

Small Scale Organics:

A Guidebook for the Non-certified Organic Grower

(Includes Guidelines and an Organic System Plan)



by George Kuepper



THE KERR CENTER FOR SUSTAINABLE AGRICULTURE
Serving Oklahoma's Farmers and Ranchers since 1965

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A Guidebook for the Non-certified Organic Grower

(Includes Guidelines and an Organic System Plan)

George Kuepper



Kerr Center for Sustainable Agriculture, Poteau, Oklahoma

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Layout and Design: Argus DesignWorks

For more information, contact:

Kerr Center, PO Box 588, Poteau, OK 74953
918.647.9123, 918.647.8712 fax
www.kerrcenter.com, mailbox@kerrcenter.com

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foundation. The home office, farm and ranch are
located in southeast Oklahoma.

*If you have comments on this publication
or suggestions to improve it, please contact:*

George Kuepper
The Kerr Center for Sustainable Agriculture
P.O. Box 588, Poteau, OK 74953
gkuepper@kerrcenter.com

Mission Statement

The mission of the Kerr Center for Sustainable Agriculture is to assist in developing sustainable food and farming systems by:

supporting farms that provide a perpetual stream of economic goods and ecological/environmental benefits, and which enhance the quality of life of farm families, rural residents and society as a whole;

promoting markets made up of independently owned and operated farms and firms of a scale appropriate to offer a wide variety of product choices for consumers and economic opportunities for existing and beginning farmers;

encouraging communities to protect the land from misuse, exploitation, and unfettered urban development; promote community food security and support economic development from within; and ensure that all community members are included and have equal opportunities.

The Kerr Center proclaims the need for a culture that respects the earth and all of its diversity of life, and that recognizes the physical, social and spiritual connections between people within a higher order of things.

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Part I

Organic Farming: Definitions and Issues

Federal Regulation of Organic Agriculture

Congress passed the Organic Food Production Act (OFPA) in 1990. OFPA mandated creation of the National Organic Program (NOP) under the umbrella of USDA's Agricultural Marketing Service (AMS). The NOP's roles included the development of Regulations—the National Organic Standard*—for production and processing, and for enforcement. OFPA also mandated creation of the National Organic Standards Board (NOSB)—a civilian advisory panel. The NOSB advises the NOP on development and interpretation of the National Standard. It also has statutory responsibility for the National List, which details those synthetics allowed in organic production and processing, and those few natural materials that are prohibited.

The National Organic Standard was finally approved and implemented in 2002. It addresses what can and cannot be done or used in organic production and processing. It requires that all farms selling organic products be certified. Certified organic farms must prepare and submit a farm plan that details all practices and inputs to show how they will comply with the National Standard. A USDA-accredited certifier must approve the plans. Thereafter, farmers must also keep records to prove that they are following the approved plan. In addition, organic farms must be inspected every year to further ensure compliance.

The National Organic Standard was written with some “teeth” in the regulation. Sale and misrepresentation of non-organic products as organic is now punishable up to \$10,000 per violation. [§205.100(c)(1)]

You can find and read the National Organic Standard on the NOP website at: www.ams.usda.gov/NOP/. The NOP website also features a helpful Question and Answer page at: www.ams.usda.gov/NOP/Q&A.html. Please note that we make frequent references to the Standard throughout this document. When we do so, we indicate the specific citations in brackets, e.g. [§205.601].

** The National Organic Standard is also commonly referred to as the National Organic Program Regulations, the USDA Organic Regulations, the Final Rule of the National Organic Program, and similar terms. All are essentially equivalent terms.*

Some Problems That Emerged Early on . . .

