

901:3-31-02      **Labeling requirements.**

- (A) Labels of any meat, meat food product, meat by-product, poultry, poultry food product, poultry by-product, fish, or fish food product which is prepared, processed, manufactured, packaged, stored, sold, or offered for sale in a retail establishment shall be in compliance with Ohio Department of Agriculture regulations 901:6-3-01 through 901:6-3-12 and 901:3-59-01.
- (B) Labels of any product within any of the following paragraphs shall show the information required by such paragraph for such product:
- (1) The nomenclature used to identify or label retail cuts of fresh meats shall be identical to the nomenclature adopted by the National Livestock and Meat Board. In order to be identified by any particular title, a retail meat cut must be derived from the primal cut from which meat cuts with this title are properly derived.
  - (2) Any labeling device affixed to or associated with any retail meat cut must bear the identifying title of the cut as recognized by the National Livestock and Meat Board and contiguous to this title must be a statement describing the primal cut from which the retail cut was derived, e.g., "Beef Rib Eye steak from the rib," "Beef cube steak from the chuck."
  - (3) A label for a product which is an imitation of another food shall bear the word "imitation" immediately preceding the name of the food imitated and in the same size and style of lettering as in that name and immediately thereafter the word "ingredients" and the names of the ingredients arranged in the descending order of their predominance.
  - (4) If a product purports to be or is represented for any special dietary use by man, its label shall bear a statement concerning its vitamin, mineral, and other dietary properties upon which the claim for use is based in whole or in part, shall be in conformity with regulations (21 CFR Part 125) established pursuant to sections 403 and 701 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 343, 371).
  - (5) When an approved artificial smoke flavoring or an approved smoke flavoring is added as an ingredient in the formula of a meat food product, as permitted in regulations no. 901:3-31-07 through 901:3-31-09 there shall appear on the label, in prominent letters and contiguous to the name of the product, a statement such as "Artificial Smoke Flavoring Added" or "Smoke Flavoring Added", as may be applicable, and the ingredient statement shall identify any artificial smoke flavoring so added as an ingredient in the formula of the meat food product.

- (6) When any other artificial flavoring is permitted under regulations no. 901:3-31-07 through 901:3-31-09 to be added to a product, the ingredient statement shall identify it as "Artificial Flavoring".
  - (7) When artificial coloring is added to edible fats as permitted under regulations no. 901:3-31-07 through 901:3-31-09, such substance shall be declared on the label in a prominent manner and contiguous to the name of the product by the words "Artificially Colored" or "Artificial Coloring Added" or "With Added Artificial Coloring".
  - (8) When product is placed in a casing to which artificial coloring is applied as permitted under regulations numbered 901:3-31-07 through 901:3-31-09 there shall appear on the label, in a prominent manner and contiguous to the name of the product, the words, "Artificially Colored".
  - (9) If a casing is removed from product at an establishment and there is evidence of artificial coloring on the surface of the product, there shall appear on the label, in a prominent manner and contiguous to the name of the product, the words "Artificially Colored".
  - (10) When a casing is colored prior to its use as a covering for product and the color is not transferred to the product enclosed in the casing, no reference to color need appear on the label but no such casing may be used if it is misleading or deceptive with respect to color, quality, or kind of product, or otherwise.
  - (11) Product which bears or contains any other artificial coloring, as permitted under regulations number 901:3-31-07 through 901:3-31-09 shall bear a label stating that fact on the immediate container or if there is none, on the product.
  - (12) When an antioxidant is added to product as permitted under regulations number 901:3-31-07 through 901:3-31-09 there shall appear on the label in prominent letters and contiguous to the name of the product, a statement identifying the officially approved specific antioxidant by its common name or abbreviation thereof and the purpose for which it is added, such as, "BHA, BHT, and Propylgallate added to help protect flavor".
- (C) Packaged meat or meat products which require special handling to maintain their wholesome condition shall have prominently displayed on the principal display panel of the label the statement: "Keep Refrigerated", "Keep Frozen", "Perishable - Keep Under Refrigeration", or such similar statement as the director may approve in specific cases. Products that are distributed frozen during distribution and thawed

prior to or during display for sale at retail shall bear the statement on the shipping container: "Keep Frozen". The consumer-size containers for such products shall bear the statement "Previously Handled, Frozen for Your Protection, Refreeze or Keep Refrigerated." For all perishable canned products that statement shall be shown in upper case letters one-fourth inch in height for containers having a net weight of three (3) pounds or less, and for containers having a net weight over three (3) pounds, the statement shall be in upper case letters at least one-half inch in height.

- (D) Poultry, and/or poultry products, or fish, and/or fish products, in consumer size containers shall bear the statement "Previously Handled Frozen."

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**CERTIFIED ELECTRONICALLY**

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Certification

06/10/2010

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Date

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