



Welcome to the  
**Tennessee Value-Added Beef  
 Webinar Series**

Made Possible By:






## Today's Topics & Presenters

- Making Special Claims About Your Beef On the Label and Off



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## Session Overview

- Agencies involved in labeling
- Label requirements
- USDA FSIS requirements
  - General Approval
  - Special Claims and Approval

## Session Objectives

- Increase awareness and understanding of regulations
- Use information to develop marketing plans and follow regulations
- Decrease personal and business liability risk

## Who is involved in label requirements?

- USDA – Food Safety and Inspection Service
- TDA – Regulatory Services
  - Food and Dairy
  - Weights and Measures

## What is required on all labels?

- Name and address of business of manufacturer, packer or distributor
- USDA mark of inspection
- Product name
- Ingredients (if other ingredients added)
- Safe handling instructions
- Net weight
- (For random weight products) Price per pound and total price

### Location of Information on Labels

- Principal Display Panel
  - Product Name
  - Handling Statement
  - Legend/Establishment Number
  - Net weight or statement indicating net weight will be applied prior to retail

### Location of Information on Labels

- Information that must be on the label but doesn't have to be on the Principal Display Panel – Information Panel
  - Ingredients (in descending order of predominance, if needed)
  - Signature line (name, address)
  - Nutrition Facts
- Safe Handling Instructions can be displayed anywhere on label

### What is required on labels?

- Nutritional information
  - Requires either
    - Nutritional labeling on packaging of major cuts placed by inspected processor or retailer that does further processing OR
    - Nutritional information provided at Point of Purchase (POP)
      - Signs, posters, brochures, etc.
  - More information in previous webinar
    - Basic Regulations for Marketing Beef to Consumers...

### Recommended on Label

- Lot number or code date
  - Identify product from specific animal or processing date
  - Helpful if a problem identified



### USDA Interpretation of Law

- Pre-approval of all food labels required by law before offered for sale

### Focus on USDA-FSIS Requirements

- Labels include all forms of product identification, claims, net weight, species identification and nutrition-related information
- Labeling and Program Delivery Division (LPDD)
  - Ensures labels are truthful and not misleading
  - Meat, poultry and egg products
- Labeling Compliance Team (LCT) reviews applications for special claims

### General Approval

- For instances without a need for further FSIS authorization (beyond the plant)
- Applies to single ingredient products without special claims, guarantees, foreign language or nutrition facts



### Sketch Approval

- Required for any meats using special claims or statements
- Includes claim “terms” in company name/logo
- FSIS Form 7234-1
- Supporting information/documentation to support the claims
- Sketch or sample of the proposed label
  - Clearly reflect the final version
  - Shows all labeling features, size, location, color, etc.
  - Printer’s proof or equivalent would be helpful

### Special Label Claims

- USDA, Food Safety Inspection Service, Labeling and Program Delivery Division must approve a producer’s use of any claims on labels
- Point of Purchase materials may be considered labeling and fall under the regulations

### Commonly Approved Claims

Raised without the use of antibiotics	Grain fed
No added hormones or No hormones administered	Corn fed
Not fed animal by-products	Grass (Forage) fed
Breed claims	Aged Beef
Location of Raising	Source Verified
Location of Finishing	Free Range, Free Roaming, Not Confined
	Certified Organic by certifying agency
	Humanely Raised

### Natural

A product containing no artificial ingredient or added color and is only minimally processed.

Minimal processing means that the product was processed in a manner that does not fundamentally alter the product. The label must include a statement explaining the meaning of the term natural (such as "no artificial ingredients; minimally processed").

<http://www.fsis.usda.gov/factsheets/Meat & Poultry Labeling Terms/index.asp#14>

### Naturally-Raised

- Standard adopted by AMS
- Raised entirely without growth promotants, antibiotics (except for ionophores used as coccidiostats for parasite control), and have never been fed animal by-products
- FSIS requires 3<sup>rd</sup> party certifier

Federal Register, Volume 74, No. 12, Wednesday, January 21, 2009. [Doc. No. AMS-LS-07-0131; LS-07-16]. Available July 16, 2010 online at <http://www.ams.usda.gov/AMSV1.0/getfile?dDocName=STELPRDC5075017>

