

Organic Textile Labeling in the United States

Presented by:



December 6, 2018

Why are we here?

1. Learn more about US regulations in organic textile labeling
2. Distinguish different kinds of organic claims: product and content
3. Using the Organic Content Standard (OCS) and Global Organic Textile Standard (GOTS)
4. How to communicate organic claims effectively and clearly

Today's Speakers



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Vice President of Regulatory
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Organic Textile Labeling in the U.S.

Regulatory + Policy Update

PRESENTED BY

Gwendolyn Wyard

Vice President, Regulatory + Technical Affairs
Organic Trade Association





Organic Trade Association

Our members include growers, shippers, processors, certifiers, farmers' associations, distributors, importers, exporters, consultants, retailers and more.

Our mission is to **PROMOTE + PROTECT ORGANIC** with a unifying voice that serves and engages its diverse members from farm to marketplace.



TODAY, WE ARE THE VOICE OF THE \$50 BILLION ORGANIC INDUSTRY, REPRESENTING 9,500 BUSINESSES ACROSS 50 STATES.

Global Organic Textiles Standard Advisory Council



USDA National Organic Program (NOP)

What & Who Has to Be Certified?

A labeling term that applies to **AGRICULTURAL PRODUCTS** produced in accordance with the organic law and regulations

Any production or handling operation that handles agricultural products represented or sold as:

- **100% Organic**
- **Organic (95% +)**
- **Made With Organic (70% +)**



Products **using the USDA seal** or making organic certification claims on the principle display panel

Some types of operations are **EXEMPT/EXCLUDED** from certification

Global program – products can be produced anywhere in the world but if sold in the US, they must be certified to NOP or deemed equivalent



USDA National Organic Program (NOP)

What & Who Has to Be Certified?

USDA NOP only covers raw agricultural fiber. The regulations **do not** include standards for processed textiles!

Use of the organic claim:	USDA Organic Standards	Private Standards
Raw Cotton	Yes	*Must be NOP
Raw Wool	Yes	*Must be NOP
Raw Silk	Yes	*Must be NOP
Yarn	No	Yes
Carded Wool	No	Yes
Cotton Fabric	No	Yes
T-Shirt	No	Yes
Mattress	No	Yes

*Mandatory - NOP regulates and enforces the term organic on **all agricultural products***



USDA National Organic Program (NOP)

MAY or MUST be certified under NOP?



Organic Trade Association [OTA.com](https://www.ota.com)



USDA National Organic Program (NOP)

MAY or MUST be certified under NOP?



Organic Trade Association OTA.com



USDA National Organic Program (NOP)

NOP Policy Memo 11-14

Labeling of Textiles that Contain Organic Fiber Ingredients

- Clarifies that textile products produced in full compliance with production and handling standards may be NOP certified & use the USDA organic seal
- Textile products produced in accordance with GOTS may be sold as “organic” but must not reference NOP certification or display the USDA organic seal
- Agricultural fibers identified as “organic” in a textile must be “certified organic” under the NOP organic regulations
- Labeling requirements are in addition to those required by FTC’s Textile & Wool Act



USDA National Organic Program (NOP)

NOP Policy Memo 11-14

Textile Products Labeled as Organic MAY:

- Use label claims that identify specific types of organic fibers
- Use statements identifying the percentage of organic fibers
- Fibers identified as organic must be NOP certified organic

Textile Products Labeled as Organic MUST NOT:

- Use the USDA organic seal unless NOP certified
- Imply or lead the consumer to believe that the final product is certified under the NOP regulations unless they are NOP certified
- Use a combination of both organic and non-organic sources for a single fiber that is identified as “organic” in the final product



USDA National Organic Program (NOP)

NOP Policy Memo 11-14

Textiles and Fiber Products:

- The NOP's 2011 [memo](#) on textiles says that textiles produced in compliance with the NOP regulation may bear the USDA organic seal.
- It stops short of saying that all organic textiles must be produced under the NOP regulation.
- The memo does confirm that products produced under the GOTS standard may be sold as organic in the US, but again, doesn't say that organic textiles must be produced under GOTS.



Misleading Organic Claims

The Role of USDA NOP and FTC

Many textile products in the marketplace are advertised as “organic” yet they may only **contain** some organic content.

