



VOF Labeling Guidance and FAQ

Vermont Organic Farmers, LLC (VOF)

The USDA accredited certification agency owned by NOFA Vermont

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Certified Organic, Locally Grown

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IMPORTANT! Always send a label proof to the VOF office for review and approval prior to having it printed.

Organic product labeling regulations overview

According to the National Organic Program (NOP), any product which bears a label that makes an organic claim must be labeled in accordance with the NOP Rule. Organic product labels are required to include a phrase identifying the certification agency responsible for the certification of the final product. Often times for VOF certified producers, this statement reads 'certified organic by Vermont Organic Farmers'. It is required that this, or a similar phrase, be located on the information panel of the label directly below the information identifying the handler of the finished product without any intervening text.

In addition to the handler information and 'certified by...' phrase requirements, an organic product label is required to identify all organic ingredients in the ingredient statement as organic. This can be done by including the word organic to describe the ingredient or by using a reference mark (such as an asterisk) and defining that mark below the ingredient statement to indicate that the ingredient is organically produced.

Please refer to the VOF Guidelines booklet for additional *optional* labeling guidelines.

VOF uses the FDA labeling regulations to answer the following questions: *For more information about FDA labeling regulations please visit the FDA website at www.fda.gov*

Q: What is the information panel?

A: The information panel, as defined by the FDA, is the label panel immediately to the right of the principal display panel, as displayed to the consumer. If this panel is not usable, due to package design and construction, (e.g., folded flaps), then the information panel is the next label panel immediately to the right. The information panel is not defined by the placement of the nutritional information and ingredient statement although that information is often found on the information panel.

Q: What is the Principal Display Panel (PDP)?

A: The PDP, as defined by the FDA, is the portion of the package label that is most likely to be seen by the consumer at the time of purchase.

Q: What is the information identifying the handler of the finished product?

A: Also referred to as 'handler information', this information is defined by the FDA's name and address requirements, and *must* include the name and address of the manufacturer, packer or distributor. Unless the name given is the actual manufacturer, it must be accompanied by a qualifying phrase which states the firm's relation to the product (e.g., "manufactured for" or "distributed by"). Handler information must also include street address if the firm name and address are not listed in a current city directory or telephone book; city or town; state; and zip code.

Q: What is intervening text?

A: Intervening text is considered any text, image, or graphic element that appears to divide the handler information and the phrase 'certified organic by Vermont Organic Farmers'. Exceptions to this rule are telephone number, website information, e-mail address, social media links, and plant identification numbers. These exceptions may be included with the handler information and will not be considered intervening text. However, these exceptions alone may not take the place of the required handler information.

Frequently asked questions

VOF producers create labels unique to their operation and we recognize that labels come in many shapes, with varying numbers of panels, in many sizes, and with many differing layouts. Below are answers to frequently asked questions that address these variations.

Q: Do I need to register my name with the VT Secretary of State?

A: Yes. If you are seeking to do business in Vermont as a business name other than your own personal name, regardless of the goods or services provided, you must register your business entity or trade name with the Secretary of State first.

Q: Does the handler information have to be found together or can it be broken up and located in different places on the label?

A: Complete handler information must be found together (most often in a block format), with the 'certified by...' phrase located directly below without any intervening text. Producers with labels that have handler information elsewhere on the label, such as their business name, may need to repeat their business name and other handler information in the handler information 'block' for the label to be considered compliant.

Q: Can my personal name be included as part of the handler information?

A: Yes, your personal name may be included and will not be considered intervening text if included in the handler information.

Q: Can the 'certified by...' phrase be found on a label more than once?

A: Yes. As long as it is located in the required spot, it may also be found elsewhere on the label.

Q: Can my business name appear in a different font than the rest of the handler information?

A: Yes.

