

# Are your Maple Product Labels Legal?

For liquid syrup:

The name of the food is “Grade A Maple Syrup”. The name “Grade A Maple Syrup” must conspicuously appear on the principal display panel of the food’s label, and the words “golden color and delicate taste”, “amber color and rich taste”, “dark color and robust taste”, or “very dark color and strong taste”, as appropriate, must also conspicuously appear on the food’s principal display panel in close proximity to the food’s name and in a size reasonably related to the size of the name of the food.

EXCEPTION: flavored syrups are NOT pure syrup and should not have GRADE A

For more information: <https://agriculture.ny.gov/food-safety/maple-syrup-and-honey-processing>

There are five basic label requirements for any food product in NYS:

**1. Identity of food in package form**

1. The principal display panel of a label for a food in package form shall bear as one of its principal features a statement of the identity of the commodity by its common or usual name.
2. Where a food is marketed in various forms (grated, sliced, diced, etc.) the particular form shall be considered as part of the identity statement.
3. The statement of identity shall be present in bold type on the principal display panel and shall be in a size reasonably related to the most prominent printed matter.

**2. Name of manufacturer, packer, or distributor**

1. In the case of a corporation, only the actual corporate name, and this may be preceded or followed by the name of the particular division involved.
2. In the case of an individual, partnership, or association, the name under which the business is conducted shall be used.
3. When the food is not manufactured by the person whose name appears on the label, a qualifying phrase such as “Manufactured for \_\_\_\_\_”, “Distributed by \_\_\_\_\_”, or other expression of facts shall appear with the name.

**3. Place of business**

1. The place of business shall include the street address, city, state, and ZIP code.
2. The street address may be omitted if it is shown in a current city or telephone directory.

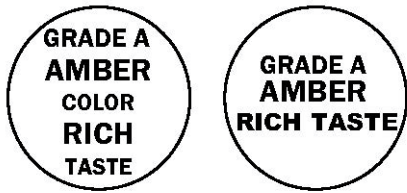
**4. Ingredient declaration**

1. The ingredients shall be listed by their common or usual name in descending order of predominance by weight, on a single panel of the label.
2. The name of the ingredient shall be a specific name and not a collective name.
  1. If the ingredient is a designated spice, flavoring, or natural color, it need only be stated as spices, artificial color, or artificial flavor. Colorings subject to certification (FD&C) must be listed by their specific name, i.e. FD&C Yellow #5.

2. If an ingredient used in the product conforms to a standard of identity or is a multi-ingredient product, its ingredients are required to be listed on the label.
3. When blends of fats and/or oils are used, the common or usual name of each fat or oil used must be listed in parenthesis following the term vegetable shortening, animal fat, or marine oil.
4. If an individual fat and/or oil ingredient is used, not a blend, the common name of that product must be listed in the correct order of predominance.
3. No abbreviations of an ingredient's common or usual name are permitted, unless explicitly provided for in the statutes.
4. Water used in fabricated foods shall be declared on the label in its order of predominance.
5. **Net quantity of contents**
  1. The principal display panel of a label for a food in packaged form shall bear a declaration of net quantity of contents.
    1. The declaration shall be expressed in terms of avoirdupois pound and ounce, volume, and/or numerical count.
    2. The declaration shall appear as a distinct item within the lower 30 percent of the principal display panel. The declaration shall be printed in boldface print or type in letters and numbers in a size in relationship to the total square inches of the principal display panel.
    3. The declaration of net quantity of contents shall be expressed in the following terms:
      1. Weight (one pound, but less than four pounds) expressed in ounces and followed by the largest whole unit in parenthesis, i.e. NET WT. 24 OZ (1 LB 8 OZ).
      2. Fluid measure (one pint, but less than one gallon) expressed in fluid ounces and followed by the largest whole unit in parenthesis, i.e. 20 FL OZ (1 PT 4 OZ).
    4. A separate statement of the net quantity of contents in terms of the metric system is required to appear on the principal display panel as part of the required declaration, i.e. NET WT 9 OZ (255g) or 9 FL OZ (266 ml).

