

SUBCHAPTER M—ORGANIC FOODS PRODUCTION ACT PROVISIONS

PART 205—NATIONAL ORGANIC PROGRAM

Subpart A—Definitions

Sec.

- 205.1 Meaning of words.
- 205.2 Terms defined.

Subpart B—Applicability

- 205.100 What has to be certified.
- 205.101 Exemptions and exclusions from certification.
- 205.102 Use of the term, “organic.”
- 205.103 Recordkeeping by certified operations.
- 205.104 [Reserved]
- 205.105 Allowed and prohibited substances, methods, and ingredients in organic production and handling.
- 205.106–205.199 [Reserved]

Subpart C—Organic Production and Handling Requirements

- 205.200 General.
- 205.201 Organic production and handling system plan.
- 205.202 Land requirements.
- 205.203 Soil fertility and crop nutrient management practice standard.
- 205.204 Seeds and planting stock practice standard.
- 205.205 Crop rotation practice standard.
- 205.206 Crop pest, weed, and disease management practice standard.
- 205.207 Wild-crop harvesting practice standard.
- 205.208–205.235 [Reserved]
- 205.236 Origin of livestock.
- 205.237 Livestock feed.
- 205.238 Livestock health care practice standard.
- 205.239 Livestock living conditions.
- 205.240–205.269 [Reserved]
- 205.270 Organic handling requirements.
- 205.271 Facility pest management practice standard.
- 205.272 Commingling and contact with prohibited substance prevention practice standard.
- 205.273–205.289 [Reserved]
- 205.290 Temporary variances.
- 205.291–205.299 [Reserved]

Subpart D—Labels, Labeling, and Market Information

- 205.300 Use of the term, “organic.”
- 205.301 Product composition.

- 205.302 Calculating the percentage of organically produced ingredients.
- 205.303 Packaged products labeled “100 percent organic” or “organic.”
- 205.304 Packaged products labeled “made with organic (specified ingredients or food group(s)).”
- 205.305 Multiingredient packaged products with less than 70 percent organically produced ingredients.
- 205.306 Labeling of livestock feed.
- 205.307 Labeling of nonretail containers used for only shipping or storage of raw or processed agricultural products labeled as “100 percent organic,” “organic,” or “made with organic (specified ingredients or food group(s)).”
- 205.308 Agricultural products in other than packaged form at the point of retail sale that are sold, labeled, or represented as “100 percent organic” or “organic.”
- 205.309 Agricultural products in other than packaged form at the point of retail sale that are sold, labeled, or represented as “made with organic (specified ingredients or food group(s)).”
- 205.310 Agricultural products produced on an exempt or excluded operation.
- 205.311 USDA Seal.
- 205.312–205.399 [Reserved]

Subpart E—Certification

- 205.400 General requirements for certification.
- 205.401 Application for certification.
- 205.402 Review of application.
- 205.403 On-site inspections.
- 205.404 Granting certification.
- 205.405 Denial of certification.
- 205.406 Continuation of certification.
- 205.407–205.499 [Reserved]

Subpart F—Accreditation of Certifying Agents

- 205.500 Areas and duration of accreditation.
- 205.501 General requirements for accreditation.
- 205.502 Applying for accreditation.
- 205.503 Applicant information.
- 205.504 Evidence of expertise and ability.
- 205.505 Statement of agreement.
- 205.506 Granting accreditation.
- 205.507 Denial of accreditation.
- 205.508 Site evaluations.
- 205.509 Peer review panel.
- 205.510 Annual report, recordkeeping, and renewal of accreditation.
- 205.511–205.599 [Reserved]

Subpart G—Administrative

THE NATIONAL LIST OF ALLOWED AND PROHIBITED SUBSTANCES

- 205.600 Evaluation criteria for allowed and prohibited substances, methods, and ingredients.
- 205.601 Synthetic substances allowed for use in organic crop production.
- 205.602 Nonsynthetic substances prohibited for use in organic crop production.
- 205.603 Synthetic substances allowed for use in organic livestock production.
- 205.604 Nonsynthetic substances prohibited for use in organic livestock production.
- 205.605 Nonagricultural (nonorganic) substances allowed as ingredients in or on processed products labeled as “organic,” or “made with organic (specified ingredients or food group(s)).”
- 205.606 Nonorganically produced agricultural products allowed as ingredients in or on processed products labeled as “organic” or “made with organic (specified ingredients or food group(s)).”
- 205.607 Amending the National List.
- 205.608–205.619 [Reserved]

STATE ORGANIC PROGRAMS

- 205.620 Requirements of State organic programs.
- 205.621 Submission and determination of proposed State organic programs and amendments to approved State organic programs.
- 205.622 Review of approved State organic programs.
- 205.623–205.639 [Reserved]

FEES

- 205.640 Fees and other charges for accreditation.
- 205.641 Payment of fees and other charges.
- 205.642 Fees and other charges for certification.
- 205.643–205.649 [Reserved]

COMPLIANCE

- 205.660 General.
- 205.661 Investigation of certified operations.
- 205.662 Noncompliance procedure for certified operations.
- 205.663 Mediation.
- 205.664 [Reserved]
- 205.665 Noncompliance procedure for certifying agents.
- 205.666–205.667 [Reserved]
- 205.668 Noncompliance procedures under State Organic Programs.
- 205.699 [Reserved]

INSPECTION AND TESTING, REPORTING, AND EXCLUSION FROM SALE

- 205.670 Inspection and testing of agricultural product to be sold or labeled “organic.”

- 205.671 Exclusion from organic sale.
- 205.672 Emergency pest or disease treatment.
- 205.673–205.679 [Reserved]

ADVERSE ACTION APPEAL PROCESS

- 205.680 General.
- 205.681 Appeals.
- 205.682–205.689 [Reserved]

MISCELLANEOUS

- 205.690 OMB control number.
- 205.691–205.699 [Reserved]

AUTHORITY: 7 U.S.C. 6501–6522.

SOURCE: 65 FR 80637, Dec. 21, 2001, unless otherwise noted.

Subpart A—Definitions

§ 205.1 Meaning of words.

For the purpose of the regulations in this subpart, words in the singular form shall be deemed to impart the plural and vice versa, as the case may demand.

§ 205.2 Terms defined.

Accreditation. A determination made by the Secretary that authorizes a private, foreign, or State entity to conduct certification activities as a certifying agent under this part.

Act. The Organic Foods Production Act of 1990, as amended (7 U.S.C. 6501 et seq.).

Action level. The limit at or above which the Food and Drug Administration will take legal action against a product to remove it from the market. Action levels are based on unavailability of the poisonous or deleterious substances and do not represent permissible levels of contamination where it is avoidable.

Administrator. The Administrator for the Agricultural Marketing Service, United States Department of Agriculture, or the representative to whom authority has been delegated to act in the stead of the Administrator.

Agricultural inputs. All substances or materials used in the production or handling of organic agricultural products.

Agricultural product. Any agricultural commodity or product, whether raw or processed, including any commodity or product derived from livestock, that is