

Seafood Inspection Program

U.S. DEPARTMENT OF COMMERCE
NATIONAL OCEANIC & ATMOSPHERIC ADMINISTRATION

Policy for Advertising Services and Marks



April 2002

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GLOSSARY

HACCP - Hazard Analysis Critical Control Point

IQA - Integrated Quality Assurance

NOAA - National Oceanic and Atmospheric Administration

PUFI - Processed Under Federal Inspection

SIFE - Sanitarily Inspected Fish Establishment

USDC - United States Department of Commerce

REFERENCES:

Title 50, Code of Federal Regulations, Part 260 - regulations governing processed fishery products

Federal Standard 369, Sanitation Standards for Fish Plants - USDC sanitation requirements

Fishery Products Inspection Manual- USDC inspection procedures and guidance

General Requirements

Policy for Advertising Services and Marks

This document was developed to assist program participants and marketers of inspected products to achieve their marketing goals while maintaining compliance with the applicable federal regulations and policies. It is the USDC policy to work cooperatively and constructively with program participants and users of inspected products. Violations of the *Policy for Advertising Services and Marks* will be referred to NOAA's Office of the General Counsel for Fisheries on a recommendation for civil or criminal action.

Program participants and marketers are required to comply with the following:

1. Designs, marks, and statements referencing participation in the USDC seafood inspection program must be reviewed and approved by the Seafood Inspection Program.
2. The United States Department of Commerce and the National Oceanic and Atmospheric Administration seals may not be used in advertising and marketing.
3. All designs, marks, and statements must be truthful, not false or misleading, and comply with all federal laws and regulations. For example, the type of services received under the inspection program must be accurately conveyed in all product markings and advertising.
4. Original and private label logos/brand names and their supporting statements may not use, incorporate, reference or closely resemble any official USDC mark, or be displayed in close proximity to an official USDC mark. **The use of private inspection marks/logos has been phased out. No new private inspection marks/logos will be approved.**
5. All products marked at point-of-sale or cited in advertisements as having received USDC inspection services must be supported by USDC approved specifications or U.S. grade standards, and USDC approved labels.
6. When a mix of USDC inspected and non-inspected products are offered at point-of-sale or in advertising, use of official marks or statements must appear on, or next to, inspected products only. Inspected products must be distinguished from non-inspected products.
7. When a mix of U.S. Grade A, PUFU or "lot inspected" products are in advertisements, the majority of product must be U.S. Grade A and/or PUFU in order to use the statements, "Federally Inspected" or "USDC Inspected" over the entire ad, or to reference all products included in the advertisement.
8. When a mix of U.S. Grade A, PUFU, lot inspected products are offered together at point-of-sale or in the same advertisement, it is appropriate to use the phrases "Federally Lot Inspected" or "USDC Lot Inspected" over the entire ad, or to reference all products when the majority of product has received USDC lot inspection services. Facilities that participate in a sanitation only program, must not state or infer that their products are USDC inspected. Sanitation **only** facilities may not advertise their products as "USDC Inspected" or "USDC Lot Inspected," unless those products have received appropriate USDC inspection and have approved labels, specifications/grades.
9. The statement, "U.S. Grade A Available," can be used by companies with Type I contracts. The statements "USDC Lot Inspection Available" or "Federal Lot Inspection Available," may not be used in advertising and marketing.
10. When referenced in this document, **approved specification** describes a quality level equivalent to not less than the lowest letter grade of an applicable U.S. Standard for Grades when one exists. USDC approved facility developed quality criteria will be used where a U.S. grade standard is not available for that product.

Agency Point of Contact:

Should you have any questions or require assistance in applying the policies,
call or write:

Industry and Consumer Liaison
Seafood Inspection Program, F/SI
NOAA Fisheries
U.S. Department of Commerce
1315 East-West Highway
Silver Spring, MD 20910

PHONE: (301) 713-2355 or 800-422-2750

FAX: (301) 713-1081

Internet address: seafood.nmfs.noaa.gov

**POLICY FOR ADVERTISING SERVICES AND MARKS
OF THE U.S. DEPARTMENT OF COMMERCE**

The following are detailed requirements for the advertising and marketing use of any official USDC mark and/or service.

