

# Navigating Organic Regulations



*Based on a law passed by  
Congress in 1990*  
October 2002  
Code of Federal  
Regulations  
CFR 7 Part 205

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

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- **Organic is a production claim.**

- Organic is about how food is produced and handled.



- **Organic is not a content claim.**

- It does not represent that a product is "free" of something.



- **Organic is not a food safety claim.**

- Organic is not a judgment about the quality and safety of any product.

Any farmer or processor who sells more than \$5000 annually of organic production, must be ***Certified*** to use the organic label,



with a yearly inspection to continue their certification.

***“Exempt” (non-certified) operations cannot sell crops that are further “processed”, this includes livestock feed.***

There is no “Transition to Organic” label recognized in the marketplace; there is no organic premium for “transitional”.

Organic certification can be on a field by field basis, or only fields and not the livestock- the whole farm’s production need not be organic.



- ✓ Farmer chooses certification agency and receives application
- ✓ Application received by agency
- ✓ Agency reviews application and may ask for more information
- ✓ Agency assigns inspector, crops must be seen during growing season
- ✓ Inspector writes report and sends to agency
- ✓ Agency reviews all documentation, and either approves or denies certification, with comments.

**A three to five hour on-site inspection verifies all information provided on the application, including crops, crop production methods, buffer zones, projected harvest yields, storage and sales.**



**Animal health, housing and feed.**

***It can be beneficial to have an outsider review and discuss the organic management system.***

## Organic Certification Cost Share

*Funds distributed through each state's Department of Agriculture*

\$750 per year or  
 3/4 the cost of certification  
 (includes certification fee, all inspection fees  
 and user fees) whichever is LOWER.  
 Payment is per scope, crops, livestock, wild  
 harvest and/or handling

**Record keeping is an important aspect  
 of certified organic production.  
 Management decisions are based on  
 historical reference and knowledge.**



Many of the paperwork requirements of organic certification and crop insurance are the same.



*Both the organic inspector and crop insurance adjuster want documentation that details your production activities.*

## Organic Production and Handling Requirements

*Components of the Organic System Plan-written in the organic certification application.*

- Practices
- Materials used
- Monitoring
- Recordkeeping
- Planting of organic seed
- Management and buffer zones



## Field Activity Log- 5 years (by field or area)

Five Year Individual Field Activity Log- Field or Crop Name	Acres or Row Feet				
Crop Year	Year:	Year:	Year:	Year:	Year:
Cover crop type-spring-planting date					
Cover crop termination date and method					
Basic tillage- method and date					
Soil amendments					
Soil amendment application date and rate					
Manure source					
Date and rate of manure application					
Crop planted					
Planting date					
Seed variety (s)					
Seeding rate					
Crop monitoring-problem weeds, pests, crop vigor- dates					
Pest management input (s)					
Pest management input- date (s) and rate (s) of application					
Disease management input (s)					
Disease management input- date (s) and rate (s) of application					
Weed management-post planting- method (s) and date (s)					
Harvest date					
Estimated yields (bu, pds, tons etc.)					
Storage location					
Equipment used and cleaning activities between nonorganic and organic, date					
Cover crop planted after crop removed/date					

## Supplemental Organic Integrity Documents

Supplemental Organic Integrity Documents					
Most of these documents are available from organic certification agencies. Look at the website of your agency for these forms. Check the box for each year, if you have completed the document. Write N/A if not applicable.					
Type of Documentation	Year:	Year:	Year:	Year:	Year:
Maps for all fields, with field names					
Map of farmstead- illustrating crop storage, equipment storage, livestock housing etc.					
5 year field history (in this workbook)					
Prior Land Use Affidavit- if you have not had control of the land for 5 years					
Seed invoices, tags, bags					
If not using organic seed, seed search table illustrating where you searched for organic					
Field activity log (in this workbook)					
Fertility input invoices and labels with ingredients					
Soil tests illustrating need for soil amendments					
If using off farm manure- no prohibited substances used on manure or in bedding					
If using compost- documentation that it meets the NOP definition of compost					
If washing crops for human consumption- annual water test illustrating water is potable					
Pest and Disease management invoices and labels with ingredients					
Adjoining Land Use Affidavit-Neighbor signs they do not spray prohibited substances-No spray agreements with road crews, utilities etc.- If in place, no buffer zone needed					
Buffer zone harvest-storage-sales records- A buffer zone may be needed due to activities on adjoining land, if you harvested a crop in that buffer zone, how much, date, where did you store and sell this nonorganic crop					
If equipment is used for both nonorganic and organic production, a cleanout record detailing activities performed and dates.					
Storage records- crop- volume-year of production (in this workbook)					
Documentation of approved pest management in and around crop storage					
Clean truck affidavit- If crop is shipped using an outside entity, you must verify truck is clean before loading the organic crop.					
Sales records- Amount shipped and dollars received-date (in this workbook)					
Description of Lot numbering system					
Labels- if selling organic retail products					
If growing nonorganic and organic crops- production, harvest, storage and sales records for the nonorganic crops.					