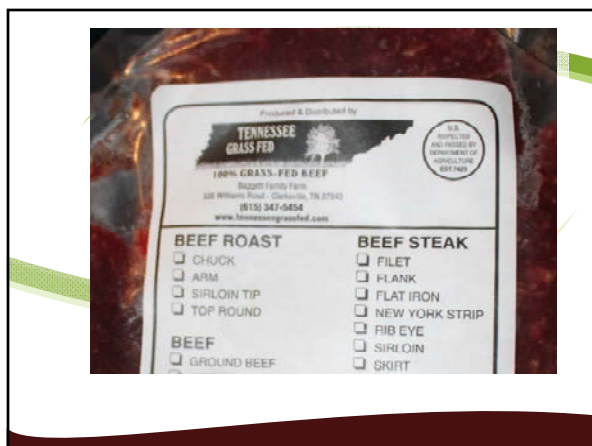
### Grass or Forage Fed Claim

- *Grass (Forage) Fed*—Grass and forage shall be the feed source consumed for the lifetime of the ruminant animal, with the exception of milk consumed prior to weaning. The diet shall be derived solely from forage consisting of grass (annual and perennial), forbs (e.g., legumes, Brassica), browse, or cereal grain crops in the vegetative (pre-grain) state. **Animals cannot be fed grain or grain byproducts and must have continuous access to pasture during the growing season.** Hay, haylage, baleage, silage, crop residue without grain, and other roughage sources may also be included as acceptable feed sources. Routine mineral and vitamin supplementation may also be included in the feeding regimen. If incidental supplementation occurs due to inadvertent exposure to non-forage feedstuffs or to ensure the animal's well being at all times during adverse environmental or physical conditions, the producer must fully document (e.g., receipts, ingredients, and tear tags) the supplementation that occurs including the amount, the frequency, and the supplements provided.

The USDA Agricultural Marketing Service definition as of November 15, 2007. Federal Register, Volume 72, No. 199, [Docket No. AMS-LS-07-0113; LS-05-09]. Available April 27, 2010 online at

### Claims not Approved

- Drug Free, No Drugs
- Residue Free
- Residue Tested
- Antibiotic Free
- No Steroids, Steroid Free
- No Hormones, Hormone Free
- Antibiotic Free
- Chemical Free
- Organic
- Organically Raised
- Naturally Grown

### Submitting Labels for Approval

- FSIS Form 7234-1, Application for Approval of Labels, Marking or Device
  - Fillable PDF
  - Use for paper submission by US Mail, express mail, courier or Fax
  - <http://www.fsis.usda.gov/fsisforms/7234-1.pdf>
  - Application must be typed (cannot be handwritten)
  - Must submit 2-3 copies (3 if import/export or claims)

**INSTRUCTIONS FOR PREPARATION OF FSIS FORM 7234-1**

**NOTE:** The following instructions should be typed unless otherwise noted.

**A. PREPARATION OF APPLICATION**  
 Application must be typed or it will be returned without evaluation. Submit two copies for each label application.

**B. TYPE OF APPROVAL REQUESTED**  
 Switch: Self-explanatory (See 2 CFR 317.4 & 331.102)  
 Temporary and Extension of Temporary: Actual date or year this date is to be used.

**C. FOREIGN LANGUAGE**  
 Labels printed in foreign languages must be accompanied by English language translation.

**D. ASSEMBLY OF APPLICATION**  
 Application Form, Product Formula, Processing Procedures, Contribution Sheet if Applicable, Label and any Supporting Documentation. Place with care as they apply as possible. (Do not separate pages)

**E. MAIL COMPLETED APPLICATION TO:**  
 USDA, FSIS, OPRD, USDA  
 Labeling Distribution Unit  
 Dept. Code 5296, Papyrus Plaza II, 618  
 VHS Building, Room 108  
 Washington, DC 20250-5705

The following instructions relate to numbered items on form.

1. Filing an Agent: provide the company name, address and telephone number. Otherwise leave blank.

2 & 3. Leave blank for USDA use only.

4. Establishment No. Foreign Country (if applicable): Self-Explanatory. Non-numeric (numeric only)

5. Type of Product: Select one product type: Egg, Meat, Poultry or Other (i.e. Exotic Species, Non-animal, Veterinary, etc.)

6a. Name of Product: Use common or descriptive product name, i.e., "Transformer, Central Model" or "Meat Patties in Sauce." Do not use trade names or common names, such as "Lean Cook-Off" or "Lean 3-Step" etc. If Federal agents such as "Cook-Off" are used, also show full product name such as "Beef 3-Step" or "Beef 3-Step".

6b. Provide HACCP process category for the product. See 2 CFR 317.28.(1). Examples: "Heat-treated shell eggs, hot meat treated shell eggs, etc." Select one.

6a & b. Type of Approval Requested: If temporary approval or extension, insert number of days requested and number of labels on hand. If permanent approval, attach copy of application and label (include specific requests) and requesting a temporary or extension and include information required in 2 CFR 317.45.(1) or 331.102.(1) on the contribution sheet. Be sure to indicate approval type and block item.

