



*ALFD Guidance
For Organic Labeling Applicants*



ACRONYMS

- **ACA – USDA Accredited Certifying Agent.** State and local government and private organizations accredited by the USDA for certifying foreign and domestic organic crop, livestock, and handling operations to USDA/NOP standards. ACAs also inspect and audit the records of certified operations annually to monitor and enforce compliance.
- **ALFD – Advertising Labeling and Formulation Division.** Organization within the TTB that regulates the labeling of alcohol beverages to ensure compliance with the Federal Alcohol Administration Act and the Alcohol Beverage Labeling Act.
- **AMS – Agricultural Marketing Service.** Agency within the USDA that accredits certifying agents and enforces the regulations of the National Organic Program.
- **COLA – Application for and Certification/Exemption of Label/Bottle Approval.** TTB Form 5100.31, used by applicants to submit alcohol beverage labels to the TTB Advertising Labeling and Formulation Division for review and approval.
- **MOU – Memorandum of Understanding.** Written agreement between the AMS and TTB that clarifies and delineates the enforcement responsibilities of each agency with respect to labeling and advertising of alcohol beverages produced under the Organic Foods Production Act of 1990.
- **NOP – National Organic Program.** Authorized by the Organic Foods Production Act of 1990. The operating regulations are at 7 CFR Part 205.
- **OFPA – Organic Foods Production Act of 1990.** 7 U.S.C. 6501 *et seq.*
- **PPM – Parts Per Million.** Measurement of the amount of sulfites in wine, used in part to determine the organic classification of the product.
- **TTB – Alcohol and Tobacco Tax and Trade Bureau**
- **USDA – United States Department of Agriculture**

DEFINITIONS

1. Organic Certificates

Organic certificates are documents issued by accredited certifying agents to production operations (e.g. orchards, vineyards) and processing operations (e.g. wineries, breweries, distilleries) that comply with the standards of the USDA National Organic Program. All COLAs submitted to TTB for alcohol beverages made with organic ingredients after October 21, 2002, must have an organic certificate attached. Any such application received by TTB without an organic certificate will automatically be rejected.

There are two types of Organic Certificates:

- a. Producer or crop certificate – certifies that the grapes, fruit, or other agricultural produce used in the finished product was organically produced in accordance with USDA/NOP standards.
- b. Processor or handling operation certificate – certifies that the winery or facility making the finished product operates in compliance with USDA/NOP standards.

IMPORTANT: When both crop producer and handler/processor are required to be certified (i.e. for “100% Organic,” “Organic,” and “Made with Organic [specify organic ingredients]” labels), the certificate for the handling/processing operation is sufficient documentation. Export certificates are not sufficient documentation.

Organic certificate(s) submitted to TTB must be in English or have complete translation(s) attached.

Some vineyards and operations still have products with organic ingredients grown prior to October 21, 2002, predating the implementation of the National Organic Program. TTB permits applicants to exhaust pre-NOP product by granting COLAs for a period not to exceed one year. Organic certificates are still required for pre-NOP applications.

2. Proof of ACA Preview

As of May 23, 2005, all organic labeling applicants who are certified by a USDA-accredited certifying agent (ACA) must obtain written documentation from the ACA that confirms the review and approval of the organic alcohol beverage labels prior to submission to TTB. Documentation showing the certifying agent’s review and approval must accompany the request for label approval submitted to TTB. TTB will automatically reject any such application received from a certified entity without any accompanying proof of prior review and approval by that operation’s ACA. In addition, the ACA Preview must show actual images of the labels along with a stamp or signature of the ACA to verify that the product label complies with the appropriate standard.

This policy reinforces the responsibility of USDA-accredited certifying agents and their clients in maintaining the required standards of production, handling, processing, labeling and marketing of organic products in compliance with the Organic Foods Production Act of 1990 and the National Organic Program regulations at 7 CFR Part 205.

Pre-NOP applicants and applicants that are organic handling operations exempt from certification do not need an ACA preview. **Note:** Applicants not certified as organic handling operations may only use the word “organic” in the ingredient and organic percentage statements.

3. Certification Statement

The statement “Certified Organic by ---,” or a similar phrase, must be listed below the name and address of: the bottler, for domestic products; or the bottler or importer for imported products. ACA acronyms are acceptable in certification statements (e.g. “Certified Organic by CCOF” instead of “...by California Certified Organic Farmers”). However, the certifier’s logo/seal alone does not fulfill this requirement.

