



Demeter Labeling Standards for Certification Marks

I. BACKGROUND

Demeter Association Inc. (“DA” or “Demeter”) is the owner of intellectual property, including trademark and certification marks. Some of these trademarks and certification marks have been registered by DA with the United States Patent and Trademark Office (“USPTO”). DA registered these marks to protect its intellectual rights, to protect consumers from confusion, to protect the meaning of the certification terms and the purity of the standards, and to protect farmers and producers who are certified as meeting these standards. These guidelines will ensure: (1) that use of the DA marks is consistent; (2) that DA can maintain registration of the registered marks in the USPTO; (3) that use of the marks by parties who are not certified can be properly addressed.

Parties who are certified by DA agree to use its certification marks in labeling and advertising their products in accordance with the DA Licensing Agreement and these Demeter Labeling Standards for Certification Mark (“Labeling Standards”), which may be revised from time to time. These Labeling Standards are incorporated into the Licensing Agreement. As such, any party agreeing to DA certification expressly agrees to follow these Labeling Standards and further agrees to submit all labels using DA certification marks to DA for prior written approval. In addition, if a party does not maintain DA certification, the Licensing Agreement terminates and the party agrees to cease using any and all DA intellectual property.

II. DEMETER TRADEMARKS AND CERTIFICATION MARKS

DA’s marks to be used in product labeling and marketing, currently include the following:

1. DEMETER (word mark):

Demeter®

2. The lower-case Demeter® logo:



3. Demeter® logo with an abstract plant:



4. BIODYNAMIC (word mark):

Biodynamic®

5. DEMETER CERTIFIED BIODYNAMIC (word mark):

Demeter Certified Biodynamic®

6. Demeter Certified Biodynamic® logo with an abstract plant:



III. GUIDELINES FOR USE OF DEMETER CERTIFICATION MARKS ON LABELS AND IN MARKETING MATERIALS

All certified parties who choose to use the certification marks included in Section II above on food labels (raw ingredients and processed food) or in food advertising must use the marks as follows.

- 1) All products and advertisements must state in a prominent position that the product/ingredient is Demeter certified Biodynamic®, either by using mark 5 (DEMETER CERTIFIED BIODYNAMIC® (word mark)) or mark 6 (Demeter certified Biodynamic® logo with an abstract plant).
- 2) If mark 5 (DEMETER CERTIFIED BIODYNAMIC® (word mark)) is used on a label, the words “Demeter” and “Biodynamic” must have the same or similar size and font.
- 3) When using any of the following marks, capitalize both Biodynamic® and Demeter® (either the first letter of the mark or all of the letters):
 - Mark 1 (DEMETER® (word mark))
 - Mark 3 (Demeter® logo with an abstract plant)
 - Mark 4 (BIODYNAMIC® (word mark))
 - Mark 5 (DEMETER CERTIFIED BIODYNAMIC® (word mark))
 - Mark 6 (Demeter certified Biodynamic® logo with an abstract plant).

In other words, the marks Biodynamic® and Demeter® are always capitalized, except in mark 2, the lower-case mark.

- 4) Use the ® symbol often after all of the marks. If such use is impractical, use the ® symbol at least once in the initial and primary representation of the various marks.
- 5) Use the mark exactly as shown in Section II; do not use a variation of the marks, such as “biodynamically” or “biodynamics.”
- 6) Mark 4 (BIODYNAMIC® (word mark)) may not be used on the primary display of any food label unless mark 5 (DEMETER CERTIFIED BIODYNAMIC® (word mark)) or mark 6 (Demeter certified Biodynamic® logo with an abstract plant) from Section II above is used on the front or back panel of the product.
- 7) Mark 6 (Demeter certified Biodynamic® logo with an abstract plant) and mark 3 (DEMETER® logo with an abstract plant) cannot be used on the primary display panel of products labeled as “made from”. These marks can only appear on the information panel of such products.
- 8) Mark 2 (the lower-case Demeter® logo) must be used in compliance with the Demeter International standard that regulates its use. As such, the mark cannot be used on any “made from” product. In addition, the mark must be used at the top of the label above the product name/identity and must be used with mark 5 (DEMETER CERTIFIED BIODYNAMIC® (word mark)); these marks should be located in close proximity to each other.
- 9) Mark 1 (DEMETER® (word mark)) and mark 4 (BIODYNAMIC® (word mark)) may not be used in web addresses or company names without formal approval by the Demeter Association.
- 10) All labels using DA certification marks must be approved by DA prior to use.
- 11) As explained in the Demeter Guidelines and Standards, certified parties may use the DA certification marks on either of the following two labeling categories for food:
 - a) **“Demeter certified Biodynamic®” label:** Raw, unprocessed agricultural ingredients from a Demeter certified farm can be labeled as Demeter certified Biodynamic®. For a processed product to be labeled Demeter certified Biodynamic®, it must contain at least 90% certified ingredients from Demeter certified Biodynamic® sources. Agricultural ingredients used in the remaining 10% must be certified organic at a minimum and nonagricultural ingredients used must be permitted by DA. For wine to be labeled as Demeter certified Biodynamic®, all of the agricultural ingredients used must be Demeter certified Biodynamic and the nonagricultural ingredients used must be permitted by Demeter [please see Section IV below].

