



ORGANIC NEWSLETTER

# REQUIREMENTS FOR ORGANIC RETAIL LABELS

## QUICK FACTS

- Certifiers determine if label claims meet rule requirements.
- Any label that makes an organic claim or uses the USDA organic seal must be approved.
- There are three organic labeling categories: “100% organic”, “organic”, and “made with organic (specified ingredients)”.



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## RETAIL LABELS

Organic claims on retail labels vary considerably and it is the job of accredited certifiers, such as MOSA, to determine if label claims meet the requirements of the rule.

The regulations for retail labeling of organic products are found in the National Organic Standards (NOS), sections 205.300 through 205.311 of subpart D: Labels, Labeling and Market Information. These sections regulate how the term “organic” is used in the marketplace and detail how ingredient information is provided to consumers. This regulation helps consumers understand what type of organic product they are purchasing.

The principal display panel is the section of the package that is most readily viewed. The standards require certification for products which make an organic claim on their principal display panel, or the use the USDA Organic Seal. The information panel is where the ingredients are listed in the order of predominance. Typically, the information panel is to the immediate right of the principal display panel. For some products, the information panel may be within the principle display panel.

## ORGANIC LABEL CATEGORIES

### 100% Organic

Certified organic foods are usually sold using one of three different labeling categories: “100% organic”, “organic” or “made with organic (specified ingredients).” Products labeled as “100% organic” must only contain 100% organic agricultural ingredients. Processing aids, if used, must be certified organic. Processing aids include substances added to food during processing for a technical or functional purpose, which are present at insignificant levels in the final food product. Examples include organic vegetable oil used to coat a baking pan, or organic butter used as a maple syrup defoamer. On the information panel, “100% organic” products must identify the certifying agent and may describe all the ingredients as organic.

### Organic

If making an “Organic” claim on a product label, all agricultural ingredients must be certified organic, except some minor agricultural ingredients may be nonorganic if they are found on the National List of Allowed and Prohibited Substances (NOS) section 205.606). This part of the list allows the use of nonorganic ingredients when organic ingredients are not commercially available. Examples include intestine casings for sausages and plant based dyes, such as beet juice. Documentation is required to show that equivalent organic ingredients are not available, and the nonorganic ingredients are non-GMO, not irradiated, and not produced using sewage sludge. “Organic” products must have at least 95% organic agricultural content. Therefore, the combined nonorganic agricultural ingredients and processing aids cannot exceed more than 5% of the product composition, by weight or volume. Water and salt are excluded from percentage calculations. Products labeled as “Organic” must identify the certifying agent and must identify the agricultural ingredients as organic on the information panel.

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## Made with Organic Ingredients

Products containing 70 – 95 % certified organic agricultural ingredients are labeled as “Made with organic (specified ingredients or food groups)”. The principal display panel can state “Made with organic...,” but this statement may only list up to three organic ingredients or ingredient groups, as specified in the Standards. Examples of

ingredient groups include sweeteners, grains, and fruits. All the ingredients in a listed group must be organic and identified as organic on the information panel. Remaining agricultural ingredients do not

need to be organic, but must be produced without genetic engineering, ionizing radiation or sewage sludge. Nonsynthetic and synthetic processing aids must be listed on 205.605. A “Made with organic...” label cannot use the USDA Organic Seal, but must identify the accredited certifying agent. The combined nonorganic agricultural

ingredients and processing aids must not exceed more than 30% of the overall product composition.

## CREATING YOUR LABEL

The first step is to determine your labeling category. Remember, products can be labeled as “100 percent organic,” “Organic,” or “Made with organic”. The proper category may be determined by using a MOSA Organic Product Profile form. On this form, you list all your ingredients, the organic content of each ingredient, and you can calculate the overall percentage of certified agricultural content in your product. This form will be specific for each product you label and MOSA will help determine whether your calculations are correct.

Whether you make a “100 Percent Organic,” “Organic,” or “Made with Organic” claim, you must identify your certifier on the information panel. A “Certified Organic By” statement must be placed below the information identifying the handler or distributor of an organic product. The information identifying the handler or distributor is typically the business name with contact information such as address or website. Contact information should be detailed enough so that a consumer can easily obtain further information about the company.



## ROMANCE LANGUAGE

Retail labels often contain additional “romance language”. Romance language describes value added components of the product and provides “softer” business information for the consumer. All organic claims must be appropriate. MOSA checks romance language for organic claim compliance.

Label considerations are unique for each producer or processor. When developing a label, it is best to discuss your specific situation with MOSA before you go to print. All labels making organic claims must be approved prior to use. Correcting compliance issues before printing will also save you money and time.



## RESOURCES:

**MOSES Guidebook for Certification:** <https://mosesorganic.org/publications/guidebook-forcertification/>

**USDA “Is Organic an Option for Me”** <http://www.ams.usda.gov/sites/default/files/media/IsOrganicAnOptionforMe.pdf> V1.3 1-2