



**CONSEIL DES  
APPELLATIONS**  
RÉSERVÉES ET DES TERMES VALORISANTS

# **Specifications Manual for Organic Agriculture in Québec**

Version: 14.5

Last version of the requirements: October 5, 2020

Last editorial update: October 5, 2020

Enforcement: October 5, 2020

## GENERAL TABLE OF CONTENTS

<b>INTRODUCTION: ORGANIC PRODUCTION STANDARDS.....</b>	<b>3</b>
<b>NORMATIVE REFERENCES .....</b>	<b>4</b>
<b>DEFINITIONS.....</b>	<b>6</b>
<b>Part 1: Companies subject to the specification manual and related obligations .....</b>	<b>9</b>
1. Legal and regulatory framework.....	10
2. Requirements for controlling and marketing organic products .....	13
3. Companies that market agricultural, aquaculture and food products produced using an organic production method.....	14
4. Exemptions.....	16
5. Exceptions .....	17
<b>Part 2:.....</b>	<b>19</b>
<b>Requirements for Labelling, Advertising and Transaction Documents for Agricultural, Aquaculture and Food Products.....</b>	<b>19</b>
1. Indications Regarding Organic Method of Production .....	20
2. Required Information, Permitted References and Prohibited References on Labels of Agricultural, Aquaculture and Food Products .....	20
3. Labelling of Multi-Ingredient Organic Products.....	22
4. Labelling of Perishable Foods by Enterprises .....	23
5. Indications Regarding Inputs and Services Approved by a Certification Body.....	23
6. Advertising .....	24
7. Business developers that market organic products .....	24

## INTRODUCTION: ORGANIC PRODUCTION STANDARDS

Since January 1, 2012, the specifications manual pertaining to products bearing indications referring to the organic production method has included a certification reference manual based on the Canadian Organic Standards<sup>1</sup> published by the Canadian General Standards Board (CGSB).

### **Organic Production Method<sup>2</sup>**

The organic production standard used in Québec complies with the General Principles and Management Standards CAN/CGSB-32.310 and the requirements of the current Permitted Substances Lists CAN/CGSB-32.311.

### **Organic Production Method in Aquaculture**

The organic production aquaculture standard used in Québec complies with the General Principles and Management Standards and the requirements of the current Permitted Substances List CAN/CGSB-32.312.

CAN/CGSB-32.312 is only recognized for aquatic plants; the certification criteria are therefore not applicable to land plant cultivation. Land plants could not be certified according to this standard and could not be sold as organic in Québec. Certifying bodies could only certify algae, aquatic plants and aquaculture animals according to the Organic Standards CAN/CGSB-32.312.

---

<sup>1</sup> The Canadian Organic Standards refer to CAN/CGSB-32.310, CAN/CGSB-32.311 and CAN/CGSB-32.312.

<sup>2</sup> The Canadian General Standards Board (CGSB) uses the term "organic production systems" in CAN/CGSB-32.310, CAN/CGSB-32.311, and CAN/CGSB-32.312 to refer to what is identified as "organic production method" in this document.

## NORMATIVE REFERENCES

### GENERALITIES

For the purposes of this document, the following reference works contain requirements that must be taken into account and are cited in the appropriate places in the text.

In this document, please note that a dated normative reference means that it is the specific edition of this reference that applies, whereas an undated normative reference means that it is the last edition of this reference that applies.

### LAW AND REGULATIONS

#### Government of Canada

*Safe Food for Canadians Act (S.C. 2012, c. 24)*

*Safe Food for Canadians Regulations (SOR/2018-108)*

*Consumer Packaging and Labelling Act (R.S.C., 1985, c. C-38)*

*Food and Drugs Act (R.S.C., 1985, c. F-27)*

*Feeds Act (R.S.C., 1985, c. F-9)*

*Seeds Act (R.S.C., 1985, c. S-8)*

#### Government of Québec

*Act respecting reserved designations and added-value claims  
(Chap. A 20.03)*

*Regulation respecting reserved designations (Chap. A 20.03, r.2)*

*Legal notice published on December 29th, 1999 in the Gazette  
officielle du Québec, Volume 131, No. 53*

### GOVERNMENT DOCUMENT

#### Canadian Food Inspection Agency (CFIA)

*Certification Bodies Providing Organic Certification Services  
Under the Canada Organic Regime*

## **Canadian General Standards Board (CGSB)**

CAN/CGSB-32.310-2015  
Amended in March 2018

*Organic Production Systems – General Principles and Management Standards*

CAN/CGSB-32.311-2015  
Amended in March 2018

*Organic Production Systems – Permitted Substances Lists*

CAN/CGSB-32.312-2018

*Organic Production Systems Aquaculture – General Principles, Management Standards and Permitted Substances Lists*

