



Organic Materials Compliance

Materials for Organic Production, Handling, and Processing: Planning for Compliance with USDA's National Organic Program

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The USDA's National Organic Program regulates the use of substances and materials for farming, handling, and processing. This publication discusses three basic steps to ensure that materials use is compliant with organic standards and certification. First, understand the regulations relevant to your operation. Next, create an Organic System Plan with your certifier. Finally, keep records of your purchase and use of all materials. Following these steps will help ensure compliant use of materials, and avoid any use of a prohibited material or incorrect use of a restricted material—which could necessitate an additional three-year transition process.

Materials that are used to produce and handle organic crops under the USDA's National Organic Program (NOP) must be selected for compliance and used in the context of organic principles for farming and handling practices.

The NOP regulations describe organic farming systems as those that maximize cycling of nutrients through crop rotations, cover crops, and green manures. The systems are designed to conserve soil, improve soil health, enhance biodiversity, and prevent pest problems. Organic farming is not simply the substitution of natural materials for synthetic ones. It is a whole-systems approach.

Organic producers and handlers first must be able to describe and document how their operations apply organic principles and implement proactive strategies to prevent problems. Then they verify and document compliant use of materials employed for specific purposes within those operations.

Whether a material is allowed or not depends on the context. Some types of materials are integral to maintaining an organic system. Others may be used only when cultural, biological, mechanical, or physical methods are insufficient. This paper discusses some basic steps to ensure that the materials proposed for use are compliant with organic standards and certification to NOP standards.



Photo: Rex Dufour

Beneficial insect hedgerow along organic field edge.

Certified organic producers and handlers must use only materials that are approved for use according to the standards to which they will be certified. Therefore, the first step is to understand the standards relevant to one's operation. **Prior** to using any material, certified operations must include in their Organic System Plan (OSP) a list of all materials they use or plan to use. They must have the OSP approved by their organic certifier.

Finally, organic producers and handlers must keep records of the purchase and application of all materials. This three-step process will enable the producer or handler and their certifier to evaluate materials for their intended specific use, and to ensure their compliance with relevant standards.

Non-compliance can jeopardize certification status. Use of a prohibited material or violation of a restriction (annotation) on the use of a material can set an operation back three years to begin the transition process again.



Three Steps to Ensure Organic-Compliant Use

To help ensure compliant use and documentation of materials for organic production and handling, follow these essential steps:

STEP ONE — Become familiar with NOP regulations about materials for your type of operation.

Read the Rule: In general, Natural Materials are allowed (unless they are prohibited); Synthetic Materials are prohibited (unless they are allowed). Then, pay attention to annotations.

The regulatory texts of the National Organic Program standards are available on USDA's National Organic Program website: www.ams.usda.gov/nop/indexIE.htm

To view the production and handling standards, go to the above page. Under General Information, click on Regulations to bring up a new window. Then under Regulatory Text, click on Electronic Code of Federal Regulations. It is important to review the full set of regulations in order to find and understand the key parts that apply to your operation.

What do the NOP Standards say about Input Materials? Or: Why isn't the answer simple?

Several sections of the National Organic Program regulations (the "Rule") describe which materials are allowed for what purposes and under what circumstances. Sections of the Rule that address materials allowed for specific purposes can be found in the paragraphs that discuss crop production, livestock production, and handling (processing). Several materials are listed with annotations that limit or restrict products to specific uses within these broader purposes. For example, hydrated lime may be used as an ingredient in Bordeaux mixture for disease management on fruit trees—when other preventative practices are not enough and its use is consistent with Rule section 205.206(e). But hydrated lime cannot be used as a soil amendment.

Where in the Standards can I find the rules about materials?

Sections 205.105 and 205.600-606, the National List of Allowed and Prohibited Substances, are the main places to find information about allowed and prohibited materials. However, there are also specific regulations within the standards for certain materials. For example, application of raw manure is addressed in section 205.203(c)(1); production of manure-based compost in 205.203(c)(2), and other materials used for soil fertility in 205.203(d).

The General Rule for Organic Crop and Livestock Production: Natural materials are allowed. Synthetic materials are prohibited.

