



United States  
Department of  
Agriculture

# USDA Organic 201

A Closer Look at the U.S. Department of  
Agriculture's Organic Regulations

# Module Overview

- 1. Review of Organic 101**
- 2. Organic Integrity: Governance and Certification**
  - ✓ USDA's role in organic regulation
  - ✓ Certifiers and Operations
- 3. Organic System Plans**
  - ✓ Topics addressed in an organic system plan
- 4. Organic Standards**
  - ✓ Basic requirements for organic crops, livestock, and processing/handling
  - ✓ Organic labeling requirements
- 5. Monitoring and Enforcement**
  - ✓ Reporting suspected violations to USDA

# A Focus on...

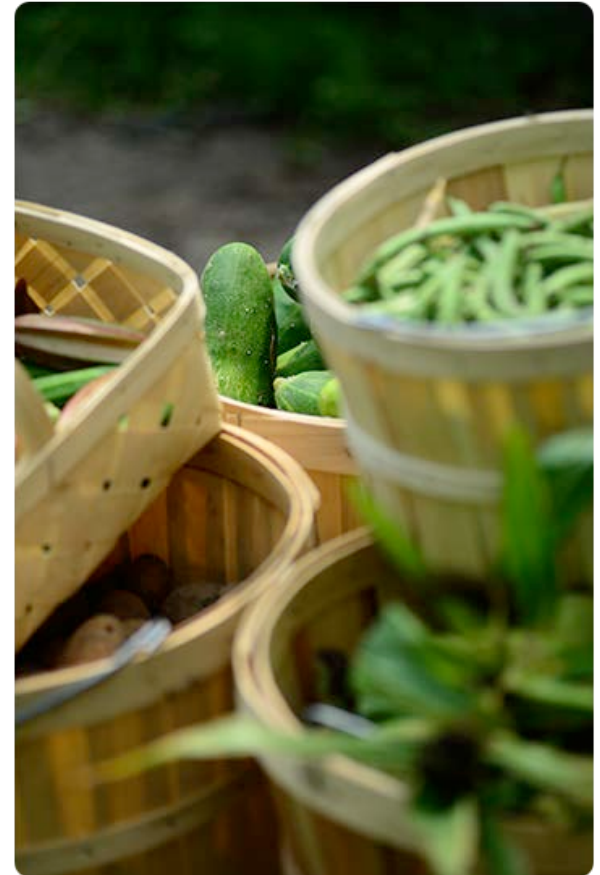
## **1. Review of Organic 101**

2. Organic Integrity: Governance and Certification
3. Organic System Plans
4. Organic Standards
5. Monitoring and Enforcement

# Review: The Meaning of Organic

**This training module assumes an understanding of the concepts from a beginning module, Organic 101**

- The organic label shows that a food or agricultural product has been **produced using methods approved by the USDA**
- Organic farmers use practices that **support the cycling of on-farm resources, promote ecological balance, and conserve biodiversity**
- Organic farmers **must not use prohibited synthetic fertilizers, sewage sludge, ionizing irradiation, or genetic engineering**





# Review: Organic Certification

- The USDA **accredits certifiers** to review, inspect, and certify the practices of organic farms and processing facilities
- Organic farms and processing facilities that follow all USDA organic rules are called **certified organic operations** – often called producers and handlers
- Producers and handlers may choose to work with any accredited certifier
- Certifiers may be **private entities, states, or foreign governments**
- There are **over 80 certifiers** around the world, and most work in all 50 US states: visit [www.ams.usda.gov](http://www.ams.usda.gov)
- The USDA oversees and monitors certifiers



# Review: Organic Production

## Organic production occurs on both a small and large scale, both in the U.S. and abroad

- There are certified organic operations **in all 50 states**, as well as many foreign countries
  - In 2014, there were more than 18,000 certified operations **in the U.S.**
  - There were more than 7,000 certified organic operations certified to the USDA organic regulations in **foreign countries**
  - The USDA has organic trade arrangements with several countries
- The USDA maintains a list of **certified organic operations** that is searchable by name, location, or product: visit [www.ams.usda.gov](http://www.ams.usda.gov)



