

TECHNICAL BULLETIN

#2004-4

FDA FOOD COLOR LABELING REGULATIONS

EXCERPTED AND SUMMARIZED FROM THE CODE OF FEDERAL REGULATIONS

Title 21, Volume 2 Part 101--FOOD LABELING, Subpart B--Specific Food Labeling Requirements (21CFR 101.22) Foods; labeling of spices, flavorings, colorings and chemical preservatives.

I. "CERTIFIED" COLORS - FD&C DYES & LAKES (aka Artificial Colors)

A color additive or the lake of a color additive subject to certification shall be declared:

- a) By the name of the color additive listed in the applicable regulation.
- b) It is not necessary to include the "FD&C" prefix or the term "No." in the declaration.
(e.g. "FD&C Red No. 40" or "FD&C Red 40" or "Red 40" are all equally acceptable).
- c) The term "Lake" shall be included in the declaration of the Lake of the certified color.
(e.g. "FD&C Blue 1 Aluminum Lake" or "FD&C Blue 1 Lake" or "Blue 1 Lake").
- d) Manufacturers may parenthetically declare an appropriate alternative name of the certified color additive following its common or usual name.

II. COLORS "NOT SUBJECT TO CERTIFICATION"

(aka Colorants from "Natural" sources such as Turmeric, Beet Juice, Titanium Dioxide, etc.)

NOTE: If any ingredient has been used to alter the inherent color of a product, use of the terms "Natural Color" or "Naturally Colored" on an ingredient statement does not meet FDA labeling regulations!

Color additives "Not Subject to Certification" may be declared in a variety of formats:

- a) "Artificial Color" or "Artificial Color Added" or "Color Added"
or by an equally informative term that makes clear that a color additive has been used in the food.
- b) "Colored with _____" or "_____ color".
the blank to be filled with the name of the color additive listed.

Note: It is appropriate to use the term "Vegetable Juice" for approved color additives that are derived from Vegetable Juices (i.e. Beet Juice, Red Cabbage, Purple Sweet Potato, etc.). The same holds true for approved color additives that are derived from Fruit Juices.

III. SPECIAL LABELING REQUIREMENTS FOR "CARMINE" AND "COCHINEAL EXTRACT"

Due to allergen concerns, "Carmine" and "Cochineal Extract" must be labeled as such.

This requirement was effective voluntarily as of January 5, 2009 and by law as of January 5, 2011.

IV. COLOR ADDITIVE LABELING OPTIONS FOR BUTTER, CHEESE OR ICE CREAM

When a coloring has been added to butter, cheese, or ice cream, it need not be declared in the ingredient list unless such declaration is required to ensure safe conditions of use for the color additive. Voluntary declaration of all colorings added to butter, cheese, and ice cream, however, is recommended.

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