

# COMMON QUESTIONS ABOUT HONEY PRODUCTION AND SALES IN OHIO

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Q. If I sell honey directly from my house, does the container need a label?

A. Regardless of whether or not the honey is sold from home, a market or elsewhere, any food product must have a label. Even if the food is given or traded, it still has to have a label.

The address on the label should have the business address where the “corporate office does paperwork,” which is where ever the bills are received. If the company advertises in the local phone book, the address in the phone book can be used, or a P.O. Box affiliated with the business.

See the Ohio Revised Code (law) below:

*3715.023 Labels for cottage food production operation, processor, or beekeeper.*

*(A) A cottage food production operation and a maple syrup or sorghum processor and beekeeper described in division (A) of section [3715.021](#) of the Revised Code shall label each of their food products and include the following information on the label of each of their food products:*

- (1) The name and address of the business of the cottage food production operation, processor, or beekeeper;*
- (2) The name of the food product;*
- (3) The ingredients of the food product, in descending order of predominance by weight;*
- (4) The net weight and volume of the food product;*
- (5) In the case of a cottage food production operation, the following statement in ten-point type: “This product is home produced.”*

*(B) Food products identified and labeled in accordance with division (A) of this section are acceptable food products that a retail food establishment or food service operation licensed under Chapter 3717 of the Revised Code may offer for sale or use in preparing and serving food.*

Q. Can jars for honey be reused?

A. Yes. Washed and sanitized. If the kitchen or honey room was inspected, proof would be needed that the jars were sanitary and kept in a sanitary condition.

Q. Do I need to wash new jars or containers?

A. Some jars are labeled that they were produced and maintained/stored under sanitary conditions. If the jars are loosely wrapped or the source of the jars is questionable, it is worth washing and sanitizing. Mold, hairs or other items must not be in the honey. Honey can be examined and if the amount of inert items is higher than the maximal allowed, the honey processor would be fined.

Q. My health department says that if the club wants to give out honey samples at a honey harvest or county fair we need a food handler's license.

A. The local health department can interpret the rules for the situation. Check with the local Health Department first.

Q. Does the label need to be glued to the container or can I use a hang-tag?

A. The label should be "secured", however if the jars are an unusual shape and sold for a special occasion and the label cannot be affixed, it can be attached as a card.

Q. What exactly needs to go on the label, weight in ounces or grams?

A. If sold ON SITE, the label must declare the net weight in the U.S. Customary System, but does not have to have the weight in metric. If sold OFF SITE it must have both.

Q. Is honey a cottage industry?

A. No. Honey is *not* considered to be a cottage industry. Honey is considered a different entity, as is maple syrup and sorghum.

Beekeepers are exempt from these regulations UNLESS less than 75% of the honey processed is from their own hives (eg. Sue Bee).

Beekeepers who spin and sell their own honey should not need a license. A small honey processor is a food processor, but is exempt from registration and inspection by the Division of Food Safety. Processors who do not comply with the small honey processor regulations are subject to registration and inspection by the Division of Food Safety, as a food processing establishment.

If a complaint is made, the honey kitchen may be inspected by Food Safety Officials. An Apiary Inspector CAN inspect the processing plant if they suspect a problem.

See the Ohio Revised Code (law) below:

*3715.021 Standards and good manufacturing practices for food processing establishments.*

*A beekeeper who jars honey when a minimum of seventy-five per cent of the honey is from that beekeeper's own hives is not considered a "food processing establishment."*

This document is intended to offer guidance to the honey producer. Specific questions should be addressed to the Ohio Department of Agriculture: call ODA: Division of Food Safety at **(614) 728-6250**.

Internet Resources:

Ohio Department of Agriculture:

<http://www.agri.ohio.gov/>

Ohio Department of Agriculture – Division of Food Safety:

<http://www.agri.ohio.gov/divs/FoodSafety/foodsafety.aspx>

Ohio Apiary Registration Regulations:

<http://codes.ohio.gov/oac/901%3A5-55>

Ohio Apiary Law:

<http://codes.ohio.gov/orc/909>

# EXAMPLE LABEL OF BASIC LABELING COMPONENTS

Labels must comply with all applicable state and federal regulations. Labeling regulations for a honey processor are the same as those applied to other food processors. All information on the label must be truthful and not misleading. The label example below is just one way to present the required information.

