

Presented by Rachel Winter

NON-RETAIL LABELS

WELCOME

Hello, I'm Rachel Winter, the Organic Program Manager.

- Been at PJRFSI for 4 years
- Previous experience in R&D & QA
- 10+ Years in Food Industry
- Bakery, Pet Food, & Dairy experience



REGULATIONS



LABELS REGULATIONS

205. XXX Regulations

Subpart D Labels, Labeling, & Marketing info

301- Product composition to use organic claim

302- Calculating the percentage of organic ingredients

303-Packaged product labeled 100% organic and organic

304- Packaged product labeled , “Made with organic”

205.307 – Labeling of non-retail containers

OLD REGS

NON-RETAIL CONTAINER

Nonretail containers used to ship or store certified organic product must display the following:

- (1) The term, “100 percent organic,” “organic,” or “made with organic (specified ingredients or food group(s)),” as applicable, to identify the product;
- (2) The statement, “Certified organic by (name of certifying agent),” or similar phrase, to identify the name of the certifying agent that certified the producer of the product, or, if processed, the certifying agent that certified the last handler that processed the product; and
- (3) The production lot number of the product, shipping identification, or other information needed to ensure traceability.

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The "Certified Organic by ..." (COB) statement is not a required component on nonretail containers but may be used. If the COB statement is used on a nonretail container it does not have to comply with the location requirements in §205.303(b)(2).

LABELING OF NON-RETAIL CONTAINERS

§ 205.307 Labeling of nonretail containers.

(a) Nonretail containers used to ship or store certified organic agricultural products must display:

- (1) Identification of the product as organic; and
- (2) The production lot number, shipping identification, or other unique information that links the container to audit trail documentation.

(b) Audit trail documentation for nonretail containers must identify the last certified operation that handled the agricultural product.

(c) Paragraph (a)(1) of this section does not apply to nonretail containers used to ship or store agricultural products packaged for retail sale with organic identification visible on the retail label.

(d) Shipping containers of domestically produced product labeled as organic intended for export to international markets may be labeled in accordance with any shipping container labeling requirements of the foreign country of destination or the container labeling specifications of a foreign contract buyer: Provided, that, the shipping containers and shipping documents accompanying such organic products are clearly marked “For Export Only” and: Provided further, that proof of such container marking and export must be maintained by the handler in accordance with recordkeeping requirements for exempt operations under § 205.101.

SOE NON-RETAIL CONTAINER

WITH THE SOE REGULATION

205.2 NON-RETAIL CONTAINER DEFINITION-

“ANY CONTAINER USED FOR SHIPPING OR STORAGE OF AN AGRICULTURAL PRODUCT THAT IS NOT USED IN THE RETAIL DISPLAY OR SALE OF THE PRODUCT”

MAY INCLUDE THE FOLLOWING:

- PRODUCE BOXES, TOTES, BULK CONTAINERS, BULK BAGS, FLEXIBLE BULK CONTAINERS, HARVEST CRATES AND BINS (PRIMARY PACKAGING)
- BOXES, CRATES, CARTONS, AND MASTER CASES OF WHOLESALE PACKAGED PRODUCTS (FIRST OR SECONDARY PACKAGING OF WHOLESALE PACKAGED PRODUCTS)
- TRAILERS, TANKS, RAILCARS, SHIPPING CONTAINERS, VESSELS, CARGO HOLDS, FREIGHTERS, BARGES, GRAIN ELEVATORS, SILOS, GRAIN BINS, OR OTHER METHODS OF BULK TRANSPORT OR STORAGE. (NO PACKAGING)

§ 205.307 LABELING OF NONRETAIL CONTAINERS.

(A) NONRETAIL CONTAINERS USED TO SHIP OR STORE CERTIFIED ORGANIC AGRICULTURAL PRODUCTS **MUST DISPLAY:**

(1) IDENTIFICATION OF THE PRODUCT AS **ORGANIC**; AND

(2) THE PRODUCTION LOT NUMBER, SHIPPING IDENTIFICATION, OR OTHER **UNIQUE INFORMATION** THAT LINKS THE CONTAINER TO AUDIT TRAIL DOCUMENTATION.

ORG CHOCOLATE
LOT#1234

(1) IDENTIFICATION OF THE PRODUCT AS **ORGANIC**;

EXAMPLES “OG, ORG, USDA SEAL, CERTIFIED ORGANIC BY (COB)”, ETC.

NOT ACCETPABLE: 100% ORGANIC OR MADE WITH ORGANIC PACKAGING CLAIMS

EXAMPLES OF COMPLIANT DISPLAYS

-STAMP ON A PRODUCE BOX OR MASTER CASE

-PALLET TAG

- SEAL, TAG OR MAGNET ON A RAILCAR

- TRUCK/TRAILER NUMBER WITH “ORGANIC” DIRECT ON TRUCK OR SOME OTHER SIGNAGE

- PLASTIC DOC HOLDER ON OUTSIDE OF SHIPPING CONTAINER WITH AUDIT TRAIL DOCS

§ 205.307 LABELING OF NONRETAIL CONTAINERS.

(A) NONRETAIL CONTAINERS USED TO SHIP OR STORE CERTIFIED ORGANIC AGRICULTURAL PRODUCTS **MUST DISPLAY:**

(1) IDENTIFICATION OF THE PRODUCT AS **ORGANIC**; AND

(2) THE PRODUCTION LOT NUMBER, SHIPPING IDENTIFICATION, OR OTHER **UNIQUE INFORMATION** THAT LINKS THE CONTAINER TO AUDIT TRAIL DOCUMENTATION.

