



Organic Certification Handbook

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MCIA Quality Policy:

MCIA strives for the complete satisfaction of our customers. We satisfy this responsibility by comprehensive training of our employees, adherence to procedures and standards, total commitment to meeting customer requirements and maintaining an organizational culture that fosters continuous improvement.

Please Note: This Handbook was developed to assist operations in achieving and maintaining organic certification by MCIA to the National Organic Program (NOP) Standards. MCIA has clarified some aspects of the NOP Regulations. MCIA is fully governed by the NOP and the state of Minnesota and the rules of those governing bodies take precedent over this document. Copies of this Handbook can be downloaded from the MCIA website at <http://www.mciaorganic.org> Click on the appropriate “Certification Scope,” then click on “Client Forms/Resources.”

Welcome to MCIA

MCIA was founded in 1903 to provide services that assure that agricultural products are of high quality. As one of the oldest agricultural organizations in the Midwest, MCIA is dedicated to providing certification programs for seeds and grains, parent and foundation seed, quality assurance education and training programs, and organic certification services. These programs are aimed at improving the productivity, profitability and competitive positions of the members of the association and the customers who use the services that MCIA provides.

Operations certified organic by MCIA include food handlers, distributors, agricultural handling facilities, wild crop collectors, and farm and garden producers.

MCIA Board of Directors

MCIA is governed by a member-elected board of directors. Board elections are held every January at the MCIA Annual Meeting. The Board consists of eleven members, including a member from the University of Minnesota. The Board of Directors oversees formulation of policy matters relating to the operation of MCIA. No member of a certified organic operation can serve on the Board of Directors.

Organic Services Committee

The purpose of MCIA’s Organic Services Committee is to monitor and review the development of the MCIA Organic Certification Program and to make recommendations to the Board and management about the implementation of the program.

The MCIA Organic Services Committee holds meetings annually, with committee members appointed by the Board of Directors. These committee meetings are open to all MCIA clients and guests. This committee makes recommendations to the Board of Directors for actions pertaining to organic certification.

MCIA Scope of Certification

MCIA is accredited by the USDA to certify producers, wild crop harvesters, livestock producers, and handlers to the National Organic Program Standards. The NOP regulations govern the production and marketing of certain agricultural products as organically produced. These standards were written by the USDA to implement the Organic Foods Protection Act of 1990 passed by Congress (referred to as the “Act” in the NOP regulations). In short, these regulations were created to assure consumers that products labeled as organic meet a consistent standard. The entire NOP Rule can be accessed at: <http://www.ams.usda.gov/AMSV1.0/nop> and clicking on “Organic Regulations” in the “Organic Standards” section (in the middle of the webpage). Additional information is also available at this site by clicking on the “Program Handbook.”

Organic Basics

The NOP defines organic as a labeling term that refers to an agricultural product produced in accordance with the Act and the regulations contained in the NOP. Organic certification is a process oriented system covering production, harvest, handling, processing, packaging, labeling and transportation. Certified organic products have been produced and processed according to strictly stipulated standards. Certification requires annual inspections by trained inspectors of farm operations and processing facilities, detailed record keeping, proper labeling and review of inputs to ensure that growers and handlers continually meet the NOP standards.

The NOP requires that each production operation or specified portion of a production or handling operation that produces or handles crops, livestock, livestock products, or other agricultural products that are intended to be sold, labeled, or represented as “100 percent organic,” “organic,” or “made with organic” is certified to the NOP. One exception to this requirement is operations defined as excluded or exempt from certification by the NOP.

Exemptions and Exclusions

A production or handling operation that sells agricultural products as “organic” but whose gross agricultural income from organic sales totals \$5,000 or less annually is exempt from certification. These types of operations must still comply with the applicable organic production and handling requirements.

In addition, any retail food establishment that handles organically produced products but does not process them, any handling operation that handles products that contain less than 70% organic ingredients, and any handling operation that only identifies organic ingredients on the information panel are exempt from certification. Exempt operations may need to meet certain requirements of the NOP. See §205.101 of the NOP for more information.

Lastly, a handling operation is excluded from the requirements of the NOP if the operation sells organic products that are packaged prior to being received and remain in the same package or any retail operation that processes certified products on premise that are raw and ready-to-eat. To view the requirements that excluded operations must meet, refer to §205.101 of the NOP.

