USDA organic regulations

Definition of “organic production”:
A production system that is managed in accordance with the Act and the USDA organic regulations to respond to site-specific conditions by:

• integrating cultural, biological, and mechanical practices that

• foster cycling of resources, promote ecological balance, and conserve biodiversity.
Why is Certification Important?

- Allows use of USDA organic seal and organic claim
- Empowers consumers to choose between production methods
- Gateway to USDA services for organic operations
- Verifies that products meet national organic standards
- Protects consumers
- Establishes level playing field for farmers, processors, and marketers
Organic Certification:

- Ensures products were produced without prohibited methods/substances, such as:
  - GMOs, arsenic, synthetic fertilizers, prohibited pesticides
  - Note: Natural substances allowed unless specifically prohibited, synthetic substances prohibited unless specifically allowed.

- Is scale-neutral: all operations must meet same requirements
Is My Land Eligible?

• No prohibited substances on land for three years

• Before three year waiting period:
  – No use of USDA organic seal
  – No selling, labeling, representing product as organic
What are the Requirements?

- Specific requirements for each certification category (e.g. crops, livestock, wild crops, processing)
  - Labeling
  - Record-keeping
- Violators subject to compliance and enforcement actions:
  - Loss of certification, financial penalties
U.S. Organic: A Brief History

Before 1990
No national organic standards, consumer mistrust

1990
Congress passes Organic Foods Production Act, creates foundation for USDA organic regulations

2002
USDA organic regulations fully effective

Present
Ongoing work to clarify and enforce USDA organic regulations
The National Organic Program (NOP)

- **Mission:**
  Ensure the integrity of USDA organic products in the United States and throughout the world

- **Vision:**
  Organic Integrity from Farm to Table, Consumers Trust the Organic Label

- **Core Role:**
  Implement the Organic Foods Production Act and the USDA organic regulations
What Does the Program Do?

• Develop and maintain organic standards
• Accredit and oversee third party organic certifying agents, who review, inspect, and approve organic producers and handlers
• Implement international organic trade agreements
• Investigate complaints of violations (example: uncertified farmer selling food as organic, selling conventional food as organic)
• Support the work of the National Organic Standards Board

• Oversight Responsibility:
  84 certifying agents worldwide
  25,000 certified organic operations
  $35 billion in U.S. organic sales (2013)
NOP organization and activities

National Organic Standards Board
- National List recommendations

National Organic Program
Office of Deputy Administrator
- Communicate program information
- Cost Share Program
- FOIA requests

Standards Division
- Rules, Guidance, Instructions,
- National List

Accreditation & International Activities Division
- Accreditation process
- Technical outreach
- Training assistance
- International agreements

Compliance & Enforcement Division
- Complaints
- Investigations
- Initiate enforcement actions
- Market surveillance
Accomplishments – 2009-2015

• Age of enforcement
• Access to pasture rule
• Residue testing rule
• NOP Handbook
• Increased audit consistency, and ensured all audits were conducted
• Responded to 4 Office of Inspector General audits
Accomplishments – 2009-2015

• International equivalency arrangements
• Improvements to the Appeals process
• Organic literacy initiative
• USDA Organic Insider
• List of certified organic operations
• Sound and Sensible Certification
AMS-NOP Strategic Plan 2015-18

- Protect Organic Integrity
- Market Access: Local, Regional, International
- Clear Standards
- Build Technology that Advances Organic Integrity
- People and Process
Protecting Organic Integrity
10 Points of Organic Integrity

1. Clear/enforceable standards
2. Communication
3. Transparency
4. Certification
5. Complaints
6. Penalties
7. Market surveillance
8. Unannounced inspections
9. Periodic residue testing
10. Continual improvement
Compliance & Enforcement
FY 2015 Successes

• Compliance & Enforcement: Overall Summary
  – Incoming Complaints: 549
  – Completed Complaints: 390