## **OTHER DOCUMENTS**

### **Conseil des appellations réservées et des termes valorisants (CARTV)**

*Regulations for Reviewing Applications for Recognition of Designations, Applications for Amendment, Interpretation or Exemption from Approved Specification Manuals*

*Regulations Pertaining to Recognition of Bodies Certifying Products from Outside Québec*

*Regulations Pertaining to Acceptance of Products Originating from Outside Québec*

*Register of Certified Products Granted Temporary Exemption*

### **Codex Alimentarius Commission**

*Guidelines for the Production, Processing, Labelling and Marketing of Organically Produced Foods*

## DEFINITIONS

For the purposes of this document, the CAN/CGSB-32.310, CAN/CGSB-32.311 and CAN/CGSB-32.312 and the following definitions apply.

<p><b>Attestation of compliance</b> (<i>Attestation de conformité</i>)</p>	<p>A written document issued by a certification body confirming that the provision of a service through a particular activity taking place within the production or manufacturing process of a certified product is in full accordance with the current reference standards.</p>
<p><b>Organic</b> (<i>Biologique</i>)</p>	<p>Labelling term that denotes products that have been produced in accordance with organic production standards and certified as such by a duly accredited certification body.</p>
<p><b>Certification</b> (<i>Certification</i>)</p>	<p>Procedure whereby an officially accredited certification body declares in writing their assurance that agricultural, aquaculture and food products comply with specified requirements. Depending on the case, certification of these products may be based on a full complement of controls providing for ongoing inspections of the production chain, quality control system audits and the examination of finished products.</p>
<p><b>Certificate – Compliance certificate</b> (<i>Certificat de conformité</i>)</p>	<p>Official document issued by a certification body attesting that an organic product has met requirements applying to its production, preparation, packaging or any other operation leading to a change in its labelling.</p>
<p><b>Marketing</b> (<i>Commercialisation</i>)</p>	<p>All of a company's business activities, that is, the marketing of its products and services.</p>
<p><b>Packaging</b> (<i>Conditionnement</i>)</p>	<p>Operation carried out by a company which, in order to offer an organic product for sale, obtains certified products from one or more suppliers, divides or groups them, and then repackages, rebottles or simply offers them in bulk or relabelled. As a result, changes are made to the original labelling of these certified products without the product having been processed.</p>
<p><b>Commercial document</b> (<i>Document commercial</i>)</p>	<p>Document prepared upon conclusion of an operation (purchase, sale, etc.) and used to prove the authenticity of this operation.</p>
<p><b>Enterprise</b> (<i>Entreprise</i>)</p>	<p>Legal entity: Farm that holds a NIM number (ministerial identification number), or natural or legal person that holds an NEQ (Québec enterprise number) or any other registration under which it identifies itself in the exercise of its activities in Québec, which produces or prepares an organic product for its own account or on behalf of others, or has it produced or prepared for its own account.</p> <p>An enterprise may include one or more operating sites.</p>

<b>Label</b> ( <i>Étiquetage</i> )	As defined in the <i>Consumer Packaging and Labelling Act</i> : any label, mark, sign, device, imprint, stamp, brand, ticket or tag.
<b>Inspection</b> ( <i>Inspection</i> )	Evaluation of a product, process, service, facility to determine their compliance with specific requirements.
<b>Organic integrity</b> ( <i>Intégrité biologique</i> )	The maintenance of the inherent organic qualities of a product from receipt of ingredients through to the point of final sale, in accordance with the requirements of this specification manual.
<b>Certification body</b> ( <i>Organisme de certification</i> )	Any entity that is accredited as a certification body under the <i>Safe Food for Canadians Regulations</i> or accredited by the Board, which is responsible for the organic certification of food commodities and for the certification of packaging or labelling of organic products.
<b>Aquatic plant</b> ( <i>Plante aquatique</i> )	Plants growing naturally in water, totally or partially. Aquatic plants include submerged leaf plants (eg, pondweed, water milfoil), floating plants that are rooted or non-substrate-based (eg, water chestnuts, duckweeds, water lilies) and emerging plants (ex.: cattails, sagittarians). Aquatic plants also include algae.
<b>Precertification</b> ( <i>Précertification</i> )	Attestation applied to agricultural enterprises being newly monitored by a certification body during the last year of their transition period.  This certificate, which is only issued in Québec, cannot be the subject of organic product sales agreements or used for promotional purposes.
<b>Preparation</b> ( <i>Préparation</i> )	In the case of organic products, preparation includes postharvest handling, manufacturing, transformation, processing, storage and slaughter operations including labelling or packaging operations of the said prepared product.
<b>Production</b> ( <i>Production</i> )	All of the operations undertaken to supply agricultural products in the state in which they occur on the farm, including initial packaging and labelling of the product.
<b>Certified product</b> ( <i>Produit certifié</i> )	Any product subject to certification intended for consumption or processing (as an ingredient) and distributed by the enterprise responsible for ensuring that the product meets the requirements upon which the certification is based.

