



Strengthening Organic Enforcement (SOE)

USDA National Organic Program

Labeling of nonretail containers

✓ Date of compliance for all products and businesses: March 19, 2024

Instructions:

The guide explains the new rules detailed in § 205.307 of the NOP concerning the labeling of nonretail containers used to ship or store certified organic products (raw or processed products labels as "100% organic", "organic" or "made with organic"). It does not concern containers used in the retail display or sale of the products.

The intention of the change is to provide critical information on the label that helps to prevent contamination and comingling due to misidentification and/or mishandling and support traceability, product verification and accurate identification of the products as organic by customs officials and transportation agents.

Definitions:

"Nonretail containers" are defined in §205.2 and may include:

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

This guide does not replace the final rule. Operations should review the full rule [here](#).

Compulsory critical informations on nonretail container labels

- Identification of the product as **organic**.

- This mention was optional in the previous version of § 205.307
- A clear identification reduces the likelihood of accidental contamination, commingling, mishandling (such as treatment with a prohibited substance) and alerts handlers that the content of the container may require special care
- “Organic identification” can be anything that allows someone to clearly and immediately identify the contents as organic, such as a short statement, “organic,” an abbreviation, an acronym, or a USDA seal (if applicable). Operations may use temporary signs or labels for containers that are difficult to label due to size, shape, material, etc.

- The production **lot number, shipping identification or other unique information that links the container to audit trail documentation**

- In the previous version of § 205.307, only the production lot number, if applicable was compulsory on the label.
- Linking a container to audit trail documentation reduces information on labels without sacrificing the ability to trace or verify products.
- As defined in §205.2, audit trail documentation allows someone to determine the source, transfer of ownership, and transport of a product.

- Shipping containers of domestically produced products labeled as organic intended for export to international markets and shipping documents must be marked **“For export only”**

- No change compared to previous version of § 205.307

Optional additional informations on nonretail container labels

- Special **handling instructions** needed to maintain the organic integrity of the product
 - **Operators name**
 - **Certifier's** identification
 - **Contact** information
 - The «**organic**» identification on the nonretail container label is not requested for products packaged for retail sale where the organic identification is visible on the retail label
- This avoids duplicative labeling. Master cases, pallets, or other containers don't need additional organic identification if the retail packages they hold indicate the products are organic (for example, if the USDA organic seal is visible).
 - But in any case, these types of containers must still include information linking back to audit trail documentation.

Audit trail documentation requirements for nonretail containers

- **Identification of the last certified operation** that handled the organic product.
- This enables to trace back to the last certified operation which is a key documentation requirement of the SOE concerning the Supply Chain traceability.
 - When a noncertified intermediary intervenes in the supply chain (e.g. an exempt wholesaler or a shipping company), certified operations need records showing the last certified operation to handle the product. In the case of nonretail containers, the last certified handler of the product must be clearly identifiable on the documentation.
 - 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. This allows operations to verify the source of organic products they receive and provides a record trail that certifying agents can use to conduct full supply chain traceability audits and verify organic status.