- **The lot number should illustrate **the last place the crop was present** before leaving the farm.**
- **This would be the storage identification if the crop had been in a **bin, or the field** numbers if the crop was sold directly from the field.**
- **Each farm should have a consistent lot numbering system, that is**
- **clear, concise and easy to understand.**

**Lot numbers should contain pertinent information to give each shipment or sale its own unique identity.**

<b>A</b>	<b>05</b>	<b>139</b>	<b>17</b>
<b>Asparagus</b>	<b>Field 5</b>	<b>Julian Date of harvest</b>	<b>Year of Production</b>

<b>JG</b>	<b>02</b>	<b>WW</b>	<b>17</b>	<b>-A</b>
<b>Jane Goodearth</b>	<b>Bin#2</b>	<b>Winter Wheat</b>	<b>Year of Production</b>	<b>First Shipment from that bin</b>



## Do not be intimidated by recordkeeping!

- ✓ All worksheets are downloadable as excel spreadsheets, or refer to the items listed to make sure your current system is complete.
- ✓ Make it a habit to jot down your activities throughout the season.
- ✓ Good records can pay for themselves over time.



<https://mosesorganic.org/publications/farm-production-recordkeeping-workbook/>

### Definitions

➤ **Organic production-** A production system that is managed in accordance with the Act and 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.*

## Transition period to organic



*This includes no use of nonapproved seed treatments for the transitional years.*

### Land Requirements

- Fields must have distinct boundaries and buffer zones.

- No prohibited substances applied to it for a period of 36 months immediately preceding harvest of the crop.

*Previously fallow land can grow an organic crop immediately: no waiting time.*

*All crops and livestock managed by farmer are not mandated to be organic.*

Organic production **mandates** a soil building rotation, promoting improved soil fertility, soil structure and increased organic matter.



## Crop rotation.



The practice of alternating the annual crops grown on a specific field in a *planned pattern or sequence in successive crop years so that crops of the same species or family are not grown repeatedly without interruption on the same field.*

Perennial cropping systems employ means such as alley cropping, intercropping, and hedgerows to introduce biological diversity in lieu of crop rotation.

*Can continuous row crops that require extensive cultivation each year (such as corn/beans/corn etc.) be considered a rotation that improves soil organic matter?*





### Materials and the National List

- All naturals approved
- All synthetics prohibited
- If a natural is on list, then prohibited
- If synthetic on list, then approved
- List is broken into crops, livestock and ingredients in processed products.

## NOT ALLOWED

- Genetically engineered products
- Grown with sewage sludge
- Irradiated

*Synthetic substances unless specifically approved.....*

**MOSA**  
P.O. Box 831, 122 W. Jefferson Street, Weymouth, Wisconsin 54685  
mosa@mossorganic.org • 608.637.2520/phone • 608.637.7032/fax

**PRIOR LAND USE DECLARATION (PLUD)**

MOSA producer seeking certification for this land

If you are requesting certification for crops growing on land that has not been under your management for the past 36 months, obtain the previous manager or the land compiler and sign this form, attach a map of the land, showing adjoining land use.

The land listed below was under my management from \_\_\_\_\_ to \_\_\_\_\_

Field #	Acres	LOCATION OF PHYSICAL ADDRESS	How land was used during this period

Check boxes below as applicable to your situation. Fill in the blanks and submit information as directed.

This land was certified organic by \_\_\_\_\_ (name of certifier) from \_\_\_\_\_ to \_\_\_\_\_. If not certified by MOSA, submit a copy of the most current organic certificate.

This land was woods, fallow or was in hay or pasture, and no seeds or inputs were used from \_\_\_\_\_ to \_\_\_\_\_.

This land was farmed conventionally. The last planting of treated or GMO seed was on \_\_\_\_\_ and the last application of fertilizer or herbicide was on \_\_\_\_\_.