<p><b>Organic product</b> (<i>Produit biologique</i>)</p>	<p>A food commodity that has been certified as organic under subsection 345(1) of the <i>Safe Food for Canadians Regulations</i> or certified as organic by an entity accredited by a foreign state that is referred to in subparagraph 357(1)(a)(ii) of these Regulations.</p> <p>Food commodity definition under the Safe Food for Canadians Act:</p> <ul style="list-style-type: none"> <li>a) <i>food</i> as defined in section 2 of the Food and Drugs Act: includes any article manufactured, sold or represented for use as food or drink for human beings, chewing gum, and any ingredient that may be mixed with food for any purpose whatever;.</li> <li>b) any animal or plant, or any of its parts, from which food referred to in paragraph (a) may be derived;</li> <li>c) anything prescribed to be a food commodity.</li> </ul> <p>For the purposes of paragraph (c), the following are prescribed food commodities:</p> <ul style="list-style-type: none"> <li>a) <i>feed</i> as defined in section 2 of the Feeds Act;</li> <li>b) <i>seed</i> as defined in section 2 of the Seeds Act.</li> </ul> <p>Section 2 of the Feeds Act:</p> <p><b>Feed:</b> Any substance or mixture of substances containing amino acids, anti-oxidants, carbohydrates, condiments, enzymes, fats, minerals, non-protein nitrogen products, proteins or vitamins, or pelletizing, colouring, foaming or flavouring agents and any other substance manufactured, sold or represented for use:</p> <ul style="list-style-type: none"> <li>a) for consumption by livestock,</li> <li>b) for providing the nutritional requirements of livestock, or</li> <li>c) for the purpose of preventing or correcting nutritional disorders of livestock.</li> </ul> <p>or any substance for use in any such substance or mixture of substances;</p> <p>Section 2 of the Seeds Act:</p> <p><b>Seed:</b> Any plant part of any species belonging to the plant kingdom, represented, sold or used to grow a plant.</p>
<p><b>Operation site</b> (<i>Site d'exploitation</i>)</p>	<p>Operation location within a specific geographical area and including grounds and premises, or both, used to supply certified products.</p>
<p><b>Traceability</b> (<i>Traçabilité</i>)</p>	<p>Monitoring procedure to trace and follow upstream and downstream a food or a feed represented as organic or any product containing organic ingredients, through all stages of production, preparation and distribution.</p>



**PART 1:  
COMPANIES SUBJECT TO THE SPECIFICATION MANUAL AND RELATED  
OBLIGATIONS**

<b>1. Legal and regulatory framework.....</b>	<b>10</b>
<b>2. Requirements for controlling and marketing organic products.....</b>	<b>13</b>
<b>3. Companies that market agricultural, aquaculture and food products produced using an organic production method.....</b>	<b>14</b>
<b>4. Exemptions .....</b>	<b>16</b>
<b>5. Exceptions.....</b>	<b>17</b>

## 1. Legal and regulatory framework

### 1.1 Act Respecting Reserved Designations and Added-Value Claims

1.1.1 In 2006, the Québec government passed the *Act Respecting Reserved Designations and Added-Value Claims* (Chap. A-20.02) (hereinafter referred to as the Act). This legislation, which replaced the 1996 *Act respecting reserved designations*, was enacted to control the designations that are assigned to agricultural and food products as an attestation of their production method, terroir or specificity. Another objective of this legislation is to monitor the use of these designations.

1.1.2 Section 63 of the Act stipulates that: "A person may not use a recognized reserved designation or authorized added-value claim on a product, its packaging or its labelling, in advertising or commercial documents or in the presentation of a product unless the person is registered with an accredited certification body and the product is certified by such a body as compliant with the applicable specification manual or regulation.

A person to whom a specification manual or a regulation authorizing an added-value claim applies or whose activities are regulated by such a manual or regulation and who contravenes the first paragraph is guilty of an offence and is liable to the fines set out in Section 68."

### 1.2 Recognition of the term "organic" by the Minister

On February 1, 2000, the term "organic" became a reserved designation in Québec pursuant to legal notice 33336 published on December 29, 1999 in the *Gazette officielle du Québec*, Volume 131, No. 53. The *Conseil des appellations réservées et des termes valorisants* (CARTV) was given the mandate by the Minister of Agriculture, Fisheries and Food to supervise this designation.

