

FAQ: Trademarks On Produce Labels in Quebec

Disclaimer: This guidance document applies only to the labels of fresh fruits and vegetables. Industry should note that the new trademark regulations in Quebec also impact advertising and signage; however, these areas fall outside the scope of this FAQ.

Current Language Requirements in Quebec

1. What are the current language requirements in Quebec?

- All information* on a product, its packaging, or any accompanying document **must be in French**. This information may also be presented in another language, but it must not be given greater prominence than that in French or be available in more favourable terms (e.g. font size, bolding, number of times information appears on label). This means that the consumer must not have to make any additional effort to access information in French (e.g. The web pages to which QR codes lead must also be available in French). (Source: Charter of French Language, Chapter C011, Chapter VII, [Sections 51 and 52](#)).
- *Certain exemptions apply. The following inscriptions on a product may be exclusively in a language other than French (Source: Charter of French Language, Section 51.1, and Section 7.1 of the RLCA (which came into force on June 1, 2025))
 - (1) the name of a firm established exclusively outside Québec;
 - (2) a name of origin, the denomination of an exotic product or foreign specialty, a heraldic motto or any other non-commercial motto;
 - (3) a place name designating a place situated outside Québec or a place name in such other language as officialized by the Commission de toponymie du Québec, a family name, a given name or the name of a personality or character or a distinctive name of a cultural nature; and
 - (4) a recognized trade mark within the meaning of the Trade Marks Act (R.S.C. 1985, c. T-13), unless a French version has been registered.
- However, if a generic or descriptive element of the product is included in the trademark, it must appear in French on the product or on a permanently affixed support. The French wording does not need to appear immediately adjacent to the trademark, but it must be clearly visible elsewhere on the label or packaging, without being less accessible, less prominent, or presented under less favorable conditions than the text in another language.
- Bill 96 received royal assent in June, 2022 and became Law 14. This has led to amendments that may require certain elements of the trademark to be translated (See question 2), even though the trademark itself does not need to be.

Changes to Trademark Regulations

2. How do the new Quebec Bill 96 regulations (now Law 14) impact trademarks on consumer labels of fresh fruits and vegetables?

- As of June 1, 2025, generic* or descriptive** elements of the trademark (such as ingredients, colour, fragrance or other product characteristics) must also appear in French on the product or on a medium permanently associated with it, in proportions equivalent to those in the other language (e.g. at minimum, the same type height, same font, colours etc.) The name under which the product is marketed (brand name) and the company name may remain in any other language. (Source: [Gazette Officielle du Québec](#), p. 2683 – 2686).
 - *Generic: One or more words describing the nature of a product, excluding the company name or brand name.
 - **Descriptive: One or more words describing the characteristics of a product, excluding the company name or brand name.

3. If a company name or brand name has been trademarked in English only, is translation to French required?

No, the company name and the brand name can remain in another language other than French only.

4. Does a trademark need to be registered in Canada?

No, it is a business decision whether a company decides to register their trademark with the Canadian Intellectual Property Office (CIPO) in Canada.

For the purpose of these regulations, a “recognized” trademark, whether registered or not, may appear on a product without being translated to French if no French version of that trademark is registered under the *Trademarks Act*.

A “recognized” trademark may be either a registered or an unregistered trademark that is established through use (common law protection):

- Registered trademark:** A registered trademark is one that is registered with the Canadian Intellectual Property Office (CIPO) in Canada, and such registration protects the trademark only in Canada.
- Unregistered trademark established through use:** An unregistered trademark established through use is under common law protection, has been used over a long period of time by a company, and is recognized by consumers. Additionally, a trademark that has been

registered in a foreign country (e.g., the United States or Mexico), but not in Canada, may also be considered a recognized trademark.

However, proof or a document issued by a competent authority confirming the established use and recognition of the trademark is required.

According to the clarifications received from the Office Québécois de la langue française, the assessment will be made on a case-by-case basis, depending on the documents submitted by the company. In principle, a court constitutes a competent authority to attest that a trademark has been established through use. Accordingly, a judgment, order, or any document issued by a court could be accepted.

The possibility that documents issued by a foreign authority may be admissible has not been confirmed; their acceptance would also be subject to a case-by-case analysis and may require appropriate translation or authentication.

5. If a trademark is “pending” in English and no French version exists, is translation to French required?

It depends:

- If the pending trademark is a new trademark that is not recognized, the entire trademark will need to be translated to French.
- If the trademark is not registered but has been recognized through use, provided that a document from a competent authority attests to this, it may be considered a “recognized” trademark. In such cases, the provisions of the Charter and the RLCA relating to trademarks apply: only the generic and descriptive elements of the trademark must be translated into French.

6. Do websites or QR codes displayed on labels need to lead to French-language content?

Yes. Under Law 14, consumers must not be required to make any additional effort to access information in French. Therefore, any website, landing page, or digital content accessible through a QR code displayed on a label must also be available in French.