# A Focus on...

1. Review of Organic 101

**2. Organic Integrity: Governance and Certification**

3. Organic System Plans

4. Organic Standards

5. Monitoring & Enforcement

# The USDA Regulates the Organic Seal

**USDA ensures the integrity of USDA organic products  
in the United States and throughout the world**

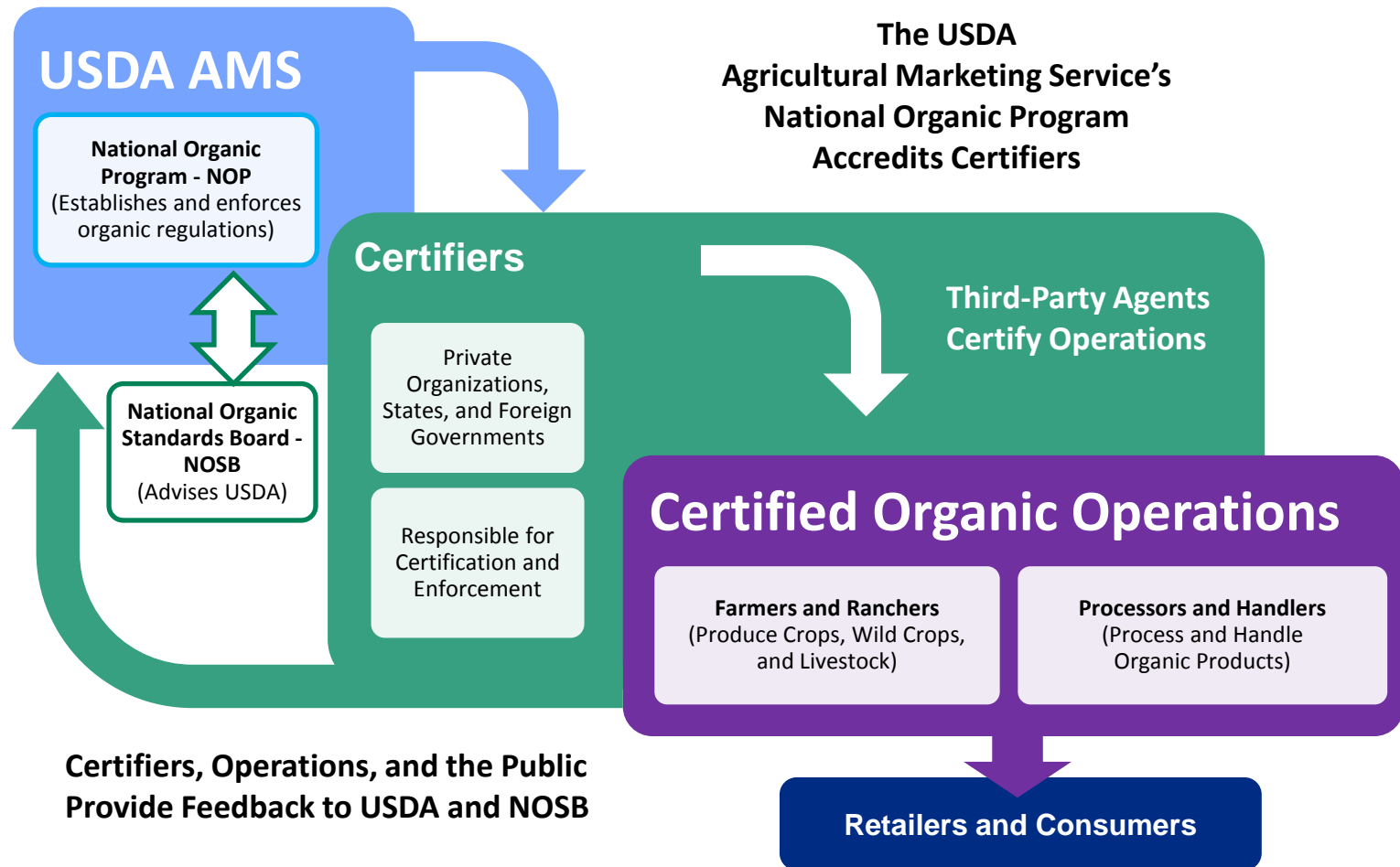


Organic Integrity: Governance and Certification





# A Framework that Ensures Organic Integrity



# The Organic Law and Regulations

- **Organic Foods Production Act (OFPA) of 1990**
  - Established the USDA National Organic Program (NOP)
  - Required consistent national standards for organically produced agricultural products
- **USDA Organic Regulations**
  - Published in the Code of Federal Regulations
  - Include standards for production, handling/processing, labeling, certification, and accreditation
  - Updated and maintained by the USDA
- **USDA Agricultural Marketing Service, National Organic Program (NOP)**
  - Develops and enforces the organic regulations
  - Accredits and oversees certifiers, who certify and oversee organic operations
  - Facilitates trade by supporting equivalency and recognition agreements with other countries

