

Transitional Product Recommendation

§ 205.2 Terms defined.

Transition. The act of establishing organic management practices in accordance with the Act and the regulations in this part.

Transition period. The time between the start of organic management and when an operation or portion of an operation is eligible for organic certification.

Transitional product. A product from an operation or portion of an operation which has completed one or more years of the transition period towards becoming a certified organic operation and is certified by an accredited certifying agent as operating in accordance with the Act and the regulations in the part.

§ 205.104 Use of the term "transitional."

(a) Products of farms in transition to organic certification may be labeled or represented as "certified transitional " or "transitional" after the operation has been certified by an accredited certifying agent as operating in compliance with the requirements in this part.

(b) In order to market products as "certified transitional" or "transitional" an operation must maintain records as set forth in § 205.103 and develop an organic production plan as set forth in § 205.201.

(c) Annual inspections are required with at least one inspection occurring prior to harvest of transitional crops in order for the crops to be labeled or represented as "certified transitional" or "transitional".

(d) Transitional status may only be granted to an operation or portion of an operation where the applicant can provide evidence of:

(1) At least 12 months active organic management prior to harvest; or

(2) Twelve (12) months with no application of prohibited materials prior to planting and organic management of any area of the farm that is or will be used for transitional crop production.

(e) "Transitional" and "certified transitional" products must not:

(1) Be labeled or represented as "organic" or "transition to organic";

(2) Be used as organic ingredients in the formulation of products labeled as "100% organic," "organic," or "made with organic (specified ingredients or food group(s))";

(3) Use the USDA organic seal; or

(4) Use the seal of a certifying agent, unless that seal is specifically designed for transitional products and is clearly distinguishable from the certifying agent's seal used on organic products.