

## **Part 5 : Requirements for Labelling, Advertising, Display Materials and Commercial Documents**

The following rules must be followed by all enterprises producing and/or preparing certified agricultural food and products derived from agriculture or aquaculture and whose labels bear the term “organic,” for the purpose of selling them on their behalf and under their own trademark within Quebec.

### **1. Information Regarding Organic Production Methods**

1.1 Products shall be considered as bearing information referring to organic production methods when these products or their ingredients are identified using the following terms (or their abbreviations) on labels and in advertising or commercial documents:

- "Organic";
- "Biological";
- "Ecological";
- "Biodynamic";
- Any similar term intended to lead retailers and consumers to understand by this reference that these product results from organic agriculture.

1.2 Section 1.1 shall not apply when these terms clearly have no connection with agricultural and food products (e.g., green house).

### **2. Required Information and Prohibited References on Labels**

2.1 All certified products having labels that mention the term organic or derivative terms indicated in Section 1.1 must be properly identified before being placed on sale. The following data elements must appear both on the product label affixed to packaging and on all transaction documents referring to the product (in addition to those required by the Canadian Food Inspection Agency):

- a) The company's identification (name or identifying code) to which an accredited body has issued an organic compliance certificate for the production or the most recent processing operation (depending on which one applies), resulting in the certified product;
- b) The trade name (either full name or acronym) of the certifier to which the operator is subject, indicated in a clear and readable manner, preceded by the terms “certified by” or “inspected by”;
- c) The batch number, if applicable.

2.2 Any mention of the following items is prohibited, both on the label attached to the product's packaging and on all relevant transaction certificates:

- a) Any information claiming that a food product contains no ingredients resulting from genetic engineering (GMOs), unless proven by independent tests and that this product contains one or more ingredients whose equivalent version can be produced in the form of genetically modified crops included in the official list found at the Health Canada Internet site:

<http://www.hc-sc.gc.ca/fn-an/gmf-agm/appro/index-eng.php>

- b) The term "organic" or one of its synonyms as mentioned in 1.1 has been affixed to the main panel of the packaging, when the product contains less than 95% organic ingredients originating from organic agriculture or aquaculture;
- c) Any mention added to the label (other than the list of ingredients) which leads to the belief that the product contains organic ingredients when the product contains less than 70% organic ingredients originating from organic agriculture;
- d) If applicable, the corporate logo of the certification body that verified the product when the product contains less than 70% organic ingredients;
- e) Notations such as product produced during a period of transition to organic production or any other similar wording referring to conversion or pre-certification granted to the operator before its products are eligible for certification;
- f) Any information enabling the operator to make multipurpose use of the same packaging, which may contain organic foods or non-organic foods;
- g) The term "certified" immediately preceding the term "organic" anywhere on the label.

### **3. Labelling of Multi-Ingredient Organic Products**

3.1 It is forbidden to market certified products that have less than 100% ingredients of organic origin, unless the following labelling rules are complied with, a summary of which is published on a table in this section's appendix:

- a) Any mention on the label that a product is "organic" is only allowed on certified products where at least 95% (by weight or volume, excluding salt and water) of their ingredients originate from organic agriculture or aquaculture. Exceptions to this rule include:
  - Wine and alcoholic drinks whose processing operations (wine making, etc.) were monitored by an accredited certifier: the label affixed to product packaging can mention "wine made from organic grapes" when used for wine, or an equivalent mention when used for other alcoholic drinks, when purchased by a Quebec distributor before June 30, 2009. However these products may not be sold on the Canadian inter-provincial market if they bear this reference.
- b) The mention "contains X% of ingredients certified as organic" on the packaging is obligatory for those certified products where between 70% and 95% (by weight or volume, excluding salt and water) of their ingredients originate from organic agriculture or aquaculture. The percentage of organic content is rounded down to the nearest whole number;
- c) Information on the list of ingredients pertaining to the organic nature of certain product ingredients is authorized in so far as any ingredient contained in the product is not in both an organic and non-organic format;
- d) The list of ingredients must make a clear distinction between those ingredients that are organic and those that are not. However, the organic ingredients on this list shall be mentioned using a format, colour and font style similar to those used to list ingredients not of organic origins. Finally,

all additives and processing aids that remain in the products shall appear in the list of ingredients;

- e) The list of ingredients shall itemize all ingredients, ordered according to their weight. All additives and processing aids that remain in the products shall also be listed next to the ingredients. Non-organic ingredients of agricultural or aquacultural origin shall be indicated as such. It is unacceptable to dissimulate unauthorized ingredients through an overly general statement of ingredients.