Excluded and Exempt operations, such as retail outlets or a producer whose gross income is less than \$5,000, may voluntarily choose to become certified. Certification requires the operation to meet the requirements as stated in the NOP.

General Requirements for Certification

A producer or handler operation that intends to sell, label, or represent agricultural products as certified organic must develop an organic production or handling system plan (OSP). The OSP must meet the requirements of the NOP and must include a description of the practices and procedures to be performed and the frequency with which they will be completed. In addition, this plan must contain a list of each substance to be used as a production or handling input or ingredient and include information indicating its composition sources, locations where it will be used, and documentation of lack of commercial availability for non-organic agricultural ingredients or seeds, as applicable. Refer to the National List of Allowed and Prohibited Substances (National List), which is §205.600-§205.607 of the NOP, for more information on allowed and prohibited inputs. Lastly, the OSP must detail monitoring practices used that will verify that the plan is implemented effectively, a description of the recordkeeping system, and a description of the management practices and physical barriers established to prevent commingling of organic and nonorganic products and contamination of organic products with prohibited substances.

Certification Process

An OSP will be created by completing the applicable MCIA Organic System Plan. Each part of the Organic System Plan refers to a specific NOP section. When completing the plan, the specific NOP sections should be reviewed in order to understand the requirements that must be met. Please note that all applicants for organic certification and certified operations must have access to a current copy of the NOP. This is available online at: <http://www.ams.usda.gov/AMSV1.0/nop>. Click on “Organic Regulations” under the “Organic Standards” section. We recommend that you save this site as a “favorite” or “bookmark” or print a hard copy for your reference. If you do not have access to the internet, contact the MCIA office for a copy. In addition to the OSP, you will need to submit additional information as appropriate to your operation, such as material lists, maps, product flow charts, standard operation procedures, labels, recipes, tracking records, etc. MCIA will work with you to determine what additional information you will need to provide.

A completed application must include the applicable OSP or OSP substitute and the Annual Agreement, along with supporting documentation and payment of fees. Once the application is received, it will be reviewed. If an operation appears to comply or has the ability to comply with the NOP regulations, the file will be sent to an inspector. The inspector will contact the operation to schedule an inspection. Inspections generally take a few hours and consist of a tour of the operation and review of paperwork and records.

Once the inspection is complete, the inspector will submit an inspection report to MCIA. A copy of the inspection report will be sent to the applicant. The certification committee/final certifier reviews the information in the application along with the information included in the inspection report to verify whether or not the applicant complies with the NOP. There are generally three possible outcomes: issuing a Certification Decision Letter, issuing a Certification Decision Letter with conditions that must be met within a certain time frame, or requesting additional information from the applicant or inspector. If additional information is needed, the certification process cannot continue until all the information requested is received.

When the committee is satisfied that requirements for certification have been met, the file may be sent to the Final Certifier for review. If the Final Certifier finds that the operation is compliant with the NOP, the Certification Decision Letter is sent to the client together with the Organic Certificate. An invoice will be issued at this time for any additional fees or a refund will be issued if any overpayments were received.

If an applicant for certification cannot comply with the NOP regulations, MCIA has the right to deny certification. If a previously certified operation is found to be noncompliant to the NOP, MCIA has the right to begin Noncompliance Procedures. Please see the section entitled Noncompliance Procedures below.

Withdrawal from Certification

An applicant for organic certification can at any time withdraw its file from the certification process by contacting the MCIA office. Fees may still apply; please refer to the Fee Schedule and Scale of Sanctions.

Retention of Certification

In order to retain certification, an operation must annually apply and pay the applicable fees. Completion of the Organic System Plan Questionnaire (long form) is required for the first year and any year major changes occur in the operation. If applicable, Multiple Ingredient Product Profiles must be submitted annually, along with copies of all retail labels or a template for retail labels.

Surrender of Certification

If an operation no longer wants to be certified organic, it can at any time surrender its certification by returning its organic certificate to MCIA and by providing MCIA with a written statement explaining that the operation is surrendering its organic certification. Final fees will be due on any product certified by MCIA that was sold before organic certification was surrendered.

