



Department of  
Agriculture and Markets

# TAPPING INTO THE MIND OF THE INSPECTOR

KATIE HOWARD, SHARON GELINA, JOHN ARNOLD

MARCH 6, 2025

# OVERVIEW

- What is maple syrup?
  - Standard of Identity
- Grade A Maple Syrup
- Processing grade
- Labeling
- Article 20C licensing and exemption
- Labeling restrictions for mixed maple syrup

# **PURE MAPLE SYRUP IN NEW YORK: GRADE AND REQUIREMENTS**

## STANDARD OF IDENTITY

Maple syrup is syrup made exclusively by the evaporation of pure sap or sweet water obtained by tapping a maple tree.

## STANDARDS OF IDENTITY

Maple syrup contains minimum soluble solids of 66.0% and maximum soluble solids of 68.9%.

- Pure maple syrup can only grade as either:
  - Grade A Maple Syrup, or
  - Processing Grade Maple Syrup as defined in the grade.

## GRADE A MAPLE SYRUP

- Is not turbid
- Has no objectionable odors
- Has no off-flavors
- Has no sediment
- Has soluble solids content of 66.0% minimum and 68.9% maximum
- Meets one of the color and taste sub-grades
- Meets all labeling requirements

# GRADE A MAPLE SYRUP

## Color is determined by light transmittance:

- Grade A golden color and delicate taste
  - 75% Tc or more
- Grade A amber color and rich taste
  - 50-74.9% Tc
- Grade A dark color and robust taste
  - 25-49.9% Tc
- Grade A very dark color and strong taste
  - Less than 25% Tc

## PROCESSING GRADE MAPLE SYRUP

- Processing Grade Maple Syrup means the maple syrup does not meet the requirements for Grade A maple syrup.
- Processing Grade Maple Syrup may not be sold, offered for sale, or distributed in retail food stores or directly to consumers for household use.

## LABELING

- Grade A Maple Syrup must fall within one of the four color and taste sub-grades of Grade A.
- This information must also conspicuously appear on the principal display panel in close proximity to the words “maple syrup.”

## LABELING

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 and near the food name in a size related to size of the name of the food.

## ARTICLE 20-C LICENSING

If you add any ingredient to maple syrup, different labeling requirements apply, and you may be required to have a 20-C license if you do not qualify for the 20-C exemption.

## ARTICLE 20-C LICENSING - EXEMPTIONS

Processors who only use their own maple syrup (not syrup purchased from others for repackaging), and do not combine maple syrup with any other ingredients capable of supporting the growth of infectious or toxigenic organisms, are exempt from food processing license requirements, provided your facility is maintained in a sanitary manner and is in compliance with all other requirements.