Access the organic regulations and other helpful information at:  
[www.ams.usda.gov](http://www.ams.usda.gov)

# The National Organic Standards Board

**The National Organic Standards Board (NOSB) is a citizen advisory board of volunteer farmers, handlers, a retailer, scientists, an environmentalist, consumer advocates, and a certifier.**

The Secretary of Agriculture appoints members of the NOSB, which:

- Reviews **substances** that are proposed to be allowed or prohibited in organic agriculture
- Advises the USDA on organic production and handling practice standards
- Holds **public meetings** where it receives written and oral public comments, and votes on Committee proposals

To learn more about the NOSB, visit [www.ams.usda.gov](http://www.ams.usda.gov)

# Certifiers and Certified Operations

## **Accredited certifiers**

- Evaluate applications for certification from farming, ranching, processing, and handling operations
- Review Organic System Plans and conduct on-site inspections
- Approve the use of the organic label on agricultural products
- Enforce the USDA organic regulations

## **Farmers, Ranchers, Processors, and Handlers**

- Apply to be certified as organic by providing records and an Organic System Plan to a USDA-accredited certifier
- Undergo annual inspections, and possibly unannounced inspections
- Produce and process agricultural products as described in their approved Organic System Plan; maintain and update the plan
- Appropriately label organic products for consumers and retailers



# ORGANIC FARMER PROFILE

- **Nelson Grade Organics**
- Pendleton, Oregon
- 900 acres
- Organic wheat, grains, and alfalfa

“There are always new problems coming at you, I kind of like to have solved those problems, I do enjoy that part of it and I think for the most part there are solutions to most of the hurdles that I encounter out there and so for now I’ll just keep looking for them.”



# A Focus on...

1. Review of Organic 101
2. Organic Integrity: Governance and Certification
- 3. Organic System Plans**
4. Organic Standards
5. Monitoring & Enforcement

# The Organic System Plan

## The Organic System Plan (OSP) is:

- **Written** by the producer or handler who wants to become certified organic
- **Reviewed** by the certifiers and validated through annual inspections
- Updated **annually**, and whenever changes in practices occur
- Designed to **address** all scopes of organic certification maintained by the operation, including:
  - Crops
  - Wild Crops
  - Handling
  - Livestock

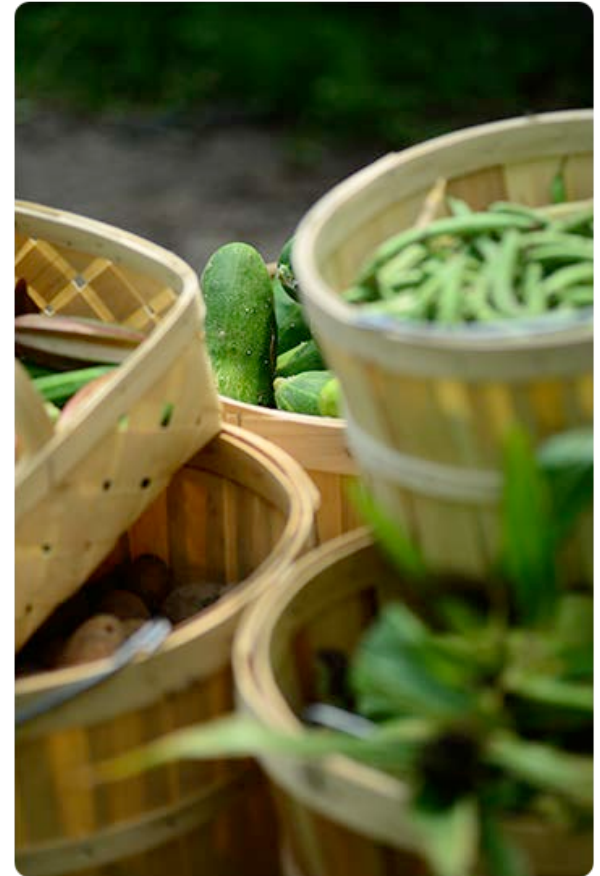
The USDA provides sample forms for Organic System Plans in its organic program handbook:  
[www.ams.usda.gov](http://www.ams.usda.gov)