The CARTV is a competent authority that has jurisdiction over food products bearing a reserved designation or an added-value claim sold in Québec under the powers conferred upon it by the provincial Act.

The conditions governing this reserved designation specify that the product must comply with a specification manual whose standards are at least as stringent as those set forth in the *Guidelines for the Production, Processing, Labelling and Marketing of Organically Produced Foods*, adopted by the Codex Alimentarius Commission under the Joint FAO/WHO Food Standards Program.

### 1.3 Regulation respecting reserved designations

Recognition of the organic designation confirms the CARTV approval of a specification manual for organic products, for their compliance with the requirements of Section 1.1. of the *Regulation respecting reserved designations (Chap. A 20.03, r.2)*, which reads as follows: "In the case of a reserved designation relating to a method of production, the product must result from a comprehensive system of cultivation, breeding or processing, whose standards make it possible to achieve distinctive objectives."

### 1.4 Scope of the Act pertaining to organic designations

For the purposes of applying the Act, all products included within the decree respecting organic reserved designations, whose operations are carried out by an enterprise located in Québec, or are available for sale in Québec, must meet the stipulated certification conditions if they are intended to be sold or marketed with the organic claim.

The products and services covered by the organic designation are as follows:

*a) Agricultural and aquaculture products and foodstuff intended for human consumption or livestock feed:*

- i. Plant products: Products grown in fields, greenhouses and nurseries; plants harvested in the wild and in forested areas; seeds and plant propagating material; maple products. Algae and aquatic plants under aquaculture.
- ii. Animal products: meat, milk and eggs, insects, aquaculture and beekeeping products.
- iii. Livestock feed.
- iv. Processed products: Processed products derived from crops and livestock intended for human use or consumption, and processed products intended for animal use and consumption. These products include foods and alcoholic beverages from preparation.

Exclusions: natural health products, cosmetics and body care products, textiles and pet food.

*b) Products contributing to the production system (inputs):*

These products or their components must comply with the list of permitted substances contained in the document *Permitted Substances List (CAN/CGSB 32.311)* or CAN/CGSB 32.312 published by the Canadian General Standards Board (CGSB). These products must be approved (with written proof) by a CARTV-accredited certification body and, if applicable, may include an attestation of compliance stating that they are "approved for organic agriculture/aquaculture" or "approved for organic production/processing." This attestation is valid for one year and is only valid within Québec.

*c) Contracted services:*

Services such as slaughtering, transportation and storage of organic products, cutting of animal carcasses, or seed classification and screening may be performed by a supplier at the request of a client who retains ownership of the product.

To ensure or maintain the product's organic integrity, if these services are not included in the client's organic plan and consequently not inspected as part of the certification of their product, they must be approved by an accredited certification body if the product is subject to certification in accordance with the requirements of the applicable Canadian Organic Standards (CAN/CGSB-32.310, CAN/CGSB-32.311 and CAN/CGSB-32.312).

These services must be subject to an attestation of compliance issued by an accredited certification body confirming that the services offered by the supplier are "approved for" (identification of service type)." The attestation of compliance for a service is valid for one year in Canada.

## **2.Requirements for controlling and marketing organic products**

### **2.1 Acceptance of organic products**

Products identified as organic that are covered under the Act pertaining to the organic designation may be controlled and marketed in Québec under the following conditions:

- Products whose operations are subject to the Act shall be certified by one of the certification bodies accredited or recognized by the Board for the organic designation.
- Products from outside of Québec must be certified by:
  - i) a certification body that appears on the list of accredited bodies published by the Canadian Food Inspection Agency (CFIA) in accordance with the Canadian Organic Standards;
  - ii) a certification body recognized under a trade agreement between Canada and a competent foreign authority; or
  - iii) a certification body recognized by the CARTV in accordance with the Regulations Pertaining to Recognition of Bodies Certifying Products from Outside Québec.
- Any food products whose packaging – apart from the list of ingredients – claim 70% - 95% organic ingredients, excluding water (H<sub>2</sub>O) and salt (NaCl), must be certified by a body mentioned above during the product’s production or processing.
- Any organic ingredient included in a prepared product whose label mentions organic content must first be certified by a body mentioned above.
- All the products, listed according to type or range of products, produced from organic farming, intended to be sold in Québec and within the scope determined by the CARTV must be registered on a certificate issued by an accredited certification body or recognized by the CARTV or by a certification body whose name appears on the list of accredited or recognized bodies published by the CFIA. A certificate must be granted to each company responsible for production, preparation or packaging/labelling operations.

In order for organic products to be sold in Québec, regardless of their origin, their labelling must meet the requirements pertaining to labelling, advertising, display materials and commercial documents, which are stipulated by the CARTV and published on its website (Part 2 of this specification manual).