A fair amount of confusion and resistance to the National Organic Standard arose following implementation. There were several issues and causes. Four of them go to the heart of problems that arise with small-scale production and direct marketing:

- **The small-farm exemption.** The National Organic Standard requires that all organic farms must be certified. However, those selling less than \$5,000 of organic products each year are exempt from certification. [§205.101(a)] Exempt farms are expected to follow the National Standard, but they do not undergo annual site inspections or any review of the practices and materials they use for growing and handling crops. Very small growers—those who raise and sell organic produce as much as a hobby as to supplement income—often don't understand that the law even applies to them!
- **A single standard.** Prior to implementation of the National Standard, there was no consistent definition of organic production. Over those many years, many well-intentioned growers adopted practices and used inputs that would eventually become prohibited under the National Organic Standard. While the certification process identifies and weeds out non-compliant practices and materials, exempt producers don't get nearly as much guidance.
- **Resistance to regulation.** The process that led to Federal organic regulation began when representatives of the small but burgeoning organic industry approached legislators for assistance. However, some segments of the organic community, including many small growers, feel they were excluded from the process; still others were philosophically opposed to any form of government regulation of organics.
- **A poor standard?** This issue has two sides. There are some who feel the Standard is weak and/or incomplete; that it doesn't address important issues such as farm labor practices; that it favors the industrialization of organic agriculture and handicaps small farms and family farms. On the other hand, there are some who think the Standard has too many requirements. Paperwork is a major sore point for these folks.

These factors and others have worked to set the stage for the kinds of problems—actual and perceived—that sometimes occur at local marketing venues when small organic farms are involved.

Because the challenges of determining compliance are vastly different between certified and non-certified growers, we have chosen to address them separately, beginning with certified operations.

About Certification and Certified Organic Farms

If you are, or plan to become, an organic producer and expect to sell more than \$5,000 of organic products, you will need to be certified. Information on organic certification is available from many sources, including ATTRA (see www.attra.ncat.org). The Kerr Center also maintains an information packet with up-to-date information on organic certification. It is available on our website (www.kerrcenter.com) or by contacting our office (918.647.9123; mailbox@kerrcenter.com).

If you are a market manager, a produce buyer, or anyone that needs to determine whether someone's farm is certified or not, the following key facts about certified organic farms and processors should help:

- Any farm or market garden that sells more than \$5,000 of organic products annually must be certified. [§205.100(a)] Operations that sell more than \$5,000 of organic products annually and do not become certified are in violation of the National Organic Standard.
- All certified operations are given an organic certificate and must be able to produce a copy of it to confirm their status. The certificate will state the name of the farm, its address, date of certification, the categories of products it is certified to produce, and the name and contact information

for the certifying agent. [§205.404(b)]

- Certification can only be conferred by USDA-accredited agents. A current list of accredited certifying agents and their contact information is on the NOP's website at <www.ams.usda.gov/NOP/CertifyingAgents/Accredited.html>.
- Anyone may contact the grower's certifying agency to confirm the grower's claim to certification. Certifiers commonly publish lists of all the operations they certify on their websites.
- It is a violation of federal law for anyone to sell a product as certified organic when it is not certified. [§205.100(c)(1)] It is also a violation to display the USDA seal or a certifier's logo if the operation is not certified. You are encouraged to report any false claims of certification and other violations directly to the NOP (see Reporting Violations).

Non-certified Organic Farming: How to Know If I'm Really Organic

If you are an organic grower and you sell less than \$5,000 of organic products (raw or processed) each year, certification is optional. Should you choose not to become certified, you must still meet the requirements of the National Organic Standard. [§205.101(a)] However, if you are exempt, your operation is probably small. Many of the details in the National Standard do not apply to you.

This quick assessment tool covers the main issues and factors that will tell you whether your small farm or market garden meets the Federal requirements and you may sell your produce or other products as organic. It does not substitute for the rigorous inspection and review process of organic certification. Still, it should give you a pretty good idea whether you can legally call your operation and your produce "organic."

Production Issues

The key areas of concern in assessing whether any small farm or market garden is organic include land requirements, fertilizers and pesticides used, manure and composting practices, growing practices, seed selection, and prevention of contamination and commingling. We'll discuss each of these.

Land Requirements

- In the eyes of the law, organic status applies to the land you cultivate and the produce you harvest from it, NOT to you as a farmer or gardener. Your current garden may well be organic. However, if you begin growing in a new spot or location, it may not qualify as organic.
- For produce or other crops to be organic, they must be harvested from ground that has NOT been treated or contaminated with prohibited fertilizers, insecticides, fungicides, herbicides, or other chemicals for the previous 36 months. [§205.202(b)] You are also required to wait three years if you planted seed that was treated with pesticides or a variety that was genetically engineered.