USDA’s National Organic Program (NOP):

- Regulates and enforces organic claims on **agricultural** products
- Does **not** have enforcement jurisdiction over organic claims made on textile products unless they violate the terms of the its policy

Federal Trade Commission (FTC):

- Protects consumers by stopping **unfair, deceptive or fraudulent** practices in the marketplace
- **Defers** to the National Organic Program when it comes to “organic” claims



Misleading Organic Claims

Organic Trade Association Takes Action

Efforts to get FTC's Green Guides Updated:

- Meeting with FTC over the past 6 years
- Submitted comments urging FTC and NOP to develop a policy on use of the term “organic” on products outside of NOP’s scope of enforcement & update the FTC “Green Guides”
- Prompted FTC & USDA to launch a survey and convene an expert panel exploring consumer perception of organic claims on fiber/textile and other non-food products
- Participated in the panel and conducted a consumer survey in preparation



Misleading Organic Claims

Federal Trade Commission Takes Action

FIRST ACTION EVER on misleading organic claim

- FTC files a complaint against company for selling mattresses as “organic” when, in fact, the majority of the mattresses are non-organic
- Also charged for natural latex claims and use of “Green Safety Shield” award by the company to itself
- Charges were settled and company is now prohibited from making misleading claims and must have reliable evidence to support any claims made in the area



Misleading Organic Claims

Best Labeling Practices

OTA strongly supports best labeling practices:

OTA supports organic **PRODUCT** certification under **GOTS** & organic **CONTENT** certification under TE's Organic Content Standard

- GOTS: Organic cotton t-shirt
- GOTS: Organic mattress
- OCS: "Contains 65% organically grown cotton"



Organic claims made on fiber and textile products that are not certified should be limited to "content" claims only

- T-shirt: contains 70% organically grown cotton
- Mattress: contains organically grown cotton batting



Learn More: OTA.com/advocacy/fiber-and-textiles

Resources on Organic Fiber + Textiles



Global Organic Textile Standard

Policy and Advocacy Updates

Organic Fiber Council

Quick Resources



THANK
YOU



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www.OTA.com



ABOUT TEXTILE EXCHANGE

Founded 15 years ago, Textile Exchange is a global non-profit with more than 260 members that represent leading brands, retailers and suppliers in the textile industry. The organization works to create leaders in the sustainable fiber and materials sector by providing learning opportunities, tools, insight, standards, data, measurement and benchmarking—and by building a community that can collectively accomplish what no individual or company can do alone.



OUR MISSION

Textile Exchange inspires and equips people to accelerate sustainable practices in the textile value chain. We focus on minimizing the harmful impacts of the global textile industry and maximizing its positive effects.

OUR VISION

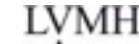
We envision a global textile industry that protects and restores the environment and enhances lives.



INDUSTRY TRANSFORMATION

- Drive an increase in the adoption of preferred fibers.
- Enable collective impact and action across the industry.
- Increase integrity throughout the value chain via the adoption of standards and certifications.
- Raise awareness about the positive, meaningful changes accomplished.
- Use the Sustainable Development Goals as a common vocabulary and reporting framework.