### **2.2 Prohibitions**

The marketing of products bearing the term “organic” is prohibited in the following situations:

- a) the product contains less than 95% organic ingredients;
- b) the product does not meet the requirements outlined in this specification manual;
- c) the certification body that issued the certificate is not accredited or recognized by the CARTV, is not recognized under an equivalency agreement between Canada and a foreign competent authority or does not appear on the list of accredited or recognized bodies published by the CFIA;
- d) the certificate has been revoked or suspended by the certification body, following voluntary relinquishing by the company or decision by the certification body;

- e) the product was certified by an accredited certification body whose scope for the certification program does not cover the category of products concerned;
- f) the product comes from a production system that is under organic transition;
- g) the same ingredient is found both in organic and non-organic form in the same product.
- h) use of the term “organic” in the list of ingredients - if the product only contains one ingredient (single-ingredient product) - unless the product is duly certified.

### **3. Companies that market agricultural, aquaculture and food products produced using an organic production method**

#### **3.1 Companies responsible for production or preparation of organic products subject to the requirement to obtain an organic certificate**

Any company, located in or outside Québec, that is responsible for the production or preparation of an agricultural, aquaculture or food product, must be evaluated by an accredited certification body in order to certify the product.

Regardless whether it is a producer, processor, merchant, wholesaler, distributor or retailer, a natural or legal person, the company must obtain a certificate mentioning the name of the accredited certification body for its product before selling it when claiming that its content is partially or completely organic.

This means that a company must request the organic certification if it:

- 3.1.1 Sells a product under its trade name (company or corporate name), trademark or on behalf of a third party, a product resulting from production or preparation; *or*
- 3.1.2 Trades or acquires agricultural, aquaculture or organic food products and prepares them (in particular, by breaking them down or grouping them) or modifies their packaging or labelling. (Brokerage activities are not subject to organic certification when the organic integrity is maintained); *or*
- 3.1.3 Sells under its trade name (company or corporate name), trademark or on behalf of a third party, a product that contains only one ingredient (single-ingredient product) resulting from a production, preparation or repackaging operation that lists this organic ingredient in the list of ingredients; *or*
- 3.1.4 Prepares private label products and is not included in the certification activity of the trademark owner.

#### **3.2 Distributors and retailers of organic products**

- 3.2.1 Any company that, as a distributor or retailer, acquires agricultural, aquaculture or organic food products, from Québec or elsewhere, in order to re-sell them as such to the consumer, is not required to request certification for the said products if it does not compromise their organic integrity.

3.2.2 Companies that trade or sell organic products in Québec must:

- Hold a valid organic compliance certificate issued by an accredited certification body for the products in question;
- Ensure that all commercial documents supporting these transactions clearly state that the concerned products have been certified by a certification body;
- Ensure that this certification body is included: i) on the list of CARTV-accredited certification bodies when the product originates from Québec; or ii) on the list of certification bodies recognized by the CARTV for an aquaculture product from outside Québec; or iii) on the list of certification bodies accredited or recognized by the CFIA when the product originates from outside Québec;
- Ensure that the products meet the labelling requirements published by the CARTV before marketing them;
- Indicate the name (company name) of the certification body that issued the most recent compliance certificate on all commercial documents transmitted during subsequent transactions carried out in Québec, except for the invoice issued to the end consumer upon retail sale.

3.2.3 Certified products from a company that no longer holds a compliance certificate (voluntary withdrawal) for the aforementioned products may be sold within Québec within a maximum period of 12 months following the date of withdrawal of the compliance certificate, if the company concerned informs the certification body and the CARTV how and when its stock of organic products will be sold (amounts, timelines, client lists, etc.). Products must be recorded in the CARTV's *Register of Certified Products Granted Temporary Exemption*. The CARTV must be regularly provided with a sales update. The products in question must not be subject to non-compliance by the certification body. The company is also required to notify its clients. The product shall be deemed certified only under these conditions.

3.2.4. Regardless of their origin, all certified products shall be recertified by a CARTV-accredited or recognized body whenever the distributor or retailer carries out one of the following actions before offering it for sale as organic:

- No longer mentions the supplier's or certification body's name on the certified product's label or transaction documents;
- Compromises the integrity of its packaging during repackaging operations (rewrapping, bottling, repackaging, etc.) including single-ingredient products;
- Modifies the organic product for the purpose of producing a new product (except for products that comply with Section 5.1.b));

### **3.3 Importers of organic products in Québec**

- 3.3.1 Acceptance of organic products from outside of Québec (provinces, territories or countries) is subject to the CARTV requirements stipulated in the *Regulations Pertaining to Acceptance of Products Coming from Outside Québec* and the CFIA requirements for organic product certification.
- 3.3.2 The importer must ensure that organic products meet Québec labelling requirements published by the CARTV before putting them on the market.
- 3.3.3 The importer must be able to demonstrate the traceability of any organic product it imports. In addition, a company that requests certification of a product containing imported ingredients must demonstrate to the certification body the traceability of these products.