4. Sulfite Statement

Disclosure of sulfites in alcohol beverage products is required as defined at 27 CFR 4.32(e). Products containing any sulfiting agent detected at less than 10 ppm are exempt from disclosure on the label. A laboratory analysis is required to support an exemption. “Sulfite Free” and “Contains No Sulfites” are misleading and therefore prohibited, but “Contains No Detectable Sulfites” is acceptable with a lab analysis supporting that claim. “Contains Only Naturally Occurring Sulfites” is acceptable on its own, but “No Added Sulfites” is only acceptable if shown in conjunction with the aforementioned statement.

5. Ingredient Statement

A list of all ingredients in the product including any organic ingredients may be stated on an organic label as follows: “Ingredients: organic grapes, etc...”

6. USDA Seal

The USDA organic seal may appear on an “Organic” or “100% Organic” label in one of the two following formats as specified by the National Organic Program at 7 CFR 205.311:

1. On a white background with a brown outer circle and with the term “USDA,” in green overlaying a white upper semicircle and with the term “organic” in white overlaying the green lower half circle;
2. On a white or transparent background with black outer circle and black “USDA” on a white or transparent upper half of the circle with a contrasting white or transparent “organic” on the black lower half circle.

The green or black lower half circle in either scheme may have four light lines running from left to right and disappearing at the point on the right horizon to resemble a cultivated field. The appearance of the USDA seal may not deviate from either of the above formats.

7. ACA Seal

The ACA seal is the distinctive logo of the accredited certifying agent. It may appear only on labels for products that came from organically certified processors/handling operations.

8. Organic Percentage Statement (“X% Organic”)

The disclosure of the percent of organic ingredients in the product, excluding water and salt, is usually optional. However, when the use of the term “organic” is restricted to an ingredient statement the organic percentage statement is mandatory. The percentage must be calculated in accordance with 7 CFR 205.302.

9. “Made With...”

All organic labeling applicants certified under the NOP who submit label applications to TTB for organic wine containing added sulfites (under 100 ppm) as a result of the use of sulfur dioxide must not label their wine as “100% Organic” or “Organic,” but may label their wine “Made With Organic [specify your organic ingredients here].” TTB will automatically reject any label applications received from applicants who DO NOT label their wine as stated above. **Note:** Sulfur dioxide is the only sulfite that may be added to a wine made with organic grapes. The addition of any sulfites, including sulfur dioxide, is prohibited in wines made with all other fruits and other agricultural products.

TTB will accept the following variations to “Made With Organic [specified ingredients]” statements:

- “Made with Organically Grown Grapes,” or “Made with Organic Grapes”
- “Made with Organic Grapes from Our Vineyard”
- “Made with Organically Produced Grapes”

Products that fall into this labeling category, and which contain organic and non-organic grapes, must indicate the presence of non-organic grapes in the “Made with Organic...” statement on the label. The following variations to this statement are acceptable:

- “Made with Organic and Non-Organic Grapes”;
- “Made with Organic [variety] Grapes and Non-Organic [variety] Grapes”;
- “Made with _% Organic Grapes and _% Grapes”;
- “Made with _% Organic [variety] Grapes and _% Non-Organic [variety] Grapes”

Organic and non-organic grapes of the same variety are not permitted in wines in the “Made with Organic [specified ingredients]” category.

10. Percentage Statements on Wine Restricted to an “Organic Ingredients” Statement

When a wine is restricted to an “Organic Ingredients” statement and contains non-organic ingredients, such as “Ingredients: Organic Merlot grapes, Cabernet Sauvignon grapes, tartaric acid,” a Percentage Statement such as “55% Organic Ingredients” must also be present on the label. The Percentage Statement must appear on the information panel in proximity to the “Organic Ingredients” Statement. If a wine bears an “Organic Ingredients” Statement in which no disclosure of non-organic ingredients is made, such as “Ingredients: Organic Grapes,” then 100% of the ingredients in such wine must be organic.

However, when 100% of the ingredients are organic on a wine restricted to an “Organic Ingredients” statement, a Percentage Statement is prohibited in order to avoid consumer confusion with products meeting the “100% Organic Wine” standard.

Organic Label Quick Reference Sheets

These requirements are in addition to TTB's mandatory labeling information

“100% Organic” (must consist of no less than 100% organic ingredients)

When “100% Organic” is used to describe the finished product, modifies the brand name, class and type designation, or appears anywhere on the product (front, back, neck, strip labels etc.)

