

Mountain Empire Beekeepers Association

Minutes

June 28, 2018

The meeting was called to order at 6:30 p.m. by Anthony Ellis in room 122, Smyth Hall Wytheville Community College. 28 members and 2 guests were present.

**Minutes and Treasurer's Report:** Motion to approve minutes—Mickey Cunningham, seconded by Cathy Hounshell. Minutes approved. Mickey Cunningham presented the treasurers report. The report was filed for audit.

**Speaker:** Sandy Stoneman, REHS, CP-FS Area Food Safety Extension Agent

276-223-6040 Office

2110 N 4th St

276-613-3334 cell

Wytheville, VA 24382

[sandiest@vt.edu](mailto:sandiest@vt.edu)

**Hours:** 8:00 a.m. to 5:00 p.m. Monday – Friday

<https://wythe.ext.vt.edu/staff/stoneman-sandy.html>

**Presentation: Honey Labeling**

- Sandy covers 6 counties in Virginia – Wythe, Smith, Grayson, Bland, Carroll and Washington.
- Net Contents should be located on the lower 30% of the label
- If you sell less than 250 gallons, you don't have to be inspected.
- The word "Honey" should be the largest print on the label, in bold.
- Floral source can be part of the label if you have proof of the source. (Tested in a lab.)
- Texas A & M lab can test your honey for floral source for about \$60.00 to \$70.00.
- If it is pure honey, there is no need to list ingredients.
- The complete hand-outs are attached for Honey Labeling by Sandy Stoneman, Virginia's New Home Kitchen Food Processing Exemptions- Honey Processing, and Required Food Labeling Information from Virginia Cooperative Extension.

**Old Business:**

- Mickey Cunningham shared his modified nuc top board with members.
- Cathy Hounshell shared a plastic top feeder from Brushy Mountain, one for 8 frame and one for a 10 frame.

**New Business:**

- A request was made to see what everyone would like to have raffled in the future. A committee will be formed. Cathy Hounshell will send out a survey to members.
- Cathy Hounshell contacted the honey board and received recipe booklets and stickers for kids to be given out at the Wytheville Farmers Market Pollinator Week to be held Saturday June 30 8:00-12:00. Mickey and Tina Cunningham will help with this as well.
- VDACS is sponsoring a Beehive Distribution Program. A beekeeper needs to submit a form to the State Apiarist and if approved, they will receive funding for woodwork for three hives. Here is a link: <http://www.vdacs.virginia.gov/plant-industry-services-beehive-distribution-program.shtml> This program is a first come, first serve program.

**Hive Report: What Should You Be Doing with Your Hives?**

Check for Mites & treat when necessary

Replace bad queens

Check your batteries for your electric fence

Look out for Small Hive Beetles –SHB

**Raffle Winners:**

Ronnie Osbourne – Queen excluder

Jeff Wyatt – Wax foundation

Willie Richardson – necklace and mouse guards

Kirk Burkett – Queen excluder

Herman Hearn – Unassembled medium

Theresa Hearn – Facial masks Joe Turpin – Staples

**Adjourned** at 8:35 p.m.

Respectfully submitted,

Connie Armentrout, MEBA Secretary



# Honey Labeling

By Sandy Stoneman, Area Food Safety Extension Agent

## FDA's "Proper Labeling of Honey and Honey Products"

- February, 2018: The FDA released its latest guidance for industry
  - These are non-binding recommendations and therefore not the law
- **What is honey?** Reference materials in the public domain define honey as "a thick, sweet, syrupy substance that bees make as food from the nectar of plants or secretions of living parts of plants and store in honeycombs." FDA has concluded that this definition accurately reflects the common usage of the term "honey."
- If a food contains only honey, the food must be named "**honey**" and because it is a single-ingredient food, you do not need to include an ingredient statement on the label.



## FDA's "Proper Labeling of Honey and Honey Products"

- A floral source such as sourwood, clover, etc., may be part of the name provided the product contains a significant amount of pollen from that flower and there is information that supports this conclusion.
- The name, address and zip code of the manufacturer, packer or distributor must also appear on the label.
- A declaration of net contents must appear in the lower thirty percent of the label panel expressed in US Customary System and Metric such as "Net wt. 1 lb 8 oz (680 g)".