For more information: <https://agriculture.ny.gov/food-safety/food-labeling>

## New York Maple Syrup Grade Labeling Reminder



example on left is correct, example on right is incorrect

Any maple syrup for retail sale in NYS must have the following complete phrases on the package: **GRADE A**, **\*\*\* COLOR**, **### TASTE**. **\*\*\*** is one of the color descriptors: golden, amber, dark or very dark. **###** is one of the flavor descriptors: delicate, rich, robust, or strong. The important point is that the words **COLOR** and **TASTE** must be on the label. Some out of state equipment suppliers continue to sell labels (see example) that do not have the word color. Be warned that when NYS food inspectors find syrup with labels of this type they can pull them from the store shelves as improperly labeled.

Another common labeling mistake producers make is their own identification. You must put your address on the package. Website alone is **NOT** sufficient. The regulation says that the address on the package must be sufficient for your post office to be able to identify you. You can check with your own post office, but most post offices today require full address – that means street number or post office box as well as town and zip code.

You can find a copy of the complete labeling regulation on our website – visit <https://sugarmakers.nysmaple.com/> , login, and go to Resources - Important Regulations.

# A Short Guide to Nutrition Labels for PURE Maple Syrup

written for NYS Maple Producers' Association members by the Association. April 2023

Some of the content has been provided by the IMSI and by the Wisconsin Maple Producers Association.

This guide is intended for use on private labels for pure maple syrup sold direct to the consumer in NYS. For commercial large-scale applications or products other than pure maple syrup, please consult the guides listed below.

FDA Labeling Guide (2013) <https://www.fda.gov/media/81606/download>,

FDA New Nutritional Facts Label Examples (2020) <https://www.fda.gov/media/99151/download>

**EXEMPTION FOR BUSINESS SIZE** – see FDA Small Business Nutrition Labeling Exemption guidance <https://www.fda.gov/regulatory-information/search-fda-guidance-documents/small-business-nutrition-labeling-exemption-guidance>

- <100 full-time employees AND < 100,000 units sold in US in last 12-months. Exemption must be filed annually
- If a person is not an importer, and has fewer than 10 full-time equivalent employees, that person does not have to file a notice for any food product with annual sales of fewer than 10,000 total units.

**EXEMPTION FOR CONTAINER SIZE** – see p. 66 of Food Labeling Guide

Small Packages with < 12 sq. in total surface available to bear labeling may be printed with phone number or address (web/e-mail) to obtain nutrition information.

## Nutrition Label Format and Content Guidelines

- Must be displayed in a box.
- “Nutrition Facts” heading must be largest type size in the nutrition label (larger than 8 pt, but does not need to exceed 13pt)
- Servings per container (1 fl. oz. is a serving, so 12 oz. bottle has 12 servings)
- Serving size: 2 tbsp (30mL) per RACC from FDA
- Blank line under Total Sugars with 48% †
- Added sugar note “†One serving adds 24g of sugar to your diet and represents 48% of the Daily Value for Added Sugars”
- % DV note “\*Percent Daily Value based on a 2,000 calorie diet”
- Minimum type size of 8 point for nutrition info.
- Minimum type size of 6 point for footnotes
- Nutrition numbers and % must be correct

Nutrition Facts	
_ servings per container	
Serving size	2 tbsp (30mL)
Amount per serving	
Calories	110
% Daily Value*	
Total Fat 0g	0%
Sodium 5mg	0%
Total Carbohydrate 27g	10%
Total Sugars 24g	48% †
Protein 0g	
Calcium 30mg 2% • Potassium 90mg 2%	
Not a significant source of saturated fat, trans fat, cholesterol, dietary fiber, vitamin D and iron.	
† One serving adds 24g of sugar to your diet and represents 48% of the Daily Value for Added Sugars.	
* Percent daily value based on a 2,000 calorie diet.	

## Simplified Format

Can be used if at least 8 of the following nutrients are present in insignificant amounts (0% DV): **Calories, total fat, saturated fat, trans fat, cholesterol, sodium, total carbs, dietary fiber, sugars, protein, vitamin A, vitamin C, vitamin D, calcium and iron.** (these bolded nutrients qualify as insignificant in pure maple syrup)

When this format is used it must be accompanied by this note:

*“Not a significant source of saturated fat, trans fat, cholesterol, dietary fiber, vitamin D and iron.”*

**Tabular Display for Small Packages** can be used on packages with < 40 sq. inches of total surface area available to bear labeling.

