

Input Approval under the National Organic Program with a special emphasis on Liquid Nitrogen Fertilizers





Background

- Allegations of fraud with liquid fertilizers
 - Summit Springs – 14-0-0
 - California Liquid Fertilizers
 - Port Organic
- California legislative hearing – Jan 09
- Concern over consumers confidence in the organic label
- NOP directive to Accredited Certifying Agents (ACAs) in Feb 2009
- California State Organic Program prohibits compost contaminated with bifenthrin – summer 2009
- Corn steep liquor – natural or synthetic?





Input approval

- Organic system plan
 - 205.201(a)(2) – list of each substance to be used as a production or handling input
 - Its composition
 - Source
 - Location where it will be used
 - Commercial availability (seeds, 205.606)



Input approval

1. Organic producers must list all products that they plan to use in their Organic System Plan
2. Accredited certifiers must verify that all inputs comply with the NOP regulations.
3. All ingredients within the products used must comply with NOP regulations.
4. Inputs must be approved prior to use – not listed in OSP and approved by ACA = minor noncompliance (NONC).
5. Changes to plan during the year must be added to OSP and approved by ACA – 205.400(f)(2)



ATTRA OSP

- **PRODUCT NAME**
- **SOURCE OF MATERIAL**
- **STATUS: APPROVED (A), RESTRICTED (R), PROHIBITED (P)**
- **NUMBER OF APPLICATIONS PER YEAR**
- **IF RESTRICTED, DESCRIBE COMPLIANCE WITH NOP RULE ANNOTATION**



Resources

- OMRI generic list
- OMRI products list
- Accredited certifiers that publish an approved list (WSDA?)

- Products with incomplete disclosure of ingredients must not be approved



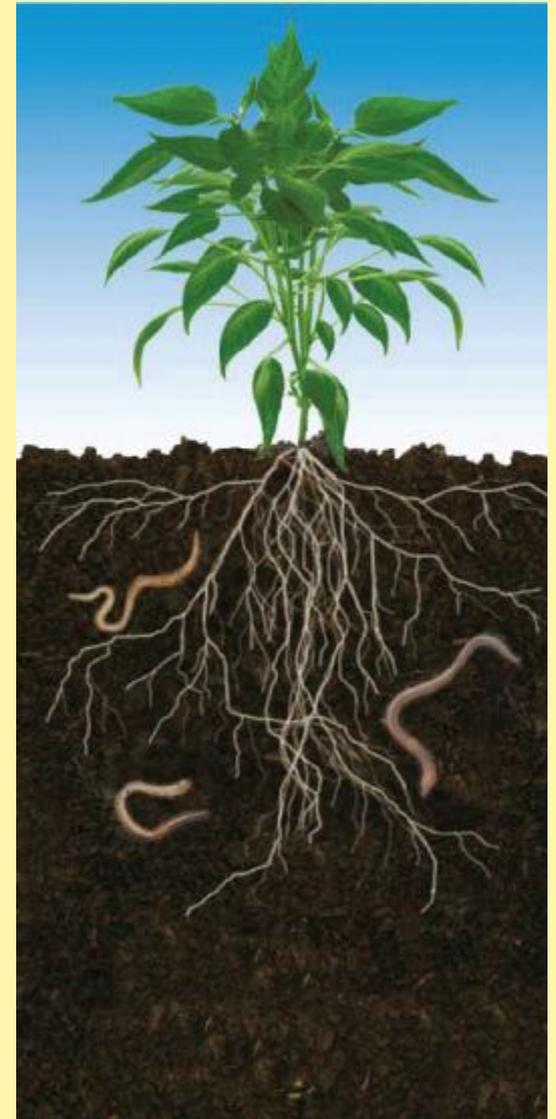
NOP Policy 5012

Purpose of Policy 5012 is to –

- Provide clarity and consistency in how liquid fertilizers are approved for use in organic crop production.
- Ensure integrity of organic production and compliance with NOP regulations

Applicability

- Liquid fertilizers that consist of non-synthetic (natural) ingredients with a nitrogen analysis greater than 3%



Material Evaluation Program

- Independent from organic producer or input manufacturer
- USDA-recognized to verify inputs for compliance with NOP regulations
- Accredited certifying agents (ACA) and OMRI
- Audited regularly to evaluate compliance with the NOP regulations.





Manufacturers

- Comply with National List of allowed and prohibited substances
- Maintain complete records that demonstrate NOP compliance (e.g., ingredients, manufacturing process, process controls, testing)
- Complete onsite audit by material evaluation program



Material evaluation program – ACA, OMRI

1. Review documented processes
2. Conduct annual onsite of manufacturer by qualified inspector
3. Analyze balance in/out of all ingredients and when appropriate by N content product
4. Complete inspection report and maintain report for review by the NOP.
5. Conduct at least one annual unannounced inspection.





Approval criteria

- Written procedures fully describe manufacturing process
 - Accounts for product plant nutrient content
- Inspections and analytical testing confirm compliance with NOP regulations
- Presence of necessary infrastructure
- Balance in/balance out audit verifies compliance





Approval

- Material evaluation program must provide written approval and state –

“Approved for use in NOP organic production by (list of ACA or material evaluation program)”



Amendment to Previous Guidance

- The 100 yard requirement has been removed.
- It is no longer required to have a minimum of 100 yards between synthetic nitrogen storage facilities and organic fertilizer production areas.





California AB856

Regulating Organic Input Materials

- New law passed in 2009
- Goal is to ensure integrity and composition of fertilizers used in organic crop production
- Fills gaps in CDFA's authority to regulate organic inputs; increases penalties; ensures funding; requires inspections



Organic Input Material

- Defined as bulk or packaged commercial fertilizer, agricultural mineral, auxiliary soil and plant substance specialty fertilizer, or soil amendment, excluding pesticides used in organic crops in compliance with the NOP. This definition excludes compost materials that make no nutrient claim or guarantee.





Scope of AB856

- Defines Organic Input Material (OIM)
- Excludes pesticides from the definition.
- Provides CDFA authority to regulate OIM manufactured and distributed in or into California.
- Requires OIM labels to be reviewed and registered with CDFA



AB856

- Requires inspections of all OIM manufacturing facilities
 - CDFA will conduct California inspections, out-of-state OIM conducted by ACAs and NOP recognized material eval programs (OMRI)
- Civil penalties and license revocation authority
- Implemented in 2011



Possible next steps

- NOP could expand inspection requirement to all organic fertilizers as California will do in 2011
- Clarify approved inputs by developing a NOP positive list of generic materials – one list of approved substances
- Obtain NOP authority over organic input manufacturers in order to assure compliance with NOP regulations



QUESTIONS? COMMENTS?

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