

SUMMARY REQUIREMENTS USDA FINAL RULE, NATIONAL ORGANIC PROGRAM (NOP)

in addition to requirements of Regulation (EEC) N° 2092/91

Applicability & Organic Production Handling System Plan

- Certain Operations are exempt from certification and submission of an organic system plan, e.g. any production / handling operation with organic sales total less than 5'000 USD
- Each organic operator must develop an organic production or handling system plan that is agreed to by the handler/producer as well as the certification agent. The plan must include: description of practices to be performed and maintained, list of substances used as production or handling inputs, description of monitoring practices to verify that the plan is effectively implemented, a description of the record keeping system and all separation measures. IMO has developed new forms as a guideline for applicants for NOP certification to prepare the organic production and handling system plan to be completed.

Additional Record Keeping Requirements

- All operator records must be kept available for at least 5 years.

Conversion Period & land requirements

- Conversion period is 3 years before harvest for all crops (also annual crops), beginning with the date of the last unallowed application.
- All NOP organic fields need to have distinct boundaries and buffer zones to any conventional fields.

Fertilisation:

- raw manure must be composted unless (a) on crops not for human consumption or (b) incorporated in the soil 120 days before harvest (if edible plant part in contact with soil) or for 90 days before harvest (otherwise)
- Composted plant & animal materials must produced be according to the following or equivalently efficient processes: initial C:N ratio between 25:1 and 40:1; maintained at 55-77°C for 3 days (in-vessel/aerated system) or for 15 days (windrow composting system, materials turned at least 5 times) or equivalently efficient composting methods.
- Uncomposted plant material may be used.
- Sewage sludge may not be used under any circumstances (not allowed in EU anyway)
- All other inputs listed in Annex II, Part A may also be used according to NOP National List

Plant Protection & Weed Management, Seeds

- Weeding by means of heat, flame, etc. is allowed
- A few plant protection agents that are allowed according to EU are not allowed in the US (□ see National List)
- Seeds treated with prohibited substances may not be used (also if not commercially available otherwise) except if required by Federal or State phytosanitary regulations;
- Also the use of inputs that are used as disinfectants and sanitizers in the production/ (e.g. in irrigation system) is restricted
- Buffer zones to conventional fields required
- Please note again that ALL OFF-FARM INPUTS NEED TO BE APPROVED BY IMO PRIOR TO USE.

Organic Livestock Production /Animal husbandry

- Livestock does not include aquatic animals and bees □ no certification of honey or fishery products according to NOP., but may be sold as (95%) organic if certified according to a private/governmental organic standard by a NOP accredited certification agency.
- All animals (except chicken) for meat production must be managed organically since at least last third of gestation (=pregnancy of mother animal) or hatching
- Milking cows: at least 1 year under organic management before milk can be sold as organic but certain reductions possible if an entire herd is converted.
- Poultry: must be under organic management from second day of life onwards
- Feedstuff: 100% certified organic feed stuff required (must be NOP certified)
- Livestock bedding needs to be organic if typically consumed by the animals
- No antibiotics are allowed during whole live cycle. Animals treated with antibiotics cannot be sold as organic (NOP)
- Medication is restricted □ operators need to check before medication with IMO.
- Thethering (Anbindehaltung) is not permitted.

Facility Pest Management:

- in an organic facility pests must be prevented by physical factors. if necessary pests can be controlled by traps, lures repellents with substances listed in the National List
- under certain conditions, also not listed substances may be applied; but great care has to be taken (and documented) that the organic products are not contaminated. In this case all measures to prevent contamination need to be described in detail in the organic handling plan.

Label Categories:

- **100% organic:** 100% of all ingredients must be organic, i.e. also all auxiliaries/additives (even if allowed) must also be certified organic substances (e.g. only organically produced Lecithine) Allowed: water & salt.
- **organic:** equivalent to the use of the term organic = 95% product as defined by Regulation (EEC) N° 2092/91, Article 5,
- **“made with organic (specified ingredients or food groups)”:** see remarks for 70% Products (EU-regulation Article 5a). For NOP The 30 % conventional ingredients must not be listed in Annex VI, Part C, but still need to be “commercially unavailable”; no ingredients may be genetically modified or ionized.
- **Products with less than 70% organic ingredients:** this type of product cannot be marketed as organic product in the EU!

Note: the percentage is calculated by taking the share of certified organic product of the TOTAL weight/volume of the finished product, while according to the EU regulation the percentage is calculated as the percentage of organic *agricultural* ingredients of the total weight/volume of *agricultural* ingredients.

Contamination:

- Explicit requirement that packaging material must be clean and must not pose any risk of contamination, the material must not be treated with unpermitted substances (e.g. fumigated)
- Installations in contact with soil or livestock no lumber treated with Arsenic may be used
- When residue testing detects prohibited substances at levels that are greater than 5 percent of the Environmental Protection Agency's tolerance for the specific residue detected or unavoidable residual environmental contamination, the agricultural product must not be sold, labeled, or represented as organically produced.

NATIONAL LIST (only where stricter than Annex II of Regulation (EEC) N° 2092/91), for more details see list in NOP-EU Comparison

Disinfectants and sanitizers used in organic crop production (e.g. in irrigation system)

Allowed: Alcohols, ethanol, Isopropanol, Chlorine materials (residue chlorine levels lower than max. drinking water limit), Calcium hypochlorite, chlorine dioxide, Sodium hypochlorite, hydrogen peroxide, soap-based algicides.

Insecticides & Rodenticides

Allowed EU but not allowed NOP: Gelatine (insecticide), hydrolysed proteins (sometimes not considered plant protection product) , tobacco dust; pyrethroids in traps

Slug or snail bait

None allowed! (EU allowed: Metaldehyd)

Plant disease control

Allowed EU but not NOP: Lecithin (fungicide), potassium permanganat,

Plant or Soil Amendments, Fertilisers

allowed in EU but not acc. to NOP: ash from manure burning; use of trace elements is restricted to certain chemical forms (sulfonates, carbonates, oxides and silicat forms only and may not be used as defoliant, herbicide or desiccant); .

Floating Agents in Post harvest handling

Allowed EU, but more restricted NOP: Aquatic plant extracts (strict restrictions regarding extraction methods)

Processing ingredients/ Auxiliaries

allowed by EU but prohibited by US: activated carbon, agar, argon, carrageenan, casein, egg white albumen, ethanol solvent, gelatin, karaga gum, tragacanth gum, hazelnut shells, isinglass, malic acid, potassium alginate, rice meal, sodium tartrate, talc, and tartaric acid (I(+)-).