

**AMERICERT INTERNATIONAL**

2603 NW 13<sup>th</sup> St. #228, Gainesville, FL 32609\*Ph: (352)336-5700 \*Fax: (866)325-8261  
Americert@gmail.com/www.americertorganic.com

**Americert Label and Packaging Review Manual**

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**Overview:** This manual codifies Americert’s current label and packaging review practices and can be used as a resource in reviewing labels. The general policies and procedures are binding on labeling review activities.

Table of Contents:

A. General Policies and Procedures . . . Page 2.

B. “Organic” Label Claim Products . . . Page 3.

C. ““Made with Organic (Specified Ingredients or Ingredient Groups)” Label Claim Products . . . Page 5.

D. Non-Retail Packaging or Containers. . . Page 7.

E. “Ingredient List Only” Claim Products . . . Page 10.

Appendix I: Optional Retail Label Review Checklist . . . Page 11.

Note this guidance does not cover all of the possible issues with labels or all of the regulations which may impact labels. This is intended to address the general policy and procedure and to address the most common issues encountered.

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**A. GENERAL POLICY AND PROCEDURES:**

**1. When Labels and Packaging Are Reviewed:**

a. For Renewals and First Time Applications: In each renewal cycle, labels and packaging will be reviewed three times: at the initial review, during the inspection, and at the final post-inspection review. Labels are officially approved only in the final review. In the initial review, the reviewer shall render a non-final review opinion and shall include in the special instructions for the inspector that the inspector review the submitted labels against the labels actually in use, and to render a second opinion on the compliance of the labels submitted. The inspector shall do so and address this in their written response to the special instructions which is filed as part of the inspection report. The inspector's opinion is also a non-final review opinion. The final reviewer, in conducting the final review, shall make a final official determination of whether or not the labels are compliant.

b. Ad Hoc Reviews: Americert shall review labels and packaging outside of the annual renewal cycle whenever a certified operation asks to add products or revise labels and submits the proposed labels for review. In conducting the review of ad hoc labels, the reviewer shall also obtain a second opinion on whether or not the labels are compliant before issuing a final decision on the labels compliance with the requirements. This second opinion need not be in writing.

**2. Result of Review:** When a label or labels receive a final official approval, the approval must be communicated to the operation and documented in the file as noted in subsection 3 of this policy. When a label or labels receive a final official determination that they are noncompliant, a Notice of Noncompliance will be issued if the labels are in use. If the labels are not in use, the noncompliant status may be communicated to the operation and revisions requested. Any final official determination that a label is noncompliant, must be communicated to the operation and documented in the file as noted in subsection 3 of this policy.

**3. Communicating and Documenting Label Reviews:**

a. Documenting Reviews: Each reviewer providing an opinion of a label during annual renewals and first time application reviews shall document their review opinion. Initial reviewers shall document their opinion in the special instructions, inspectors in the response to special instructions. The final reviewer shall create a list of all labels submitted and the final compliance determination for each label and save this in the client's file. Usually this will be in the OPP and Label Overview spreadsheet used in the final review. When a label is reviewed during an ad hoc review, the second opinion should be noted in a OPP and Label Overview spreadsheet or its equivalent, and the final determination should be noted in the same.

b. Communicating Label Reviews: When a final decision is made on the compliant status of a label, that decision shall be communicated to the operation submitting the label. For labels submitted during the annual renewal cycle or in conjunction with a first time certification, labels shall be announced as approved in the certification announcement letter issued to the operation along with a pdf file depicting the approved labels. The attached pdf shall be dated, shall indicate that the labels are approved, shall note who approved the labels, and shall depict all of the approved labels and packaging. The communication shall also identify if any labels are not approved, and if so, what the issue is, and shall contain an attachment depicting the labels which are not approved. That attachment shall also be dated, shall indicate which labels are not approved, and shall depict the labels which are not approved. The communication as well as the attachments depicting labels shall be saved in the client's file.

When an ad hoc review is conducted, the final decision on the compliance status of a label shall be communicated to the operation submitting the label. This shall take the form of an email to the operation which announces the determination and include an attachment depicting the compliant labels (and/or if applicable, an attachment depicting noncompliant labels). The attachment(s) shall include the status of the decision (approved/not approved), note who made the determination, the date, and shall depict the labels in question. This communication and any of the attachments shall be saved in the client's file.

