



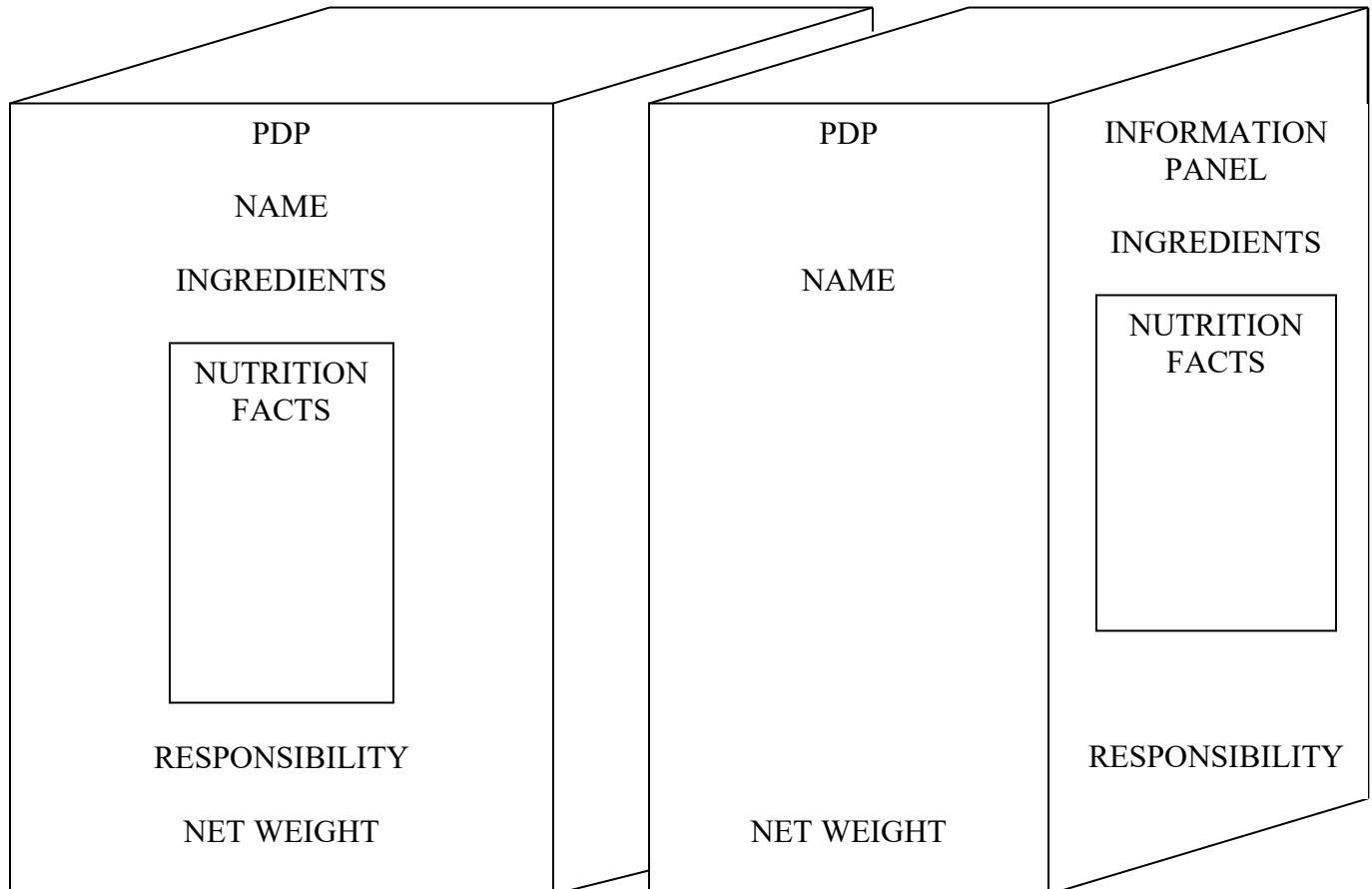
STATE OF HAWAII
DEPARTMENT OF HEALTH

BASIC GUIDELINES FOR FOOD LABELING

Each food product sold in packaged form must be labeled. This guide covers some of the basic labeling requirements that are derived from Title 21 of the Code of Federal Regulations (CFR). Copies of the 21 CFR are available for review at the public library or on the web at <https://www.accessdata.fda.gov/scripts/cdrh/cfdocs/cfcfr/cfrsearch.cfm>.

FDB does not approve labels. Food and Drug Inspectors conduct label reviews during inspections and when requested. Food establishments are responsible for the accuracy and compliance on all labels. Because there may be exceptions or additional requirements, we recommend that you submit a draft of each label to this office for review prior to printing.

