

Labeling Issues for “Alternative” Curing

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“Alternative” Curing

- Disclaimer
- Labeling and Language – how the Code of Federal Regulations (CFR) defines the labeling discussion
- Some exceptions
- Special considerations for Organic products
- Being Truthful and Not Misleading
- What might be next in labeling regulation?



Disclaimer

- Based on Organic Prairie's experience in applying for scores of label approvals
- Over several years of shifting regulations
- My experience with label approval may differ from yours
- Alternative Curing is my term, and not an accepted term



CFR Definitions

- Cured
- “Naturally cured”
- Uncured



Cured

- CFR 318.7 Class of Substance chart identifies only sodium and potassium nitrates and sodium and potassium nitrites as curing agents
- CFR 317.17 and CFR 319.2 refer to products to which nitrate and nitrite are “permitted or required to be added”
- Corned beef, frankfurters, bacon, hotdogs are offered as examples of typically cured products



“Naturally” Cured

- There is no explicit definition in CFR or Policy
- “Naturally” Cured is not allowed (nor is “Alternatively” Cured)
- Products using a brine concentration of 10% salt or more do not require the “uncured” language



“Uncured”

- CFR 317.17 is explicit
- If a product that is typically cured is made without sodium/potassium nitrate/nitrite, it must be labeled “uncured”
- Consumer protection aspect – preservative and anti-botulism aspects of typical cure are considered not to be present in “uncured” product



“Uncured” Label Requirements

- **UNCURED** must precede the common name of the product
- **UNCURED** must be part of the name – same size and same style of lettering



“Uncured” Label Requirements

- No nitrate or nitrite added (CFR 317.17)...
- ...except for the naturally occurring nitrates in [celery juice and sea salt] – additional recent requirement, as FSIS recognized the role of the new curing methods and agents
- This statement must be adjacent to and at least half the size of the product name



“Uncured” Label Requirements

- Not Preserved – Keep Refrigerated Below 40°F At All Times
- This statement must be adjacent to and at least half the size of the product name
- If thermally processed to F.3 or more, pH is ≤ 4.6 , or water activity is $\leq .92$, temperature statement is not required



Ingredient Statement

(disclaimer – based on my experience)

- Vegetable juice powders may be called powder, juice, or juice powder
- Vegetable juice powder may be called “natural flavor”
- If using a pre-converted vegetable powder, lactic acid starter culture may be left off ingredient list, since it has been used up in the conversion on nitrate to nitrite



Some Exceptions

- Temp statement – it is allowable to say “Keep Refrigerated or Frozen”
- Ham is a broader term, thus all the “uncured” language is not required for alternatively cured ham products
- Ingredients: “Ham cured with water, sea salt, honey, celery juice, spices...”



Special Considerations for Organic

- Non-organic certified celery juice was successfully petitioned for inclusion on the National List of Allowed Materials in organic processing
- Based on “commercial non-availability” of consistent quantity and quality, with a 3 year sunset
- Each certified organic producer using non-certified organic celery powder must prove they are seeking a certified source.
- When a supplier emerges with a consistent supply of a certified organic veg powder as a source of nitrates, **the celery powder allowance will end.**



Truthful and Not Misleading

We are “curing,” just using alternate methods which require further study:

- Is there **adequate consistency** in the curing agents?
- What are the **levels of residual nitrite and nitrate** in the products?
- How do alternatively cured products compare with conventional in terms of **shelf life and protection from botulism**?



Evolving policy....

- Current labeling policy is inadequate
- Consumers want to know the comparisons with conventionally cured products
- Producers are restricted in being fully transparent about their alternatively cured products - which are cured, do contain nitrates and nitrites, and are preserved
- Evolving policy needs to take these needs into account