**Organic Regulation Toolkit for Governments**

Produced by IFOAM – *Organics International*

**Template for the Manual for the Management of the National Organic Logo**

Version March 2015

**Notes on the use of the template:**

This template is offered as a basis for countries which have decided to adopt a voluntary national organic standard linked to a national organic logo. The term “national organic logo” is used in this template to mean a common brand organic logo for the domestic market, managed by the sector organization. It is not meant to mean that the logo must be a government logo.

The template is particularly adapted to countries with an emerging organic sector, and who intend to further develop their domestic organic market without a compulsory organic regulation. The template foresees that the national organic sector association (representative of the whole organic sector in the country) manages the organic logo, according to the criteria and procedures defined in this manual.

It is advisable to adapt this template to the national situation as required. IFOAM – *Organic International* is available for advice on the needed adaptations and on various other scenarios that can be envisioned to manage such a logo.

Under the scenario presented in this template, it is assumed that a committee, composed of at least 3 persons, shall take major decisions regarding the management of the national organic logo, and shall make or validate decisions regarding granting of the logo to each operator. In this template, this committee is named the Logo Management Committee.

**1. Introduction**

This Manual lays down the principles and technical details of the management of an organic logo with national scope in \_\_\_Country X. Studies have shown that the early establishment of such a logo, if properly managed, is a very effective tool to develop the organic sector in a country. It can also constitute a main source of regular income to finance the umbrella organization serving the national organic sector. It can therefore be a way to make organic producers and businesses contribute to advocacy, capacity building, and coordination activities that will ultimately benefit them and the growth of the sector.

The purpose of having one organic logo for all organic products sold in the country is to increase consumer recognition of and confidence in organic products and therefore to increase the demand for organic products. For this to work effectively, there needs to be adequate protection, promotion and management of the organic logo, to ensure its visibility and credibility. The logo must represent a clear added value for consumers, meaning, it must deliver additional image and guarantees as compared to the simple use of the word “organic” (which, under an un-regulated environment, would not be necessarily backed-up with a verification system).

The logo should be made available to both domestic and imported products, in order to increase its visibility to consumers, and to offer to consumers the broadest possible range of products under the organic guarantee.

This Manual contains the criteria and procedures related to the protection, management and promotion of the common brand organic logo for \_\_\_Country X.

**2. Protection of the National Organic Logo**

\_\_ name of the sector organization shall register legally the national organic logo, in order to protect it from uses that are not authorized by the association.

**3. Management of the National Organic Logo**

The responsibility of the management of the national organic logo lies with the owner of the logo, namely the \_\_ name of the sector organization*.*

*a. General rules for the use of the National Organic Logo*

The national organic logo is a product logo. It shall only (whether directly or indirectly) be used for the purpose of promotion of organic products and expansion of the organic market.

The national organic logo shall be used in the form provided by the \_\_ name of the sector organization. Variations, alterations and / or addition to the logo (whether as to design, layout, color, wording prominence or otherwise) are not permitted, unless otherwise agreed upon with the \_\_ name of the sector organization.

Awarding the use of the logo means that the product has been produced in conformity with a recognized organic standard and that this conformity is guaranteed, either directly or indirectly by the \_\_ name of the sector organization.The guarantee of conformity shall be based on conformity assessment systems approved by \_\_ name of the sector organization.

The logo can be granted to any operator producing, importing, trading or selling organic products within \_\_Country X, or to any producer exporting domestic organic products, as long as the use of the logo is permitted in their target export market. For imported products, the importer, or the retailer, can apply for the use of the logo. The operator applying for the use of the logo shall demonstrate that the products comply with the criteria for the use of the national organic logo, and shall be responsible to ensure their continued compliance with the criteria, for as long as the logo is being used.

Any party observing that a product bearing the national organic logo is not conforming with an approved organic standard can raise a complaint to \_\_ name of the sector organization.

*b. Technical criteria for products bearing the national organic logo*

Product can only bear the national organic logo if they comply with the following technical criteria:

* The product has been produced in conformity with **an approved organic standard**, AND
* This conformity has been verified by a **conformity assessment system approved by the** \_\_ name of the sector organization.

***Approved Organic Standards, for both domestic and imported products:***

Approved organic standards are those listed as approved under the IFOAM Family of Standards, as per its most up-to-date version available on <http://www.ifoam.bio/en/ifoam-family-standards>

***Approved Conformity Assessment Systems for domestic products:***

* Third party certification, i.e. certification by a recognized organic certification body. This can include individual certification of the producer, or group certification (various producers under 1 certificate, whereby the group implements an Internal Control System).
* Participatory Guarantee Systems (PGS), as defined by IFOAM.
* Direct oversight by the \_\_ name of the sector organization.

The\_\_ name of the sector organization shall maintain a list of all the certification bodies it considers credible for organic certification within \_\_Country X. These can be foreign-based certification bodies or domestic certification bodies.