Nutrition Facts		% Daily Value*	
8 servings per container		Total Carbohydrate 27g	
Serving Size 2 tbsp (30mL)		Total Sugars 24g	
Amount Per Serving		48% †	
Calories		Protein 0g	
110		• Calcium 30 mg 2%	
% Daily Value*		• Potassium 90 mg 2%	
Total Fat 0g		Not a significant source of saturated fat, trans fat, cholesterol, dietary fiber, vitamin D and iron.	
0%		† One serving adds 24g of sugar to your diet and represents 48% of the Daily Value for Added Sugars.	
Sodium 5mg		* Percent Daily Value are based on a 2,000 calorie diet.	
0%			

**Linear Display for Small Packages** may be used on packages with < 40 sq. in. ONLY if the label will not accommodate the tabular display.

Nutrition Facts		Servings: X, Serv. Size: 2 tbsp. (30mL),
Amount per serving: Calories 110, Total Fat 0g (0% DV), Sat. Fat 0g (0% DV), Trans Fat 0g (0% DV), Cholest. 0mg (0% DV), Sodium 5mg (0% DV), Total Carb. 27g (10% DV), Fiber 0g (0% DV), Total Sugars 24g, Protein 0g, Vit. D (0% DV), Calcium (2% DV), Iron (0% DV), Potas. (2% DV), Riboflavin (40%), Magnesium (2%), Zinc (2%), Manganese (40%).		

## **GUIDELINES TO NYS REGULATIONS FOR FOOD LICENSING FOR MAPLE**

By Helen Thomas. Reviewed and approved by Division of Food Safety & Inspection, NYS Department of Agriculture & Markets 4-7-23

It is the opinion of the board of the NYS Maple Producers' Association that we in NYS are very fortunate to have an exemption in our NYS agriculture regulations allowing minimal or no licensing for many of the maple food products that we make and sell. We also believe that it is the responsibility of each producer to comply with the existing regulations to prevent a situation that causes a question or problem with the food produced, which could lead to tighter regulations, inspections, and fees.

The list below is a summary of 2023 NYS food regulations as they apply to most food maple producers make. Read this list carefully – it may have changed since you last reviewed it

**THESE PRODUCTS THAT ARE PACKAGED FOR RESALE CAN BE PRODUCED IN YOUR NYS SUGARHOUSE WITH NO LICENSE REQUIRED:**

- Products that are pure maple with no added ingredient: Maple syrup, maple sugar, maple spread (“cream”)
- Maple syrup that has infused flavors such as bourbon barrel-aged syrup, as long as the added ingredient is *not capable of supporting the growth of infectious or toxigenic organisms* and does not change the identity of the product (i.e. remains maple syrup).

**THESE PRODUCTS THAT ARE PACKAGED FOR RESALE CAN BE PRODUCED IN YOUR HOME KITCHEN WITH A KITCHEN EXEMPTION LICENSE THAT LISTS THE PRODUCTS:** (they can also be made in a 20-c kitchen *as long as* the license lists those products specifically)

- Maple coated nuts
- Maple breads, cookies, and other baked goods (but no dairy based frostings)
- Maple Fudge
- Maple Granola
- Maple popcorn
- Maple peanut brittle
- Maple lollipops or hard candy
- Maple jelly
- Seasonings that use dry herbs and maple sugar – for example, maple pepper.

**YOU NEED A 20-C LICENSE for:**

- WHEN YOU BUY SYRUP FROM OTHER PRODUCERS TO REPACK IN YOUR FACILITY OR USE AS AN INGREDIENT IN PRODUCTS YOU MAKE
- Maple spread that has added ingredients, such as cinnamon or raspberry
- Maple mustard
- Maple Barbeque sauce or other low-acid preparations
- Anything with Dairy ingredients
- Maple Sap packaging
- Maple salad dressings or vinegars
- Anything chocolate coated

- Maple cotton mix
- Maple cotton packaged for resale

PET FOODS with maple require a NYS Pet food registration

Another question people ask – Can I use a 20-C facility that belongs to another business or entity to make my products? The 20-c license is not for the facility, it is for the business named on the license and the products they are licensed for. In general, NYS can license more than one operator in a commercial facility. However, only one licensee can operate in the facility at a time. If someone manufactures a product under another license, the actual holder of the license is assuming all liability for the product(s) produced. Essentially, the manufacturer is a contractual employee of the licensee.