Growing Practices

Despite all of the discussion about what can and cannot be used in the field and garden, organic growing is primarily about a cultural system that is based on natural principles. It is about building a fertile living soil and an environment that supports the healthy growth of plants and natural biological control—a situation where synthetic pesticides and fertilizers are unnecessary and even counterproductive. Furthermore, by using traditional organic practices like rotation, cover

cropping, green manuring, companion planting, and composting, many organic growers get by without commercial organic pest controls or fertilizer products as well. Good organic farms and gardens become increasingly self-sufficient with time.

- Organic growers use a wide selection of practices to build soil fertility, suppress weeds, and control insects and diseases. These practices include cover cropping, green manuring, mulching, mechanical cultivation, companion planting, composting, traps, barriers, crop rotation, and timing planting to outwit pests. While they need not use all of them, growers must use organic practices to manage soil fertility and to control pests.
- Crop rotation is specifically required by the National Standard. [§205.205]

- Burning of crop residues is not allowed as a means to dispose of crop residues. It may only be done to control disease and to stimulate seed germination where that is necessary. [§205.203(e)(3)]
- Whatever specific practices or inputs you choose to employ, you must work to prevent soil erosion, water pollution, and contamination of your organic crops, while not degrading your soil. [§§205.203(a) & (c)]

The National Organic Program defines “organic production” as a system that responds to site-specific conditions by integrating cultural, biological, and mechanical practices that foster cycling of resources, promote ecological balance, and conserve biodiversity.
[§205.2]

To get a better idea of the practices and philosophy of organic farming and gardening, ask for Kerr Center’s *Organic Gardening* information packet. Also see ATTRA’s *Organic Crop Production Overview* at www.attra.ncat.org/attra-pub/organiccrop.html.

Fertilizers & Soil Amendments

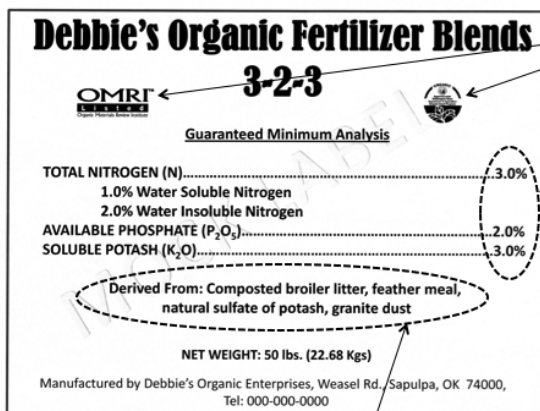
Organic growers can apply natural organic materials and crushed rock minerals to improve their soil. Manure, compost, guano, seed meals, blood meal, bone meal, fish- and seaweed-based fertilizers, as well as lime, dolomite, gypsum, wood ash, green sand, granite meal, and rock phosphate are allowed. You may use sodium nitrate sparingly. (Its rate of use must not exceed 20% of the crop’s nitrogen requirement.) [§205.602(h)] You may also use sulfate of potash-magnesia (K-Mag®), and potassium sulfate, which are mined minerals that have been minimally processed and not chemically changed from their natural state.

PROHIBITED fertilizers include:

- Most synthetic fertilizers such as urea (45-0-0), ammonium nitrate (33.5-0-0), ammonium sulfate (21-0-0), calcium nitrate (15-0-0), superphosphate (0-20-0), triple superphosphate (0-44-0), diammonium phosphate (18-46-0), phosphoric acid (0-52-0), potassium nitrate (13-0-46), potassium chloride (0-0-60). These are commonly formulated as dry prilled or granulated materials.
- Any dry blends of these materials such as 10-10-10, 13-13-13, 18-24-6, 29-2-5, or 10-20-10, or liquid formulations. (Some common liquid formulations include: 6-24-6, 3-18-18, 15-3-6)
- Dry soluble chemical fertilizers, which include the standard line of Peters® and Miracle-Gro® products.
- Synthetic slow-release fertilizers like Osmocote®.

- Fertilizers made from biosolids, sewage sludge, or other human waste products. [§205.105(g)]
- Most liquid soil conditioners, including Basic-H®.
- Any fish and seaweed-based fertilizers IF they also contain conventional chemical fertilizers. Be sure to read the label and check the contents.