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For already certified operations a Notice of Noncompliance will issue if any review shows that noncompliant labels are in use. If the label is not in use, but is a proposed label, a formal Notice of Noncompliance need not issue as long as the results of the review are communicated as indicated above.

## **B. ORGANIC LABELS FOR PACKAGED PRODUCTS:**

**1. Minimum of 95% Organic Content:** An “Organic” label claim can only be used for a product which contains a minimum of 95% organic content by weight or volume (with water and salt excluded). The remaining 5% of non-organic content must be specifically listed in section 205.605 or 205.606 of the organic regulations. No processing aids can be used unless they are certified organic processing aids or specifically listed in section 205.605 or 205.606 of the organic regulations. No ingredients may be GMO, irradiated, or produced using biosolids.

**2. All Labels Must Be Submitted to Americert for Review and Approval In Draft Form:** No labels should be printed or finalized by an operation unless the operation has submitted the proposed labels to Americert International in draft form and received explicit approval from Americert. It is not uncommon for Americert to require revisions or changes to proposed labels. Operations can avoid the costs of discarding noncompliant labels by ensuring that they only print labels once they have been specifically approved by Americert. It is a significant noncompliance to use labels that have not been approved by Americert and in most such cases Americert shall both issue a Notice of Noncompliance and require the payment of contractual noncompliance penalties.

**3. No Labels Can Be Used without Americert’s Approval:** No labels can be used unless the operation has submitted the proposed labels to Americert International in draft form and received explicit approval from Americert. Once labels have been approved, no changes, even minor ones, can be made to the design of the labels unless the new design is submitted to Americert for review and approval prior to printing. Once certified, the operation may not develop any new labels unless the operation has submitted the proposed labels to Americert International in draft form and received explicit approval from Americert. It is a significant noncompliance to use labels that have not been approved by Americert and in most such cases Americert shall both issue a Notice of Noncompliance and require the payment of contractual noncompliance penalties.

**4. Identification of the Product as Organic:** There are two methods of identifying the product as organic on labels. One is to use the term “organic” to modify the name of the product (e.g. Organic Lemonade) and the other is to use the USDA Organic Seal on the label. (Note that if the term organic is used in the name of the product, the term organic cannot be used in a manner that suggests that a non-organic ingredient is organic. For instance, for a chocolate milk product that uses organic milk and non-organic chocolate flavoring, the product could not be named “Organic Chocolate Milk” because in this instance the term “organic” is modifying a non-organic ingredient (“chocolate”). In this instance, the product could be called Chocolate Organic Milk, but not Organic Chocolate Milk.) An operation may not use the term “100% Organic” anywhere on an “Organic” label.

**5. Mandatory Identification of Organic Ingredients in the Ingredient List:** Section 205.303(B)(1) of the USDA organic regulations requires that labels for products making an “Organic” label claim include an ingredient list where all organic ingredients are identified as organic. This can be done by using the word organic to identify organic ingredients or with an asterisk or other reference mark which is defined below the ingredient statement to indicate the ingredient is organically produced. Note that salt and water cannot be identified as organic. Note that a single ingredient product which uses the ingredient name as the product name does not require an ingredient list (e.g. organic coffee labeled as organic coffee does not require a separate ingredient list; but a flavored coffee would).

Ingredient lists on labels must match the corresponding Organic Product Profile form for that product. If the formulation changes, the label must be revised to match the new formulation.

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**6. Mandatory Use and Placement of the Phrase “Certified Organic by Americert International”:** Section 205.303(B)(2) of the USDA organic regulations requires that each product making an “organic” label claim include on the information panel the following phrase: “Certified Organic by (the certifying agent certifying the product)” directly below identification of the final handler or distributor. For instance, an Americert certified product would carry the following phrase on the information panel:

**Manufactured by A Company  
Certified Organic by Americert International**

Note that the placement is specific. First it must identify the final handler or distributor, and then, immediately below, follows the phrase “Certified Organic by Americert International”. Unrelated text or images between the identification of handler and the COB statement should be discouraged.

