

# Farm Direct Marketing: Know the Regulations Food Labels



*Alberta*   
Government

**Published by:**

Alberta Agriculture and Rural Development  
Rural Development Division  
7000 - 113 Street  
Edmonton, Alberta T6H 5T6

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Funding for this publication is provided by *Growing Forward 2, a federal, provincial, territorial initiative.*

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# Food Labels Overview

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Farm direct marketing is the sale of food products directly to the consumer at a farmers' market, roadside stand, farm store, u-pick operation or public market, on-line or through community supported agriculture (CSA). Successful farm direct marketing involves consistently supplying safe, high-quality products in a clean, customer-friendly environment that supports the development of a trust relationship between you (the supplier) and your customers.

Producers and processors must be aware of the federal and provincial legislative requirements that must be met for producing and marketing agri-food products. Agri-food products are those food products that are made using agricultural products, ingredients or processes. You need to know and adhere to the legislation that applies to your farm direct marketing operation. Failure to comply with the legislation may lead to fines or other penalties and possibly, to decreased sales.

It is important to remember that federal law takes precedence over provincial law, which, in turn, takes precedence over municipal bylaws. Different acts and regulations often work together to define requirements.

An act is a written law or statute that has been enacted by a legislative body such as Parliament or the Legislative Assembly. A regulation, sometimes referred to as subordinate legislation, defines the application and enforcement of an act and is made under the authority of the act.

Both pieces of legislation have an effect on your business. In some cases, the regulation may be more pertinent, such as the Food Regulation under the *Public Health Act*. The *Public Health Act* does not directly address farmers' markets, but the Food Regulation contains an entire Part that outlines the requirements for a farmers' market.

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# Introduction to Food Labels

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This booklet, the second in a series, outlines the basic information that must be on a food label, such as ingredient listing and allergens. All food labels, regardless of where you sell your products, must comply with federal legislation.

The requirements for a food label are set out in the following legislation:

- *Food and Drugs Act (FDA) and Regulations (FDR)*
- *Consumer Packaging and Labelling Act (CPLA) and Regulations*
- *Canada Agricultural Products Act (CAPA) and Regulations*

## Food Labels

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The food label is one of the most important ways of communicating product information to your customers. It is also one of the main sources of information buyers use to make informed purchasing decisions.

A food label communicates product information to your customers, allowing them to make informed purchasing decisions.

A label serves three primary functions:

- basic product information (including common name, list of ingredients, net quantity, durable life date, grade/quality and contact information of manufacturer)
- health, safety and nutrition information
- a means of marketing, promoting and advertising the product

According to the legislation, a label means “any legend, word, mark, stamp, brand, ticket or tag belonging to or accompanying any food.” A prepackaged product means “any food that is contained in a package in the manner in which it is ordinarily sold to or used or purchased by a person.”

A label is required for all prepackaged food except for the following:

- fresh fruits and vegetables packaged in a wrapper or with a confining band of less than 12.7 mm (1/2 inch) in width
- one bite confections, such as candy, which are sold individually

A label is required for most prepackaged food.

Clerk-served foods that are packaged at the time of sale are not considered to be prepackaged foods and are exempt from having a label. For example, if you are selling bulk cookies at the farmers’ market and bagging the customer’s specific choices, you are exempt from needing to have a label.

Foods packaged at the time of sale do not need to have a label.

The information on a label must be true and not misleading. It is illegal to handle, sell or advertise your food products in a manner that is false or misleading to consumers or that is likely to create an incorrect message regarding the character, value, quantity, composition, merit or safety of the product.

The information on your label must be both easy to read as well as clearly and prominently displayed. The recommended minimum type height of the letters for the text must be 1.6 mm (1/16 inch) based on the lowercase letter “o.” The height of the numbers describing the net quantity varies with the size of the principal display surface.

Abbreviations, including initials, shall not be used to provide mandatory labelling information except where allowed by legislation, for example, “g” for grams is acceptable. Because labels must not be misleading, abbreviations can be confusing. For example, if a product claims to be organically certified by “A.B.C.,” will the consumer know who or what A.B.C. is?

## **Basic Labelling Requirements**

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There are specific core labelling requirements that you must include on your label:

- common name
- net quantity
- dealer name and address
- list of ingredients
- allergens
- nutrition labelling
- durable life date
- bilingual labelling

In some situations, such as when claims are made, there may be other requirements that a food label or advertisement must meet. Claims are statements that state, suggest or imply that a food has particular qualities relating to its origin, nutritional properties, composition, processing, nature or any other quality.

