Product Code Date Labeling Implementation Guide
The purpose of this document is to provide the implementation guidelines for the Trading Partner Alliance (TPA) aligned voluntary industry standard nomenclature for Product Code Date Labels. Specifically, these guidelines establish use of (1) two dates and (2) one date at a time, supported by (3) consumer education. Those two date label options are:

**BEST If Used By:** to inform consumers that the product can continue to be used or consumed but that there might be some flavor or performance degradation.

**USE By:** to inform consumers to dispose the product.

The Trading Partner Alliance (TPA) is a joint, parity-based retailer-manufacturer collaboration body composed of Board member executives from the Food Marketing Institute (FMI) and the Grocery Manufacturers Association (GMA). Included in this guide are:

- Background and context
- Nomenclature best practices and acceptable options
- Truncation standards.

**Implementation Targets:** TPA encourages brands to help demonstrate our industry commitment to this initiative by implementing this new standard date code language as soon as possible. Where Code Dating language is part of label artwork, this change should be implemented with your next label artwork change but no later than the implementation date for the new Nutrition Facts Panel or other ingredient disclosure requirements.
Introduction and Background Information

Numerous studies have revealed that consumers are confused by the many phrases associated with the dates printed on product packaging, including “best by,” “sell by,” “use by,” and others. Currently there are at least ten commonly used phrases on consumer product packaging. Groups such as the Natural Resources Defense Council, the Harvard Law and Policy Clinic, Johns Hopkins University, the National Consumers’ League, and the Institute of Food Technologists have found that this diverse array of phrases used on packaging is confusing and impedes the intended purpose of informing the consumer what to do with a product on or after the date on the package.

The TPA launched an initiative in January, 2016, to reduce consumer confusion about how to interpret and use product code date labels. A working group of 25 FMI and GMA member companies was appointed to guide the effort. This project team included retailers, wholesalers, manufacturers, food, non-food, fresh (produce, bakery), protein (seafood, beef, chicken, pork), and dairy/deli.

The project team reviewed the diversity of code date label language being suggested by consumer groups, potential federal and state legislation, and Codex, the international labeling standard setting body. All these efforts recommended using just two phrases, but the phrases themselves varied. To identify the best solution for U.S. consumers, the group conducted additional consumer research with the help of two member companies to test two sets of phrases. In this research, consumers indicated an understanding and clear preference for “BEST If Used By” to indicate quality. There was no material difference found in consumer understanding between “Expires On” or “Use By” as a code date indication of material degradation of the product. As “Expires On” is currently in use for regulated products such as baby formula, the working group determined “USE By” the preferable language in the voluntary program. Subsequent consumer research has substantiated the choice.

Acting upon the recommendation of the working group, TPA passed a resolution in January, 2017, urging the food industry to adopt uniform Product Code Date Label phrases on packaging. The prime purpose of this product code date labeling initiative, which will include a consumer education component, is to reduce consumer confusion about how to interpret, understand and use these dates printed on the products they have purchased.

Preliminary Principles and Project Scope

The TPA’s Product Code Date Initiative is a voluntary program.

Products falling under the jurisdiction of federal or state laws regulating date label language should continue to comply with applicable regulations.

Recommendations in this initiative pertain to consumer facing guidance only. Business to business labeling on cases containing products in packages is not addressed and does not fall within the scope of this initiative.

This initiative applies to products bearing a product date code label and is not suggesting that products not currently employing a product date code label should begin doing so.

This initiative refers to the code-dating phrase only. It does not impact selection of the date itself, which is done by internal company experts or, for some products, in compliance with specific state or local regulations.
Standard Product Code Date Label Phrases

The TPA recommended voluntary industry–wide adoption of a standard use of two Product Code Date Label phrases on packaging:

“BEST If Used By” or “BEST If Used or Frozen By” as an indication of product quality, which may be truncated to “BEST By” for small packages and “BEST” or “BB” for very small packages. The “BEST If Used By” quality date is intended to indicate to the consumer that, after a specified date, the product may not taste or perform as expected but can be used or consumed.

