

# Food Product Labeling



## Why Does It Matter?

Food product labels are important to consumers and producers alike. Consumers benefit by knowing exactly what they are getting in a food product, and producers benefit by having a trusted means of informing consumers about their products.

## In West Virginia, there are two categories of labels

### Products made in a commercial kitchen (inspected by health department):

- May be sold outside of West Virginia.
- Must carry an FDA-compliant product label, regardless of what type of product.

### Products made in a home kitchen (potentially hazardous or non-potentially hazardous):

- May ONLY be sold inside of West Virginia.
- Non-potentially hazardous homemade foods generally do not need label reviews.
- Potentially hazardous homemade foods generally DO need label reviews.
- Potentially hazardous homemade foods must be sold directly to consumers at a registered farmers market.
- The producers of some potentially hazardous homemade foods may need permits, process approval and/or proof of specialized training.

## FAQs

### Standard Jams and Jellies

- These products contain sugar, which helps to preserve the fruit safely, and do not need label reviews.
- If they contain any other ingredients, such as peppers, they do require a label review.

### Candy and Baked Goods

- Candy and baked goods generally don't need label reviews unless they have dairy or other potentially hazardous ingredients.

### Pepperoni Rolls

- Pepperoni rolls containing only pepperoni or only pepperoni and cheese are considered a bakery item and do not require a label review or any other permit.

### West Virginia Grown Branding Program

- Label reviews and compliance with all other regulations are required for WV Grown Program membership.

**For more detailed information, look for the WVDA Farmers' Market Vendor Guide online, email [productlabeling@wvda.us](mailto:productlabeling@wvda.us), or call WVDA's Business Development Division at 304-558-2210.**

# Ready to get started designing your label?

## Required Elements:

### 1. STATEMENT OF IDENTITY

The common name of the product.

### 2. NET CONTENTS

Either the weight or liquid volume in the container in standard measurements, followed by metric equivalents. This should be located on the bottom third of the main panel. FDA has specific minimum type sizes, so make the type face nice and big to be safe. Honey is measured by weight – maple syrup as a liquid.

### 3. LOCATION

Name/business name, city, state and zip of the producer, packer or distributor. (Unless the name is the actual manufacturer, it must contain a qualifying phrase, such as “manufactured for” or “distributed by.”)

### 4. INGREDIENTS

Ingredients should be listed after the word “Ingredients” followed by a colon in descending order of weight. Sub-ingredients must be listed in parentheses after an ingredient. Be on the lookout for hidden allergens in your sub-ingredients. For example, Worcestershire sauce often includes anchovies, a fish allergen.

### 5. ALLERGEN STATEMENT

Allergen statement for any of the eight major food allergens recognized by FDA. For example, “Contains: milk, egg, fish (species), crustacean shellfish (species), tree nuts (species), peanuts, wheat and soybeans.” Fish, crustacean shellfish, and tree nuts must also include the common species name in parentheses. For example, “Contains: tree nuts (walnuts).” Sesame will be added to the allergen list Jan. 1, 2023.

### 6. KITCHEN/FOOD TYPES

Products made in a home kitchen must ALSO include the following statement: “This product was made in a non-commercial kitchen that may not be subject to inspection and may contain cross-contact allergens not included in the allergen statement.”

## Supplemental Elements:

### 7. REFRIGERATION OR FROZEN

Products that need to remain refrigerated or frozen should say so on the label. And any cooking instructions, such as minimum internal temperatures, should also be on the label.

### 8. ADDITIONAL GRAPHIC ELEMENTS/DESCRIPTIONS

You may include other elements on your label such as the WV Grown logo (available in electronic form and stickers), product description, etc. However, the required elements should be grouped together and non-required elements should not intervene.

### 9. LOT CODES/SAFE HANDLING INSTRUCTIONS

Please include any lot codes that would be used in the event of recall as well as any safe handling instructions for your product.

