

Risk Management for Organic Crop Producers

Organic Integrity in the Field

Preventing Contamination & Seeking Compensation

Developed by George Kuepper, Agriculture Specialist,
National Center for Appropriate Technology



Major Risk Management Areas

*Transitioning & Experienced Producers**

- **Determining and documenting the acceptability of organic farm inputs**
- **Preventing contamination from off-farm and obtaining compensation for damages**
- **Organic weed management**
- **Adequate recordkeeping**
- **Budgeting for organic transition and for on-going production**

**As reported in an RMA-Funded Survey of IOIA Organic Inspectors, Spring 2005*

Risk Area: **Prohibited Chemical Contamination In the Field**

Contaminated crops **cannot be sold as organic, resulting in the loss of price premiums.**

Application of a **prohibited substance results in de-certification of the treated land for **36 months****

Potential Hazards:

Main Types



- **Spray drift**
- **Contaminated runoff; flooding**
- **Inadvertent chemical application**
- **Spills; accidents**

Potential Hazards:

Main Sources

- **Adjoining conventional farms**
- **Split production**
- **Road maintenance**
- **Utilities**



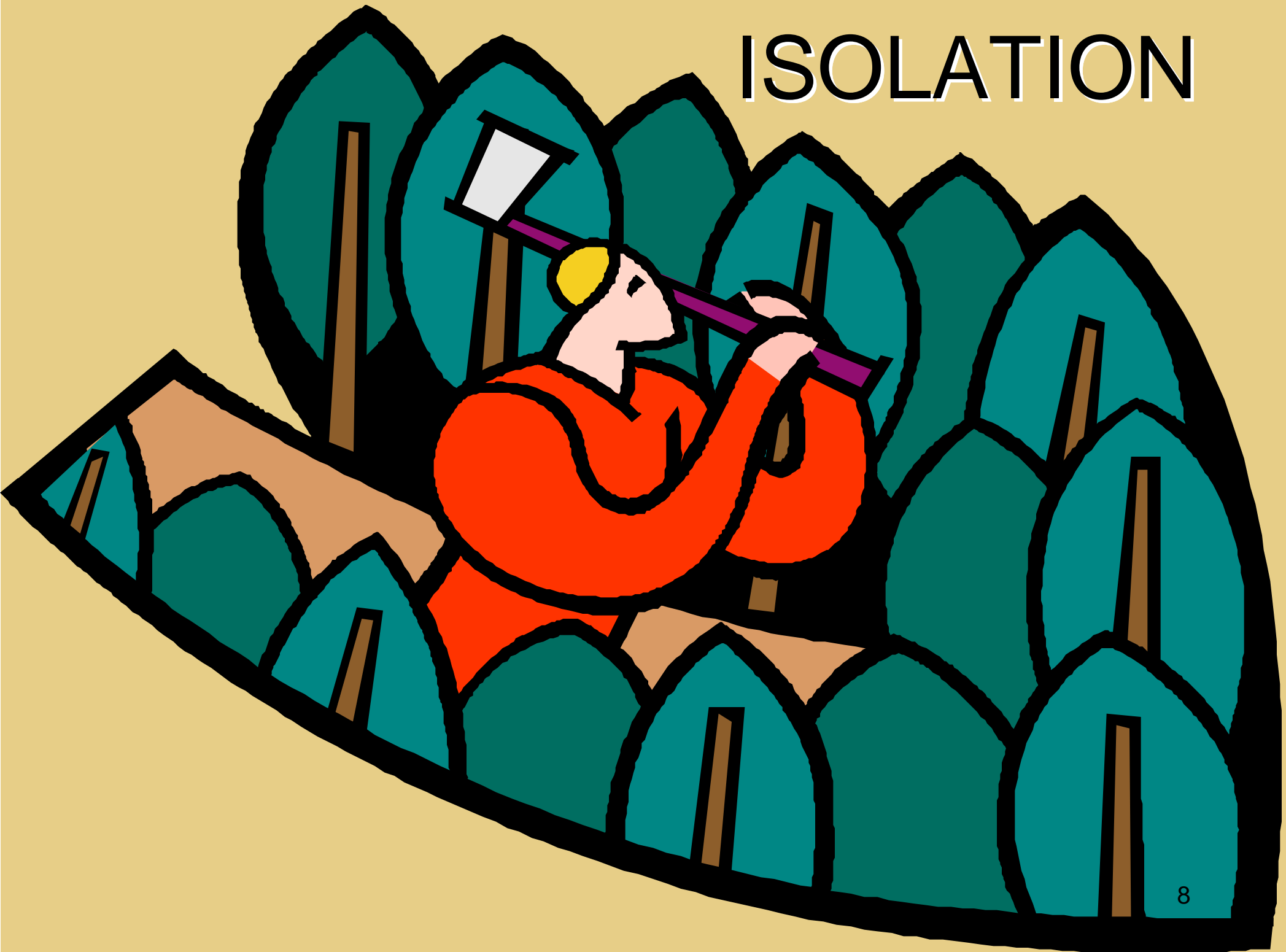
Any field or farm parcel from which harvested crops are intended to be sold, labeled, or represented as “organic,” must have distinct, defined boundaries and buffer zones such as runoff diversions to prevent the unintended application of a prohibited substance to the crop or contact with a prohibited substance applied to adjoining land that is not under organic management.

