

Cosmetics makers win battle over little green seal

By Libby Quaid
The Associated Press

Washington – The government is reversing its decision to yank the "USDA Organic" seal from lotions and lip balms and will now allow cosmetics to carry the round green label.

Marketing An organic soap company and a consumer group had sued the Agriculture Department for ordering removal of the distinctive seal.

Without the government seal, the word organic is "just a fluff marketing claim," David Bronner, president of Dr. Bronner's Magic Soaps, said Wednesday. "It's kind of a truth-in-advertising thing — consumers can trust that it is, indeed, free of synthetics and does support organic farming and agriculture."

Bronner's company and the Organic Consumers Association sued the department in June.

The department created the label three years ago for food and other products grown without pesticides or fertilizer and made with all-natural, chemical-free ingredients. It applies to meat and dairy products from animals given organic feed and access to the outdoors and never given antibiotics or growth hormones.

Department officials decided in April they didn't have the authority to regulate cosmetics and ordered companies to remove the USDA seal. Late Tuesday, a day before a deadline to respond to the lawsuit, it issued a memo reversing itself.

Barbara Robinson, head of the department's National Organic Program, said officials have struggled over the issue, particularly because the program is still new.

"We're USDA. We're looking at it from an agriculture perspective. We do agriculture products here. We do food," Robinson said in an interview. "We don't do cosmetics here. We're not lipstick. We're not mouthwash. We're not lawn-care products. It takes awhile to sit down and look at this and say, all right, how do we make this work?"

In the end, officials decided the products use doesn't matter as long as it follows the rules. In other words, Robinson said "What difference does it make if you brush your teeth with it or eat it?"

The reversal also allows dietary supplements and pet food to carry the organic seal. The USDA now is creating organic standards for fish.

The decision to remove the seal from cosmetics frustrated companies that, like Bronner's, spent hundreds of thousands of dollars to find all-organic ingredients and get certified. Only products cleared by government-authorized agents can use the seal.

Legal liability was also at stake:



David Bronner of Dr. Bronner's Magic Soaps sits at his company's booth in front of some of his organic soaps and other body products at the Food Marketing Institute trade show on May 1 in Chicago. Dr. Bronner's made a significant investment into complying with the U.S. Department of Agriculture's organic certification requirements.

Associate Press File Photo

Squeaky clean: David of Dr. Bronner's Magic Soaps says, "Consumers can trust that it is indeed, free of synthetics."

Some organic cosmetics companies have been sued for deceptive labeling because they bore the claim.

Now it should be clear that, "Just like food, the federal standards preempt any state laws, and if you meet federal standards, the product is organic," said William J. Friedman, an attorney defending the companies in state courts.

Bronner and the consumer group expect to drop the lawsuit pending settlement talks in the next month, said their attorney, Joe Sandler.

COMPANY UPDATE – July 2005

DR. BRONNER PASSED AWAY IN 1997, BUT HIS FAMILY IS CARRYING OUT HIS VISION TO A FAR GREATER EXTENT THEN HE COULD DO ALONE AND BLIND.

WE ARE CARRYING OUT TWO OF HIS BASIC PRINCIPLES:

1. CONSTRUCTIVE CAPITALISM IS WHERE YOU SHARE THE PROFIT WITH THE WORKERS AND THE EARTH....FROM WHICH YOU MAKE IT!

2. WE ARE ALL BROTHERS AND SISTERS BECAUSE OF ONE ETERNAL, EVER LOVING FATHER AND WE SHOULD HELP EACH OTHER AND SPACESHIP EARTH!

We are now selling over four million bottles and bars with very little marketing. over 50% of our profit, instead, has been used to fight for industrial hemp, for meaningful organic standards and helping over 20 "human charities" (we can hug the people in charge) all over the earth: from freshwater wells in Ghana, orphanages in Haiti and China, to helping "street woman" become nursing assistants in Nigeria.

Our workers have almost complete medical coverage with no deductions and received bonuses of 15 to 60 thousand dollars each for the past 3 years. By next year you will find new skin care products such as Dr. Bronners & Sundog Magic lotions and lip balms (we have acquired this wonderful company and improved the products) as well as ALL our body soaps will be organic.

Thanks for making all this possible by buying our products and spreading the word!

The Bronner Family