### **Common Name**

The common name of your product must be shown on the principal display panel of the food label. This panel is the main panel of the label, excluding the top and bottom, that is visible under normal or customary conditions of sale or use, in both French and English and printed in bold face type.

The common name of a food is the name assigned under the following conditions:

- prescribed by the Food and Drug Regulations (FDR), for example, “raisin bread,” “sausage meat,” “cheddar cheese” – The FDR prescribe standards of composition, strength, potency, purity, quality and other properties for over three hundred foods. These foods are often referred to as “standardized foods.”

- prescribed by any other federal regulation, for example, “apple sauce,” “sauerkraut,” “lean ground meat”
- commonly used for a product when it is not prescribed by regulation, for example, “angel food cake,” “herb dip,” “vanilla cookies”

Fresh fruits or vegetables that are packaged so that they are visible and identifiable in the package are exempt from declaring a common name.

The common name must not be misleading. Common names may mislead consumers in a number of ways:

- incorporating words that do not accurately reflect the composition of the product (for example, Peach Raspberry Pie on a pie that contains no raspberries)
- improperly suggesting a place of origin (for example Vegreville Sausage on a ham sausage product that was not made in Vegreville, Alberta)
- resembling, directly or phonetically, the name of another product for which it is an imitation or substitute (for example “Krab” on an imitation crab product)
- suggesting, directly or phonetically, benefits or results that are not likely to be obtained (for example, Diet Chocolates on a box of chocolate candies)

When the common name is prescribed in a regulation, the food product may also have to comply with standards of composition established by the legislation. For example, a meat pie must contain at least 20 per cent boneless meat (calculated as fresh meat) that has been previously cooked, in addition to gravy, vegetables and pie crust.

Standards of composition only apply to inter-provincially (between provinces) traded products. Intra-provincially (within the province) traded products are reviewed on a case-by-case basis.

## Label Graphics

The information on a label, including graphics, must be true and not misleading or deceptive. A label provides basic product information, health, safety and nutrition information and serves as a marketing tool for your product.

Principal display panel is the main panel of a package that is visible under normal or customary conditions of sale or use.

## Principal Display Panel

### Common name

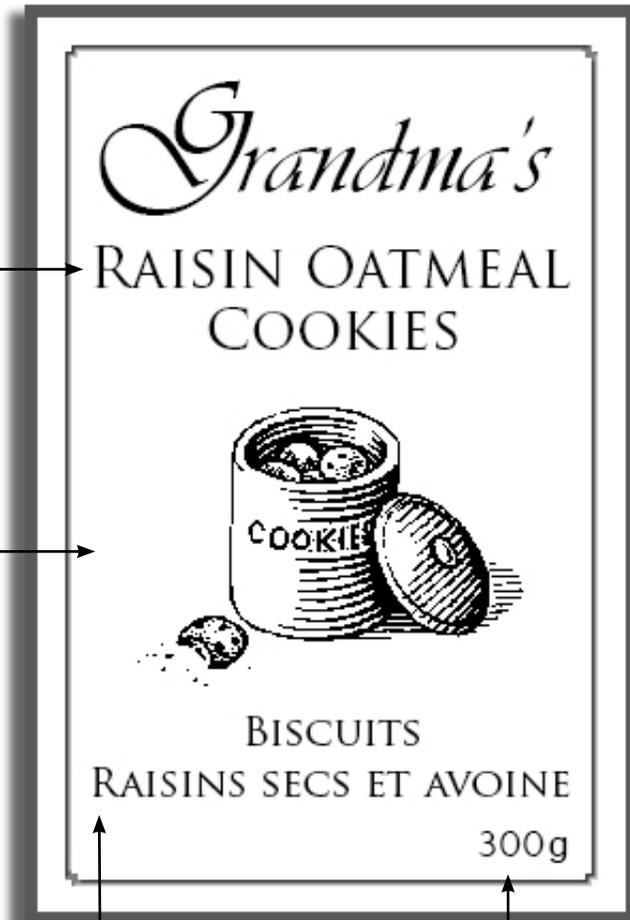
- must appear on principal display panel
- many are prescribed in federal regulations

### Pictures

- should not deceive, mislead or misrepresent the product
- when picture represents product in the package, actual marketplace product should be shown
- if product must be prepared, final product must be depicted
- ingredients not present in the product may not be pictured on the label

### Bilingual requirements

- all mandatory information must appear in both official languages
- only exception is the name and principal place of business of company that produced or processed the product
- bilingual labels required if selling your product beyond municipality in which it is produced or processed *OR* beyond municipality immediately adjacent to one in which it is produced or processed



