



**NORTH CAROLINA DEPARTMENT OF AGRICULTURE
AND CONSUMER SERVICES
MEAT AND POULTRY INSPECTION DIVISION
Raleigh, North Carolina**

Steve Troxler, Commissioner

MPID NOTICE	6-21	9-7-21
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Labeling and Point of Purchase Claims

I. PURPOSE

This document provides guidance for Inspected Establishments and Registered Meat and Poultry Handlers who desire to make labeling claims. Claims made on product labels and on printed materials displayed at the point of purchase must comply with state and federal regulations so that consumers are not misled and meat and/or poultry products are not misrepresented.

II. REFERENCES

USDA, FSIS Food Standards and Labeling Policy Book
USDA, FSIS Labeling Policy Information
9 CFR 317.8, 9 CFR 381.129
North Carolina General Statutes §106-549.15 (12) and (15), §106-549.51 (16) and (17)
FSIS Compliance Guideline for Label Approval

III. CANCELLATION

MPID Notice 10-09 dated 8-19-09

IV. BACKGROUND

North Carolina General Statute §106-549.15 (12) defines labeling as "all labels and other written, printed, or graphic matter (i) upon any article or any of its contents or wrappers or (ii) accompanying such article." Furthermore, any meat or meat food product is considered misbranded per North Carolina General Statute §106-549.15 (15) "if its labeling is false or misleading in any particular." Identical verbiage concerning poultry products is outlined in North Carolina General Statute §106-549.51 (16) and (17). These statutes require that the immediate wrapper of a meat and/or poultry product must be properly labeled and that any other printed material at the point of sale must be truthful and not misleading to the consumer.

V. CLAIMS

Any printed and/or graphic informational materials (e.g. pamphlets, brochures, posters etc.) that accompany or are applied to products or to any of their containers or wrappers at the point of purchase are deemed labeling. As are any claims contained on such material. While point of purchase materials are not subject to specific prior approval, they must be in compliance with state and federal regulations and all current labeling policies.

Claims related to nutrition must be made in accordance with all current nutrition labeling regulations ([9 CFR 317.300-400](#) for meat products and [9 CFR 381.400-500](#) for poultry products) even if the product would otherwise be exempt per 9 CFR 317.400 and 9 CFR 381.500.

Animal raising claims must be accompanied by [supporting documentation](#) for all proposed claims.

Commonly approved claims:

- Raised Without Added Hormones
- Raised Without Antibiotics
- Not Fed Animal By-Products
- Free Range
- Free Roaming
- Grass Fed
- Corn Fed
- Grain Fed
- Certified Organic (By Certifying Entity)

Claims which cannot be approved on product labels or displayed on point of purchase materials:

- Antibiotic Free
- Hormone Free
- Residue Free
- Residue Tested
- Naturally Raised
- Naturally Grown
- Drug Free
- Chemical Free

NOTE: Hormones are only approved for use in beef cattle, swine, and lamb production. They are not approved for use in poultry, goats, veal calves, mature sheep or exotic, non-amenable species. Therefore, the phrase "no hormones administered" on a chicken label cannot be approved unless it is directly followed by the statement "There are no hormones approved for use in poultry by Federal Regulations."

VI. APPROVAL PROCESS

For products slaughtered and processed in facilities under Federal Inspection, an establishment may submit any label, marking or sketch directly to USDA-FSIS Labeling and Program Delivery Staff (LPDS) in Washington, D.C. for approval. For each label or sketch submitted, the establishment should complete an [FSIS Form 7234-1](#) "Application for Approval of Labeling, Marking, or Device," in duplicate and attach the label, marking or sketch to each copy of the application along with all [supporting documentation](#). Then:

- mail or fax directly to LPDS from an establishment,
- enter into the [FSIS Label Submission and Approval System \(LSAS\)](#), or
- submit to LPDS from a central labeling office (as may be the case in large companies with several establishments located throughout the country)

Questions about necessary documentation for supporting claims in Federal establishments may be directed to:

USDA, FSIS, OPPD, LPDD
Labeling Distribution Unit
Stop Code 3786, Patriots Plaza III, 8-168
1400 Independence Avenue, SW
Washington, DC 20250-3700
Phone: 301-504-0878

For products slaughtered and processed in facilities under State Inspection, an establishment may submit any label, marking or sketch using [MPIS Form 11](#) “Labeling Approval Form,” along with [supporting documentation](#) the NCDA&CS, Meat and Poultry Inspection Division in Raleigh, NC, through their in-plant inspector.

Questions about necessary documentation for supporting claims in State establishments may be directed to:

NCDA&CS Meat and Poultry Inspection Division
1001 Mail Service Center
Raleigh, NC 27699-1001
Phone: 919-707-3180

Dr. Karen Beck
State Director

DISTRIBUTION:
MPID Personnel; Registered Meat and Poultry
Handlers; State and Talmadge-Aiken Inspected
Establishments

SUBJECT CATEGORY:
Compliance