## **4. Exemptions**

### **4.1 Exemptions granted under the Québec Organic Designation**

In certain exceptions or in the event of force majeure, Québec companies may receive a CARTV exemption from the current Canadian organic standards.

The exemption would be granted by the CARTV under its internal bylaws set out in the *Regulations for Reviewing Applications for Recognition of Designations, Applications for Amendment, Interpretation or Exemption from Approved Specification Manuals*.

The product resulting from an exemption granted by the CARTV may only be sold in Québec.

### **4.2 In the event of revocation of a certification body's accreditation**

As of the date of the CARTV revocation notice, Québec-based companies that manufacture products that have been certified by a certification body whose accreditation has been revoked must:

- i. Within a maximum period of three months, submit an application to another accredited certification body for the organic designation in order to obtain a new certification for its products. The compliance certificate holder affected by this measure must, upon request, provide the CARTV with a letter of intent to transfer the certification of its products, as well as a copy of its new certification documents once they have been issued by the new accredited certification body.
- ii. Remove its organic products from inventory within a period of 6 months. These products must be recorded in the *Register of Certified Products Granted Temporary Exemption*. Any Québec-based retailers, distributors and processors still possessing these products must remove them from inventory within 12 months of the date the notification was sent to the retailers, distributors and



processors and to the accredited certification bodies. After this date, residual stock with the “organic” designation may no longer be sold.

## 5. Exceptions

### 5.1 Products that are not eligible for or subject to certification

- a. Processed products containing less than 70% organic ingredients are not eligible for certification. For this category of product, the use of the term “organic” or any other derivative term is prohibited everywhere except in the list of ingredients written on the product’s label. However, in order to be labelled “organic,” these ingredients must be certified organic.
- b. Prepared and cooked dishes presented in the form of meals offered directly to consumers in ready-to-serve portions (food service establishments, caterers, personal chefs, grocery stores with salad bars, etc.) and sold with the claim that they are organic are not subject to certification. However, establishments are required to use organic ingredients at all times when the designation is mentioned and must be able to demonstrate it at any time. However, prepared, packaged and labelled dishes made available to consumers for take-out are subject to certification.

### 5.2 Other cases in which companies are exempt from the requirement to obtain an organic compliance certificate

- a. Companies that sell certified agricultural, aquaculture and food products bearing the "organic" designation are exempt from the requirement to obtain an organic compliance certificate:
  - i. If, at the sites where these products are sold, they only carry out minor operations to these products (cutting into portions, slicing, cutting into pieces), at the request of the client and in their presence, such that they do not transform the product, alter their integrity or strip these products of the original label.
  - ii. *For certified organic whole loaves of bread whose cooking is completed onsite by said companies;* they only use unit packages containing all necessary information pertaining to the certification that identifies the certified product that has been provided to them in exact quantities by a supplier that holds an organic compliance certificate for such products. Companies exempted from obtaining an organic compliance certificate cannot add any additional information pertaining to the certification and must clearly record the purchase and sale of certified products registered at the store’s checkouts.
  - iii. *For certified cheeses received in whole wheels whose label affixed to the wheel by a manufacturer that holds the certification contains all the necessary information pertaining to the certification that identifies the certified product,* they only cut portions along the portion lines printed on the original label and do not add any information pertaining to organic certification on the crate label for selling the product in self-service.

However, it is recommended that these companies comply with a code of good practice, especially when they concurrently sell similar products that do not bear organic labels.

Companies that prepare and market products exempt from certification may nevertheless be subject to an inspection by a CARTV supervisory agent, in order to ensure that the claims used are truthful.

**PART 2:**

**REQUIREMENTS FOR LABELLING, ADVERTISING AND TRANSACTION DOCUMENTS FOR AGRICULTURAL, AQUACULTURE AND FOOD PRODUCTS**

<b>1. Indications Regarding Organic Method of Production .....</b>	<b>20</b>
<b>2. Required Information, Permitted References and Prohibited References on Labels of Agricultural, Aquaculture and Food Products .....</b>	<b>20</b>
<b>3. Labelling of Multi-Ingredient Organic Products .....</b>	<b>22</b>
<b>4. Labelling of Perishable Foods by Enterprises.....</b>	<b>23</b>
<b>5. Indications Regarding Inputs and Services Approved by a Certification Body .....</b>	<b>23</b>
<b>6. Advertising .....</b>	<b>24</b>
<b>7. Business developers that market organic products.....</b>	<b>24</b>

## **1. Indications Regarding Organic Method of Production**

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

- “biologique,” “organique” and “organic.”
- The expressions “cultivé biologiquement” or “organically grown,” “élevé biologiquement” or “organically raised” and “produit biologiquement” or “organically produced” and any similar reference, including abbreviations of, symbols for and phonetic renderings of those expressions that lead retailers and consumers to understand by inference that this product is derived from organic farming (under the Safe Food for Canadians Regulations).
- A PLU code beginning with 9 on a fruit or vegetable. Since the use of the PLU code is optional, if it is present on a product, all of the criteria in this specification manual must be met.

