

Guidance on the Elimination of the Pizza with Meat or Sausage Standard Q's & A's

Federal Register Publications & Related Documents

[Additional information for inspection program personnel is found in [FSIS Notice 42-03](#) (Oct 21, 2003) and [Revised Pizza Q's & A's to Address the Names of Non-Traditional Pizza-Like Products and Pizzas with Modified Cheeses](#).]

I. General

Q. What is the new final rule that eliminated the standards of identity for pizza with meat or sausage products?

A. The [final rule](#) published on July 31, 2003, in the Federal Register and was effective October 22, 2003. It eliminated the standards for pizza products, i.e., the standards in [9 CFR 319.600](#), which required a minimum meat content and required components of a traditional pizza. The standards were eliminated to allow for more innovation in pizza manufacturing. To inform consumers of the changes in pizza products, 9 CFR 317.8 (b)(40) and [381.129 \(f\)](#) require a percentage statement regarding the meat/poultry component to be placed contiguous to the ingredients statement for a time period of approximately 3 years.

II. Requirements for Labeling the Percentage of a Meat/Poultry Component on Pizza Products

1. Q. When is the percentage labeling no longer required?

A. The percentage labeling requirement expires October 30, 2006. The date of October 24, 2006, placed in the "Date" section of the final rule in the July 31, 2003, Federal Register is an error in printing.

2. Q. Is there a minimum type size requirement for the percentage labeling of the meat/poultry component?

A. No, however, consistent with rules on all required labeling features, the information must be prominent and conspicuous, e.g., navy blue print on a black background is not considered to be prominent and conspicuous.

3. Q. Can a company declare the exact percentage of the meat/poultry component on the label if the formula lists the amount to the hundredth or thousandth decimal place?

A. We suggest the required percentage listing be limited to one place past the decimal point, e.g., 5.2% would be acceptable.

4. Q. Can the required percentage declaration of

the meat/poultry component be rounded up to the nearest whole number or tenths?

A. No, the percentage cannot be over-declared. Consistent with the Agency's current labeling policies, rounded numbers have to be rounded down, e.g., 5.26% could be rounded to "5%" or "5.2%."

5. Q. Can the required percentage declaration of the meat/poultry component be rounded up to the nearest whole number or tenths?

A. No, the percentage cannot be over-declared. Consistent with the Agency's current labeling policies, rounded numbers have to be rounded down, e.g., 5.26% could be rounded to "5%" or "5.2%."

6. Q. If the ingredients statement and signature line fill the space of the side panel on the product packaging, can the percent declaration of meat/poultry component be moved to the next panel to the right?

A. No. The percentage is required to appear on the same panel, and contiguous to, the ingredients statement. It may appear above, below, or to the right or left of the ingredients statement.

7. Q. Can the percent declaration be placed contiguous to the ingredients statement by a means other than reprinting the label or using a pressure-sensitive sticker?

A. Yes, the percentage information can be ink jetted on the label, hand stamped with indelible ink, or imprinted on the label, provided it is in the required location and is prominent and conspicuous. For Child Nutrition (CN)-labeled products, see the section entitled "Child Nutrition (CN)-Labeled Products."

8. Q. For a pizza topped with meat components, e.g., sausage and pepperoni, can the two meat percentages be combined and declared as a total meat percentage contiguous to the ingredients statement?

A. The regulation states that pizza products 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." Thus, if two meat components are declared, e.g., sausage and pepperoni, in the product name, companies should list the percentage of each contiguous to the ingredients statement. However, the Agency will also view other percentage listings as being in compliance with the intent of the regulation. There is no objection to listing a combination of the labeled meat/poultry components, and the total percentage of meat/poultry food products or a declaration of the percentage of meat/poultry in the components, provided that the percentage of meat/poultry present in the finished meat/poultry

food products is known.

Examples below show acceptable declarations based on meat/poultry components:

Percentage Of Ingredients In Product Formula	Examples Of Acceptable Labeling Of Percentages To Meet Requirement In Final Rule
5% Pepperoni (60% pork, 20% beef)	"5% Pepperoni," 5% Meat food product," "40% Meat," "3% pork and 1% beef," "4% Meat ingredients"
3% Sausage and 2% Pepperoni	"3% Sausage and 2% Pepperoni" "Sausage and Pepperoni 5%"
10% Beef Patty Mix (8% Beef Sausage&133)	"10% Beef Patty Mix," "8% Sausage," "8% Beef Sausage"
3% Bacon and 3% Chicken Sausage	"3% Bacon and 3% Chicken Sausage," "6% Bacon and Chicken sausage," "6% Meat and poultry food product"
8% Turkey Sausage (50% Turkey)	"8% Turkey Sausage," "4% turkey," "8% poultry food product," "4% poultry ingredients"
4% Ham and Water Product	"4% meat food product," "4% Ham and Water Product"
6% Turkey Ham and Water product	"6% Turkey Ham and Water Product"
5% Uncooked Sausage	"5% Uncooked Sausage"
5% Fat-Reduced Pepperoni	"5% Fat-Reduced Pepperoni"

