

Organic Products Regulations and Claims associated with it

1. Introduction

“Undoubtedly, the products we choose significantly impact our wellbeing, shaping daily lifestyle”. There is a profound confusion as we encounter various labels on packaging, ingredient lists, and stickers. Among these labels, the ‘Certified Organic’ designation empowers informed decision-making in the market, as it not only reduces the risk of exposure to harmful pesticides, antibiotics, hormones, and potential causes of serious illnesses but also, encourages the development of lasting healthy habits and lifestyle. Thus, due to increased awareness globally the organic personal care products market was valued at \$21.5 billion in 2022 and is projected to grow at a CAGR of over 8.4% from 2023 to 2032. Nevertheless, intense competition among brands underscores the need for regulatory standards to identify genuinely qualified organic products.

1.1 What is “Organic”:

“Organic” originally found its roots in farming, where it signifies a commitment to health, ecology and wellness. When it comes to organic products, the focus is on using farming methods that steer clear of synthetic fertilizers, pesticides, genetically modified organisms, growth regulators, and other artificial additives. In much deeper understanding, it includes the cultivation of land and crops in a way that nourishes the soil, utilizing organic waste (such as crop, animal, and farm residues) and beneficial microbes (like bio-fertilizers) to enhance sustainable production. In the realm of personal care, a product earns the “organic” label if it contains agricultural ingredients and adheres to organic production standards.

2. Regulatory Requirements for Organic products

The ‘organic’ label signifies quality and attracts environmentally conscious consumers. To label the products as ‘organic,’ producers and sellers must follow specific guidelines and obtain certification and includes certified producers/sellers, compliance to standards, certification through review/audit, label as per the added organic ingredients.

2.1 Organic labelling

The Indian Organic logo is governed by Section 6 of the NPOP and can be used on products after ensuring compliance with all organic standards outlined in the NPOP. The major standards include but not limited to the following statements:

- a. Pesticide-Free: Products containing organic ingredients produced without using traditional/synthetic/semi-synthetic pesticides.
- b. Fertilizer-Free: Products containing organic ingredients produced without the usage of synthetic fertilizers.
- c. Bioengineering & Radiation-Free: Products containing organic ingredients produced are devoid of bioengineering or ionizing radiation.
- d. Antibiotics & Growth Hormone-Free: Products containing organic ingredients produced from animals must not contain antibiotics or growth hormones.
- e. Sustainable Practices: Production process of products containing organic ingredients must employ renewable resources and conserve soil and water to improve environmental quality for succeeding generations.

Once an organization achieves compliance, specific labeling criteria apply. The following table 1 dictates different levels of labelling based on organic ingredient contents.

Table 1: Organic products labelling claim and criteria

Label claim	Criteria
100 % Organic	100% of ingredients are organic, with 100% organic processing. The product might exhibit the “Certified Organic Seal” along with the name and address of the certifying agent.
Organic	95% or more of ingredients are organic, some nonagricultural additives approved on the national list may be used in processing. The product might exhibit the “Certified Organic Seal” along with the name and address of the certifying agent.

Made with more than 70% organic ingredients	<p>must contain at least 70% organic ingredients. Furthermore, the product label can showcase up to three of these organic ingredients or ‘food groups’ on the principal display panel.</p> <p>While these products may not feature the certified Organic Seal, they are required to prominently display the name and address of the certifying agent</p>
Made with less than 70% organic ingredients.	<p>Products with less than 70% organic ingredients are not allowed to use the term ‘organic’ anywhere on the principal display panel.</p> <p>However, they can specify the ingredients that are certified as organically produced in the ingredients statement on the information panel. These products do not bear the certified Organic Seal and do not include the name and address of the certifying agent</p>
Made with organic ingredients	<p>Few ingredients are organic.</p> <p>This label is not the standard labeling statement and cannot be used outside the ingredients panel on the label. However, can be used if the certifying agent verified the claim of some ingredients as organic.</p>

2.2 Regulatory Requirements in India

In 2000, the Ministry of Commerce and Industry (MCI), Government of India, initiated the National Program on Organic Production (NPOP), established under the Foreign Trade & Development Act to promote organic agriculture and quality products. NPOP acts in collaboration with government bodies like the Ministry of Agriculture, the Agricultural and Processed Food Products Export Development Authority (APEDA), and industry organizations involved in the organic movement. NPOP establishes national standards for organic production, while APEDA facilitates the export of these products.

