

Labeling Requirements

All food products made or packaged in West Virginia for direct, non-wholesale, purchase by consumers - whether made in a food establishment inspected by WVDHHR or local health departments under its jurisdiction, or made in a home, farm or community kitchen – shall carry product labels, regardless of whether the product is potentially hazardous or non- potentially hazardous.

Labeling shall generally conform to U.S. Food and Drug Administration rules and guidance unless specifically noted.

Required label elements shall be of a size and style that is easily legible to the average person and shall consist of:

1. Statement of identity, which is the common name of the product. Must be on Principal Display Panel.
2. Company name of producer, packer, or distributor. Unless the name given is the actual producer, the name must be accompanied by a statement noting the relation to the product.
3. City, state and zip code of the producer, packer, or distributor.
4. Ingredients listed in descending order from greatest weight to least. Single ingredient products shall include an ingredient list to ensure consumers that it is the only ingredient in the product. The ingredient list shall begin with “Ingredients:” followed by the list.
5. Net contents or numerical count located in bottom third of the primary label panel in standard U.S. measures, followed by the metric equivalent in parentheses. Honey shall be measured by weight. Syrups shall be measured by liquid volume (ounces pounds, fluid ounces, grams, kilograms, milliliters, liters).
6. A statement of any of the major food allergens contained in the product, as specified by U.S. Food and Drug Administration. The statement shall be placed directly below the ingredient list and shall begin with “Contains” followed by the allergens. The current allergens are milk, egg, fish, crustacean shellfish, tree nuts, peanuts, wheat, soy, and sesame. Products that contain tree nuts, fish, or crustacean shellfish must also declare the specific type of allergen in parentheses following the broader category of allergen.

Supplemental Elements:

7. Products that need to remain refrigerated or frozen should be stated on the label, as well as any cooking instructions, such as minimum internal temperatures.
8. Other elements on a label may include logos, such as the WV Grown logo (available in electronic form and printed stickers), product description, etc. The supplemental elements on the label should not interfere with the required criteria set forth above.
9. Please include any lot codes that would be used in the event of a recall as well as any safe handling instructions of the product.

Products made in a home, farm, or community kitchen, in addition to the above elements are subject to the following additional rules:

- **Product labels 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.”**
- **Non-potentially hazardous products may include hand-written net content statements if they remain legible to the average person.**

Non-potentially hazardous products shall carry a label affixed to the package, or labeling requirements may be satisfied by:

- Display of a placard showing the label information at the point of sale if the item is not packaged or displayed in a bulk container;
- Providing label information on a receipt or other document; or
- Publishing the label information on an internet site if the product is sold online.

Food producers shall submit product labels and any associated forms or fees to WVDA for review for the following products and in the following circumstances:

- Foods products intended for direct consumption by the purchaser that are made or packaged in a food establishment inspected by WVBPH or a county health department under its jurisdiction.
- Food products made or packaged in a non-permitted home, farm or community kitchen that are potentially hazardous.

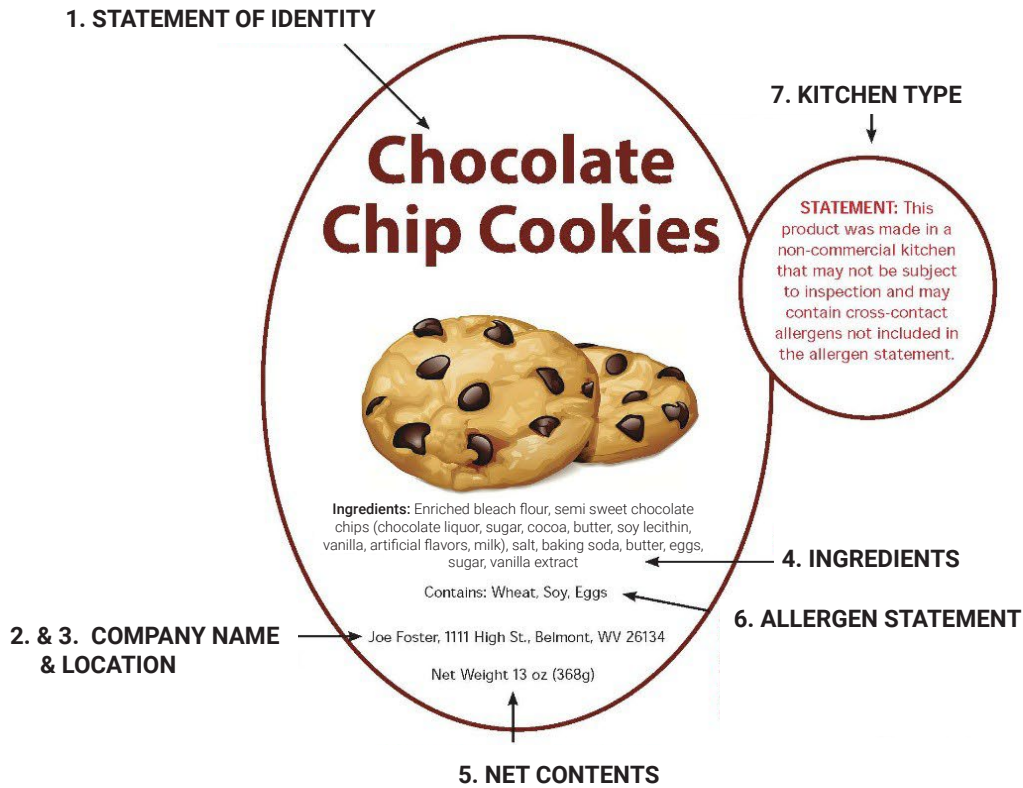
For additional information refer to:

<https://www.fda.gov/regulatory-information/search-fda-guidance-documents/guidance-industry-food-labeling-guide>

LABEL EXAMPLES

PRODUCTS MADE IN A HOME, FARM OR COMMUNITY KITCHEN (see below)

LABEL EXAMPLE 1



LABEL EXAMPLE 2

