

8. Can we advertise using the Bio-Siegel?

The increasing use of the Bio-Siegel reflects the growth trend of the organic sector. Since its introduction in September 2001, and until October 2006, over 1,800 companies have reported the use of the label on more than 34,000 products.

Using the Bio-Siegel for advertising is both possible and desirable. Notification is not required provided that the respective products may be labelled with the Bio-Siegel. Hence price tags that mark or shelves which display organic products may bear the Bio-Siegel. Also, hanging advertising signs or window stickers may be used. For these purposes, the maximum label size may be exceeded.

9. What about other organic food labels existing to date?

The Bio-Siegel replaces neither the labels used by organic producer associations nor trademarks. Instead, it allows consumers, on the basis of criteria valid throughout the EU, to clearly distinguish organically produced foodstuffs from food that was produced conventionally.

In addition to the basic information provided by the Bio-Siegel, producers and suppliers may communicate additional characteristics of their products through marketing concepts. These concepts may be specifically oriented towards target groups, sales locations and products.

10. What happens if the Bio-Siegel is used unlawfully?

Products bearing the Bio-Siegel unlawfully can be withdrawn by the appropriate authorities. In addition, the Organic food Labelling Act provides administrative fines of up to 30,000 euros.

The German Patent and Trademark Office protects the Bio-Siegel as a trademark. As the owner of the trademark, the Federal Ministry of Food, Agriculture and Consumer Protection shall refer any civil claims for damages or applications for an injunction for prosecution.

Links

EU Regulation on Organic Farming, Eco-Labeling Act,
Eco-Labeling Ordinance www.bmelv.de

For the latest news on the Bio-Siegel and for online registration in order
to use it, please visit: www.bio-siegel.de

For the latest news on organic farming, please visit: www.oekolandbau.de

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“Bio-Siegel:”



How to Use the Bio-Siegel: Ten Questions and Answers

Bio-Siegel Information Centre
www.bio-siegel.de



How to Use the Bio-Siegel: Ten Questions and Answers

1. What is the Bio-Siegel?

The Bio-Siegel is the unified umbrella label for organic produce in Germany. It stands for controlled organic production. The Bio-Siegel makes a clear statement: "If it's labelled organic, it is organic."

2. What is the legal basis for the label?

The German Organic food Labelling Act (ÖkoKennzG) of 10 December 2001 provides the legal basis for the Bio-Siegel. The law lays down penal provisions and administrative fines, amongst others, if the Bio-Siegel is misused. As for the criteria for using the Bio-Siegel are concerned, the Organic food Labelling Act refers to the requirements stated in the EU Regulation on Organic Farming (Regulation [EEC] No. 2092/91 and subsequent acts). All agricultural products produced and inspected according to this regulation may bear the Bio-Siegel.

The German Eco-Labeling Ordinance (ÖkoKennzV) of 6 February 2002, last amended by the regulation of 30 November 2005, lays down the details concerning the design and use of the Bio-Siegel. The regulation states an obligatory notification prior to the first use of the Bio-Siegel.

3. Which products can be labelled?

One may use the Bio-Siegel for all non-processed agricultural products and agricultural products intended for human consumption falling under the scope of the EU Regulation on Organic Farming. At least 95% of the agricultural ingredients contained in processed products must come from organic production. The remaining ingredients of agricultural origin must be listed in Annex VI Part C of the EU Regulation on Organic Farming.

Given the fact that the EU Regulation on Organic Farming does not yet contain special provisions for winemaking, the Bio-Siegel may be used for wine only in direct connection with the reference: "Wine made from organically grown grapes". Aquacultural products (e.g. fish or algae from fish farming) do not yet fall within the scope of the EU Regulation on Organic Farming. Products from hunting wild animals and from fishing are not subject to the EU Regulation on Organic Farming. Neither are medicines and cosmetics.

Foods enriched with vitamins or minerals, feedstuffs and agricultural products produced during a farm's transition to organic farming must not be labelled with the Bio-Siegel.

Restaurants, cafeterias, etc. certified in accordance with the EU Regulation on Organic Farming may also use the label to mark meals and meal components.

4. Can imported goods be labelled with the Bio-Siegel?

Yes, you may label all imported products which have been produced and inspected in accordance with the EU Regulation on Organic Farming with the Bio-Siegel if at least 95% of their ingredients come from organic production. This includes organically grown products from within the EU as well as produce from non-EU countries (third countries) for which there are special provisions.

The Federal Agency for Agriculture and Food (BLE) is the competent authority according to article 11 (6) of the EU Regulation on Organic Farming to issue the licence required to market produce imported from third countries.

5. Are there any charges for using the Bio-Siegel?

There is no obligation or cost for using the Bio-Siegel. It is also easy and non-bureaucratic, an additional advantage for anyone wanting to use it.

6. Do we have to notify the authorities prior to the use of the label?

According to the German Eco-Labeling Ordinance, users of the Bio-Siegel must first notify the Bio-Siegel Information Centre at the BLE prior to the first use of the label. Market operators wishing to use the Bio-Siegel must notify the Centre of their intention and shall submit one sample label (attached to one A4 sheet) for each product to the Bio-Siegel Information Centre. In order to register, you may use the notification form provided in the German Eco-Labeling Ordinance.

The completed notification form may be sent to the Bio-Siegel Information Centre either by fax, post or email. Online registration is also possible via www.bio-siegel.de/produktanzeige. Once a company has registered, it shall

receive access data by email and then may update its entries or may list further products to be labelled with the Bio-Siegel. For reasons of data protection, data shall only be published about companies that have expressed their agreement when they registered their products.

Shops that sell products bearing the Bio-Siegel do not need to register if they do not label or prepare these products in any way, or if they have others label or prepare these products for them under the EU Regulation on Organic Farming.

7. Which basic requirements do we need to observe in terms of graphic design?

You may download Bio-Siegel artwork templates at www.bio-siegel.de or they may be ordered via email or on CD-ROM from the Bio-Siegel Information Centre at the Federal Agency for Agriculture and Food. The templates are available in most common file formats and include information on how to label packages and promotional items.

For labelling, the provisions of the German Eco-Labeling Ordinance need to be observed. For instance, in terms of graphic label design, this translates into the following: the minimum label size is 10 mm, the maximum size 33 mm – measured from the outer left to the outer right edge of the green rim. However, the label's maximum width may only be used to the point where the "B" in Bio does not exceed 60% of the largest letter contained in the name of the advertised product. The 60% rule does not apply when using the minimum label size. The label must be contained within both a white outline and a green frame of equal width. The spatial relation of its words and graphic elements may not be modified.

Label users may refer to a corporate design handbook on the unified use of the Bio-Siegel for hints, graphic details and models (e.g. regarding the options "harmonised colours" or "transparent background"). This handbook, including a CD-ROM (see above), can be obtained from the Information Centre or may be downloaded, in PDF format, at www.bio-siegel.de