2.3 Regulatory Requirements in United States of America (USA)

The National Organic Program (NOP), which falls under the purview of the United States Department of Agriculture (USDA), plays a crucial role in maintaining the integrity of stringent USDA organic standards. It oversees the accreditation process for organic certifiers, ensuring compliance with these rigorous guidelines. It issued the “National List” for the compliance

standards that displays a limited number of synthetic and non-synthetic substances that may be used in or on processed organic products. Furthermore, the National Organic Standards Board (NOSB) representing various stakeholders within the organic community appointed by the U.S. Secretary of Agriculture, plays a vital role in addressing diverse matters from organic production, handling, processing to maintaining the National List.



2.4 Regulatory Requirements in Europe




In the European Union (EU), compliance with organic standards is verified and approved through the organic certification process conducted by EU certification bodies. Additionally, each EU country maintains a list of approved companies authorized by the EU Commission to provide organic certification. One can find a comprehensive list of certification bodies in the European Commission Database.

2.5 Organic products certifications

Table 2 describes the kinds of organic product certifications, logo and their description.

Table 2. Organic products certification labels and description

Certifications	Logo	Description
NPOP Organic Certification		<ul style="list-style-type: none"> • Essential for products to be recognized as organic in India. • Based on NPOP standards for organic production, ensuring quality and sustainability. • Promotion of Organic Farming practices. • NPOP's standards for unprocessed plant products are equivalent to those of European countries and Switzerland. • Acceptance in Importing Countries
USDA Organic Certification		<ul style="list-style-type: none"> • Products with the USDA Organic seal meet rigorous standards set by the United States Department of Agriculture (USDA). • A product must be made with at least 95% organic ingredients. • USDA Organic products are produced without synthetic pesticides, herbicides, and genetically modified organisms (GMOs).

Non-GMO Project Verified		<ul style="list-style-type: none"> • Product has undergone testing and meets the organization’s standards for being free from genetically modified organisms (GMOs) • Assurance that the product has been thoroughly assessed and verified to be non-GMO
Fair Trade certification		<ul style="list-style-type: none"> • Ensures that products have been sourced and produced following fair trade principles. • It verifies that farmers and workers involved in the supply chain receive fair wages and operate under safe and ethical working conditions. • Choosing products with Fair Trade certification supports social and economic sustainability, ensuring that producers are treated fairly and equitably.
Rainforest Alliance Certified		<ul style="list-style-type: none"> • Indicates that the product has been sourced from farms and plantations that meet specific environmental, social, and economic criteria. • These criteria promote biodiversity conservation, natural resource protection, and the well-being of workers and local communities. • By choosing products with this certification, you contribute to the preservation of ecosystems and support sustainable agricultural practices.

3. Labeled as ‘Organic,’ but not ‘Organic’

Ensuring product safety and efficacy, along with accurate labeling, are crucial prerequisites for introducing new products. While using certified organic ingredients is essential, it doesn’t automatically certify the entire product as organic. Manufacturers and sellers must exercise caution to avoid misleading claims that could deceive consumers. Copying another product’s ‘certified organic’ logo without permission can lead to legal consequences, including trademark infringement. Businesses are responsible for accurate representation, even unintentional ones. To label products as organic, compliance with standards is vital. Detailed records of production processes and ingredients are advisable to prevent disputes. Certified organic products and those

made with certified organic ingredients contributes to sustainable agricultural practices that benefit both the environment and its inhabitants.

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