See the Appendix for sample forms



# Organic System Plan Contents

- A **description of practices and procedures** to be performed and maintained, including the **frequency** with which they will be performed
- A list of **substances** used in production or handling, indicating their composition, source, and location(s) where they will be used
- A description of the **monitoring** practices used to ensure organic integrity
- A description of the **recordkeeping** system
- A description of the **management** practices and **physical barriers** established to prevent commingling and/or contamination with non-organic materials





# Updating the Organic System Plan

- Certified operations submit updated OSPs to certifiers for review **at least annually**
- Producers and handlers must update OSPs to **reflect any planned changes** to the operation, including the use of additional substances
- Producers and handlers should **notify** their certifiers and **obtain approval before** making any changes that could affect certification
- Certifiers should receive an updated OSP **before conducting the annual inspection** of a certified operation



# ORGANIC FARMER PROFILE

- **Rosmann Family Farms**
- Harlan, Iowa
- 700 acres
- Organic corn, popcorn, soybeans, small grains, alfalfa; cattle, hogs, chickens

“When we see birds, then we know that we are doing things right; with wildlife and insects we have predator species, predator-prey relationships, and it’s sort of a balance.”



# A Focus on...

1. Review of Organic 101
2. Organic Integrity: Governance and Certification
3. Organic System Plans
- 4. Organic Standards**
5. Monitoring and Enforcement

# The USDA Organic Regulations

- The **USDA develops production standards** for crops, wild crops, and livestock, as well as organic handling and food processing standards
- Standards can be found in the **USDA organic regulations** and the Agricultural Marketing Service's **Organic Program Handbook**
  - The **Regulations** are published in the Federal Register: Chapter 7 of the Code of Federal Regulations, Section 205
  - The **Program Handbook** is published on the USDA's website and contains guidance, instructions, and policy memos on topics such as compost and grazing





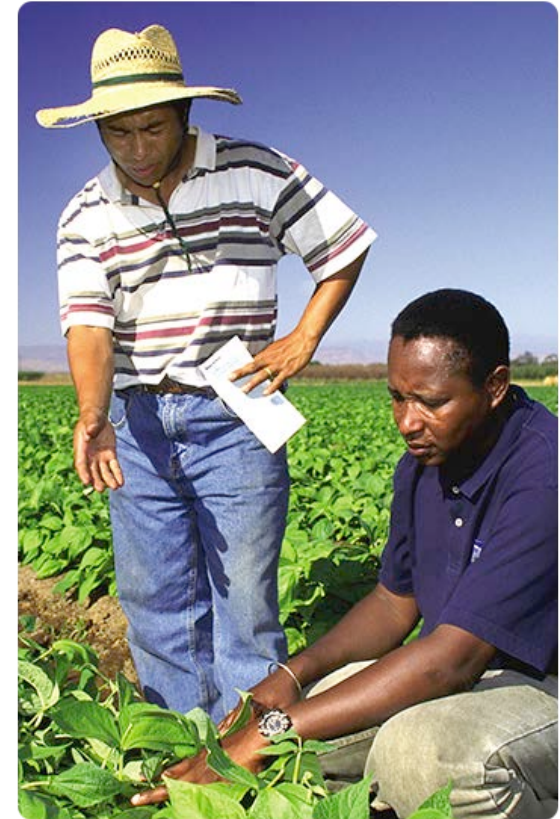
# Requirements for Organic Crops

## Crop farms must:

- Maintain and implement an **Organic System Plan**
- Maintain distinct, defined boundaries and **buffer zones** to prevent prohibited substances from entering organic areas
- **Not use prohibited substances**, such as excluded fertilizers or pesticides

## As long as the farm is certified, farmers:

- **May NOT** use prohibited substances, sewage sludge, irradiation, or genetic engineering
- **MUST** use organic seeds and organic seedlings (for annual crops), when commercially available
- **MUST** use preventative management of pests and weeds
- **MUST** implement tillage and cultivation practices that maintain or improve soil conditions and minimize erosion
- **MAY** use natural inputs and/or USDA-approved synthetic substances

