

WHAT TO KNOW ABOUT NYJER® SEED



Nyjer® is a registered trademark of the Wild Bird Feeding Institute that is exclusive at no cost to member firms that agree to WBFi's Nyjer licensing requirements through digital form each year.

Use of trademarked Nyjer® by non-WBFi members is available at a cost of \$10,000 per year, effective January 1, 2023, with a 6-month grace period to adjust packaging as needed if membership is not pursued.

Users of the trademark do not acquire any rights of ownership by such use and acknowledge that all rights and ownership remain with the Wild Bird Feeding Institute.

WHY USE THE TERM NYJER®?



The purpose of using the registered trademarked word Nyjer® is to eliminate product confusion and the offensive mispronunciation of Niger as well as to promote a positive image for the use of "Guizotia abyssinica" as a wild bird feed.

WHAT IS THE CORRECT USE OF THE TRADEMARK?

1

Endorsements and Quality Standards

This trademark is not to be used in any application that could be construed as a product or service endorsement, recommendation or mark of quality. If the product using the trademark meets the WBFi Quality Standards, there is a unique identifying logo for that program that is separate and distinct from these trademark guidelines (visit www.wbfi.org for more information on the WBFi Quality Standards Program).

2

Nyjer® Images

A picture of the yellow flowering crop of "Guizotia abyssinica" can be used in conjunction with the trademark.

It is imperative that the pink to purple flowering thistle plant is never pictured or used in conjunction with Nyjer® or the word thistle in English or any other language.



3

Trademark Language and Placement

The use of the word Nyjer® is intended specifically for printed applications: packages, cartons, space advertising, collateral material, literature, websites and the like. **The trademark must be identified on the package or printed item as being owned by the WBFi and be followed by ®.** An example of the correct identification language is: Nyjer® is a registered trademark of the Wild Bird Feeding Institute. This identification language may be on the back (if packaging or print) or at the bottom of a page (if print or website). There are no font or typeface requirements associated with the use of this trademark.

LABELING INFORMATION

U.S. Packaging Information

Packages intended for sale in the United States that use the trademark Nyjer® must contain “Guizotia abyssinica” either the straight seed or in a mix, or contain a feeder designed to hold and dispense the feed.

When using this trademark on a package or carton of feed, it is a requirement of the US labeling law that both the scientific and common international classification must be stated in the Ingredients section. The scientific name **“Guizotia abyssinica” must be stated in quotations or underlined.** The common name is niger. An example of the correct wording for compliance with US package labeling law is:

“Guizotia abyssinica”/niger
The scientific/common international classification

Canadian Packaging Information

For packages intended for sale in Canada, the US guidelines can be followed for the English portion of the packaging. When translating to French, it is recommended not to use the term “chardon”, as this is the translation of the word thistle, but “graines de Nyjer^{MD}” with the subscript ^{MD} replacing the ® circle R symbol, and then the phrase **“Nyjer^{MD} est une marque déposée du Wild Bird Feeding Institute.” appearing elsewhere on the package, the same is the US standard.** Quebec packaging law does not require registered trademarks to be translated. This information does not include all labeling requirements, for example Guaranteed Analysis, Feeding Directions, Product Origin and Weight may be required on the label.

WBFI Nyjer® Committee

This group has been formed to study and evaluate the Nyjer® market. One of the main goals will be to report on the quality of the Nyjer® based on the location it was grown. Then this group will develop an action plan and a potential response as a recommendation to the WBFI Board.

For more information about the purpose of this group, please contact: info@wbfi.org



TRADEMARK USE VIOLATIONS

Incorrect use of the trademark will not be tolerated. When the WBFI Headquarters learns of an incorrect use of the trademark, a letter will be sent to the offending party requesting discontinuation of the incorrect use at the earliest possible time, e.g., the next time packaging is reprinted. The WBFI will request written confirmation from the offending party of the date when the incorrect usage will be corrected. All matters relating to the protection of all WBFI logos will fall under the jurisdiction of the WBFI Task Force, Quality of Nyjer®.

FOR MORE INFORMATION



If there are problems or unanswered questions, please contact the WBFI headquarters by e-mail at info@wbfi.org.

The WBFI will review a layout of proposed usage of the trademark prior to printing for the purpose of verification of the correct use. However, prior approval or permission is not a requirement of these guidelines and does not infer label conformance to all labeling requirements and the WBFI accepts no liability for label conformity with state or federal labeling requirements and does not provide this service as a part of the review process.



**Thank you for your continued support of
the Wild Bird Feeding Institute!**

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