For organic crop and livestock production, the Rule clearly states that natural materials are allowed unless specifically prohibited, and that synthetic materials are prohibited unless they are specifically allowed.

The Exceptions: Allowed Synthetic Materials

The following sections list the exceptions to this general rule. Section 205.601 lists synthetic substances allowed for use in organic crop production. This list includes substances such as fish extracts for fertilizer, chlorine for washing vegetables (discharge or effluent water concentration below drinking



Organic calves on pasture on LaMacchia Ranch, Gonzales, California, owned and managed by Frank and Irene LaMacchia. Organic livestock operations use compliant practices and materials to manage their fields and pastures as well as their animals' health. Photo: Ann Baier

water standards), and copper sulfate for crop disease control. Section 205.603 lists synthetic substances allowed for use in livestock production, and includes materials such as iodine, vaccines, vitamins, and minerals.

The Exceptions: **Prohibited Natural Materials**

Sections 205.602 and 205.604 list nonsynthetic (natural) materials prohibited for crop and livestock production, respectively.

While each of these lists is fairly short, it is important to become familiar with the prohibited materials as well as the allowed materials.

Just as some of the synthetic materials are restricted by annotations, some of the prohibited natural substances have exceptions that permit their limited use.

Materials lists for organic processing and handling are organized differently.

For organic processing and handling, the lists of materials that are allowed for use are in separate sections of the National List (205.605 and 205.606). These lists are organized differently than crop and livestock lists, in that they name specific allowed and restricted materials. Section 205.605 lists non-agricultural substances allowed for use in or on processed products labeled as “organic” or “made with organic ingredients” (product claims). The National List section 205.606 lists non-organically produced agricultural products that are allowed as ingredients in products labeled as “organic” or “made with organic ingredients.”

You can list a material or product planned for use in your Organic System Plan (OSP) with relative confidence by verifying that it is allowed.

Related ATTRA Publications

National Organic Program Compliance Checklist for Producers

National Organic Program Compliance Checklist for Handlers

Organic Farm Certification & the National Organic Program

Organic Crop Production Overview

NCAT's Organic Crops Workbook – A Guide to Sustainable and Allowed Practices

NCAT's Organic Livestock Workbook – A Guide to Sustainable and Allowed Practices

Organic System Plan (OSP) Templates for Certifiers

Organic Certification Process

Preparing for an Organic Inspection: Steps and Checklists

And many more listed at www.attra.ncat.org/organic.html



In the hedgerow shown on page one, a Monarch butterfly larva and aphids feed on narrowleaf milkweed, as the chrysalis sparkles like a jewel. This native perennial hedgerow was planted at Fong Farms in Woodland, California, to attract beneficial organisms. The aphids, larva and chrysalis represent diversity on the farm. They also serve as non-pest alternate hosts for parasites and predators that are feeding on farm pests. The field in the background is planted with organic alfalfa. Photo: Rex Dufour.

STEP TWO —
**List every material you use or plan to use
in your Organic System Plan (OSP)
with supporting documentation as required,
and obtain approval from your organic certifier of
this Plan before you use any material.**

Create an
Organic
System
Plan with a list of
compliant materials
that you plan to use.
Your certifier must
approve this Plan.

Verify the precise identity of any material you plan to use, including the product brand name, formulation, and manufacturer/source of every material in your Organic System Plan.

Avoid the common mistake of confusing the manufacturer of a product (who made it) with the distributor or supplier (who sold it to you). It is the identity of the manufacturer that is important in determining whether a product is allowed. Whether you bought it from the local hardware store or the farm supply is unimportant.

Find out if your organic certifier has a list of approved brand name materials, or whether they honor other lists.

Many certifiers recognize the Organic Material Review Institute (OMRI) and/or the Washington State Department of Agriculture (WSDA) products lists (see direct links and explanation of these lists below). In this case, certified clients can refer to these current lists of acceptable brand name materials. Some certifiers maintain their own internal lists instead of, or in addition to, OMRI and WSDA.