The land was managed organically and to the best of my knowledge, acceptable inputs for organic production were used. Include a 3 Year Fertility for the land, listing all crops and inputs, and provide organic receipts for seeds and inputs later.

Alfalfa was planted on this land after January of 2011 and is still in production. Submit a non-GMO statement for the alfalfa seed.

Manure\* was either not applied or, if applied, contained no bedding or additives.

Manure\* was applied and contained the following bedding\* or additives: \_\_\_\_\_

\*If manure applied did not come from your farm or a local-based bedding was used, submit an Organic Manure/Bedding Verification form to verify the source and information about the manure and/or bedding.

Signed: \_\_\_\_\_ Print Name \_\_\_\_\_  
Date \_\_\_\_\_ Email \_\_\_\_\_ Phone \_\_\_\_\_  
Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

## Organic Crop Fertilizers

- Fish Emulsion
- Kelp Meal
- Soybean Meal
- Feather Meal
- Blood Meal
- Bone Meal
- Humic Acid
- Compost
- Raw Manure
- Soil Bacteria – AgRestore type products
- Dehydrated pelletized manures/composts



### **Soil Amendments –mined**

*Quarry lime okay, hydrated lime not okay for soil amend*

*Gypsum – calcium sulfate okay  
Recycled wall board – not okay*

### Organic issues to be tracked with manure

*Under the “prevent contamination or application of prohibited substances to organic land” ....*

- No arsenic fed to poultry or hogs
- No synthetic substances added to manure pits to control odor
- No fly sprays on piles of solid manure
- No use of “factory farm” manure if crop is to be sold into the European Union.
- Documentation from supplier of manure should be present verifying compliance.
- Nonorganic carbon sources such as lawn clippings, hay, straw, and even GMO corn or soybean stalks are allowed under the USDA rule.

### **Pest, weed and disease control hierarchy**

**1st: Cultural (crop rotation, sanitation, seed variety)**

**Mechanical or physical (exclusion, beneficial insect habitat, lures, traps, repellants, mulches, flame)**

**2nd: Natural biological, botanical or mineral inputs**

**3rd: Approved synthetics on the national list- provided the CONDITIONS for use are DOCUMENTED and the previous 2 were ineffective**

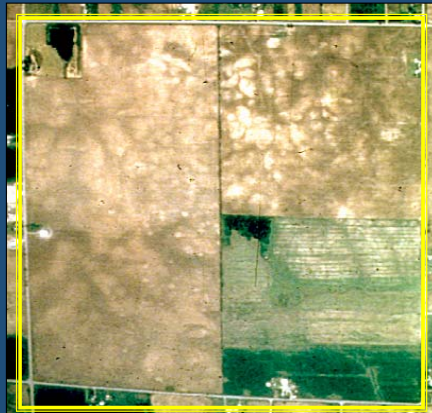
## Certifier review of input materials

All certifiers have a review process.

- Some certifiers publish a list.
- Some rely heavily on the OMRI List or might subcontract to OMRI.



## Agricultural Landscapes

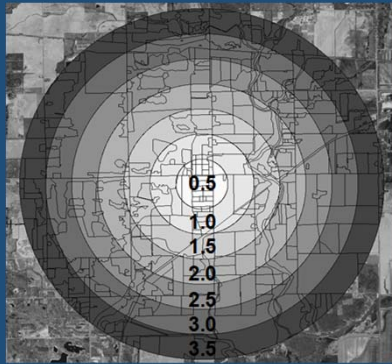


Simple landscape

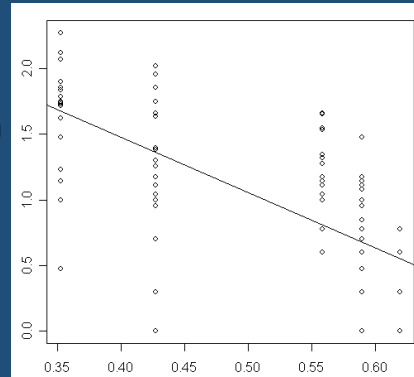


Complex landscape

## Relationship between landscape diversity and aphid outbreaks



Log aphid density



Landscape diversity

## SEEDS

*\*Certified organic seeds must be used, unless producer proves the seed they wish to use is not “commercially available”.*

**\*Proof that the producer tried to obtain organic seed of an equivalent variety to desired type.**

*\*Phone logs, seed catalogs and letters from seed suppliers illustrating non-availability of organic seed are used.*

**Farmers can also trial small amounts of organic seed to show they are researching equivalent varieties.**

### ORGANIC SEED SEARCH

Use this form to document your attempts (at least three sources that carry organic seed or planting stock) to source organic seed or planting stock and have it available at your annual inspection. Alternately, if you source your seed or planting stock from catalogs, you may have the catalogs (at least three companies that carry organic seed or planting stock) available for your inspector to view.