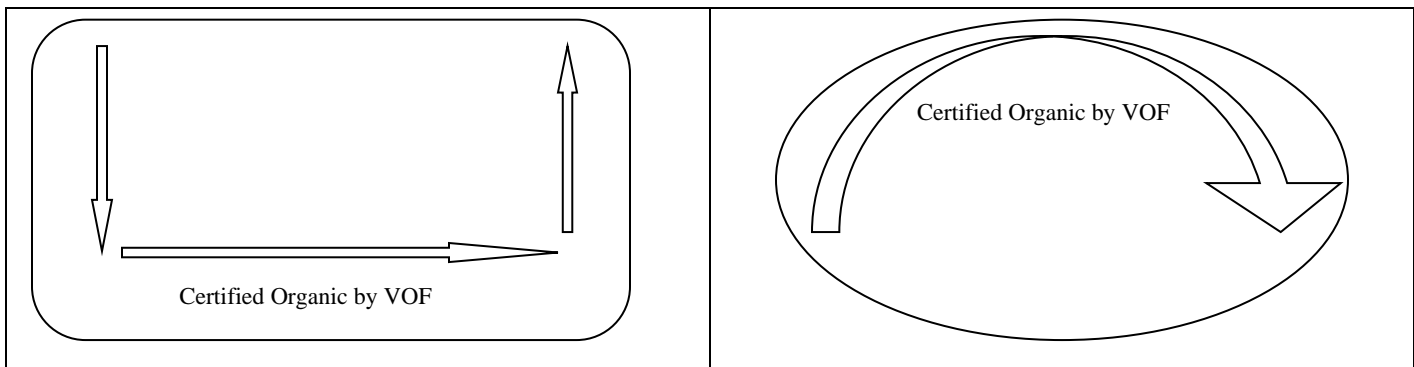
Q: Can the VOF certification logo take the place of the 'certified by...' phrase?

A: No. The VOF logo may be used on a label but does not take the place of the required phrase.

Q: Can the handler information be located on the perimeter of a single panel label?

A: Only if the handler information is listed together in a continuous manner, starting at the top left and following the perimeter of the label to the top right with all text going in the same direction. The 'certified by...' phrase must be placed directly under the handler information with no intervening text. Alternately, the handler information could be listed together in a continuous manner, starting at the bottom left and following the perimeter of the label to the bottom right with all text going in the same direction. The 'certified by...' phrase must be placed under the handler information with no intervening text.

Example: Arrows illustrate direction of handler information



Q: Can a farm/processor logo which includes the business name take the place of the 'business name' portion of the handler information block?

A: Yes. But *only* on single panel labels and *only* if the logo is placed directly above the business address, zip code, and 'certified by...' phrase. Note that the logo itself may contain images and text which would otherwise be considered intervening. As long as the images and text are part of the logo, this is allowed.

Q: Can my web address take the place of my business name?

A: Only if the web address has been registered as an official business name of the organization.

Q: What about non-food labels such as seed packets? Are they required to list complete handler information?

A: Yes. All organic product labels, whether they are food or non-food labels must follow the same labeling regulations as outlined above.

Q: What types of items are not considered labels and therefore do not require handler information and the 'certified by...' phrase?

A: PLU stickers, rubber bands, farm contact information stickers, VT State syrup jugs and tins.

Q: Do my wholesale boxes need to have labels on them?

A: No. However, according to the NOP, any container which is used only for the storage or shipping of raw or processed agricultural products must display the production lot number if applicable.

Q: Do my packaged meat labels have to follow this guidance?

A: Yes. You are required to supply your slaughter facility with compliant labels that they will use on your certified organic packaged meat. It is important to note that you may not use a label which makes an organic claim on packaged and processed meats which are not certified organic (sausage made by the slaughterhouse, for example).

Q: Does my product have to have a label?

A: VOF must ensure that any certified organic product which is marketed or otherwise labeled as organic complies with the regulations. However, organic regulations do not dictate when a product must bear a label.

Q: Can my maple syrup label make the claim "100% pure organic maple syrup"?

A: Only if the statements "100%" and "organic" are located on different lines so as to not make it appear that the product is "100% organic".

Example: **Compliant:** 100% Pure

Organic maple syrup

Noncompliant: 100% pure organic maple syrup

Q: If I have a split operation and produce both organic and non-organic products, how may I label my non-organic products?

A: Products which are not certified organic may not be labeled or otherwise marketed as organic. If certified organic ingredients are used to create a processed product but that product is not certified itself then the organic ingredients may be identified as organic in the ingredient statement. An organic claim may not be made on any product which is not certified. The phrase 'certified organic by VOF' or 'X Farm is certified organic by VOF' may not be used on labels of non-certified products even if the ingredients used to produce the product are certified by VOF.

