

MANDATORY LABELING REQUIREMENTS

It is suggested that you verify applicable state requirements against the Federal requirements.

- FDA = The Federal Food, Drug, and Cosmetic Act (FDCA); the Fair Packaging and Labeling Act (FPLA); and the regulations promulgated under these acts (21 CFR).
- USDA = 7 CFR Part 56; AMS 56

Principal Display Panel (PDP):

- The term principal display panel means the part of a label that is most likely to be displayed, presented, shown, or examined under customary conditions of display for retail sale.
- The principal display panel shall be large enough to accommodate all the mandatory label information required to be placed on the container with clarity and conspicuousness and without obscuring design, vignettes, or crowding.

Is the **USDA Grademark (Shield)** located on the Principal Display Panel (PDP)?



The Statement of Identity (EGGS):

The Statement of Identity (EGGS) must be in bold print and be at least ½ the type size of the largest print on the label.

Is the **Net Content** listed (6-Egg, One Dozen, 18- Egg, 2.5-Dozen, etc.)?

Minimum type size:

- Split 6-Egg Carton: 1/8" (25 to 100 square inches)
- 12-Egg or 18-Egg Carton: 3/16" (25 to 100 square inches)
- 30-Egg or 36-Egg Carton: ¼" (100 to 400 square inches)

Is the **Grade** of the product listed (AA or A)?

- The word "Grade" does not need to appear on the label. AA or A will suffice.
- Type size must be a minimum of ¼".

Is the **Egg Size** present (Jumbo, Extra Large, Large, Medium, Small, or Pee Wee)?

- Type size must be a minimum of ¼".
- Egg sizes cannot be abbreviated (i.e. XL, Med, Lg, etc.).

Is the **Safe Handling Statement** on the PDP or on the in-lid? If located on the in-lid, the "**Keep Refrigerated**" Statement or words of similar meaning must be on the PDP.

- Type size must be at least a minimum of 1/16".
- The statement must be set off in a box by use of hairlines.
- "**SAFE HANDLING INSTRUCTIONS**" must be all caps and in bold type. The remaining statement should consist of regular font (non-bold type, non-all caps).
- Some states require "Keep Refrigerated at 45 F or less" or words of similar meaning to be placed on the label. Check for individual state requirements regarding specific verbiage.

Is the **Legal Line** present (Name, Address, City, State, and Zip)?

- The street address may be omitted if the location is listed in a local directory or can be found through an internet search. If not, the address must appear in the legal line.
- Type size must be at least a minimum of 1/16".
- Packed by – Individual Processing Facility legal line may only be used at the identified facility.
- Packed for/distributed by – Corporate name and legal line may be used at any facility that packs product for the corporation listed on the legal line.
- The Legal Line must be placed on the principal display panel (PDP).

Has the correct **Nutritional Facts Panel** been utilized?

- See <http://www.eggnutritioncenter.org/egg-facts/nutrition-facts-panels/> for correct formats.

	<p>Has the issued USDA Approval Number (a rectangular box with applicable approval number placed inside the box) been placed on the label? Or, has an area designated for the USDA approval number been identified on the label (pending issuance of the approval number)? Preferably, the issued USDA Approval Number should be located near the USDA Grademark.</p> <p>For example: <table border="1" style="display: inline-table; vertical-align: middle;"><tr><td style="padding: 2px 10px;">K-575</td></tr></table></p>	K-575
K-575		