§205.202(c)

Tools and Strategies for Prevention

- **Isolation**
- **Buffers**
- **Drainage diversion**
- **Signage**
- **Notification and accommodation**
- **Clear protocols for employees**
- **Equipment maintenance**

ISOLATION



Southern Comfort Farms



Unmanaged marsh/woodland

Field Buffers

Field #6
Conventional Rice

Field #1
Summer Green Manure/
Fall Broccoli

Field #2
Organic Soybeans

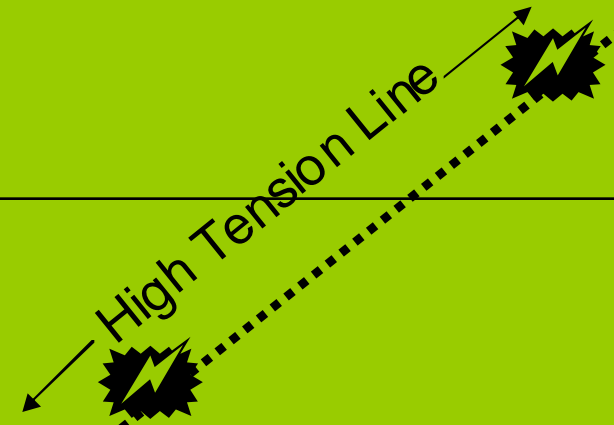
ORGANIC

Field #5
Conventional Roundup-Ready Soybeans

Field #4
Organic Sweet Sorghum

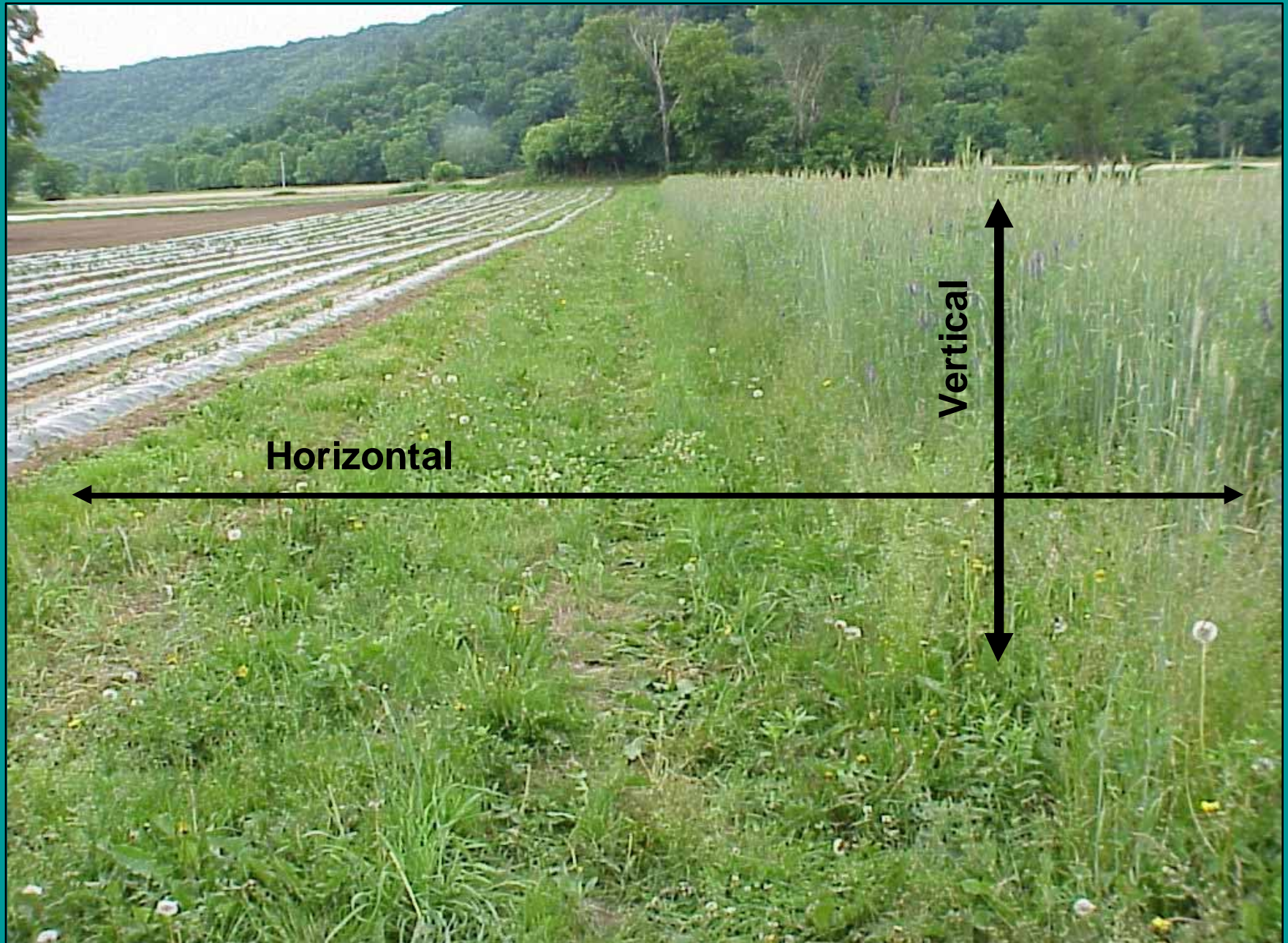
Field #3
Organic Sweet Potatoes

Farmstead, Bin Storage & Syrup Processing

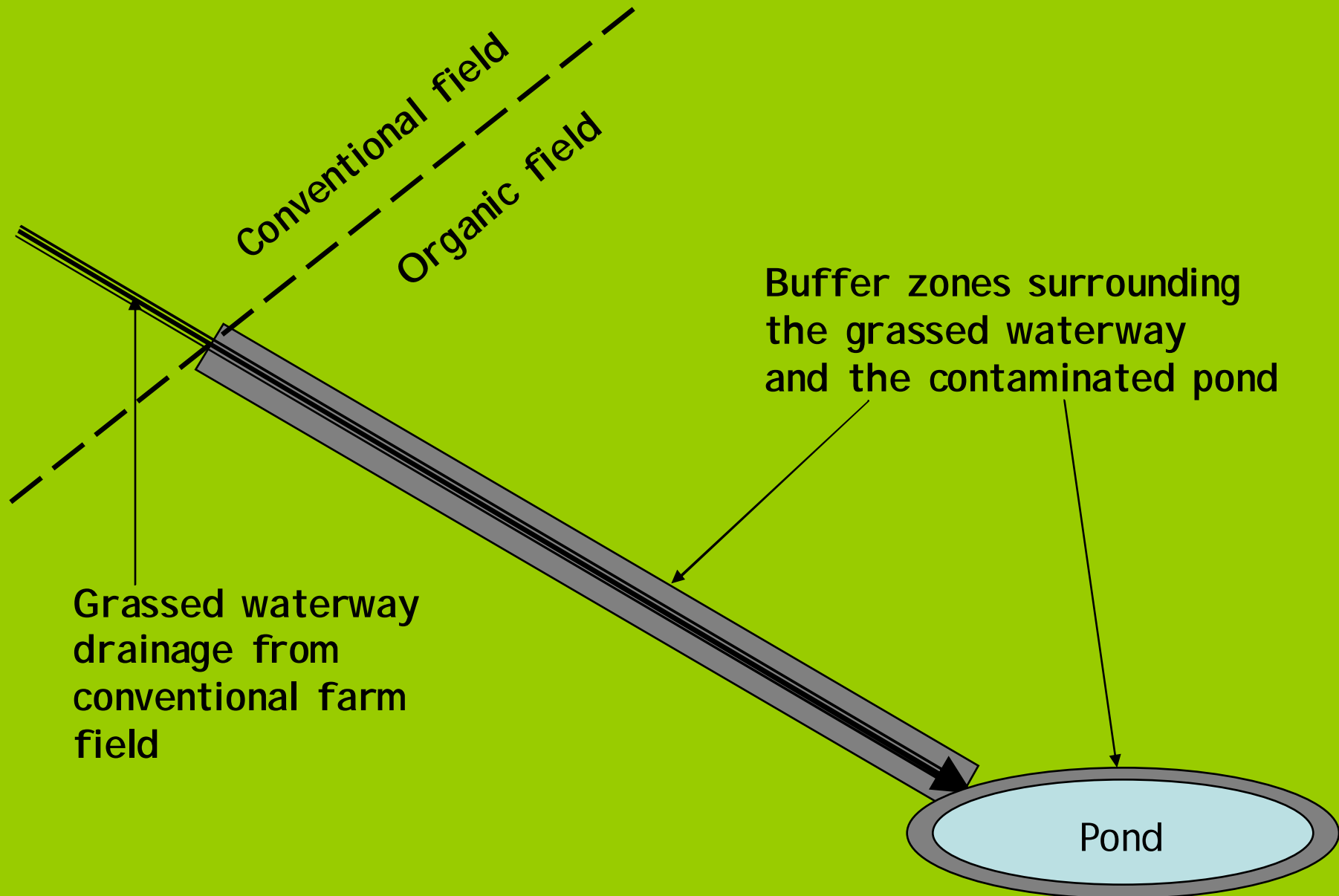


County Road P

An Ideal Field Buffer



Drainage Management



Helpful Record-Keeping Tools

- **Organic Field Crops Documentation Forms**