**7. Use of a Lot Number:** Retail labels and packaging must include the use of a unique lot number for traceability purposes. This may be the harvest date, packaging date, or a unique code or number which allows the specific lot of product to be traced back to the date handled by the handler.

**8. No Alteration of the Colors or Design of the USDA Organic Seal:** Frequently, applicants (or their graphic designers) decide that a few alterations to the colors or the design of the USDA seal would improve the look of their labels. However, under section 205.311 of the USDA organic regulations, no alterations to the design or colors of the USDA seal are permitted. The allowed versions of the USDA Organic Seal are as follows:



- A: The full color seal with green, white, and brown as depicted.
- B: The black and white seal as depicted.
- C: The black and white seal with the white portions rendered transparent so that the label background color shows through the transparency.
- D: The black and white seal with the upper semi-circle rendered as transparent and the term “Organic” rendered in white. The label background color would show through the transparent upper semi-circle.

Note no inversions of colors or design is allowed. The design must strictly conform to one of the four designs shown above. To obtain high quality versions of the USDA organic seal, operations can go to: <https://www.ams.usda.gov/rules-regulations/organic/organic-seal>

**9. Optional Use of the Americert International Seal:** It is not required to use the Americert organic seal on labels. If operations do, the regulations require that the Americert logo is not placed more prominently than the USDA organic seal. Operations can contact Americert to access copies of the Americert International organic seal. Note that the Americert seal cannot serve as the required “Certified Organic by” statement referenced in paragraph 6 above.

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**10. Contingent Right to Use Labels:** As a matter of contract an operation is permitted to use labels and packaging that use the Americert International marks and phrases (i.e. the Americert seal and the phrase “Certified Organic by Americert International”) as long as the operation remains certified by Americert International. If certification is surrendered, revoked, or suspended, the operation loses the right to use any labels or packaging containing the Americert seal or the phrase “Certified Organic by Americert International”.

## **C. “MADE WITH ORGANIC (SPECIFIED INGREDIENTS OR INGREDIENT GROUPS)” LABELS FOR PACKAGED PRODUCTS:**

**1. Minimum of 70% Organic Content:** A product making a “Made with Organic (Specified Ingredients or Ingredient Groups)” must contain a minimum of 70% organic content by weight or volume (with water and salt excluded). The remaining 30% may be comprised of non-organic agricultural ingredients and/or those non-agricultural ingredients specifically listed as allowed in section 205.605 of the USDA organic regulations. No ingredients may be GMO, irradiated, or produced using biosolids.

**2. All Labels Must Be Submitted to Americert for Review and Approval In Draft Form:** No labels should be printed or finalized unless the operation has submitted the proposed labels to Americert International in draft form and received explicit approval from Americert. It is not uncommon for Americert to require revisions or changes to proposed labels. Operations can avoid the costs of discarding noncompliant labels by ensuring that they only print labels once they have been specifically approved by Americert. It is a significant noncompliance to use labels that have not been approved by Americert and in most such cases Americert shall both issue a Notice of Noncompliance and require the payment of contractual noncompliance penalties.

**3. No Labels Can Be Used without Americert’s Approval:** No labels can be used unless the operation has submitted the proposed labels to Americert International in draft form and received explicit approval from Americert. Once labels have been approved, no changes, even minor ones, can be made to the design of the labels unless the new design is submitted to Americert for review and approval prior to printing. Once certified, the operation may not develop any new labels unless the operation has submitted the proposed labels to Americert International in draft form and received explicit approval from Americert. It is a significant noncompliance to use labels that have not been approved by Americert and in most such cases Americert shall both issue a Notice of Noncompliance and require the payment of contractual noncompliance penalties.

**4. Use of the “Made with Organic (Specified Ingredients or Food Groups)” Phrase:** This is a tricky area that is the source of a lot of errors so please pay close attention. The use of the term “Made with Organic Ingredients” is not permitted. What is permitted are two variants:

“Made with Organic (Specified Ingredients)”: This phrase can be used to identify up to three organic ingredients in the phrase. For instance if a product contained organic basil, rosemary, and thyme, it could carry the phrase “Made with Organic Basil, Rosemary and Thyme”. When specific ingredients are used in the phrase, the phrase may contain up to three such organic ingredients. The product may not contain organic and non-organic forms of the same ingredient (e.g. may not contain both organic basil and non-organic basil).