9. Q. If a product is named "Sausage Pizza" but the product is topped with 20% "meat pizza topping" (e.g., 12% sausage/8% textured soy protein), is it acceptable to declare the required meat content simply as "20% meat food product?"

A. No, that name would be misleading since the implication would be that the product contained 20% sausage when in reality it contained only 12%. Accurate, non-misleading percentage declarations would include "12% sausage," "12% meat food product," and "X % meat," if the actual percentage of meat in the pizza topping is known. The declaration of "20% Pizza Topping" would be acceptable because it is a name that conveys the presence of additives

beyond the sausage portion in the meat food product.

10. Q. Can the amount of meat or poultry topping in the pizza be determined based on pre-cooked weight if the percentage statement is qualified, e.g., "15% beef (pre-cooked)"?

A. No. The amount of meat or poultry must be determined according to the cooked, cured, or dry weight of the topping as a percentage of total weight according to the new final rule.

III. Exhausting the Inventory of Existing Labels of Pizza Products

1. Q. What are the allowances for exhausting inventories of existing labels before the declaration of meat/poultry is needed?

A. In order to use existing label inventory, the product would need to remain the same, i.e., a traditional pizza. There are three situations that apply: (1) The first is where there is no change to the product formulation, label, order of predominance of ingredients, and nutrition facts (outside of the 80/120 parameters) so no modification to the label is necessary. In this case, we are extending the effective date of the [final rule](#) to July 31, 2004, for the provision of adding the percentage of meat content to the labeling of existing pizza products, provided that the percentage declaration remains on each individual label for at least three years from the date of first use. (2) The second situation involves changes to the formulation and, therefore, to the label. However, in this case, the manufacturer decides to make the changes to the existing label by use of pressure sensitive stickers, ink jetting, indelible ink hand-stamps, etc. The product labeling qualifies for generic label approval under [9 CFR 317.5\(b\)\(1\)](#) and [9 CFR 381.133\(b\)\(1\)](#) which means that some changes may be made to the existing labeling under the generic provisions in [9 CFR 317.5\(b\)\(9\)](#) or [381.133\(b\)\(9\)](#), e.g., the order of predominance of the ingredients statement can be corrected by use of a pressure sensitive sticker covering the inaccurate information. The label would bear the percent declaration when the formula is changed to lower the amount of meat/poultry or meat food product or poultry product from that which was required in the traditional standardized pizzas. In all cases, the labeling must prominently bear all mandatory features and cannot be false or misleading in any manner. (3) The third situation involves changes to the formulation and label where a temporary approval is sought by the company, and it meets the conditions specified in [9 CFR 317.4\(f\)](#) and [381.132\(f\)](#).

2. Q. If the pizza formula remains the same, is the percentage of meat/poultry component required to be added to the existing labels for them to be used up?

A. No, the existing labels can be used up without

adding the percentage, provided that the formulation does not change. However, the percentage may be voluntarily added by a sticker to existing stock under the generic labeling provisions. (For Child Nutrition (CN) labeled products, see the section entitled "Child Nutrition Labeled Products.")

3. Q. If the supplier of a company's pepperoni or crust makes minor changes to the formula of the purchased component, can the old labels continue to be used?

A. The company would need to submit such labels to the Labeling and Consumer Protection Staff (LCPS) with a request for a temporary approval. The conditions for granting temporary approvals are listed on the [website](#). Minor changes can be granted temporary approval, or the company can change the existing label by use of pressure sensitive stickers, ink jetting, indelible ink hand-stamps, etc. Such labeling qualifies for generic label approval ([9 CFR 317.5\(b\)\(1\)](#) and [9 CFR 381.133\(b\)\(1\)](#)) and generic label modifications ([9 CFR 317.5\(b\)\(9\)](#) and [381.133\(b\)\(9\)](#)). (See the answer to "[2 Q.](#)" above, in this section.)