Expansion or Reduction of Scope

An operation at any time can apply to expand or reduce their scope (i.e. types of products or processes performed). Sufficient documentation must be submitted for review that shows the operation will continue to be in compliance with the NOP regulations after the expansion or reduction of scope. An inspection may be required if a document review cannot determine compliance to the NOP.

International Trade

Contact the MCIA office if you are planning on importing or exporting organic products.

Costs

Applicants will be provided with a cost estimate prior to MCIA providing any services. The costs for certification consist of a membership/application fee, a base fee, an inspection fee, and final fees. The membership/application fee, the base fee, and the inspection fee are due annually, and final fees are due annually after the first year of certification if organic product certified by MCIA has been sold. Additional charges may apply in certain circumstances. Refer to the Fee Schedule and Scale of Sanctions for more information.

Producers

a. Land Requirements

The NOP states that land from which organic crops will be harvested 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 prohibited substance applied to adjoining land that is not under organic management.” Buffers must be sufficient to prevent contamination. Examples of buffers include a road and ditch, a tree line, or several rows of crops which are harvested and sold as conventional. Twenty-five to thirty feet is common but this will depend on the threat posed by the adjacent land. Pollen contamination by cross-pollinated crops bordering GMO or potential GMO varieties may be reduced by implementing strategies such as those listed above; delaying planting to have the organic crop pollinate at a different time; or choosing to plant the crop on fields located at greater distances from contaminants. It is often helpful to speak to neighboring landowners to identify potential contamination risks to allow proper actions to be taken. After the inspection, it will be determined whether the size of the buffer zone is adequate to prevent contamination of organic crops. Crops may need to be removed and sold as non-organic if contamination occurs.

If land eligible for organic certification has not been in the applicant’s control for the 36 month transition period, documentation from the previous landowner stating the date of the last application of a prohibited material must be submitted.

b. Drift of a Prohibited Substance

MCIA must be immediately notified if drift of a prohibited substance occurs that comes into contact with organically managed crops or fields.

c. Soil Fertility

Producers must select and implement tillage and cultivation practices that maintain or improve the physical, chemical, and biological condition of soil by using crop rotations, cover crops, green manures and the application of plant and animal materials. Animal and plant materials used cannot contribute to contamination of crops, soil, or water. All inputs must be free of synthetic substances not included on the National List or non-synthetic substances listed as prohibited on the National List. Land must be managed in order to minimize soil erosion. Manure must be composted unless it is applied to land used for a crop not intended for human consumption, applied and incorporated at least 120 days before a crop whose edible portion comes in contact with soil, or 90 days before a

crop whose edible portion does not have direct contact with the soil or soil particles. Processed manure products are inputs that must be reviewed and approved by MCIA prior to use. Compost is strictly defined under the NOP as plant and animal material that has a carbon to nitrogen ratio of between 25:1 and 40:1 and which has been heated internally and turned according to the protocols given in §205.203(2).

d. *Crop Rotation*

The NOP defines crop rotation as “the practice of alternating the annual crops grown on a specific field in a planned pattern or sequence in successive crop years so that crops of the same species or family are not grown repeatedly without interruption on the same field. Perennial cropping systems employ means such as alley cropping, intercropping, and hedgerows to introduce biological diversity in lieu of crop rotation.” The crop rotation standard, §205.205, states that the “producer must implement a rotation including but not limited to sod, cover crops, green manure crops, and catch crops that provide the following functions that are applicable to the operation.” The rotation must “maintain or improve soil organic matter content, provide for pest management in annual and perennial crops, manage deficient or excess plant nutrients, and provide erosion control.” The adequacy of the proposed crop rotation to meet the NOP regulations will be determined after the inspection. Monitoring techniques such as soil tests, tissue testing, yield history, or erosion control are ways of monitoring soil organic matter as well as available plant nutrients.