OUR MEMBERS



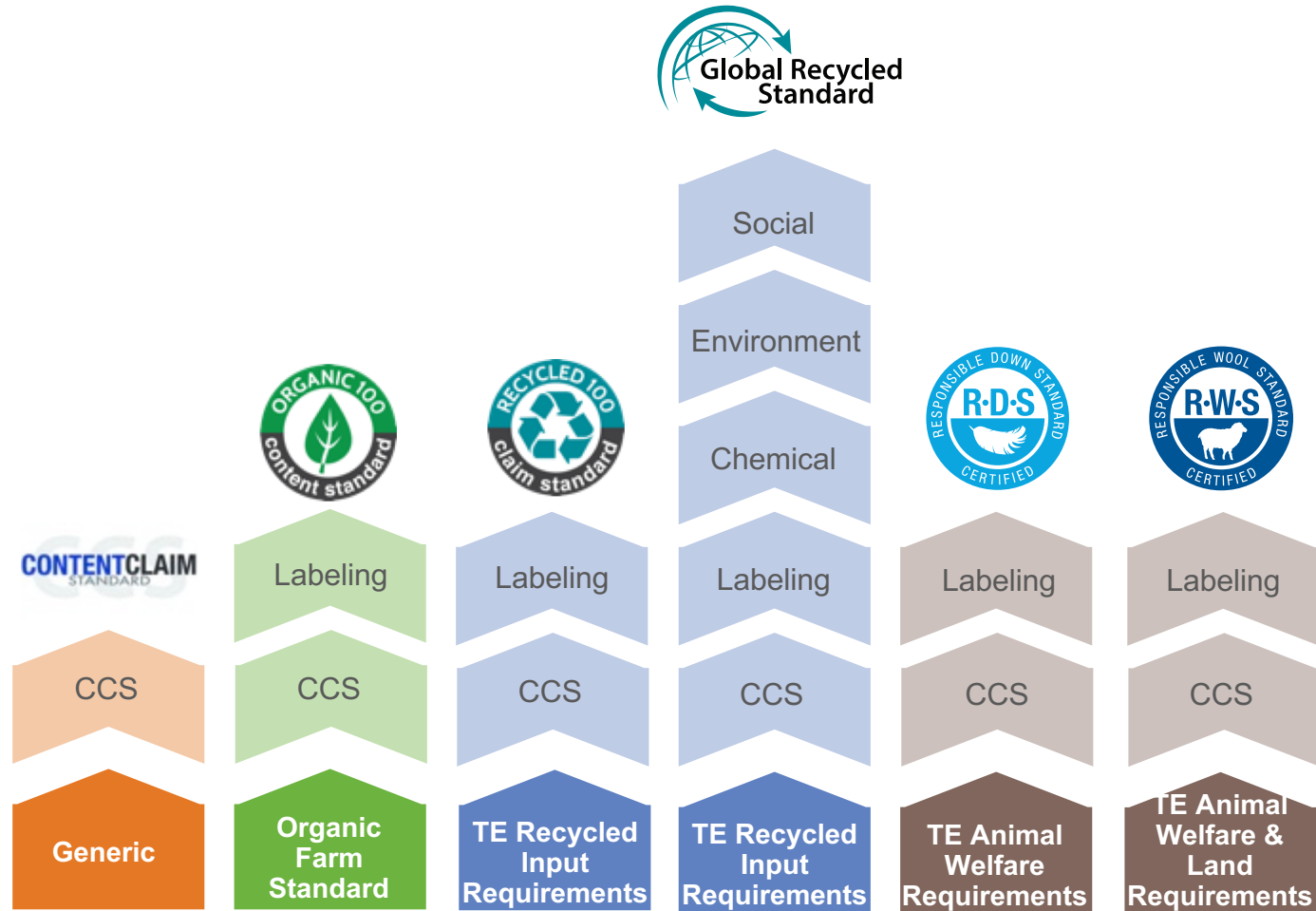
Shanghai Different Chemical Fiber Co.ltd



WILLIAMS-SONOMA



Textile Exchange Standards



What is the Organic Content Standard?



What is the OCS?



An independent global standard with third-party certification



Verification that input fiber was organically grown



Strong chain-of-custody from the fiber to the final product



Multi-stakeholder approach, with representation from affected groups

Benefits of the OCS

Messaging and Story Telling

It presents an excellent opportunity for people to learn about the source of the products.

Credible Certification

A professional, third party certification body audits each stage in the supply chain.

Meet CSR Goals

Set and meet targets for corporate use of organic material.

