

# The US Organic Industry

## An Overview of the US Organic Regulations

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Processing Program Reviewer  
Oregon Tilth, Inc.



Eurofins International Seminar

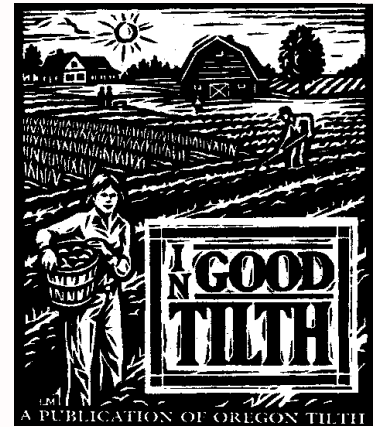
Paris, France

February 22nd, 2008

[WWW.TILTH.ORG](http://WWW.TILTH.ORG)

# Oregon Tilth, Inc.

## Organizational features



- Membership Organization
- *In Good Tilth* newsletter
- Research Programs
- Organic Education Center
- Oregon Tilth Certified Organic



# Oregon Tilth, Inc.

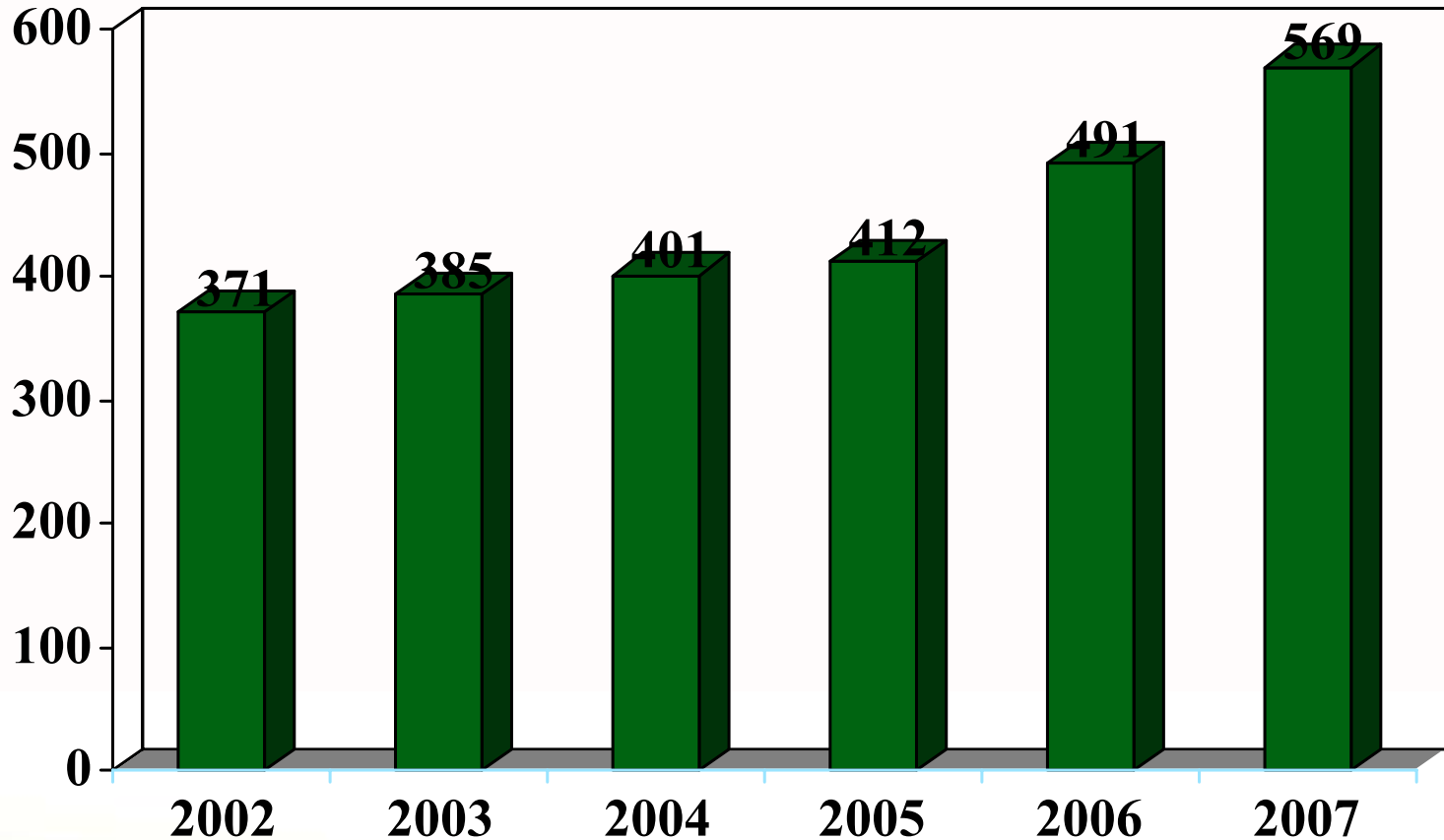
## Organizational features

### Oregon Tilth Certified Organic (OTCO)

- Third-party Certification Program
- Farms, Handlers, and Processors
- USDA National Organic Program accredited
- Certified ISO Guide 65 compliant by USDA



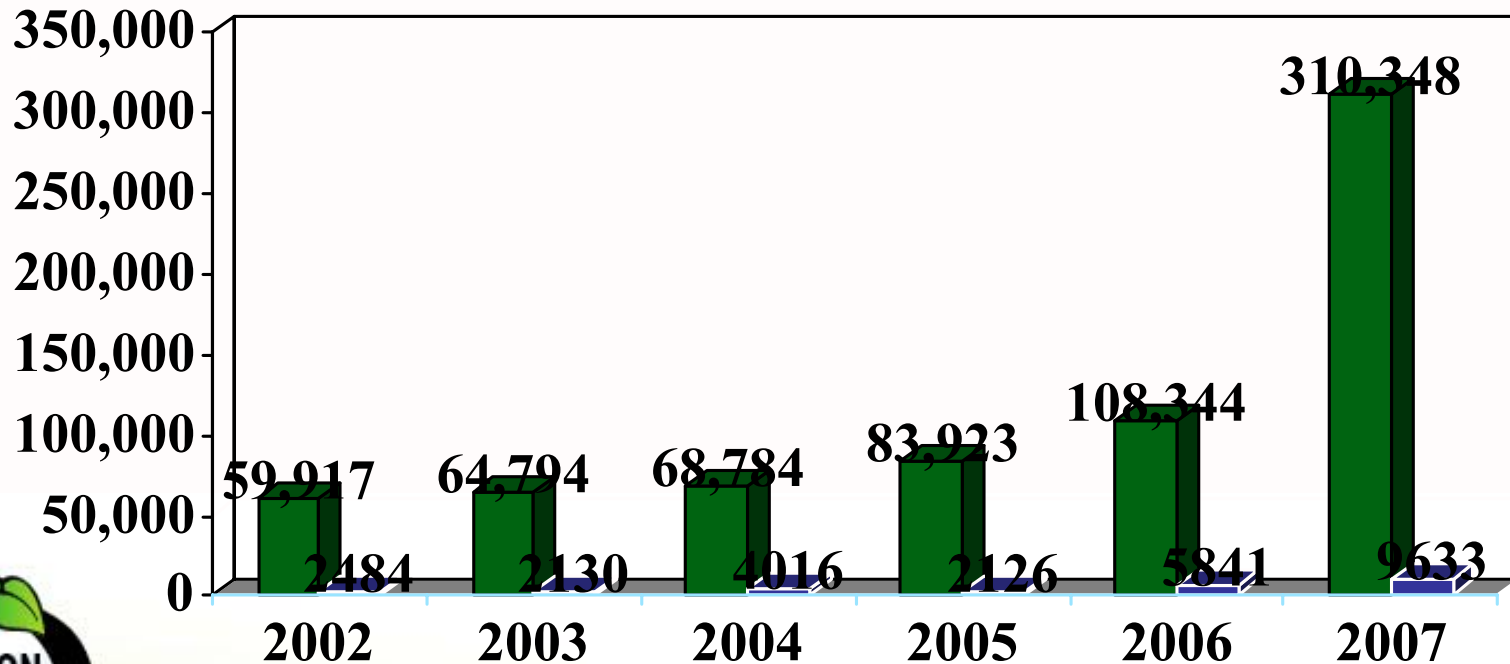
# Oregon Tilth U.S. Certified Farm Operations