Check whether the material or product you plan to use is currently listed or registered on one or more of the approved lists of Brand Name or Generic materials.

Always use the most current information available. The websites of OMRI and WSDA listed on page six are best to verify any claim of listing. A very recent printed guide is next best. It is the organic producer or handler's responsibility to verify any claim of listing for compliance by checking it against current lists on the website. When in doubt, contact your certifier to determine the status of any material that you are considering for use.

If the material/product you are interested in using is *not* on a current approved list, follow your certifier's instructions to verify its compliance.

Work with your certifier to evaluate the material by providing supporting documentation (product label, Material Safety Data Sheet—MSDS, manufacturer's statement, and/or ingredient list with *all* ingredients including inert ingredients). You and your certifier will need sufficient information about the product and its production process to assess whether the material is allowed under the standards.

The NOP issued a memo to Accredited Certification Agencies on March 5, 2008 regarding "Verification of Materials" and documentation of such:
<http://www.ams.usda.gov/AMSV1.0/getfile?dDocName=STELPRDC5066877>

Maintain your OSP to be current and accurate by reviewing and updating it regularly.

The Organic System Plan is essentially a contract that includes written plans concerning all aspects of agricultural production or handling (NOP Section 205.201). Any materials used or planned for use must be in current compliance.

You should review and update your Organic System Plan at least annually or as changes are made. Keep a copy for yourself and submit any updates promptly to your certifier, as required by 205.400(f).

Verify materials use in the context of the OSP.

In addition to materials, the OSP must also include a description of your production practices and procedures, monitoring, recordkeeping system, and prevention of commingling and contact with prohibited materials, and any other information as specified in Section 205.201. This other information provides the context under which a material may or may not be allowed for use.

Even if a given input is on a list that the certifier recognizes—whether WSDA, OMRI, or even their own list of materials—a certifier may still deny the use of a material in the context of the OSP.

Excerpts from OMRI's website and publications explain their work.

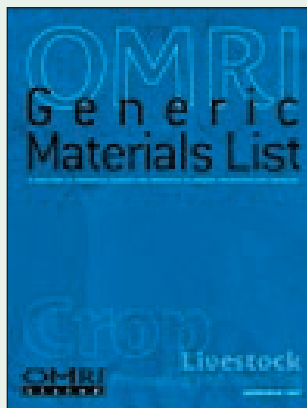
The Organic Materials Review Institute (OMRI) is a 501(c)(3) nonprofit organization that specializes in the review of substances for use in organic production, processing, and handling. OMRI's services are directed to all aspects of the organic industry with a primary focus on the decision makers who deal with the compliance status of generic materials and brand name products. With the OMRI Generic Materials List and OMRI Products List, OMRI provides guidance on the suitability of material inputs under the USDA National Organic Program standards.

How products are reviewed

OMRI reviews applications from input suppliers for products in crops, livestock, and processing. To assess compliance with the National Organic Program Rule, OMRI requires product applications to contain all the relevant public and proprietary information regarding product ingredients, formulations, and manufacturing processes. OMRI operates under a rigorous confidentiality policy to guard against disclosure of proprietary product information to unauthorized individuals.

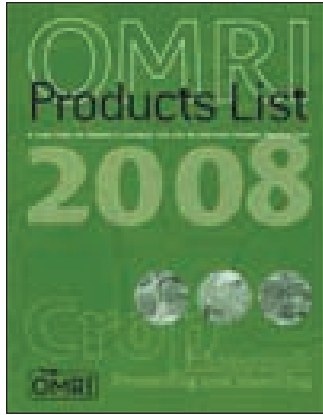
As a nonprofit organization, OMRI is able to offer an independent, third-party review of products that can balance the need for confidentiality in reviewing proprietary formulations with the necessity to ensure that products comply with the National Organic Program Rule.

The review process consists of two steps: review and recommendation by OMRI staff, and decision-making by an independent Review Panel. All products are reviewed according to published policies and standards.



Many certifiers agree that OMRI Products Lists are invaluable tools to help find compliant materials. Find the most current lists on their website: www.OMRI.org.

Materials Lists



Department of Agriculture also evaluates materials and maintains a list of allowed brand name products.