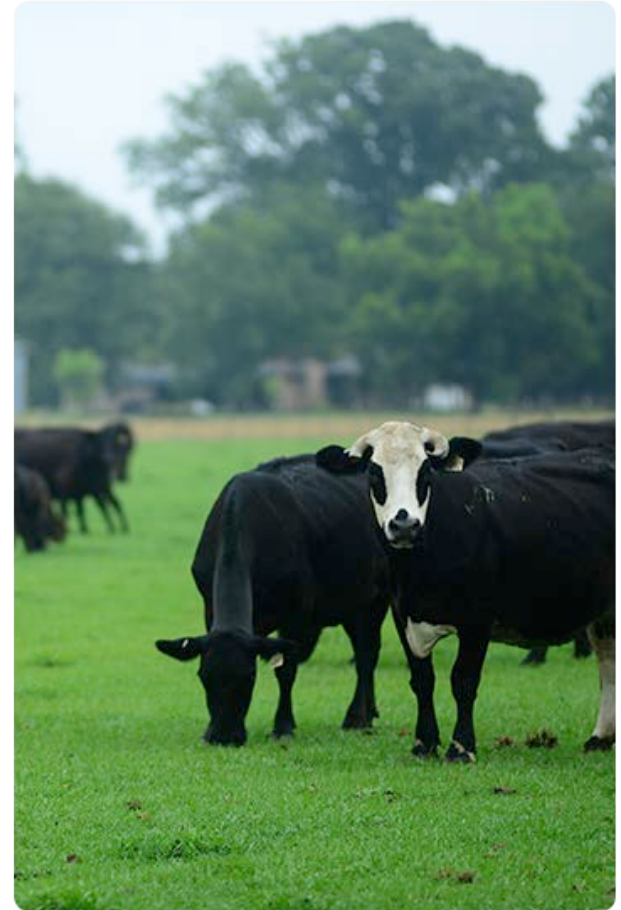


# Requirements for Livestock Operations

## Livestock operations must:

- Maintain and implement an **Organic System Plan**
- Use 100% **organic feed**: Feed **must not** contain antibiotics, growth hormones, slaughter byproducts, or genetic engineering
- Provide **access to the outdoors** and good living conditions year-round
- Maintain a **pasture plan** for grazing animals
- **Not use antibiotics**
- **Document** the organic status of all animals

Learn More about Organic Grazing Rules:  
[Pasture for Organic Ruminant Livestock](#)



# Requirements for Different Animals

## Ruminants:

- Must have **access to pasture** during the grazing season: 30% of the animal's dry matter intake must come from pasture; grazing season must be at least 120 days
- Must meet animal **health and welfare standards**

**Breeding animals:** Must be managed organically no later than **the last third of gestation** for the offspring to be considered organic

**Dairy animals:** Must be managed organically for **one year** before their **milk** may be considered organic

**Poultry:** Must be managed organically from the **second day of life**

*A ruminant is an animal with **four stomachs**. In organic agriculture, the primary ruminant animals are **dairy and beef cattle, sheep, and goats***

# Requirements for Wild Crop Operations

*Wild Crops are any plant or portion of a plant collected or harvested from a site that is not cultivated or otherwise managed agriculturally.*

## Wild crop operations must:

- Maintain and implement an **Organic System Plan**
- **Define the area** from which crops are harvested
- Maintain or improve **natural resources**
- Use only **sustainable harvesting practices**
- Utilize only **minimal agricultural practices**, such as
  - Re-seeding from existing plants
  - Removing non-native species
  - Pruning
- Harvest crops in a way that **does not damage the environment**





# Requirements for Processors and Handlers

## Handling and processing operations must:

- Maintain and implement an **Organic System Plan**
- Prevent the **commingling** of organic products with non-organic products, and **contact** with prohibited substances, during processing
- **Prevent pests** using only approved organic practices
- Use **certified organic agricultural ingredients** in organically-labeled products
- Use only **approved label claims**
- Not use **irradiation** or **genetic engineering**