# Oregon Tilth U.S. Certified Farm Operations

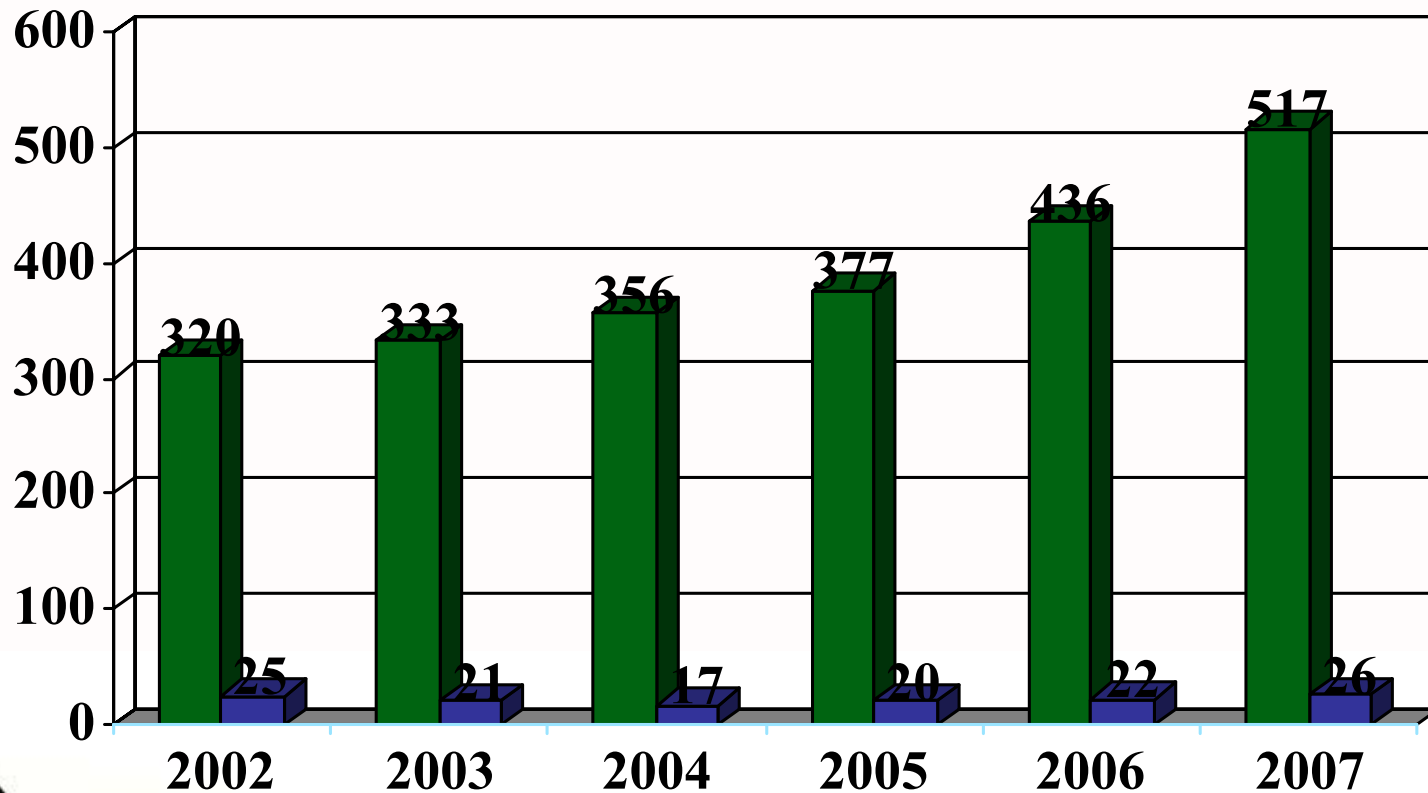
## Certified Acreage in USA

■ Organic acres ■ Transitional acres



# Oregon Tilth Certified Handling Operations

■ US Operations ■ Int'l Operations



# History of the U.S Organic Standards

## Arrival of Organic Legislation



<b>Date</b>	<b>Event</b>
1989	Oregon Organic Food Law passed Registration program with ODA Food Safety Division
1990	US Congress passes Organic Foods Production Act (OFPA)
1998	USDA publishes proposed National Organic Program standards, allowing use of GMOs, sewage sludge and irradiation Consumers respond with over 275,000 comments



# History of the U.S Organic Standards

## Implementation of a Federal Standard



Date	Event
October 1999	OTCO Program receives ISO Guide 65 Certification from the USDA Agricultural Marketing Service
December 2000	USDA publishes National Organic Program Final Rule. Describes certification standards, labeling provisions, accreditation of certification agents and enforcement.
October 2002	Full implementation of the National Organic Program. <i>55 Domestic certifiers, 40 foreign certifiers</i>



# USDA National Organic Program

## Agricultural Marketing Service-USDA 7 CFR 205



### **Organic Production-**

A production system that is managed in accordance with the Act and regulations in this part to respond to site-specific conditions by integrating cultural, biological, and mechanical practices that foster cycling of resources, promote ecological balance, and conserve biodiversity.



