION

- A. Principal display panel = The part of a label that is most likely to be displayed or examined under customary conditions of display for retail sale.

The panel shall be large enough to accommodate all mandatory label information with clarity and conspicuousness, without obscuring design, vignettes or crowding. All information required to appear on the principal display panel or the information panel shall be in letters and/or numbers of not less than one sixteenth inch in height.

B. Language

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

C. Imitation Food

If any food product is an imitation of another, and is nutritionally inferior to that product it must be labeled "Imitation (name of food)", with the word "Imitation" in type of uniform size and prominence with the name of the food.

- D. Package or commodity in packaged form means any commodity put up or packaged in any manner in advance of sale, in units suitable for either wholesale or retail sale. This would 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.

The preceding is a brief summary of the labeling regulations governing foods offered for sale in New York State. It is not meant to be a complete composite of all labeling requirements, but a guideline. It is suggested that labels be submitted to the department for review prior to printing.

For specific information write to:

State of New York  
Department of Agriculture and Markets  
Division of Food Inspection Services  
Economic Units  
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