HOW TO EVALUATE A FERTILIZER LABEL



Review Logos (Optional)
Indicate these organizations reviewed this product and consider it acceptable for organic use.

Fertilizer Analysis
These numbers indicate the minimum percentage of nitrogen, phosphate, and potash, respectively. Most organic fertilizers have analyses much lower than conventional fertilizers. However, this information does not indicate whether the product is acceptable for organic use.

Source Statement
Tells you what ingredients were used to formulate the fertilizer. **READ THIS TO DETERMINE WHETHER THE PRODUCT CONTAINS ANY PROHIBITED MATERIALS.**

Additional guidance:

- If the fertilizer label carries a logo or statement indicating it is listed by the Organic Materials Review Institute (OMRI) or the Washington State Department of Agriculture (WSDA), you can be reasonably assured that the product is allowed for use. However, these labeling programs are optional. Some manufacturers of allowed organic fertilizers and amendments do not use these programs. You can view lists of allowed brand products at www.omri.org/ and <http://agr.wa.gov/FoodAnimal/Organic/>.
- Save copies of labels from any commercial fertilizer or amendment products you purchase and use for your records.

If either the OMRI or the Washington State Department of Agriculture logos appear on a fertilizer or pesticide label, it indicates that the product was reviewed and is considered acceptable for organic production by these entities.

If the logo and statement below appears on any pesticide label, it indicates that the product was reviewed by the Environmental Protection Agency and is cleared for use in organic production. (Pesticides only.)

FOR ORGANIC PRODUCTION

Manure & Compost

Manure is a traditional fertilizer for farms and gardens. It is an excellent and locally available resource. Unfortunately, it often contains human pathogens. Some, like *E. coli* 0157 and salmonella, can be fatal. The National Organic Standard regulates how manure is used in organic production to prevent microbial contamination of produce.

Summary guidance for manure use: [§205.203(c)]

- If you use manure during the growing season, it **MUST** be thoroughly composted using a high temperature process (131°–170° F) for at least 3 days if you use static aerated piles; 15 days, if you use a frequently-turned windrow system. Windrows must be turned at least 5 times during the 15-day period. [§205.203(c)(2)]
- You may apply uncomposted raw manure to vegetables and fruits, but there are restrictions. Applications may **NOT** occur within 90 days of harvest for fruits and vegetables whose edible portion does not touch the ground or receive ground splash. [§205.203(c)(1)(iii)] For those crops whose edible portion **DOES** contact the soil or soil particles, applications may not be made within 120 days of harvest. [§205.203(c)(1)(ii)]
- Commercial heat-treated manure products have the same unrestricted use as high temperature compost (according to a policy memo published by the NOP on July 19, 2007).
- Worm-composted manure (vermicompost), dried manure, and guano have the same restrictions as uncomposted manure.
- Manure tea and compost tea—even if made from high temperature compost—have the same restrictions as uncomposted manure.
- None of these restrictions apply to compost applications to non-food plants or to compost that does not contain manure.

- Save copies of labels from any commercial manure or compost products you purchase and use for your records.

Pesticides (insecticides, fungicides, herbicides)

Organic growers must manage weeds, diseases and insect pests through prevention, cultural practices, and biological controls. Where these do not provide sufficient control, a limited number of pesticides may be used. [§205.206(e)] There are several classes of allowed pesticides. These include biopesticides, botanical (plant-based) materials, minerals (copper, sulfur, baking soda, diatomaceous earth), superior spray oils, hydrogen peroxide, and insecticidal soaps.

PROHIBITED pesticides include:

- Common synthetic insecticides such as those that contain: carbaryl (e.g., Sevin®), diazinon (e.g., Diacur®), malathion (e.g., Malixol®), esfenvalerate (e.g., Asana®), cyhalothrin (e.g., Karate®, Matador®), cyfluthrin (e.g., Baythroid®, Laser®), imidacloprid (e.g., Admire®, Gaucho®), or permethrin (e.g., Permanone®, Pounce®).
- Synthetic fungicides like those that contain captan (e.g., Orthocide®, Stylor®), chlorothalonil (e.g., Daconil®, Thalonex®), myclobutanil (e.g., Laredo®, Nova®), tebuconazole (e.g., Lynx®, Elite®), zineb (e.g., Cuprothex®), or mancozeb (e.g., Dithane®, Manzate®).
- Almost all off-the-shelf herbicides, including those with active ingredients like: glyphosate (e.g., Roundup®), sethoxydim (e.g., Poast®), fluazifop (e.g., Fusilade®), diquat (e.g., Reglone®), trifluralin (e.g., Treflan®, Bayonet®), triclopyr (Tahoe®, Remedy®), mecoprop (e.g., Propionyl®), and 2,4-D or 2,4-Dichlorophenoxyace-

tic acid (e.g., Tornado®, Baton®).

