

## Testing for Prohibited Substances in USDA Organic Products Questions and Answers for Consumers

Beginning January 1, 2013, organic certifying agents are required to test samples from at least 5 percent of the operations they certify on an annual basis. Operations may include USDA organic farms and food processors across the United States and throughout the world.

### **What types of residue testing will be included in this mandatory residue testing program?**

Certifying agents may conduct testing for any prohibited substances or methods, including pesticides, contaminant metals, genetic engineering, hormones, or antibiotics.

### **Does this mean residue testing isn't being done now?**

While residue testing has always been a part of organic product oversight and is required by the Organic Foods Production Act, this action specifies the minimum amount of testing that must occur. Currently, samples are tested according to certifier discretion, typically when they have reason to suspect that prohibited substances had been used or had come in contact with organic products.

Additionally, as part of the certification process, organic farms and businesses must document how they prevent unintentional contact with prohibited substances. For example, farmers may use distinct, defined boundaries and buffer zones to separate organic and non-organic fields.

### **What will this new testing requirement accomplish?**

This additional testing will help certifying agents identify and take enforcement action against farms and businesses intentionally using prohibited substances or methods. Additionally, certifying agents can use test results to identify and address instances in which organic products may have unintentionally come in contact with prohibited substances. For example, when test results suggest pesticide drift from neighboring farms or facilities, this could lead certifying agents to require a larger buffer zone between the organic and non-organic farms, or better cleaning before organic products use shared handling facilities. Overall, this action will discourage mislabeling and tighten oversight of USDA organic products.

### **What happens if residue is detected on an organic product?**

Certifying agents must address detected residues with the certified operation. For example, a certifying agent may require that an organic farmer strengthen his or her plan to avoid contact with prohibited substances—either in the field on or at a processing facility.

If an operation's samples are tested and are detected to have residues in violation of the USDA organic regulations, certifying agents will investigate and, if warranted, take enforcement action. If a certifier detects pesticide residue(s) above allowed levels, it will instruct the operation that it may not sell their products as organic. Any samples with residues that violate the Environmental Protection Agency (EPA) tolerances or U.S. Food and Drug Administration (FDA) action levels would also need to be reported immediately to the proper authorities.

### Which pesticides are prohibited in USDA organic products?

Organic regulations prohibit the use of most synthetic substances—including most pesticides used in conventional agriculture—for 3 years prior to harvest. The majority of pest control materials permitted in organic agriculture are naturally derived from plants (e.g. pyrethrum), microorganisms (e.g. *Bacillus thuringiensis*), or other natural sources.

The EPA establishes the maximum allowed levels of pesticides, or EPA tolerances, which may be present on foods. Although most EPA-registered pesticides are prohibited in organic production, there can be inadvertent or indirect contact from neighboring conventional farms or shared handling facilities. As long as the operator hasn't directly applied prohibited pesticides and has documented efforts to minimize exposure to them, the USDA organic regulations allow for residues of prohibited pesticides at or below 5 percent of the EPA tolerance.

### There was a study conducted prior to the rule coming out. What did it find?

The study tested 571 domestic and foreign fruit and vegetable samples (apples, bell peppers, strawberries, broccoli, tomatoes, and potatoes) for approximately 200 pesticides typically used in conventional crop production.

Of these samples, 96 percent were compliant with USDA organic regulations, meaning they had either no detected residues (57 percent) or residues less than 5 percent of the EPA tolerance (39 percent). The study itself validated a method for evaluating pesticide residues in or on domestic and foreign organic produce; it was *not* designed to collect and analyze data representative of the organic industry as a whole.