Get What You Ask for and Pay For

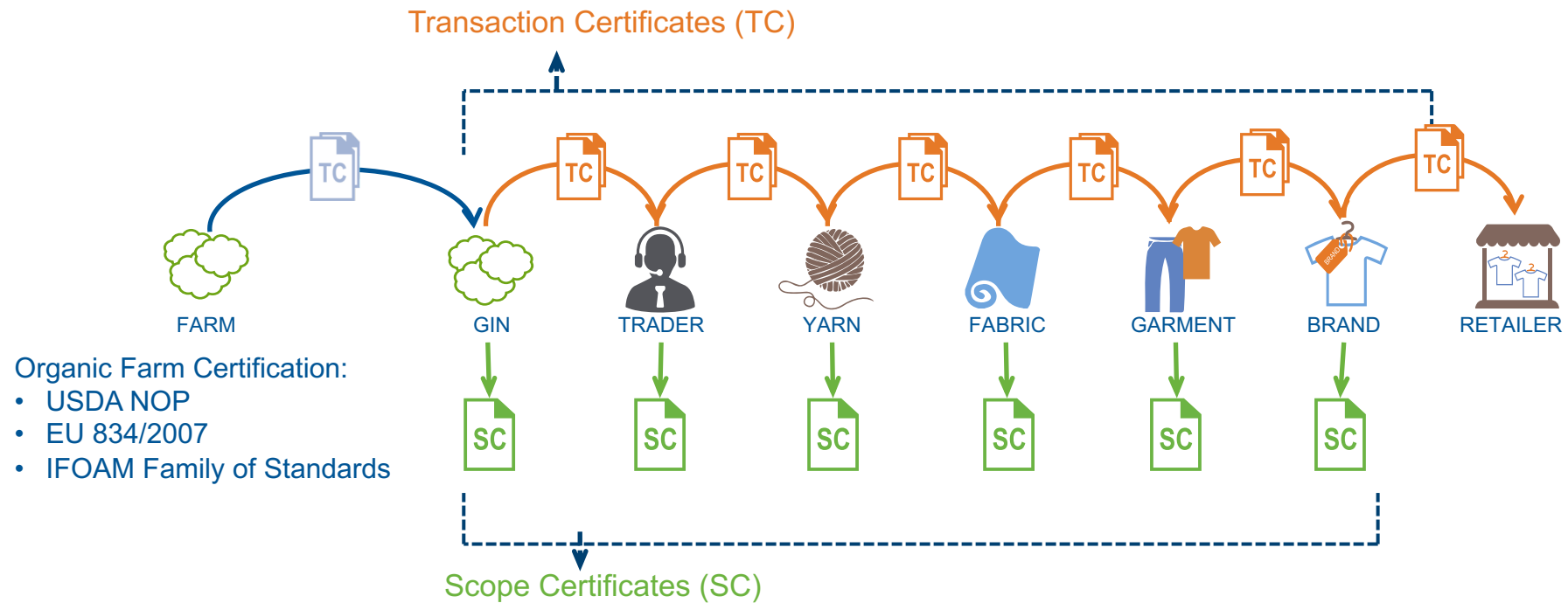
The identity of OCS material is maintained at all times: from the fiber to the final product, through a robust chain of custody.

Drive Organic Production

Support the demand for organic material, even if you are not able to meet higher percentages.