“Made with Organic (Specified Food Groups)”: This phrase can be used to identify up to three organic food groups that are specifically listed in section 205.304 of the regulation (beans, fish, fruits, grains, herbs, meats, nuts, oils, poultry, seeds, spices, sweeteners, and vegetables or processed milk products). However, only three such food groups can be listed in the phrase, and no ingredient from the named food group can be non-organic. For instance, using the example previously used: If a product contained organic basil, rosemary, and thyme, it could carry the phrase “Made with Organic Herbs” as long as the product contained no non-organic herbs.

Size of Phrase: The “Made with” phrase must appear in letters that do not exceed one-half the size of the largest type size on the panel and which appears in its entirety in the same type size, style, and color without highlighting.

**5. No Use of Organic in the Product or Brand Name:** For a product using a “Made with Organic (Specified Ingredients or Food Groups)” claim, the term “Organic” must not appear in the product name, the brand name, the company name (for the principal display panel) or otherwise suggest that the product is certified “Organic” rather than certified ““Made with Organic (Specified Ingredients or Food Groups)””.

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**6. Mandatory Identification of Organic Ingredients in the Ingredient List:** Section 205.304 of the USDA organic regulations requires that labels include an ingredient list where all organic ingredients are identified as organic. This can be done by using the word organic to identify organic ingredients or with an asterisk or other reference mark which is defined below the ingredient statement to indicate the ingredient is organically produced. Note that salt and water cannot be identified as organic.

Do not use the term “100% Organic” anywhere on a “Made with Organic (Specified Ingredients or Food Groups)” claim label.

Ingredient lists on labels must match the corresponding Organic Product Profile form for that product. If the formulation changes, the label must be revised to match the new formulation.

**7. Mandatory Use and Placement of the Phrase “Certified Organic by Americert International”:** Section 205.304 of the USDA organic regulations requires that each product making a “Made with Organic (Specified Ingredients or Food Groups)” label claim include on the information panel the following phrase: “Certified Organic by (the certifying agent certifying the product)” directly below identification of the final handler or distributor. For instance, an Americert certified product would carry the following phrase on the information panel:

**Manufactured by A Company**  
**Certified Organic by Americert International**

Note that the placement is specific. First identify the final handler or distributor, and then, immediately below, follows the phrase “Certified Organic by Americert International”.

**8. “Made with Organic (Specified Ingredients or Food Groups)” Must Not Use the USDA Organic Seal:** Under section 205.304(C) of the USDA organic regulations, products making a “Made with Organic (Specified Ingredients or Food Groups)” label claim must not use the USDA Organic Seal.

**9. Use of a Lot Number:** Retail labels and packaging must include the use of a unique lot number for traceability purposes. This may be the harvest date, packaging date, or a unique code or number which allows the specific lot of product to be traced back to the date handled by the handler.

**10. Optional Use of the Americert International Seal:** It is not required to use the Americert organic seal on labels, it is purely optional. Operations can contact Americert to access copies of the Americert International organic seal. Note that the Americert seal cannot serve as the required “Certified Organic by” statement referenced in paragraph 7 above.



**11. Contingent Right to Use Labels:** As a matter of contract an operation is permitted to use labels and packaging that use the Americert International marks and phrases (i.e. the Americert seal and the phrase “Certified Organic by Americert International”) as long as the operation remains certified by Americert International. If certification is surrendered, revoked, or suspended, the operation loses the right to use any labels or packaging containing the Americert seal or the phrase “Certified Organic by Americert International”.

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## **D. Nonretail Packaging and Containers**

**1. Nonretail Packaging and Containers Defined:** The NOP regulations define nonretail packaging at 205.2. The NOP has issued guidance which states that nonretail packaging and containers are:

“Any container used for shipping or storage of an agricultural product that is not used in the retail display or sale of the product. Nonretail containers are used to ship or store either packaged or unpackaged organic products, and may include the following:

- Produce boxes, totes, bulk containers, bulk bags, flexible bulk containers, harvest crates and bins;
- Boxes, crates, cartons, and master cases of wholesale packaged products; and
- Trailers, tanks, railcars, shipping containers, vessels, cargo holds, freighters, barges, grain elevators, silos, grain bins, or other methods of bulk transport or storage.