If herbs and spices constitute less than 2% of the total weight of the product and are not individually listed in the ingredients statement, they shall be listed as "herbs" or "spices."

- 3.2 All finished products having information on their labels referring to the term "organic" or one of its derivatives on one of their panels must also have clearly displayed on their packaging the name (company name) of the body that certified the product. This refers to the organization that issued the compliance certificate (for products containing more than 70% organic ingredients) or the verification certificate (for all cosmetics and personal care products) to the operator that has carried out the most recent operation resulting in this product.
- 3.3 The presence on the finished product's label of any seal of conformity to the standards of the certification body's logo and of the certification body's address is optional for any product containing 70% of organic ingredients or more. The presence of any seal of conformity to the standards or of the certification body's logo is prohibited for products that are not admissible for organic certification. When an attestation of verification has been issued by a certification body for a cosmetic and a personal care product or a product containing less than 70% of organic ingredients, the presence of the certification body's address is optional.

#### **4. Labelling of Fruit and Vegetables by Operators**

- 4.1 Perishable foods, such as certified fruit and vegetables, shipped and intended for sale, shall be individually labelled (using stickers or others methods) by the operator holding an organic compliance certificate for these products.
- 4.2 When, due to their specific nature, products cannot be labelled individually (e.g., grapes), then it is the unit of sale (grape or broccoli bunch, parsley bundle, etc.) that shall be affixed with a label.
- 4.3 The name (or identification codes allotted by the certification body) of the operator that holds the certificate along with the name of the certifier shall be indicated on all labels attached directly to fruit, vegetables and other food products in bulk.
- 4.4 In exceptional cases, when no labels can be affixed to each fruit or vegetable, their packaging must be done under the responsibility of the certificate holder and in a container upon which the label is affixed. This label must include all information required by Article 2.1.

#### **5. Indications Relative to Inputs and Services Approved by an Accredited Certifier**

- 5.1 When an input has been approved in accordance with a private evaluation program by an accredited certifier, the only reference authorized in related advertising, labelling, commercial packaging or documentation is the following: "approved for organic agriculture or organic processing," followed by the

certification body's name. When the certification body authorizes the use of a logo or seal to vouch for input compliance, it must include the mention "input approved for organic agriculture" or "input approved for organic processing". It is forbidden to mention a public standard to indicate the certification requirements according to which the input has been evaluated.

- 5.2 When a service has been approved by an accredited certification body, the only reference authorized in related publicity, labelling, commercial packaging or documentation is the following: "approved for organic (identification of the type of service)" followed by the certification body's name. When the certification body authorizes the use of a logo or seal to vouch service compliance, it must include the mention "service approved for organic production".
- 5.3 Logos must be different enough from those used for product conformity to prevent confusion by the general public. The fonts used for these seals must not emphasize one term more than another.

## 6. Advertising, Display Materials and Commercial Documents

- 6.1 Mandatory information or claims that are allowed on a food label may also be used to advertise that food. Information generally deemed as unacceptable is not allowed in advertising.
- 6.2 The use of the term "organic" or the expression "certified organic", as well as any other derivative terms used to identify the type of operation (i.e., bio, organic culture, organic breeding, organic cooking, etc.) practiced by a company are only allowed in advertising and on display material when all products resulting from this operation are certified as conforming to the reference manual applying to products within this category.

## 7. Exemptions

- 7.1 Regardless of their origin, all certified products whose labels contain information that refers to their "organic" status and that do not fulfill any of the aforementioned requirements may only be marketed if their names appear on the ***Register of Certified Products Granted Temporary Exemption***. To request that a product be included on the aforementioned register, the company must submit an application to the CARTV, which is the only body able to authorize such an exemption.
- 7.2 The labelling of every product listed on the *Register of Certified Products Granted Temporary Exemption* and marketed in Québec must be compliant before the stipulated expiration date. Therefore, the company responsible for the product's compliance must inform the CARTV as well as the certification body that certifies the product as soon as corrections have been made to the labelling.