

## Nonretail Container Labeling

On January 19, 2023, the USDA National Organic Program published the Strengthening Organic Enforcement final rule. Among several new requirements, the regulations now require nonretail containers used to ship or store organic products to be clearly **labeled with organic identity and traceable to audit trail documentation**. This information reduces the mishandling of organic products and supports traceability – all of which helps to maintain the integrity of your organically produced goods!

We have created this guidance document to explain terms, offer examples, and answer common questions about non-retail container labeling.

### What is a nonretail container?

The NOP organic regulations define a nonretail container as any container used for shipping or storage of an agricultural product that is **not used in the retail display or sale of the product**. Examples include:

- Produce boxes, totes, bulk bags, harvest crates, and bins
- Boxes, crates, cartons, and master cases of wholesale packaged products
- Trailers, tanks, railcars, shipping containers, vessels, cargo holds, freighters, barges, grain elevators, silos, grain bins, or other methods of bulk transport or storage

### What information must be displayed on a nonretail container?

§205.307 of the NOP organic regulations requires nonretail containers used to **ship or store** certified organic agricultural products **to clearly display a visible label on the container that:**

- Identifies the product as organic, AND
- Includes a lot number, shipping information, or another form of unique identifier (e.g. packing date) **that links the container to audit trail documentation**

**Note:** Identifiers are unique to your operation and an explanation of how you create the identifiers must be described in your Organic System Plan.

### What records must I keep regarding nonretail containers?

You must maintain audit trail documentation that is sufficient to determine the source, transfer of ownership, and transportation of your organic agricultural products. This requirement includes products labeled with nonretail labels.

Audit trail documentation for nonretail containers must:

- Link to the corresponding nonretail container with a lot number, product number, or other unique identifier
- Identify the last certified operation that handled the agricultural product
- Identify the agricultural products as “100% organic”, “Organic”, or “made with organic...”, as applicable

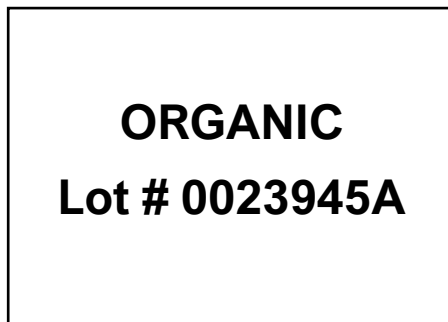
## What is the purpose of this new requirement?

Labeling and linking nonretail containers to audit trail documentation improves traceability and transparency in the organic supply chain. Making sure containers carrying organic products are always clearly and visibly labeled as organic throughout the whole supply chain helps prevent mishandling and misrepresentation as those products move through distribution, which ultimately protects your hard work and strengthens consumer trust in the organic label.

## Examples of acceptable nonretail container labels

Examples of compliant labels for nonretail containers may include but are not limited to:

### Basic Label



- A piece of paper with the required information affixed with tape or magnet to the exterior of the container.
- Clear document protector affixed to a trailer that can hold a temporary label with the required information.

### Stamps, Stickers, Magnets



- ORGANIC stamped or printed on a produce box with an identifying code linking to audit trail documentation.
- Sticker affixed to a wrapped pallet of organic products

### USDA Organic Seal



- Printed magnets or stickers with a **compliant** USDA Organic seal.

**Note:** A unique ID must be included with the compliant USDA Organic seal to fulfill the requirements.

### Tags and Zip Ties



- Tag printed with “ORG” or “organic” and a unique ID attached to the container with wire or zip tie.
- Blank tag with required information handwritten on the tag in waterproof pen

### Permanent Structures



- Permanent bin number spray-painted on a grain bin door (unique identifier) and a temporary laminated "ORGANIC" sign taped to the door

## Frequently Asked Questions

### **Do the requirements for labeling of nonretail containers apply to transportation units (e.g. trucks, trailers, vessels, shipping containers)?**

Yes, trucks, trailers, railcars, shipping containers, and other transportation units are considered nonretail containers if they are transporting organic agricultural products. They must be labeled with a compliant nonretail label.

### **Do I have to print the organic seal on the label?**

No. Though you may use a compliant USDA Organic seal on a nonretail container to identify products as organic, this is not required. The regulation states only that the container must be labeled in a way that clearly identifies the product as organic, but you may use acronyms or abbreviations, like “ORG”, or simply spelling out the word “organic”. If the label includes the USDA Organic seal, it must comply with [§205.311](#).



### **Are there any exceptions to the requirements of nonretail container labeling?**

Yes, there are certain types of transport and storage activities that do not require the nonretail label information outlined in §205.307. However, operations must always comply with the requirements to prevent commingling and contamination required at §205.272, and those prevention practices may involve identifying containers as organic. Prevention practices must be described in your Organic System Plan.

The following activities may be considered exceptions to the requirements of nonretail container labeling:

- Nonretail containers used to ship or store retail-packaged agricultural products where the organic identification is visible on the retail label through the nonretail container (e.g., a pallet of clamshells labeled for retail sale with the organic seal visible through the wrapping). Nonretail containers must still display a production lot number or other unique identifier to link the container with audit trail documentation.
- Work-in-progress containers (e.g., harvest bins) that do not leave the operation
- Trucks or trailers hauling organic animals that are individually identified as organic (e.g., ID tag, leg band)
- Transportation operated by the certified operation hauling product produced by the operation to a site also managed by the certified operation (e.g., an operator's truck hauling grain from their own field to their own grain bin).

## Resources

[NOP Regulation §205.307: Labeling of nonretail containers](#)

[Section C of the preamble to the Strengthening Organic Enforcement final rule](#)

[NOP Strengthening Organic Enforcement FAQs](#)

[SOE Final Rule Primers \(See p. 24 for nonretail container labeling\)](#)

[QCS Webpage “USDA Organic Labeling”](#)

If you are unsure whether or not your operation and activities require nonretail labels, please contact QCS at 352-377-0133 or [qcs@qcsinfo.org](mailto:qcs@qcsinfo.org).

Thank you for your continued dedication to organic integrity and regulatory compliance.