- Tobacco dust and nicotine extract sprays (e.g., Black Leaf 40®), and strychnine rodent baits. [§205.602]
- Otherwise-natural pesticides that contain piperonyl butoxide.
- Household detergents and dishwashing soaps, used either as insecticides or surfactants. Most off-the-shelf surfactants sold in farm and garden supply stores are also PROHIBITED.

- Soap-based herbicides are PROHIBITED in organic fruits and vegetables. However, you may use them around garden buildings, field edges, and in ornamental plantings. [§205.601(b)(1)]

Additional guidance:

- If the pesticide label carries a logo or statement indicating it is listed by OMRI or WSDA, you can be reasonably sure that the product is allowed for use. If it carries the Environmental Protection Agency’s three-leaf logo and statement “For Organic Production,” you can be confident it is allowed for organic use. Note that these labeling programs are optional. Some manufacturers of allowed organic pesticides do not use these programs. You can view lists of allowed brand products at www.omri.org/ and <http://agr.wa.gov/FoodAnimal/Organic/>.
- Save copies of labels from any commercial pest control products you purchase and use for your records.

HOW TO EVALUATE THE FRONT PANEL OF A PESTICIDE LABEL

The diagram shows a pesticide label for 'WHACKO Crop Protection 8 L'. The label includes the following information:

- Product Name:** WHACKO Crop Protection 8 L
- Description:** A Natural Insecticide for Fruits and Vegetables
- Active Ingredient Statement:** A dashed circle highlights the 'ACTIVE INGREDIENT' section, which lists: Pyrethrins... 8.00% and INERT INGREDIENTS... 92.00% (totaling 100.00%).
- Benefits:** A list of features: Provides rapid knockdown and kill of pests; Contains botanically-derived insecticide; Controls a wide range of insect pests; Easy on beneficial insects; Can be used on day of harvest.
- Caution:** CAUTION! KEEP OUT OF THE REACH OF CHILDREN. See Back Panel for Additional Cautions.
- Organic Label:** A logo for 'FOR ORGANIC PRODUCTION' is present.
- Review Logos:** Logos for OMRI and WSDA are shown at the bottom left.
- Net Contents:** 32 FL OZ.

Callouts from the right side of the diagram explain these sections:

- Active Ingredient Statement:** Tells you what ingredients were used to formulate the product. READ THIS TO DETERMINE WHETHER THE PRODUCT CONTAINS PROHIBITED INGREDIENTS.
- EPA Organic Label Optional:** Indicates EPA approves this product for organic use.
- Review Logos (Optional):** Indicate these organizations reviewed this product and consider it acceptable for organic use.

Seeds & Planting Stock

Seed and planting stock requirements apply to everything grown in the organic production system, including cover crops and transplants.

- Seeds that have been coated with prohibited synthetic fungicides or insecticides are not allowed under any circumstances.
- Genetically engineered varieties are PROHIBITED. [§205.105(e)]
- Annual transplants, whether you or someone else grows them, MUST be raised organically. [§205.204(a)] You may use conventional transplants ONLY if your organic transplants were destroyed by bad weather or some sort of accident. [§205.204(a)(3)]

Additional guidance:

