

DEPARTMENT OF AGRICULTURE

FOOD AND DAIRY DIVISION

REGULATION NO. 565. SULFITE-TREATED FOOD LABELING AND PLACARDING

(By authority conferred on the director of the department of agriculture by sections 22 and 23 of Act No. 39 of the Public Acts of 1968, as amended, being SS289.722 and 289.723 of the Michigan Compiled Laws)

R 285.565.1 Definitions.

Rule 1. (1) As used in these rules, "sulfiting agent" means any of the following:

- (a) Sulfur dioxide.
 - (b) Sodium sulfite.
 - (c) Sodium bisulfite.
 - (d) Potassium bisulfite.
 - (e) Sodium metabisulfite.
 - (f) Potassium metabisulfite.
- (2) The terms defined in the act have the same meanings when used in these rules.

History: 1987 AACs.

R 285.565.2 Bulk displays of unpackaged food and drink; placards.

Rule 2. All bulk displays of unpackaged food and drink offered for sale at a retail food establishment, including salad bars, which contain a detectable amount of sulfiting agents shall be prominently placarded with a sign which is clearly visible to the customer and which declares either of the following statements:

- (a)

(NAME OF PRODUCT)

THIS PRODUCT CONTAINS A SULFITING AGENT. SULFITES MAY CAUSE AN ALLERGIC REACTION IN CERTAIN PERSONS, PARTICULARLY ASTHMATICS.

- (b)

(NAME OF PRODUCT) _____, the blank to be filled in with the name of the sulfiting agent, and if added as a preservative, a separate description of its function.

All letters on the sign shall be of the same type style and color, not less than 1/4 inch in height, and of a color in clear contrast to the background. A smaller type size may be permitted if the department determines space is not available for the placard and the largest type size possible is used. If a retail establishment has multiple bins of sulfite-treated food which are segregated, 1 placard listing all of the applicable products is acceptable if it is placed at approximately eye level over the bins.

History: 1987 AACs.

R 285.565.3 Wholesale containers of food and drink; labeling.

Rule 3. All wholesale containers of unwrapped, bulk food and drink which is intended for repacking, for use as an ingredient in another food, or for sale in its unwrapped state and which contains a detectable amount of sulfiting agents shall have the sulfiting agent declared as an ingredient in an ingredient statement on the container label. If added as a preservative, the name of the sulfiting agent and separate description of its function shall be indicated in the ingredient statement.

History: 1987 AACCS.

R 285.565.4 Identification of sulfiting agent as an ingredient.

Rule 4. Any sulfiting agent that has been added to food and drink or to any ingredient in any food and drink and is present in a detectable amount in the finished food shall be declared as an ingredient in the ingredient statement of the product label. If added as a preservative, the name of the sulfiting agent and a separate description of its function shall be indicated in the ingredient statement.

History: 1987 AACCS.

R 285.565.5 Detectable amount of sulfiting agent explained; adoption by reference of analysis standards.

Rule 5. For the purpose of these rules, a detectable amount of a sulfiting agent shall be 10 parts per million or more of the sulfite in the finished food or drink when the food or drink is analyzed pursuant to sections 20.123 to 20.131 entitled "Total Sulfurous Acid," in the publication entitled "Official Methods of Analysis of the Association of Official Analytical Chemists," 14th edition (1984), and the refinements of the "Total Sulfurous Acid" procedure in the "Monier-Williams Procedure (with modifications) for Sulfites in Foods" in appendix A to 21 C.F.R. part 101, as amended at 51 F.R. p. 25017 (July 9, 1986), which are adopted by reference in these rules. A copy of the publication is available at no cost from the Michigan Department of Agriculture, Food Division, P.O. Box 30017, Lansing, MI 48909, or from the Assistant Business Manager, Publications, Association of Official Analytical Chemists, 1111 North 19th Street, Suite 120, Arlington, VA 22209, at a cost of \$15.00.

History: 1987 AACCS.

R 285.565.6 Exemption of alcoholic beverages.

Rule 6. Alcoholic beverages are exempt from the provisions of these rules.

History: 1987 AACCS.

R 285.565.7 Labeling; collective term.

Rule 7. If the sulfiting agents remaining in the food no longer have a technical or functional effect, they may be declared by the term "sulfiting agents." If a food contains a sulfiting agent that has a technical or functional effect in the food and that is declared by its common or usual name, any nonfunctional sulfiting agents present in the food shall not be required to be declared separately in the list of ingredients.

History: 1987 AACCS.