

Organic Certification Process

Introduction

All growers who label and sell their agricultural products as “organic” or “certified organic” must comply with USDA National Organic Program (NOP) regulations. In addition, growers with an annual gross income of more than \$5,000 from organic sales must be certified by a USDA-approved state or private certifying agency. The Kentucky Department of Agriculture (KDA) handles the certification process for Kentucky residents.

Small growers (less than \$5,000 per year gross income) may be exempt from certification; however, they must register with the KDA even if they choose not to become certified. The certification process is meant to protect consumers by ensuring that all growers labeling their products as “organic” are adhering to the same set of uniform standards.

This profile will address the steps involved in the certification process. It is the first in a series of introductory information sheets concerning organic crop production in Kentucky.

Obtain an Application and NOP Standards

As soon as the decision is made to grow organically, the producer should contact the KDA for an application packet and a copy of the National Organic Program Standards. The application form and NOP

regulations provide essential details on the areas of compliance required for certification. Both sets of documents are also available on their respective Web sites.

Develop an Organic System Plan

Organic growers are required to develop an Organic System Plan (OSP), in which they outline the procedures that will be used to achieve, document and comply with NOP standards. Much of this information will be covered in the application form; however, it may be necessary to attach additional documentation to complete the OSP.

A detailed account of the field history, farm maps, and a comprehensive plan of operation for following organic protocols need to be incorporated into the plan. All fields, greenhouses, storage areas, warehouses and processing facilities used in organic production must be discussed in the OSP.

Growers with split operations (organic and conventional production on the same farm) need to include information on how they plan to prevent commingling of the two



systems. The OSP should be implemented on all areas of the farm being transitioned to organic production.

A thorough, well-thought-out plan which covers every possible contingency is essential, since any deviation from the plan must be approved in writing by the certifying agency before it can be implemented. For example, if there is any chance that an organically-approved pesticide will be applied to the crop, the grower should include this information in the organic system plan. Valuable time can be lost in seeking approval for plan modifications while in the midst of a pest crisis. Annual updates of the plan will be required once a farm has received certification.

Submit the Application

The signed application form, OSP attachments and any supporting documentation need to be submitted to the KDA Organic Certification Program office. This can be done at any time during the three-year transition period; even up to the time the grower is ready to market the first organic harvest. However, the KDA recommends at least initiating the application process as soon as the decision is made to go into organic production. This will enable the grower to take advantage of the expertise of the certifying agency and its resources to ensure a full and timely compliance.

Upon receipt, the agency staff will review the application packet. The certifier will contact the grower if additional information is required or if there are any questions.

On-site Inspection

Before a final decision on certification is made, the certifying agency will make arrangements with the grower for an on-site inspection. The inspection will be scheduled for the end of the transition period and only after all other requirements have been met. The farm must be in production at the time of the inspection so that compliance can be demonstrated. The grower, or other person knowledgeable about the farm

operation, needs to be on hand to answer any questions the inspector may have. All aspects of the organic enterprise will be examined. If the inspector deems it necessary, samples for testing (for example, water analysis or residue tests) may be taken at this time.

The inspector's job is to observe and gather information; not to make any decision regarding the status of the farm's certification. In addition, while inspectors can provide information on NOP regulations, they are not permitted to act as consultants or assist the grower in any decision-making.

Once a farm is approved for certification, it can be inspected at any time, without advance warning. Annual, scheduled inspections will be required to maintain certification.

The Final Review and Decision

The certifying agency will examine the report from the on-site inspection and review, as necessary, the application and accompanying documents. Once the agency has made a final decision, the producer will be notified in writing. KDA estimates that it takes 60 to 90 days from receipt of an application to final certification, presuming the grower is fully compliant at the time of application. The certifying agency may deliver any of the following decisions:

Approved

The grower is now certified organic and can market farm products using the USDA organic logo. An on-farm inspection and payment of the certification fee will be required each year of operation to maintain certification. In addition, an updated OSP must be submitted annually and approved by the certifying agency.

Notification of noncompliance

The applicant has one or more minor areas of noncompliance. The certification may be granted contingent on correction of the problems by a specific date or the certification may be withheld until the noncompliance issues have

been addressed. The grower must document the required changes.

Denial of certification

The applicant has not complied with the NOP regulations and is denied certification. This would involve major areas of noncompliance that cannot be readily resolved. The grower may appeal this decision within 30 days or reapply at a later date.

Certification Fee

Many states charge a fee that is paid at the time of application. The Kentucky Department of Agriculture, however, bills applicants only after they have been approved for certification. Payment of this fee is required each year in order to maintain certification.

Although small growers (income of less than \$5,000 per year) may be exempt from certification, they still must register with the KDA. The registration form is available on the KDA Web site. These growers must comply with all NOP regulations in order to sell their product as “organic.” Exempt growers may not use the words “certified organic” nor may they use the USDA organic seal.

The fee schedule is as follows:

Certification fee \$125
Registration fee (*exempt growers*) \$25

More Information

- Division of Value-added Plant Production: Organic Program (Kentucky Department of Agriculture)
<http://www.kyagr.com/marketing/plantmktg/organic/index.htm>
- Creating an Organic Production and Handling System Plan: A Guide to Organic Plan Templates (ATTRA, 2002)
http://attra.ncat.org/new_pubs/attra-pub/archives/handlingsys.pdf
- Forms, Documents, and Sample Letters for Organic Producers (ATTRA, 2005)
<http://attra.ncat.org/attra-pub/PDF/producerforms.pdf>
- National Organic Program (USDA-NOP)
<http://www.ams.usda.gov/nop>
- Organic Certification Process (ATTRA, 2005)
http://attra.ncat.org/attra-pub/organic_certification.html
- Organic Farm Certification and the National Organic Program (ATTRA, 2002)
<http://attra.ncat.org/attra-pub/organcert.html>
- Preparing for an Organic Inspection: Steps and Checklists (ATTRA, 2005)
http://attra.ncat.org/attra-pub/organic_inspection.html