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October 12th, 2010

The National Organic Standards Board
c/o Lisa Ahramjian, Executive Director
1400 Independence Avenue, SW
Room 2646 – So., Ag Stop 0268
Washington D.C. 20250-0268

RE: AMS-NOP-10-0068; NOP-10-08

“Made with” Recommendation

Dear NOSB Certification, Accreditation, and Compliance Committee members:

Oregon Tilth advocates for stronger support and recognition of products in the “Made with Organic” category, and we feel this support and recognition is best achieved by consumer education on the requirements and meaning behind the label claim. Since 2002 a great amount of education and marketing has been spent on the recognition of the USDA Organic Seal and its presence in the marketplace. To this end consumer education has largely focused on recognizing and buying products with the USDA Seal and consequently there is less general consumer awareness about the different category claims allowed and certified under the same regulation. We feel that with increased consumer education of the product categories and their meanings, the recognition of products in the “Made with Organic” category will naturally increase.

We are concerned that the proposed statement, “Certified to the USDA guidelines” may simply add more confusion to a label category that is poorly understood. The phrase itself does not clearly convey certification to the USDA National Organic Program Regulations. We imagine that a consumer may ask, “What USDA Guidelines? Are “guidelines” the same as the organic regulation? Are there new guidelines?”

Operators making products in compliance with the “made with” composition standards are already allowed to use the term “organic” on the PDP, use the certifier logo on the PDP, include the organic percentage of the product on the PDP, and state “Certified Organic by *** ” on the information panel. There is a simple message that needs to be conveyed to the public:

IF THE TERM ORGANIC IS USED ON THE PDP OF AN AGRICULTURAL PRODUCT, THE PRODUCT MUST BE PRODUCED AND HANDLED IN COMPLIANCE WITH USDA NATIONAL ORGANIC PROGRAM REGULATIONS.

Oregon Tilth encourages the USDA, the NOSB, certifiers, trade organizations and all other participants engaged

in facilitating the success of the organic industry to continue on-going efforts to educate consumers on the existing standards and label claims. An additional claim is not the answer.

In summary Oregon Tilth encourages the Board to look beyond the use of another label claim and closer at the heart of why consumers do not recognize products in the “made with” category. We feel it is because it’s a young regulation, and they do not understand the categories and requirements of certification. The development of a statement such as “certified to the USDA Guidelines” we believe will not convey this message. A large scale consumer education campaign with educational materials used by retailers, depicting the differences in the categories and what the “made with organic” category actually means, would have the largest impact on generating further confidence and understanding of these products.

Thank you for carefully considering Oregon Tilth’s comments.

Respectfully submitted,

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Oregon Tilth, Inc.

Oregon Tilth, Inc. is a non-profit 501(c)(3) organization that supports and promotes biologically sound and socially equitable agriculture. Oregon Tilth offers educational events throughout the state of Oregon, and provides organic certification services to organic growers, processors, and handlers internationally. An NOP accredited certifier since 2002, Oregon Tilth currently certifies over 650 farms and ranches and over 600 handlers in more than 35 states affording us a broad perspective of current practices and challenges faced by organic producers and handlers. This perspective also extends to the anticipated successes and challenges that this discussion topic will affect upon them.