If providing an equivalent French version of the content is not possible, it is recommended to remove the website address or QR code from the label entirely in order to remain compliant with the Charter.

Transition Period

7. Is there a transition period for the fresh produce sector to comply with the new amendments to the trademark regulations?

A transition period of up until **June 1, 2027**, is available for the following:

- If a **product label** has a trademark that contains a generic or descriptive term in a language other than French only, it may be marketed if the **product label**, was:
 1. manufactured **before June 1, 2025**, and no French version of the trademark was registered as of **June 26, 2024**; or
 2. manufactured **between June 1, 2025 and December 31, 2025**, and is subject to the new labelling standards set out in the *Regulations Amending the Food and Drug Regulations (Nutrient Symbols, Other Labelling Provisions, Vitamin D and Hydrogenated Fats or Oils)* (SOR/2022-168) or the *Regulations Amending the Food and Drug Regulations and the Cannabis Regulations (Supplemented Foods)*

However, proof that the labels were printed between June 1 and December 31, 2025, will be required for products covered by these two regulations. (SOR/2022-169).

- For example, suppose a watermelon grower uses PLU stickers that includes a slogan, “Enjoy a boost of red” which has been trademarked in English only. As per the amendments to the regulation respecting the language of commerce and business (RLCA), the slogan in its entirety is considered a descriptive element of the product and must appear in French on the product. However, if the company has an inventory of PLU stickers were printed prior to June 1, 2025, the company can exhaust their inventory of PLU stickers until May 31, 2027, in accordance with the transition period provided. Starting June 1, 2027, onwards, any newly printed or produced labels will need to fully comply with the French language requirements, meaning the slogan “Enjoy a boost of red” will have to appear in French.

If a company is manufacturing (printing) new labels from **June 1st, 2025, onwards, and the above two scenarios do not apply**, then the company would need to comply with the new amendments to the trademark regulations immediately.

Cases/Master Containers

8. Do the trademark amendments apply to non-consumer packaging, such as cases/master containers containing bulk or consumer prepackaged fruits or vegetables, used for delivery from suppliers to buyers?

No, the trademark regulations in Bill 96 (now Law 14) do not apply to cases that are used for interprovincial or international transportation. However, if the case is used to present the product for sale and is visible to consumers (e.g. used for display at retail), the trademark regulations apply. According to the clarifications received from the Office Québécois de la langue française, adding a French label containing the required generic or descriptive elements may satisfy the Charter's requirements, provided that the French wording is not less visible, less prominent, or smaller in size than the wording in another language. In addition, compliance is a shared responsibility between the supplier and the retailer when master containers are used as in-store displays.

PLU Stickers

9. Do the trademark amendments apply to PLU stickers?

- Yes, the amendments to trademark regulations associated with Bill 96 (now Law 14) apply to PLU stickers, in addition to the existing Quebec French labelling regulations on consumer products.

10. Can product variety names (e.g. Cosmic Crisp, Pink Lady, Snowflake, Autumn Crisp, Celebration, etc.) for fresh fruits and vegetables remain in English only?

- Yes, because the variety name is the name of the product under which the fresh fruit or vegetable is marketed; it is exempt from translation into French.

For More Information

For more information on the new amendments to the trademark regulations associated with Quebec's Bill 96 (now Law 14), please visit:

- [Gazette Officielle du Québec: Part 2 : Laws and Regulations : June 26, 2024/Volume 156](#) (See p. 2683 – 2686)
- [OQLF Guidance for trademarks on products](#) (Available in French only)

You can also contact the Office Québécois de la langue Française (OQLF) directly with questions:

- [Contact form](#)
- Telephone:

Brand name: refers to the “name of the product as marketed” (“name of the product as sold”) within the meaning of the RLCA.

- Monday to Friday: 8:30am -12pm EST and 1pm-4:30pm EST
- 514 873-6565
- Toll-free: 1 888 873-6202 (in Canada only)

Examples: How The Trademark Regulations Impact Produce Labels

PLU Sticker Examples	Explanation
Example 1:  An oval-shaped PLU sticker for spinach. At the top is a green circle containing the text "Fresh Greens™" and two small leaf icons. Below this is the word "SPINACH" in English and "ÉPINARDS" in French. In the center is the number "4090". Below that is the word "CANADA". At the bottom is the slogan "LEAF IT TO US!™".	<ul style="list-style-type: none"> ● As the brand name, "Fresh Greens" has been trademarked in English only, it can remain in English only as brand names are exempt from translation to French. ● As the slogan "Leaf it to us" has been trademarked in English only and does not include any generic or descriptive terms that are specific to the spinach, it can remain in English only.
Example 2:  An oval-shaped PLU sticker for watermelon. At the top is the text "Smith Farms" in orange, with "QUALITY SINCE 1925™" underneath. In the center is the number "4032". Below that is the text "MEXICO/MEXIQUE". At the bottom, in red, is the slogan "ENJOY A BOOST OF RED™" followed by "VITAMINEZ-VOUS PAR LE ROUGE".	<ul style="list-style-type: none"> ● As "Smith Farms – Quality since 1925" has been trademarked in English only, it can remain in English only. This is because Smith Farms is the company name and is exempt from translation to French. ● The words "Quality since 1925" constitute a slogan that refers to the company and its history, rather than to the qualities or specific characteristics of the product. They are therefore neither generic nor descriptive of the watermelon in question and may remain in English only. ● Even though the slogan "Enjoy a boost of red" has been trademarked in English