ORG CHOCOLATE
LOT#1234

(2) THE PRODUCTION LOT NUMBER, SHIPPING IDENTIFICATION, OR OTHER UNIQUE INFORMATION **THAT LINKS** THE CONTAINER TO AUDIT TRAIL DOCUMENTATION.

EXAMPLES:

- LOT NUMBER
- SHIPPING IDENTIFICATION
- HARVEST DATE
- PACKAGING DATE

§ 205.307 LABELING OF NONRETAIL CONTAINERS.

(B) **AUDIT TRAIL DOCUMENTATION** FOR NONRETAIL CONTAINERS MUST IDENTIFY THE LAST **CERTIFIED OPERATION** THAT HANDLED THE AGRICULTURAL PRODUCT.

*IDENTITY THE LAST CERTIFIED OPERATION THAT HANDLED THE PRODUCT

* IDENTIFY THE AGRICULTURE PRODUCT ON THE RECORDS AS 100% ORGANIC, ORGANIC, OR MADE WITH ORGANIC.

Chocolate Factory
123 Chocolate Lane
Troy, MI 12345

Bill of Lading (BOL)

ORG CHOCOLATE LOT#1234

NONORGANIC CHOCOALTE LOT#4567

§ 205.307 LABELING OF NONRETAIL CONTAINERS.

(C) PARAGRAPH (A)(1) OF THIS SECTION **DOES NOT APPLY** TO NONRETAIL CONTAINERS USED TO SHIP OR STORE AGRICULTURAL PRODUCTS PACKAGED FOR RETAIL SALE WITH ORGANIC IDENTIFICATION VISIBLE ON THE RETAIL LABEL.

(1). EXAMPLES INCLUDE MASTER CASES AND PALLETS WHERE THE ORGANIC IDENTIFICATION (E.G.,THE USDA ORGANIC SEAL) OF INDIVIDUAL RETAIL UNITS IS VISIBLE. THESE ARE EXEMPT FROM § 205.307(A)(1) BECAUSE THE ORGANIC IDENTIFICATION IS VISIBLE ON THE RETAIL LABEL.

****THESE TYPES OF NONRETAIL CONTAINERS ARE ONLY EXCEPTED FROM THE REQUIREMENTS OF § 205.307(A)(1). ALL NONRETAIL CONTAINERS **MUST BE LINKED OR TRACEABLE TO AUDIT TRAIL DOCUMENTATION** PER § 205.307(A)(2); THIS ENSURES TRACEABILITY OF THE PRODUCT IN THE CONTAINERS AND SUPPORTS ORGANIC INTEGRITY DURING TRANSPORT, STORAGE, AND HANDLING.**

§ 205.307 LABELING OF NONRETAIL CONTAINERS.

(D) SHIPPING CONTAINERS OF DOMESTICALLY PRODUCED PRODUCT

LABELED AS ORGANIC

INTENDED FOR EXPORT TO INTERNATIONAL MARKETS MAY BE LABELED IN ACCORDANCE WITH ANY SHIPPING CONTAINER LABELING REQUIREMENTS OF THE FOREIGN COUNTRY OF DESTINATION OR THE CONTAINER LABELING SPECIFICATIONS OF A FOREIGN CONTRACT BUYER:

PROVIDED, THAT, THE SHIPPING CONTAINERS AND SHIPPING DOCUMENTS ACCOMPANYING SUCH ORGANIC PRODUCTS ARE CLEARLY MARKED “**FOR EXPORT ONLY**” AND: PROVIDED FURTHER, THAT PROOF OF SUCH CONTAINER MARKING AND EXPORT MUST BE MAINTAINED BY THE HANDLER IN ACCORDANCE WITH RECORDKEEPING REQUIREMENTS FOR EXEMPT OPERATIONS UNDER § 205.101.

§ 205.307 LABELING OF NONRETAIL CONTAINERS.

EXEMPTIONS

* WORK IN PROCESS (WIP) CONTAINERS USED TO MOVE GOODS DURING THE NORMAL SEQUENCE OF PRODUCTION ACTIONS THAT DO NOT LEAVE THE OPERATION (E.G. HARVEST BINS, CONTAINER OF MIXED INGREDIENTS) – **THIS APPLIES TO OPERATIONS ENGAGED EXCLUSIVELY IN ORGANIC PRODUCTION ONLY**

*STORAGE CONTAINERS (E.G. GRAIN BIN, SILO, BUNKER SILO, TANK) THAT DO NOT ENTER THE STREAM OF COMMERCE – **THIS APPLIES TO OPERATIONS ENGAGED EXCLUSIVELY IN ORGANIC PRODUCTION OR HANDLING ONLY**

* TRANSPORTATION THAT IS OPERATED BY THE CERTIFIED OPERATION USED TO RETRIEVE MATERIALS TO THE CERTIFIED OPERATION FOR EXCLUSIVE USE AT THAT OPERATION AND ONLY TRANSPORTING ORGANIC GOODS.(E.G. TRUCK DRIVEN BY PJRFSI CERTIFIED FARMER GOES TO PICK UP HAY AT NEIGHBORING FARM AND RETURNS TO OWN FARM).



QUESTIONS