

If a certified organic crop is unintentionally contaminated by a neighbor's GMO produced pollen, etc., is the organic crop still marketable as organic? According to the NOP regulations, I believe the organic crop contaminated by GMO pollen can still be sold as certified organic because it is not expressly prohibited by regulations to do so.

In the preamble to the final rule, we addressed this issue when we stated that, "drift has been a difficult issue for organic producer producers from the beginning...this regulation prohibits the use of excluded methods in organic operations. The presence of a detectable residue of a product of exclude methods alone does not necessarily constitute a violation of this regulation. As long as an organic operation has not used excluded methods and takes reasonable steps to avoid contact with the products of excluded methods as detailed in their approved organic system plan, the unintentional presence of the products of excluded methods should not affect the status of an organic product or operation."

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