Last but definitely another benefit for producers in NYS: the Food Safety division group at NY ag & markets is always ready to answer questions if you are not sure. If you prefer, you can refer your question to the state association and we will take your question to him.

New York State Department of Agriculture and Markets

Division of Food Safety and Inspection

10B Airline Drive, Albany, New York 12235

Ph: 518-457-4492

E-mail: [fsiwebinquiries@agriculture.ny.gov](mailto:fsiwebinquiries@agriculture.ny.gov)

<https://agriculture.ny.gov/>

## Flavored Syrups and NYS Regulations

The latest buzz in new Maple Products is maple syrup with flavor added. It appears these products have high consumer appeal and a correspondingly high profit margin. Many NY producers are therefore asking whether this type of product is one they should carry, and can they make it in their current facility.

The NYS Maple Producers' Association has worked with the NYS Department of Agriculture & Markets to answer the second half of that question. The remainder of this article will cover the new regulations that took effect the beginning of January 2017 for flavored syrups in NYS. You will find the labeling requirements in a companion article provided by Ag & Markets.

First, a definition. Flavored syrups cover a broad range of additions to pure maple syrup. The first category is "barrel-aged" syrups. The basic technique is to take a freshly emptied liquor barrel, fill it with maple syrup, seal and let stand for several months to a year, and then decant, heat, filter, and bottle. The second category is to add ingredients to a container of maple syrup, again let stand, and decant, heat, filter, and bottle. This category includes, for example, vanilla, cinnamon, lemon - the possibilities are probably unlimited.

So what can you do in your sugarhouse legally in NYS? You all know that already you are allowed to make, barrel, store, and bottle pure maple syrup without special kitchen licenses or health inspections. This special exemption from health regulations has been granted to the maple industry because of the unique nature of our product: the process of evaporating sap to syrup involves high temperatures which eliminate any pathogens, and maple has an excellent reputation for ensuring our product is safely and cleanly bottled.

The first category of flavored syrups is included in the maple syrup exemption as of January 2017. It is legal in NY to make barrel aged syrup in your sugarhouse without a 20-C kitchen permit. Any other type of flavored maple syrup **MUST** be made in a 20-C facility - more about that below. To make a barrel aged syrup, you will need to obtain a freshly emptied liquor barrel. This barrel can **NEVER** have contained anything but the liquor. (Note: those who have made this tell me the fresher the barrel the better as barrels that have been empty more than a week or two have started to dry out and will leak!) Fill the barrel to the top with hot syrup and seal. The details of the process are up to you - what liquor, how long to age, what grade syrup to start with. Keep in mind these barrels are not airtight, so it is advisable to keep them cold. Nothing should be added to these at all - the syrup is absorbing the liquor that had saturated the wood.

If you add any ingredient at all to maple syrup you are required to have a 20-C kitchen license for this. This includes but is not limited to: vanilla beans; fruit syrups such as strawberry or raspberry; flavor extracts such as orange or lemon; cinnamon sticks. The process must be named on your 20-C license. If you are not familiar with 20-C kitchen permits, you can get the details and application at: <https://agriculture.ny.gov/food-business-licensing>. There are a couple of misconceptions about 20-C I would like to address now. First, a 20-C license is granted to the applicant on the license, **NOT THE FACILITY**. You are not covered just by using time in someone else's 20-C facility. You still need a license

for what you are making. Second, the product you are making must be named on that license. It is an easy matter to add products to the license once it has been issued. Third, most products, especially those that use wet ingredients, need to have the process approved by a registered food lab. This is most often in NY the Cornell Food Venture Center.

Should you give this new variation on maple syrup a try? You need to consider your retail customer base - the customer who traditionally buys a gallon of syrup will probably not be interested in this product at the price point you will need to sell it. If you contact a client base that is middle to upper income level, and who does a fair amount of food preparation at home, you may find some takers even amongst folks who pass regular maple syrup by. As always, taste testing samples makes a huge difference in sales!