e. *Disease/Pest/Fertility Inputs*

Organic producers are required to manage pests, weeds, and diseases using crop rotation and nutrient management, sanitation measures, and cultural practices that enhance crop health. Producers may use other natural methods for pest control, such as introduction of predators of the pest species, development of habitat for natural enemies of pests, and nonsynthetic controls such as lures, traps, and repellents. For weed control, using mulch with biodegradable materials, heat/electrical means, or plastic/synthetic mulches is allowed, and mowing, grazing, hand weeding, flaming can be performed. All synthetic mulches, such as plastic, must be removed at the end of the growing season. Disease problems can be controlled through management practices that suppress the spread of disease or through the application of non-synthetic biological, botanical, or mineral inputs. If these practices are insufficient to prevent or control crop pests, weeds, and diseases, a biological or botanical substance or an allowed substance included on the National List for use in crop production may be applied. All inputs must be approved by MCIA prior to use and annually thereafter.

f. *Planting stock and Commercial Availability*

A producer must use organically grown seeds, annual seedlings, and planting stock. Nonorganic, non-GMO, untreated seeds and planting stock or nonorganic seeds and planting stock treated with a substance included on the National List of synthetic substances may be used when an equivalent organic variety is not commercially available. In order to determine that seed or planting stock is commercially unavailable, documentation from at least three suppliers must be maintained. Sources should include companies that offer organic seeds and planting stock. If planting stock is from a non-organic source and is used to produce perennial crops, then that *planting stock* may be sold, labeled or represented as organic planting stock after 12 months of organic management.

g. *Documentation/Tracking*

Documentation must be maintained that shows compliance with the NOP. Field maps and histories must be submitted to the MCIA office in order to determine the status of the land requested for certification. In addition, documentation of purchased inputs or services used, production or activity logs, harvest records, storage records, and sales records must be maintained. A lot numbering system must be in place to allow products to be tracked. Documentation of truck clean-outs, such as Clean Transport Affidavits, is required when products are shipped in bulk. All documentation must be maintained for at least five years and must be accessible to the inspector at the time of inspection.

Livestock Producers

- a. *Origin of Livestock*

All organic livestock must be under continuous organic management from the last third of gestation or hatching with the exception of breeder stock and poultry. Livestock or edible livestock products that are removed from an organic operation and brought onto a nonorganic operation cannot be sold, labeled, or represented as organic, and they cannot be returned to the farm except as breeder stock.
- b. *Origin of Poultry*

Poultry or edible poultry products must be from poultry that have been under continuous organic management from the second day of life.
- c. *Origin of Dairy Animals for Milk Production*

Milk or milk products must be from animals that have been under continuous organic management beginning no later than 12 months prior to the production of milk or milk products that are to be sold, labeled, or represented as organic.
- d. *Dairy Transition*

Crops and forages from land included in a farm's organic system plan that is in its third year of transition may be fed to dairy animals during the 12 month period of transition. Once the entire herd has been converted to organic, all dairy animals must be under continuous organic management since the last third of gestation.
- e. *Breeder Stock*

Breeder stock may be brought from a nonorganic operation onto an organic operation at any time. All gestating livestock with offspring that are to be raised as organic must be brought onto the facility no later than the last third of gestation and must be under organic management. In addition, breeder or dairy stock that has not been under continuous organic management since the last third of gestation cannot be sold, labeled, or represented as organic slaughter stock.
- f. *Feed Requirements*

Livestock operations must provide livestock with a feed ration including pasture and forage that is composed of agricultural products that are organically produced and, if applicable, organically handled. Non-synthetic substances and synthetic substances allowed under §205.603 of the National List in the NOP may be used as feed additives and supplements. Please note that if feed is produced on-farm or pasture is used, livestock producers must adhere to all of the guidelines included in the Producer section of this handbook. If feed is purchased, documentation must be kept that the feed is certified organic.

Producers must not use animal drugs including hormones to promote growth. In addition, organic livestock cannot be fed supplements or additives in amounts above those required for adequate nutrition of the species at its specific stage of life. Plastic pellets for roughage; urea or manure; or mammalian or poultry by-products to mammals or poultry are prohibited. A livestock producer cannot use feed, feed additives, and feed supplements in violation of the Federal Food, Drug, and Cosmetic Act.
- g. *Pasture Rule Requirements*

All ruminant livestock must be on pasture for the grazing season. The length of the grazing season is determined by the location of the operation, but in no case can it be less than 120 days. The pasture must provide a minimum of 30% of the animal's Dry Matter Intake (DMI) on average during the grazing season. Operators must have a management plan for their pasture to ensure sufficient quantity and quality is available to graze throughout the grazing season.

h. *Health Care*

Producers must establish and maintain preventative livestock health care practices. Quality feed must be used, along with appropriate housing, pasture conditions, and sanitation practices to minimize the occurrence and spread of diseases and parasites. Physical alterations can be performed as long as they promote the animal's welfare and are done in a manner that minimizes pain and stress. Vaccines and biologics can be administered. When preventative health care practices are inadequate, synthetic medications can be administered if they are allowed in the National List under §205.603 and meet the restrictions of §205.238 (b) of the NOP. Documentation must be submitted showing the composition of any materials used.