Q: If my business name includes the word "organic" (ex. Joe's Organic Farm and Bakery) may I display the name on my label?

A: If your product is certified in the 'organic' or '100% organic' categories then you may display your business name anywhere on the label. If your product is certified in the 'made with organic...' category or is not certified at all then you may not display your business name (if it includes the word "organic") on the Principal Display Panel. In this case, you may only display your business name in the handler information block.

Q: How do I make sure that my label is compliant?

A: Always submit a copy of your label proof to the VOF office for approval *prior* to having it printed. This will ensure that your label meets current NOP regulations and will help you avoid unnecessary work and cost associated with having a label that is not compliant.

Q: Can I use up my non-compliant labels?

A: NOP regulations do not allow labels with serious errors such as 1) improper use of the NOP seal, 2) incorrect product claim, or 3) omission of the certifier name to be used up, even if they have already been printed.

Labels with minor errors will be evaluated on a case by case basis and may be allowed a 180 day maximum use-up period.

Q: Our value added products in our farm store are not certified organic but we use 100% organic ingredients. What is the best way to label these items?

A: The word 'organic' may not be used on labels or marketing materials for products which are not certified organic (unless the product qualifies as exempt per the NOP regulations). Organic ingredients may be identified as such in the ingredient statement only.

Q: I like the old VOF logo. Can I continue to use it?

A: No. It has been VOF policy to allow producers to exhaust their supply of labels which use the old VOF logo. However, when a new batch of labels is printed, or when a new label design is created the new VOF logo must be used. VOF is working hard to ensure that consumers recognize our new logo and equate it with quality, certified organic, locally grown and produced products. We believe it will benefit your business to use the new version of the VOF logo! An electronic version of the VOF logo can be found here <http://bit.ly/VOFLogo>.

Q: Can the VOF logo be displayed in any color that I choose?

A: Yes. The VOF logo may be displayed, in its entirety, in one color of your choice. For example:



Q: Can I use the USDA logo on my label?

A: If your product is certified in either the '100% organic' or 'organic' categories then you may use the USDA logo if you choose. An electronic version of the USDA logo can be found here <https://www.ams.usda.gov/rules-regulations/organic/organic-seal>.

Q: Can the USDA logo be displayed in any color that I choose?

A: No. Please refer to the VOF Guidelines booklet or the NOP website (<http://www.ams.usda.gov/AMSV1.0/nop>) for specific information pertaining to the use of the USDA logo. There are only three acceptable representations of the USDA logo. They are:

- On a white background with a brown outer circle and with the term, "USDA," in green overlaying a white upper semicircle and with the term, "organic," in white overlaying the green lower half circle:



- On a white or transparent background with black outer circle and black "USDA" on a white or transparent upper half of the circle with a contrasting white or transparent "organic" on the black lower half circle.



- Note that in each of the 3 representations illustrated above, the green or black lower half circle may (but is not required to) have four light lines running from left to right and disappearing at the point on the right horizon to resemble a cultivated field.

Q: Can I use both the USDA and VOF logo on my label?

A: If your product is certified in either the '100 % organic' or 'organic' categories then you may use the USDA logo and the VOF logo simultaneously if you choose. However, the VOF logo must not be displayed more prominently than the USDA logo on the product packaging. Please refer to the VOF Guidelines booklet for specific information pertaining to the use of the USDA logo.

Additional points to note:

- Producers who produce both certified and non-certified products and who consider their farm to be certified, may not use a statement such as "ABC farm is certified by VOF" on the non-certified product label.
- Revised guidance pertaining to labeling was issued by the NOP in January of 2013. This guidance clarified the placement of the 'certified by...' phrase. Therefore, labels that were previously approved by VOF may need to be modified to meet the above requirements to be considered compliant. Producers who have product labels which include the 'certified by...' phrase but where the phrase is located in the incorrect spot will have until January 1, 2016 to revise the label to be in compliance with the above guidance.
- All new labels must meet the requirements outlined in this document.