**Ingredient List** – Most food products are required to have an Ingredient List declaring all ingredients by common or usual name in descending order of predominance by weight. Honey is a single ingredient food; an Ingredient List is not required.

Ref: CFR 21, Part 101.4

**Statement of Responsibility**

– Shall include the:

Business Name  
Street Address  
City, State, Zip Code

All information in the *Statement of Responsibility* shall be continuous. If the business name is listed in the local telephone directory, the street address may be omitted. If the business name is listed in the local telephone directory, a Post Office Box may be used in place of the street address.

Telephone numbers, web-site addresses, and e-mail addresses are permitted, but not required.

Ref: CFR 21, Part 101.5

The principal display panel (PDP) is that portion of the package label that is most likely to be seen by the consumer at the time of purchase. The Product Identity and the Net Quantity of Contents must appear in the PDP.

CFR – Code of Federal Regulations

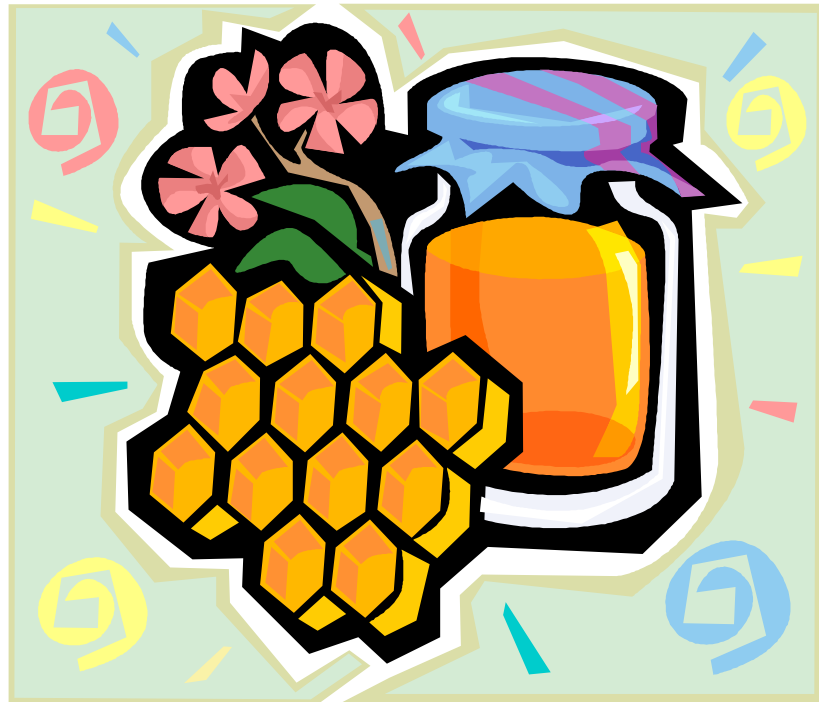
ORC – Ohio Revised Code

FLPA – Fair Labeling Packaging Act

**Statement of Identity** – The *Statement of Identity* is the name of the food. The name shall be the common or usual name of the food, and shall accurately identify or describe the basic nature of the food or its characterizing properties or ingredients. Foods that have a Standard of Identity must conform to all requirements of the standard.

Ref: CFR 21, Part 101.3

**HONEY**



OHIO BEE HONEY, 8995 E. MAIN STREET, REYNOLDSBURG, OH 43068

**NET WT 8 OZ (227 g)**

**Net Quantity of Contents** – The term “NET WEIGHT” or the appropriate abbreviation, “NET WT”, shall be used when stating the *Net Quantity of Contents* in terms of weight. When the product is distributed off of the site of production the *Net Quantity of Contents* shall be declared in both the U.S. Customary System and the International System (metric system). The second declaration shall be stated parenthetically.

The quantity of contents shall be placed on the principal display panel. It shall be within the bottom 30 percent of the area of the label panel in lines that are generally parallel to the bottom of the package as it is designed to be displayed.

Ref: CFR 21, Part 101.105

Ref: FLPA, Title 15 – Chapter 39, 1453(a) (2)