Nonretail containers are not used to display organic products for sale to the consumer at retail establishments. Packages that display organic products for retail sale to the consumer must be labeled according to §§ 205.303 and 205.306.”

### **2. All Printed Packaging and Container Labels Must Be Submitted to Americert for Review and Approval In Draft Form:**

No printed packaging or container labels should be printed or finalized unless the operation has submitted the proposed printed packaging to Americert International in draft form and received explicit approval from Americert. It is not uncommon for Americert to require revisions or changes to proposed packaging. Operations can avoid the costs of discarding noncompliant packaging by ensuring that they only print packaging once it has been specifically approved by Americert. It is a significant noncompliance to use labels that have not been approved by Americert and in most such cases Americert shall both issue a Notice of Noncompliance and require the payment of contractual noncompliance penalties.

### **3. No Printed Packaging Can Be Used without Americert’s Approval:**

No printed packaging or container labels can be used unless the operation has submitted the proposed packaging to Americert International in draft form and received explicit approval from Americert. Once packaging has been approved, no changes, even minor ones, can be made to the design of the packaging unless the new design is submitted to Americert for review and approval prior to printing. Once certified, the operation may not develop any new packaging unless the operation has submitted the proposed packaging to Americert International in draft form and received explicit approval from Americert. It is a significant noncompliance to use labels that have not been approved by Americert and in most such cases Americert shall both issue a Notice of Noncompliance and require the payment of contractual noncompliance penalties.

### **4. Identification of the Product as Organic:**

Under section 205.307(a) of the NOP organic regulations, nonretail containers used to ship or store organic products must be clearly labeled with a statement that identifies the product as organic. Operations may use abbreviations or acronyms to identify products as organic, provided that they are clear and easily understood. This provides flexibility for operations to meet the requirements of §205.307(a)(1) and makes it easier to label containers with limited space or containers that are difficult to label due to their size, shape, material, or use. In very limited circumstances, operations may use temporary labels or signage to meet the requirements of §205.307(a). This provides additional flexibility for containers that may be difficult to label due to size, shape, material, or use. However, please contact Americert if you anticipate using temporary labels or signage to meet the requirements of §205.307(a) as such situations are approved only on a case by case basis.

### **5. Use of Lot # or Unique Traceability Identifier:**

All nonretail packaging and containers used to ship or store organic products must display the production lot number, shipping identification, or other unique information that links the container to audit trail documentation. This is true regardless of the packaging or container’s size, shape, or use. This can be a production lot number, shipping identification or information, or other unique identifier or information for that shipment that handlers can use to trace the container to its associated audit trail documentation. This creates a clear link between container and audit trail and minimizes the size of labels by

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allowing some information to be listed in associated documentation, instead of directly on the nonretail container label.

Nonretail containers used to ship or store organic products must be labeled with information that links the container to audit trail documentation (§§ 205.307(a)(2)). Such documentation must be sufficient to determine the source, transfer of ownership, and transportation of the product (see 205.2 audit trail) and must identify the last certified operation that handled the product §205.307(b).

Listing the last certified organic operation provides a point of contact to verify the organic status of a product and supports operations' traceability, recordkeeping, and fraud prevention requirements (§§205.103(b)(2)-(3) and 205.201(a)(3)). It also supports on-site inspections and supply chain traceability audits conducted by certifying agents (§§205.403(d)(5) and 205.501(a)(21)) by ensuring good recordkeeping of the critical transfers between certified operations.

**6. Use and Placement of the Phrase “Certified Organic by Americert International”:** The phrase “Certified Organic by (the certifying agent certifying the product)” directly below identification of the final handler or distributor is suggested, but not required. For instance, an Americert certified product would carry the following phrase on the packaging:

**Manufactured by A Company**  
**Certified Organic by Americert International**

Note that the placement is specific. First identify the final handler or distributor, and then, immediately below, follows the phrase “Certified Organic by Americert International”. Unrelated text or images between the identification of handler and the COB statement should be discouraged.