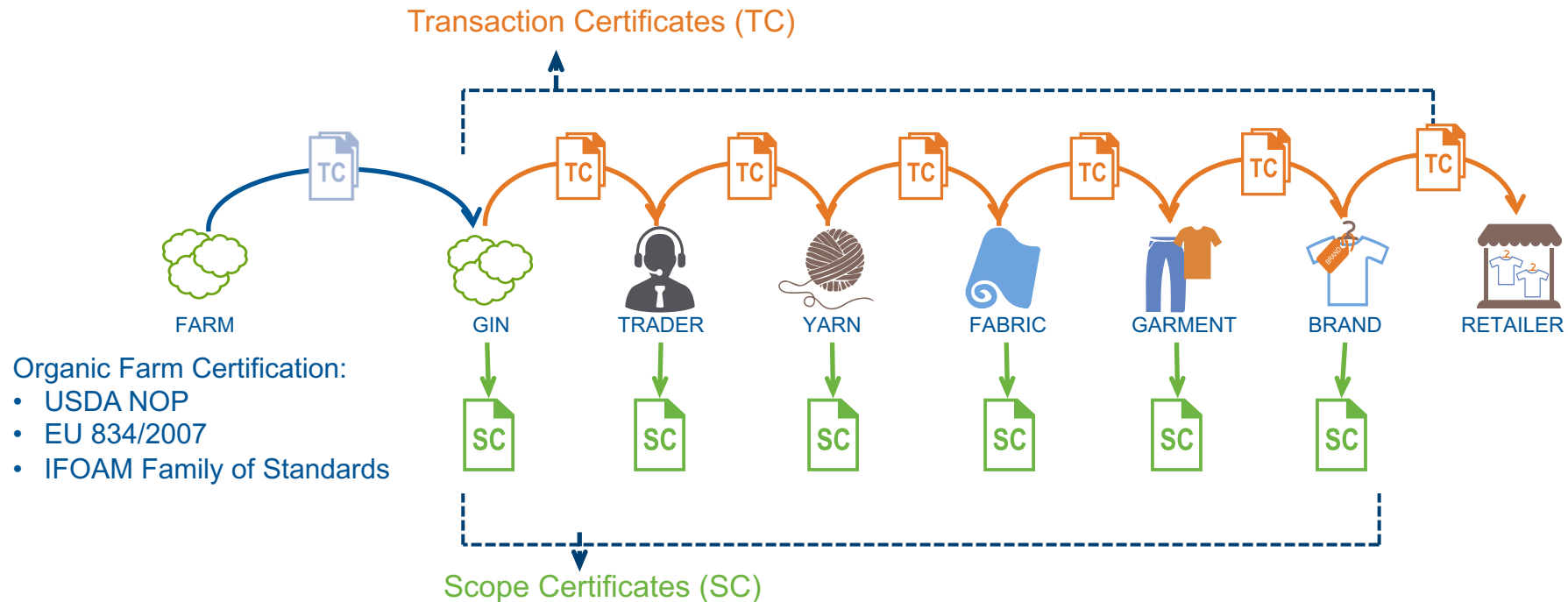


Chain of Custody



What kind of claim does the OCS support?

Organically grown content
NOT organic product



The further you use third-party
certification, the lower your risk.

Organic Claims



Material
Content
Claims



Product
Claims



Product Claims

These types of claims **are not** supported by the Organic Content Standard.



Content Claims

These types of claims **ARE** supported by the Organic Content Standard.





OCS Labeling

1. Product must be certified to the seller in the last business-to-business transaction.
2. All product labeling must include:
 - a) OCS logo
 - b) mention of the Certification Body
 - c) mention of the last Certified Organization
3. All OCS artwork must be approved by a Certification Body, prior to printing and application.



General Communication

Don't qualify for product labeling?

Here's what you CAN say OFF product...

“Our strategy for sourcing organically grown material relies on third-party certification, such as the Organic Content Standard.”

Resources

TextileExchange.org/Integrity

- OCS Logo Use and Claims Guide

Integrity@TextileExchange.org

Thank you!

Ashley@TextileExchange.org



Global Organic Textile Standard (GOTS)



Harmony Art Fabric

- Processing Standard for textiles made from certified organic fibers
- Environmental & Health Criteria
- Chemical Criteria
- Social Criteria
- Entire Supply Chain Covered
- ISO Type I Standard
- Independent 3rd party Certification
- Verifiable, Identifiable and Traceable

GOTS: Recognition



✓ USDA

- Policy memorandum (May 20, 2011) explicitly recognizes GOTS and its label grade 'organic': "Textile products that are produced in accordance with the Global Organic Textile Standard (GOTS) may be sold as organic in the U.S." Note that this does not entitle the use of the USDA seal.

✓ IFOAM

- Endorses GOTS as the minimum reference for organic textile processing. The endorsement letter (April 23, 2014) includes the recommendation to governments not to start development of redundant standards and regulations but to make references to GOTS as processing standard for textiles labelled 'organic.'

✓ Greenpeace International

- Textile Procurement Policy (October, 2012) states that all cotton-based textiles used by volunteers, activists, or staff must be certified to GOTS or the equivalent.