<p>VOLUNTARY (OPTIONAL) LABELING REQUIREMENTS</p> <ul style="list-style-type: none"> Mandatory Labeling Requirements take priority over Voluntary Labeling Requirements. It is strongly suggested that you verify applicable state requirements against the Federal requirements.
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	<p>Net Weight – Optional: Check with individual state requirements.</p> <ul style="list-style-type: none"> Correct format to use: 24 oz. (1 lb. 8 oz.) 681 g. The surrounding space around the Net Weight claim must be free of print or graphics equal to the height of the net weight type size (When utilized, the Net Weight claim must stand out).
	<p>Expiration Date, Sell By, Best By, Best Before, etc. – Optional: Check with individual state requirements.</p>
	<p>Farm Fresh – Optional: Check with individual state requirements.</p>
	<p>Brown Eggs: The color is not required, but strongly encouraged. Check with individual state requirements.</p>
	<p>New: Can be stated on a label for a maximum of 6-months from date of USDA label approval issuance.</p>
	<p>Kosher: Must meet Kosher requirements listed in Section 09 of the Shell Egg Graders Handbook</p>
	<p>Local or Locally Produced – Marketing Claims: Shell eggs must originate from a source flock(s) located within a 250-mile radius of the processing facility.</p>
	<p>No Hormones : The production claim is acceptable for use; if true, provided it is clarified through a qualifying statement, such as: “No hormones are used in the production of shell eggs.”</p> <ul style="list-style-type: none"> If the qualifying statement is placed on the in-lid, there must be an asterisk placed next to the No Hormones claim on the PDP. Then, an asterisk must be placed in front of the qualifying statement. <ul style="list-style-type: none"> PDP = No Hormones* In-Lid = *No Hormones are used in the production of shell eggs. Producer(s) must maintain and provide documentation to a USDA Representative, upon request.
	<p>No Steroids: Same as the “No Hormones” marketing claim (see above).</p>
	<p>No Antibiotics or words of similar meaning: Producer must maintain and provide documentation to a USDA Representative upon request.</p>
	<p>Vegetarian Fed/Feed – Marketing Claims: Producer must maintain and provide documentation to a USDA Representative upon request.</p>
	<p>Animal Husbandry – Marketing Claims: Cage-Free, Free Range, UEP, Certified Humane or similar statements must be certified by either USDA or a 3rd party. Producer must maintain and provide documentation to a USDA Representative upon request.</p>

<p>National Organic Program (NOP):</p> <ul style="list-style-type: none"> To utilize the NOP logo, the facility must be certified compliant by an accredited 3rd party. Producer must maintain accredited certifying agent documentation and provide the documentation to a USDA Representative upon request. The accredited certifying agent must be listed in the legal line to comply with NOP requirements.
<p>High Quality Protein – Marketing Claim:</p> <ul style="list-style-type: none"> This claim may be made if the following disclaimer is located on the same panel as the claim itself: “Egg proteins, like milk and beef proteins are readily digestible and contain all of the essential amino acids.” The disclaimer must be a minimum of 1/16” type size.
<p>Premium/Highest Quality/Best Quality - Marketing Claims:</p> <ul style="list-style-type: none"> Acceptable for use only on Grade AA product. <p>High Quality - Marketing Claims:</p> <ul style="list-style-type: none"> Acceptable for Grade A or better product (Grade AA).

