

# Food Labeling for Missouri Food Producers and Processors

## Extension Fact Sheet - August 2015

State and federal food labeling requirements can be very confusing for food producers and processors. This fact sheet aims to clarify regulations for the food products most commonly sold by Missouri food producers and processors.

The Missouri Department of Agriculture (MDA) is the state agency responsible for most food labeling. Within the MDA, the responsible group depends on the type of product, as indicated below. Note that in addition to the requirements listed below, meat<sup>1</sup>, poultry,<sup>1</sup> dairy<sup>2</sup> and alcohol<sup>3</sup> products must meet additional labeling requirements. These state government entities are very open to answering questions regarding Missouri and federal requirements and reviewing label proofs for compliance before printing. Note that most food product labeling must follow federal guidelines.



Product type	Responsible MDA group	Phone number
Meat and poultry products	Meat and Poultry Inspection Program	573-522-1242
Dairy products	State Milk Board	573-751-3830
All other food products	Weights, Measures, and Consumer Protection Division <sup>4</sup>	573-751-5639

## General requirements for all food products

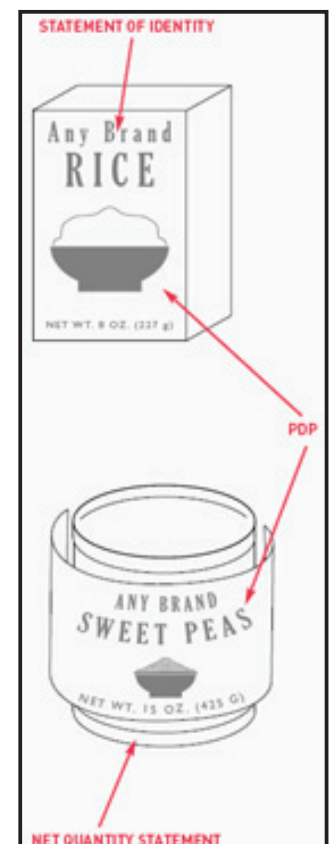
There are three primary requirements for labeling of all products sold by weight or liquid measure, including: 1) identity of product, 2) quantity and 3) declaration of responsibility. All products containing two or more ingredients must also be labeled with a list of ingredients.

### 1. Identity of product/ Statement of identity

- *What it is:* The common or usual name of the food, if it has one. Note that the name of some foods (such as "fruit jam") are Federally regulated as to what the product must contain to bear that name (the "standard of identity"<sup>5</sup>)
- *Where it must appear:* On the principle display panel (PDP)<sup>6</sup> - the main label panel.
- *Exemptions:* An identity is not required, in some cases, if the commodity is easily recognizable
- *Other notes:* The name used to identify the product cannot be misleading or deceptive.

### 2. Quantity

- *What it is:* accurate declaration of weight, volume, or number of products in the package.
  - Generally, solids are sold by weight and liquids by volume.
  - Combinations may be sold by weight or volume.



- Metric quantities (liter, grams, etc.) are now required on most labels. The metric units may appear before or after the customary declaration and must be shown in three digits.
  - For example: 1lb (454 grams) OR 1 quart (.946 L)
- Where it must appear: In the lower third of the principal display panel (PDP) (see above image).
- Other notes:
  - A few containers in a lot may be underweight or measure but the average must meet the stated value and the shortages in any container must be small.
  - A declaration of quantity shall not be qualified. "Jumbo Pound," "Minimum Weight," "Full Gallon" or any other term that exaggerates the amount is not allowed.

### 3. Responsibility

- What it is: name, address and zip code of the manufacturer, packer OR distributor taking responsibility for the product (see bottom of Examples A and B below)
- Where it must appear: on the front panel OR with the ingredients on the informational panel (side panel).
- Exemptions: Not required if the product is sold on the same premises where it was packed
- Other notes:
  - Unless the name given is the actual manufacturer of the product, the name must be accompanied by a qualifying phrase which states the firm's relation to the product.