# USDA National Organic Program

## What has to be certified?



- A labeling term that applies to an **agricultural product**
- Organic can refer only to agricultural goods or agricultural products meeting the composition requirements set forth in § 205.301
- Products sold, labeled, or represented as "100 percent organic", "organic" or "made with" must be certified, except for exempt or excluded operations



# USDA National Organic Program

## Scope Documents & Clarification



- Products that *may* be certified to the NOP Rule:
  - Personal Care Products
  - Dietary Supplements
  - Pet Food
  - Non-edible Fiber Products
  - Fish and Seafood - regulations in progress



# USDA National Organic Program

## General Requirements



- Organic Management Plan
- Record Keeping
  - If you don't write it down it didn't happen!
- Commingling and Contamination Prevention
  - Prevent contact with prohibited substances
  - Segregation between organic and non-organic ingredients and products
- Labeling & Market Information



# USDA National Organic Program

## General Prohibitions “the big three”



- Excluded methods:
  - Includes cell fusion, microencapsulation and macroencapsulation, and recombinant DNA technology (including gene deletion, gene doubling, introducing a foreign gene, and changing the positions of genes when achieved by recombinant DNA technology).
  - Do not include the use of traditional breeding, conjugation, fermentation, hybridization, in vitro fertilization, or tissue culture.
- Process based approach; no tolerance levels
- Genetic trespass does not = decertification



# USDA National Organic Program

## General Prohibitions “the big three”



- Ionizing Radiation as per 21 CFR 179.26
  - cobalt-60, cesium-137, and other sources of radiation for controlling microbial contaminants, pathogens, and pests in food
  - Does not include FDA approved applications of x-rays for inspecting food
- Sewage Sludge
  - A solid, or liquid residue generated during the treatment of domestic sewage in a treatments work





# Organic Farms



## *Defining features*

### Crop Production

- Organic Management Plan and supporting records
- Land requirements (3 year transition, buffer zones)
- Maintain and enhance soil quality
- Protect water quality and biodiversity
- Seeds and planting stock
- Emphasis on preventative pest management
- Contamination avoidance





# Organic Farms

## *Defining features*



## Livestock Production

- Organic Management Plan & supporting records
- Origin of livestock
- Organic feed (no hormones, no slaughter by-products)
- Preventative health care practices (no antibiotics)
- Living conditions (accommodate health & natural behavior)



# Organic Handling Operations

## Application and Requirements § 205.270

- Handlers, Processors, Retailers, Restaurants, Distributors
  - Organic Management Plan
  - Product Composition & Labeling
  - Commingling/Contamination Prevention
    - Organic Standard Operating Procedures (OSOP)
  - Pest Management
    - IPM Approach
  - Records to support activities in respect to the Act



# Product Composition

## § 205.301

- **100% Organic** - contains '100% organic' ingredients. Processing aids must be 'organic'
- **Organic (95%+)** - 5% non-organic ingredients must be on the National List (§ 205.605 or § 205.606).
- **"Made with" (70%+)** - 30% must be on the National List if *non-agricultural*; *non-OG agricultural* allowed in 30% without commercial availability requirements



# Product Composition

## Allowed non-organic ingredients



- § 205.605 list of **non-agricultural** substances allowed in or on products labeled “organic” or “made with”
  - 605(a) non-synthetic substances
  - 605(b) synthetic substances
- § 205.606 list of allowed non-organic, **agricultural** products when **commercially unavailable** - OG PRODUCTS
  - Commercial Availability: quality, quantity and form



# Examples of Allowed Non-Organic Substances



§ 205.605(a) Non-synthetic	§ 205.605(b) Synthetic	§ 205.606 Agricultural
Citric Acid	Glycerides	Carrot Juice Color
Calcium Carbonate	Magnesium Chloride	Corn Starch
Enzymes	Vitamins and Minerals	Hops
Yeast	Potassium Citrate	Konjac Flour
Natural Flavors	Silicon Dioxide	Lemongrass, frozen





# Labels & Marketing

## "100% Organic"



**Nutrition Facts** Serv size: 1 tbsp (21 g), Servings: 16,  
Amount Per Serving: **Calories** 60, **Total Fat** 0g(0% DV),  
**Total Carb.** 17g(6% DV), **Sugars** 16g, **Protein** 0g(0% DV),  
**Sodium** 0mg(0% DV). Percent daily values are based  
on a 2,000 calorie diet.

