

# LABELING

# FAQ



**West Virginia DEPARTMENT OF AGRICULTURE**  
COMMISSIONER, KENT A. LEONHARDT

**1** **Ingredients** - Color Additives in food are considered an ingredient and must be listed on the label. Color Additives in Foods | FDA

*Example:*

*Ingredients: Sugar, Corn Syrup, Red 40, Blue 1 and Red 3.*

**2** **Sub Ingredients** - Any items that have sub ingredients, such as pepperoni in pepperoni rolls, chocolate chips in cookies, etc. must be listed with the initial ingredients.

*Example: Chocolate Chip Cookies*

*Ingredients: Enriched Unbleached Wheat Flour (Wheat Flour, Niacin, Reduced Iron, Thiamine Mononitrate, Riboflavin, Folic Acid), Semisweet Chocolate (Sugar, Chocolate Liquor, Cocoa Butter, Soy, Lecithin, Natural Flavor), Butter (Cream (From Milk)), Almonds, Salt, Soy Lecithin, Brown Sugar, Sugar, Eggs, Leavening (Baking Soda), Natural Flavor.*

**3** **Net Weight or Net Wt.** - Must appear on the principal display panel of the package, in the bottom 30% of the label, parallel to the base. The FDA requires that net weight be declared in both U.S. customary (pounds and ounces) and metric (grams or kilograms) units. No other text should be below the net weight statement.

**4** **Pure Honey and Pure Maple** - Labels for Pure Honey and Pure Maple MUST list Ingredients.

*Ingredients: Honey*

*Ingredients: Maple Syrup*

Honey net weight must be expressed in both pounds/ounces and grams on the lower third of the front label.

Maple Syrup net weight of contents must be expressed in terms of volume such as fluid ounces (fl oz) and milliliters (mL or ml)

Honey-Labels for honey must have the statement: DO NOT feed to infants under one year of age.

In addition, pure honey and pure maple DO NOT require the Home Kitchen Statement per West Virginia Code of State Rules, §61-38-7.5.a.

**5** **Bath & Body Products** - While WVDA does NOT review these labels, if the producer is a member, or requesting to be a member of WV Grown, the producer is REQUIRED to provide copies of the label(s) for the product file.

**6** **Home Kitchen Statement** - Per West Virginia Code of State Rules, §61-38-7.5.a, Products made in a home, farm, or community kitchen must 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."

**7** **Allergen Statement** - ALL products that contain ANY of the major food allergens recognized by the Food & Drug Administration (FDA), listed below, as an ingredient or sub ingredient must list the major food allergen on the label.

*a. milk*

*b. egg*

*c. fish*

*d. Crustacean shellfish*

*e. tree nuts*

*f. wheat*

*g. peanuts*

*h. soybeans*

*i. sesame*

**8** **Nutrition & Health Claims on Labels** - Per U.S. Food & Drug Administration a "health claim" by definition has two essential components: (1) a substance (whether a food, food component, or dietary ingredient) and (2) a disease or health-related condition. A statement lacking either one of these components does not meet the regulatory definition of a health claim. For example, statements that address a role of dietary patterns or of general categories of foods (e.g., fruits and vegetables) in maintaining good health are considered to be dietary guidance rather than health claims. Dietary guidance statements used on food labels must be truthful and non-misleading. Statements that address a role of a specific substance in maintaining normal healthy structures or functions of the body are considered to be structure/function claims; see Structure/Function Claims. Unlike health claims, dietary guidance statements and structure/function claims are not subject to premarket review and authorization by FDA. These claims are substantiated by The Nutrition Labeling & Education Act of 1990 (NLEA) or The Food & Drug Administration Modernization Act of 1997 (FDAMA). Label Claims for Conventional Foods and Dietary Supplements | FDA