A livestock operation cannot sell, label, or represent any animal or product as organic that has been treated using a synthetic substance not allowed under §205.603 or that has been treated with a non-synthetic substance prohibited under §205.604 of the NOP. Medical treatment cannot be withheld from a sick animal in order to preserve its organic status.

i. *Living Conditions*

Producers must establish and maintain living conditions which accommodate health and the natural behavior of the species which includes access to the outdoors. In addition, animals must be provided with conditions that allow for exercise, freedom of movement, and reduction of stress. Ruminant species are required to have access to pasture during the growing season. Bedding must be clean and dry and must be organic if it is consumed by the animals. Ventilation, temperature, and air circulation must be suitable to the species. A producer may provide temporary confinement due to inclement weather, the animals' stage of production, conditions in which health and safety of the animals may be in jeopardy, or risk to soil and water quality. The producer must also manage manure in manner that does not contaminate the environment.

j. *Documentation/Tracking*

Documentation must be maintained that shows compliance with the NOP. The producer of an organic livestock operation must maintain records sufficient to preserve the identity of all organically managed animals and edible and non-edible animal products produced on the operation. An animal identification system must be in place. Breeding records and records for inputs and services must be kept. Proof of organic certification is required for purchased organic animals and purchased organic feed. Health records must be maintained, along with production records. All documentation must be kept for at least five years and must be accessible to the inspector at the time of inspection.

Wild Crop

a. *Land Requirements*

Fields must have defined boundaries and buffer zones to prevent unintended contact with a prohibited substance applied to adjoining land that is not under organic management. The width of the buffer zone will depend on the potential for contamination. Adequate physical barriers can reduce isolation distance; such as tree lines. After the inspection, it will be determined whether the size of the buffer zone is adequate to prevent contamination of organic crops. Crops may need to be removed and sold as non-organic if contamination occurs.

If land eligible for organic production has not been in the applicant's control for the 36 month transition period, documentation from the previous landowner stating the date of the last application of a prohibited material must be submitted.

b. *Sustainability of Harvest*

Gathering and harvesting of the wild crop must be done in a way that does not cause harm to the environment. Harvest methods must be sustainable and allow the growth and production of the wild crop to continue.

c. *Documentation/Tracking*

Documentation must be maintained that shows compliance with the NOP. Field maps and histories must be submitted to MCIA in order to determine the status of the land requested for certification. In addition, documentation of purchased inputs/services used, production or activity logs, harvest records, storage records, and sales records must be maintained. A lot numbering system must be in place to allow products to be tracked. All documentation must be maintained for at least five years and must be accessible to the inspector at the time of inspection.

Handlers

a. *Pest Control*

Certified organic handling operations must implement structural pest management programs that emphasize removal of pest habitat, food, and breeding areas; exclusion; and management of environmental factors such as temperature, light, humidity, atmosphere, and air circulation. The pest control standard can be found in §205.271. In addition, facilities can control pests through lures and repellents. If these practices are not effective, operations may use a non-synthetic or synthetic substance consistent with the National List on §205.601. MCIA will allow an operation to use a synthetic substance not on the National List if all previous methods fail provided that the pest control product is approved in advance by MCIA, along with the method of application and the measures to be taken to prevent contamination of organic products. Records must be kept of all pest control activities. Any changes to approved pest control practices must be approved by MCIA prior to implementation.

b. *Sanitizers/Cleaning Agents*

Sanitizers and cleaning agents to be used on areas that organic products will contact must be approved by MCIA before use and their use must be consistent with the National List in sections 205.605 and 205.606. Residue testing may be required to show that no residue remains on equipment that comes into contact with organic products.