Variety & Crop Type	Company	Date Contacted	Name	Year
			Describe why nonorganic seed or planting stock was purchased.	
			<input type="checkbox"/> Organic unavailable in the appropriate form, quality, or quantity suitable for your operation. <input type="checkbox"/> Variety preference (specific varietal characteristics) Explain:	



**High price is not an acceptable reason to **not** buy organic seed.**



*No captan, apron or other nonapproved seed treatments for three years.*

*No GMO nitrogen fixing bacteria allowed, nonGMO inoculants are allowed.*

*Cover crop seeds **MUST** be organic as well.*

**Seed Trialing Worksheet**

Organic seed trial worksheet -- used to determine equivalency, or not, with nonorganic seed	Days to Maturity	Nutrient utilization / fertility requirements	Day length requirements	Canopy potential	Seed emergence potential	Disease resistance - list types	Pest tolerance - list types	Drought Tolerance	Heat or cold tolerance	Seeding and plant vigor	Uniformity	Soiling sensitivity	Length of productivity	Flavor	Yield	Harvesting and storage qualities
Non-organic seed variety name																
Organic seed trialed name																
Organic seed trialed name																
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## Buffer Zones Required

25 to 30 foot buffer area is typical ---roads, grass, hay or trees where prohibited sprays from the neighbor may present a risk to the organic integrity of their crop.

Size of buffer relates to risk- aerial spray, ground driven equipment, or windbreaks all affect size of buffer required by certifier

Nonorganic field



Organic field,  
road is buffer

VERIFICATION OF ADJOINING LAND USE

Name of Neighbor: \_\_\_\_\_  
Address: \_\_\_\_\_ Phone #: \_\_\_\_\_

I verify that the following fields/areas under my management have had no synthetic fertilizers, herbicides or insecticides applied in the last 12 months. I have no plans to use these synthetic products on these fields in the future 12 months. In the event that I do use any synthetic fertilizers, herbicides or insecticides, I will inform \_\_\_\_\_ (organic farmer) \_\_\_\_\_ of my plans.

Specific Field Identification: (The organic farmer should indicate the organic field ID # that adjoins neighbor's fields before sending to his/her neighbor and indicate fields on the accompanying field map).

Organic field ID #	Neighbor's field identification
_____	_____
_____	_____
_____	_____
_____	_____

I verify that the above information is true and accurate.

Signature of Neighbor \_\_\_\_\_ Date Signed \_\_\_\_\_

## GMO Drift

***At this time, the NOP does not address GMO drift.***

Most organic food grade soybeans and corn are tested extensively for the presence of GMO DNA. If found, the buyer may choose not to pay the organic premium for this "tainted" product, but it is still considered "organic" if produced according to the rule. Most organic livestock feed is not tested for GMOs.

## **Organic weed management**

**MINDSET: Think management not annihilation.  
Weeds are not the enemy! They also provide benefits.**

### **STRATEGIES:**

**Do not let weeds go to seed.**

**Reduce weed bank.**

**Delay planting - take a few weed crops first.**

**Plan ahead - before you plant know how you will manage weeds.**

**Space for quick canopy or longer access**

**The goal of early mechanical weed control is to eliminate the bulk of the weed population before it competes with the crop and to create as large a crop-to-weed size differential as early as possible.**



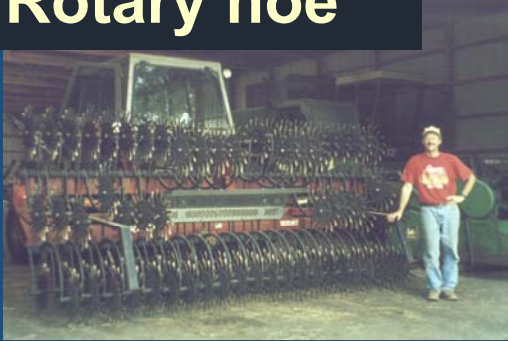
**Lilliston  
Cultivator**



**Flame weeder**



**Rotary hoe**



**Tine Weeder**



**No till soybeans**

**Planted into standing rye,  
June 18**



***Drilled organic bean  
field in late August***



**ON-FARM TRANSPORTATION CLEANING AFFIDAVIT**

Producer/Farm Name: \_\_\_\_\_  
 Crop Year: \_\_\_\_\_ Date Harvested: \_\_\_\_\_ Field #: \_\_\_\_\_  
 Storage Bin #: \_\_\_\_\_ Lot #: \_\_\_\_\_

