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 are shown below. For a list of expired temporary variances, please visit http://www.ams.usda.gov/rules-regulations/organic.

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| Robert and Rebecca Duckworth dba Duckworth Farm | Juneau County, Wisconsin   | 9/13/2023            | 9/13/2023      | 2023 grazing season | Oregon Tilth Certified Organic (OTCO)       | The temporary variance from §205.237(c)(1) and §205.239(a)(2) is based on drought and restricted to the following:  
  - Applies only to organic livestock producer, Rebecca Duckworth dba Duckworth Farm, located in Juneau County, Wisconsin  
  - Animals must be grazed on pasture throughout the grazing season for no less than 120 days during the grazing season.  
  - Ruminants must be provided with at least 25 percent average dry matter intake from pasture, or no more than 75 percent average of the ruminant’s dry matter demand from dry matter fed, during the 2023 grazing season. |
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| Windy Ridge, LLC           | Klamath County, Oregon  | 9/05/2023            | 9/05/2023      | 2023 grazing season | Oregon Tilth Certified Organic (OTCO)      | The temporary variance from §205.237(c)(1) and §205.239(a)(2) is based on pasture damage by an exceptional grasshopper infestation and restricted to the following:  
  • Applies only to organic livestock producer, Windy Ridge, LLC located in Klamath County, Oregon.  
  • Bred heifers ages 16-23 months must be grazed on pasture for a minimum of 92 days during the 2023 grazing season.  
  • All other classes of ruminants must be grazed on pasture throughout the grazing season for no less than 120 days.  
  • Ruminants must be provided with at least 30 percent average dry matter intake from pasture, or no more than 70 percent average of the ruminant’s dry matter demand from dry matter fed, during the 2023 grazing season. |
| Bonanza View Dairy, Inc    | Klamath County, Oregon  | 9/05/2023            | 9/05/2023      | 2023 grazing season | Oregon Tilth Certified Organic (OTCO)      | The temporary variance from §205.237(c)(1) and §205.239(a)(2) is based on pasture damage by an exceptional grasshopper infestation and restricted to the following:  
  • Applies only to organic livestock producer, Bonanza View Dairy, Inc located in Klamath County, Oregon.  
  • Bred heifers ages 16-23 months must be grazed on pasture for a minimum of 92 days during the 2023 grazing season.  
  • All other classes of ruminants must be grazed on pasture throughout the grazing season for no less than 120 days.  |
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| Certified ruminant livestock producers in the State of Vermont | Vermont | 8/16/2023 | 8/16/2023 | 2023 grazing season | Vermont Organic Farmers (VOF) | - Ruminants must be provided with at least 30 percent average dry matter intake from pasture, or no more than 70 percent average of the ruminant's dry matter demand from dry matter fed, during the 2023 grazing season. 
- Applies only to organic livestock producers located in Vermont. 
- Ruminants must be provided with at least 30 percent average dry matter intake from pasture, or no more than 70 percent average of the ruminant’s dry matter demand from dry matter fed, during the 2023 grazing season. 
- Ruminants must be grazed on pasture throughout the grazing season for no less than 45 days during the 2023 grazing season. |
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| Echo Dell Organic Farm | Kalona, Iowa     | 8/3/2023             | 8/3/2023         | 2023 grazing season | Oregon Tilth Certified Organic (OTCO)     | The temporary variance from §205.237(c)(1) and §205.239(a)(2) is based on drought and restricted to the following:  
  - Applies only to organic livestock producer, Echo Dell Organic Farm LLC, located in Kalona, Iowa.  
  - Lactating animals must be grazed on pasture throughout the grazing season for no less than 100 days during the 2023 grazing season.  
  - All other classes of ruminants must be grazed on pasture throughout the grazing season for no less than 120 days during the 2023 grazing season.  
  - Ruminants must be provided with at least 30 percent average dry matter intake from pasture, or no more than 70 percent average of the ruminant’s dry matter demand from dry matter fed, during the 2023 grazing season. |
| Fagerberg Produce, Inc. | Eaton, Colorado  | 7/27/2023            | 7/27/2023        | 2023 growing season | Colorado Department of Agriculture (CDA)   | The temporary variance from §205.204(a)(3) is based on hail damage and restricted to the following:  
  - Applies only to organic crop producer, Fagerberg Produce, Inc. in Eaton, Colorado.  
  - Fagerberg Produce, Inc. may use nonorganic, untreated, non-GMO annual seedlings to replant onion crop damaged by the hail. |
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| Certified organic ruminant livestock producers in Marin County and Sonoma County, California | Marin County and Sonoma County, California | 6/28/2023 | 6/28/2023 | 2023 grazing season only | Those that certify operations in Marin County and Sonoma County, California | The temporary variance from §205.237(c)(1) and §205.240(b) is based on excessive precipitation and flooding resulting from the severe winter storms and restricted to the following:  
  - Applies only to organic ruminant livestock producers located in Marin County and Sonoma County, California who have not already been granted a temporary variance for the 2023 grazing season.  
  - All ruminants and classes of animals must be provided with at least 25 percent average dry matter intake from pasture for no more than 75 percent average of the ruminant’s dry matter demand from dry matter fed, during the 2023 grazing season.  
  - All ruminants and classes of animals must be grazed on pasture throughout the grazing season for no less than 80 days during the 2023 grazing season. |
| Mazzetta Dairy | Petaluma, CA | 5/8/2023 | 5/8/2023 | 2023 grazing season only | CCOF Certification Services, LLC (CCOF) | The temporary variance from 7 CFR Part §205.237(c)(1) and §205.240(b) is based on excessive precipitation and flooding, and is restricted to the following:  
  - Applies only to organic livestock producer Mazzetta Dairy in Petaluma, California.  
  - Ruminants must be provided with at least 30 percent average dry matter intake from pasture, or no more than 70 percent average of the ruminant’s dry matter demand from dry matter fed, during the 2023 grazing season. |
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| Ohio State University Organic Food and Farming Education and Research (OFFER) Program | 2 Sites: Wooster, OH and Bowling Green, OH | 7/14/2020 | 7/14/2020 | 11/30/2023 | Ohio Ecological Food and Farm Association (OEFFA) | - Ruminants must be grazed on pasture throughout the grazing season for no less than 60 days during the 2023 grazing season. 
- The temporary variance from §205.203(d)(1) is for research purposes and restricted to the following: 
  - 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 only covers OFFER field WB1101. |
### 2023 Denied Requests for Temporary Variances

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