7a. Area of Principal Display Panel (PPDP): This PFD is the entire side of the package in which the label is affixed. See 2 CFR 317.10 and 331.10.

7b. Total available labeling space in square inches for entire package.

8. USDA-AMS Child Nutrition Program Logo: Include the product inside a USDA-AMS Child Nutrition Program Logo.

9. Leave blank. For USDA-AMS use only.

10. Special claims, guarantees, or foreign language: Include if there are any special claims, guarantees, or foreign language on the label. Check all that apply. If Other Claims is selected, include specific claims (if applicable).

11. Name and Address of Firm: Insert Firm's name and mailing address. Use 2 letter alphabet for State. Show postal zip code.

12 & 13. Signature and Date of Applicant or Agent: To be signed and dated by the applicant or agent representing the official establishment or agent.

14. Leave blank for USDA use only. Conditions Applying to Use of Label or Device: (PFD, conditions, modification or removal applied to the application when approved are conditional (quantity use of the approval device).)

15. Product Formula: List the ingredients by percent or weight in order of their predominance. If product consists of several components, e.g., a frozen dinner, list each component separately and indicate the percentage by amount of each component in the product. Additional space is available above the box for "Contribution Sheet", and use the Contribution Sheet. Be sure to include the product name and number of the block item. Express all ingredients in the same units, i.e., do not list items in pounds and ounces in separate items.

Check whether weight or percent is used. It is preferred that percentages be used, and the total must equal 100 percent. If weights are used, show the pounds, kilograms or grams. Use grams, unless otherwise specified. The total must equal the weight of the individual units. (Example: Check "Other" & "Sugar" if item's base weight is used.)

DO NOT use fractions. Express all amounts in tenths or hundredths, e.g., 1/16 lbs., use as 0.0625 lbs. Example: 1/8 lbs., use as .125 lbs.

16. Processing Procedures: Poultry Products provide complete processing procedures as required in 2 CFR 301.134. Meat Products provide complete processing procedures as required. Note: Approval of the label does not imply approval of the processing procedures. If additional space is needed, check the box for "Contribution Sheet", and use the Contribution Sheet. Be sure to include the product name and number of the block item.

**APPLICATION FOR APPROVAL OF LABELS, MARKING OR DEVICE**

1. DEPARTMENT OF AGRICULTURE  
 FSIS SAFETY AND INSPECTION SERVICES

2. APPLICANT NAME, ADDRESS  
 TO INCLUDE ZIP CODE AND APPLICANT PHONE NO. (Include all applicable block items)

3. FOR USDA USE ONLY

4. FOR USDA USE ONLY

5. ESTABLISHMENT NO. (FOR FOREIGN COUNTRY OF APPLICANT)

6. TYPE OF PRODUCT  
 Egg  Meat  Poultry  Other

7. TYPE OF APPROVAL REQUESTED  
 SWITCH  TEMPORARY  
 EXTENSION OF TEMPORARY

8. AREA OF PRINCIPAL DISPLAY PANEL (Square inches)

9. TOTAL AVAILABLE LABELING SPACE FOR ENTIRE PACKAGE (Square inches)

10. WOULD THE LABEL PREVIOUSLY APPROVED?  
 YES  NO  
 Date of approval: \_\_\_\_\_  
 Price approval number: \_\_\_\_\_  
 Number of labels on hand: \_\_\_\_\_  
 Number of days requested: \_\_\_\_\_

11. DOES THE LABEL INCLUDE A USDA-AMS CHILD NUTRITION PROGRAM LOGO?  
 YES  NO

12. ARE THERE ANY SPECIAL CLAIMS, GUARANTEES, OR FOREIGN LANGUAGE ON THE LABEL?  
 YES  NO (If yes, check all that apply)  
 Allergen Statements   Other Claims: Specify \_\_\_\_\_  
 Animal Production/Processing   
 Certified/Unlabeled   
 Environment/Label   
 Export Only, Label Information Not Domestic Requirements   
 Foreign Language   
 Geographic/Unlabeled Type   
 Religious/Exemption

13. SIGNATURE OF APPLICANT OR AGENT

14. DATE

15. FOR USDA USE ONLY (CONDITIONS APPLYING TO USE OF LABELS OR DEVICE)

**16. PRODUCT FORMULA**

See Contribution Sheet

TOTAL: (Percent must total 100%)

**16. PROCESSING PROCEDURES** (Approval of the label does not imply approval of the processing procedures)

See Contribution Sheet

**CONTINUATION SHEET FOR APPLICATION FOR APPROVAL OF LABELS, MARKING OR DEVICE (FSIS 7234-1)**

PRODUCT NAME: \_\_\_\_\_

This sheet is being used for additional information required in Block(s): \_\_\_\_\_