A) The Organic Materials Review Institute (OMRI) Products List

www.omri.org/OMRI_datatable.htm

OMRI's primary reference manuals are the OMRI Products List (brand name materials, available on their website) and the OMRI Generic Materials List (available for purchase on their website). These resources help interpret the NOP's National List and enable producers and processors to determine under what circumstances a material or product is allowed for use in organic production. OMRI lists are updated quarterly, and users should be sure they are using the most current version of the list. The most current product listings can be found on OMRI's website.

OMRI's services are valuable to facilitate understanding of materials and products that are consistent with the National List, even though OMRI is not officially accredited by the NOP. Inclusion on the OMRI Products List must be renewed every year by the manufacturer. Some products may be listed one year and not the next. Reformulations can render a product non-compliant. Alternately, a reformulation can bring a previously non-compliant product into compliance. In some instances, a producer will be required to document the lot number of a product in order to verify its compliance.

Note:

The U.S. Environmental Protection Agency (EPA) has issued a notice for how pesticide registrants can obtain EPA approval to identify products that comply with the NOP Rule for organic production and handling.

B) Washington State Department of Agriculture Materials List

<http://agr.wa.gov/FoodAnimal/Organic/MaterialsLists.htm>

The Washington State Department of Agriculture (WSDA) registers several brand name materials for use in organic production and handling. WSDA provides the following explanation of their brand name lists:

“In order to comply with National Organic Standards, producers and handlers must use substances in compliance with National Organic Program requirements (7 CFR Part 205). WSDA Organic Food Program has evaluated the products on the Brand Name Material List (BNML) and determined that they comply with the National Organic Standards.

WSDA does not imply any guarantee or endorsement of any of the products listed on the BNML. In addition, manufacturers of these products are not required to list their products on the BNML. Therefore, this is not a comprehensive list of brand name materials that meet organic standards. Please refer to the National List of Allowed and Prohibited Substances for further information regarding materials for use in organic food production.”

C) Your Certifier's List

Ask about whether one exists and how you can access its information.

The program is voluntary and many registrants of NOP-compliant products have chosen not to identify their products as such. For more information, visit the EPA's website:
www.epa.gov/oppbppd1/biopesticides/regtools/organic-pr-notice.htm

STEP THREE —

Document every input material purchase and use, and keep those records for a minimum of five years.

Input purchase records may include receipts or invoices, delivery tags, and receiving logs. Input application records must include Material (Brand name/formulation), Manufacturer/source, Crop, Location, Frequency, Rate and Quantity, Purpose (e.g. fertilizer, pest control), and Date Applied.

Your certifier may provide forms to facilitate documentation of input applications. Several types of sample documentation forms are also available from ATTRA:

ATTRA's *Record Keeping & Workbook* draft by Ann Baier and Holly Born http://attra.ncat.org/downloads/organic_cert/recordkeeping_budgeting.pdf.