### Net quantity

- must be declared in metric units on principal display panel
- use volume for liquids, weight for solids and count for some food sold by individual units
- use metric abbreviations, not followed by a period: g for grams, kg for kilograms, ml for millilitres and L for litres

## Ingredients Label

### Ingredients – Ingrédients

Raisins (raisins, modified palm oil), butter (contains milk) brown sugar, enriched wheat flour, rolled oats, oat bran, eggs, salt, sodium bicarbonate, baking powder, cinnamon

**Contains: Milk, Wheat, Oats, Eggs.  
May contain peanuts and tree nuts.**

Raisins secs (raisins secs, huile de palme modifiée), beurre (contient du lait), cassonade, farine de blé enrichie, flocons d'avoine, son d'avoine, œufs, sel, bicarbonate de sodium, poudre à pâte, cannelle

**Contient: du lait, du blé, flocons d'avoine, œufs.  
Peut contenir des arachides et des noix.**

Nutrition Facts		Valeur nutritive		Free From – Sans
Per 2 cookies (30 g)		pour 2 biscuits (30 g)		
Amount			% Daily Value	Free from added preservatives, artificial colour and artificial flavour
Teneur			% valeur quotidienne	
Calories / Calories		130		Sans agent de conservation, colorant artificiel ni arôme artificiel ajoutés
Fat / Lipides	4.5 g		7%	
Saturated / Saturés + Trans/ trans	2.5 g		14%	
Cholesterol / Cholestérol	15 mg			
Sodium / Sodium	120 mg		5%	
Carbohydrates / Glucides	20 g		7%	
Fibre / Fibres	1 g		4%	
Sugars / Sucres	10 g			
Protein / Protéines	2 g			
Vitamin A / Vitamine A	4%			
Vitamin C / Vitamine C	0%			
Calcium / Calcium	2%			
Iron / Fer	6%			

**Betty's Cookies Edmonton, AB T6Z 1Z8**

### Ingredient list

- required for prepackaged multi-ingredient foods
- list ingredients in descending order of proportion by weight (as determined before they are combined to make the food)
- list must be bilingual unless exempted by the Food and Drug Regulations
- ingredients and their components (ingredients of ingredients) must be identified by their common names

### Allergens, gluten sources, sulphites

- clearly identify food allergens, gluten sources and sulphites
- identify in list of ingredients or immediately at the end of that list in the “contains” statement

### Precautionary statements

- used when, despite all reasonable measures, the unintentional presence of an allergen in the food cannot be avoided
- must not be used when an allergen or allergen-containing ingredient is deliberately added to a food

### Claims

- a statement that states, suggests or implies that a food has particular qualities relating to its origin, nutritional properties, composition, processing, nature or any other quality
- “negative claim” declaring a food does not contain an ingredient or substance must be factual and not misleading

### Nutrition facts table

- provides information on calories and 13 nutrients in standardized format based on stated serving size
- format and layout of facts table stipulated within regulations and must appear as prescribed

### Name and address

- must show name and address of processor or producer
- must appear on any part of the food container except the bottom of the package
- address must be complete enough for postal delivery

## Net Quantity

Prepackaged products must have a net quantity declaration. The net quantity must be declared in metric units on the principal display panel. The net quantity must be expressed by the following:

- volume when the product is a liquid, for example, millilitres or litres for amounts more than 1000 millilitres
- weight for solids, for example, grams or kilograms for amounts more than 1000 grams
- numerical count for certain foods that are sold by individual units such as donuts

The following metric symbols are to be used and should not be followed by any punctuation:

- g for grams
- ml, mL or mℓ for millilitres
- kg for kilograms
- l, L or ℓ for litres

Canadian units of measure (imperial) are not required on labels but can be used in addition to the required metric units. When the net quantity is shown in both metric and Canadian units, the metric units should be declared first, and the two must be grouped together on the label with no information between them.

The Canadian units “fluid ounces” and “ounces” are not interchangeable terms. For example, fluids such as juices and soft drinks must always be described as fluid ounces rather than ounces, which are a measure of weight. The following conversions may be used: 1 fl oz. Canadian equals 28.413 ml and 1 oz. equals 28.350 g.

There are minimum type height requirements for the numerical portion of the net quantity declaration. These requirements are based on the area of the principal display surface of your label.

## Dealer Name and Address

The name and address of the processor or producer must be on any part of the food container except the bottom of the package. The address must be complete enough for postal delivery.