<p>NUTRIENT CONTENT CLAIMS</p> <ul style="list-style-type: none"> Mandatory Labeling Requirements take priority over Nutrient Content Claims. Laboratory Analysis Documentation may be required for labels that market specific amounts of nutrient levels. 	
<p>Cholesterol Disclaimer :</p> <ul style="list-style-type: none"> Any marketing claim(s) utilized on a label must state the following cholesterol disclaimer in close proximity to the claim(s): See nutrition information for cholesterol content. If multiple claims are made on a label, the cholesterol disclaimer must be placed in close proximity to the main claim area of the label. 	
<p>Size of Nutrient Content Claims:</p> <p>The Statement of Identity (EGGS) must be ½ the size of the largest type size on the label. Therefore, use of Omega-3, Organic, or Cage-Free marketing claims cannot be larger than twice the size of the Statement of Identity (EGGS).</p>	
<p>Good Source, Contains, and Provides Claims:</p> <ul style="list-style-type: none"> Must meet at least 10% of the Referenced Daily Intake (RDI) level for the nutrient listed (per serving or per egg). Must state that the good source claim is “per serving” or “per egg”. 	
<p>Excellent Source, Rich In, and High Claims:</p> <ul style="list-style-type: none"> Must meet at least 20% of the Recommend Daily Intake level for the nutrient listed per serving. Must state that the excellent source claim is “per serving” or “per egg”. 	
<p>Quantitative Statement:</p> <ul style="list-style-type: none"> Consists of a statement of fact, such as: “Contains or provides (X) grams of Omega-3 Fatty Acids per serving or per egg.” A Quantitative Statement does not imply a high, low, good source, or excellent source of a particular nutrient. 	
<p>Omega-3 Fatty Acid (DHA, EPA, ALA) Claims:</p> <ul style="list-style-type: none"> There are no established Referenced Daily Intake (RDI’s) levels for Omega-3’s; therefore, good source or excellent source claims are not allowed. However, use of a Quantitative Statement is allowed for Omega-3 Fatty Acid Claims (see Quantitative Statement, above). When Fatty Acid claims are made, the Polyunsaturated and Monounsaturated percentages must be included on the Nutritional Facts Panel. 	
<p>Cholesterol Claims (25% Less Cholesterol, Reduced Cholesterol, etc.):</p> <p>When cholesterol claims are made, the Polyunsaturated and Monounsaturated percentages must be included on the Nutritional Facts Panel.</p>	
<p>Choline Claims:</p> <p>Same as Omega-3 Fatty Acid Claims (minus the Polyunsaturated and Monounsaturated listings).</p>	

	<p>Facts Up Front (FuF) Claims: Are considered Nutrient Content Claims and must utilize the cholesterol disclaimer (see Cholesterol Disclaimer, listed above) if they are located in a separate area from other marketing claims listed on the label.</p> <ul style="list-style-type: none"> • Four Basic Icons – Calories, Saturated Fat, Sodium, and Total Sugar content. • Two additional icons can be used in conjunction with the four basic icons – potassium, dietary fiber, protein, vitamin A, vitamin C, vitamin D, calcium, and iron. • Additionally, the FuF must state the percentages listed are “per serving” or “per egg” in close proximity to the icons listed.
	<p>Gluten Claims - May be used:</p> <ul style="list-style-type: none"> • Acceptable Gluten claims: “Gluten Free”, “Gluten-Free”, “Free of Gluten”, “No Gluten”, or “Without Gluten”. • If a Gluten claim is utilized, the cholesterol disclaimer must be placed near the Gluten claim or near the marketing claims listed on the label.

<p>INDIVIDUAL STATE PROGRAMS</p> <ul style="list-style-type: none"> • USDA/AMS does not maintain a list of individual state requirements and is not responsible for providing this information when reviewing label submissions. • All regionalized marketing claims (i.e. Arizona Grown, New England Eggs, etc.) are subject to documentation review upon request by an authorized USDA Representative. 	
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	<p>Arizona Grown: Shell eggs packed under this logo must originate from and be processed in the state of Arizona.</p>
	<p>Hawaii:</p> <ul style="list-style-type: none"> • Product that originates from the American mainland must state: “MAINLAND” in all caps on the PDP in a minimum type size of 3/16”. • Shell protection (Egg Oiling) is optional. However, if the label states “Shell Protected,” the eggs must be oiled. • Eggs must be stamped “US” if from the mainland.
	<p>Puerto Rico: Eggs must be stamped with “US” on the large end of each individual egg, if from the mainland.</p>
	<p>Guam: There is no individual egg stamping requirements.</p>
	<p>California:</p> <ul style="list-style-type: none"> • Product containing the CA SEFS Compliant or California Shell Egg Food Safety Compliant statement must be at least ¼” in type size. • The statement can appear on the PDP or can be ink jet printed on the end of the carton.
	<p>Keep Refrigerated or Keep Refrigerated at 45 F or below (or words of similar meaning): Check with individual state requirements regarding the proper verbiage.</p>
	<p>New England Eggs: Shell eggs containing this logo must originate from the following states: Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, or Vermont.</p>
	<p>Go Texan:</p> <ul style="list-style-type: none"> • Product containing this logo must originate from and be processed within the state of Texas. • Product sold in the state of Texas: Labels must contain the Texas licensing number near the legal line.