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	<p>only, as the descriptive term (red) characterizes watermelon, the slogan in its entirety must be translated to French. This translation may appear elsewhere on the product, but no wording in another language may be more prominent than the French wording (size, visibility, prominence, etc.) or be accessible under more favorable conditions.</p>
<p>Example 3:</p> 	<ul style="list-style-type: none"> As “Zesty Fresh” has been trademarked in English only and is the company’s brand name, it can remain in English only. Brand names do not require translation to French. The slogan, “Super juicy with a fresh zing” are descriptive terms for the oranges and requires translation to French.
<p>Example 4:</p> 	<ul style="list-style-type: none"> Since the name “Amy’s Artisan Organics” is a registered trademark as such in English, it may remain in English, as brand names do not need to be translated. However, the terms “Artisan” and “Organics” are considered generic or descriptive elements (artisanal, organic) and must therefore appear in French elsewhere on the product or on a permanently affixed support. Since the quality claim “Organic”

	<p>already appears in French on the PLU sticker, it does not need to be reproduced within the name “Amy’s Artisan Organics” itself.</p> <ul style="list-style-type: none"> • The variety name, “Red Delicious” can remain in English only as variety names are commercial names for fruits and vegetables and do not require translation to French.
<p>Example 5:</p> 	<ul style="list-style-type: none"> • As “Northern Selects” has been trademarked in English only and is the company name, it can remain in English only. Company names do not require translation to French. • The variety name, “Pink Lady” can remain in English only as variety names are commercial names for fruits and vegetables and do not require translation to French.

Consumer Prepackaged Examples

Example 6:



Explanation

- As the brand name “Sweeties Organics” has been trademarked in English only and is one of the company’s brand names, it can remain in English only. As the organic claim has already been translated to French on the consumer label, the term “organics” within the brand name does not require translation.
- As the slogan “Happily Grown Organic” has been trademarked in English only and the organic claim has already been translated to French, the slogan can remain in English only. However, it is up to the company to demonstrate that the generic or descriptive elements contained in a slogan **may benefit from the definitions set out in section 27.2 of the Regulation respecting the language of commerce and business**, namely, that they refer either to the name of the product as marketed or to the name of the company, when the slogan is intended more to express values or a philosophy than to describe the product.
- The CCOF and Green-e logos are third-party registered logos and may remain as they are, even if they are available only in English. However, the descriptive or generic information communicated by these logos must appear in French elsewhere on the product, under equivalent visibility conditions. Thus, for the CCOF logo, the “Organic” claim already appearing in French on the label is sufficient. For the Green-e logo, the information “Grown & packaged with 100% renewable electricity” must be reproduced in French on the label or on a permanently affixed support.

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Example 7:



Explanation:

- As the company name “Mushroom paradise” has been trademarked in English only and is the company name, it can remain in English only.
- The slogan “Picked Fresh. Full of Flavour” is considered descriptive because it provides further product characteristics that are specific to the mushrooms (e.g. picked fresh, flavourful). As a result, this slogan must be translated to French even if the slogan has been trademarked in English only.
- As the Buy BC logo is a trademarked third-party logo that is only available in English and contains no generic or descriptive elements related to the product itself, it does not require translation to French. Trademarked third-party logos do not require translation to French, if a French version does not exist.

Example 8:



Explanation:

- In this example, let's say all parts of this logo (Naturpak, Est. 1950, Harvested with care, always fresh) have been trademarked in English only and the company name is Naturpak:



- Because the word "Fresh" is considered an additional product characteristic for the broccoli (fresh broccoli) and is not the company or brand name, the word "Fresh" needs to be translated to French.

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- Since “EST. 1950” refers to the year the company was founded and constitutes an element of the company’s identity rather than a characteristic of the product, it should therefore not require translation.
- Likewise, the expression “Harvested with care” describes a general production approach or an institutional value of the company, rather than a specific characteristic of the product in question. In such cases, it is up to the company to demonstrate that these elements may benefit from the exception provided under section 27.2 of the Regulation respecting the language of commerce and business, that is, that they relate to the name of the company or to the name under which the product is marketed—so that they are not considered descriptive statements that must appear in French.

Disclaimer: The above guidance is based on the requirements of Law 14 and on discussions held with the Office Québécois de la langue française. CPMA and QPMA continue to work closely with government partners to identify practical pathways to ease these requirements and address key industry challenges.