Information that is required on product labels may be placed entirely on the PRINCIPAL DISPLAY PANEL (PDP- the entire side of the package which faces the consumer) or divided between the PDP and an INFORMATIONAL PANEL found immediately to the right of the PDP. If the panel to the right of the PDP is not useable due to package design, then the next usable panel to the right may be used for the INFORMATION PANEL. (Ref. 21 CFR 101.1-2)



The following information is required on all packaged food products:

I. THE NAME OF THE PRODUCT REF. 21 CFR 101.3
(Statement of Identity)

- A. A common or usual name, which accurately describes the product in ENGLISH, is required. Brand names and trademarks are not necessarily acceptable names by themselves to identify the product.
- B. The name of the product must appear on the PDP.
- C. The name of the product shall be a truthful representation of the geographical origin of the product if such origin is implied by the name or other label information (i.e. the words “Hawaii” or “Hawaiian”, locations such as Maui and Kona, and Hawaiian names such as mahi-mahi, etc.).
- D. The type size of the name of the product shall be reasonably related to the most prominent printed matter on the PDP, and in lines generally parallel to the base.

II. THE NET CONTENTS STATEMENT REF. 21 CFR 101.105

- A. The net contents statement, an accurate measurement of the net weight or volume of the product, must appear on the lower 30% of the label in lines parallel to the base.
- B. The minimum type size used to print this statement (determined by the lower-case letter) shall be based on the area of the principal display panel as follows:

AREA OF PDP (square inches)	MINIMUM TYPE SIZE (inch)
0-5	1/16
5-25	1/8
25-100	3/16
100-400	1/4
More than 400	1/2

- C. The statement shall be listed in dual declaration for packages and containers that are equal to or greater than one pound or one pint but less than four pounds or one gallon as follows:

NET WT. 18 oz. (1 lb 2 oz) (504 g)
NET 32 fl. oz. (1 quart) (960 ml)

- D. The net content statement shall be stated in METRIC units as well as in avoirdupois (inch-pound) units. Either system may be used as the primary system of measurement.

III. THE INGREDIENT STATEMENT REF. 21 CFR 101.4

- A. Products containing more than a single ingredient shall have an ingredient statement, which lists all the ingredients in descending order of predominance by weight and uses common or usual names to accurately identify each ingredient.
- B. The ingredient statement may appear on the PDP or on the INFORMATION PANEL and must be printed legibly in type no less than 1/16 inch in height.

- C. If an ingredient is composed of two or more sub-ingredients, the sub-ingredients may be listed in parentheses after the name of the ingredient or may be listed by dispersing each sub-ingredient in its order of predominance in the ingredient statement without naming the original ingredient.
- D. When an approved chemical preservative is added to a product, the ingredient list must include both the common or usual name of the preservative followed by its function in terms such as “preservative” or “to retard spoilage.”
- E. If certified food colors are added, they must be listed by name and number, such as “FD&C Yellow #5” or simply “Yellow 5”. The term “lake” must also be used if such form of the color is used. Non-certified colors must be identified as “Artificial Coloring” or by source (i.e. color added from beet juice).
- F. Fats and oils must be identified as “hydrogenated” or “partially-hydrogenated” if they are so prepared.
- G. The Food Allergen Labeling and Consumer Protection Act of 2004 (FALCPA) requires that food labels identify, in plain language, if a product contains any of the eight major allergens: milk, eggs, fish (e.g., salmon, tuna, or cod), crustacean shellfish (e.g., crab, lobster, or shrimp), tree nuts (e.g., almonds, macadamia, or walnut), wheat, peanuts, and soybeans. For details please refer to :
<https://www.fda.gov/regulatory-information/search-fda-guidance-documents/guidance-industry-questions-and-answers-regarding-food-allergens-edition-4>.

IV. THE RESPONSIBILITY STATEMENT

REF. 21 CFR 101.5

- A. Each package shall have a responsibility statement, which includes the name and address of the manufacturer, packer or distributor. The address shall include the street, city, state and zip code, unless the firm’s street address is listed in the current telephone directory, in which case the street may be omitted from the responsibility statement.
- B. This statement may also appear on either the PDP or the INFORMATION PANEL.
- C. If the responsible firm is not the manufacturer, a qualifying phrase must accompany the name of the firm such as “Packed For” or Distributed By”.
- D. Products from foreign countries must be labeled with a “Country of Origin” statement. (U.S. Custom Service regulation.)
- E. Post office boxes and telephone numbers may be voluntarily placed on the label for consumers to use to contact the firm but cannot be substituted for the name and actual address of the responsible firm.