- You must use organically-grown seed and planting stock unless the variety you need is either not available in organic form or is not sold in the quantity you require. [§205.204(a)(1)]
- Hybrid and other new varieties are allowed as long as they are not genetically engineered.
- You are allowed to use fumigated seeds and stock if the treatment is required by Federal or State phytosanitary laws. [§205.204(a)(5)]
- Genetically engineered legume inoculants are PROHIBITED. Fortunately, most legume inoculants are not genetically engineered and are allowed.
- Save all your seed packets and the labels from inoculants you purchase and use for your records.
- If you also use any equipment for conventional production, be certain to clean it thoroughly before it is used on organic crops and soils. This is especially important with fertilizer spreading and seeding equipment.
- Repair fluid leaks in your rototiller, mower, trimmer and other farm and garden machines.
- If you are constructing or repairing raised production beds, greenhouses, trellising, or fences, do not use treated wood where it might contact organic crops or the soil growing organic crops. Treated wood that is already in place does not need to be replaced, though it should be buffered or shielded from contact with organic crops and producing soil. [§205.206(f)]
- Use clean or new containers for harvesting. Do not use cardboard or other containers if they are impregnated with fungicides or other pesticides. [§205.272(b)(1)]

Preventing Contamination

You **MUST** prevent contamination of your soils and crops. Hazards include pesticide spray drift, engine fluids, and fertilizer runoff.

- If you use otherwise-prohibited lawn and yard chemicals, create an untreated buffer area around the organic garden to ensure that drift and runoff do not occur. Similarly, if neighbors use prohibited chemicals, establish a buffer zone. [§205.202(c)] Where standard boom sprayers or hand sprayers are used, 25' buffers are usually adequate.
- If you spray conventional pesticides in your non-organic areas, get a separate sprayer to use for organic production and clearly label it for organic use only.
- Be certain to store conventional pesticides, fuels, lubricants, and other chemicals away from harvested organic crops, harvest containers, and from inputs you use to grow organic produce.
- Do not store organic produce where it might be contaminated by sprays, fumigants, petroleum products, or any other prohibited substances.
- If your retail sales shelves or racks are constructed of treated wood, be certain to use untreated plastic, cardboard, paper containers or other surface covering to prevent contact with your produce.

Marketing Issues

Marketing Information, Signage, etc.

- Your label and your marketing information may NOT state or imply that the products you sell are organic unless they truthfully are organic. (Marketing information refers to any written, printed, audiovisual, or graphic information, including advertising, pamphlets, fliers, catalogs, posters, and signs, used to assist in the sale or promotion of your products. [§205.2])
- Your label and your marketing information may NOT state or imply that the products you sell are certified organic unless they truthfully are certified.

Organic Labeling

- Organic produce may be labeled “100% Organic,” though most local market sellers simply use “Organic.”
- “Organic” is also used for processed products that contain a minimum of 95% organic agricultural products. (See Small-Scale Processed Organic Products later in this document.)
- Products that have at least 70% organic agricultural ingredients may use the “made with organic _____” label. This is a complex label with many restrictions too detailed for discussion here. See §§205.301(c) & 304 of the National Organic Standard.)

The Organic Seal

Exempt (non-certified) may NOT use or display the organic seal. Only certified organic operations may display the organic seal. [§205.310(a)(1)]



Non-direct Sales

- It is allowed for you to sell your non-certified organic produce to grocery stores or restaurants for resale, as long as they do not represent it as certified organic. They may, however, sell it simply as “organic.”
- You may NOT sell non-certified organic products for use in organic products made by others. For instance, a delicatessen may not use your non-certified organic potatoes in a soup that is labeled as “organic.” This also means you may NOT sell non-certified hay for production of certified organic livestock or organic milk. [§205.310(b)]

Avoiding Commingling

- Commingling is the physical contact of organic with non-organic produce or other products. [§205.2] The concern is that you not sell non-organic products as organic by accident. This is not an issue if you only grow and sell organic products. However, if you produce both organic and conventional products, you need to take additional care. It is particularly important if you grow the same specific items organically and conventionally.
- Use separate containers to harvest, store, and display organic and conventional produce. Store these containers separately. If necessary, use color codes or some other means to ensure that you know which is which. Dedicating and labeling containers for organic use only is a good idea.
- Avoid storing or displaying organic produce on shelves placed directly beneath shelves bearing conventional products. A conventional potato falling into the organic bin might be indistinguishable from the organic spuds. If you can, it is better to separate organic and conventional products horizontally, rather than vertically.

And avoid placing organic and conventional offerings of the same vegetable side-by-side.

- If someone unfamiliar with your operation helps you harvest or market your produce, be certain to educate them on the difference between your organic and conventional offerings, and the importance of not commingling.

