



Understanding the Basics of Food Labeling Resources

Statutes

- Food, Drug, and Cosmetic Act (FDCA) (21 U.S.C. §§ 301–399)
<https://www.law.cornell.edu/uscode/text/21/chapter-9>
Amendments:
 - Nutrition Labeling and Education Act of 1990 (NLEA) <https://www.congress.gov/bill/101st-congress/house-bill/3562>
 - Dietary Supplement Health and Education Act of 1994 (DSHEA)
<https://www.congress.gov/bill/103rd-congress/senate-bill/784>
 - Food Allergen Labeling and Consumer Protection Act of 2004 (FALCPA)
<https://www.fda.gov/food/food-allergensgluten-free-guidance-documents-regulatory-information/food-allergen-labeling-and-consumer-protection-act-2004-falcpa>
- Fair Packaging and Labeling Act (FPLA) (15 U.S.C. §§ 1451–1461)
<https://www.law.cornell.edu/uscode/text/15/chapter-39>
- Federal Meat Inspection Act (FMIA) (21 U.S.C. §§ 601–626)
<https://www.law.cornell.edu/uscode/text/21/chapter-12/subchapter-l>
- Poultry Products Inspection Act (PPIA) (21 U.S.C. §§ 451–473)
<https://www.law.cornell.edu/uscode/text/21/chapter-10>
- Egg Products Inspection Act (EPIA) (21 U.S.C. §§ 1031–1056)
<https://www.law.cornell.edu/uscode/text/21/chapter-15>

Regulations

- Food Labeling (21 CFR § 101) <https://www.ecfr.gov/current/title-21/chapter-I/subchapter-B/part-101?toc=1>
- Animals and Animal Products: Labeling, Marking Devices, and Containers (9 CFR § 317)
<https://www.ecfr.gov/current/title-9/chapter-III/subchapter-A/part-317#part-317>

General Labeling Resources—U.S. Food and Drug Administration (FDA) & U.S. Department of Agriculture (USDA)

- Labeling & Nutrition Guidance Documents & Regulatory Information, FDA
<https://www.fda.gov/food/guidance-documents-regulatory-information-topic-food-and-dietary-supplements/labeling-nutrition-guidance-documents-regulatory-information>
- A Guide to Federal Food Labeling Requirements for Meat, Poultry, and Egg Products, USDA (Aug. 2007) <https://www.fsis.usda.gov/guidelines/2007-0001>



Understanding the Basics of Food Labeling Resources

'Gluten Free' Labeling

- Final Rule—Food Labeling; Gluten-Free Labeling of Foods (78 FR 47154) (Aug. 5, 2013) <https://www.federalregister.gov/documents/2013/08/05/2013-18813/food-labeling-gluten-free-labeling-of-foods>
- Final Rule—Food Labeling; Gluten-Free Labeling of Fermented or Hydrolyzed Foods (85 FR 49240) (Aug. 13, 2020) <https://www.federalregister.gov/documents/2020/08/13/2020-17088/food-labeling-gluten-free-labeling-of-fermented-or-hydrolyzed-foods>
- Gluten-Free Labeling of Foods, FDA (Mar. 7, 2022) <https://www.fda.gov/food/food-labeling-nutrition/gluten-free-labeling-foods>
- 'Gluten-Free' Means What it Says, FDA (May 4, 2023) <https://www.fda.gov/consumers/consumer-updates/gluten-free-means-what-it-says>

Food Allergens

- Food Allergies, FDA <https://www.fda.gov/food/food-labeling-nutrition/food-allergies>
- Constituent Update—FDA Reminds Manufacturers of Effective Date for Sesame as a Major Food Allergen, FDA (Dec. 15, 2022) <https://www.fda.gov/food/cfsan-constituent-updates/fda-reminds-manufacturers-effective-date-sesame-major-food-allergen>

Use of Terms 'Healthy' & 'Natural'