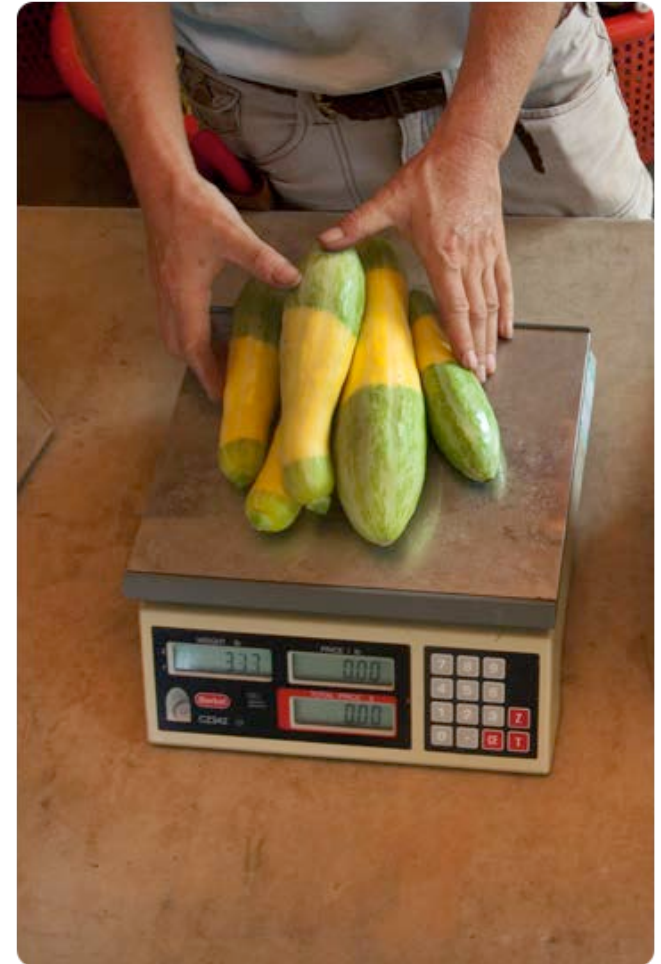


# Handler and Processor Certification

Some food handlers are exempt from organic certification. These include:

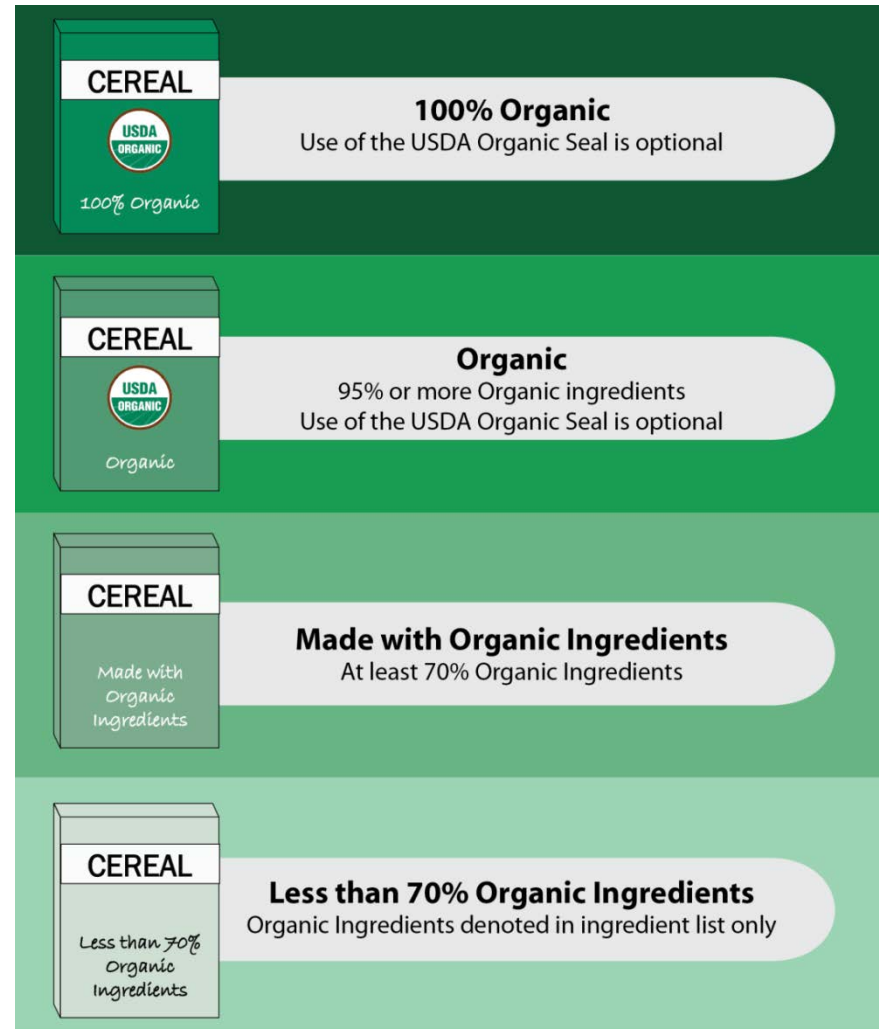
- Distributors who handle **packaged or contained products** and do not unpack or process the products
- **Retail** food establishments that do not process organic products
- Operations that handle only products with **less than 70% organic** ingredients

