

Food Code References:
18 AAC 31.060 (b)

Definitions:

PACKAGED

“Packaged” means bottled, canned, cartoned, or securely bagged, or securely wrapped.

“Packaged” does not include wrapper, carry-out box, or other non-durable container used to containerize food with the purpose of facilitating food protection during service and receipt of food by the consumer.

Labeling Packaged Food

“Determining whether food packaged in a food establishment requires labeling and how to label it properly.”

When a food such as a sandwich, a salad or pastry is wrapped up or PACKAGED ahead of time for customer self-service (an aisle deli case in a supermarket, an open top cooler in a convenience store, a grab ‘n go in a restaurant or deli or snack cooler in the dining room of a nursing home), labeling is required. This is because the food is not requested or ordered through a food employee who can knowledgeably answer questions about ingredients, allergens, salt content, or other nutrients. The cashier or checkout person in a restaurant or food store is not trained as a food employee and is likely unable to answer those types of questions. The very same type of food could be wrapped up or PACKAGED ahead of time for convenience during a busy meal time and the food is held behind the counter to be provided to a consumer upon request. When a customer orders the food from a food employee, that employee can answer questions about it; therefore, no labeling information is necessary. This reasoning applies to all food establishments, whether they are restaurants, fast food cafeterias, delis, supermarkets, convenience stores, small grocery stores, or institutions.

The requirement for labeling food items in a food establishment is not affected by the location of consumption of the food (on premises or off-site).

When is food considered packaged?

Food is considered PACKAGED and requires labeling when the food establishment wraps or bags the product and makes it available for self-service to the customer without ordering or requesting the food through a food employee. This packaging adequately protects the food from contamination when customers pick up or examine the package before choosing to purchase it. The information on the label provides general information about that packaged food product (name, ingredients, allergens, weight) that could have been provided by the food employee when it was ordered or requested.

Why label packaged food?

Proper labeling of food allows consumers to make informed decisions about what they eat. Many consumers, as a result of an existing medical condition, may be sensitive to specific foods or food ingredients. This sensitivity may result in dangerous medical consequences should certain foods or ingredients be unknowingly consumed.



Alaska Food Code Guidance

Alaska Department of
Environmental Conservation
**Food Safety & Sanitation
Program**

Food Code References:

18 AAC 31.060 (b)
21 CFR 101 Food Labeling

Definitions:

FALCPA defines MAJOR
FOOD ALLERGENS AS:

- Milk
- Egg
- Peanuts
- Soybeans
- Fish
- Crustacean Shellfish
- Tree Nuts
- Wheat

FALCPA requires that:
For tree nuts, the specific
type of nut must be
declared.

Example: almonds,
pecans, walnuts, pine
nuts

For fish or crustacean
shellfish, the species
must be declared:

Example: cod, salmon,
lobster, shrimp

The Alaska Food Code and federal labeling regulations require the following information on every food label:

- Common or usual name of the food
- If a food product has a standard of identity, the food must meet the standard in order to be offered for sale under that product name.
- All ingredients listed in descending order of predominance by weight, and a complete listing of sub-ingredients.
Example of a sub-ingredient: Flour (bleached wheat flour, malt barley, flour, niacin, iron, potassium thiamine, thiamine mononitrate, riboflavin).
- Net contents or quantity
Dual declaration of net weight in both metric and U.S. customary system. *Example:* 1 lb (450 g)
- Name and address of the manufacturer, packer, or distributor. If the company is not listed in the current edition of the local telephone book under the name printed on the label, the street address must also be included on the label.
- Nutritional labeling (exemptions may apply for small firms)
- "Keep Refrigerated" or "Keep Frozen" (if product is perishable)
- All colors
Example: FD&C Yellow #5, FD&C Red #3
If a non-certified color, list as *artificial coloring* or *artificial color* or by their common or usual names such as "*caramel coloring*".
- Food Processors must include a lot # or another code that will allow production lots to be identified if the food is recalled.

Food Allergen Labeling

The Food Allergen Labeling and Consumer Protection Act (FALCPA) of 2004 addresses the labeling of foods that contain any of the eight MAJOR FOOD ALLERGENS.

All ingredients that contain a MAJOR FOOD ALLERGEN must be labeled, even if they are exempted from labeling by being a spice, flavoring, coloring or incidental additive.

FALCPA requires the labeling of MAJOR FOOD ALLERGENS in one of two ways:

1. In the ingredient statement include the common or usual name of the food source, followed by the name of the allergen in parentheses. For *example:* Ingredients: Flour (wheat), whey (milk)
2. After the ingredient statement, place the word, "Contains:" followed by the food allergen. For *example:* Contains: Wheat, Milk



Alaska Department of Environmental Conservation
Division of Environmental Health
Food Safety and Sanitation Program

<http://www.dec.state.ak.us/eh/fss/index.htm>
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