1.2 Section 1.1 shall not apply when these terms are used for products that are not included within the scope of the Act.

## **2. Required Information, Permitted References and Prohibited References on Labels of Agricultural, Aquaculture and Food Products**

2.1 All certified products having labels that mention the term organic or derivative terms indicated in Section 1.1 of this part must be properly identified before being placed on sale. The following information must appear both on the product label affixed to packaging and on all transaction documents referring to the product:

- The trade name in use by the company<sup>3</sup> to which an accredited certification body has issued an organic compliance certificate for the product.
- The certification body’s name (either full name, acronym or trademark of the body clearly indicating its name, which may also be clearly written in a logo) to which the enterprise is subject, indicated in a clear and readable manner<sup>4</sup>;
- The batch number, if applicable.

---

<sup>3</sup> “Trade name in use” means the usual name under which the company does business. This name is known and public and appears on purchase orders or other commercial documents. It is normally the name or names indicated in the Québec Enterprise Registrar (REQ) or other register that a company uses and under which it identifies itself in the exercise of its activities in Québec. The identification code (assigned by the certification body) of the holder of the organic compliance certificate manufacturing a private label product is also accepted on the product’s packaging or label.

<sup>4</sup> The statement “certified by” or “certified organic by” immediately followed by the name of the certification body or its logo, provided that the logo clearly identifies the name of the certification body may be added.

**2.2 The permitted references and indications according to the product categories are as follows:**

- **Product containing 95% or more organic ingredients:** The term "organic" or one of the terms mentioned in Section 1.1 affixed to the main panel of the packaging (and all related commercial documents). Product certification by an accredited certification body is mandatory. The name of the certification body that certified the product (whether the full name, acronym or trademark of the body clearing indicating its name) using a legible and proportional font. The term "certified by" may be indicated if it is immediately followed by the name of the certification body.
- **Product containing between 70% and 95% organic ingredients:** The claim "contains X% organic ingredients" on the product's packaging. Product certification by an accredited certification body is mandatory. The name of the certification body that certified the product (whether the full name, acronym or trademark of the body clearing indicating its name) using a legible and proportional font. The term "certified by" may be indicated if it is immediately followed by the name of the certification body.
- **Product containing less than 70% organic ingredients:** Only the identification of organic ingredients in the list of ingredients of such products is permitted. Organic ingredients must be displayed with the same font, style and size. These ingredients must, however, be certified by a certification body. However, the verification of these organic ingredients in the final product by an accredited certification body is not required.
- Under Section 353 (3) of the Safe Food for Canadians Regulation, the list of ingredients that is shown on the label of a multi-ingredient food commodity that is not an organic product may indicate which of the ingredients are organic ingredients.<sup>5</sup> This section does not apply to single-ingredient products. Thus, to be able to use the term "organic" in the list of ingredients, certification is required for any product that contains a single organic ingredient.

**2.3 It is forbidden to use the following references on the label attached to the product packaging and on all related commercial documents or any other material:**

- The term "organic" or other reference to the organic production method for the product or one of its ingredients when the product contains less than 70% organic ingredients from organic agriculture or aquaculture.
- The term "organic" or other reference to the organic production method claimed anywhere on the product packaging for a single-ingredient product from organic agriculture or aquaculture if the production, preparation or packaging operation (including bulk sale) of this product is not certified.
- The expression "100% organic," "(product name) 100% organic," "100% (product name) organic" or another percentage when the product contains between 95% and 100% organic ingredients from organic agriculture or aquaculture.

---

<sup>5</sup> Organic ingredients must be displayed with the same font, style and size. These ingredients must be certified by an accredited certification body.

- The expression "verified by" and the trademark of the certification body which, if applicable, verified a product (voluntary) when it contains less than 70% organic ingredients.
- Expressions such as "produced during a period of transition to organic production," "produced during organic transition," "produced during organic conversion," "produced during organic pre-certification" or any other similar wording referring to organic transition or organic pre-certification granted to the company before its products are certified organic.
- Any information enabling the company to make multipurpose use of the same packaging, which may contain organic foods or non-organic foods.

