

Organic Food: What Farmers' Market Managers Need to Know

With organic food increasingly in the news and on the table, it is important for Michigan farmers' market managers and market masters to be up to speed on organics. The integrity of your market requires that when your customers THINK they are buying organic, they really GET organic. It's also the law.

The Michigan Department of Agriculture's Organic Advisory Committee recommended developing and distributing this guide. Much of the information was slightly adapted from the Organic Farming Compliance Handbook: A Resource Guide for Western Region Agricultural Professionals, available at www.sarep.ucdavis.edu/organic/complianceguide/ Contents were reviewed by committee members and by MDA and MSU staff members.

What is the legal meaning of organic?

The term "organic" has a legal definition based on the United States Department of Agriculture (USDA) National Organic Program (NOP) Rule, based on the Organic Foods Production Act of 1990. The NOP Rule, in effect since 2002, applies to the production, handling and labeling of agricultural and processed food products that are sold as organic. The NOP Rule established uniform production standards for crops and livestock as well as after harvest product handling and processing standards. State and Federal authorities share enforcement responsibilities.

A copy of the NOP Rule is posted at www.ams.usda.gov/nop. Some of its key provisions that are important for farmers' market managers to know include:

- **Most farmers and handlers must be certified by a USDA accredited certifying agent**
- Farmers with annual sales **under \$5,000 are exempt** from certification
- Most synthetic **fertilizers, pesticides, animal drugs, feed additives, and ingredients** are prohibited: those that are allowed may be used only with **restrictions**
- Organic farmers and handlers must prepare an **Organic Systems Plan** that the certifier must review, evaluate and approve
- Land cannot be certified as "organic" until **three years** after the date of application of the last prohibited material
- Farmers and handlers need to use and document **proactive and preventative management practices** before they can use pesticides

What does that mean for market managers?

If farmer vendors in your market are selling "organic" products, you should ask for a copy of their organic certification and suggest that a copy be posted at their stall, where customers can see it. Vendors who wish to sell organic products and who have annual organic sales under \$5,000 are not required to be certified but must still meet all the other requirements of the Rule such as recordkeeping and production practices. You will want to pay attention to signs used by vendors in your market. Use of the term "organic" to sell or market food is not allowed unless the farmland and its operation is certified organic or exempt. And unless the farmland and its operation is certified or exempt, advertising with terms like "organically grown" must not mislead customers to think the products are organic.

What are the penalties for misuse of the term organic?

Any operation that knowingly sells or labels an agricultural product as “organic,” not in accordance with the Organic Foods Production Act of 1990 and the National Organic Standards may be subject to a civil penalty of not more than \$10,000 per violation and criminal sanctions based on violation of Federal laws governing fraud and false statements.

What should I do if I have questions or I think there may be a violation?

Contact Colleen Collier, Michigan Department of Agriculture Organic Program Manager. You can contact Ms. Collier at 517-373-0280 or collierc@michigan.gov

FOR ADDITIONAL INFORMATION

- Frequently Asked Questions about Organic Food for Farmers’ Market Managers (following pages or on-line at www.farmersmarkets.msu.edu).
- www.farmersmarkets.msu.edu Michigan Farmers’ Markets Association. “Farmers’ Market Speak” section in “For Shoppers” explains terms used at farmers’ markets including “organic.”
- www.michigan.gov/mda Michigan Department of Agriculture. Type “organic” in search box. Includes information about organic farm registration, certification agency registration, locating organic farms to avoid pesticide spraying, support for organic in Michigan, MDA Organic Advisory Committee meeting minutes and more.
- www.mottgroup.msu.edu C.S. Mott Group for Sustainable Food Systems at MSU. Click on “People” and scroll down to Vicki Morrone for assistance with organic production or to Susan Smalley for assistance with farmers’ markets.
- www.ipm.msu.edu/new-ag.htm New Ag Network. Offers seasonal advice for field crop and vegetable growers interested in organic production from Michigan State University, Purdue University, and the University of Illinois.
- www.msuorganicfarm.com/ MSU Student Organic Farm. Describes year-round organic vegetable production and marketing at Michigan State University.
- www.attra.org/organic.html National Sustainable Agriculture Information Service. Provides information and other technical assistance to farmers, ranchers, Extension agents, educators, and others involved in sustainable agriculture in the USA. On-line, research-based, down-loadable publications that offer guidance in preparing for certification and in production methods for a range of organic crops and livestock.
- www.sare.org Sustainable Agriculture Research and Education. Click on Publications and download Transitioning to Organic Production. Click on Project Reports and find information on organic agriculture research and education projects funded by the USDA.
- www.ams.usda.gov/nop Agricultural Marketing Service, United States Department of Agriculture. On-line copy of National Organic Program Rule.

