



Organic Certification

Staying up-to-date

Feb. 24, 2020



Agenda

- Structure
- Steps to Certification
- Strengthening Organic Enforcement Rule
- Hemp Production
- Containers and Hydroponics
- National List Updates
- Resources

Structure

- ▶ The National Organic Program (NOP) is part of USDA Agricultural Marketing Service (AMS)
 - ▶ Responsible for regulatory oversight of the standards.
 - ▶ Grants accreditation to private, nonprofit, and state certifiers. Audit Certifiers.
 - ▶ All crops/products making an organic claim are verified to this same standard.
- ▶ Accredited certifiers certify individual operations for compliance with the standard and use of the USDA Organic Seal.



Steps to Certification

- Find an accredited certifier.
- Submit an application, organic system plan (OSP), and any other required documentation for review.
- Have an on-site inspection. (Must be done while crops are in the ground.)
- Certifier reviews the inspection report.
- Certification is granted or denied.

Strengthening Organic Enforcement: New Rule

- Part of the NOP's Enforcement Action Plan.
- USDA is committed to setting a level playing field for US and non-US businesses.
- Proposed Rule shaped by:
 - Farm Bill, Program Experience, Stakeholder Feedback, and
 - National Organic Standards Board Recommendations



Strengthening Organic Enforcement Rule

Transforming the organic regulations to meet market needs:

Increasing accountability and visibility

Fewer Exemptions

Increase Handler Certifications

Import Certificates

Electronic Certificates for all Imports

Enhanced Oversight

Strengthen Accreditation and Certification Oversight



Strengthening Organic Enforcement

Robust Inspections

Unannounced Inspections
Inspector Training
Traceback and Mass Balance Audits
Grower Groups

Confirming Organic Status

Nonretail Labeling
Standardized Organic Certificates
Data Reporting
Certifier Information Sharing

Overseeing Certifiers

90-day Notification: New Offices
Equivalency Reviews
Adverse Action Processes

Look for 60-Day Comment Period Soon!

All comments will be **public and viewable** at www.regulations.gov



What Does this Mean for You?

- Previously exempt operations may be required to get certified.
- Additional traceback and mass balance audits.
- Potential unannounced inspections.
- Clear documentation and recordkeeping.

Hemp Production

- 2018 Farm Bill Directive – to develop regulatory framework for hemp production in the US.
 - U.S. Domestic Hemp Production Program
- NOP 2040 Instruction for the Organic Certification of Industrial Hemp Production.
 - Updated to include the 2018 Farm Bill and clarifies that hemp produced under this program can be certified organic.
- Colorado operations also must register with the CDA Industrial Hemp Program.

<https://colorado.gov/pacific/agplants/industrial-hemp>

Container Production

NOP Memo on Certification of Container Systems

- ▶ On June 3, 2019, NOP issued a letter to certifiers “ [clarifying] that the legal requirements related to the three-year transition period apply to all container systems built and maintained on land.”
 - ▶ i.e. ensuring all certifiers verify 3 years of land history even if the crops are not grown in the soil.
- ▶ No change to certification of existing operations, provided they continue to meet the requirements of the NOP Rule.



Hydroponics

- ▶ Per the NOP, hydroponic systems are eligible for certification provided the operation meets the requirements of the NOP Rule and the OFPA
- ▶ Certifiers are required to certify operations that meet the standards unless they do not have the administrative capacity to verify this type of production system.

National List and Material Reviews

- National List of Allowed and Prohibited Substances, NOP 205.600-205.606.
 - 205.601 are allowed synthetics in crop production
 - 205.602 are nonsynthetics prohibited in crop production
- Prevention is key! Producers must demonstrate management practices first.
- All Materials must be reviewed and approved prior to use:
 - Material review organizations such as OMRI and WSDA registrations are accepted
 - Or, producer must send full disclosure and label to certifier for review

National List Review Process

Sunset Review Process - All substances on the National List are reviewed every five years by the NOSB. This process involves:

- ▶ Public comment
- ▶ New data
- ▶ Evaluation of alternatives
- ▶ NOSB then sends recommendations to NOP

Substances up for review at Fall 2020 Meeting

As allowed synthetics (§205.601): Soap-based algicides/demossers, Ammonium carbonate, Insecticidal soaps, Vitamin D3 (as rodenticide), Aquatic plant extracts (other than hydrolyzed), Lignin sulfonate (chelating agent, dust suppressant), Sodium silicate (as floating agents in postharvest handling), EPA List 4 – Inerts of Minimal Concern

National List Updates

Changes to National List effective 1/28/2019

§ 205.601: Synthetic substances (j) As plant or soil amendments

- ▶ Magnesium oxide now listed at 205.601(j)(5) "for use only to control the viscosity of a clay suspension agent for humates"
- ▶ Squid byproducts now listed at 205.601(j)(10) "from food waste processing only. Can be pH adjusted with sulfuric, citric, or phosphoric acid. The amount of acid used shall not exceed the minimum needed to lower the pH to 3.5"

Changes to National List effective 12/27/2019

§ 205.602: Nonsynthetic substances prohibited

- ▶ Rotenone: now prohibited

Changes to National List effective 11/22/2019

§ 205.601: Synthetic substances allowed in organic crop production

- ▶ Elemental sulfur now listed at § 205.601(h) as molluscicide *in addition to existing listings* at § 205.601(e) as an insecticide and § 205.601(i) as plant disease control
- ▶ Polyoxin D zinc salt now listed at § 205.601(i) as plant disease control



Organic Certification Cost Share Program (OCCSP)

- ▶ Provides annual reimbursement of 75% of certification costs up to \$750 per scope.
- ▶ Available to both new and renewing producers and handlers.
- ▶ Administered through the Farm Services Agency.

<https://www.fsa.usda.gov/programs-and-services/occsp/index>

Resources

- USDA Organic Regulations “NOP Rule” (7CFR Part 205)

<https://www.ams.usda.gov/rules-regulations/organic>

- National Organic Program Handbook

<https://www.ams.usda.gov/about-ams/programs-offices/national-organic-program>

- USDA Organic Integrity database

<https://organic.ams.usda.gov/integrity/>

Resources

- USDA Organic Integrity Learning Center

<https://www.ams.usda.gov/reports/organic-integrity-learning-center>

- OMRI (Organic Materials Review Institute)

<https://www.omri.org/>

- WSDA (Washington State Materials List)

https://cms.agr.wa.gov/getmedia/6322228c-c949-44a2-926c-2a86739269e3/WSDA_Organic_Input_Material_List

Resources

- ▶ ATTRA Publications

<https://attra.ncat.org/>

- ▶ CSU Extension Publications

<https://extension.colostate.edu/publications-2/>



CCOF Foundation

- The Future Organic Farmer Grant Fund.
 - Kindergarten through eighth grade
 - High School
 - Vocational and Higher Education
- The Brimont Hardship Assistance Fund provides direct financial assistance exclusively to organic producers.
- Organic Transition Grants
- Organic Training Institute

<https://www.ccof.org/ccof-foundation>



Contact Information

➤ Renee Delaney, CCOF

rdelaney@ccof.org

831-346-6308

www.ccof.org

➤ Janis Kieft, CDA

janis.kieft@state.co.us

303-869-9074



Questions