## Submitting Labels for Approval

- Submit supporting information (depends on claim)
  - Operational protocol detailing production practices employed
  - What will be done if the operational protocol is deviated from
  - How you will trace and segregate product during processing to market
  - Provide signed affidavits and testimonials that claims are not false or misleading
  - Feed formulas and/or certificates, if applicable
  - Copy of certification or verification from a 3<sup>rd</sup> party certifier if applicable
- Submit copy of the proposed label

### Web-Based Application System

- New secure Web-based system launched May 2012
- Labeling Submission and Approval System (LSAS)
- Supposed to make review process “faster, cheaper and more accurate”

### Web-Based Application System

- Makes approved and corrected labels available immediately
- Users may store labels and make changes electronically making modification approvals faster
- LSAS User Guide available

### Timing

- Give plenty of lead time for approval
- May need to make changes to the label to comply



### Harvest Facilities and Labels

- Labels approved for use at specific USDA-inspected facility
  - If you change processors you need to change your label and get approval again

### Labeling Records



- Establishments must keep records
  - Product label
  - Product formulation (if any)
  - Processing procedure
  - Approvals received
- Must be made available to USDA within 24 hours of request

### Common Mistakes on Label Submissions

- Geographic claims and styles not supported by data
- Nutrition claims not supported by data or permitted by regulations
- Not enough copies of the submission forms
- Submission not legible
- Product name prominence or letter size conflicts with requirements
- Terms/claims are not validated or supported by data
- (FSIS Website, 1/21/2013)

## Nutrient Content/Health Claims

- FSIS and FDA have created definitions/requirements for some claims
  - Healthy, Lean, Extra Lean, Reduced Saturated Fats, Fatty Acid Content, Fat Content, Sodium Content
  - Health Claims with 3<sup>rd</sup> party certifier
    - “Meets American Heart Association food criteria for saturated fat and cholesterol for healthy people over age 2. While many factors affect heart disease, diets low in saturated fat and cholesterol may reduce the risk of this disease.”
- Claims/terms not defined are typically not allowed

## Marketing Materials

- Seen as extension of a label
- Animal raising claims (no added hormones, etc.) may be used only if labeled with those claims (and the label has been approved for the claims)
- Nutrition claims may be tested periodically
- Marketing materials not currently reviewed unless requested
- Be truthful!
  - Federal Trade Commission prohibits false and deceptive advertising

## Enforcement

- USDA FSIS Meat Inspectors at the plant monitor labels applied to products
- USDA FSIS Investigators charged with making sure products on the market are accurately labeled and advertised

## References & Additional Resources

- Niche Meat Processer Assistance Network Webinar - *Meat Labels and Label Claims*  
[http://www.extension.org/pages/Archived\\_Niche\\_Meat\\_Processor\\_Webinars](http://www.extension.org/pages/Archived_Niche_Meat_Processor_Webinars)
- A Guide to Federal Food Labeling Requirements for Meat and Poultry Products  
[http://www.fsis.usda.gov/pdf/Labeling\\_Requirements\\_Guide.pdf](http://www.fsis.usda.gov/pdf/Labeling_Requirements_Guide.pdf)
- USDA-FSIS-LPDD - *Labeling Procedures*  
[http://www.fsis.usda.gov/Regulations\\_&\\_Policies/Labeling\\_Procedures/index.asp](http://www.fsis.usda.gov/Regulations_&_Policies/Labeling_Procedures/index.asp)
- FSIS Policy Memoranda  
[http://www.fsis.usda.gov/OPPDE/larc/Policies/Policy\\_Memos\\_082005.pdf](http://www.fsis.usda.gov/OPPDE/larc/Policies/Policy_Memos_082005.pdf)

## Ask Questions or Search Q&A

- <http://askfsis.custhelp.com/>

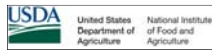
## Take Home Messages

- There are minimum regulatory requirements for all beef labels
- The use of special claims on labels and in promoting the product requires application and approval
- Following regulations decrease risk of personal and business liability

## Evaluate Today's Webinar

- Please take a few minutes to complete the short online survey at <http://www.surveymonkey.com/s/BW37TTQ>

Special thanks again to our funding partners:



## Join Us for the Next Webinar

- January 22, 2013
- 6:30 pm Central/ 7:30 pm Eastern
- What You Should Know About Your Product
- Slides and archived versions of all webinars will be made available at <https://ag.tennessee.edu/cpa>



## Questions

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