Crop: \_\_\_\_\_

EQUIPMENT	CLEANING METHOD (Check all that apply)	CLEANING PRODUCT USED	# OF RINSES
Combiner	<input type="checkbox"/> Swept <input type="checkbox"/> Air Blown <input type="checkbox"/> Flashed <input type="checkbox"/> Washed		
Axgers	<input type="checkbox"/> Swept <input type="checkbox"/> Air Blown <input type="checkbox"/> Flashed <input type="checkbox"/> Washed		
Dryers	<input type="checkbox"/> Swept <input type="checkbox"/> Air Blown <input type="checkbox"/> Flashed <input type="checkbox"/> Washed		
Field Trucks	<input type="checkbox"/> Swept <input type="checkbox"/> Air Blown <input type="checkbox"/> Flashed <input type="checkbox"/> Washed		
Semi-Trailers	<input type="checkbox"/> Swept <input type="checkbox"/> Air Blown <input type="checkbox"/> Flashed <input type="checkbox"/> Washed		
Grain Bins	<input type="checkbox"/> Swept <input type="checkbox"/> Air Blown <input type="checkbox"/> Flashed <input type="checkbox"/> Washed		
Planter	<input type="checkbox"/> Swept <input type="checkbox"/> Air Blown <input type="checkbox"/> Flashed <input type="checkbox"/> Washed		
Cultivator	<input type="checkbox"/> Swept <input type="checkbox"/> Air Blown <input type="checkbox"/> Flashed <input type="checkbox"/> Washed		
Sprayer	<input type="checkbox"/> Swept <input type="checkbox"/> Air Blown <input type="checkbox"/> Flashed <input type="checkbox"/> Washed		

Comments and Further Explanation: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

I hereby certify that the above equipment was cleaned thoroughly using the method indicated above, to ensure the organic integrity of the organically grown crop being handled.

Authorized Signature \_\_\_\_\_ Title \_\_\_\_\_ Date \_\_\_\_\_  
(owner, employee, custom operator, etc.)

**Prohibition on....**

- **Commingling** – mixing of organic and non-organic products- *must clean all equipment and storage areas before organic use*
- **Contamination** – contact with prohibited substances- *no use of pesticides in or near storage areas or equipment used for organic*



**Silage or bale inoculants must be approved –**  
**Natural bacteria okay,**  
**synthetics, not allowed.**

**Sources of fiber and edible bedding- all must be organic**



## Origin of Livestock



Slaughter animals must be managed organically from last third of gestation.

**MEAT-** Breeder or dairy stock that *has not been* under continuous organic management since the last third of gestation **MAY NOT** be sold, labeled, or represented as organic slaughter stock.



*Crop and pasture land may need to be certified the previous crop year, so brood cows are eating certified organic feeds in late winter before spring calving (or buy organic hay) and on organic spring pasture.*

*No retroactive certification to previous year's crop at your first year of certification.*

All agricultural products in feed must be organic



**Livestock feed label:**

**100% organic-** Contains only agriculturally based feeds that are all certified organic.

**Organic-** Contains certified organic feeds and approved feed additives or supplements, such as salt, minerals or vitamins.

## Pasture mandated for ruminants

**Pasture.** Ruminants must receive 30% of their dry matter intake during the grazing season from pasture, minimum 120 days.

Good pasture management mandated under organic regulations.

Organic animals cannot graze in nonorganic buffer areas. Secondary fencing may be necessary.



## Organic dairy production

*Dairy animals have been certified organic by an approved USDA agency to label their milk or dairy animals as organic.*



- ✓ Feed must be organic.
- ✓ Health care within organic requirements.
- ✓ Pasture is mandated.
- ✓ Housing must allow for freedom of movement.
- ✓ Records maintained on health and feed

## ***Processing defined as .....***

Cooking	Baking	Heating
Drying	Mixing	Grinding
Churning	Separating	Extracting
Cutting	Fermenting	Slaughtering
Eviscerating	Preserving	Dehydrating
Freezing	Or otherwise manufacturing	
Packaging	Canning	Jarring
Or enclosing in any type of container		

***All handling operations must be certified organic to retain the organic label in the marketplace.***