

RETAIL FOOD FACILITY LABELING GUIDELINE

All Packaged Foods- 3.602.11 (A) (B)

Food Packaged IN a Retail food facility shall be labeled with:

1. Common name of the food
2. Ingredients (including sub-ingredients) in descending order of predominance by weight. This includes a declaration of artificial colors, flavors and chemical preservatives if contained in the food.
3. Accurate declaration of net quantity of contents
4. Name and place of the business of the manufacturer, packer or distributor
5. Major Food Allergens if applicable
6. Nutritional labeling if not exempt in the FD& C Act
7. Disclosure of canthaxanthin or astaxanthin for salmonid FISH

Exemption: Baked Goods -Package or Unpackaged- (3 Pa.C.S.A. §5729 (b))

Baked goods made or prepared in a Retail Food Facility or Food Establishment (bakery) and sold retail to customers from the bakery or from its satellite owned by the same person: No labeling is required. Must have a sign indicating available upon request. The information listed above must be available at the bakery or its satellite at all times.

Bakery goods sold by the bakery processor to the operators of a retail food facilities- Must provide to the retail facility all required information above and it must be available to the public on the premise of the retail food facility.

Baked goods that are NOT made or prepared by the food establishment or retail food facility must be fully labeled if packaged.

PDA Exemption to Labeling:

Food Packaged or re-packaged in the retail food facility would typically need fully labeled; PDA will exempt a food product from being fully labeled on the packaged product if all of the following apply:

1. Item is made or assembled in the Retail Food Facility
2. The item is a single serving and packaged
3. The item is marked with the date of preparation
4. The item is sold within 24 hours or discarded
5. The service case has a placard, poster, card, book or similar, displayed with or near the food item, and which included the common name, all ingredients and sub-ingredients, and major allergens
6. The packaging itself contains a label with the common name, general ingredients (not sub ingredients), name and address of the store, net quantity and major allergens.

Bulk Foods – Consumer Self-dispensing- 3-602.11(C)

Bulk foods for consumer self-dispensing must be predominantly labeled in view of the consumer with:

1. Manufacturers or processors label provided with the food OR
2. A card, sign or other method that includes Common Name, Ingredients (including sub ingredients) and Nutritional labeling, if not exempt.

Note: 3-306.13 stipulates which foods may be offered for self-service.

Bulk, unpackaged foods – Portioned at customers request (i.e. Service Counters)- 3-602.11 (D)

UNPACKAGED products such as bakery products and unpackaged foods (ex: deli foods) that are manufactured or prepared on premise (or satellite) NEED NOT BE LABELED IF:

1. No health, nutrient content or other claim is made AND
2. Ingredients must be available upon request

UNPACKAGED foods NOT prepared or manufactured ON the premise (or satellite) must have an acceptable form of labeling that may include:

1. The full product label
2. Poster or Sign at the POS or
3. Other effective means, such as a book or similar AND MUST
4. Includes: Common Name, Ingredients, including sub-ingredients, and Nutritional Labeling (if required).

Shellfish - 3-203.11 and 3-203.12

- All individual packages of molluscan shellstock must have original shellstock tags attached until empty. The tag includes:
 1. The dealer's name/address,
 2. Shellfish permit #,
 3. Growing area identification,
 4. Date of harvest,
 5. Type and quantity of shellstock.
- Individual package of fresh or raw frozen shucked shellfish (oysters, clams, & mussels) must have:
 1. Name/address and permit # of the SP or RP for the shellfish.
 2. For packages less than ½ gallon: “sell by” date or “best if used by” date and for greater the ½ gall, the date shucked.
- Frozen molluscan shellfish must be labeled “frozen” and include a year date.
- Shellstock tags shall be maintained for 90 days. The facility must have accurate records of the sources & quantity of all lots of shellfish, in chronological order, correlated to the dates during which shellstock are sold or served.

Other Labeling Information-

- ‘Packaged’ is defined in the Food Code.
- When a booklet is used for labeling reference, a sign at the bulk food or deli display will need to indicate where the booklet may be found, if, not displayed at bulk or deli food display.
- **Allergens: All packaged and labeled items should visibly declare if there are allergens present in the product in plain language. Allergens that must be noted are: tree nuts (specify type), peanuts, egg, milk, soy, fish, shellfish, and wheat. Ex: “Contains: wheat, peanut and egg”**
- Sub Ingredients: Ingredients for the full label must list all ingredients for all of the individual products used in the making of the final product. If you used Lebanon bologna, then all of the ingredients on the bologna packet would have to be listed on your label.

- All products made in PA and made at a Registered Food Establishment can use the statement: “**Reg Penna Dept Agr**”.
- **Bulk deli cases** where food are being sold at service must have visible signs posted declaring the **FD & C colors and Preservatives**, if any, that might be contained in the products.
Ex: “The following items contain FD& C Yellow #5: Chicken Salad, Macaroni Salad”
- **Out of State Sales:** Any product being sold or distributed over state lines should use full labeling and the manufacturer or distributor of the products should contact their local Food and Drug Administration for guidance on labeling and shipping of these products.

This guidance document in no way takes the place of the official Laws and Regulations that govern these products.