c. *Commingling and Contact with Prohibited Substances*

Equipment must be thoroughly cleaned, after handling a prohibited substance. If the equipment cannot be easily cleaned out, it may be necessary to flush or purge the equipment with an organic product, which must then be disposed of or sold as non-organic. While other procedures may be implemented with prior MCIA approval, no commingling or contact will be allowed, and documentation of the procedures performed must be kept. MCIA must be immediately notified if organic product is contaminated with a prohibited substance. The commingling and contamination prevention standard is located in §205.272.

d. *Proof of Organic Certification*

Proof of organic certification must be maintained for all organic ingredients or products purchased. Transaction Certificates (TCs), Organic Certificates, and product packaging showing a “Certified by” statement may serve as proof of organic certification. TCs and Organic Certificates must indicate that the organic product is certified to the USDA NOP standards. A “Certified by” statement must list a certifying agency that is accredited by the NOP. Organic Certificates must be updated annually and should be specific to the ingredient/products that need proof of organic certification.

e. *Multiple Ingredient Product Profiles (MIPPs)*

MIPPs must be submitted annually for all multi-ingredient products requested for certification. In order to be certified, proof of organic certification must be maintained for all organic ingredients included in the product. Documentation must be submitted showing that all non-organic ingredients are consistent with §205.605 and §205.606 of the NOP in the National List. If non-organic ingredients listed in §205.606 are used, documentation showing that the agricultural ingredient was not commercially available in organic form must be submitted for review. Documentation may be required to show that the product meets §205.105 of the NOP, which states that it cannot be

genetically modified, irradiated, or manufactured with sewage sludge. MIPPs must list the complete composition of the product and include all ingredients used, including the water and salt. Salt cannot have any prohibited additives. All MIPPs must be updated and submitted for review annually.

f. *Documentation/Tracking*

Documentation must be maintained that shows compliance with the NOP. A lot numbering or date coding system is required. Production records must connect ingredient lot numbers and quantities to finished product lot numbers and quantities. It is suggested that a product recall system be developed. The NOP does not give an accredited certifying agency the authority to issue recalls, but other government agencies, such as the FDA, may require products to be recalled. Documentation of truck clean-outs, such as Clean Transport Affidavits, is required when products are shipped in bulk. All documentation must be maintained for at least five years and must be complete and accessible for the inspector at the time of inspection.

Labels

a. *Calculating Percentages of Organic Ingredients*

Water and salt must be excluded when determining the percentage of organic ingredients in a product. The percentage of all organically produced ingredients in a product must be rounded down to the nearest whole number.

b. *“100% Organic”*

A product sold, labeled, or represented as “100% organic” must contain by weight or fluid volume 100 percent organically produced ingredients, excluding water and salt. Labels can state that it is “100% organic” and can display the USDA seal and the MCIA logo. They must have a “Certified organic by...” or similar phrase identifying either MCIA or Minnesota Crop Improvement Association on the information panel below the contact information for the handler.

c. *“Organic”*

A product sold, labeled, or represented as “organic” must contain by weight or fluid volume more than 95 percent organically produced ingredients, excluding water and salt. Labels can state that the product is “organic,” the percentage of organic ingredients in the product, and the USDA seal and the MCIA logo. Products using “Organic” labels must identify each organic ingredient in the ingredient statement and have a “Certified organic by...” or similar phrase identifying either MCIA or Minnesota Crop Improvement Association on the information panel below the contact information for the handler.

d. *“Made With Organic”*

Products sold, labeled, or represented as “made with organic” must contain by weight or fluid volume at least 70 percent organically produced ingredients, excluding water and salt. The label may display the statement “Made with organic (specified ingredients or food group(s)),” but no more than three organically produced ingredients or food groups can be listed. The product can show the MCIA logo, but the USDA seal cannot be used. Products must identify each organic ingredient in the ingredient statement and must have a “Certified organic by...” or similar phrase identifying either MCIA or Minnesota Crop Improvement Association on the information panel below the contact information for the handler.

