

# GOTS Regional Round Table

## GOTS and USDA's National Organic Program



**Gwendolyn Wyard**

Vice President, Regulatory & Technical Affairs

Organic Trade Association





The Organic Trade Association is the **LEADING VOICE** for the organic trade in the U.S., representing **9,500 businesses** across **50 states**.

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

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

# Global Organic Textiles Standard

## OTA Involvement

### GOTS Advisory Council



### GOTS Standards Committee

# USDA National Organic Program (NOP)

## From Law to Regulation

Organic Foods  
Production Act  
(OFPA)

National Organic Standards Board  
(NOSB) – 15 members appointed by the  
Secretary of Ag

7 CFR 205  
USDA National Organic Program  
Regulations

# 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 must be certified to the 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

May or must be certified organic under NOP?



# USDA National Organic Program

May or must be certified organic under NOP?





# USDA National Organic Program (NOP)

## 2011 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 sold in the U.S. 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.
- The memo does not say that textiles making organic claims **must** be certified to GOTS.
- The memo does confirm that products produced under the GOTS standard may be sold as certified 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):**

- The 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

## OTA Takes Action

### Efforts to get FTC to act on misleading organic claims:

- Meeting with FTC over the past 7 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
- OTA participated in the panel and conducted a consumer survey in preparation (2016)

# Misleading Organic Claims

## OTA Conducts Consumer Survey

- 59% of the respondents believe that a non-food product or service that is labeled “organic” must be certified by the USDA or other government agency (59%).
- Nearly 9 in 10 respondents *Agreed strongly* (60%) or *Agreed somewhat* (28%) with the statement “A certification process such as is used by the USDA to oversee and enforce the labeling of organic foods should also be used to oversee and enforce the labeling of organic non-food products and services such as shampoo, mattresses, and dry-cleaning.”

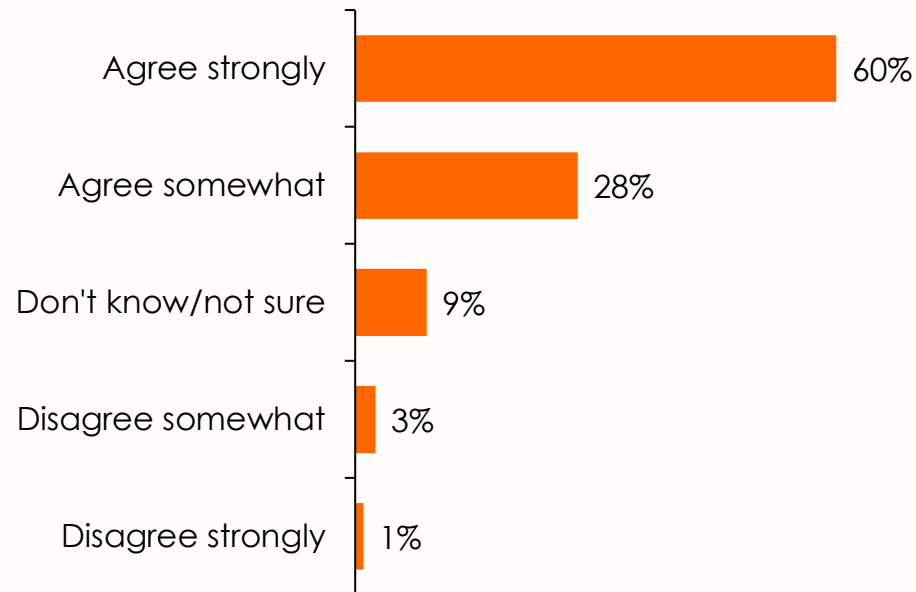
<https://www.ftc.gov/news-events/events-calendar/2016/10/consumer-perceptions-organic-claims-ftc-usda-roundtable>

# Misleading Organic Claims

## OTA Conducts Consumer Survey

### OTA conducts consumer survey concerning organic labeling of food and non-food products

**“A certification process such as is used by the USDA to oversee and enforce the labeling of organic foods should also be used to oversee and enforce the labeling of organic non-food products and services such as shampoo, mattresses, and dry-cleaning.”**



# Misleading Organic Claims

## OTA Conducts Consumer Survey

The consensus sentiment obtained from the open-ended comments is that *“Both categories of products affect health & environment [and] therefore they should be regulated in the same manner. Consumers need to trust that there are standards on the organic label for food & non food products.”*





# Misleading Organic Claims

## FTC Takes Action

### **FTC takes 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



# National Organic Standards Board

## OTA Takes Action

### USDA-NOSB Proposed Rule considers fleece and wool:

Change to the National List: Allows for the use of specific parasiticides used a minimum of 90-days prior to harvest