V. NUTRITION FACTS

REF 21 CFR 101.9

- A. Packaged foods shall be required to provide nutritional facts on their labels under the Nutrition Labeling and Education Act of 1990. The following foods are exempted from this requirement:
 - 1. Foods which are offered by small business:
 - a. Retailers with less than \$500,000 gross annual sales or more than \$500,000 but less than \$50,000 gross annual sales in food (Exemption is for the firm); or
 - b. Manufacturers who meet the following criteria:

<100 full time employees and <100,000 units produced each year.
Units are defined as all sizes of the same brand of product as sold to consumers (such as both 12 oz. 6-packs and 2-liter jugs of the same cola.)

2. Restaurant and vendor foods (without menu claims)
 3. Foods for immediate consumption
 4. Foods prepared on site (ready to eat)
 5. Food shipped in bulk containers
 6. Medical foods
 7. Dietary supplements
 8. Infant formulas
 9. Teas, coffee, other food with insignificant nutrient contents
 10. Raw fishes, fruits and vegetables
 11. Single ingredient foods
 12. Game meats (such as deer, bison, rabbit, etc.)
 13. Foods in packages with less than 12 square inches available for labeling. The label must provide a means for customers to obtain nutrition information. (i.e., phone number, address).
- B. Whether the nutrient values are obtained through laboratory analysis or a computer database, the firm which places the label on the package is responsible for ensuring the accuracy of the data that is presented.
- C. Each firm is responsible for determining the nutrient values for a specified serving size of their food and then presenting that information on the label of each product in approved formats. Two examples are displayed below.
- D. Packages with fewer than 40 square inches available for labeling may use one of the alternative formats for the presentation of the nutrition facts. Likewise, foods which contain 7 or more of the essential nutrients in insignificant amounts, as defined by the regulation, may use the SIMPLIFIED FORMAT. For further details on format options, see <https://www.fda.gov/media/99151/download>.
- E. Nutrient Content Claims, such as “Low Fat” and “Sugar-Free”, are strictly defined and regulated by NLEA regulations. Health claims, which link dietary factors to specific diseases, are also stringently regulated. You should become familiar with the exact requirements before using these claims.
- F. Beverages which contain fruit or vegetable juice, or which purport or imply to, shall declare the percentage of juice contained within the product.

Nutrition Facts

8 servings per container

Serving size **2/3 cup (55g)**

Amount per serving

Calories **230**

% Daily Value*

Total Fat 8g **10%**

Saturated Fat 1g **5%**

Trans Fat 0g

Cholesterol 0mg **0%**

Sodium 160mg **7%**

Total Carbohydrate 37g **13%**

Dietary Fiber 4g **14%**

Total Sugars 12g

Includes 10g Added Sugars **20%**

Protein 3g

Vitamin D 2mcg 10%

Calcium 260mg 20%

Iron 8mg 45%

Potassium 240mg 6%

* The % Daily Value (DV) tells you how much a nutrient in a serving of food contributes to a daily diet. 2,000 calories a day is used for general nutrition advice.

Alternative format for smaller packages:

<p>Nutrition Facts Servings: 12, Serv. size: 1 mint (2g), Amount per serving: Calories 5, Total Fat 0g (0% DV), Sat. Fat 0g (0% DV), <i>Trans Fat</i> 0g, Cholest. 0mg (0% DV), Sodium 0mg (0% DV), Total Carb. 2g (1% DV), Fiber 0g (0% DV), Total Sugars 2g (Incl. 2g Added Sugars, 4% DV), Protein 0g, Vit. D (0% DV), Calcium (0% DV), Iron (0% DV), Potas. (6% DV).</p>

VI. OTHER REQUIREMENTS

- A. Any vignette (picture) on the label must accurately portray the product and its origin.
- B. All printed matter shall be at least 1/16 inch tall, unless exempted or otherwise required, and shall contrast the background of the label sufficiently to provide easy reading.
- C. We recommend product coding to facilitate stock rotation and tracking of production batches.
- D. Before using a Hawaiian name, description, or reference of origin, we strongly recommend that you contact the Measurement Standards Branch of the State Department of Agriculture at (808) 832-0690.

Failure to comply with these regulations may result in the removal of your product. Reference materials, which should be consulted regarding these regulations, include Title 21 Code of Federal Regulations and the U.S. Food and Drug Administration (www.fda.gov).

Please direct inquiries to this office at DOH.FDBinfo@doh.hawaii.gov or to a neighbor island Food and Drug Inspector as follows:

Big Island: Phone: (808) 933-0917 Fax: (808) 933-0400

Maui: Phone: (808) 984-8233 Fax: (808) 984-8237

Kauai contact Oahu Food and Drug Branch listed above.