EXAMPLE: "Manufactured for \_\_\_\_\_"  
or "Distributed by \_\_\_\_\_"

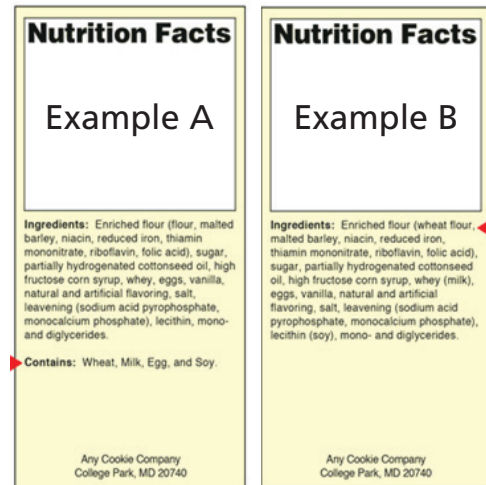
Note that these statements may be hand written if the font size requirements are met and writing is clearly legible.

### 4. Ingredient list

- What it is: Listing of ingredients in decreasing order of predominance by weight (the most first, the least last).

Even ingredients used in trace quantities must be listed.

- The food source of major allergens<sup>7</sup> must be listed either adjacent to (Example A) or in (Example B) the ingredients statement.
- Where it must appear: On the same label panel as the name and address of the responsible party



- Other notes:
  - If the product contains a processed or standardized food as an ingredient (such as enriched flour- see examples on right), then the ingredients of that food must also appear in parenthetical form in the list.

### Un-inspected home-produced foods

In addition to the above items, uninspected home-produced foods in Missouri must include the following statement:

"This product is prepared in a kitchen that is not subject to inspection by the Department of Health and Senior Services."

### Nutritional Labeling

Larger food processors (selling >\$50,000 of food/year) are legally required to include Nutrition Facts on their retail product labels. However, Nutrition Facts may be required by some retailers/buyers and are helpful in marketing.

Nutrition Facts	
Serving Size 1 Piece (15g)	
Servings Per Container - Varies	
Amount Per Serving	
Calories 50	Calories From Fat 40
% Daily Value*	
Total Fat 4.5g	7%
Saturated Fat 2g	10%
Trans Fat 0g	0%
Cholesterol 0mg	0%
Sodium 25mg	1%
Total Carbohydrates 7g	3%
Dietary Fiber 0g	0%
Sugars 6g	
Protein 2g	
Vitamin A 0%	Vitamin C 0%
Calcium 2%	Iron 0%
*Percent Daily Values are based on a diet of 2,000 calories.	
†Your daily values may be higher or lower depending on your calorie intake.	
	Calories 2,000 2,500
Total Fat	Less Than 65g 85g
Saturated Fat	Less Than 20g 25g
Cholesterol	Less Than 300mg 300mg
Sodium	Less Than 2,400mg 2,400mg
Total Carbohydrate	30g 35g
Dietary Fiber	25g 30g
Calories per gram	
Fat 9 • Carbohydrate 4 • Protein 4	

- What it is: “Nutrition Facts” labeling that lists serving size, calories and key nutrients (see example image at right)
- Where it must appear: On the same label panel as the ingredient list and the name and address of the manufacturer, packer or distributor.
- Exemptions:
  - Small businesses selling less than \$50,000 of food per year are exempted.
    - NOTE: If any company makes a nutritional or health claim on the label or if the food is fortified or for baby food, nutrition labeling is required.
- Other notes:
  - The Kansas Value Added Foods Lab<sup>8</sup> or other entities can generate the Nutrition Facts panel.
  - The Nutrition Labeling and Education Act (1990) that regulates Nutrition Facts also authorizes the use of very specific and FDA approved nutrition content and health claims, such as “low fat.”<sup>9</sup>

- *Other notes:*
  - UPC numbers can be purchased from a company called GS1 ([www.gs1us.org](http://www.gs1us.org)). The yearly fee for the bar code is based on the number of products and gross sales.
  - If you are not planning to sell to stores that require GS1 codes but still would like a bar code, you can also use discounted bar codes such as from: [www.nationwidebarcode.com](http://www.nationwidebarcode.com)

