



United States
Department of
Agriculture

August 8, 2007

Food and
Nutrition
Service

3101 Park
Center Drive
Alexandria, VA
22302-1500

Dear Child Nutrition Product Manufacturer:

This letter is to inform you of several critical changes and reminders related to the Department of Agriculture's (USDA), Food and Nutrition Service (FNS) Child Nutrition (CN) Labeling Program. These changes are necessary to prevent unauthorized production and distribution of CN labeled product and to caution against the use of CN identification numbers without final approval from FNS.

Please read this entire letter carefully. The following applies to all CN labeled meat, poultry, non-meat, seafood, and juice/juice drink products.

- I.** All CN labels approved **before** September 1, 2007, as "FNS Approved in Final" will expire on September 1, 2012. If a manufacturer wishes to maintain final approval status with the same identification number, the label must be resubmitted to FNS and receive approval prior to the expiration date. Labels approved in final after September 1, 2007, will be granted a five year approval. This does not apply to the Department of Commerce's (USDC) National Marine Fisheries products as they are already on a five year expiration schedule. All CN labels cannot be used after they have expired.
- II.** Effective September 1, 2007, all CN numbers older than six months for which FNS has not received an application for review will expire. Once a CN number is expired/rescinded, the CN number may not be used in the CN Labeling Program.
- III.** Reminder: All manufacturers must have a Quality Control (QC) program meeting FNS requirements prior to production of CN labeled product. See the FNS website for QC requirements for your type of product and for your type of inspection. The production of a CN labeled product without an acceptable QC program will result in the rescission of the affected CN number(s). If CN labeled product is produced and shipped and is later determined to have not met FNS CN label requirements, the CN number will be rescinded. FNS regional offices will be notified of the specific CN labeled product that is not warranted by USDA and the regional offices will be instructed to forward the information to the State agencies to share with their school food authorities.
- IV.** Reminder: CN label applications must provide the address of the establishment that is actually producing the CN labeled product. If a corporate address is printed in block 10 of the transmittal form please clearly indicate in block 8 or 9 the physical address of the production plant. This address must correspond to the USDA establishment number printed in block 4. If a manufacturer's name or address changes, the manufacturer is responsible to inform FNS of the change and provide documentation to support the change so that FNS can update the manufacturer file appropriately.

- V. Reminder: Manufacturers are responsible for submitting label applications that are complete and meet FNS requirements. See the FNS website at: <http://www.fns.usda.gov/cnd/CNlabeling/default.htm> for *Points To Remember* to help you properly prepare your label application. Proper preparation will improve your chances of getting final label approval in a timely manner.
- VI. Beginning September 1, 2007, FNS will use new approval stamps for evaluating label applications for CN labeled products. FNS has changed the wording of the approval stamps¹ in order to provide CN product manufacturers a better understanding of the requirements for participating in the CN Labeling Program.

The information provided below shows the new stamp wording in actual size and color and provides further explanation regarding each stamp:

FNS REJECTED – (date of rejection)
CN label NOT authorized. Application must
be resubmitted to FNS within 6 months or CN
number will EXPIRE on:
(expiration date)

- This stamp will be marked using red ink.
- This stamp is meant to inform the manufacturer that the CN label **cannot** be used as submitted. Manufacturers do not have authority to produce the CN labeled product or to use the CN label or product in any way including for display, sale, or for securing bids without final approval from FNS.
- If the manufacturer does not resubmit the label application within six months of the rejection date, the assigned CN number appearing on the label that was rejected will be expired/rescinded.
- Once a CN number is expired/rescinded, the CN number may not be used in the CN Labeling Program.

FNS DRAFT – (date of draft)
Production of CN labeled product NOT authorized.
Resubmitted application must contain all modifications.
Must obtain final FNS approval within 6 months or CN
number will EXPIRE on:
(expiration date)

- This stamp will be marked using red ink.
- This stamp is meant to inform the manufacturer that before the CN label may be printed, all of the edits noted must be made.
- School food manufacturers do not have authority to produce the CN labeled product or to use the CN label or product in any way including for display, sale, or for securing bids without final approval from FNS.

¹ The NOAA form used for Seafood products and non-meat products inspected under USDC inspection has not changed. However, the meaning corresponding to the type of approval will carry the same understanding as presented in this letter.

- The temporary approval will be expired on the specific date indicated – generally within three to six months.
- The label approval may only be used to produce the CN labeled product for the establishment noted in box 10 of the transmittal form – generic plant transfers of a temporary approval are not allowed for CN labeled products.
- Prior to production, the manufacturer must have a quality control program which meets FNS requirements. An acceptable quality control program must be followed and records must be kept for all CN labeled product produced.
- Temporary approvals may be resubmitted to FNS for one extension.
- Temporary approvals may not be granted to CN labeled product that has been produced incorrectly. For example, if a manufacturer has final approval for a label and during production an incorrect ingredient was used, the product must be diverted as non-CN labeled product since FNS will not grant temporary approval to use the CN label.
- If the label is not resubmitted for final FNS approval prior to the expiration of the temporary, the CN number will be expired/rescinded.
- Once a CN number is expired/rescinded the CN number may not be used in the CN Labeling Program.

Manufacturers are not authorized under any circumstances to place the CN logo on fact sheets or any other product information. Manufactures are only authorized to use the CN label or CN logo on actual product produced under CN Labeling Program QC requirements.

Please be aware that the approval procedure for the USDA's Food Safety and Inspection Service has not changed. The CN materials referenced in this letter can be accessed online at the following link: <http://www.fns.usda.gov/cnd/CNlabeling/default.htm>.

Please contact a member of the CN labeling staff at 703-305-2609, if you do not have access to the online guidance material or if you would like to ask questions about the information outlined in this letter.

Sincerely,

Original Signed

STANLEY C. GARNETT
Director
Child Nutrition Division