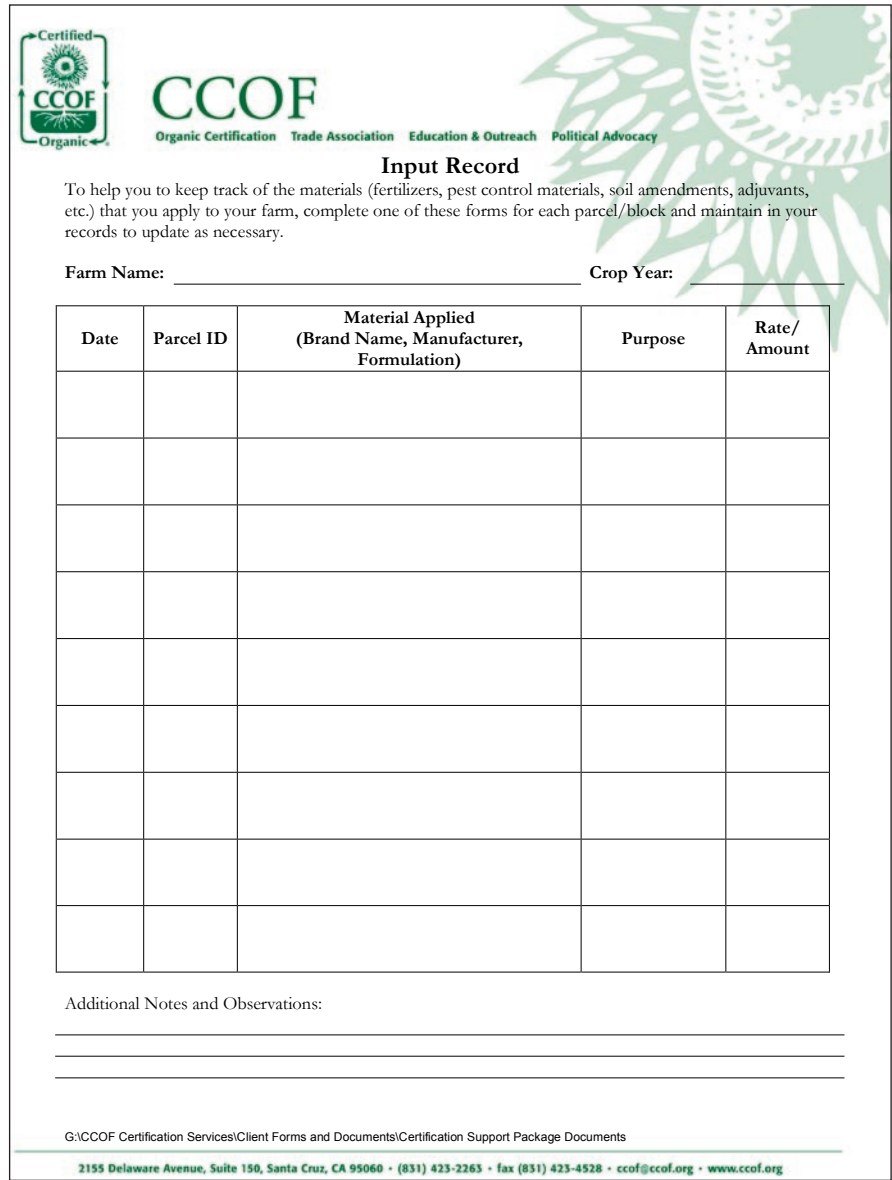
ATTRA's workbooks, checklists, sample forms, and other guides for organic certification including documentation forms for livestock, field crops, market farms, and orchard, vineyard, and berry crops can be downloaded for free at <http://attra.org/organic.html>.

Be Careful!

Prior to using any substance in an organic operation, carefully evaluate the status of the material according to the National List and the Brand Name Material List.

Some substances which were previously approved for use in organic systems are no longer approved.

Use of these substances is considered the use of a prohibited material and may result in a loss of organic certification for 36 months.



The form is titled "Input Record" and is provided by CCOF (California Certified Organic Farmers). It includes a header with the CCOF logo and the text "Organic Certification Trade Association Education & Outreach Political Advocacy". Below the header, there is an introductory paragraph: "To help you to keep track of the materials (fertilizers, pest control materials, soil amendments, adjuvants, etc.) that you apply to your farm, complete one of these forms for each parcel/block and maintain in your records to update as necessary." The form contains a section for "Farm Name:" and "Crop Year:" followed by a table with five columns: "Date", "Parcel ID", "Material Applied (Brand Name, Manufacturer, Formulation)", "Purpose", and "Rate/Amount". The table has 10 empty rows for data entry. Below the table is a section for "Additional Notes and Observations:" with three horizontal lines for writing. At the bottom of the form, there is a footer with the address "2155 Delaware Avenue, Suite 150, Santa Cruz, CA 95060" and contact information: "(831) 423-2263 - fax (831) 423-4528 - ccof@ccof.org - www.ccof.org".

Many certifiers have forms for tracking input use. One example is pictured to the left. It can be found among a collection of useful forms at www.ccof.org/certificationassistance.php

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This publication is available on the Internet at:
www.attra.ncat.org/attra-pub/organicmaterials.html

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