Organic Certificate	Mandatory , must be certified both as a producer and as a handling operation
Proof of ACA preview	Mandatory
Certification Statement	Mandatory , must be listed below the name and address of: the bottler, for domestic products; or the bottler or importer for imported products.
Sulfite Statement	Optional , may only refer to naturally occurring sulfites as added sulfites are prohibited. A lab analysis verifying that less than 10 ppm sulfites are present is required.
Ingredient Statement	Optional
USDA seal	Optional
ACA seal	Optional

“Organic” (must consist of no less than 95% organic ingredients)

When the word “Organic” is used to describe the finished product, or appears in the brand name or class and type designation anywhere on the product (front, back, neck, strip labels etc.)

Organic Certificate	Mandatory , must be certified both as a producer and as a handling operation
Proof of ACA preview	Mandatory
Certification Statement	Mandatory , must be listed below the name and address of: the bottler, for domestic products; or the bottler or importer for imported products.
Sulfite Statement	Optional , may only refer to naturally occurring sulfites as added sulfites are prohibited. A lab analysis verifying that less than 10 ppm sulfites are present is required.
Ingredient Statement	Optional
Organic Percentage Statement “ ___% Organic ingredients”	Optional , may not say less than 95%
USDA seal	Optional
ACA seal	Optional

Organic Label Quick Reference Sheets

These requirements are in addition to TTB's mandatory labeling information

“Made With Organic Ingredients” (must contain at least 70% organic ingredients)

When a phrase such as “Made with Organically Grown Grapes” appears on any label. Products which contain organic and non-organic grapes of different varieties must state “Made with Organic and Non-Organic Grapes” on the label. (See Item #9)

Organic Certificate	Mandatory , must be certified both as a producer and as a handling operation
Proof of ACA preview	Mandatory
Certification Statement	Mandatory , must be listed below the name and address of: the bottler, for domestic products; or the bottler or importer for imported products.
Sulfite Statement	Mandatory Note: Sulfur dioxide is the only sulfite that may be added to a wine made with organic grapes. The addition of any sulfites, including sulfur dioxide, is prohibited in wines made with all other fruits and other agricultural products.
Ingredient Statement	Optional
Organic Percentage Statement “ ___% Organic ingredients”	Optional , may not say less than 70%
USDA seal	Prohibited
ACA seal	Optional

Organic Ingredients List or Agriculture (non-certified winery or less than 70% organic ingredients)

When the only organic references on the product are in the ingredient and organic percentage statements, such as “Ingredients: organic grapes, water;” or in a non-conspicuous reference to organic agriculture in back label text. This type of organic label can be submitted when a winery is not certified as an organic handling operation.

Organic Certificate	Mandatory - Crop/Produce Certificate Only name/trade name on certificate may or may not match name/trade name shown on label
Proof of ACA preview	Not Required
Ingredient Statement	Mandatory
Organic Percentage Statement “ ___% Organic ingredients”	See Item #10
Certification Statement	Prohibited
USDA seal	Prohibited , absolutely no reference can be made to USDA or its regulations on label
ACA seal	Prohibited

Organic Label Quick Reference Sheets

These requirements are in addition to TTB's mandatory labeling information

Pre-NOP

Any wine making organic claims using organic grapes or organic agricultural crops harvested prior to October 21, 2002. (Labels vintage dated 2002 and earlier.)

Organic Certificate	Mandatory , certificate's issue date must cover vintage date shown on actual label. Certificate CAN'T be certified to USDA NOP standards because the NOP did not exist before 10/21/2002.
Proof of ACA preview	Not Required
Ingredient Statement	Optional
Organic Percentage Statement “ ___% Organic ingredients”	Optional
Certification Statement	Prohibited
USDA seal	Prohibited , absolutely no reference can be made to USDA or its regulations on label
ACA seal	Prohibited

Miscellaneous Items

- Only products fitting into the categories of “Organic” and “100% Organic” can modify the brand name with the word “Organic” or any adaptation of it on the label.
- When alcohol beverage products consist of mixtures of NOP and pre-NOP agricultural ingredients, the applicant may only divulge the percentage of NOP-certified agricultural ingredients as organic.
- A non-certified operation using organic ingredients may absolutely not state “Made with...” in the ingredient statement. For example, if the applicant is only eligible to use “organic” in an ingredient statement, it may NOT read as follows: “Ingredients: Made with Organically Grown Grapes.” This does not apply to pre-NOP labels.
- Labels making organic claims must be resubmitted for TTB approval if the vintage date or alcohol content is changed.
- The phrase “Made with Organically Grown Grapes” must be correctly stated wherever it appears on the label, even in the puffery. If it is on the label twice, then it must be correctly stated in both places.
- The distilled spirits used to fortify some organic wines are prohibited from disclosure in the organic ingredients statement.