Frequently Asked Questions about Organic Food For Farmers' Market Managers

ORGANIC FARMING

What is organic agriculture?

Organic food production is based on a system of farming that mimics natural ecosystems that balance pest and beneficial organism populations and maintain and replenish fertility of the soil. The term 'organic' in the United States is applied to the agricultural products produced on farms that adhere to the USDA's National Organic Program (NOP) Rule.

How do organic farms manage fertility?

Organic farmers manage crop nutrients through a crop rotation that includes cover crops and application of plant and animal organic matter, generally in the form of compost. Appropriate tillage and cultivation practices improve soil structure, organic matter content and soil microbial life. Mined minerals, and a few allowed synthetic substances are permitted as supplemental sources of nutrients, provided that soil, crop, and water contamination are avoided.

Do organic farmers take precautions when they apply manure on organic farms?

Yes. Raw manure and other animal and plant material must be handled in a way that prevents water, soil and crop contamination. In order to be applied without a days-to-harvest restriction, manure must be properly composted. Crops for human consumption that have the edible portion in contact with the soil – including leafy greens – must be harvested at least 120 days after the application of uncomposted manure. Other crops for human consumption must be harvested no sooner than 90 days following the application of raw manure.

How are insect pests managed on organic farms?

Organic farm systems protect crop damage by insect pests primarily through the use of biological and cultural practices such as crop rotation; diversification; habitat management; beneficial organism releases; sanitation; and timing. Some natural substances, such as botanicals, and a few relatively non-toxic synthetic pesticides such as soap are permitted by the NOP standards when used in conjunction with the farm plan and used according to the restrictions found on the National List.

How are weeds managed on organic farms?

Weed management on organic farms consists of cultural and mechanical techniques such as the rotation of crops to suppress weeds, mulching, tillage, cultivation, water management, and manual weeding. Weeds often help to conserve soil, improve organic matter, and provide beneficial habitat for natural enemies on organic farms. Plastic mulches are permitted provided they are removed at the end of the season. Insects and diseases can help to keep certain weed populations in check. A few natural substances are also used to manage weeds, but the efficacy of these substances is still subject to question.

How are crop diseases managed on organic farms?

Soil-borne diseases are managed by improving organic matter and biological activity. Cultural, biological, and physical methods such as rotation, sanitation, pruning, and selection of disease resistant varieties are all part of organic disease management. Some natural substances such as clays and a few synthetic fungicides such as copper sulfate are permitted by the NOP standards when used in conjunction with the farm plan and according to National List restrictions.

What are the requirements for converting to organic dairy production?

There are two means of converting dairy animals to organic production:

1) Animals from conventional sources must be maintained under organic management for 12 months prior to sale of any products as organic. Replacement animals may be added to the herd after a similar 12-month conversion period. 2) If an entire, distinct herd is converted, a one-time allowance is granted to permit feeding up to 20% non-organic feed for the first 9 months, followed by 100% organic feed for three months. If this type of conversion is made, all replacement animals must be managed organically from the last third of gestation.

How do organic animals meet their nutritional requirements?

All agricultural products provided in the feed ration must be organic, with a limited amount of supplementation and additives. Ruminant livestock must have a significant portion of their feed needs met by pasture.

How do producers maintain the health of organic animals?

Livestock health care must be based on preventive practices, such as balanced nutrition from organic feed, stress reduction, and preventative practices. Medications on the National List may be used only when necessary, and may not be administered in the absence of illness. Antibiotics are not permitted and products from animals treated with any prohibited medication must be diverted from organic marketing channels.

What methods are available to manage parasites in organic livestock?

Organic livestock producers rely on cultural practices to minimize parasite infestations. Synthetic parasiticides may be used only if on the National List and are prohibited for use in slaughter stock.

What are the living conditions for organic livestock?

All organic animals are required to have access to the outdoors and exercise areas, and must be provided with healthy living conditions. Ruminants are also required to have access to pasture.

FREQUENTLY ASKED QUESTIONS: STANDARDS & ORGANIC SYSTEM PLANS

What is the National Organic Program?

The National Organic Program (NOP) consists of the regulations and regulatory agents to establish and protect the standards for agricultural products labeled as ‘organic.’ These standards are known as the National Organic Standards. Congress authorized the USDA to establish the NOP by the Organic Food Production Act of 1990. All organic food label claims made in the United States must be backed by valid certification according to the NOP Rule.