Even exempt operations **MUST prevent commingling or contamination** of organic products with non-organic materials



# Labeling of Organic Processed Products

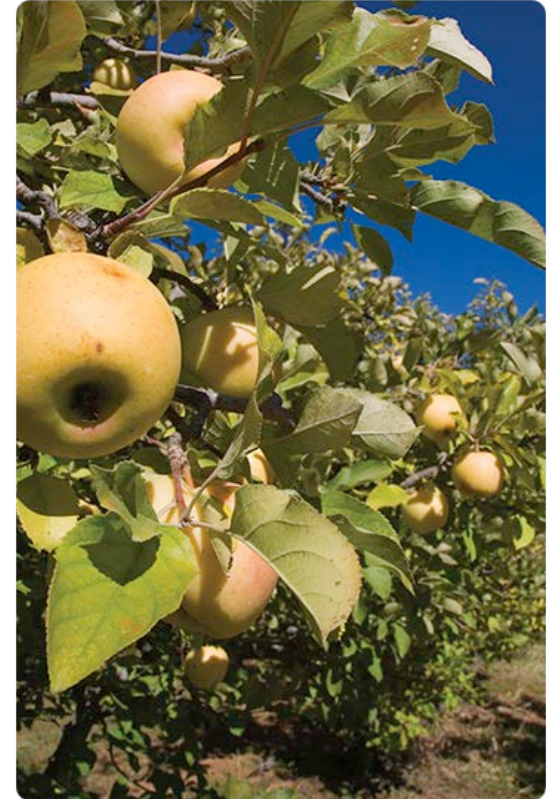
- Only products with 95% or more organic content can use the USDA organic seal on their label
- Products with 70% or more organic content can be labeled “made with Organic”
- Products with less than 70% organic content may only state which ingredients are organic in the ingredient list



# Allowed and Prohibited Substances

In general, synthetic substances are prohibited in organic products unless specifically allowed. Non-synthetic substances are allowed unless specifically prohibited.

- The **National List of Allowed and Prohibited Substances (National List)** is part of the **organic regulations**. It identifies substances that may and **may not be used** in organic production and handling.
- The National List includes:
  - **Synthetic** substances which are **allowed for use**.
  - **Natural** substances which are **prohibited for use**.
- The National List has separate sections for **crops, livestock, and handling/food processing**.
- All substances are reviewed by the **National Organic Standards Board**. The Board makes recommendations on substances to the USDA, which then engages in rulemaking as appropriate.



# Excluded Methods

**Organic products must be produced without the use of:**

- **Genetic Engineering:** a variety of methods used to genetically modify organisms or influence their growth and development by means that are not possible under natural conditions or processes and are not considered compatible with organic production
- **Ionizing radiation:** as described in Food and Drug Administration regulation, [21 CFR 179.26](#)
- **Sewage sludge:** a solid, semisolid, or liquid residue generated during the treatment of domestic sewage in a treatment works





# ORGANIC FARMER PROFILE

- **Square Peg Farm**
- Forest Grove, Oregon
- 40 acres (6-7 in vegetables)
- Diverse organic vegetables

“Because my family owns this land we feel pretty strongly that our job is to take care of it; when we are long gone all that is going to be left here is the soil and we want it to be better than when we found it.