**Zam-Bee-A Honey, Inc.**

P.O.Box 751, Oxford, OH 45056

513-523-9209 • [www.zambezihoney.com](http://www.zambezihoney.com)

Product of organic agriculture:

"NOP organic certified by ECOCERT SA, F-32600"

Product of Zambia • Bottled in USA

Do not feed to infants under 1 year of age.

Bottled in facility that processes nuts.

All honey crystallizes, place jar in warm water to liquefy.

Certifier Statement





# Labels & Marketing



"Organic"



# Labels & Marketing

“Made with (specified ingredients or food groups)”



# Labels & Marketing



“Made with (specified ingredients or food groups)”




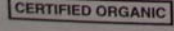
Sodium	Less than	2,400mg	2,400mg
Total Carbohydrate		300g	375g
Dietary Fiber		25g	30g

**BEST INGREDIENTS:**  
 ORGANIC OAT FLOUR, ORGANIC CORN FLOUR, WHOLE OAT FLOUR, OAT FIBER, ORGANIC EVAPORATED CANE JUICE, SALT, BAKING SODA (SODIUM BICARBONATE), NATURAL FLAVOR.

MADE ON SHARED EQUIPMENT THAT ALSO PROCESSES MILK, PEANUTS, SOY, TREE NUTS, AND WHEAT.

MANUFACTURED FOR:  
 ANNIE'S HOME GROWN  
 © 2007 ANNIE'S, INC.  
 NAPA, CA 94558 MADE IN USA

 CERTIFIED ORGANIC BY QAI, INC.





# Labels & Marketing

## Bulk Labels

**CDP FINE – MIX YP – 02  
ORGANIC YOGURT POWDER  
FOR EXPORT ONLY**

**MANUFACTURED BY:  
CLOFINE DAIRY PRODUCTS**



**OREGON TILTH CERTIFIED ORGANIC**

**PLANT 55 – 8822**

**NET WEIGHT 55.115 LBS.**

**LOT#**

**BAG # 001**



# Labels & Marketing

## "Local Organic Car Payments?"

6D Statesman Journal

Saturday, January 26, 2008

### The Only 100% Organic Price in Oregon!



"YOUR LOCAL SUBARU DEALER"

AVAILABLE ON ALL MODELS  
FINANCING AS LOW AS

# 0.0%

On Forester Models, APR for 24 months, on approved credit from Subaru Finance.

AND REBATES UP TO

# \$1,500

On Forester 2.5X Models, From Subaru of America. MDL# 8FA & 8FB



### 2008 SUBARU Forester 2.5X

CD, Air Conditioning, Roof Rack, AWD, All Power

2 TO CHOOSE FROM!

# \$18,477

Altior Rebate, 2 A1, Stk#S19695. S29010, MDL# 8FA, MSRP \$22,184 - Rebate \$1,500 - Capitol Discount \$2,207. vin#719695. 728010





# Foreign Markets

## Japan, EU, Canada



- MAFF Export Arrangement - April 2002
  - Bulk plant based products only
  - Equivalent with the exception of 3 substances
- European Council Regulations (EEC) 2092/91
  - Similar to the NOP regulations but not equivalent
  - ISO Guide 65 Requirements, USDA Accredited Certifier
- National Standard of Canada
  - Registered on 12-14-06; **Effective 12-14-08**
  - Similar but not equivalent
  - Certifiers will be seeking accreditation as soon as the process is defined and made accessible



# The Certification Process

## Simple 5 Step Process

- Certification Application
- Initial Review of **Organic Handling Plan (OHP)**
- On-Site Inspection
- Certification Decision
- Continuation of Certification



OTCO Inspector

Allow 8-12 weeks to complete process



# Certification Considerations

## Choosing an organic certification agency

- Costs and customer service
- Familiarity with and access to foreign markets
- History, reputation, leadership
- Scope of activities



# Web Resources

## Additional Information on Topics

- <http://www.tilth.org/Resources/index.html>
- <http://www.ams.usda.gov/nop/indexNet.htm>
- <http://www.ams.usda.gov/nosb/index.htm>



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