

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>.

2021 Allowed Temporary Variances						
Company / Producer	Location	Date of AMS Decision	Effective Date	Expiration	Certifying Agent	Remarks
Certified organic ruminant livestock producers in various counties in Idaho	Counties in Idaho declared as primary or contiguous drought disaster areas by Secretary Vilsack in calendar year 2021	9/2/2021	9/2/2021	2021 grazing season only	Those that certify operations in counties in Idaho designated as primary or contiguous drought disaster areas by Secretary Vilsack.	<p>The temporary variance from §205.237(c)(1) and §205.239(a)(2) is in effect for the 2021 grazing season, based on drought and restricted to the following:</p> <ul style="list-style-type: none"> • Applies only to organic ruminant livestock producers located in Idaho who have not been granted a temporary variance for the 2021 grazing season. • All ruminants and classes of animals must be provided with at least 20 percent average dry matter intake from pasture, or no more than 80 percent average of the ruminant’s dry matter demand from dry matter fed, during the 2021 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 2021 grazing season.

Company / Producer	Location	Date of AMS Decision	Effective Date	Expiration	Certifying Agent	Remarks
Sandy Plains Farm LLC	Stearns County, Minnesota	8/31/2021	8/31/2021	2021 grazing season only	Oregon Tilth Certified Organic (OTCO)	<p>The temporary variance from §205.237(c)(1) and §205.239(a)(2) is based on drought and restricted to the following:</p> <ul style="list-style-type: none"> • Applies only to organic livestock producer, Sandy Plains Farm LLC in Stearns County, Minnesota. • Steers 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 2021 grazing season. • Steers must be grazed on pasture throughout the grazing season for no less than 50 days during the 2021 grazing season.
Highland Dairy	Lincoln County, Idaho	8/10/2021	8/10/2021	2021 grazing season only	Idaho State Department of Agriculture (ISDA)	<p>The temporary variance from §205.237(c)(1) and §205.239(a)(2) is based on drought and restricted to the following:</p> <ul style="list-style-type: none"> • Applies only to organic livestock producer, Highland Dairy in Lincoln County, Idaho. • Milk cows and dry cows 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 2021 grazing season. • Milk cows and dry cows must be grazed on pasture throughout the grazing season for no less than 80 days during the 2021 grazing season.

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Double Eagle Dairy	Cassia County, Idaho	7/26/2021	7/26/2021	2021 grazing season only	Where Food Comes From Organic (WFCFO)	<p>The temporary variance from §205.237(c)(1) and §205.239(a)(2) is based on drought and restricted to the following:</p> <ul style="list-style-type: none"> • Applies only to organic livestock producer, Double Eagle Dairy in Cassia County, Idaho. • Ruminants must be provided with at least 20 percent average dry matter intake from pasture, or no more than 80 percent average of the ruminant's dry matter demand from dry matter fed, during the 2021 grazing season. • Ruminants must be grazed on pasture throughout the grazing season for no less than 90 days during the 2021 grazing season.
Eagle View Dairy	Cassia County, Idaho	7/26/2021	7/26/2021	2021 grazing season only	Where Food Comes From Organic (WFCFO)	<p>The temporary variance from §205.237(c)(1) and §205.239(a)(2) is based on drought and restricted to the following:</p> <ul style="list-style-type: none"> • Applies only to organic livestock producer, Eagle View Dairy in Cassia County, Idaho. • Ruminants must be provided with at least 20 percent average dry matter intake from pasture, or no more than 80 percent average of the ruminant's dry matter demand from dry matter fed, during the 2021 grazing season. • Ruminants must be grazed on pasture throughout the grazing season for no less than 90 days during the 2021 grazing season.

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Magic Valley Organic Dairy LLC	Gooding County, Idaho	6/29/2021	6/29/2021	2021 grazing season only	Oregon Tilth Certified Organic (OTCO)	<p>The temporary variance from §205.237(c)(1) and §205.239(a)(2) is based on drought and restricted to the following:</p> <ul style="list-style-type: none"> • Applies only to organic livestock producer, Magic Valley Organic Dairy LLC in Gooding County, Idaho. • Ruminants must be provided with at least 20 percent average dry matter intake from pasture, or no more than 80 percent average of the ruminant's dry matter demand from dry matter fed, during the 2021 grazing season. • Ruminants must be grazed on pasture throughout the grazing season for no less than 100 days during the 2021 grazing season.
Turner Dairy, Inc.	Gooding County, Idaho	6/29/2021	6/29/2021	2021 grazing season only	Oregon Tilth Certified Organic (OTCO)	<p>The temporary variance from §205.237(c)(1) and §205.239(a)(2) is based on drought and restricted to the following:</p> <ul style="list-style-type: none"> • Applies only to organic livestock producer, Turner Dairy, Inc. in Gooding County, Idaho. • Ruminants must be provided with at least 20 percent average dry matter intake from pasture, or no more than 80 percent average of the ruminant's dry matter demand from dry matter fed, during the 2021 grazing season. • Ruminants must be grazed on pasture throughout the grazing season for no less than 100 days during the 2021 grazing season.

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Certified Organic Ruminant Livestock Producers in California and Oregon	Counties in California and Oregon designated as primary or contiguous drought disaster areas by Secretary Vilsack in calendar year 2021	6/21/2021	6/21/2021	2021 grazing season only	Those that certify operations in counties in California and Oregon designated as primary or contiguous drought disaster areas by Secretary Vilsack	<p>The temporary variance from §205.237(c)(1) and §205.239(a)(2) is based on severe drought and restricted to the following:</p> <ul style="list-style-type: none"> • Applies only to certified organic ruminant livestock producers located in counties in California and Oregon designated as primary or contiguous natural disaster areas by Secretary Vilsack. The list of declared State counties is available on USDA’s website for Disaster Designation Information. • All ruminants and classes of animals must be provided with at least 20 percent average dry matter intake from pasture, or no more than 80 percent average of the ruminant’s dry matter demand from dry matter fed, during the 2021 grazing season. • All ruminants and classes of animals must be grazed on pasture throughout the grazing season for no less than 90 days during the 2021 grazing season.
Gillian’s Dairy	Petaluma, California	4/19/2021	4/19/2021	2021 grazing season only	Oregon Tilth Certified Organic (OTCO)	<p>The temporary variance from §205.237(c)(1) and §205.239(a)(2) is based on severe drought and restricted to the following:</p> <ul style="list-style-type: none"> • Applies only to organic livestock producer, Gillian’s 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 2021 grazing season. • Lactating cows must be grazed on pasture throughout the grazing season for no less than 75 days during the 2021 grazing season.

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Blake's Landing Farm	Marshall, California	3/24/2021	1/1/2021	12/31/2021	Marin Organic Certified Agriculture (MOCA)	<p>The temporary variance from §205.237(a) is for research purposes and restricted to the following:</p> <ul style="list-style-type: none"> • Applies to the organic livestock producer, Blake's Landing Farm, located in Marshall, California. • No more than 45 of the operation's certified organic cows. • The operation may feed its certified organic cows non-organic <i>Asparagopsis taxiformis</i> for a period that must not exceed 60 days.
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)	<p>The temporary variance from §205.203(d)(1) is for research purposes and restricted to the following:</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. <p>The variance only covers OFFER field WB1101.</p>

2021 Denied Requests for Temporary Variances						
Company / Producer	Location	Date of AMS Decision	Certifying Agent		Remarks	

This table is updated when AMS Administrator decisions are issued.				