

Seals and Certifications

[PRIVILEGED AND CONFIDENTIAL/ WORKING DRAFT]

***This guide applies to products sold in the US market. It is not intended to apply to products sold or marketed internationally.**

Substantiation Requirements

Product Scope

These requirements are applicable to all product and packaging categories.

Regulatory Requirements

According to the FTC Green Guides, “it is deceptive to mispresent directly or by implication, that a product, package, or service has been endorsed or certified by an independent third party,” 16 CFR 260.6. A marketer using a third-party certifier's name, logo, or seal of approval may be an endorsement, which should adhere to the FTC's Endorsement Guidelines (16 CFR Part 255). A marketer must have substantiation for all claims reasonably communicated by the certification. Marketers should not use environmental certifications or seals that do not convey the basis for the certification. Marketers should use clear and prominent qualifying language to specify that the certification or seal refers only to specific and limited benefits.

Section 502 of the Federal Food, Drug and Cosmetic Act (FFDCA) contains provisions on misbranding including some that relate to false or misleading labeling.

USDA-FSIS develops exercises applicable regulatory jurisdiction over labeling to protect consumers from misbranded and adulterated meat, poultry, and egg products:

- Federal Meat Inspection Act (21 U.S.C. § 601 et seq.)
- Poultry Products Inspection Act (21 U.S.C. § 451 et seq.)
- Egg Products Inspection Act (21 U.S.C. § 1031 et seq.)

Omnichannel Merchant Requirements

Substantiation Requirements

Before representing a product as third-party certified in any omnichannel initiative, the Merchandising and Site-Merchandising teams must ensure the following requirements are met:

- It is a recognized certification according to this standard. If not, the teams must get prior approval from the Food Product Compliance or

Product Safety and Compliance **and** Consumer Protection Compliance and Regulatory Legal, **AND**

- The official seal or certification logo is on the product packaging.

Additional Requirements

As part of the omnichannel initiative, the following or similar statement should be prominently displayed to consumers: “These products have been identified by the manufacturer as [seal or certification] certified”. Modifications to this language should be escalated to Consumer Protection Compliance.

Private Brand Requirements

Before using seals or certifications in connection with private brand products, the private brands team must ensure it is a recognized certification according to this standard. If not, the private brands team must seek approval from Compliance and the Merchandising and Regulatory Legal teams.

Substantiation Requirements

Before using the seal or certification logo on the packaging or in any omnichannel initiative, the supplier must meet the following requirements:

- Provide the corresponding active third-party certification. The document must be stored in Walmart or Sam’s Club’s product specification platform,
- Independently maintain the documentation to substantiate the claim, **AND**
- Comply with all additional requirements from the certifying body.
***A license agreement authorizing Walmart to utilize the logo or seal must be in place before it can be added to the label or packaging.**

Label Requirements and Recommendations

- The seal or certification logo must be displayed exactly as issued by the third-party certifying body, without any modifications or additional statements.
- If the claim can be made about the product or the packaging, a statement must be included in proximity to the seal or logo indicating whether it is being made about the product or the packaging.
- When the product size allows it, it is recommended to include a link or QR code to the third-party certification for customers to learn more about the certification.

Ongoing Substantiation Requirements

Seals and certifications must be updated in accordance with their expiration date (ex. yearly, every three years, etc.). Suppliers must provide the updated certification to Walmart/Sam’s Club through the product specification platform.

New Seal and Certification Approval

Any other seals and certifications than those listed in the Appendix must be escalated to the Merchandising Legal, Consumer Protection Compliance, **and** Regulatory Legal teams for review and approval. The Consumer Protection Compliance team will identify the appropriate compliance subject matter experts to assist with the evaluation of the certification’s brand guide. If approved, the Merchandising Legal team will evaluate and coordinate the execution of any necessary license agreements. The Regulatory Legal and Compliance teams are not responsible for license approval.

Continuing Obligation to Defend and Indemnify

As a private brand supplier to Walmart Inc., the supplier is solely responsible for the accuracy of all product labeling and claims. Compliance with the requirements outlined in the “Product and Packaging Claims - Substantiation Requirements for Private Brands”, or any label review conducted by or at the request of Walmart Inc., in no way impacts contractual defense and indemnity obligations to Walmart Inc. as set forth in the Supplier Agreement for all claims related to merchandise, including claims related to the labeling.