GOTS & the United Nation's SDGs



- In relation to textile industry, **more than 11 SDGs** are covered in GOTS
- GOTS provides a **robust framework** to evaluate company's sustainability claims
- Well-placed to become an **evaluation tool** for SDG implementation by the supply chain
- Being a multi-stakeholder, dynamic sustainability standard, GOTS can serve as a **measure of progress** against the SDGs for textile companies



Prohibited and restricted inputs:



- Solvents
- Flame Retardants
- Chlorobenzenes
- Chlorophenols
- Complexing agents, Surfactants
- Endocrine disruptors
- Formaldehyde
- GMO based inputs
- Heavy Metal Free
- MAK III, categories 1,2,3,4
- Functional Nano-particles



Social Criteria



- Extensive rules to cover Social Criteria in GOTS certified entities
- Ethical business behavior
- Use of Social criteria tools such as the *SAI Social Fingerprint®* is mainly used



Social Criteria



All manufacturing processes covered

Employment is freely chosen

Right to collective bargaining

No child Labor

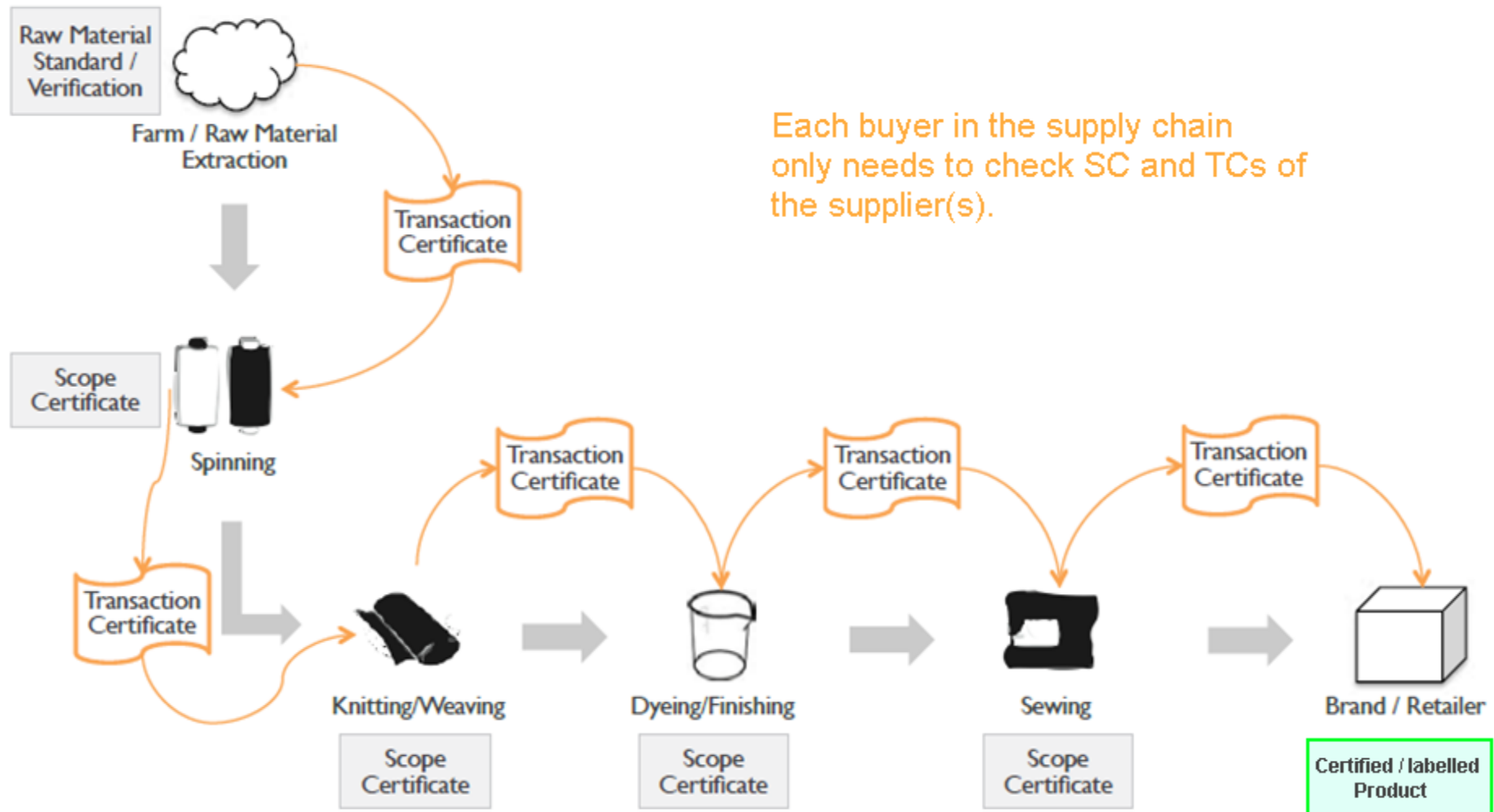
No discrimination

Safe & Hygienic working conditions

Fair remuneration



Traceability through Transaction Certificates



GOTS Labeling Guideline



**95 – 100%
Organic fibers:**



Organic
certified by *[certifier's ref.]*
license number

**70 – 94%
Organic fibers:**



Made with (x %) organic fibers
certified by *[certifier's ref.]*
license number

GOTS is both a Process and Product Claim



Companies can use product certification to show that a product, service or process has been inspected, tested and approved.

- All organic certification programs are certifying product claims.
- Organic certifications are process claims included in product claims.
- We certify organic products by verifying they are manufactured with a compliant process.

Checklist for retailers before selling labelled GOTS Goods



- ✓ Ensure that the direct supplier (manufacturer or wholesaler) is certified
 - > ask the supplier for its scope certificate before ordering, consult the GOTS public data base.