## Virginia's Home Kitchen Food Processing Exemptions

- In 2013, an amendment to § 3.2-5130 of the Code of Virginia went into effect that expanded the types of prepared foods individuals can make and sell from their homes or at farmers markets without VDACS inspection.
- Those who process & prepare pure honey in their private residence from hives they own, who **sell** less than 250 gallons of honey a year, & who do not process or sell other food products (except those also exempted in the amendment) **are exempt from inspection.**
- Infused honey products are not exempted. These are considered to be a value-added honey product, not pure honey.
- Those who sell value-added honey products or sell more than 250 gallons of pure honey a year will be required to prepare and process the honey in an inspected facility, such as an approved VDACS Home Food Processing Operation or a VDACS Commercial Kitchen Food Processing Operation.



## Virginia's Food Labeling Requirements

- The product name, "**Honey**" must be displayed prominently on the front of the jar. It must be in bold and be the largest type on the label. You can declare the floral source of the honey if you have information to support the claim.
- Net weight of the contents must be displayed on the front panel in both US and metric weight. Ex: Net Wt. 16 oz. (454 g)
- If it is pure honey, then there is no need to list ingredients. If it is not pure honey, such as it has added sweetener or it is an infused honey product, an ingredient list is required with ingredients listed in descending order based on weight.

## Virginia's Food Labeling Requirements

- Contact information - The label must let consumers know who put the product on the market and how to contact that person or business. Contact information should at minimum include full name or business name and complete address. A P.O. Box is not acceptable and an email address can not replace a physical address.
- For those who prepare and process honey under the VA Home Food Kitchen Processing Exemptions, Virginia law requires additional labeling language:

**"PROCESSED AND PREPARED WITHOUT STATE INSPECTION. WARNING: Do Not Feed Honey to Infants Under One Year Old."**



## Final Comments

- There are no restrictions regarding where the honey can be sold or who it can be sold to.
- For those who prepare and process honey under the VA Home Food Kitchen Processing Exemptions, there is no annual certification requirement and no annual fee.

Sandy Stoneman, REHS, CP-FS  
Area Food Safety Extension Agent  
276-223-6040 office  
276-613-3334 cell  
sandyst@vt.edu



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## Virginia's New Home Kitchen Food Processing Exemptions

Food establishments, including private homes, that manufacture, process, pack or hold food for introduction into commerce (sale) are subject to the Virginia Food Laws as well as all applicable regulations. These laws and regulations are administered by the Virginia Department of Agriculture and Consumer Services (VDACS) and enforcement of these requirements includes regular periodic inspections of food establishments (including private homes). Additionally, establishments that are subject to periodic inspections are required to pay the agency an annual fee of \$40.00.

On July 1, 2013 an amendment to § 3.2-5130 of the Code of Virginia went into effect that expanded the types of prepared foods individuals can make and sell from their homes or at farmers markets without VDACS inspection including certain low risk foods and acidified vegetables. This fact sheet addresses some frequently asked questions and requirements relating to the new legislation. Information regarding the production of honey in the home is also included. Please consult the Code of Virginia for specific requirements and if you have any questions contact the VDACS Food Safety and Security Program by phone at 804-786-3520 or via email at [foodsafety@vdacs.virginia.gov](mailto:foodsafety@vdacs.virginia.gov).

### I. Home-Canned Foods (§ 3.2-5130, item A.4)

#### What types of home-canned products are allowed under this exemption?

- Pickles and other acidified vegetables processed in a private home so that an equilibrium pH of 4.6 or lower is achieved.
- Acidified vegetable products include pickled products, salsa, chow-chow, relishes and similar vegetables that are processed in a private home to achieve an equilibrium pH of 4.6 or lower.