**7. No Alteration to the Colors or Design of the USDA Organic Seal:** The use of the USDA Organic Seal on nonretail packaging and containers is not required but is optional. However, if it is used, it must be in compliance with the color and design requirements of 205.311. Frequently, applicants (or their graphic designers) decide that a few alterations to the colors or the design of the USDA seal would improve the look of their packaging. However, under section 205.311 of the USDA organic regulations, no alterations to the design or colors of the USDA seal are permitted. The allowed versions of the USDA Organic Seal are as follows:



A: The full color seal with green, white, and brown as depicted.

B: The black and white seal as depicted.

C: The black and white seal with the white portions rendered transparent so that the label background color shows through the transparency.

D: The black and white seal with the upper semi-circle rendered as transparent and the term “Organic” rendered in white. The label background color would show through the transparent upper semi-circle.

Note no inversions of colors or design is allowed. The design must strictly conform to one of the four designs shown above. To obtain high quality versions of the USDA organic seal, go to: <https://www.ams.usda.gov/rules-regulations/organic/organic-seal>

**8. Optional Use of the Americert International Seal:** It is not required to use the Americert organic seal on packaging and labeling, including that nonretail packaging and labeling. If operations elect to use the Americert



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organic seal, the regulations require that the Americert logo is not placed more prominently than the USDA organic seal. Operations can contact Americert to access copies of the Americert International organic seal.



**9. Contingent Right to Use of Printed Packaging and Container Labels:** As a matter of contract an operation is permitted to use labels and packaging that use the Americert International marks and phrases (i.e. the Americert seal or the phrase “Certified Organic by Americert International”) as long as the operation remains certified by Americert International. If certification is surrendered, revoked, or suspended, the operation loses the right to use any labels or packaging containing the Americert seal or the phrase “Certified Organic by Americert International”.

**10. Limited Exceptions to Organic Identification on Nonretail Packaging Used to Store or Ship Retail Labeled Products:** Nonretail containers used to ship or store agricultural products packaged for retail sale with organic identification visible on the retail label are not required to identify product as organic per §205.307(a)(1). Only nonretail containers used to ship or store agricultural products packaged for retail sale where organic identification is visible on the retail label are excepted from the requirements of §205.307(a)(1). Examples include master cases and pallets where the organic identification (e.g., the USDA organic seal or organic product name) is present on individual retail units. These are exempt from §205.307(a)(1) because the organic identification is visible on the retail label. Note however, that these types of nonretail containers are only excepted from the requirements of §205.307(a)(1). All nonretail packaging and containers must be linked or traceable to audit trail documentation as discussed in paragraph 5 above and per §205.307(a)(2); this ensures traceability of the product in the containers and supports organic integrity during transport, storage, and handling.

## **E. “INGREDIENT LIST ONLY LABEL CLAIM” PACKAGING AND LABELS:**

**1. Ingredient List Only Label Claims Defined:** When Americert uses the term “Ingredient List Only Label Claims” it means products which identify the organic ingredients in a product only in the ingredient list (and nowhere else on the label) including those products defined in the USDA organic regulations as section 205.305 (products with less than 70% organic content) and section 205.310 (those that make no other organic claim other than in the ingredient list).

**2. All Printed Packaging Must Be Submitted to Americert for Review and Approval In Draft Form:** Even though “Ingredient List Only Label Claim” are not certified and cannot be certified, operations must disclose all such products to Americert and submit the packaging to Americert for review and approval. No printed packaging should be printed or finalized unless the operation has submitted the proposed printed packaging to Americert International in draft form and received explicit approval from Americert. It is not uncommon for Americert to require revisions or changes to proposed packaging. Operations can avoid the costs of discarding noncompliant packaging by ensuring that they only print packaging once it has been specifically approved by Americert. It is a significant noncompliance to use labels that have not been approved by Americert and in most such cases Americert shall both issue a Notice of Noncompliance and require the payment of contractual noncompliance penalties.

**3. No Printed Packaging Can Be Used without Americert’s Approval:** No printed packaging can be used unless the operation has submitted the proposed packaging to Americert International in draft form and received explicit approval from Americert. Once packaging has been approved, no changes, even minor ones, can be made to the design of the packaging unless the new design is submitted to Americert for review and approval prior to printing. Once certified, the operation may not develop any new packaging unless the operation has submitted the proposed packaging to Americert International in draft form and received explicit approval from Americert. It is a significant noncompliance to use labels that have not been approved by Americert and in most such cases Americert shall both issue a Notice of Noncompliance and require the payment of contractual noncompliance penalties.