## List of Ingredients

Prepackaged multi-ingredient foods require an ingredient list. Ingredients must be listed in descending order of proportion by weight as measured before they are combined to make your product. The exceptions are spices, seasonings and herbs (except salt), natural and artificial flavours, flavour enhancers, food additives, and vitamin and mineral nutrients and their derivatives or salts, which may be shown at the end of the ingredient list in any order.

Salt must always be listed as an ingredient if it has been used in the manufacturing of the food.

Ingredients and their components (ingredients of ingredients) must be identified by their common names. Components can be declared either in parentheses following the ingredient name in descending order of proportion by weight in the ingredient, or they can be declared in descending order of proportion by weight in the finished food as if they were ingredients, without listing the

ingredient itself. For example, on a package that lists brown rice syrup as an ingredient, the ingredient list is shown as brown rice syrup (brown rice syrup, sugar, sunflower oil, water, salt).

Water is often taken for granted in many food processing operations. When added as an ingredient, water must be declared as a proportion by weight added to the food.

When added as an ingredient, water must be declared as a proportion by weight added to the food.

## Allergens

Reading food labels is standard practice for those who suffer with food allergies or intolerances. Food allergies are sensitivities caused by a reaction of the body's immune system to specific proteins in a food.

Food intolerance is a sensitivity that does not involve the individual's immune system. Only a small amount of food can trigger an allergic reaction, but it generally takes a more normal-sized portion to produce symptoms of food intolerance.

Ten substances have been identified as most frequently associated with food allergies and allergic-type reactions. Here are the substances, often referred to in Canada as priority food allergens:

- eggs
- milk
- mustard
- peanuts
- seafood (including fish, crustaceans and shellfish)
- sesame seeds
- soy
- sulphites
- tree nuts
- wheat and other cereal grains containing gluten

Recent amendments to the Food and Drug Regulations make declaration of the priority allergens mandatory even when these are an ingredient of another ingredient. You are now required to clearly identify food allergens, gluten sources and sulphites either in the list of ingredients or immediately at the end of the list of ingredients in the "contains" statement. "Contains wheat and peanuts" is an example of a "contains" statement.

Food allergies are sensitivities caused by a reaction of the body's immune system to specific proteins in a food. Food intolerance is a sensitivity that does not involve the individual's immune system.

You are also required to list components of ingredients if they are food allergens, gluten sources or sulphites. Previously, you did not have to declare an allergen when it was used to make an ingredient like spices or flavours. For example, if ground mustard had been a component of a spice mix ingredient, it would not have been listed, but under current legislation, the mustard must be declared in the ingredient list and included in the "contains" statement.

To make it easier for consumers to identify allergens, you are required to use commonly understood names for the priority allergens. For example, the words “wheat” or “milk” have to be used either in the ingredient list or in the “contains” statement if they are in your product. The common name for the plant sources of hydrolyzed protein must be declared. For example, the label may indicate soy or hydrolyzed vegetable protein (soy) rather than just hydrolyzed vegetable protein, which was previously acceptable. Products that contain spelt or kamut must declare wheat on the labels.

Because of the health risk, failing to declare allergenic ingredients or components may be subject to regulatory measures taken by the Canadian Food Inspection Agency (CFIA), including a product recall.

Despite all possible safeguards, the presence of allergens cannot always be avoided. Precautionary statements on food labels are used by processors to alert the consumer to the accidental presence of an allergen. Such statements should only be used when, despite all reasonable measures, the unintentional presence of an allergen in food is unavoidable. These statements must not be used when an allergen or allergen-containing ingredient is deliberately added to a food.

Health Canada and the CFIA have recommended that the only precautionary statement that be used is “may contain [X]” where X is the name by which the allergen is commonly known.

## Nutrition Labelling

Some of your customers need nutritional information to help them manage chronic diseases. Others look to the nutrition facts table to help them make informed food choices. The required nutritional labelling provides information about the nutrient content of your prepackaged food in a standardized format.

The nutrition facts table (NFT) provides information on calories (energy content) and 13 nutrients in a standardized format based on a stated serving size. The format and layout of the facts table is stipulated within the legislation and must appear as prescribed.