- b) **“Made with Demeter certified Biodynamic® (ingredients)” label.** As explained in the Demeter Guideline and Standards, products which contain 70% or more Demeter certified Biodynamic® ingredients, but less than 90%, generally may be labeled “made with Demeter certified Biodynamic® (ingredients)”. For all products in this category, the label may list no more than 3 food groups and all ingredients within a group must be Demeter certified. Agricultural ingredients used in the remaining 30% must be certified organic at a minimum and non-agricultural ingredients used must be permitted by DA.

As explained in Nos. 7 and 8 above, a product with a “made with” statement may not display mark 2 (the lower-case Demeter® logo) anywhere on the label; and it may not display mark 5 (Demeter certified Biodynamic® logo with an abstract plant) or mark 3 (Demeter® logo with an abstract plant) on the primary display panel of such a product. Consult with the Demeter office about ingredient panel listings.

- c) **Demeter/Biodynamic ingredient identified in the ingredient statement only.** Ingredient statement labeling is an exemption that needs to be approved by Demeter USA. The exemption must be revisited annually. This exemption allows such labeling for 36 months or until enough Demeter Biodynamic® ingredients become available to achieve prominent Biodynamic® or Made With Biodynamic® Ingredient labeling, whichever comes first. For this exemption product must contain at least 10% Demeter Certified Biodynamic ingredients. At a minimum the product also has to be verified to meet the National Organic Program requirements for 95% (Organic) labeling. The Demeter logos cannot be used anywhere on the label. (Note the requirements for Cosmetic products and Wine are specific to such products, See the related processing standard)

IV. GUIDELINES FOR USE OF DEMETER CERTIFICATION MARKS ON WINE LABELS

All certified parties who choose to use the certification marks included in Section II above on wine labels or in wine advertising must use the marks as follows.

- 1) All wine or wine advertisements must follow guidelines 1 through 10 set forth in Section III above.
- 2) As explained in the DA Wine Making Standards, certified parties may use the DA certification marks on either of the following two labeling categories for wine:
 - a) **“Demeter Certified Biodynamic® Wine”:** use on the primary display or information panel denotes a wine that is the undisguised expression of what a vineyard site creates in the grapes it produces for a given vintage. Manipulations such as yeast and malolactic bacteria addition, enzyme addition, acidity adjustment, tannin addition and chaptalization are not permitted. In years of poor

climatic conditions or fluxes in vine nutrition, achieving this status may not be possible. This is a status that is vintage dependent. Such a wine may identify itself as certified to the “Biodynamic Wine” category on the primary display panel without the additional words “Demeter Certified” but in such an instance either mark 5 (DEMETER CERTIFIED BIODYNAMIC® word mark), mark 2 (lower case Demeter® logo) or mark 6 (Demeter Certified Biodynamic® logo with abstract plant) must appear at least on the information panel if neither mark is to be used on the primary display.

- b) **“Wine Made From Demeter Certified Biodynamic® Grapes”** denotes a wine that is the expression of what a BIODYNAMIC vineyard site(s) creates in the grapes it produces with the compliment of intentional modification by the wine maker in compliance with the DA Wine Making Standards. Such a wine must not use mark 6 (Demeter Certified Biodynamic® logo with abstract plant), mark 3 (Demeter® logo with abstract plant) or mark 2 (lower case Demeter®) on the primary display panel. Such a wine must identify itself as “Made From Demeter Certified Biodynamic® Grapes” or “Made From Biodynamic® Grapes”.
- 3) Both labeling options in paragraph 2 above may only be used with 100% Demeter Certified Biodynamic® grapes and the resulting wine must be made in compliance with the Demeter Wine Making Standard.

V. **GUIDELINES FOR USE OF DEMETER CERTIFICATION MARKS ON COSMETIC LABELS**

All cosmetic labels and advertisements must follow guidelines 1 through 10 set forth in Section III above except that mark 4 – the Biodynamic word mark may be used without the use of the Demeter marks.