

**DEPARTMENT OF FOOD AND AGRICULTURE  
PROPOSED REGULATIONS**

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California Food and Agricultural Code  
Title 3. Food and Agriculture  
Division 3. Economics  
Chapter 1. Fruit and Vegetable Standardization  
Subchapter 4. Fresh Fruits, Nuts and Vegetables  
Article 6.1 State Organic Program

**§ 1391. Intent.**

The intent of this article is to facilitate the sale of organic products within the State of California, support organic agriculture through outreach and education while maintaining sufficient regulatory control, by means of spot inspections, investigations, and sampling, to determine compliance with the provisions of the ~~California Organic Products Act of 2003~~ California Organic Food and Farming Act, federal Organic Foods Production Act of 1990, National Organic Program regulations, and state regulations.

Note: Authority cited: Sections 407, 46000, 46001, 46002, 46016.1 and 46018.1, Food and Agricultural Code. Reference: Section 401, Food and Agricultural Code.

**§ 1391.1. Organic Inspection and Sampling Authority.**

...

(c) The state, county agricultural commissioner, or the operation's accredited certifying agent may enter, inspect, and sample any of the following or related areas and items to determine compliance with the provisions of the ~~California Organic Products Act of 2003~~ the California Organic Food and Farming Act, federal Organic Foods Production Act of 1990, National Organic Program regulations, and state regulations:

...

(d) The state and county agricultural commissioners shall have the right to inspect documentation and records pertaining to the production, processing, storage, transportation, or handling of commodities identified as "100 percent organic," "organic," and "made with organic (specified ingredients or food groups)." Such records may include and are not limited to the following:

...

(8) Any other records or documents deemed necessary to demonstrate compliance with the provisions of the ~~California Organic Products Act of 2003~~ the California Organic Food and Farming Act, federal Organic Foods Production Act of 1990, National Organic

Program regulations, and state regulations.

...

Note: Authority cited: Sections 407, 46000, 46001, 46002 and 46018.1, Food and Agricultural Code. Reference: Section 401, Food and Agricultural Code.

...

**§ 1391.3. Complaint Investigations.**

(a) Any person may file a complaint with the Department concerning suspected noncompliance with the ~~California Organic Products Act of 2003~~ California Organic Food and Farming Act, National Organic Program regulations, or the federal Organic Foods Production Act of 1990.

Note: Authority cited: Sections 407, 46000, 46001, 46002 and 46016.1, Food and Agricultural Code. Reference: Section 401, Food and Agricultural Code.

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**§ 1391.7. Registration Requirements.**

(a) For the purposes of registration, organic products shall be reported in accordance with the following specified categories; until which time, the Secretary, in consultation with the California Organic Products Advisory Committee, may establish different categories:

(1) Citrus.

(2) Fruits, excluding citrus.

(A) Strawberries (Fresh Market)

(B) All other berries

(C) Pome fruit

(D) Stone fruit

(E) Grapes, Table

(F) Grapes, Wine

(G) Grapes dried, Raisins

(H) Tomatoes

(I) All other fruits

(3) Livestock or dairy.

(A) Fluid Milk, Cow

(B) All Other Dairy and Dairy Products

(C) Cattle, Beef

(D) Chicken, Broilers

(E) Chicken, Layers

(F) All Other Poultry/Livestock and Products

(4) Nuts.

(A) Almonds

(B) All Other Nut Crops

(5) Vegetables.

(A) Lettuce (Head, Leaf, Spring/Salad Mixes)

(B) Broccoli

(C) Carrots

(D) Spinach (Fresh and Processed)

(E) Celery/Celeriac

(F) All Other Vegetables

(6) Other, which includes, but is not limited to, apiculture, organic fallow ground, herbs, mushrooms, cut flowers, and nursery.

(A) Propagation

(B) Seed Crops

(C) All Other Field Crops (Includes Pasture and Rangeland)

(D) All Other Not Previously Reported or Listed

(E) Fallow

(b) Organic registrants shall provide the following:

(1) Location where products are produced, handled, or processed; either by address, Assessor's Parcel Number (APN) or both.

(2) Organic acreage per location; including acreage per specified category as outlined in section (a).

(3) Total organic gross sales.

Note: Authority cited: Sections 407, 46000, 46001, 46002, Food and Agricultural Code.  
Reference: Sections 46013.1(d)(1), 46013.1(e), Food and Agricultural Code.