Special Products with Special Concerns

Organic Plants and Transplants

- If you sell plants or transplants as organic, you face the same restrictions you do for produce as described earlier under “Key Areas of Concern for Growing Organic Produce (and Other Crops).”
- Avoid using off-the-shelf peat moss products. Most are treated with prohibited wetting agents; some also contain prohibited commercial fertilizers.
- You may NOT sell non-certified organic transplants to another organic grower for certified production. [§205.310(b)]
- If you grow both organic and conventional transplants, you must keep your organic production separate and shielded to ensure no contamination with prohibited chemicals. You must also ensure that organic and conventional transplants are not commingled.

Wild-Harvested Organic Products

(e.g. mushrooms, ginseng, berries, decorative dried plants, etc.)

- Harvest must be from land that you control or can otherwise ensure HAS NOT (in the past three years), and WILL NOT be treated with prohibited pesticides, fertilizers or other chemicals. [§205.207(a)]

- You may only harvest in a manner that allows the wild planting to recover and sustain itself into the future. [§205.207(b)]
- You may only harvest in a manner that does not cause excessive erosion or other environmental damage. [§205.207(b)]

Edible Organic Sprouts

- Organic seed MUST be used to produce organic sprouts. [§205.204(a)(1)]

Small-Scale Processed Organic Products

(e.g. Flour, Jams, Jellies, Breads, Honey, Sorghum, etc.)

- If you make processed products that contain ONLY organic agricultural ingredients (excluding salt and water), such as wheat flour, corn meal, canned green beans, etc., they may be labeled “100% organic”. [§205.301(a)]
- If you make any processed organic products, such as breads, desserts, jams and jellies, all of the agricultural ingredients— flour, seeds, sugar, fruit, etc.— MUST be organic; if you did not grow them, they must be certified organic. They must also make up at least 95% of the content, excluding salt and water. The remaining 5% may only consist of items on the National List [§§206.605–205.606] Familiar and common ingredients found on the allowed list include citric acid, dairy cultures, natural enzymes, sodium bicarbonate, yeast, ascorbic acid, and pectin. You can view the National List in its entirety at www.ams.usda.gov/NOP/NationalList/ListHome.html.
- Products that have at least 70% organic agricultural ingredients may use the “made with organic _____” label. This is a complex label with many restrictions too detailed for discus-

sion here. See §§205.301(c) & 304 of the National Organic Standard.)

- You may not use genetically engineered yeasts, bacteria, or enzymes in organic processing. [§205.105(e)]
- You may not use irradiation or irradiated inputs (e.g. herbs) for organic processing. [§205.105(f)]
- Any non-organic agricultural ingredients may NOT be grown using sewage sludge.

Paperwork Issues

The National Organic Standard requires both certified and non-certified organic producers to:

1. Develop an Organic System Plan (OSP). In your OSP you will describe what you will do and what you will use when farming organically.
2. Keep sufficient records of transactions and activities to demonstrate that you followed your OSP and are compliant with the National Standard.

Organic System Plans (OSP)

An Organic System Plan is automatically required if you apply for organic certification. A farm cannot be certified unless it has an approved OSP on file with the certifying agent. If you are a non-certified grower, you might never have to prove that you have an OSP. However, produce buyers at health food stores and markets may require a copy before they will purchase your non-certified organic produce.

Certified growers complete an organic system plan when they fill out their application for certification. It is a long document with a lot of detail required. The Kerr Center has prepared a template for use by non-certified growers that is shorter and features checkboxes (see Part II). It

can be easily completed in a short time. Your signature makes it a legal declaration. One word of advice: read the document through before filling it out.

Your OSP should be reviewed and updated each year. A shortened update form has also been prepared so that the entire document need not be re-written. It should be stapled or clipped to the original OSP. Both the OSP Template and the Update Template follow the “Further Resources” section of the document.

Keeping Records

There are many ways to keep records; you should use what works for you. Many certified organic market growers use forms distributed by ATTRA, which can be downloaded at <www.attra.ncat.org/attra-pub/PDF/marketforms.pdf>. The Kerr Center has simplified these forms even further for ease of use by non-certified growers. They mirror the OSP Templates in this document.