Similarly, the\_\_ name of the sector organization shall maintain a list of all the PGS that it considers operational and effective for organic certification within \_\_Country X. The \_\_ name of the sector organization shall also decide whether it carries direct oversight of producers when other conformity assessment systems are not accessible, and what this oversight shall consist of. In such scenario, the \_\_ name of the sector organizationshall maintain a register of all operators directly approved by the \_\_ name of the sector organization or otherwise recognized as conforming to an approved organic standard, in other ways than those listed above.

***Approved Conformity Assessment Systems for imported products:***

* Third party certification, i.e. certification by a recognized organic certification body. A recognized organic certification body is one having a valid accreditation with organic scope, such as the IFOAM Accreditation, or other approval under a conformity assessment system recognized by IFOAM as equivalent to the IROCB. The list of conformity assessment systems recognized by IFOAM as equivalent to the IROCB is available here:

<http://www.ifoam.bio/sites/default/files/conformity_systs_list_web.pdf>

In case of doubts on the compliance of a product with the above technical criteria, the \_\_ name of the sector organization may seek advice from IFOAM.

*c. Process for granting the use of the logo on products:*

The process shall be defined by the \_\_ name of the sector organization and shall be codified into a corresponding procedure. For new operators (who aren’t already holding an authorization to use the national organic logo), the procedure shall contain at least the following steps:

1. The operator or importer files an application to the \_\_ name of the sector organization. The application may include the payment of an application fee as decided by the \_\_ name of the sector organization.
2. Review of the application by the staff of the\_\_ name of the sector organization to decide if the application is complete and meets the criteria for the use of the logo.
3. Decision to grant or not to grant the logo, taken by the Logo Management Committee within \_\_ name of the sector organization*.*
4. Communication of the decision to the operator and signature of a contract (license agreement, see template in Appendix 1) between the operator (logo user) and\_\_ name of the sector organization.
5. The \_\_ name of the sector organization will issue a license to the approved operators as a proof that they have the right to use the national organic logo. This license shall specify the scope of production that is eligible for the use of the logo. New products may be added to the license at a later stage.
6. The \_\_ name of the sector organization shall enter the approved operator into the register of all operators approved for the use of the national organic logo.
7. It is recommended that, for the purpose of small operators, the \_\_ name of the sector organization organizes the printing of small stickers of the national organic logo, which can easily be added to existing product packaging. In such a case, the \_\_ name of the sector organization shall conduct surveillance activities to ensure that the logo is never being applied to non-approve products. Bigger operators may be able to incorporate the logo in their own package design, which they can do with permission of \_\_ name of the sector organization after signature of the contract.

When already approved operators wish to add the national organic logo to a new product, a simplified procedure shall be defined and managed by \_\_ name of the sector organization. This simplified procedure may not always require the decision to be taken by the Logo Management Committee: provided that the fulfillment of the technical criteria are identical to the other products already approved for this operator, staff of the \_\_ name of the sector organization may approve the logo use on these new products without going through the Logo Management Committee.

*d. Labeling rules: rules for the use of the logo by operators:*

The label of products bearing the national organic logo shall comply with the following:

1. The conformity assessment method (the certification body or the PGS responsible for the conformity assessment, or the method of alternative verification) shall be identified on the label of the product.
2. The national organic logo must appear:
	1. Complete and upright, maintaining its original shape and proportion
	2. In its defined original colours or in black and white (shades of grey) colours clearly visible
	3. On the main face of the label or packaging
3. The national organic logo must not appear:
4. Incomplete
5. At an angle
6. With added elements to the logo itself
7. In other colours apart from black and white (shades of grey) or the original colours
8. With different font or typeface
9. With a size smaller than \_\_\_\_[to be defined]

These rules shall be communicated to each logo user and be enforced under the license agreement.

*e. Other uses of the national organic logo:*

The national organic logo may be used on advertisements for products, but only clearly linked to products that conform to what is written above. The national organic logo may be used on general promotional material for organic agriculture e.g. T-shirts, banners, brochures and any other promotional materials, decided by the \_\_ name of the sector organization itself or as approved by it*.*

Shops, market stalls and restaurants may use the national organic logo in generic promotion provided they buy products that comply with the criteria for use of the logo on products, even if they also have non-organic products, as long as there is clear information available to the consumer on which products qualify for the use of the national organic logo and which do not.

*f. Promotion of the national organic logo*

The \_\_ name of the sector organization shall be responsible for the promotion of the national organic logo towards organic consumers and the general public. Promotional activities can include:

* Explanatory materials or presentations at organic shops, markets, etc.
* Ensuring media presence, e.g. through radio or TV spots or interviews, articles in newspapers or in specialized press.
* Proactively approaching operators and retailers so that they display the logo on their products (in accordance with the criteria and procedures detailed in this manual).

*g. Applicable Fees*

The \_\_ name of the sector organization shall decide on fees chargeable to the operators for the use of the national organic logo. It is advised that the fees be very low at the start, to promote the uptake of the logo. This will require an initial investment phase during which the income collected from the fees may not compensate for the work invested in setting up and operating the logo approval and management procedures.

