§ 60.300 Labeling.

(a) Country of origin declarations and method of production (wild and/or farm-raised) designations can either be in the form of a placard, sign, label, sticker, band, twist tie, pin tag, or other format that provides country of origin and method of production information. The country of origin declaration and method of production (wild and/or farm-raised) designation may be combined or made separately. Except as provided in § 60.200(g) and 60.200(h) of this regulation, the declaration of the country(ies) of origin of a product shall be listed according to applicable Federal legal requirements. Country of origin declarations may be in the form of a check box provided it is in conformance with other Federal legal requirements. Various forms of the production designation are acceptable, including “wild caught”, “wild”, “farm-raised”, “farmed”, or a combination of these terms for blended products that contain both wild and farm-raised fish or shellfish, provided it can be readily understood by the consumer and is in conformance with other Federal labeling laws. Designations such as “ocean caught”, “caught at sea”, “line caught”, “cultivated”, or “cultured” are not acceptable substitutes. Alternatively, method of production (wild and/or farm-raised) designations may be in the form of a check box.

(b) The declaration of the country(ies) of origin and method(s) of production (wild and/or farm-raised) (e.g., placard, sign, label, sticker, band, twist tie, pin tag, or other display) must be placed in a conspicuous location, so as to render it likely to be read and understood by a customer under normal conditions of purchase.

(c) The declaration of the country(ies) of origin and the method(s) of production (wild and/or farm-raised) may be typed, printed, or handwritten provided it is in conformance with other Federal labeling laws and does not obscure other labeling information required by other Federal regulations.

(d) A bulk container (e.g., display case, shipper, bin, carton, and barrel), sales vehicle or at the time the product is delivered to the consumer.
used at the retail level to present prod-
uct to consumers, may contain a cov-
ered commodity from more than one 
country of origin and/or more than one 
method of production (wild and farm-
raised) provided all possible origins 
and/or methods of production are list-
ed.

(e) In general, country abbreviations 
are not acceptable. Only those abbre-
viations approved for use under CBP 
rules, regulations, and policies, such as 
"U.K." for "The United Kingdom of 
Great Britain and Northern Ireland", 
"Luxemb" for Luxembourg, and "U.S. or 
USA" for the "United States" are ac-
ceptable. The adjectival form of the 
name of a country may be used as prop-
er notification of the country(ies) of 
origin of imported commodities pro-
vided the adjectival form of the name 
does not appear with other words so as 
to refer to a kind or species of product. 
Symbols or flags alone may not be used 
to denote country of origin.

(f) State or regional label designa-
tions are not acceptable in lieu of 
country of origin labeling.

RECORDKEEPING

§ 60.400 Recordkeeping requirements.

(a) General. (1) All records must be 
legible and may be maintained in ei-
ther electronic or hard copy formats. 
Due to the variation in inventory and 
accounting documentary systems, var-
ious forms of documentation and 
records will be acceptable.

(2) Upon request by USDA represent-
atives, suppliers and retailers subject 
to this subpart shall make available to 
USDA representatives, records main-
tained in the normal course of business 
that verify an origin claim and method 
of production (wild and/or farm-raised). 
Such records shall be provided within 5 
business days of the request and may 
be maintained in any location.

(b) Responsibilities of suppliers. (1) Any 
person engaged in the business of sup-
plying a covered commodity to a re-
tailer, whether directly or indirectly, 
must make available information to 
the buyer about the country(ies) of ori-
gin and method(s) of production (wild 
and/or farm-raised), of the covered 
commodity. This information may be 
provided either on the product itself, 
on the master shipping container, or in 
a document that accompanies the prod-
uct through retail sale provided that it 
identifies the product and its coun-
try(ies) of origin and method(s) of pro-
duction. In addition, the supplier of a 
covered commodity that is responsible 
for initiating a country(ies) of origin 
and method(s) of production (wild and/ 
or farm-raised) claim must possess 
records that are necessary to substan-
tiate that claim for a period of 1 year 
from the date of the transaction. Pro-
ducer affidavits shall also be consid-
ered acceptable records that suppliers 
may utilize to initiate origin claims, 
provided it is made by someone having 
first-hand knowledge of the origin of 
the covered commodity and identifies 
the covered commodity unique to the 
transaction.

(2) Any intermediary supplier han-
dling a covered commodity that is 
found to be designated incorrectly as 
to the country of origin and/or method 
of production (wild and/or farm-raised) 
shall not be held liable for a violation 
of the Act by reason of the conduct of 
another if the intermediary supplier re-
lied on the designation provided by the 
initiating supplier or other inter-
mediary supplier, unless the inter-
mediary supplier willfully disregarded 
information establishing that the 
country of origin and/or method of pro-
duction (wild and/or farm-raised) dec-
laration was false.

(3) Any person engaged in the busi-
ness of supplying a covered commodity 
to a retailer, whether directly or indi-
rectly (i.e., including but not limited 
to harvesters, producers, distributors, 
handlers, and processors), must main-
tain records to establish and identify 
the immediate previous source (if ap-
plicable) and immediate subsequent re-
cipient of a covered commodity for a 
period of 1 year from the date of the 
transaction.

(4) For an imported covered com-
modity (as defined in §60.200(f)), the 
importer of record as determined by 
U.S. Customs and Border Protection, 
must ensure that records: provide clear 
product tracking from the port of 
entry into the United States to the im-
mediate subsequent recipient and accu-
rately reflect the country of origin and 
method of production (wild and/or