

Label Requirements for Honey in Ontario

Ontario Regulation 119/11

Infosheet

JULY 2011

INTRODUCTION

On July 1, 2011, Ontario Regulation (O. Reg.) 119/11 - Produce, Honey and Maple Products in the *Food Safety and Quality Act, 2001* came into effect. It replaces Reg. 384 – Honey under the *Farm Products Grades and Sales Act* which regulated honey in Ontario. Grading, packaging, labelling, transporting, advertising and the sale of honey are covered by the new regulation.

O. Reg. 119/11 applies to honey produced in Ontario that is packed or repacked in an establishment that is not a federally registered establishment within the meaning of the Honey Regulations under the *Canada Agricultural Products Act*. It also applies to honey produced outside Ontario that is packed or repacked in an Ontario non-federally registered establishment. Any person who packs, transports or sells honey prepared in a non-federally registered establishment in Ontario must ensure the honey complies with the grading, packing and labelling requirements of O. Reg. 119/11.

HONEY CONTAINER REQUIREMENTS

Under O. Reg. 119/11, permitted honey container sizes include all those allowed in the Honey Regulations under the *Canada Agricultural Products Act*.

For consumers, container sizes include any net weight up to and including 150 grams, 250, 375, 500 and 750 grams and 1, 1.5, 2, 3 and 5 kilograms. These requirements do not apply to comb honey. In addition, O. Reg. 119/11 permits use of consumer honey containers with a net weight of 330 grams. All consumer containers must be new and securely closed.

Honey may be packed in bulk containers of any size greater than 5 kilograms.

Both consumer and bulk containers must be clean and sound.

LABELS

A “label” is any mark, sign, device, imprint or stamp that is applied directly onto a container, affixed or attached to the container by any means. A “container” is any bottle, jar, bag, pail, drum or other receptacle that contains honey product.

Labelling requirements in O. Reg. 119/11 are in addition to requirements under the *Consumer Packaging and Labelling Act* (Canada) and the *Food and Drugs Act* (Canada). For example, the Food and Drug Regulations under the *Food and Drugs Act* requires nutritional labelling on consumer containers.

GENERAL LABELLING REQUIREMENTS

Every container of honey with a capacity of more than 150 grams must have a label with the following information:

- the name and full address of
 - ▶ the packer or,
 - ▶ if the honey is packed on behalf of a retailer, producer or other person, the name and full address of the person on whose behalf the honey is packed.

A full address means sufficient information to identify the exact location of the relevant person’s premises, such as a municipal address or property identification number, including a postal code.

- the word “honey” or, where applicable, “comb honey”
- notice that comb honey contains cells of pollen, when that is the case
- place of origin labelling, if required
- except for comb honey, the grade immediately followed by the colour class when the honey is packed in consumer containers or bulk containers being transported or sold directly to a consumer or retail outlet
- The net weight of the honey, except when honey is sold from a bulk dispenser at retail premises and poured into packages at the time of purchase

Honey containers with a capacity of 150 grams or less must have a label with the following information:

- the name and full address of the packer or, if the honey is packed on behalf of a retailer, producer, or other person, the name and full address of the person for whom the honey was packed

- the word “honey” or, where applicable, “comb honey”
- notice that comb honey contains cells of pollen, when that is the case
- place of origin labelling, if required

Containers of honey may indicate the honey is from a specified floral source only if the composition of the honey meets the requirements or specifications in the *Canada Agricultural Products Act*, Honey Regulations.

Container labels may have a statement indicating the honey is pasteurized, creamed or liquid only if the honey meets the grade requirements for pasteurized honey, creamed honey or liquid honey described in Table 2 of the O. Reg. 119/11.

If labels on previously used bulk honey containers do not meet O. Reg. 119/11 requirements then:

- the labels must be completely removed and new compliant labels applied, or
- information on previous labels must be completely obliterated and replaced with required information.

Label requirements do not apply to containers filled by the consumer from a bulk dispenser.

PLACE OF ORIGIN LABELLING REQUIREMENTS

When honey is produced outside Ontario and transported into Ontario in bulk for repackaging and sale within Ontario, in addition to the information required above, the label on a consumer or bulk container containing such honey must include information relating to the honey’s place of origin.

If the honey is not blended with honey produced in Ontario, the words “Product of” followed by the name of the country or province in which it was produced is required on the label. For example, “Product of Quebec” or “Product of Canada”.

If the honey is produced in a country outside Canada and blended with honey produced in Ontario, the words “Product of Canada and” or “Product of Ontario and” followed by the name of the other country must appear. For example, “Product of Canada and U.S.” or “Product of Ontario and U.S.”

If the honey is produced in Canada but outside Ontario and is blended with honey produced in Ontario, the words “Product of Ontario and” followed by the name of the other province or “Product of Canada” must be used. For example, “Product of Ontario and Quebec” or “Product of Canada”.

MISREPRESENTATION

False or misleading information on any label or container of honey or in any advertisement for a honey product is prohibited by O. Reg. 119/11. This includes,

but is not limited to, misrepresenting:

- the name and address of:
 - ▶ the packer, or
 - ▶ if the packer packs the honey on behalf of a retailer, producer or other person, the person on whose behalf it is packed
- the province or country where the honey was produced
- the amount of honey contained in the container
- the grade or colour class of the honey.

A person who packs, sells or advertises honey substitutes **shall not**:

- use words, pictures or designs on any label, container or advertisement that are likely to lead a person to mistake the substitute for honey;
- use a container of a particular shape if that shape is likely to lead a person to mistake the substitute for pure honey; or
- use the word “honey” on any container of substitute that does not contain any honey

LABELLING RESOURCES

Provincial (Ontario)

Ontario Regulation 119/11 under the *Food Safety and Quality Act*

http://www.e-laws.gov.on.ca/html/regs/english/elaws_regs_110119_e.htm

Federal (Canada)

Guidelines to Food Labelling and Advertising

<http://www.inspection.gc.ca/english/fssa/labeti/guide/toce.shtml>

Honey Regulations under the *Canada Agricultural Products Act*

http://laws-lois.justice.gc.ca/eng/regulations/C.R.C.%2C_c._287/index.html

Consumer Packaging and Labelling Act and Regulations

<http://laws-lois.justice.gc.ca/eng/acts/C-38/>

Food and Drugs Act and Regulations

<http://laws-lois.justice.gc.ca/eng/acts/F-27/>

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