#### What types of home-canned products are not allowed under this exemption?

- Canned fermented foods
- Canned foods that require refrigeration for safety
- Canned Acid foods
- Canned fruits
- Low-acid canned vegetables that are processed with an equilibrium pH of greater than 4.6
- Any acidified food that is not a vegetable
- Any product not canned in a private home

#### How much home-canned pickled and acidified vegetable product can I sell?

- Producers of acidified foods must not exceed \$3,000 in total annual gross sales for all acidified products produced. Producers should carefully document the amount of product sales incurred on an ongoing basis so that the information will be available for examination by VDACS.

#### What special precautions do I need to take in making home-canned pickles and acidified vegetables under this exemption?

- To reduce the likelihood of foodborne illness, home-canned acidified food must have an equilibrium pH value of 4.6 or lower to inhibit the growth and formation of toxins from the bacteria that cause botulism. In order to ensure that your product achieves the proper pH, an electronic pH meter should be purchased so that you can test the product to make certain that it is at a pH of 4.6 or lower.
- The home food processor is responsible for determining whether the product is an acidified food. We strongly advise that you have your manufacturing process reviewed and validated by a competent process authority. Home processors are strongly encouraged to complete a recognized Better Process Control School course. Information regarding times and locations for these courses can be obtained from Virginia Tech's Food Science Department (see helpful links below).

#### What are the labeling requirements for home-canned pickles and acidified vegetables?

- Product containers should have a label displaying the name, physical address, and telephone number of the person preparing the food product and the date the food product was processed.
- The statement "NOT FOR RESALE – PROCESSED AND PREPARED WITHOUT STATE INSPECTION" must be placed on the principal display panel.
- In addition, this exemption does not preclude the need for standard labeling information on the product label (name of product, name and address of the manufacturer, distributor, or packer, net weight statement, an ingredient statement and nutritional information if applicable).

#### Where can I sell these products?

- Farmers markets
- From the private home where the product is manufactured

#### **Who can I sell them to?**

- To an individual for his/her own consumption

#### **Where can't I sell these products?**

- To other businesses (including retail establishments such as grocery stores or supermarkets)
- For resale
- On the internet
- Across state lines (interstate commerce)

#### **Am I required to pay the annual \$40.00 fee to the agency?**

- No. Although you are still required to comply with all applicable laws and regulations, since you are exempt from the agency's periodic inspections, you will no longer be required to pay the annual fee. If you receive a bill from VDACS requesting that you pay the annual fee, please contact our agency at 804-786-3520 or [foodsafety@vdacs.virginia.gov](mailto:foodsafety@vdacs.virginia.gov) so that the matter can be resolved.

### **Additional Information Regarding pH**

#### **What is pH?**

pH is a measurement of acidity or alkalinity using a numerical scale between 1 and 14. A pH value of 1 is most acidic, a pH value of 7 is neutral and values above 7 are referred to as basic or alkaline.

#### **How is pH measured?**

- Electronic pH meters are very accurate and pocket sized units are available for around \$100.
- Paper strips are NOT accurate enough to measure acidity of home-canned and home-processed foods.

#### **What is equilibrium pH?**

- The pH of a food product after the food acid (e.g. vinegar) is distributed equally throughout the product.
- For example, the initial pH of the pickled cucumber that has been recently canned, will not be the same a few weeks later. It takes time for the vinegar (which is acid) to penetrate and distribute into the cucumbers. Therefore, testing the pH of only the brine (liquid) portion of a recently canned and processed product is not accurate.

#### **How do you determine a product's equilibrium pH?**

- For foods canned and processed less than 2 months: Food sample need to be finely ground in a blender prior to pH testing.
- For foods with a process date greater than 2 months: pH may be taken of the brine only since all contents of the canned product should be in equilibrium.