USDA PRE-PRINTED CASE END LABELS

	<p>Label Format Requirements:</p> <ul style="list-style-type: none"> • The case end label and the shipping case are considered the “label format”. • <u>Each label format must contain:</u> <ul style="list-style-type: none"> ○ The Statement of Identity (EGGS). ○ A “Keep Refrigerated” statement or words of similar meaning. ○ The Safe Handling Statement. Alternatively, the Safe Handling Statement can be placed on the shipping invoice instead of the label format. ○ U.S. Grade (AA or A). The word “Grade” does not need to be listed. ○ Size of Egg (Jumbo, Extra Large, Large, Medium, Small, or Pee-Wee). ○ Quantity of Content (15, 24, or 30-Dozen). ○ Legal Line (Name, Address, City, State, and Zip Code). <ul style="list-style-type: none"> ▪ The street address may be omitted if the location is listed in a local directory. If not, the address must appear in the legal line. ▪ The Plant Number (P-1234) can be used to substitute the Legal Line. ○ Plant Number (P-1234,) if the legal line is present.
	<p>Case End Label Submissions:</p> <p>The submission for approval of USDA pre-printed Case End Labels requires a picture (digital or computer generated) of the label and the case(s) to ensure FDA and USDA labeling requirements.</p>
	<p>Open Skids (900 or 1080-Dozen):</p> <p>Since Open Skids do not contain packaging material, they have to list the labeling requirements on the label itself (see Label Format Requirements) or contain all of the information on the shipping invoice.</p>
	<p>Suggestions:</p> <p>When submitting a Case End Label, consider requesting all sizes (Extra Large, Large, and Medium) and quantity of content (15 & 30-Dozen Cases) to be reviewed for approval. This will ensure you have USDA approval to utilize a label that may not currently be utilized, but potentially could be used in the future. This will reduce wait times.</p>
	<p>Do’s and Don’ts:</p> <ul style="list-style-type: none"> • Do not abbreviate egg sizes (i.e. XL, LG, Med, etc.) on the label. An abbreviation of egg sizes is not allowed. • If the label can be used in multiple facilities, take advantage of the Distributed By -Corporate Legal Line (Name, Address, City, State, and Zip Code) to avoid multiple submissions for each individual facility. If the corporate office’s contact information can be found in a phone book or by an internet search, the address does not need to be listed in the legal line of the container.

MARKETING CLAIMS TO STAY AWAY FROM

The following claims are not allowed.

	<p>Organic Eggs:</p> <p>The term is not standardized by either FDA or USDA. The term is misleading because the statement of identity is “EGGS” not Organic Eggs.</p>
	<p>Cage-Free Eggs:</p> <p>The term is not standardized by either FDA or USDA. The term is misleading because the statement of identity is “EGGS” not Cage Free Eggs.</p>
	<p>Omega-3 Eggs:</p> <p>The term is not standardized by either FDA or USDA. The term is misleading because the statement of identity is “EGGS” not Omega-3 Eggs.</p>
	<p>Animal Friendly:</p> <p>The term is not standardized by either FDA or USDA. The term is misleading and subjective.</p>
	<p>Best Eggs In The World:</p> <p>Unless scientific evidence exists, the claim cannot be used.</p>