#### **2.4 Trademarks that cause confusion**

- Any company that markets an agricultural, aquaculture or food product under a trademark it owns must ensure that it does not cause confusion or unfair competition when using the organic designation.
- When an agricultural, aquaculture or food product is marketed under a trademark that explicitly or implicitly refers to the organic designation, despite the fact that it does not contain any organic ingredients, the trademark appearing on the label, advertising and other product presentation materials must always be accompanied by a clear and easily readable indication that "this product is not the result of organic production" or "this product does not contain any ingredients derived from organic production."

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

3.1 It is forbidden to market certified multi-ingredient products unless the following labelling rules are complied with:

- a) Any mention on the label that a product is "organic" is only allowed on certified products where at least 95% of their ingredients (by weight or volume, excluding salt and water) originate from organic agriculture or aquaculture. Exceptions to this rule include alcoholic beverages produced before January 1st, 2012 with a label bearing the claim that the "product is made with an organic ingredient (e.g. grape, etc.)" or any other equivalent claim. However, the processing operations of these products must have been monitored by a CARTV-accredited certification body. These products cannot be marketed as "organic products" on the interprovincial market if they bear this claim on their label;
- b) The claim "contains X% organic ingredients" on the packaging is obligatory for those certified products where between 70% and 95% 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 this product is not in both organic and non-organic form;

- d) The list of ingredients must make a clear distinction between ingredients that are organic and those that are not. However, the organic ingredients must be indicated using a format, colour and font style similar to those used to list non-organic ingredients;
- e) The list of ingredients must itemize all ingredients, in accordance with the current regulations, without favouring organic ingredients.

3.2. The presence on the finished product's label of the certification body's logo or address is optional.

#### **4. Labelling of Perishable Foods by Enterprises**

4.1 Perishable foods, including fruit and vegetables, that are shipped to a retailer and intended for sale, must mandatorily be labelled by the holder of the compliance certificate with all of the required information listed in Section 2.1 of this part, namely:

- i) individually (using stickers or other methods), or;
- ii) 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.) or its packaging that must be affixed with a label including all of the required information.

4.2 When a product is sold to an operator (processor, distributor or retailer) that holds a compliance certificate, it is not obligatory for the supplier company to label its products individually if its customer so requests and presents their compliance certificate. In this case, the products must be packed by the supplier in a closed container that lists all of the information required in Section 2.1 of this part.

The display of products during retail sale must also include all of the information required in Section 2.1 of this part.

#### **5. Indications Regarding Inputs and Services Approved by a Certification Body**

5.1 When an input has been approved by an accredited certification body, the only reference authorized in related advertising, labelling, display material or commercial documents is the following: "approved for organic agriculture/aquaculture/production/processing," followed by the certification body's name. It is forbidden to use the term "organic" in the input's name or identification. When the certification body's trademark or certification mark are used, they must include the reference "input approved for organic agriculture/aquaculture" or "input approved for organic processing."

It is forbidden to refer to the Canada Organic Regime (use of the CFIA's trademark or any reference to the CFIA) on the above-mentioned documents 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 or commercial documents is the following: "approved for organic (identification of the type of service)" followed by the certification body's name. When the certification body's trademark or certification mark is used, it must include the reference "service approved for organic production".
- 5.3 Trademarks of accredited certification bodies must be different from marks of conformity used to indicate product conformity. The fonts used for these seals must not emphasize one term more than another.

## **6. Advertising**

- 6.1 Mandatory information or claims that are allowed on a food label may also be used in publicity, advertising or any other display material. Information forbidden on labels is also forbidden in advertising messages, display material, ads, brochures, websites, etc.
- 6.2 The use of the term "organic" or the expression "certified organic", as well as any other derivative terms (in accordance with Section 1.1) used to identify a legal person or a type of operation provided by a company (i.e., organic farm, organic farmer, organic farming, organic breeding, organic cuisine, etc.) are only allowed in advertising and on display material when all products resulting from this operation are certified to be compliant with the reference manual that applies to products within this category.

## **7. Business developers that market organic products**

- 7.1 Organizations that promote businesses that market products using the organic designation without selling such products are subject to the Act, specifically due to the fact that they may be a party to an offence that any other person, whose products they are promoting, may commit. They are therefore liable to the same penalty under Section 67 of the Act.
- 7.2 They must therefore ensure that the information they disseminate does not contain any claim that could mislead the public.
- 7.3 They must include in their physical or electronic publications, including those disseminated on the Web, information that is not likely to be mistaken in the course of publication, or if this is impossible to guarantee, take reasonable steps to ensure that those who access these publications are informed of this risk and ways to access an update of published information.