

Current Temporary Variances



Temporary variances from the production and handling requirements of the USDA organic regulations may be granted by the Administrator for natural disasters declared by the Secretary, damage caused by severe weather, or other business interruption, or for the purpose of conducting research in organic production or handling. Procedures for requesting temporary variances are described in [NOP 2606: Processing Requests for Temporary Variances](#). 7 CFR Section 205.290 provides the full regulatory text regarding temporary variances.

The list of temporary variances that are currently in effect or that were denied in 2017 is listed below. For a list of expired temporary variances, please visit <http://www.ams.usda.gov/rules-regulations/organic>.

2017 Allowed Temporary Variances						
Company / Producer	Location	Date of AMS Decision	Effective Date	Expiration	Certifying Agent	Remarks
Minnesota Food Association (Big River Farms)	Marine on St. Croix, MN	08/10/2017	08/10/2017	2017 growing season only	Minnesota Crop Improvement Association (MCIA)	<p>The temporary variance from the organic nonorganically produced, untreated seed requirements in §205.204(a)(1) of the USDA organic regulations has the following restrictions:</p> <ol style="list-style-type: none"> 1. Applies to the organic producer, Minnesota Food Association (Big River Farms), in Marine on St. Croix, MN. 2. Minnesota Food Association may plant non-organic tomato seedlings from untreated seeds for 2017 tomato crop.

Company / Producer	Location	Date of AMS Decision	Effective Date	Expiration	Certifying Agent	Remarks
Mhonpaj's Garden	Marine on St. Croix, MN	08/4/2017	08/4/2017	2017 growing season only	Minnesota Crop Improvement Association (MCIA)	<p>The temporary variance from the organic nonorganically produced, untreated seed requirements in §205.204(a)(1) of the USDA organic regulations has the following restrictions:</p> <ol style="list-style-type: none"> 3. Applies to the organic producer, Mhonpaj's Garden, in Marine on St. Croix, MN. 4. Mhonpaj's Garden may plant nonorganic seedlings from untreated seeds for the 2017 crop.

Company / Producer	Location	Date of AMS Decision	Effective Date	Expiration	Certifying Agent	Remarks
NATURA Agrar	Märkisch Luch municipality, in the Havelland district, in Brandenburg, Germany	07/5/2017	03/1/2017	05/31/2017	EcoCert S.A.	<p>The temporary variance from the organic feed requirements in §205.237(a) of the USDA organic regulations has the following restrictions:</p> <ol style="list-style-type: none"> 1. Applies to the organic ruminant livestock producer, NATURA Agrar, in the municipality of Märkisch Luch, in the Havelland district, in Brandenburg, Germany. 2. Ruminants may receive European Union (EU) certified organic feed (lupines) between March 1, 2017 – May 31, 2017.
Ohio State University's Organic Food and Farming Education and Research (OFFER)	2 Sites: Wooster, OH and Bowling Green, OH	07/25/2016	07/25/2016	09/30/2019	Ohio Ecological Food and Farm Association (OEFFA)	<p>The temporary variance from § 205.203(d)(1) is for research purposes and restricted to:</p> <ul style="list-style-type: none"> • The use of micronutrients on the National List of allowed synthetic substances at §205.601(j)(6) without documentation of deficiencies from soil testing. • The variance will only cover OARDC OFFER fields EB701 and WB1101; and Hirzel Site fields SP1, SP2, and SP3.

2017 Denied Requests for Temporary Variances

Company / Producer	Location	Date of AMS Decision	Certifying Agent	Remarks
WDF, Inc. (Steve Wagoner)	Delphi, IN	08/8/2017	Ohio Ecological Food and Farm Association (OEFFA)	Denied based on requirements in §205.237(a) and the published instruction NOP 2606, " <i>Instruction – Temporary Variances.</i> " A temporary variance may not be granted for feeding non-organic feed to organic livestock.

This table is updated when AMS Administrator decisions are issued.