



Certification Requirements for Handling of Unpackaged Products

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USDA Agricultural Marketing Service
National Organic Program



Today's Learning Objectives



- Describe the certification requirements for operations that handle unpackaged organic products

Regulations - Who does not need to be certified?



- **Exempt operations - § 205.101 (a)**
 - < \$5,000 in organic sales
 - Retail food establishments
 - Products that are < 70% organic, or only list organic ingredients
- **Excluded operations - § 205.101 (b)**
 - If product is packaged or enclosed in a container prior to acquiring, and
 - If product remains in same package or container, and is not processed further

Handlers who do not need certification



Who are excluded operators that do not need certification?

- Handlers of packaged products – distributors, brokers, and traders that sell boxed or otherwise sealed containers of certified organic products:
 - Boxed cereal
 - Cartons of milk
 - Bagged salad greens
 - Produce brokers who do not open boxes, repack, trim, or re-label the product

Transportation company exclusion



- Companies that transport unpackaged organic products do not need to obtain certification if they do not handle (i.e. sell, process, or package) organic products.

Examples:

- Milk haulers that pick up certified milk to deliver to certified processors
- Truckers that move certified hay, straw, grain to certified handlers or buyers

Handlers who must be certified



- Operations that handle unpackaged products (other than transporting) must be certified

Examples:

- Operations that handle certified organic hay or straw (wrapped or unwrapped), by combining or splitting loads or lots
- Operations that handle unpackaged grain, including combining or splitting loads or lots, package, re-selling
- Fruit and vegetable wholesalers that package or label containers of certified organic produce for sale as organic

Additional requirements



- All handling operations, certified or excluded, must meet 205.272 (prevent contamination and commingling)
- Adequate records are required

Recordkeeping requirements



- Who keeps records for organic products, if the shipper is not certified?
 - If the shipping operation is uncertified, the **records must be kept by certified parties**
- The certified operation responsible for the product (buyer or seller)
 - Records must have enough detail
 - Must maintain audit trail, traceability
 - Document prevention of contamination, commingling
 - Records must be available for inspection

Examples of records



Records may include:

- Clean truck affidavits
- Bills of lading
- Delivery records
- Invoices
- Lot numbers
- Chain of custody records
- Tanker seals
- Labels of sanitizing materials used
- Procedures to clean trucks
- Wash tags
- Truck and trailer numbers

What do you think?

Angel Wings Produce



- *Angel Wings Produce*, a broker, contracts with a produce grower.
- *Angel Wings* handles paper work and arranges for produce trucking.
- The produce is packed on the farm in closed crates, labeled with *Angel Wings* name, and delivered directly to grocery chain stores.
- *Angel Wings* takes a percentage cut on the sales and pays the farmer after delivery.



- Does Angel Wings need to be certified?



No, Angel Wings does not need to be certified.

- Because the produce is enclosed in a container, is not opened, trimmed or otherwise processed (205.101 (b)(1))

What do you think?

Angel Wings records



- What records should the produce grower provide on *Angel Wings*' activities?

Answer

Angel Wings records



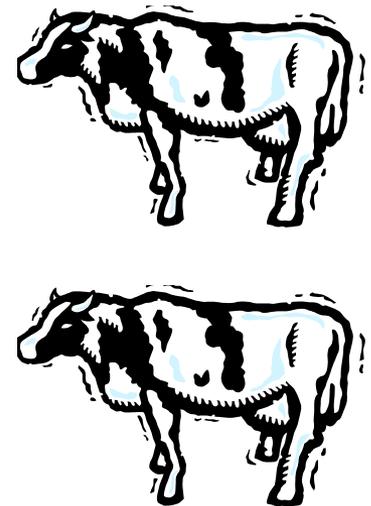
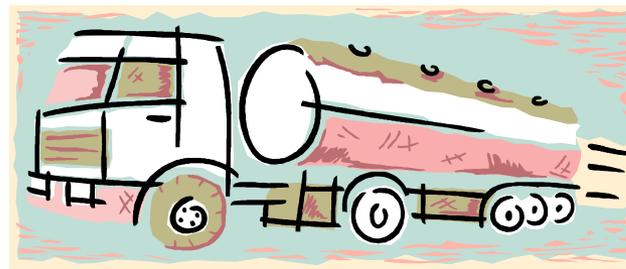
- The produce grower is selling to a retailer, in closed containers, so he/she only needs to provide her certificate. The retailer will expect to see valid certificates for all products supplied by *Angel Wings*.

What do you think?

Milk tanker



- A milk tanker service picks up milk at 5 organic farms and delivers to an organic processing plant. Does this service need to be certified?



Answer: Milk tanker



No, the milk tanker service does not need to be certified.

- Since the tanker service is contracted by the certified organic milk processor, and does not handle the milk other than transportation. In this case, the transportation records must be maintained by the processor.

What do you think?

Milk tanker records



- Examples of records that the milk processor will have:
 - A regularly updated list of tanker service operators that are used
 - Operating procedure, including clean out procedures, that tankers must follow
 - Specific information for each delivery received, including verification of seals, wash tags, pickup logs and delivery tags, amount received per farm

What do you think?

Smiley Jack's Farm



- Smiley Jack's Farm Supply buys hay and straw from 4 local farmers. Large wrapped bales are shipped directly on Jacks trucks from the organic hay farmer to buyers' organic dairy farms.
- Smiley Jack extends credit to the buyer farms, so they can pay him back later in the season
- Sometimes Jack combines loads, sometimes not. Sometimes he stores hay in his barn, other times ships it direct.
- Does Jack need to be certified??



Yes, Smiley Jack's Farm must be certified.

- Hay and straw that may be baled and partly wrapped in plastic or tied with string is considered 'unpackaged'
- Since Jack buys it, sometimes combines loads, and re-sells it, he is handling, and must be certified