4. Q. If a company wants to reduce the percentage of the meat/poultry component, can the old labels be used by adding a sticker declaring the percent of meat/poultry component without an LCPS temporary approval?

A. Yes, but only when there are no other changes needed to the label, i.e., the order of predominance in the ingredients statement does not change, the nutrition information remains in compliance, and all other information on the label remains accurate. If there are changes, e.g., order of predominance, the company would need to request a temporary approval that provides data on the nutrient profile of the revised formula to ensure that the nutrition facts information remain in compliance with the regulations. Temporary approvals will be permitted on a case-by-case basis. (For CN labeled products, see the section entitled "Child Nutrition Labeled Products.")

IV. Generic Label Record (Final Labeling)

1. Q. If a company only adds a sticker that declares the percentage of the meat/poultry component to previously approved labeling, can the label be approved generically?

A. Yes, provided there are no other deficiencies on the label (See answer to [III. Q. 4](#) above). (For CN labeled products, see the section entitled "Child Nutrition Labeled Products.")

2. Q. If a company changes their existing formula, can label modifications be approved generically?

A. No, since there is no longer a standard of identity for pizza with meat/sausage products,

such products are now classified as non-standardized products or products guided by a common or usual name, "pizza." The first time new or modified labels for such products need to be approved, they must be sent to LCPS for approval. Further modifications to the LCPS-approved label may be handled generically if they fall under the generic labeling modifications in [9 CFR 317.5\(b\)\(9\)](#) or [381.133\(b\)\(9\)](#) of the regulations.

V. Naming of "Traditional" and Non-Traditional, Descriptively Labeled Pizza-Like Products

1. Q. For the purposes of this regulation, what is a traditional versus non-traditional pizza?

A. A traditional pizza is a product formulated with the components that were stipulated in the regulatory standard that existed in [9 CFR 319.600](#), i.e., tomato sauce, cheese, and meat topping on a bread-based crust. A non-traditional pizza is a product missing one or more of these components, e.g., instead of tomato sauce, it may include a white sauce, and instead of a bread-based crust it may use a corn tortilla.

2. Q. If a company renames their pizza-like product with a descriptive name that does not include the term "pizza," do they need to include a percent declaration of the meat/poultry component?

A. No, if the product is descriptively named, e.g., "sausage, cheese, and sauce on a crust," and the term "pizza" does not appear anywhere on the label (including the nutrition facts panel, heating instructions, and romance copy), percent declaration of the meat/poultry component is not required.

3. Q. Does the order of ingredients/components in the product name of descriptively labeled pizza-like products have to follow the order of ingredients in the product formula?

A. No, the Agency does not require a specific order of predominance in the product name of descriptively labeled products.

4. Q. In naming traditional pizzas or non-traditional pizza-like products, if a company uses 1% Italian sausage, 1% pepperoni, and 1% bacon, can the product name list all three meat components individually or collectively as "meat?"

A. Even though the three meat components are at levels of 1 percent, they can each be identified in the product name since they could each characterize the product. The general term "meat" could also be used in the name, e.g., "Meat Pizza," for the traditional pizza, and "Meat, Cheese, and Pesto Sauce on a Crust," for a non-traditional product.

5. Q. If a company formulates their product with

a pizza topping that contains textured vegetable (source) protein (TVP), does the TVP need to be included in the product name?

A. The final rule that eliminated the pizza with meat or sausage standards did not affect the Agency's longstanding labeling policy on meat/poultry-to-TVP ratios which was created to ensure that meat and poultry products are identified in an accurate and non-misleading way. The meat/poultry-to-TVP ratios are applicable to the naming of all pizza products unless the pizza is formulated with a meat food or poultry product the policy for which provides for the use of TVP without product name implications, e.g., "(species or kind) Patty" or "(species or kind) Pizza Topping." In the case of these two examples, TVP is an expected ingredient in such products.

6. Q. Is the requirement in [9 CFR 317.8\(b\)\(27\)](#) and [381.120](#) for qualifying the presence of calcium propionate or sodium propionate in pizza crust in the product name still in effect?

A. Yes. The final rule only eliminated the standards of identity for pizza with meat or sausage products; other prevailing regulations, e.g., those dealing with ingredients labeling, are not implicated.

7. Q. Is it acceptable for the pizza product name to list some "characterizing" components that are at or below two percent and not mention other ingredients that are at a higher level but still below the two percent or less characterizing amount?

A. Yes, some components, e.g. anchovies, garlic, and jalapeno peppers, are used at levels that are well below two percent and low levels can significantly characterize a product to the extent that they are included in the product name. However, it is not necessary to list all other components that are at a higher level, but still below the two percent level, e.g., imitation cheese.