e. *Non-retail Labels*

Non-retail containers may identify the product as organic, and can display a “Certified organic by...” or similar phrase identifying MCIA or Minnesota Crop Improvement Association. Special handling instructions and the MCIA logo may also be used. The USDA seal can only be displayed for products labeled as “100% organic” or “organic,” but cannot be displayed for products labeled as “made with organic (specified ingredients or food group(s)).” Non-retail containers must display the production lot number.

f. *Use of the MCIA Logo*

The MCIA logo can be used on products labeled as “100% organic,” “organic,” and “made with organic” products if prior approval is granted by MCIA. The MCIA logo cannot be displayed more prominently than the USDA seal. Once an operation is no longer certified by MCIA, no labels, packages, or marketing materials can display the MCIA logo.

g. *Use of the USDA Organic Seal*

The use of the USDA seal must be approved by MCIA prior to implementation. The USDA seal can only be used on raw or processed agricultural products. The design of the USDA seal to be used must conform to §205.311 of the NOP. Once an operation is no longer certified to NOP standards, no labels, packages, or marketing materials can display the USDA seal.

h. *Label Approval*

All Labels must be approved by MCIA prior to use.

i. *Label Templates*

If label templates are used, only the template needs to be approved, instead of each label using the template. Contact the MCIA office for more information on template labels.

Certificates

a. *Using Certificates as Proof of Organic Certification*

Certificates granted by MCIA can be used as proof of organic certification. Certificates will be updated annually if no amendments are requested.

b. *Amending*

Products or processes can be added to a certificate once certification has been granted. To do so, an operation must submit documentation that provides sufficient information showing that the changes do not risk the operation’s compliance to the NOP. If a document review cannot determine compliance, an additional inspection may be necessary.

Transaction Certificates (TCs)

TCs can be issued by MCIA if proof of organic certification is needed for each lot of product to be sold or if a buyer requires the use of TCs. An operation must request TCs from MCIA. Copies of completed TCs must be returned to the MCIA office.

Maintaining Records

A certified operation must maintain records concerning the production, harvesting, and handling of agricultural products that are intended to be sold, labeled, or represented as organic. These records must be adapted to the particular business that the certified operation is conducting, fully disclose all activities and transactions of the certified operation in sufficient detail as to be understood and audited, be maintained for at least five years, and be sufficient to demonstrate compliance with the NOP regulations.

Notification of Changes to OSP

MCIA must be notified prior to making any changes to an operation’s OSP that may affect its compliance with the regulations. Some examples of situations that would require notification include:

- a. Application of a prohibited substance to any field, production unit, product or site involved in organic production or handling, regardless of whether it was a direct application or drift from a neighboring area, and regardless of whether or not it was intentional. The operation must notify MCIA immediately of any such events;

- b. Addition of acreage, a new field, product line, production facility, animal herd, or animal facility to organic production;
- c. Removal of a field or portion thereof from organic production;
- d. Development of a new retail label for the operation's organic products;
- e. Change in recipe formulation or addition of new recipes;
- f. New processing or handling of organic products not already specified in the OSP; and
- g. Any change in the operation's practice, input, or procedure that may affect compliance with the regulations.

The operation may notify MCIA of changes both verbally and in writing. If necessary, MCIA may require the operation to submit additional documentation at the time of notification. Alternatively, the operation may submit documentation with the next annual update. MCIA will determine whether and when documentation is required on a case by case basis.

Input Approval

All inputs must be approved by MCIA prior to use and annually thereafter. If MCIA finds that inputs have been used that were not approved by MCIA and are prohibited, organic certification will be affected.

When researching potential inputs, MCIA recommends reviewing the most current Approved Products List published by the Organic Materials Review Institute (OMRI). OMRI reviews products against the NOP standards. Using OMRI Approved Products will greatly expedite MCIA's input review process. The OMRI website is located at: www.OMRI.org. Operations can also refer to the National List of the NOP or contact the MCIA office for more information on inputs.

Sampling and Residue Testing

All agricultural products certified by MCIA as "100 percent organic," "organic," or "made with organic" must be made accessible for examination by the Administrator or by MCIA. MCIA will require pre-harvest or post-harvest testing of any agricultural input used or agricultural product to be sold, labeled, or represented as "100 percent organic," "organic," or "made with organic" when there is reason to believe that an agricultural input or product has come into contact with a prohibited substance or has been produced using excluded methods. MCIA shall pay for the required testing.