The following products are **exempt** from displaying a nutrition facts table:

- food sold only at a roadside stand, craft show, flea market, fair or farmers’ market by the individual who prepared and processed the product
- fresh vegetables and fruits without added ingredients, and fruits and vegetables coated with paraffin wax or petrolatum – includes fresh herbs (but not dried herbs) and sprouts
- fresh fruits and vegetables that are minimally processed, for example, washed, peeled, cut-up, shredded, etc., including mixtures of fruits and vegetables such as bagged mixed salad and coleslaw without dressing
- raw, single ingredient meat, meat by-product, poultry meat and poultry meat by-product – does not include any prepackaged ground meats or meat by-products, which must include nutritional labelling
- raw, single ingredient marine or freshwater animal product such as fish
- food sold only in the retail establishment where the product is packaged, if the product is labelled by means of a sticker and has an available display surface of less than 200 square centimetres (31 square inches)

Prepackaged ground meats or meat by-products must include a nutrition facts table.

If you make any type of nutritional or health claim on the label, such as “healthy” or “high energy,” then the exemption is lost, and you are required to include a nutrition facts table. The NFT exemption is also lost if you are doing internet sales.

The nutrition facts table exemption is lost if you are doing internet sales – contact the Canadian Food Inspection Agency for direction.

For more detailed information on the requirements for nutritional labelling, visit the Canadian Food Inspection Agency (CFIA) website at <http://www.inspection.gc.ca> and search Food Labelling for Industry, Nutrition Labelling, Elements within the Nutrition Facts Table and Nutrient Content Claims.

## Date Markings

Information about dates on prepackaged food is important information for your customers. There are several types of date markings: durable life dates, use by dates and expiry dates. Durable life dates, also known as “best before dates,” are required on most prepackaged foods that will keep fresh for 90 days or less. A “use by” date is for fresh yeast only, while expiry dates are used on foods for special dietary use such as infant formulas.

“Durable life” refers to the anticipated period of time, beginning on the day on which the product is packaged for sale, during which the prepackaged product will retain its nutritional value, freshness, taste or any other qualities claimed by the processor without any appreciable deterioration when stored under appropriate conditions for that unopened product. A durable life date is not an indicator of food safety, either before or after the date marked.

A durable life date is not required on prepackaged fresh fruits and vegetables, including chopped or shredded fresh fruit and vegetables or prepackaged donuts. It is your responsibility to determine if your product has a durable life of less than 90 days as well as the specific “best before” date.

The date shall be stated with year first, if required, then the month expressed as two letters, followed by the day. Here is an example of an acceptable date if the year is required:

Best before  
14 MR 15  
Meilleur avant

Or if the year is not required:

Best before  
March 15 mars  
Meilleur avant

A prepackaged product with a durable life of 90 days or less also requires storage instructions to be identified if they differ from normal room storage conditions. Examples include phrases such as “keep refrigerated,” “keep frozen” and “store in a cool, dry place.”

The storage instructions apply for the conditions of the product as sold. For example, if your product is sold frozen, the instructions would state “keep frozen.” You are not required to state how the product should be stored when thawed.

Foods with a shelf life greater than 90 days – for example, cereals, semi-dry cured or dry cured sausage – are not required to have a best before date or storage information.

## Bilingual Labelling

All mandatory information on food labels must be shown in both official languages except for the name and principal place of business of the company or person who produced or processed the product. This information can be in either English or French.

There is also an exemption for bilingual requirements for some farm direct products considered to be local products. A local product means a prepackaged product that is produced or processed and is sold only in two possible locations:

- the municipality in which it is processed or produced
- one or more municipalities immediately adjacent to the one in which it is produced or processed

The above conditions mean, for example, if you are processing your product in Red Deer, you may sell your agri-food product within the city of Red Deer without a bilingual label.

However, if you were to sell that product at the Innisfail Farmers’ Market within the town of Innisfail, your product would need a bilingual label because the town of Innisfail is not immediately adjacent to the city of Red Deer. The county of Red Deer is the municipality immediately adjacent to the city of Red Deer; therefore, your product could be sold without a bilingual label at a farm store within that county.

For more detailed information about labelling and specific requirements, visit the Food Main Page on the website of the Canadian Food Inspection Agency at [www.inspection.gc.ca](http://www.inspection.gc.ca) or contact the nearest CFIA office listed at the end of this factsheet.

## Additional Resources

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All federal legislation can be found on the website for the federal Department of Justice at <http://laws.justice.gc.ca/eng>

**Canadian Food Inspection Agency** ([www.inspection.gc.ca](http://www.inspection.gc.ca))

Alberta North Office  
(north of Innisfail/Bowden)  
Tel: 780-395-6700

Alberta South Office  
(south of Innisfail/Bowden)  
Tel: 403-299-7680

Industry Labelling Tool is available on the CFIA website at [www.inspection.gc.ca](http://www.inspection.gc.ca)