## LABELING RESTRICTIONS FOR MIXED MAPLE SYRUP; ARTICLE 17 SECTION 204

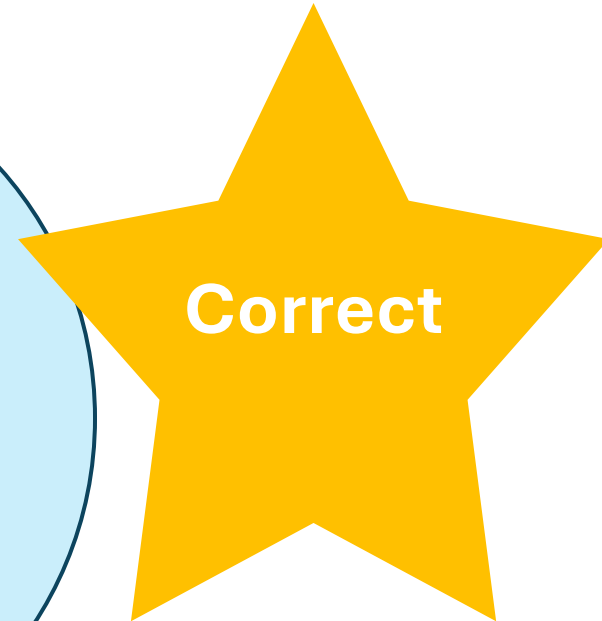
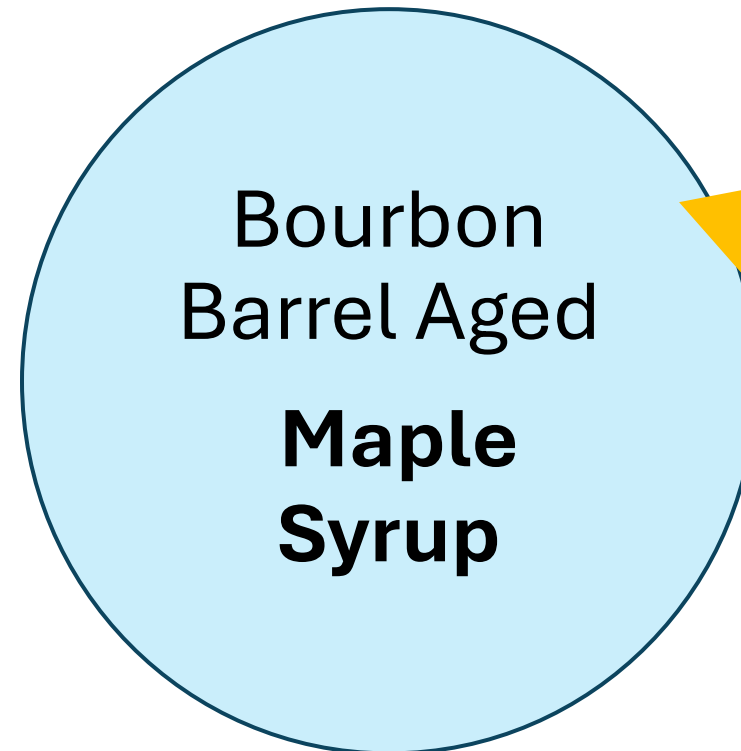
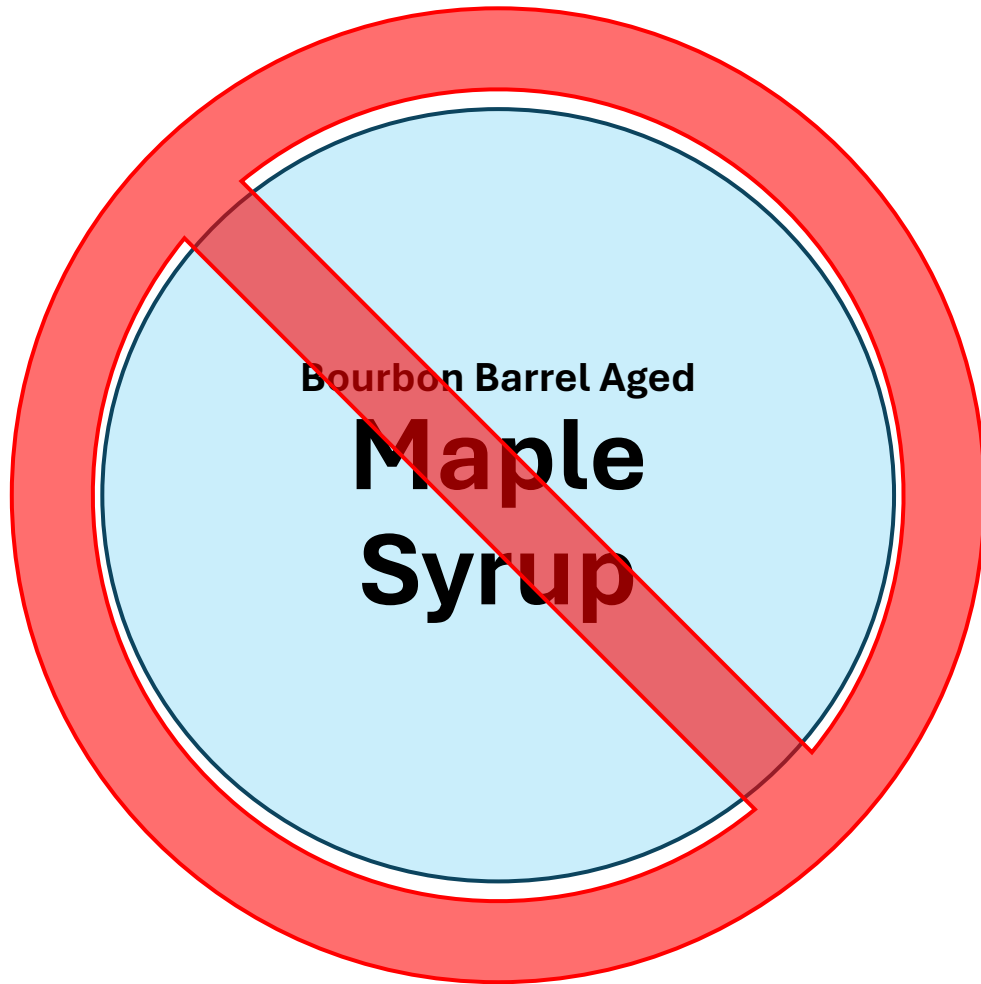
If you mix any flavor or ingredients with maple syrup, the following labeling requirements apply:

- *Any flavored maple syrup must identify the added flavoring in the product name on the principal display panel in a manner that gives prominence to both the characterizing added flavor(s) and the maple syrup. For example, “Bourbon Barrel Aged Maple Syrup,” “Apple Brandy Barrel Aged Maple Syrup,” and “Cinnamon Infused Maple Syrup.”*
- *All flavored maple syrup products are required to have an ingredient statement on the information panel of the label/bottle.*
- *Flavored maple syrup may not be labeled with the Grade on the principal display panel. It is optional but the grade may be used when listing maple syrup as an ingredient in the ingredient declaration section.*
  - *(As per New York State Liquor Authority Advisory #2019-1, any beverage or food containing .5% or more of alcohol by volume is considered an alcoholic beverage and subject to their jurisdiction.)*

## LABELING RESTRICTIONS FOR MIXED MAPLE SYRUP

*Any flavored maple syrup must identify the added flavoring in the product name on the principal display panel in a manner that gives prominence to both the characterizing added flavor(s) and the maple syrup. For example, “Bourbon Barrel Aged Maple Syrup,” “Apple Brandy Barrel Aged Maple Syrup,” and “Cinnamon Infused Maple Syrup.”*

# LABELING RESTRICTIONS - SIZE OF FONT



## LABELING RESTRICTIONS FOR MIXED MAPLE SYRUP

*All flavored maple syrup products are required to have an ingredient statement on the information panel of the label/bottle.*

**FRONT**



Cinnamon  
Infused  
**Maple Syrup**

**BACK**



**Ingredients:**  
**100% Pure Maple**  
**Syrup, Cinnamon**  
**Stick**

**Correct**

## LABELING RESTRICTIONS FOR MIXED MAPLE SYRUP

*Flavored maple syrup may not be labeled with the Grade on the principal display panel. It is optional but the grade may be used when listing maple syrup as an ingredient in the ingredient declaration section.*

# LABELING RESTRICTIONS - NO GRADE ON FRONT

**FRONT**



**BACK**



**Correct**

# **Maple Syrup and Honey Exemption**

## SECTION 276.4 EXEMPTIONS (A) MAPLE SYRUP AND HONEY

- Processors of maple syrup and honey are exempt from licensing requirements of Article 20-C of the Agriculture and Markets Law, if the following conditions are met:
  - I. They do not purchase maple syrup or honey from others for repackaging.
  - II. They do not combine maple syrup or honey with any other ingredients capable of supporting the growth of infectious or toxigenic organisms.
  - III. They comply with basic sanitation requirements and labeling.

## SECTION 276.4 EXEMPTIONS (A) MAPLE SYRUP AND HONEY

- 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 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.

## MAPLE SYRUP AND HONEY EXEMPTION GUIDANCE

- The product must be predominantly made with maple syrup or honey (greater than 50% by weight).
- The added ingredients must be non-potentially hazardous, which means the ingredient itself must have a pH below 4.6 and/or a water activity of 0.85 or below.
- The finished product must not require refrigeration before opening.
- The finished product must be properly labeled.

## MAPLE SYRUP AND HONEY EXEMPTION GUIDANCE

- If the product or ingredient does not fit the criteria, a 20-C Food Processing License will be required. Furthermore, a process review conducted by a process authority may be required to ensure product safety. A list of processing authorities can be found at [www.agriculture.ny.gov/food-business-licensing](http://www.agriculture.ny.gov/food-business-licensing).
- We recommend you contact your local Department of Agriculture and Markets office for a product and/or on-site review to ensure you qualify for this exemption.

## MAPLE SYRUP AND HONEY EXEMPTION SALES

- Retail and wholesale within New York State
- Retail and wholesale outside New York State, provided the receiving state accepts the product
  - Products made under exemption are produced without an inspection or license and some states may consider it from an unapproved source
- Wholesale outside of New York State may be subject to FDA registration and inspection under 21 CFR Part 117

# Home Processor Registration

## HOME PROCESSOR REGISTRATION

- **Not required for any product covered under the Maple Syrup and Honey Exemption**
- Requires using household kitchen to produce product
- Requires no commercial equipment is used to make the product
- Restricts all sales, retail or wholesale, to within New York State
- For list of approved and prohibited products, visit [agriculture.ny.gov/food-safety/home-processing](https://agriculture.ny.gov/food-safety/home-processing)

