

PROPER LABELING: RETAIL MEAT SALES

Public Health Division | Food & Lodging | 600 East Boulevard Ave, Dept. 325 | Bismarck, ND 58505-0250 | hhs.nd.gov | 701-328-1291

LABEL REQUIREMENTS FOR RETAIL MEAT MARKETS

All meat products, *retail-exempt meat products included*, are required to be properly labeled, regardless of where they are processed. Each pre-packaged product available for consumer self-selection must comply with labeling requirements. The full labeling requirements are described in the Code of Federal Regulations, Title 9, § 317.2 Labels: definition; required features and ND Food Code 3-602.11 Food Labels.

Retail-Exempt Meat – Retail stores exempt from the requirement of having a continuous inspection of the preparation of meat products, **BUT ONLY WHEN** certain criteria are met:

1. The sale of meat is equal to or less than the **normal retail quantities set by regulation AND**
2. only **federally- or state-inspected and passed product** is handled and used in the preparation of any product. The product must be received in the original packaging that contains a state or federal 'inspected & passed' legend. Packages that have been opened and further handled (i.e. re-portioned) at another retail establishment are not eligible.

Common questions and issues with product labeling:

- **Inadequate Ingredient Statements:** The ingredients for meat products must include all the sub-ingredients found in the seasonings or other components. For example, “cheese” is not the ingredient. The “cultured pasteurized milk, water, salt, sodium phosphate, natural flavoring, sorbic acid (preservative), added color, enzymes, corn starch and/or cellulose (to prevent caking), natamycin (preservative)” is the ingredient list that must be listed within the ingredient statement. Ingredient statements take up label space, but every sub-ingredient is required.
- **Improper use of “Safe Handling Instructions”:** This infographic is required to be applied to all products that contain raw meat or raw poultry. It is not appropriate to apply this infographic to fully cooked, ready-to-eat product(s).
- **Special Handling Instructions:** Packaged foods that require special handling to maintain wholesome conditions shall have those requirements prominently displayed – i.e., “Keep Refrigerated or Frozen.”
- **Net Weight Statements:** If the label is larger than 5 square inches, then the size of the printed wording “Net Weight” is to be at least 1/8th inch tall. Most label machines’ font size is too small for the size of the label. The “Net Weight” must be on the bottom 30% of the label as well.
- **Nutrition Facts Information:** This may be posted at the point of sale for retail-exempt products and labeling of each package is voluntary. Small businesses are exempt from mandatory nutrition facts if they meet the following requirements: fewer than 500 employees and less than 100,000 lbs of each product based on nutrient profile made per year.

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The required parts of a retail meat label are:

1. Product Name, with product description statement
2. Ingredient and Allergen Statements
3. Name and physical address of the business
4. Net Weight Statement
5. Special Handling Statements – i.e., “Keep Refrigerated or Frozen”
6. Safe Handling Instructions Infographic (not appropriate for ready-to-eat products)