	<p>Happy Hens: The term is not standardized by either FDA or USDA. The term is misleading and subjective. How can you prove to the customer that the hens are happy?</p>
	<p>Naturally Raised in a Natural Environment: No definition exists in either FDA or USDA regulations as to what a natural environment consists of. Instead, reference cage free environment or a free range environment.</p>
	<p>Free Roaming: The USDA/FSIS considers Free Roaming claims to be associated with livestock, while Free Range claims are associated with avian species.</p>
	<p>Implied Health Claims / Health Claims: Claims such as: "Omega-3 Fatty Acids can contribute to cardiovascular health" is considered an Implied Health Claim, implying that Omega-3 Fatty Acids may reduce the risk of heart disease. Although scientific information suggests a degree of correlation; conclusive scientific evidence is not available to develop specific claims for eggs. Therefore, the claim, or similar claims, such as this one, may not be made.</p> <p>If scientific research can provide conclusive evidence of such a claim, the claim <u>may</u> be allowed for use, upon review by FDA.</p>
	<p>Abbreviations: Abbreviations to any Mandatory Labeling Requirements are not allowed.</p>

LABEL FORMAT REVISIONS THAT DO NOT REQUIRE REASSIGNMENT OF THE USDA APPROVAL NUMBER

The USDA-National Office requires a copy of the finalized format for distribution to field staff.

	<p>Legal Line: Changes to the legal line do not require reassignment; as long as the new legal line meets all of the legal line requirements (see mandatory labeling requirements, listed above).</p>
	<p>Expiration Date Prefix: Changes to the expiration prefix do not require reassignment (Sell by, Use by, Best by, Best before, etc.).</p>
	<p>SKU Numbers, Item Numbers, etc.: A change to a SKU or item number listed on the label does not require reassignment.</p>
	<p>Coupons or Promotional Items:</p> <ul style="list-style-type: none"> If the USDA approved format is reduced in size to make room for a coupon; no reassignment is required, unless FDA labeling requirements are added or removed from the originally approved format.
	<p>Styrofoam, Pulp, or PET (Clear) Cartons: Approved label formats can be used on all carton mediums (Styrofoam, Pulp, or PET) unless mandatory labeling requirements will differ from one medium to the other. In which case, the approval will only apply towards the medium that was officially submitted for approval.</p>

LABEL FORMAT REVISIONS THAT REQUIRE REASSIGNMENT OF THE USDA APPROVAL NUMBER

	<p>USDA Grademark (Shield): Any change to the USDA grademark (shield) requires USDA approval prior to production. For example, switching from a tri-colored shield to a black background shield with white font. Reassignment is required to verify the correct shields are utilized in conjunction with 7 CFR Part 56.36 (a) and (b).</p>
	<p>Label Format Background Colors: Certain FDA and USDA labeling requirements stipulate that marketing claims or disclosure statements contrast with the surrounding area (i.e. Safe Handling Statements, Net Weight, Statement of Identity, etc.). For this reason, color changes to the format must be reviewed to ensure compliance.</p>

Changes to the Nutritional Facts Panel:

FDA requires the Nutritional Facts Panel to follow an incremental format when listing percentages for Referenced Daily Intake (RDI). This format incorporates the correct rounding of numbers in relation to the specific vitamin or nutrient listed. The vitamin and mineral percentages per egg must be listed in 2, 5, or 10-percent increments based on the total-percentage of the RDI for the vitamin or mineral.

For example:

0 – 10% must be listed in increments of 2
11-50% must be listed in increments of 5
51% and over - must be listed in increments of 10

Vitamin A 6%	• Vitamin C 0%
Calcium 2%	• Iron 4%
Vitamin D 10%	• Thiamin 0%
Riboflavin 15%	• Vitamin B6 4%
Folate 6%	• Vitamin B12 8%
Phosphorus 10%	• Zinc 4%
Not a significant source of dietary fiber and sugars.	

Therefore, it may appear harmless to up the percentage for Vitamin A from 6% to 7%. However, such a change would not be compliant with the FDA labeling requirements.

Changing the Type Size:

As discussed under the Statement of Identity (EGGS), certain FDA labeling requirements stipulate type sizes in relation to Nutrient Content Claims, brand names, or marketing claims in general. Therefore, simply reducing or enlarging the type size of certain items on the label may create a non-compliance.