Who has to be certified?

USDA regulations require that all producers and handlers making an organic claim for any of their products must be certified by a USDA-accredited certification agency. The only exceptions are for small farmers or handlers with less than \$5,000 in gross organic sales, handlers that buy and sell without repackaging or changing form, and retailers that do not process food. Exempt operations must maintain records and follow the exact same production practices as certified farmers in order to label their products as organic.

Who does the certifying?

The USDA accredits state, private and international agencies to certify agricultural products and food as organic under the NOP.

How long does it take to transition land farmed conventionally to organic status?

In order to be eligible for organic certification, land must have had no prohibited materials applied to it for three years immediately preceding harvest.

What does it mean to be ‘certified organic’?

Certified organic means that the food has been grown and handled according to the National Organic Program Standards and inspected by independent state or private organizations. Periodic unannounced inspections are also conducted. Certification includes annual inspection of all farm fields and facilities, farm activity records, plus periodic testing of soil, water and produce to ensure that growers and processors meet National Organic Standards.

How can I contact an organic certifier?

The NOP website lists all accredited organic certifiers with their contact information at www.ams.usda.gov/nop. A list of organizations registered to provide organic certification within Michigan is available at www.michigan.gov/mda/0,1607,7-125-1567_1600_21619-55175--,00.html

How much does certification cost?

Each certification body is required to establish and publish fee schedules that are applied fairly to all applicants. Fees vary considerably from agency to agency, and depend on the size and type of organic operation to be certified. The Michigan Department of Agriculture has offered a significant reimbursement under a federal cost-share program.

How does a farm get certified?

The operator obtains and reads the National Organic Standards, and conducts a self-assessment to see if the operation meets these requirements in terms of land history, production practices, materials used and recordkeeping procedures. In many cases, some practices and systems need to be modified to comply. Once an operation complies, the operator then selects an accredited certifier, submits an application, gets inspected, meets any conditions identified by the certifier, and obtains a certificate.

What are the penalties for misuse of the term “organic?”

Any operation that knowingly sells or labels an agricultural product as “organic,” not in accordance with the Organic Foods Production Act and the National Organic Standards may be subject to a civil penalty of not more than \$10,000 per violation and criminal sanctions based on violation of Federal laws governing fraud and false statements.

FREQUENTLY ASKED QUESTIONS: MATERIAL COMPLIANCE

What farm inputs are allowed and what materials prohibited in organic production?

In general, the NOP allows natural (non-synthetic) substances and prohibits synthetic substances, unless they appear on the National List.

What is the National List?

The *National List* contains the allowed synthetic and prohibited natural (non-synthetic) substances that are exceptions to the general rule for organic production. It is not a comprehensive list of all approved materials, rather it can be described as an “open” list since it contains only 1) synthetic materials allowed for use in crop and livestock production and 2) non-synthetic (natural) materials prohibited for use in crop and livestock production.

Who determines if a specific product is acceptable for use on an organic farm?

In most cases, the certification agencies determine whether or not the use of a given input on an farm complies with organic standards.

What are the recordkeeping requirements when a farmer uses a material?

Farmers are required to document all products applied to crop and soil. One must know all of the ingredients in order to determine whether or not an input complies. Certifiers will review products themselves or rely on an outside service.

If a fertilizer is labeled ‘organic,’ can a farmer use it on certified organic land?

Fertilizer labeling is regulated by state laws, most of which define organic in a way that is not compatible with organic standards. Caution is needed in evaluating fertilizer labeled as organic, as it might include prohibited synthetics such as urea or sewage sludge.

Can pesticides be used on an organic farm?

Most pesticides are prohibited for use in organic production, but a number are allowed with restrictions. In crop production, pesticides must have active ingredients that are either non-synthetic or on the *National List*, and all inert ingredients must be non-synthetic or classified as inerts of minimal concern by the EPA.

More Questions??? In Michigan you can contact:

Colleen Collier, Michigan Department of Agriculture Organic Program Manager, 517-373-0280 or collierc@michigan.gov, for regulatory questions.

Vicki Morrone, Organic Vegetable and Field crop Specialist, Michigan State University, 517-353-3542 or sorrone@msu.edu, for production questions.

Susan Smalley, Extension Specialist for Sustainable Food & Farming Systems, 517-432-0049 or smalley3@msu.edu, for farmers’ market questions.