8. Q. What guidance exists for naming substitute cheese and real cheese on pizza-like products?

A. Consistent with the final rule, which stated that ingredients above two percent are characterizing, non-standardized products, such as pizza products, that highlight "cheese" in the product name or on the principal display panel (PDP) must contain above two percent real cheese to be characterizing. In addition, imitation/substitute/fat-reduced cheese, when used above two percent, also would be included as part of the product name. For descriptively named pizza products, cheese and imitation/substitute/fat-reduced cheese at characterizing levels, i.e., above two percent, would be included as part of the product name.

9. Q. The preamble to the final rule stated that once the final rule became effective, other "pizza

products with standards specified in the Food Standards and Labeling Policy Book will no longer be subject to the requirements of [9 CFR section 319.600](#), including minimum meat requirements." Which entries will be removed from the Policy Book?

A. Because the pizza product entries in the Policy Book, viz., "Pizza with Meat," "Pizza with Sausage," "Pizza with Poultry," "Pizza with Bacon," "Pizza with Chili and Beans," "Pizza with Meat Pattie Crumble," and "Pizza, Combination or Deluxe," were interpretations of the now-deleted [9 CFR section 319.600](#), it would not make sense to apply them. They will be removed shortly.

10. Q. What is the status of the entries in the Policy Book that include "pizza" in the product description that were not based on the previous pizza with meat/sausage standard? Will they be retained?

A. At the present time, the Agency will retain the entries for products that include "pizza" that were not established as interpretations of the previous standard in [9 CFR section 319.600](#). These entries include:

- Pizza Burger
- Pizza, Chicago Style
- Pizza Dogs
- Pizza, Pan Style
- Pizza Pups
- Pizza Roll
- Pizza Sauce with Sausage
- Pizza Sausage
- Pizza, Sicilian Style
- Pizza Topping Mix
- White Pizza

I. Child Nutrition (CN) - Labeled Products

1. Q. Can CN-labeled products (i.e., products bearing CN labeling features that are required by the Food and Nutrition Service, FNS) get temporary approval for formulation changes?

A. Temporary approvals for minor changes not affecting crediting will be granted by FNS.

2. Q. Can formulation changes to CN-labeled products be handled by generic approval?

A. No. All formulation changes to CN-labeled products must be resubmitted to FNS for approval

3. Q. Can pressure-sensitive stickers be used to correct CN-labeled products?

A. No. Stickers cannot be used on CN-labeled products for final or temporary approval.

4. Q. Can CN-labeled products that do not meet CN requirements be given a temporary approval

by FSIS?

A. No.

5. Q. Can a label keep the same CN identification number if the declaration of the percent of meat/meat food product in the product is added voluntarily or as required by FSIS?

A. Generally, FNS requires a new CN identification number and approval for any changes to the product name. However, if there are no other changes to the label application, FNS will not object to the generic approval of the addition of the declaration of percent meat/meat food product. FNS requires one copy of the generically approved label, along with a statement that indicates what was changed, to be sent to USDA, FNS, 3101 Park Center Drive, Rm. 632, Alexandria, VA 22302 ("Attention CN Label Reviewer").

6. Q. Will CN product labels with changes need to be resubmitted to FSIS, LCPS, for re-approval?

A. The answer depends on the circumstances:

- Yes - for labels resubmitted for temporary approval
- Yes - for labels submitted with new CN ID numbers
- No - for labels resubmitted as required by FNS that can be generically approved by FSIS. In this situation, the FNS re-approval will retain the previous FSIS approval number. (It is the company's responsibility to convey to FNS that the label change can be done generically for FSIS so that the label is not forwarded to FSIS after the FNS review.)

7. Q. How do I contact the FNS, CN labeling staff, if I have other questions?

A. The FNS, CN labeling staff can be reached at 703-305-2609.

I. Miscellaneous Issues

1. Q. How low can the level of meat/poultry be before the product is no longer amenable to U.S. Department of Agriculture (USDA) jurisdiction (i.e., to the FMIA or PPIA)?

A. In general, foods containing less than 3 percent raw or less than 2 percent cooked livestock or poultry ingredients are not defined as meat food or poultry products and, thus, are under the jurisdiction of FDA.

2. Q. If a pizza-like product contains 1% cooked meat sausage and 1% cooked poultry meat, is the

product amenable?

A. Yes. The product would bear the inspection legend of the meat or poultry component that is listed first in the product name.