#### **Who can test for pH?**

- The person that processed the food as long as they are capable of performing an accurate pH test.
- When testing, follow the same recipe and procedures for each batch of food to be tested.
- A separate pH test is required for each different product offered for sale under this exemption
- Private laboratories
- Universities

#### **Examples of pH for different foods**

- Dill pickles (pH 2.6-3.8)
- Tomatoes (pH 3.7-4.9)
- Distilled water (pH 7)
- Garlic (pH 5.3-6.3)



## II. Low Risk Foods (§ 3.2-5130, item A.3)

### What types of home-processed low risk food products are allowed under this exemption?

- The original exemption included candies, jams and jellies not considered to be low-acid or acidified low-acid products and baked goods that do not require time or temperature control for safety and are produced in a private home.
- The expanded exemption includes the following additional products produced in a private home: dried fruits, dry herbs, dry seasonings, dry mixtures, coated and uncoated nuts, vinegars and flavored vinegars, popcorn, popcorn balls, cotton candy, dried pasta, dry baking mixes, roasted coffee, dried tea, cereals, trail mixes and granola.

### What are the labeling requirements for food products in the low risk foods category?

- Product containers should have a label displaying the name, physical address, and telephone number of the person preparing the food product and the date the food product was processed.
- The statement "NOT FOR RESALE – PROCESSED AND PREPARED WITHOUT STATE INSPECTION" must be placed on the principal display panel.
- In addition, this exemption does not preclude the need for standard labeling information on the product label (name of product, name and address of the manufacturer, distributor, or packer, net weight statement, an ingredient statement and possibly nutritional information).

### Where can I sell these products and who can I sell them to?

- Farmers markets
- From the private home where the product is manufactured
- To an individual for his/her own consumption

### Where can't I sell these products?

- To other businesses (including retail establishments such as grocery stores)
- For resale
- On the internet
- Across state lines (interstate commerce)

### Am I required to pay the annual \$40.00 fee to the agency?

- No. Although you are still required to comply with all applicable laws and regulations, since you are exempt from the agency's periodic inspections, you will no longer be required to pay the annual fee. If you receive a bill from VDACS requesting that you pay the annual fee, please contact our agency at 804-786-3520 or [foodsafety@vdacs.virginia.gov](mailto:foodsafety@vdacs.virginia.gov) so that the matter can be resolved.

## III. Honey Processing (§ 3.2-5130, item A.5)

### What is the criteria for the exemption?

- Private homes where the resident processes and prepares pure honey produced by his own hives
- The resident sells less than 250 gallons of honey annually.
- The resident does not process and sell other food products in addition to the honey, except as allowed above (ie: low risk foods and acidified foods).

### What types of home-processed honey products are NOT allowed?

- Infused honey products would not fall under the exemption as it is considered to be value-added honey product, not pure honey.



#### **What are the labeling requirements for home-processed honey?**

- The product is labeled "PROCESSED AND PREPARED WITHOUT STATE INSPECTION. WARNING: Do Not Feed Honey to Infants Under One Year Old."
- In addition, this exemption does not preclude the need for standard labeling information on the product label (name of product, name and address of the manufacturer, distributor, or packer, net weight statement, an ingredient statement and possibly nutritional information).

#### **Where can I sell these products and who can I sell them to?**

- Currently there are not restrictions regarding where the products can be sold and who they may be sold to.

#### **Is there still a requirement to provide an annual certification to the Department regarding compliance with the requirements of § 3.2-5130, item A.5?**

- No. There is no longer a requirement to provide an annual certification.

#### **Am I required to pay the annual \$40.00 fee to the agency?**

- No. Although you are still required to comply with all applicable laws and regulations, since you are exempt from the agency's periodic inspections, you will no longer be required to pay the annual fee. If you receive a bill from VDACS requesting that you pay the annual fee, please contact our agency at 804-786-3520 or [foodsafety@vdacs.virginia.gov](mailto:foodsafety@vdacs.virginia.gov) so that the matter can be resolved.

