

Policy for use of the IFOAM name, logo and seal

Purpose

The purpose of this policy is to define the correct use of the IFOAM name, the IFOAM logo and the IFOAM seal and the procedure to be followed in case of abuse of the IFOAM name, logo or seal.

Definitions

1. The IFOAM name is "International Federation of Organic Agriculture Movements." The acronym "IFOAM" is also considered to be the IFOAM name. The acronym "IFOAM" is a registered trademark.

2. The IFOAM logo is defined as follows:



3. The IFOAM seal is defined as follows:



The IFOAM Seal is a market-oriented mark of compliance with the IFOAM Accreditation program. This mark ensures wholesalers, retailers, and consumers that a product and its producer are organically certified within the IFOAM Organic Guarantee System.

4. Labeling

Labeling means any word, trademark, brand name, pictorial matter, or symbol on any packaging, document, notice, label, board, collateral, or advertising material in any medium accompanying or referring to a product.

5. Accreditation Agent

An organization with which IFOAM has a signed agreement to administer the IFOAM Accreditation Program.

Policy

1. General protection policy

- a. The IFOAM name and logo is a registered and protected trademark.

In the European Union the name and logo are registered at the Register of Community trade marks as No 000390500 by the EU Office for Harmonization of the Internal Market, Alicante, Spain.

In the USA the name and logo are registered by the U.S. Patent and Trademark Office under the Registration Number 2,520,871.

- b. The IFOAM seal may be used in the labeling of products only as permitted under the IFOAM Accreditation Program.
- c. The use of the IFOAM name or logo is prohibited in the labeling of products in any form other than in the IFOAM seal.

2. Use of the IFOAM name, logo, or seal by persons or organizations that are affiliated with IFOAM:

- a. IFOAM members [associates] may place the words "Member" ["Associate"] of IFOAM, the International Federation of Organic Agriculture Movements" after their name on letterhead, business cards, and/or general public relations material, which does not refer to specific products. The indication to IFOAM shall be smaller or less obvious than the affiliate's own name.
- b. The full name of the 'International Federation of Organic Agriculture Movements' may additionally be

translated from English into the language of the affiliate. The acronym “IFOAM” may not be translated.

- c. The logo of IFOAM may not be used on letterhead, business cards, and/or general public -relations material, except as specifically provided by IFOAM.

Use of the IFOAM name, logo, or seal by persons or organizations that are not affiliated with IFOAM:

- a. The IFOAM name, logo, or seal may not be used by non-affiliates in any form except as allowed by paragraphs 2 and 3.
 - b. The IFOAM seal may be used in the labeling of products only as permitted under the IFOAM Accreditation Program.
 - c. The use of the IFOAM name or logo is prohibited in the labeling of products in any form other than in the IFOAM seal.
3. The IFOAM name and logo may be used at conferences, events, publications, web pages and other activities only under a contract according to the requirements of relevant IFOAM policies.
 4. The ED shall carefully monitor the use of the name, logo and seal according to the procedure below.

Procedures to Protect the IFOAM Name and Logo

1. IFOAM’s policy for the use of its name, logo and seal is defined in the application form for IFOAM affiliation. Applicants for IFOAM affiliation are required to sign a statement that they have read and understood this policy and undertake to abide by it and all future revisions of it.

2. IFOAM's policy for the use of its name, logo and seal shall be published on IFOAM's website and annually in the IFOAM newsletter.
3. Information regarding any possible false or unauthorized use of IFOAM's name or logo shall be sent to IFOAM.
4. The IFOAM Executive Director will assess the information received to determine whether there has been a false or unauthorized use of IFOAM's name or logo. Additional information may be requested.
5. The Executive Director determines that an IFOAM affiliate has used the IFOAM name or logo in a false or unauthorized manner, the following steps will be taken as deemed necessary to protect the IFOAM name and logo and to stop the false or unauthorized use:
 - a. Send a letter explaining the correct use of the IFOAM name or logo and request that the party cease and desist the unauthorized use of the IFOAM name or logo. The letter will give the affiliate three weeks to inform IFOAM what steps it has taken to comply.
 - b. If no response is received within three weeks, IFOAM will send a second letter repeating the request to cease and desist and warning that failure to do so could result in expulsion from IFOAM.
 - c. If no response is received to the second letter within three weeks, the Executive Director will call the IFOAM affiliate by telephone, attempt to find out why it is not cooperating, and request its cooperation.
 - d. If the call produces no satisfactory result within three weeks, the Executive Director will prepare a recommendation to the World Board to expel the affiliate.

6. If the Executive Director determines that a party that is not affiliated with IFOAM has made an unauthorized use of IFOAM's name, the Executive Director will follow steps 5 a to d above, omitting the references to loss of membership and stressing its intent to enforce protection of the IFOAM name or logo.
7. If the party misusing IFOAM's name is a member of an IFOAM affiliate, copies of the correspondence shall be sent to that IFOAM affiliate. If no adequate response is received from the party complained against, the Executive Director shall request the IFOAM affiliate to assist in resolving the matter.
8. If the above actions do not stop the unauthorized use, the Executive Director may take any of the following steps:
 - a. Contact IFOAM affiliates in the respective country for assistance;
 - b. Notify public authorities as appropriate in the respective countries;
 - c. Take appropriate legal action.
9. When the actions taken are a result of a complaint by a third party, the complainant shall be informed of the actions taken.
10. A register of all actions taken shall be kept and a summary presented to the EB annually.

Procedures to Protect the IFOAM SEAL

1. Information regarding the abuse of the IFOAM seal should be sent to the Executive Director of the IFOAM's Accreditation agent, who in consultation with the IFOAM Executive Director, will determine if the potentially abusing party is an IFOAM Accredited Certifier or Applicant, an IFOAM member other than such Certifier or Applicant, or a party with no IFOAM affiliation.

2. In cases of abuse of the IFOAM Seal by IFOAM members who are not Accredited Certifiers or Applicants, the procedures numbered 4 through 10 of the previous section, “Procedures to Protect the IFOAM Name and Logo” shall apply.

3. In cases of abuse of the IFOAM Seal by Accredited Certifiers or Applicants, or by a party with no IFOAM affiliation, measures to protect the Seal shall be undertaken by IFOAM’s Accreditation Agent, according to procedures established by the Accreditation Agent and provided to IFOAM.

Approved by the World Board, October 1997

Latest amended by the World Board, November 2002, Delhi, India