- ✓ Ensure that the GOTS on-product labelling is correct and complete and has been released by the applicable certifier
 - > ask the supplier to provide a written label release confirmation issued by the supplier's certifier – especially if the retailer designs the labelling.
- ✓ Ask for Transaction Certificates for the whole quantity of GOTS goods purchased (recommended)
 - > the retailer itself must be listed as the buyer (Box 3) on the TC to have valid proof.
- ✓ If the retailer (re-)labels, (re-)packs the labelled textiles, the retailer must be certified itself .

Unauthorized Referencing to GOTS:



Samples of unauthorized self-claims for non-certified products:

“This t-shirt is made from (x%) GOTS certified fabric (or yarn or cotton)”

“The textile fibers used in this mattress are GOTS certified”

=> No reference to GOTS is permitted for (final) textile products, if certification is valid for previous stages or for specific components of the product only.

Reasons for Unauthorized Labeling:



- Brands and retailers design labeling (e.g. for hang tags) and send the artwork to their certified suppliers who apply it without asking for a label release from the manufacturer's certifier.
 - Certifier has provided a general label release for a prototype but certified entity modifies labelling per client/type of product which is not reviewed.
- > These products may be certifiable or not – this needs to be investigated and may lead to measures and sanctions up to recall of labeled products (from retail trade), trademark infringement steps, and suspension of certification in order to safeguard credibility of GOTS labelling.

GOTS Labeling: Visible Commitment to the Consumer



- A GOTS labelled product in the retail market is the final result of the certification procedures of *the entire supply chain* and the visible commitment to the consumer that the product complies with all requirements of the standard.
- Thus correct and complete labelling is of utmost importance for the credibility of the standard and its certification system.