“USE By” or “USE or Freeze By” for those limited perishable products, which may be subject to a material degradation of critical performance or potential food safety concern. USE By can be truncated to USE for very small packages. The “USE By” phrase and associated date would be for a small segment of time or temperature-sensitive products that should be consumed by the date on the package and discarded after that date.

Companies would choose one of the two phrases for a particular product.

This recommendation is consistent with the guidance from U.S. Department of Agriculture’s Food Safety and Inspection Service (FSIS), released in December, 2016, calling on manufacturers and retailers to use the phrase “Best If Used By” to reduce consumer confusion and unnecessary food waste.

Language Guidelines

For consistency, the following styles are recommended:

- **For the Quality label:**
  - “BEST If Used By” is the preferred format.
  - Other variations, for example, “BEST if used by,” are acceptable, however, in all cases, all the letters in the word “BEST” should be capitalized. Rationale: In the consumer education campaign, attention will be drawn to the “BEST” in the Quality demarcation and the USE in the Discard demarcation to help differentiate the two.
  - If guidance regarding freezing is to be added, then “BEST If Used or Frozen By” is the preferred format.
  - “BEST if used or frozen by” or “BEST If Used Or Frozen By” are also acceptable.
  - In cases where package size prohibits the use of the entire phrase, the label language may be truncated to “BEST By” or “BEST” or “BB” for very small packages.

- **For the Discard label:**
  - “USE By” is the preferred format.
  - Other variations (ex: “USE by”) are also acceptable, providing the USE is always capitalized.
  - If freezing guidance is being added, “USE or Freeze By” is the preferred format.
  - “USE or freeze by” or “USE or Freeze by” are also acceptable.
  - “USE” is an acceptable truncation for very small packages.

The style of the date accompanying the date label language is left to the discretion of the product manufacturing company.
Label Determination

Each company will discern the date label language (BEST If Used By or USE By) that best applies to each of its product lines. The governing consideration when determining the appropriate date label language to employ is “what consumer behavior are we seeking to guide?” If the information for the consumer is that the product can be used or consumed beyond the date printed on the package, but that the product might not be of optimal quality, then the “BEST If Used By” language is the preferred option. If the message to the consumer is that the product should NOT be consumed or used beyond the printed date and should be discarded, then the preferred alternative is “USE By.”

<table>
<thead>
<tr>
<th>Date Label nomenclature</th>
<th>Desired Consumer behavior regarding date label once date has been reached</th>
<th>Why the distinction?</th>
<th>Examples</th>
</tr>
</thead>
<tbody>
<tr>
<td>BEST If Used By</td>
<td>Be aware product can be used/consumed beyond date, but is not at optimal quality</td>
<td>Product Date conveys information regarding quality, freshness, or indicates possible flavor degradation.</td>
<td>Shelf stable products: such as crackers, canned goods, etc.</td>
</tr>
<tr>
<td>USE By</td>
<td>Discard the product</td>
<td>Product Date indicates this is a limited shelf life product that is time and temperature sensitive, possible food safety implications</td>
<td>Perishables: such as meats, deli items, some dairy, etc.</td>
</tr>
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Not all perishable products must bear the “USE By” label and some companies - because of the customary way consumers use its product- may in some cases choose to employ the “USE By” vocabulary on shelf-stable items. Each company should have a justification for its product code date label selection.

Supplemental Guidance

• In addition to the two standard phrases “BEST If Used By” or “BEST If Used or Frozen By” for product quality and “USE By” or “USE or Freeze By” for material degradation factors, supplemental handling instructions may be included on product packaging, such as “Use within 7 days of opening” language. These additional instructions should not supersede or in any way distract from the primary Product Code Date labels. This additional information furthers the goal of providing U.S. consumers with information and constructive guidance regarding the prudent use of purchased food products.

• In rare instances, additional information for retail employees may be used including “packed on” language to provide store associates with stocking and rotation guidance. This would be for highly perishable food products such as sliced deli meat.

• “Sell By” will be phased-out of use by the consumer product goods and food retail industries.