Version History				
Version	Approved By	Revision Date	Description of Change	Author
1.0			Original version was drafted.	Kathy Cuevas

APPENDIX

Recognized Seals and Certifications

*Refer to the claim specific standard for additional requirements.

Animal Welfare

- Certified Humane Raised and Handled – [certifiedhumane.org](https://www.certifiedhumane.org)
- Certified Animal Welfare Approved by AGW – A Greener World
- Animal Welfare Certified – Global Animal Partnership
- American Humane Certified
- Animal Welfare Review – Validus Certified
- United Egg Producers
- Marine Stewardship Council – [msc.org](https://www.msc.org)
- Dolphin Safe

Food

- Allergen Free (refer to the specific allergen free standard)*
 - Certified Free From

American Grassfed – American Grassfed Association

- EPA Safer Choice
- Gluten Free*
 - Gluten-Free Certification – BeyondCeliac.org
 - Gluten-Free Certification Organization (GFCO)
 - Gluten Free Food Program (GFFP)
 - Gluten Intolerance Group (GIG)
 - Informed Gluten-Free – BRCGS
 - NSF Certified Gluten Free
- Halal*
 - American Halal Foundation
 - Garantia Halal
 - Halal Certification Services
 - Halal Food Council USA
 - Halal Food Standards Alliance of America (HFSAA)
 - Halal Foundation (AHF)
 - Halal Transactions of Omaha
 - Halal Watch World
 - INFANCA – infanca.org
 - Islamic Halal
 - Islamic Information Center of America (IICA)
 - Islamic Services of America (ISA)
 - Islamic Society of Washington Area (ISWA)
 - Iswa Halal Certification (USA Halal Chamber of Commerce, Inc.)
 - Kascert
 - USACertvalueAmerican
- Heart Healthy
 - Heart Healthy – American Heart Association
 -
- KETO*
 - Keto Certified - The Paleo Foundation
 - Keto Project Verified – ketoverified.org
- Kosher - Requires certification by rabbinical organizations*
 - Blue Ribbon Kosher
 - Circle K-D certified (Certified Kosher Dairy)
 - CRC Kosher Certification
 - Earth Kosher
 - KA Kosher
 - KOF-K Kosher
 - Orthodox Union Kosher - OU

- OK Kosher
- Triangle K
- Star-K
- Non-GMO Project Verified
- Organic*
 - Canada Organization Regime (COR)
 - EU Organic Certification
 - USDA Organic
 - Organic Certified
 - Quality Assurance International: Certified Organic
 -
- Plant Based*
 - Certified Plant Based – Plant Based Foods Association & NSF Food Chain ID Plant-Based Certification
- Vegan*
 - AVA Certified Vegan: americanveg.org
 - Certified Vegan by Vegan Action: vegan.org
- Whole Grain*
 - Whole Grain Stamp - The Whole Grains Council

Health and Wellness

- ADA (American Dental Association) Seal of Approval
- Better Choices for Life – American Diabetes Association
- Heart Healthy – American Heart Association
- USP Verified Mark
- B Corp
- NSF Certified
- Quality Assurance International: Certified Organic
- ETL Listed – Intertek
- CSA Listed

Sustainability

- Energy Star
- Fair Trade Certified – fairtradecertified.org
- EPA Safer Choice
- EWG Verified
- Standard 100 by OEKO-TEX
- USDA Biobased Product
- RSPO Certified
- Bee Better
- Leaf Marque
- Sustainability Standard
- Sustainably Grown

- Global GAP
- Aquaculture Stewardship Council
- Best Aquaculture Practices
- Alaska Responsible Fisheries
- Round Table on Sustainable Soy
- Forest Stewardship Council
- PEFC
- Sustainable Forestry Initiative
- Cotton USA
- Organic Content Standards
- Made in Green by OEKO-TEX
- Global Organic Textiles Standard – GOTS
- Global Recycle Standard
- Recycled Claim Standard
- Recycled Content
- REPREVE
- RSPO
- Cradle to Cradle
- Upcycled
- Rainforest Alliance Certified