I. U.S. GRADE A

Identifies fishery products processed under USDC inspection in a sanitarily approved facility, and meets the highest quality level established by the applicable USDC approved U.S. grade standard, published in the Inspection Manual.

U.S. Grade A[®]

Mark using red, white, and blue.



<Blue

<White

<Red

Shield with white background



U.S. Grade A/PUFI Mark



<Blue

<White

<Red



U.S. GRADE A MARK

- may be used for:
 - retail packages
 - cases or shipping cartons
 - point-of-sale notices
 - advertisements/promotional literature

- requires that the:
 - participant be under USDC contract agreement for in-plant inspection service
 - facility/vessel meets applicable USDC sanitation requirements (e.g., Federal Standard 369 “Sanitation Standards for Fish Plants”)
 - labels be approved by USDC
 - product be processed and packaged under USDC approved inspection program
 - product meets established U.S. Grade A criteria in a U.S. grade standard

- U.S. Grade A mark or statement be affixed only on or next to certified U.S. Grade A products

II. PROCESSED UNDER FEDERAL INSPECTION (PUFI)

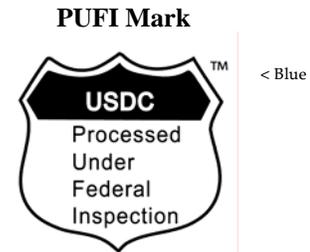
Identifies fishery products processed under USDC inspection in a sanitarily approved facility, inspected for safety, wholesomeness and proper labeling, and conforms to quality and other criteria in an approved specification.



PUFI Statement using the company name:

PROCESSED BY™

UNDER FEDERAL INSPECTION
U.S. DEPT. OF COMMERCE



PUFI Statement:

**Processed Under Federal Inspection™
U.S. DEPARTMENT OF COMMERCE**

PUFI MARK

- may be used for:
 - retail packages
 - cases or shipping cartons
 - point-of-sale notices
 - advertisements/promotional literature
- requires that the:
 - participant be under USDC contract agreement for in-plant inspection service
 - facility/vessel meets USDC sanitation requirements (e.g., Federal Standard 369 “Sanitation Standards for Fish Plants”)
 - product specifications and labels be approved by USDC
 - products conform to USDC approved specifications
 - PUFI mark or statement be affixed to or next to certified PUFI products only
 - product be processed and packaged under USDC approved inspection program

III. “FEDERALLY INSPECTED” OR “USDC INSPECTED” STATEMENT

- may be used for:
 - retail packages

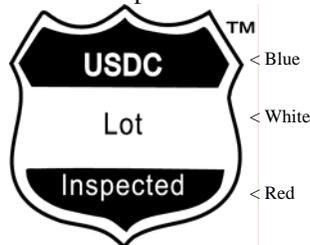
- cases or shipping cartons
- point-of-sale notices
- advertisements/promotional literature
- requires that the:
 - participant be under USDC contract agreement for in-plant inspection service
 - facility/vessel meets USDC sanitation requirements (e.g., Federal Standard 369 “Sanitation Standards for Fish Plants”)
 - product specifications and labels be approved by USDC
 - products conform to USDC approved specifications
 - statements be affixed to or next to certified U.S. Grade A or PUFI products only

IV. LOT INSPECTION MARKS

Lot inspected products are finished products, officially sampled according to USDC approved specifications.

A. USDC LOT INSPECTED SHIELD

USDC Lot Inspection Shield



- may be used for:
 - retail packages
 - cases or shipping cartons
 - point-of-sale notices
 - advertisements/promotional literature
- requires that the:
 - participant be under USDC contract agreement for inspection service
 - product specifications and labels be USDC approved
 - lot be USDC officially sampled and inspected, and conform to approved specifications

B. ACCEPTED PER SPECIFICATIONS MARK

Identifies lot inspected products which remain **in the trade**.

USDC Accepted Per Specifications mark



- may be used on:
 - cases or shipping cartons or export certificates
- requires that the:
 - product specifications be approved by USDC
 - lot be USDC officially sampled and inspected, and conform to an approved specification

This mark may be used on export certificates to reinforce the official nature of the certification and to convey that the product conforms to the importing country's requirements.

