



NEW YORK STATE
DEPARTMENT OF AGRICULTURE AND MARKETS
DIVISION OF FOOD SAFETY AND INSPECTION
10B AIRLINE DRIVE
ALBANY, NY 12235

CIRCULAR 947

Pursuant to the

**MANUFACTURE, DISTRIBUTION
AND SALE OF
MAPLE SYRUP AND SUGAR**

**Sections 160-u, 203 and 204
Of the Agriculture and Markets Law
Parts 270.1, 276-1 and 276.4 of Title 1
Of the Official Compilation of Codes, Rules and
Regulations of the State of New York Revised as
of August 9, 2013**

ARTICLE 13-D

MANUFACTURE, DISTRIBUTION and SALE OF MAPLE SYRUP AND SUGAR

Section 160-u. Manufacture, distribution and sale of maple syrup and sugar

(a) Definitions: (1) "Maple sap" means the sap or sweet water obtained by tapping the maple tree.

(2) "Maple syrup" means syrup made exclusively by the evaporation of pure maple sap.

(3) "Maple sugar" means sugar made exclusively by the evaporation of pure maple syrup.

(4) "Grade" shall mean the standards for maple syrup or maple sugar promulgated by the commissioner of Agriculture and Markets, as the official grades of maple syrup or maple sugar for the state of New York.

(b) Every consumer package of maple syrup offered or exposed for sale shall be plainly marked as to the grade.

(c) Advertising. Any person who uses roadside signs within the state or who uses publications printed or distributed within the state, to advertise maple syrup and who quotes a price therein, shall specify the grade of the syrup in a plain and conspicuous manner.

(d) The commissioner of Agriculture and Markets shall promulgate, after public hearing, rules and regulations to carry out the provisions of this statute.

ARTICLE 17

ADULTERATION, PACKING AND BRANDING OF FOOD AND FOOD PRODUCTS

Section 203. Manufacture and sale of imitation maple sugar and syrup prohibited

1. No person shall manufacture for sale, keep for sale, or offer or expose for sale, any sugar in imitation or semblance of maple sugar which is not pure maple sugar, nor any syrup in imitation or semblance of maple syrup, which is not pure maple syrup, nor shall any person manufacture, offer or expose for sale any sugar as and for maple sugar which is not pure maple sugar, nor any syrup as and for maple syrup which is not pure maple syrup.

2. For the purpose of this article the term "maple sugar" shall be deemed to mean sugar made from pure maple sap or pure maple syrup, and the term "maple syrup" shall be deemed to mean syrup made from pure maple sap.

Section 204. Branding and labeling of maple sugar and syrup mixtures

No person shall manufacture, sell or expose for sale, any compound or mixture as and for sugar which shall be made up of maple sugar mixed with any other sugar or any other substance without branding or labeling the said sugar with a statement giving the ingredients of which it is made up. No person shall manufacture, sell, expose for sale or offer for sale any compound or mixture as syrup which shall be made up of maple syrup mixed with any other syrup or ingredient without branding or labeling said syrup with a statement giving the ingredients of which it is made up. This shall not be construed to apply to a syrup or syrups manufactured and sold for medicinal purposes only.

PART 270.1

MAPLE SYRUP: IDENTITIES; LABEL STATEMENTS

(a) Definitions.

For the purpose of this section, the following terms shall have the following meanings, unless the context clearly indicates otherwise:

- (1) *Light transmittance* means the fraction of incident light at a specified wavelength that passes through a representative sample of a particular sub-grade of Grade A maple syrup.
- (2) *Soluble solids, expressed as a percentage*, means the proportion of maple sap solids in the applicable solvent.
- (3) *T_c* means the percentage of light transmission through maple syrup, measurable by a spectrophotometer, using matched square optical cells having a 10-millimeter light path at a wavelength of 560 nanometers, the color values being expressed in percent of light transmission as compared to A.R. Glycerol fixed at 100 percent transmission.

(b) Standards of identity.