Licensing and Labeling Guide

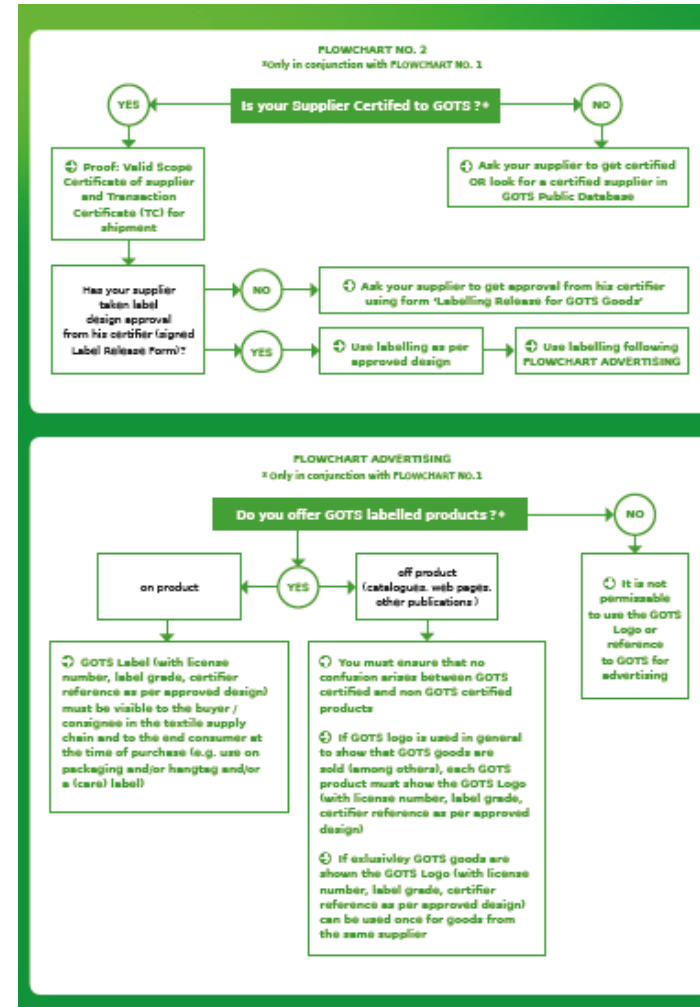
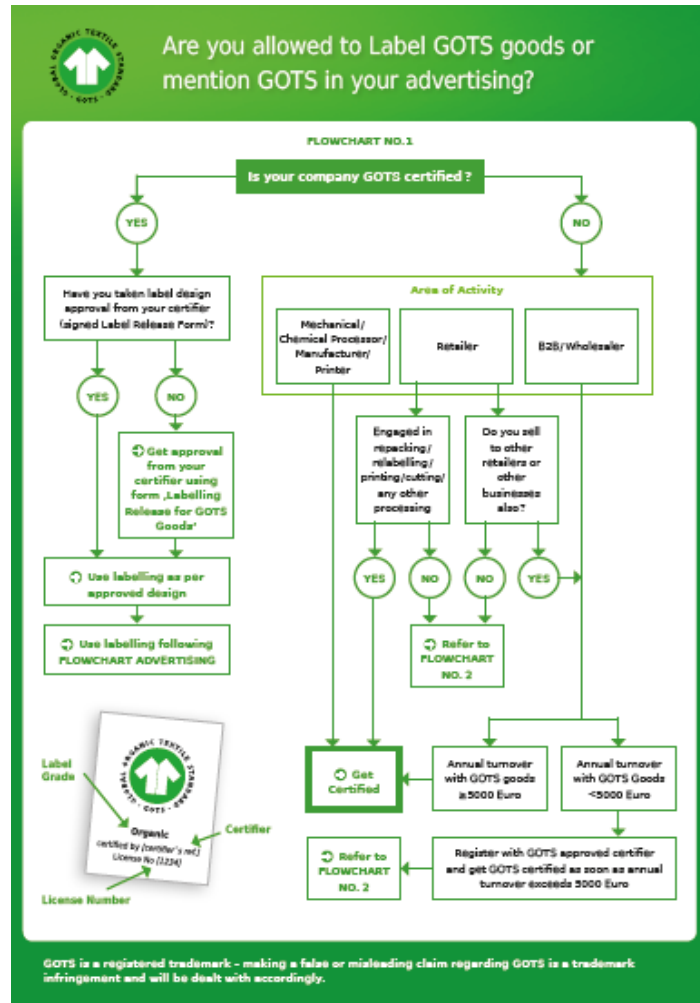


- Explains who can use logo and how
- Standardized logo use to add to recognition value
- B2C retailers exempt from certification obligation → “label release form”
- Marketing/publications/advertisements

Labeling – Visible commitment to the end consumer

A screenshot of the GOTS website's search page. The page has a green header with the GOTS logo and the text "GLOBAL ORGANIC TEXTILE STANDARD ECOLOGY & SOCIAL RESPONSIBILITY". On the left is a green sidebar with navigation links: "THE STANDARD", "CERTIFICATION", "LICENSING & LABELLING", "PUBLIC DATABASE", "How to use it", "Search for producers and products", "INFORMATION CENTRE", and "ABOUT US". The main content area is white and titled "SEARCH". It contains a search form with a "Free text" input field containing the number "12345", and three dropdown menus for "Product categories", "Field of operation", and "Country". A "Search" button is at the bottom of the form. A red arrow points from the search bar in the header to the search form, and another red arrow points from the GOTS label diagram to the search form.

Fact Sheet: Are you allowed to Label GOTS goods or mention GOTS in your advertising?





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Questions?



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