 - *www.attra.ncat.org/attra-pub/cropforms.html*
- **Organic Livestock Documentation Forms**
 - *www.attra.ncat.org/attra-pub/livestockforms.html*
- **Organic Orchard, Vineyard, and Berry Crop Documentation Forms**
 - *www.attra.ncat.org/attra-pub/orchardforms.html*
- **Recordkeeping and Budgeting Workbook for Organic Crop Producers**
 - *www.attra.ncat.org/attra-pub/organiccropforms.html*

Signage

See ATTRA's

*Sources of
"Spraying Prohibited" Signs for
Organic Farms*

www.attra.ncat.org/attra-pub/sprayingpro.html



Graphic from Four Winds Farm, River Falls, Wisconsin

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Notification & Accommodation

Some Resources

- Notification letters
- Verification of adjoining land use

See:

*Forms, Documents, and Sample Letters for
Organic Producers*

www.attra.ncat.org/attra-pub/producerforms.html

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Southern Comfort Farms



Unmanaged marsh/woodland

Field Buffers

Field #6
Conventional Rice

Field #1
Green
Manure
Fallow

Field #2
Organic
Soybeans

ORGANIC

High Tension Line

Field #5
Conventional
Roundup-Ready
Soybeans

Field #4
Organic
Sweet
Sorghum

Field #3
Organic
Sweet
Potatoes

Farmstead, Bin Storage,
& Syrup Processing

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Established Protocols & Employee Education

- **Impart a clear understanding** of what organic means and what materials are prohibited
- **Clarify the importance** of clean-out protocols and logs on dual-use equipment
- **Be certain everyone knows** what to do if a contamination incident occurs