# A Focus on...

1. Review of Organic 101
2. Organic Integrity: Governance and Certification
3. Organic System Plans
4. Organic Standards
- 5. Monitoring and Enforcement**

# Enforcing Organic Regulations

- The USDA investigates reported or suspected violations of the organic regulations, often with the help of organic certifiers and State Organic Programs
- Anyone may report a suspected violation to the USDA:  
[www.ams.usda.gov](http://www.ams.usda.gov)
- The USDA reviews every complaint that it receives about suspected violations of the organic regulations
- Certifiers conduct periodic residue testing of organic products to monitor compliance



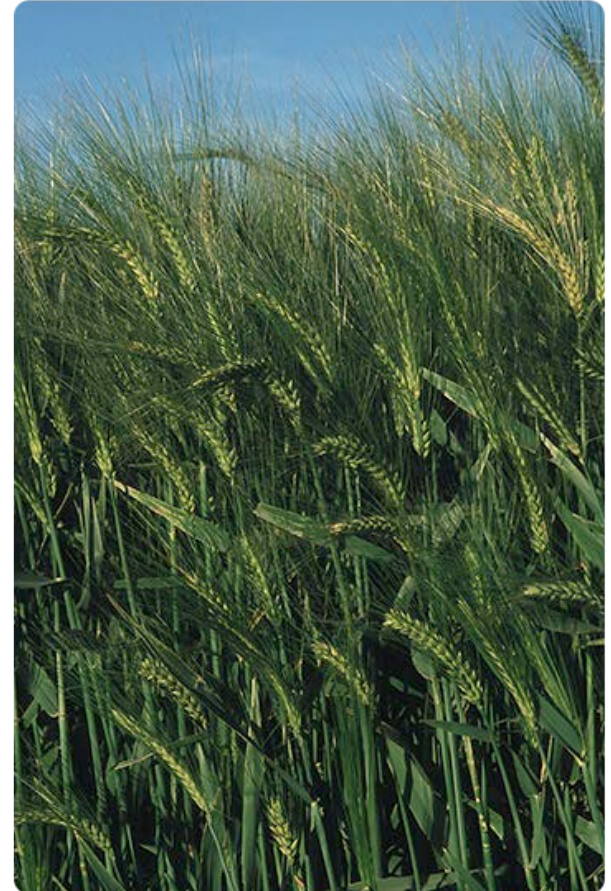
# Penalties for Noncompliance

## Suspension or Revocation

- If an investigation shows that a certified operation has not followed the organic regulations, the operation's certification may be suspended or revoked
- Suspended or revoked operations **may not sell or represent** their products as organic
- The USDA maintains a list of suspended and revoked operations on its website

## Civil Penalties

- Willful violations of the regulations may result in **civil penalties**
- Civil penalties are fines of up to **\$11,000 per violation** and may be levied against both **certified and uncertified** operations



# Monitoring Imported Organic Products

- The United States establishes and maintains **equivalency and recognition agreements** to facilitate organic trade
- Equivalence arrangements with the **European Union, Japan, Korea** and **Canada** allow organic operations certified to the USDA organic or foreign organic standards to be labeled and sold as organic in both areas
- The USDA monitors organic certification activities around the world through assessments of international certifiers and foreign government organic programs
- Requirements may vary, but all products certified as “organic” have been produced using **clearly defined organic production methods**



# Learn More: USDA Organic Resources

- **USDA Organic Resource Guide**

- Provides information on USDA programs available to organic producers and handlers

- » [www.ams.usda.gov/organicinfo](http://www.ams.usda.gov/organicinfo)

- **USDA Agricultural Marketing Service Organic Web Resources**

- Outreach materials and public information about organic regulations
- National List of Approved Substances and Petitioned Substances
- List of certifiers and certified operations

- » [www.ams.usda.gov](http://www.ams.usda.gov)

- **Alternative Farming Systems Information Center** at the National Agricultural Library

- Provides resources about sustainable food systems and practices

- » [afsic.nal.usda.gov/organic-production](http://afsic.nal.usda.gov/organic-production)

- **The USDA Organic Insider Newsletter**

- USDA's regular e-mail service with updates and news on organic agriculture

- » <http://bit.ly/NOPOrganicInsider>



# Support for Organic Across USDA



Organic agriculture is an important part of what we do at USDA. Each agency of USDA has a role in working with organic farmers and ranchers, and those who are considering organic.

Thank you for taking the opportunity to learn this information, and for putting it to good use.