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Labeling Guidance for the the US-EU Organic Equivalency Arrangement

v. 080726

A. Background: The USDA National Organic Program has negotiated a number of international equivalency arrangements whereby products certified to the USDA National Organic Program can be represented as organic in certain other countries. Each equivalency arrangement has its own requirements and restrictions, including requirements for labeling. This document is intended to summarize the requirements for the US-EU Organic Equivalency Arrangement (USEU). If you intend to export product to the EU under the equivalency arrangement, or supply products into a supply chain destined for the EU, your operation must comply with the requirements described in this document.

The European Union regulations require that the COI be issued by the USDA-accredited certifying agent prior to or *at the moment the consignment leaves the U.S. port of export*, and not after. Shipments of USDA organic products that leave the U.S. port without a COI, or with a COI issued after departure, risk being refused entry, seized, or destroyed by foreign port authorities.

Americert certified operations requesting a COI for export to the EU must submit:

- A completed Request for COI.
- Copies of compliant labels and packaging (if not already submitted and approved).

The COI request must be submitted at least 5 business days prior to the expected shipment date. It may take up to 5 business days for Americert to review, approve, and issue the COI.

Product may not ship until the COI has been issued.

Americert charges a fee for review of a request for COI, as described in the current fee schedule. COIs that have to be re-issued through TRACES due to errors, omissions, or changes caused by the exporter or the importer, are an additional charge and reviewed at the same price as the original COI review.

All labels and printed packaging materials must be submitted to Americert for review and approval prior to printing to ensure they are compliant.

B. Labeling & Packaging Requirements:

1. Available Label Claims: Certified organic products shipped to the EU under the equivalency arrangement may only make an "Organic" label claim. The label claims "100% Organic" or "Made With Organic (Specified Ingredients or Food Groups)" may not appear on the label. The EU does not recognize these label claims and they cannot be used for products to be exported to the EU. Products certified in the U.S. as 100% organic may only be labeled as "organic" since the EU does not have a 100% organic category.

2. Identification of Certifying Agent (Retail Labels): All retail labels must identify organic products as organic and must contain the phrase "Certified Organic by Americert International US-ORG-38." ("US-ORG-38" is Americert's identifier under the EU regulations and must be included as part of the COB statement). If the product is packaged by a copacker, the COB statement may identify the copacker's



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certifying agent but must use the EU code for that certifying agent. The EU Code will be in the format of "US-ORG-XX" where the XX is the number assigned by the EU.

3. Products with less than 95% Organic Content: Products with less than 95% organic content (those that would qualify in the U.S. as "made with organic"), may display a percentage statement of organic content on the label, but may not be labeled with the EU organic logo or USDA organic seal. The EU does not have a "made with organic" labeling category.

4. Use of EU and/or USDA Seal Optional: The use of the USDA seal on "organic" products exported to the EU is purely optional. If used, it must be compliant in colors and design. Such products may also use the EU organic logo but specific requirements apply. Please see section C below.

5. Non-Retail Containers and Packaging: Product not packaged for retail sale (e.g., bulk or wholesale products) must contain:

The name of the product and its organic status.

Traceability Information that links to the audit trail (e.g., lot numbers and weight).

6. Use of the EU Organic Seal: The use of the EU organic seal is purely optional and specific additional requirements apply if it is to be used. See section C below.

C. Optional Use of the EU Logo for Exports to the EU from the U.S.:

The use of the EU organic logo is not required for products exported as organic from the U.S. under the US-EU Equivalency Arrangement. However, if used, the use of the EU organic logo must meet certain requirements as described below:

1. Form and Color:

The EU organic seal must be used in specific format and colors as defined by EEC 271/2010. The seal is a green (Pantone no. 376) rectangle with white stars in the shape of a leaf. Rectangle must be at least 9mm high by 13.5mm wide and maintain a height to width ratio of 1 to 1.5.

The one-color version (black and white) is to be used if the printing process does not allow the application of the original green color. This version is to be printed in black or in a dark color on a white or a light-colored background only.



2. Required Modifications for Non-EU Imports:

All products imported into the EU using the EU Seal must indicate the source of ingredients within the same visual fields as the seal, using one of these statements:



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- “EU Agriculture” if the agricultural raw material has been farmed in the EU.
- “Non-EU Agriculture”, if the agricultural raw material has been farmed outside the EU.
- “EU/non-EU Agriculture”, if part of the agricultural raw materials has been farmed in the EU and part outside the EU.

The name of a specific country may be used instead of the terms ‘EU’ or ‘non-EU’ where all agricultural raw materials have been farmed in the same country.

If the EU organic seal is used, Americert International’s control number must be in the same visual field as the seal. Americert’s control number under the EU standards is: US-ORG-038. AI recommends that the AI control number is used to identify all boxes or labels used for organic products shipped to the EU under Americert certification. This is illustrated as follows for non-EU agriculture:



US-ORG-038

Non-EU Agriculture