

901:4-6-04

Use of logotype, standards.

(A) The Ohio proud logo may only be used on labels and in advertising and promotion:

- (1) Of products which have been produced in Ohio and which;
- (2) Meet or exceed United States department of agriculture grade standards or Ohio grade standards, whichever is higher, for the intended end use of the product; and,
- (3) Are produced and processed in compliance with applicable state and federal laws and regulations enacted to ensure the safety and wholesomeness of agricultural products; and,
- (4) Are registered with the Ohio department of agriculture in accordance with rule 901:4-6-03 of the Administrative Code.
- (5) By persons who have entered into a licensing agreement with the Ohio department of agriculture to use the logo.

(B) If application has been made to use the logotype in conjunction with a product for which there is no United States department of agriculture or Ohio grade standard, then a grade standard established by that product's industry may be used as the grade standard for that product.

(C) The Ohio proud logo shall not be used on any products which are sub standard.

(D) Any person licensed to use the logotype shall, upon request of the director of agriculture, submit a representative sample of the products from the market category registered for use with the logotype, and copies of the materials utilizing the logotype.

(E) License to use the Ohio proud logo may not be sold, franchised, or otherwise transferred to any other person.

~~(F) Retailers, vendors, commodity marketing programs and others who wish to employ the Ohio proud logo for publicity and promotional purposes may request permission to do so by making written application to the Ohio department of agriculture on forms supplied by it and on providing the information requested on the forms.~~

Effective:

R.C. 119.032 review dates: 11/30/2007

Certification

Date

Promulgated Under: 119.03
Statutory Authority: 901.171
Rule Amplifies: 901.171
Prior Effective Dates: 03/26/99, 04/14/04, 04/30/04