• Summary of Initial Actions Taken
  – Cease & Desist Orders: 36
  – Notices of Warning: 121
  – Investigation Referrals: 64

• Civil Penalties Issued via Settlement Agreements
  – Total Number: 8
  – Total Amount: $1,872,875
Market Access
Growth of U.S. Organic Sales

U.S. Sales of Organic Products (Billions of U.S. Dollars)

- 1990
- 2014
Facilitate Market Access

• Implement sound and sensible certification
• Provide technical assistance
• Expand and maintain organic equivalency arrangements
  – Switzerland
  – Mexico
• Support Latin American market development and control systems
National Organic Standards Board
The NOSB is a Federal Advisory Committee which assists and advises USDA. It has

– a **charter** with established mission and duties
– 15 members
  • 4 organic farmers, 2 handlers
  • 1 certifying agent, 1 retailer, 1 scientist
  • 3 experts in environmental protection,
  • 3 representatives of public or consumer interest groups

– Subcommittees and Chair
– Opportunity for public participation
– 2 meetings per year
NOSB Recommendations 1994-2014

- Practice Standards
  - 174 recommendations
  - 138 addressed
  - 36 Outstanding recommendations include
    - Aquaculture (3)
    - Pet food
    - Apiculture
    - Pesticide Drift, fumigation (2)
    - Mushrooms
    - Organic livestock practices
NOSB Recommendations 1994-2014

• National List
  – 101 recommendations
  – 89 addressed
  – Outstanding are recent and in process
• Sunset
  – 129 reviews completed
  – Outstanding sodium nitrate
NOSB Recommendations on Hydroponics

• 1995: NOSB recommended that “Hydroponic production in soilless media to be labeled organically produced shall be allowed if all provisions of the OFPA have been met.”

• 2004: NOSB reiterated its recommendation that “Hydroponic production in soilless media to be labeled organically produced shall be allowed if all provisions of the OFPA have been met.”

• 2005: NOP confirmed that hydroponic operations may be certified organic if produced in compliance with the regulations.

• In NOSB 2010 greenhouse recommendation, the NOSB recommended that USDA shouldn’t allow organic crops to be produced using hydroponic methods.
AMS established a hydroponic-aquaponic task force to report on the compatibility of these systems with the USDA organic regulations and the Organic Foods Production Act (OFPA).

The task force will provide a report to the NOSB on
• (i) current hydroponic and aquaponic production methods used in organic production, and
• (ii) whether these practices align with OFPA and the USDA organic regulations.
USDA Organic Initiatives
Secretary Vilsack’s May 2013 departmental guidance on organic agriculture

- Training and outreach
- Supporting transition to organic
- Regulatory reciprocity (reducing paperwork)
- Research
- Data
Organic Literacy Initiative

USDA Organic 101
What Does the Organic Label Mean?
How Does USDA Support It?

Is Organic An Option For Me?
Information on Organic Agriculture for Farmers, Ranchers, and Businesses

Your Guide to Organic and Organic Related USDA Programs

USDA Organic 201
A Closer Look at the U.S. Department of Agriculture’s Organic Regulations
About the Projects Awarded

- **Awards:** 14 projects were awarded to 13 organizations

- **Geographic coverage of projects:** Southeast/Gulf States; New England; Northwest; California; Mid-Atlantic
Launch Update

- November 2015: Launch 1: The Organic Value Proposition: Why Go Organic, and Where to Start
- January 6, 2016: Launch 2: The Organic Standards and Certification: How-To Resources
- End of January 2016: Launch 3: Teaching Others: Outreach and Education for Candidate Farmers
- March: Spanish Blog – Organic Sound and Sensible Resources for Spanish Speaking Audiences
- March/April 2016: Launch 4: Sound and Sensible Certifier Resources
Thank You

Organic Integrity from Farm to Table,
Consumers Trust the Organic Label

www.ams.usda.gov/nop