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Changes for Product Labeling for Meats and Poultry with Added Solutions

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The U.S. Department of Agriculture, Food and Safety Inspection Service (USDA, FSIS) released a final ruling effective January 1, 2016, amending the regulations for descriptive designation for raw meat and poultry products containing added solutions (9 CFR Parts 317 and 381).

In 2011, the USDA FSIS proposed changes to the regulations due to complaints that consumers were being misled by the added solutions to poultry products. After a review of labels in the marketplace, the FSIS decided that packages of meat and poultry containing added solutions may not have been labeled clearly, and consumers were not aware of how much and what was being added to the product. For example, the name for both a single ingredient chicken breast and a chicken breast with added solution is labeled as “chicken breast,” even though one is 100 % chicken, and the other is not, due to the added solution. Although the labeling of the product must include a statement that reflects the fact the product contains added solution, this may not be apparent to consumers. Under the Federal Meat Inspection Act (FMIA), labeling of meat and poultry must be truthful and not misleading. The labels must accurately disclose to consumers what they are buying. Also, the FMIA Act states labels for meat and poultry must be approved by the USDA, FSIS.

To align with FMIA Act, FSIS now requires the common or usual name of the product including the percentage of the ingredients of the added solution be identified on the label. This descriptive information is required to appear as part of the product name and on the principal display panel (PDP). The descriptor must be clear and conspicuous and appear as a numerical value with the percent symbol (%). The descriptive designation must include the percentage of added solution, and the individual ingredients or multi-ingredient components in the solution listed in descending order of predominance by weight. The percent solution must appear as a number (e.g., 15, 20, 30) with the percentage sign (%) and may be declared with the word “containing” or “contains.” The print for all words in the product name, including the descriptive designation, must appear in a single, easy-to-read font and color on a single-color contrasting background. The print may appear in upper and lower case letters, with the lower case letters not smaller than one-third (1/3) the size of the largest letter. Under the final rule, the word “enhanced” is not allowed to appear with the product name. This change will be applicable on January 1, 2018.

The new rules will result in providing consumers with information on added solutions. Sample labels illustrating this change are provided below. The ruling also removes the standard of identity regulation for “ready-to-cook poultry products to which solutions are added.”

Any questions concerning this ruling should be addressed to Ms. Rosalyn Murphy-Jenkins, Director, FSIS, USDA – Labeling and Delivery Program at (301) 504-0879.]

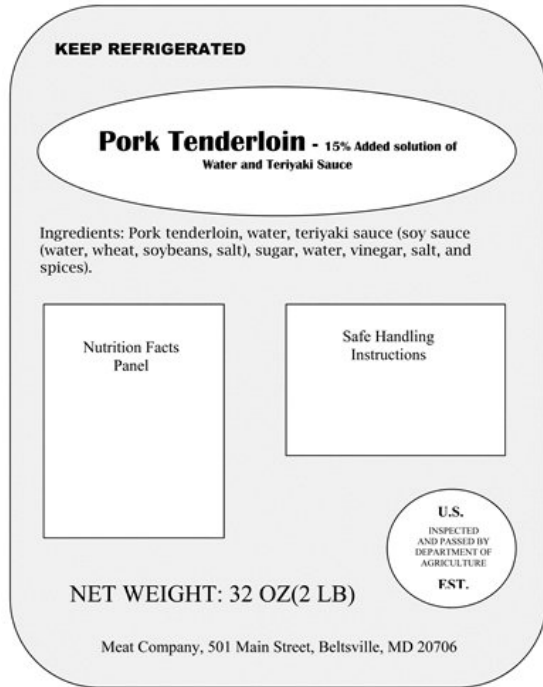
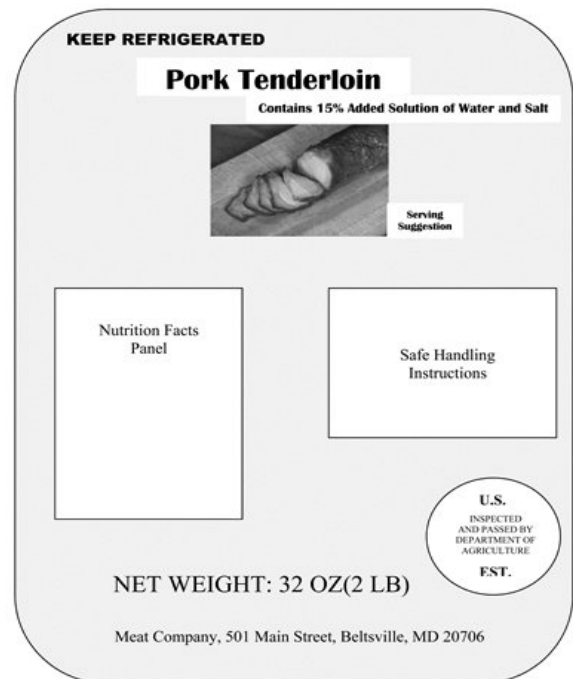


Figure 1. Label example -

The product name includes a descriptive designation at one-third ($\frac{1}{3}$)⁴ the size of the largest letter (9 CFR 317.2(e)(2)(IV)) and a multi-ingredient component (Teriyaki Sauce). All ingredients in the product are declared in separate ingredients statement (9 CFR 317.2(e)(2)(iii)).

Figure 2. Label example -

The product name includes a descriptive designation at one-third ($\frac{1}{3}$)⁵ the size of the largest letter (9 CFR 317.2(e)(2)(iv)) and includes the word “contains” (9 CFR 317.2(e)(2)(i)). The individual ingredients in the solution are listed in descending order of predominance by weight (9 CFR 317.2(e)(2)(ii), followed by a vignette of the product.



⁴Label shown using the one-third (1/3) font size requirement applicable January 1, 2018.

⁵Label shown using the one-third (1/3) font size requirement applicable effective January 1, 2018.