- (1) *Maple syrup* is the liquid made by the evaporation of pure sap or sweet water obtained by tapping a maple tree. Maple syrup contains minimum soluble solids of 66.0 percent and maximum soluble solids of 68.9 percent. Maple syrup includes, and is either, Grade A Maple Syrup or Processing Grade Maple Syrup, as defined in paragraphs (2) and (3) of this subdivision.
- (2) *Grade A maple syrup* means maple syrup that is not fermented, is not turbid, and contains or has no objectionable odors, off-flavors or sediment. Grade A maple syrup must fall within one of the color and taste sub-grades of Grade A maple syrup set forth in subparagraph (i), (ii), (iii), or (iv) of this paragraph.
 - (i) Grade A golden color and delicate taste maple syrup has a uniform light golden color, a delicate to mild taste, and a light transmittance of 75 percent T_c or more.
 - (ii) Grade A amber color and rich taste maple syrup has a uniform amber color, a rich or full-bodied taste, and a light transmittance of 50 percent - 74.9 percent T_c.

- (iii) Grade A dark color and robust taste maple syrup has a uniform dark color, a robust or strong taste, and a light transmittance of 25 percent - 49.9 percent Tc.
 - (iv) Grade A very dark and strong taste maple syrup has a uniform very dark color, a very strong taste, and a light transmittance of less than 25 percent Tc.
- (3) *Processing grade maple syrup* means maple syrup that does not meet the requirements for Grade A maple syrup set forth in paragraph (2) of this subdivision. Processing Grade Maple Syrup may not be sold, offered for sale or distributed in retail food stores or directly to consumers for household use.

(c) Nomenclature label statement.

- (1) The name of the food defined in paragraph (b)(2) of this section is “Grade A Maple Syrup”. The name “Grade A Maple Syrup” must conspicuously appear on the principal display panel of the food’s label, and the words “golden color and delicate taste”, “amber color and rich taste”, “dark color and robust taste”, or “very dark color and strong taste”, as appropriate, must also conspicuously appear on the food’s principal display panel in close proximity to the food’s name and in a size reasonably related to the size of the name of the food.
- (2) The name of the food defined in paragraph (b)(3) of this section is “Processing Grade Maple Syrup”. The name “Processing Grade Maple Syrup” must conspicuously appear on the principal display panel of the food’s label, and the words “For Food Processing Only” and “Not for Retail Sale” must also conspicuously appear on the food’s principal display panel in close proximity to the food’s name and in a size reasonably related to the size of the name of the food.

PART 276

FOOD PROCESSING ESTABLISHMENTS

**Subject to Regulation Under Article 20-C
of the Agriculture and Markets Law**

Section 276.1 Good manufacturing practices.

All food processing establishments subject to regulation under article 20-C of the Agriculture and Markets Law shall be subject to the current good manufacturing practices of Part 261 of this Title unless exempted by said article 20-C or by this Part.

Section 276.4 Exemptions.

(a) *Maple syrup and honey.* Processors of maple syrup or honey who do not purchase maple syrup or

honey from others for repackaging, and who do not combine maple syrup or honey with any other substance, shall be exempt from the licensing requirements of this Subchapter, provided that the following conditions are met:

(1) Such establishments are maintained in a sanitary condition and manner, and to this end the following requirements shall be complied with:

(i) Every practicable precaution shall be taken to exclude birds, insects (except those involved in the production of the product), rodents and other vermin and animals from the premises of the operation.

(ii) The use of insecticides, rodenticides and other pest control items in such establishments shall be permitted only under such precautions and restrictions as will prevent the contamination of the product.

(iii) Rooms, compartments, places, equipment and utensils used for preparing, storing or otherwise handling the product, and all other parts of the operating premises, shall be kept in a clean and sanitary condition.

(iv) There shall be no handling or storing of materials which may create insanitary conditions in any place or places where the product is prepared, stored or otherwise handled.

(v) All equipment and utensils used in processing or handling of the product shall be maintained in good repair to assure sanitary conditions in the operation.

(vi) All finished product containers must be clean, sanitary and properly labeled in compliance with the requirements of Part 259 of this Title.

(b) Exemptions from licensing requirements of article 20-C of the Agriculture and Markets Law under this section are conditioned on continued compliance with the requirements of this section.