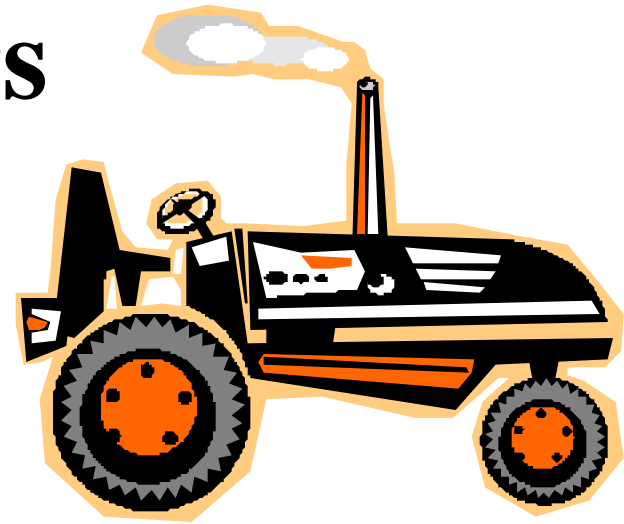
How to Deal with Spills

Primary hazards: Fuels & engine fluids, concentrated botanical pesticides

- **Stop the leak**
- **Contain the damage**
- **Isolate the area**
- **Clean up and disposal**
- **Advise certifier**
- **Contact State Dept. of Environmental Quality if there is threat to natural resources**

What about Equipment?

- **Sprayers**
- **Fertilizer spreaders**
- **Fertilizer & insecticide boxes**
- **Engine fluids**



Resource: ATTRA's

Organic Field Crops Documentation Forms

www.attra.ncat.org/attra-pub/PDF/cropforms.pdf

Crop Contamination from Drift or Misapplication

How to Respond*

- If possible, **immediately take pictures or videos** while the event is happening. Note factors like wind speed, precise location, applicator's actions, etc.
- **Make an effort to stop the action** as soon as possible to minimize the damage.

* Information adapted from Hamilton, Neil D. 1999. The Legal Guide For Direct Farm Marketing. Drake University, Des Moines, IA. p 116–118., and Cox, David G. 2005. Organic farmers: legal rights and remedies. OEFFA News. Spring. p. 6, 7.

How to Respond *continued*

- **Contact the land owner** and other responsible persons as soon as possible to express concerns and the possibility of damage.
- **Advise your certifier** of the situation.
- **Get as much information as possible** about the event, such as who did the application, who ordered it, product used, and its purpose, etc.

How to Respond *continued*

- **Document** and keep any physical evidence such as plant tissue, water samples, soil samples and any other indicators of spray contact or damage
- **Contact the state department of agriculture** or department of environmental quality — whomever is responsible for handling pesticide use complaints in your state. Have them schedule an on-farm inspection as soon as possible.

How to Respond *continued*

- **Keep good notes and records** of all communications with the parties involved: land owner, farmer, applicator, certifier, insurance agent, state officials, etc.
- **Prepare an estimate of damages** that takes into account any yield reduction, premium losses for the entire period of de-certification, loss of customer base, etc.

How to Respond *continued*

- **Consider contacting an attorney**—ideally one that specializes in agricultural or environmental issues—especially if you expect difficulty in recovering damages.
- **Be civil and reasonable** when communicating with the responsible party or insurer, but avoid making statements that might limit your claims.

How to Respond *continued*

- **Before signing** any settlement or accepting any payment, **ask your attorney** how it will affect any possible future claim

Highly Recommended

NCAT's

Organic Crops Workbook

<http://attra.ncat.org/attrapub/PDF/cropsworkbook.pdf>

For a Print Copy Call:

1-800-346-9140

Risk Management for Organic Crop Producers

For more information, please contact:

**National Center for
Appropriate Technology**

PO Box 3657

Fayetteville, AR 72702

479-442-9824

www.ncat.org

**USDA Risk Management
Agency–Mississippi Regional
Office**

8 River Bend Place

Jackson, MS 39232

601-965-4771

www.rma.usda.gov/

**Reducing Transition and Compliance Risks for
Organic Crop Producers in the South**