C. OFFICIALLY SAMPLED MARK

Identifies lot inspected products which remain **in the trade** and for which **no public claims** will be made regarding USDC inspection.

USDC Officially Sampled mark



- may be used on:
 - cases or shipping cartons only
- requires that the:
 - lot be USDC officially sampled and inspected for wholesomeness, condition, and other factors as requested

D. PRIVATE LOT INSPECTION MARKS

No additional private Lot Inspection marks will be approved.

V. **THE "USDC SANITARILY INSPECTED FACILITY" (SIFE) OR "USDC INSPECTED FACILITY FOR SANITATION ONLY" STATEMENTS**

- may be used for:
 - advertisements/promotional literature

- requires that the:
 - facility/vessel be a USDC sanitarily approved official establishment
 - facility/vessel be under USDC contract agreement for sanitation service
 - advertisements/labels must **not** imply that products are inspected when they are not

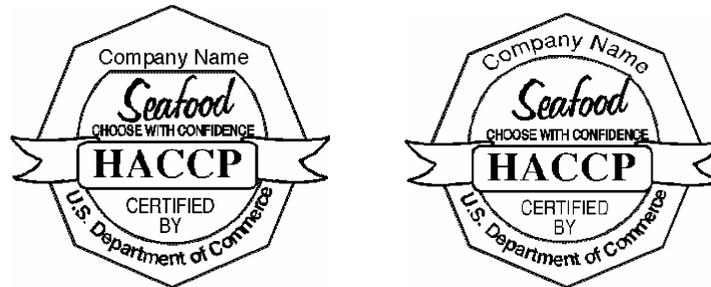
VI. HACCP BASED SERVICE MARK



(HACCP Banner)

HACCP

(HACCP Statement)



(HACCP Octagon)

- may be used for:
 - advertisements/promotional literature
 - packaging/labeling
 - point of sale notices
 - menus
- Colors within the mark are subject to approval by USDC prior to printing. Additionally, company logos may be used in place of “company name” upon approval by USDC.
- The HACCP banner or statement must appear directly below the appropriate inspection mark, i.e., U.S. Grade, PUFIL, or lot inspection marks. “HACCP” statement/banner must be in a type size at least equal to the largest type inside the mark. The HACCP octagon may be used alone **or** in conjunction with a USDC Grade mark on private label packaging with prior approval from USDC.
- Truthful phrases to indicate participation in the USDC HACCP-based service can be made in advertising and promotions.
- requires that the:
 - facility be under USDC contract agreement for HACCP in-plant inspection service
 - facility/vessel meets USDC HACCP requirements
 - product specifications and/or labels be approved by USDC
 - product be processed, packaged, and/or inspected under USDC approved inspection program

- product conform to USDC approved specifications and/or meet established U.S. Grade mark criteria

VII. VOLUNTARY RETAIL SERVICES MARK



- may be used for:
 - advertisements/promotional literature
 - point-of-sale notices
 - menus
- requires that the:
 - establishment be a USDC sanitarily approved official establishment
 - product specifications and labels be approved by USDC
 - all product must be processed and packaged under USDC approved inspection program
 - mark **not** to be used on product labels or containers

VIII. CONTINUOUS INSPECTION STATEMENT

Identifies fishery products inspected during processing in a sanitarily approved facility for safety, wholesomeness and proper labeling by a USDC inspector.

“This product was inspected and certified by an on-site USDC Inspector”

- may be used for:
 - retail packages
 - cases or shipping cartons
 - point-of-sale notices
 - advertisements/promotional literature
- requires that the:
 - participant be under USDC contract agreement for in-plant inspection service
 - facility/vessel meets applicable USDC sanitation requirements (e.g., Federal Standard 369 “Sanitation Standards for Fish Plants”)
 - labels and specifications be approved by USDC
 - product be processed and packaged while a USDC inspector is present
 - products conform to USDC approved specifications
 - statement be placed on the label under certified U.S. Grade A or PUF1 marks