**4. No Use of the Term “Organic” Is Allowed Anywhere on the Label Except in the Ingredient List:** This includes in the product name, the brand name, the company name, or anywhere else on the label, including in romance marketing language on the label.


**5. No Use of a “Certified Organic by Americert International” phrase permitted:** While Americert reviews these products for compliance with the labeling requirements of section 205.305 and 205.310, Americert does not “certify” these label claims and no use of the phrase ““Certified Organic by Americert International” is permitted on an “Ingredient List Only Label Claim” product.

**6. No Use of the USDA Organic Seal Permitted:** The use of the USDA Organic Seal is not permitted for “Ingredient List Only Label Claim” products and it must not be used.

**7. No Use of the Americert International Seal Permitted:** The use of the Americert International seal is not permitted for “Ingredient List Only Label Claim” products and it must not be used.

**8. In Certain Circumstances Declaration of the Percentage of Organic Ingredients May be Permitted:** When an “Ingredient List Only Label Claim” product contains less than 70% organic ingredients, the ingredient list itself may include a declaration of the percentage of organic ingredients (by weight or volume, excluding water and salt) the product contains. This is only permitted for products with less than 70% organic ingredients and the statement may appear only in the ingredient list. Note that this means that where such a statement appears in the ingredient list (along with the list of all organic ingredients) the statement will never state that the product contains 70% or more organic ingredients, as the option to make such a declaration in the ingredient list is limited (under section 205.305) to products with less than 70% organic ingredients.

**APPENDIX 1:**  
 Optional Label Review Checklist v. 112022.

<b>Label Review Worksheet: Retail Products with 100% or Organic Label Claim:</b>		
Reviewer and Date:		
Client Name:	Compliant Labels	Noncompliant Labels
Product or Product Names:		
1) For an "Organic" label claim product, does the label refrain from any misleading text that would suggest that this product or its ingredients are "100% Organic"? 205.303(a)(1)		
2) Does the label refrain from using the term "organic" in the product name to modify a non-organic ingredient in the product? 205.300(a).		
3) If the label uses the option to state the percentage of organic ingredients in the product on the PDP, or any other part of the label, is the size of the percentage statement no larger than 1/2 of the size of the largest type size on the panel and appear in its entirety in the same type size, style, and color without highlighting? 205.303(a)(2)		
4) If the label uses the seal/logo of the certifying agent for the product, is it not displayed more prominently than the USDA seal? 205.303(a)(5)		
5) Does the certifying agent of either the manufacturer or the distributor appear in the COB Statement? 205.303(a)(5)		
6) For multi-ingredient products labeled as "Organic" does the label contain an ingredient list which clearly identifies each organic ingredient as organic with the word organic or with an asterisk or other reference mark which is defined as being used to identify organic ingredients? 205.303(b)(1)		
7) Is the ingredient list free of the use of the terms "100% Organic" or "Made with Organic" to identify any ingredient?		
8) On the information panel, below the information identifying the handler or distributor of the product, does the label carry the phrase "Certified Organic by" and an identification of the certifying agent of the manufacturer or distributor of the product as applicable? (Note that the certifying agent's logo/seal cannot serve as the COB statement regardless of the text in the logo/seal). 205.303(b)(2)		
9) Is the COB statement free of extraneous text or images between the identification of the handler and the "Certified Organic by" statement (except that address, phone or website info for the handler or distributor may occupy this space)? 205.303(b)(2)		
10) If the full color USDA seal is used on the label, is it used without any alteration of colors or design and with no transparent elements? 205.311(b)(1) (Note that the four lines running from left to right on the lower semi-circle are optional).		
		
11) If the full color USDA seal is used in the label does it contain the outer brown ring without alteration to color? 205.311(b)		
12) If the black and white seal is used is it one of the allowed variants as depicted without any other alteration of the design or colors?		
Final Product Label Notes:		
Is/Are this/these product Labels Approved?		