

4626.0440 3-602.12 OTHER FORMS OF INFORMATION.

A. Consumer information, including nutritional information, and consumer warnings shall be provided if required by United States Code, title 21, section 321, 331 to 334, 335b, 337, 341 to 343-1, 345, 346a, 350a, 371 to 374, 376, 379e, or 381.

B. The food establishment's or manufacturer's dating information on foods shall not be concealed or altered and shall be in compliance with parts 1550.1030 to 1550.1250.

C. Bulk food that is available for consumer self-service shall be prominently labeled as specified in Minnesota Statutes, sections 31.80 to 31.875, and Code of Federal Regulations, title 21, part 101, with the following information in plain view of the consumer:

(1) the manufacturer's or processor's label that was provided with the food, including nutritional labeling; or

(2) a card, sign, placard, or other method of notification clearly displayed at the point of purchase that includes:

(a) the common or usual name of the food;

(b) a list of ingredients in descending order of predominance;

(c) a declaration of artificial color if contained in the food, except that the food colors certified under United States Code, title 21, section 379e, and their respective lakes, as the term "lake" is defined in Code of Federal Regulations, title 21, section 70.3, shall be individually listed;

(d) a declaration of flavor and chemical preservatives if contained in the food;

(e) for self-service beverage dispensers, conspicuous labeling attached to the beverage dispenser declaring the name of the beverage, artificial flavors, artificial colors including the Federal Food, Drug, and Cosmetic Act Yellow No. 5, the name and quantity of preservatives, and, if labeled as fruitade or drink, the ingredients in descending order of predominance; and

(f) nutrition labeling if specified in Code of Federal Regulations, title 21, part 101.

D. Foods that meet the exemptions and special labeling provision specified in Code of Federal Regulations, title 21, section 101.9, paragraph (j), are exempt from nutritional labeling if no nutrient content claim or health claim is made.

Statutory Authority: *MS s 31.101; 31.11; 144.05; 144.08; 144.12; 157.011*

History: *23 SR 519*

Published Electronically: *October 11, 2007*