



Living Gluten-Free
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Labeling of USDA-Regulated Foods

There is still so much confusion in the celiac disease community regarding food labeling, including allergen and gluten-free labeling of foods regulated by the United States Department of Agriculture (USDA). The USDA regulates meat products, poultry products, egg products (meaning any dried, frozen, or liquid eggs, with or without added ingredients), and mixed food products that generally contain more than 3 percent raw meat or 2 percent or more cooked meat or poultry meat. Hopefully the following information will help address any of your lingering concerns.

Allergen Labeling

The Food Allergen Labeling and Consumer Protection Act (FALCPA) requires that packaged foods regulated by the Food and Drug Administration clearly state on the food label when a food or an ingredient in a food is or contains protein from one of eight major allergens, including wheat.

FALCPA amended the Food, Drug, and Cosmetic Act. It did not amend the Federal Meat Inspection Act, Poultry Products Inspection Act, or the Egg Products Inspection Act under which the Food Safety and Inspection Service (FSIS) of the USDA regulates meat, poultry, and egg products.

Currently, under FSIS regulations all ingredients must be listed in the ingredients list by their "common or usual name." Common or usual names include modified food starch, dextrin, maltodextrin, caramel, and glucose. Unfortunately, common or usual names do not always indicate the source of the ingredient. While the USDA does not have mandatory allergen labeling at this time, the FSIS believes they have widespread voluntary compliance with allergen labeling among their manufacturers.

Jeffrey W. Canavan, MPA, RD from the Labeling and Program Delivery Division of the Food Safety and Inspection Service, USDA graciously agreed

to clarify some issues regarding allergen labeling of USDA-regulated foods.

Is FSIS still planning to release its own rule regarding allergen labeling? If so, do you anticipate that this rule will be similar to FALCPA? Is there any scheduled time frame for release of this rule?

FSIS has policies in place and encourages the use of allergen statements, consistent with FALCPA, and other statements that highlight the presence or absence of ingredients of public health concern; particularly the “big eight” allergens. However, FSIS will consider rulemaking if it does not continue to observe, through its prior label approval system, widespread voluntary compliance with the use of allergen statements on meat, poultry, and egg product labels. The Agency’s compliance policy guide on the use of allergens statements can be found [here](#).

Do you have any idea what percentage of manufacturers of USDA-regulated foods voluntarily comply with allergen labeling?

FSIS evaluates approximately 60,000 labels per year for compliance with Agency regulations and policies. Through this prior label approval system, FSIS estimates that approximately 80 to 90 percent of all meat, poultry, and egg product labels bear statements that highlight the presence of ingredients of public health concern (e.g., “contains: soy and wheat”).

Currently, “modified food starch” and “dextrin” are considered the “common or usual names” of these ingredients. Are these terms considered acceptable ingredient declarations on the label of USDA-regulated food products regardless of whether these ingredients contain wheat protein?

“Modified food starch” and “dextrin” are acceptable ingredient declarations on the labeling of meat, poultry, and egg products. If these ingredients are derived from wheat, the declaration of “wheat” could be highlighted in an allergens type statement that most establishments are voluntarily including on their product labels. If the label does not bear an allergens statement and a consumer is unclear as to the source of the modified food starch or dextrin, they should contact the manufacturer or distributor for clarification. The name and address of the manufacturer or distributor is a required labeling feature on meat, poultry, and egg products.

Can you please clarify the USDA’s policy on the ingredient “natural flavors” as well as the labeling of malt extract?”

For labeling purposes, FSIS defines the term “natural flavor” in its regulations. Ingredients such as, spices, spice extractives, essential oils, oleoresins, onion powder, garlic powder, celery powder, onion juice, and garlic juice may be labeled as “flavor” or “natural flavoring.” They may be designated as “natural flavors” because they are substances used chiefly for

flavor and do not make a nutritional contribution (e.g., protein) to the product. Other ingredients may be used for flavoring but need to be identified by common or usual name. Protein hydrolysates must identify the source from which the protein was derived as part of the common or usual name (e.g., "hydrolyzed soy protein" and "hydrolyzed wheat protein"). Flavorings derived from animals need to include the species of livestock or kind or poultry as part of the common or usual name (e.g., "beef extract" and "hydrolyzed pork protein"). "Malt extract" and "malt syrup" may be used interchangeably on labeling. When used to flavor a meat or poultry product, malt extract needs to be declared in the ingredients statement as "malt extract" or "malt syrup." Additional information on the labeling of natural flavors and other ingredients can be found on the Agency's [website](#).

Has any consideration been given to including all sources of gluten, including barley and rye in USDA allergen labeling?

The Agency permits statements highlighting the presence or absence of certain ingredients including statements about gluten containing ingredients (e.g., a statement on the information panel that declares the presence of gluten). The declaration of gluten in a statement of this type would include gluten derived from grains other than wheat, e.g., rye, barley, and cross-bred hybrids.

Gluten-Free Labeling

The Food and Drug Administration is in the process of developing a rule regarding the voluntary labeling of FDA-regulated foods as gluten free. Briefly, if a manufacturer chooses to label a product gluten free the food must meet the following criteria: 1) a labeled gluten-free food can not contain an ingredient that is any species of the grains wheat, barley, rye, or crossbred varieties of these grains; 2) a labeled gluten-free food can not contain an ingredient that is derived from one of the above mentioned grains that has not been processed to remove gluten; 3) a labeled gluten-free food can not contain an ingredient that is derived from one of the above mentioned grains that has been processed to remove gluten BUT when used in a food products results in the final food product containing 20 parts per million or more gluten; and 4) a labeled gluten-free food can not contain 20 parts per million or more gluten.

In previous communications with FSIS, I have been told the following regarding USDA-regulated foods and gluten-free labeling, "FSIS is not planning at this time to conduct rulemaking to define "gluten free." Rather, once FDA's final rule becomes effective, if a meat, poultry, or egg product establishment chooses to make the claim "gluten free" they will need to follow the requirements for the use of the claim in FDA's regulations. This is similar to what FSIS has required when establishments choose to make health claims and label trans-fat on meat, poultry, and egg products (i.e.,

FSIS allows the use of FDA regulated health claims and the declaration of trans-fat on labels provided the establishments follows FDA's regulations). This would ensure consistency for the use of the claim "gluten free" across all food groups for consumers. FSIS will clarify this position through policy guidance published on its web-site."

Thank you, Jeff!

Tricia Thompson, MS, RD is an internationally recognized expert in celiac disease and the gluten-free diet. A researcher, consultant, and writer, she is the author of The Gluten-Free Nutrition Guide, The Complete Idiot's Guide to Gluten-Free Eating, and The American Dietetic Association's Easy Gluten-Free: Expert Nutrition Advice with More Than 100 Recipes. For more information on celiac disease and the gluten-free diet, visit Tricia's website at www.glutenfreedietitian.com.

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