# Home Processor Approved Items List

- Breads
- Rolls and/or cinnamon rolls
- Biscuits
- Bagels
- Muffins
- Doughnuts
- Cookies
- Baklava
- Biscotti
- Cakes
- Cake pops
- Cupcakes
- Brownies
- Double-crust fruit pies
- Scones
- Fruit jams, jellies, and marmalades made with high acid/low pH fruits
- Repacking/blending of commercially dried spices and herbs
- Repacking of commercially dried/dehydrated vegetables, dried soup mixes, dried fruit, dried pasta, and dry baking mixes
- Seasoning salt
- Fudge
- Popcorn/caramel corn
- Peanut brittle
- Rice Krispies treats
- Granola and trail mix (using commercially roasted nuts)
- Granola Bars (using commercially roasted nuts)
- Repacking candy (excluding chocolate and freeze dried)
- Waffle cones and Pizzelle
- Toffee/caramel apples
- Confections
- Vegetable chips
- Crackers
- Pretzels

# Home Processor Prohibited Items List

Includes, but is not limited to:

- Homemade buttercream/cream cheese frosting containing dairy or eggs
- Breads containing non high acid/low pH fruits or vegetables
- Products containing alcohol
- “No-bake” products (all products must be baked to ensure product stability)
- Pickles, relishes, or sauerkraut
- Sauces, salsas, marinades, mustards, ketchups
- Pepper jellies, wine jellies, vegetable jellies, flower jellies, chutneys, fruit syrups
- Cooked or canned fruits or vegetables
- Vegetable oils, blended oils, salad dressings
- Fudge/caramel sauces
- Cheesecake, cream filled pastries, cream pies, meringue pies
- Tempered chocolate/candy melt/almond bark for dipping/coating/drizzling/topping (i.e. cocoa bombs, chocolate candy, chocolate/candy melt covered fruits, etc.)
- Any products containing raw nuts
- Cheese, yogurt, fluid dairy products, butters
- Meat, fish, or poultry products
- Beverages
- Roasted coffee beans
- Nut butters
- Freeze-dried foods
- Compotes
- Spreads
- Quiche

## HOME PROCESSING FAQ

Q: Why is tempering/melting chocolate for candy and/or dipping not allowed?

A: Chocolate and chocolate-like products have been implicated in food borne illnesses. Melting chocolate is not a thermal process (no control step). Chocolate melts at very low temperatures.

Q: Are interstate sales allowed?

A: No, all home processed foods must be sold within New York State.

Q: Is commercial equipment allowed?

A: No. Commercial equipment is not considered ordinary kitchen facilities.

Q: Why are buttercream and cream cheese frostings not approved?

A: Products that are Temperature Controlled for Safety (TCS) are not approved.

Q: What if I have a private water system (well)?

A: If you are on a private water system (well), you must have a water test analysis performed for Coliform and include a copy of the test results with application, before you can be registered as a home processor.

# Article 20-C License

## ARTICLE 20-C RETAIL OR WHOLESALE

- The same license but different regulations may apply depending on what products are made and how they are sold
- Retail operations are covered by the Retail Food Store Sanitation Regulations, Title 1 NYCRR, Part 271
- Wholesale Operations are covered by Current Good Manufacturing Practices, Hazard Analysis, and Risk-Based Preventive Controls for Human Food, 21 CFR Part 117

## FACILITY REQUIREMENTS – GENERAL OVERVIEW

- Potable water – municipal or well
  - Well water may fall under the jurisdiction of New York State Department of Health or New York State Department of Agriculture and Markets depending on operations and will require testing
- Two or three-bay equipment wash sink
- Handwash sink(s) in close proximity to the processing area and in the toilet room
- Please check the regulations or call AGM for specific requirements based on your facility and/or operations

## COMMON PRODUCTS AND WHAT CATEGORIES COVER THEM

- Coated nuts – either home processor or 20-C
- Infused syrups – either Maple/Honey Exemption or 20-C
- Maple cotton candy – either Maple/Honey Exemption or 20-C

## DIVISION OF FOOD SAFETY CONTACT INFORMATION

### **Albany**

(518) 457-4492

### **Hauppauge**

(631) 952-3079

### **Syracuse**

(315) 487-0852

### **Brooklyn**

(718) 722-2876

### **New Windsor**

(845) 220-2047

### **Buffalo**

(716) 847-3185

### **Rochester**

(585) 427-2273

## CONTACT INFORMATION

### **Katie Howard**

[Katie.Howard@agriculture.ny.gov](mailto:Katie.Howard@agriculture.ny.gov)

Office: (518) 485-2771

### **Sharon Gelina**

[Sharon.hall@agriculture.ny.gov](mailto:Sharon.hall@agriculture.ny.gov)

Cell: (315) 952-1530; Office: (585) 427-0200

### **John Arnold**

[John.Arnold@agriculture.ny.gov](mailto:John.Arnold@agriculture.ny.gov)

Office: (518) 457-0378



**Department of  
Agriculture and Markets**