Once the national organic logo becomes significantly present on the market and recognized by consumers, the \_\_ name of the sector organization should progressively increase the fees, as the logo will represent a clear market value for the operators. The fees should, as a general rule once the initial investment phase is passed, be such that they, on average, compensate for the work to manage and promote the logo and even generate a small surplus to fund other organic advocacy activities, but not be so high as they discourage uptake by organic operators. The mark should be accessible to all organic operators, since the goal is to have it on ALL products that are truly organic.

It is advised that the fee scheme contain an initial application fee and an annual fee, and that the fee be dependent upon the organic turnover of the operator (or a similar indicator), so that small operators pay less, and big operators pay more.

*f. Monitoring and enforcement:*

\_\_ name of the sector organization should maintain a register (list) of all operators approved for the use of the national organic logo. Operators may, depending on the cases, be individual producers, or groups of producers. The operator is essentially the person, company or group holding the organic certificate.

This register shall contain the following information for each approved operator:

1. Name
2. Contact information and location of operator
3. Scope of the approval (type or name of products) for which they are approved.
4. If group: number of members in the group
5. Total land area for primary production operators
6. Conformity Assessment mechanism (Name of CB, or PGS, or alternative method)
7. Date of registration
8. Payment of fees

\_\_ name of the sector organization shall conduct monitoring of the proper use of the national organic logo on the national territory. The monitoring includes but is not limited to:

1. Active monitoring of organic markets, and in particular checking products labelled with the national oragnic logo to verify that they correspond to an approved use, and
2. Investigating any complaints.

Any complaints regarding the integrity of products carrying the national organic logo shall be taken seriously and be dealt with as rapidly as possible. Corrective actions can include sanctions and possible legal actions, as decided by \_\_ name of the sector organization*.* The use of the logo may be suspended for products that are under investigations of non-compliances.

**Appendix 1: LICENSE AGREEMENT template**

This License Agreement (“this Agreement”) is made this …… day of …… 201… between \_\_ name of the sector organization of Post Office Box [INSERT] ( “the Licensor”); and [INSERT NAME of operator] of Post Office Box [INSERT] (hereinafter called the “Licensee”).

WHEREAS

1. The Licensor is the registered owner of the trademark set out in the schedule hereto viz. the national organic logo (or name the logo by a more specific term) in \_\_\_Country X.
2. The Licensee desires to acquire a license for the use of the logo in the production and promotion of organic products and technology (“Organic Products”) in \_\_\_Country X and the Licensor has agreed to grant such a license on the terms and conditions set out in this Agreement.

The Licensor and the Licensee (hereinafter “the Parties”) have agreed as follows:

1. The Licensee acknowledges that the ownership and all rights to the logo vest in the Licensor. Further, the Licensee shall use the logo in respect of Organic Products:
	1. Produced according to a standard approved in the IFOAM Family of Standards; and
	2. Covered by a conformity assessment system recognized by the Licensor; and
	3. Compliant with such guidelines as may have been communicated by the Licensor
2. The Licensee undertakes to promote the logo in \_\_\_Country X and shall cooperate with the Licensor in marketing and advertising campaigns in relation to the logo.
3. The Licensee shall use the logo strictly in the form set out in the schedule and/or such other forms as may be communicated by the Licensor.
4. Within XXXX working days from the date of signing of this Agreement, the Licensee shall pay the applicable annual licensing fee. Thereafter the Licensee shall pay such amounts as shall be advised by the Licensor in respect of subsequent twelve (12) months periods.
5. The Licensee:
	1. shall not transfer its rights under this Agreement to any other person or entity.
	2. shall neither use nor apply to register any logo resembling the national organic logo (\_\_name of the logo).
	3. shall promptly inform the Licensor in writing of any infringement or threatened infringement of the logo.
	4. shall comply with rules and guidelines issued by the Licensor.
6. The Licensor:
	1. Shall promote the logo and ensure it is used in accordance with rules it has issued and only by those persons whom it has licensed in \_\_\_Country X;
	2. Will notify the Licensee of changes relating to the logo including changes as to its design and annual licensing fees.
7. This Agreement shall commence on the date of signature by the last Party and shall terminate for any one of the following reasons:
	1. Failure to pay the annual licensing fees by the Licensee within XXXX days from the date the fees are due;
	2. Three (3) months notice by either Party to the other;
	3. Breach of the terms of this Agreement in which case either Party will be entitled to terminate the Agreement forthwith.
8. Upon termination the Licensee shall cease to use the logo and shall return to the Licensor all material relating to the logo received from the Licensor.
9. This Agreement shall be governed by the laws of \_\_\_Country X.

**Signed by the Parties**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Signed by \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ on behalf of the Licensor who warrants that she/he is duly authorized.**

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**WITNESS**

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**Signed by the Licensee**

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**WITNESS**

**THE SCHEDULE (“The national organic Logo \_\_name of the logo here”).**

Put the logo here.