## 2. Organic, Gluten-free and other labeling topics

- **Organic:** For more information about obtaining organic certification to put on your food label, including an organic cost share program for Missouri farmers, go to: <http://agriculture.mo.gov/abd/financial/organic.php>
- If products are labeled as certified organic, proof of that certification must be on file with the relevant state office regulating the labeling of that product.
- **Natural:** The term “natural” is not defined by the Food and Drug Administration (FDA) for dairy products and therefore cannot be used on those products in Missouri. However, the FDA has not objected to its use in other products if the food does not contain added color, artificial flavors or synthetic substances. For more information: [www.fda.gov/AboutFDA/Transparency/Basics/ucm214868.htm](http://www.fda.gov/AboutFDA/Transparency/Basics/ucm214868.htm)
- The United State Department of Agriculture does have a specific definition for of “natural” for the processing of meat and poultry. For more information: [www.fsis.usda.gov/wps/wcm/connect/e2853601-3edb-45d3-90dc-1bef17b7f277/Meat\\_and\\_Poultry\\_Labeling\\_Terms.pdf?MOD=AJPERES](http://www.fsis.usda.gov/wps/wcm/connect/e2853601-3edb-45d3-90dc-1bef17b7f277/Meat_and_Poultry_Labeling_Terms.pdf?MOD=AJPERES)
- **Other** food labeling information, including on gluten-free, fresh and trans-fatty acids: [www.fda.gov/Food/GuidanceRegulation/idenceDocumentsRegulatoryInformation/LabelingNutrition/ucm2006864.htm](http://www.fda.gov/Food/GuidanceRegulation/idenceDocumentsRegulatoryInformation/LabelingNutrition/ucm2006864.htm)

## Non-regulatory items

### 1. Bar Codes (UPC)

- *What it is:* The bar code, or Universal Product Code (UPC) provides information about the product identity, size, price and other necessary data. The retailer may provide the UPC for you if asked.
- *Where it must appear:* Anywhere on the package, other than it may NOT appear between the required labeling on the information panel (i.e. between the Nutrition Facts and the Ingredient statement).
- *Exemptions:* Although NOT a regulatory requirement, it may be required by a retailer/distributor, particularly larger stores.



### For more information:

FDA Document "Guidance for Industry: A Food Labeling Guide" (Revised January 2013): [www.fda.gov/food/guidanceregulation/guidancedocumentsregulatoryinformation/labelingnutrition/ucm2006828.htm](http://www.fda.gov/food/guidanceregulation/guidancedocumentsregulatoryinformation/labelingnutrition/ucm2006828.htm)

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<sup>1</sup> More information: Meat and Poultry Inspection Program: <http://agriculture.mo.gov/animals/health/inspections/>

<sup>2</sup> More information: Dairy Inspection Program of the Department of Agriculture:  
<http://agriculture.mo.gov/animals/milk/>

<sup>3</sup> More information available from the Missouri Division of Alcohol and Tobacco Control: [www.atc.dps.mo.gov/](http://www.atc.dps.mo.gov/)

<sup>4</sup> More information at: <http://agriculture.mo.gov/weights/device/packagelabel.php>

<sup>5</sup> Examples and more information at: [www.ag.ndsu.edu/foodlaw/processingsector/standardofidentity](http://www.ag.ndsu.edu/foodlaw/processingsector/standardofidentity)

<sup>6</sup> The PDP is the portion of the package label that is most likely to be seen by the consumer at purchase.

<sup>7</sup> The eight major food allergens are milk, eggs, fish, crustacean shellfish, tree nuts (walnuts, almonds, pecans, etc.), wheat, peanuts and soybeans, as well as their derivatives, such as caseinate, albumin or whey.

<sup>8</sup> More information on KVAFL's services is available from: [www.ksre.ksu.edu/kvafllp.aspx](http://www.ksre.ksu.edu/kvafllp.aspx)

<sup>9</sup> More information on these claims is available from: [www.fda.gov/food/ingredientspackaginglabeling/labelingnutrition/ucm2006873.htm](http://www.fda.gov/food/ingredientspackaginglabeling/labelingnutrition/ucm2006873.htm)



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