**Comment Deadline:**  
March 19



# 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

- Organic cotton t-shirt
- Organic mattress

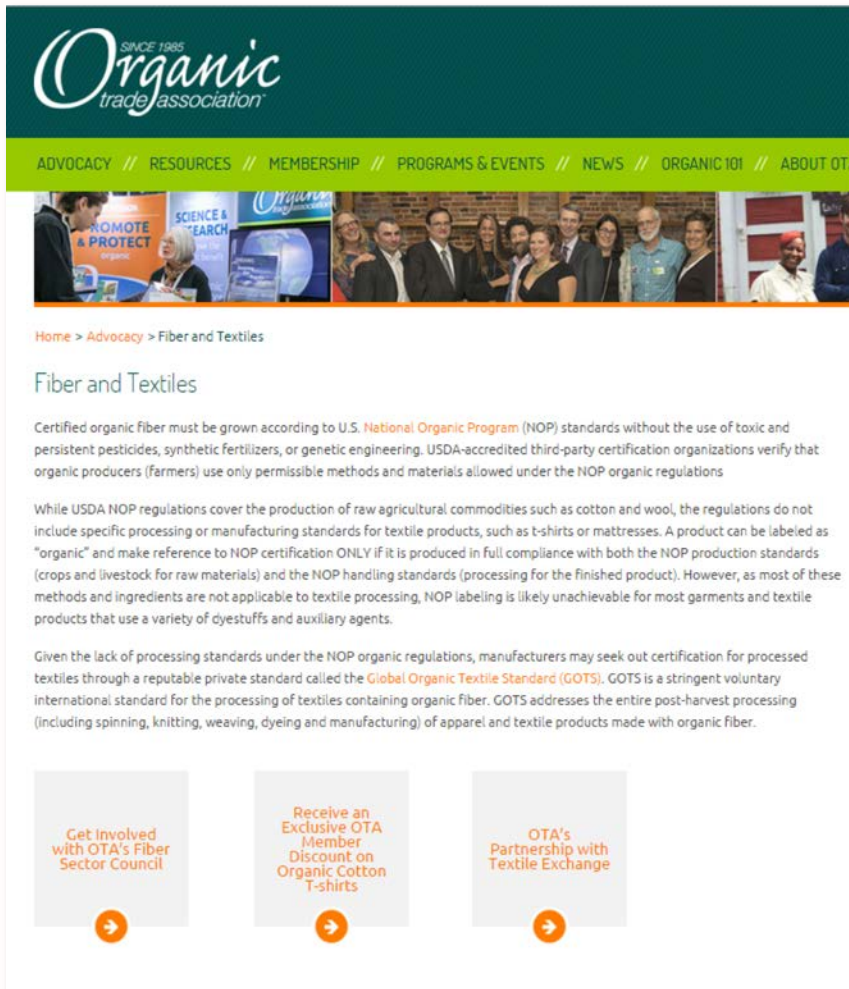


- OCS: "Contains 65% organically grown cotton"

- 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 Resources on Organic Fiber and Textiles



The screenshot shows the Organic Trade Association (OTA) website. At the top is the OTA logo with the text "SINCE 1985 Organic trade association". Below the logo is a navigation bar with links: ADVOCACY // RESOURCES // MEMBERSHIP // PROGRAMS & EVENTS // NEWS // ORGANIC 101 // ABOUT OTA. A banner image shows a group of people at a conference. Below the banner is a breadcrumb trail: Home > Advocacy > Fiber and Textiles. The main heading is "Fiber and Textiles". The text explains that certified organic fiber must be grown according to U.S. National Organic Program (NOP) standards without the use of toxic and persistent pesticides, synthetic fertilizers, or genetic engineering. It also mentions that USDA-accredited third-party certification organizations verify that organic producers use only permissible methods and materials. A paragraph notes that while USDA NOP regulations cover the production of raw agricultural commodities such as cotton and wool, they do not include specific processing or manufacturing standards for textile products, such as t-shirts or mattresses. A product can be labeled as "organic" and make reference to NOP certification ONLY if it is produced in full compliance with both the NOP production standards (crops and livestock for raw materials) and the NOP handling standards (processing for the finished product). However, as most of these methods and ingredients are not applicable to textile processing, NOP labeling is likely unachievable for most garments and textile products that use a variety of dyestuffs and auxiliary agents. A final paragraph states that given the lack of processing standards under the NOP organic regulations, manufacturers may seek out certification for processed textiles through a reputable private standard called the Global Organic Textile Standard (GOTS). GOTS is a stringent voluntary international standard for the processing of textiles containing organic fiber. GOTS addresses the entire post-harvest processing (including spinning, knitting, weaving, dyeing and manufacturing) of apparel and textile products made with organic fiber. At the bottom, there are three call-to-action boxes: "Get Involved with OTA's Fiber Sector Council", "Receive an Exclusive OTA Member Discount on Organic Cotton T-shirts", and "OTA's Partnership with Textile Exchange". Each box has an orange arrow pointing right.

Global Organic Textile Standard

Policy and Advocacy Updates

Organic Fiber Council

Quick Resources



[ota.com/advocacy/fiber-and-textiles](https://ota.com/advocacy/fiber-and-textiles)

# Thanks!



**Gwendolyn Wyard**

Vice President, Regulatory and Technical Affairs

(503)798-3294

[gwyard@ota.com](mailto:gwyard@ota.com)