### **Helpful Links**

Assistance with acidified vegetable processing from Virginia Tech:

- <http://www.fcs.ext.vt.edu/fnh/food-innovations/sample/index.html>

Virginia Tech link for information regarding Better Process School:

- <http://www.fcs.ext.vt.edu/fnh/food-innovations/business/index.html>

Home Canning information:

- <http://extension.usu.edu/htm/publications/by=category/category=319>
- USDA Complete Guide to Home Canning ([PDF: 275 KB / 23 pages](#))

**If you have questions or concerns please contact the VDACS Food Safety and Security Program at:**

Phone: 804-786-3520

Email: [FoodSafety@vdacs.virginia.gov](mailto:FoodSafety@vdacs.virginia.gov)



## Required Food Labeling Information

All foods for sale in packages are required to have a food label. Food labeling regulations have been established by the FDA and the Commonwealth of Virginia abides by these labeling regulations. Complete food labeling information can be found in the Code of Federal Regulations Title 21 Part 101 – Food Labeling. Additional guidance can be found on the FDA website entitled “Guidance for Industry: A Food Labeling Guide” found here:

<http://www.fda.gov/Food/GuidanceComplianceRegulatoryInformation/GuidanceDocuments/FoodLabelingNutrition/FoodLabelingGuide/default.htm>.

In general, all food labels must contain the following information:

- ✓ Product name
- ✓ Net weight
- ✓ Ingredient statement
- ✓ Name and address of the food business
- ✓ Nutrition facts information
- ✓ Allergen declaration

**Product name.** The common name of the product must be on the principle display panel (front) of the package. It must an accurate description of the product, and it must follow the standards of identity guidelines, if applicable. The product name must be in **bold**, and must be the **largest type** on the panel.

**Net weight of the contents.** The net weight must also be on the front panel of the package, and must be declared in both US and metric units (ex: ounces and grams). For further information, call the Virginia Department of Weights and Measures 804-786-2476.

**Ingredient statement.** The label must contain a list of all ingredients in the food product, in descending order of prominence based on weight. The most abundant ingredient is listed first, and each ingredient that follows should be of a lesser weight quantity than the ingredient before, with the least prominent ingredient listed last. If an ingredient is listed that has sub-ingredients, the list of sub-ingredients must be listed in parenthesis in the ingredient list. For example, if your product contains ketchup, the ingredient list would contain “ketchup (tomato concentrate, vinegar, corn syrup, sugar, salt, spices)”. Ingredients must be listed by their common or usual name, for example: “sugar” rather than “sucrose”.



**Name and address of the food business.** The name and place of business of the manufacturer, packer, or distributor must be listed. A PO box is not an acceptable address. An email address can not replace a physical address.

**Nutrition Facts labeling information.** A nutrition facts label is required for all food products, but there are some exemptions for small food businesses (see below). All food products that make a nutrition or health claim (ie. "high in vitamin C" or "low-fat") must include a nutrition facts panel on their label.

**Allergen declaration.** The name of the food source for each major food allergen contained in the food product must be clearly labeled. Allergens that are mandatory to list are: Milk, Eggs, Fish, Crustacean Shellfish, Tree nuts, Peanuts, Soy, and Wheat. In addition, tree nuts, fish, and shellfish require specific declarations. For tree nuts, the specific type of nut must be declared (e.g., almonds, pecans, or walnuts). For fish and Crustacean shellfish, the species must be declared (Fish example: bass, flounder, cod; Crustacean shellfish example: crab, lobster, shrimp).

### **Nutrition facts labeling *EXEMPTIONS* for small food businesses.**

Small businesses may be eligible for exemption from nutrition facts labeling. There are two categories in which the exemption may fall; a) A notice is **NOT required** to be filed with the FDA for the exemption to apply and b) A notice **is required** to be filed with the FDA for the exemption to apply.

In order to qualify for the exemption and **NOT** have to file with the FDA, the company must be a retailer that has annual gross sales of not more than \$500,000, or with annual gross sales of food or dietary supplements to consumers of not more than \$50,000 or have less than 10 employees and sells less than 10,000 units annually.

In order to qualify for the exemption and be **REQUIRED** to file with the FDA, the company must employ fewer than an average of 100 full-time equivalent employees and produce fewer than 100,000 units of product that is sold in the United States over a 12-month period. All importers must file.

Companies that must file their exemption claims must do so annually. Companies that are not required to file the exemption with FDA are still encouraged to file their exemption voluntarily in order to establish a record that they are claiming an exemption.