- Proposed Rule—Food Labeling: Nutrient Content Claims; Definition of Term “Healthy” (87 FR 59168) (Sept. 29, 2022) <https://www.federalregister.gov/documents/2022/09/29/2022-20975/food-labeling-nutrient-content-claims-definition-of-term-healthy>
- Use of the Term 'Healthy' on Food Labeling, FDA (Oct. 7, 2022) <https://www.fda.gov/food/food-labeling-nutrition/use-term-healthy-food-labeling>
- Use of the Term 'Natural' on Food Labeling, FDA (Oct. 22, 2018) <https://www.fda.gov/food/food-labeling-nutrition/use-term-natural-food-labeling>

Organic Labeling

- 'Organic' on Food Labels, FDA (Oct. 25, 2022) <https://www.fda.gov/food/food-labeling-nutrition/organic-food-labels>
- Labeling Packaged Products under the National Organic Standards, USDA Agricultural Marketing Service <https://www.ams.usda.gov/sites/default/files/media/NOP%20Labeling%20Packaged%20Products.pdf>

Bioengineered Food Labeling

- Bioengineered (BE) Frequently Asked Questions, USDA Agricultural Marketing Service <https://www.ams.usda.gov/rules-regulations/be/faq/general>
- Bioengineered (BE) Frequently Asked Questions—Disclosure, USDA Agricultural Marketing Service <https://www.ams.usda.gov/rules-regulations/be/faq/disclosure>



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Dairy and Plant-Based Milk Alternatives

- Examining the Decline in U.S. Per Capita Consumption of Fluid Cow's Milk, 2003-18, USDA Economic Research Service (Oct. 2021) <https://www.ers.usda.gov/webdocs/publications/102447/err-300.pdf?v=2595>
- FDA Provides Draft Labeling Recommendations for Plant-based Milk Alternatives to Inform Consumers (Feb. 22, 2023) <https://www.fda.gov/news-events/press-announcements/fda-provides-draft-labeling-recommendations-plant-based-milk-alternatives-inform-consumers>

Honey Labeling

- Packed Honey—Country of Origin Labeling, USDA Agricultural Marketing Service <https://www.ams.usda.gov/rules-regulations/cool/honey>
- Proper Labeling of Honey and Honey Products: Guidance for Industry, FDA (Feb. 2018) <https://www.fda.gov/files/food/published/PDF--Guidance-for-Industry--Proper-Labeling-of-Honey-and-Honey-Products.pdf>

Country of Origin & 'Made in USA' Labeling

- Final Rule—Removal of Mandatory Country of Origin Labeling Requirements for Beef and Pork Muscle Cuts, Ground Beef, and Ground Pork (81 FR 10755) (Mar. 2, 2016) <https://www.federalregister.gov/documents/2016/03/02/2016-04609/removal-of-mandatory-country-of-origin-labeling-requirements-for-beef-and-pork-muscle-cuts-ground>
- Proposed Rule—Voluntary Labeling of FSIS-Regulated Products with U.S.-Origin Claims (88 FR 15290) (Mar. 13, 2023) <https://www.federalregister.gov/documents/2023/03/13/2023-04815/voluntary-labeling-of-fsis-regulated-products-with-us-origin-claims>
- Country of Origin Labeling (COOL) Frequently Asked Questions, USDA Agricultural Marketing Service <https://www.ams.usda.gov/rules-regulations/cool/questions-answers-consumers>
- Marking of Country of Origin on U.S. imports, U.S. Customs and Border Protection <https://www.cbp.gov/trade/rulings/informed-compliance-publications/marking-country-origin-us-imports>
- Complying with the Made in USA Standard, U.S. Federal Trade Commission <https://www.ftc.gov/system/files/documents/plain-language/bus03-complying-made-usa-standard.pdf>

Other Resources

- Case Law Index Food Labeling, National Agricultural Law Center <https://nationalaglawcenter.org/aglaw-reporter/case-law-index/food-labeling/>