The NOP requires each certifier to conduct random pesticide residue sampling of 5% of its client base each year. Sampling that is done for cause may replace a random test. The pesticides tested for are listed in NOP 2611-1 which can be found in the Program Handbook on the NOP website. MCIA shall pay for the required testing.

MCIA shall promptly report test results that indicate a specific agricultural product contains pesticide residues or environmental contaminants that exceed the FDA's or EPA's regulatory tolerances to the Federal health agency whose regulatory tolerance or action level has been exceeded. MCIA shall ensure that the agricultural product is not sold, labeled, or represented as organic if residue testing detects prohibited substances at levels that are greater than 5 percent of the EPA's tolerance for the specific residue detected. The Administrator or MCIA may conduct an investigation of the certified operation to determine the cause of the prohibited substance.

Noncompliance Procedures

A noncompliance is the failure of an operation to comply with requirements of the NOP or MCIA or a failure of an operation to follow its defined OSP. All noncompliance issues must be corrected. A few examples of noncompliances are: loss of organic integrity of a product, a repeated or uncorrected minor noncompliance, fraud, use of an input without prior approval, or failure to submit information required by MCIA to evaluate compliance.

When a noncompliance is found, a Notice of Noncompliance will be issued, and the NOP will be notified. In order to resolve a Noncompliance, a response must be received from the certified operation that corrects the noncompliance issues in the timeframe provided in the notice. If the response shows the issues have been corrected, a Notice of Resolution will be issued, and the NOP is notified of the resolution. If the noncompliance is not corrected, there are two possible actions, which include notice of proposed suspension or proposed revocation.

If no response is received or the response does not correct the issues, MCIA will send a Notice of Suspension or Revocation. If suspension is granted, the certified operation can submit a request for reinstatement at any time. If revocation is granted, an operation cannot reapply for a period of 5 years after the date of the revocation except if the Secretary chooses to reduce the period of ineligibility.

MCIA does have the right to send a written notification of proposed suspension or revocation without allowing for corrections to be made by the operation if MCIA has reason to believe that the operation willfully violated the Act or the NOP. In addition, MCIA can submit a Notice of Suspension or Revocation without prior notice if a correction of a noncompliance is not possible.

Mediation can be requested with respect to denial of certification, proposed suspension or revocation of certification. If mediation is requested by an operation, MCIA will determine if the mediation will be accepted. If accepted, the applicant or certified operation mutually will agree upon a qualified mediator.

All noncompliance decisions made by MCIA can be appealed to the NOP. See §205.662 of the NOP to view the regulations concerning noncompliance procedures for certified operation.

Complaints/Disputes/Appeals/Mediation

MCIA will hear all complaints and disputes by a certified operation or an applicant for organic certification about the handling of certification or any other related matter. In addition, all applicants and certified operations have the right to appeal any certification decisions made by MCIA to the NOP or request mediation with respect to denial of certification or proposed suspension or revocation of certification.

Surveillance

MCIA is required to conduct surveillance on certified operations. MCIA may conduct additional document reviews, announced or unannounced inspections, and label reviews.

Confidentiality and Prevention of Conflict of Interest

MCIA has procedures in place to prevent the conflict of interests. In addition, MCIA has confidentiality agreements on file for all people who review documents relating to organic certification.

Public Access to Organic Documents

MCIA will make available upon request certificates issued during the current and three preceding calendar years, a list of producers and handlers whose operations it has certified during the current and three preceding calendar years, the results of laboratory analyses for residues of pesticides and other prohibited substances conducted during the current and three preceding calendar years, and any other business information as permitted in writing by the producer or handler.

Additional Resources

National Organic Program (NOP): <http://www.ams.usda.gov/AMSV1.0/nop>

Midwest Organic and Sustainable Education Service (MOSES): www.mosesorganic.org/

National Sustainable Agricultural Information Service (ATTRA): www.attra.org/

Organic Materials Review Institute (OMRI): www.omri.org

Organic Food Production Act of 1990:

<http://agriculture.senate.gov/Legislation/Compilations/AgMisc/OGFP90.pdf>

For more information, please visit our website, www.mciaorganic.org or contact the MCIA office at 855-213-4461.