

UNITED STATES DEPARTMENT OF AGRICULTURE
FOOD SAFETY AND INSPECTION SERVICE
WASHINGTON, DC

FSIS NOTICE

42-03

10/21/2003

Elimination of the Pizza with Meat or Sausage Standards

The purpose of this notice is to inform inspection program personnel that the Agency has rescinded the regulatory standards of identity for pizza with meat and pizza with sausage and to transmit the new regulations ([attachment 1](#)).

On July 31, 2003, the Agency published a final rule in the Federal Register removing 9 CFR 319.600 from the Federal meat inspection regulations. Products identified as meat or sausage pizzas will no longer be required to contain tomato sauce, cheese and a bread-based crust as was prescribed by the standards, nor will they be required to contain the minimum meat contents previously required by 9 CFR 319.600. Hereafter, pizza products containing an amenable amount of meat, meat food product, poultry, or poultry product may bear the term "pizza" as a common or usual name.

The final rule also amended the meat and poultry inspection regulations (9 CFR 317.8 and 9 CFR 381.129) to require, for a 3-year period, that the labels of products identified as meat or poultry pizzas in their descriptive names or elsewhere on the labeling to include the percent of the meat component or poultry component in the product in a parenthetical statement that is contiguous to the ingredients statement. The percentage of meat or poultry component in the finished product is calculated based on the weight of the cooked, dried, or cured meat or poultry component in relation to all of the finished pizza product. This labeling requirement will expire October 30, 2006.

Inspection program personnel are to note that the preamble of the final rule stated that FSIS will permit pizza manufacturers to use their remaining packaging inventory before they will be required to comply with the new labeling requirement so that they will not have to discard any unused packaging. Thus, for products whose formulations remain

DISTRIBUTION: Inspection Offices;
T/A Inspectors; Plant Mgt; T/A Plant
Mgt; TRA; ABB; TSC; Import Offices

NOTICE EXPIRES: 11/1/2004

OPI: OPPD

unchanged, current labeling stocks may be used without submitting such labeling to the Agency for temporary approval. Further guidance on pizza labeling requirements is provided in [attachment 2](#).

All questions related to this notice should be directed to the Technical Service Center.

/s/ Philip S. Derfler

Assistant Administrator
Office of Policy and Program Development.

Attachments

PART 317--LABELING, MARKING DEVICES, AND CONTAINERS

1. The authority citation for part 317 continues to read as follows:

Authority: 21 U.S.C. 601-695; 7 CFR 2.18, 2.53.

2. Section 317.8 is amended by adding a new paragraph (b)(40) to read as follows:

Sec. 317.8 False or misleading labeling or practices generally; specific prohibitions and requirements for labels and containers.

(b) * * *

(40) Products identified as ``pizza'' that list a meat component as part of the product name must bear a parenthetical statement contiguous to the ingredients statement that conveys the percent of the cooked, cured, or dried meat component in the product. This paragraph shall expire on October 30, 2006.

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PART 319--DEFINITIONS AND STANDARDS OF IDENTITY OR COMPOSITION

3. The authority citation for part 319 continues to read as follows:

Authority: 7 U.S.C. 450, 1901-1906; 21 U.S.C. 601-695; 7 CFR 2.18, 2.53.

Sec. 319.600 Removed and Reserved]

4. Section 319.600 is removed and reserved.

PART 381--POULTRY PRODUCTS INSPECTION REGULATIONS

5. The authority citation for part 381 continues to read as follows:

Authority: 7 U.S.C. 138f, 450; 21 U.S.C. 451-470; 7 CFR 2.18, 2.53.

6. Section 381.129 is amended by adding a new paragraph (f) to read as follows:

Sec. 381.129 False or misleading labeling or containers.

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(f) Products identified as ``pizza'' that list a poultry component as part of the product name must bear a parenthetical statement contiguous to the ingredients statement that conveys the percent of the cooked, cured, or dried poultry component in the product. This paragraph shall expire on October 30, 2006.

"Pizza" Products Labeling

October 22, 2003

Type	Formula	Labeling
The term "pizza" is on the label		
Traditional pizza – tomato sauce, crust, cheese and meat/poultry or meat/poultry food product	Meets old standard – no change to formula	Generic approval regulations apply for traditional pizza products whose labels were generically approved prior to the new change. <i>FSIS will allow manufacturers of meat and poultry pizzas to exhaust their remaining packaging inventory before they will be required to comply with the new labeling requirement.</i>
	<ol style="list-style-type: none"> 1. Reduced meat below old standard and regarded as a new formula. 2. Must have amenable levels of meat/poultry or meat/poultry food product. 3. The product name does not change on approved labeling prior to implementation of the new rule. 	<ol style="list-style-type: none"> 1. Percentage declaration required contiguous to ingredients statement until October 30, 2006 when the declaration is no longer mandatory. 2. Can generically approve percentage declaration on existing labeling and can use same labeling provided that the nutrition facts are within the 20% deviation, and no feature is otherwise false or misleading. Can generically approve change in order of predominance and apply corrective sticker over old ingredients declaration. Also, generic approval regulations apply.
		<p>Temporary approval is necessary to use labeling with minor errors. Temporary approvals are granted on a case by case basis.</p> <p>Sketch approval is mandatory when:</p> <ol style="list-style-type: none"> 1. Major changes to existing labeling are covered with pressure sensitive stickers, e.g., product name change, order of predominance change and nutrition facts change. 2. New labels are developed after October 22, 2003
Non-traditional pizza – one or more of the traditional components has been changed or eliminated	<ol style="list-style-type: none"> 1. Reduced meat below old standard so regarded as a new formula. 2. Must have amenable levels of meat/poultry or meat/poultry food product. 	<ol style="list-style-type: none"> 1. Descriptive product name of all characterizing components at > 2%. 2. Percentage declaration required contiguous to IS until October 30, 2006 when the declaration is no longer mandatory. 3. Sketch approval is mandatory since these products are no longer standardized.
The term "pizza" is <u>not</u> anywhere on the label, e.g., heating directions, romance copy, serving size, etc.		
	Must have amenable levels of meat/poultry or meat/poultry food product	<ol style="list-style-type: none"> 1. Descriptive product name of all characterizing components (>2%). 2. Sketch approval is mandatory since these products are not standardized. 3. Percent declaration does not apply