In addition to these records, be certain that you also retain labels from all your seed, fertilizer, soil amendment, and pesticide purchases.

The National Standard requires you to keep each year’s record for at least 5 years. [§205.103(b)(3)]

Reporting Violations

Certified growers who violate the National Organic Standard can have their certification suspended or revoked. Selling and misrepresenting non-organic products as organic is also punishable by civil penalty up to \$10,000 per violation. [§205.100(c)(1)]

Anyone may file a complaint directly with National Organic Program if they believe that violations of the National Organic Standard are occurring or are about to occur. If you report a suspected violation, be prepared to provide as much detailed information as possible (who,

what, where, when, why, how). Include documentation (pictures, labels, etc.), if available. Complete and accurate information will help ensure a successful review or investigation.

You will also be asked to provide your name and contact information if you are willing to discuss the issue further with NOP Compliance staff, if that should become necessary.

Complaints may be filed via phone, fax, mail or electronically. Contact information for submitting complaints is published on the NOP website at <www.ams.usda.gov/NOP/Compliance/FileComplaint.html>. If you do not have web access, you can request contact information from the Kerr Center or from any Cooperative Extension office.

Further Resources

The Kerr Center for Sustainable Agriculture

P.O. Box 588
Poteau, OK 74953
Tel: 918.647.9123
mailbox@kerrcenter.com
<http://www.kerrcenter.com/>

The Kerr Center has assembled a number of fact sheets (fs) and information packets (p) that can be of use to organic market gardeners and small farmers. These include the following, which are available for free downloading from the website.

Organic Foods: What Do We Need to Know About Them? (fs)

Organic Production In Oklahoma - Questions and Answers (fs)

Composting and Vermicomposting (p)

Cover Crops and Green Manures (p)

Heritage Vegetables & Seed Saving (p)

Market Gardening (p)

*Organics in the Midsouth...
What are the Challenges? (p)*

Organic: Making the Transition (p)

Organic Gardening (p)

Organic...Is It For Me? (p)

ATTRA

P.O. Box 3838
Butte, MT 59701
Tel: 800-346-9140
<http://www.attra.ncat.org/>

ATTRA is the National Sustainable Agriculture Information Service, funded by the USDA. ATTRA has a large number of publications available free-of-charge on its website or by contacting the office. Of particular interest:

NCAT's Organic Crops Workbook – A Guide to Sustainable and Allowed Practices

Organic Crop Production Overview

Resource Guide to Organic & Sustainable Vegetable Production

Organic Farm Certification & the National Organic Program

*Organic Market Farm Documentation Forms
Forms, Documents, and Sample Letters for
Organic Producers*

Organic Alternatives to Treated Lumber

*Sources of "Spraying Prohibited" Signs for
Organic Farms*

Suppliers of Seed for Certified Organic Production

HowToGoOrganic™.com

<http://www.howtogoorganic.com/>
Sponsored by the Organic Trade Association (OTA).
The website includes access to OTA's North American
Resource Directory.

Part II

Organic System Plan (OSP)

TEMPLATES

For Non-Certified Organic Growers

1) Organic System Plan (OSP) & Declaration For Non-Certified Small Farms

2) OSP Annual Update

3) Record Keeping: Forms

Note: The forms in this section may be copied or reproduced without permission of the Kerr Center.

(Version 1.0) ORGANIC SYSTEM PLAN (OSP) & DECLARATION FOR NON-CERTIFIED SMALL FARMS

Year to Which this Plan Applies: _____

Name: _____ Farm/Garden Name: _____

Mailing Address: _____

Physical Address (if different than mailing address): _____

Phone: _____ Cell: _____

Email: _____ Fax: _____

General Information

All my organic production will be done at the physical address shown above.

I will grow my organic crops at the following location(s):

I will sell less than \$5,000 of organic products in this calendar year.

IF YOUR SALES WILL EXCEED \$5,000, YOU MUST APPLY FOR CERTIFICATION.

The land from which I will harvest my for-sale organic products has had no applications of prohibited fertilizers, pesticides, or other materials in the 36 months prior to harvest.

The products I expect to sell as organic within the calendar year include:

Produce, herbs and/or cut flowers

Plants and/or transplants

Edible sprouts

Processed products (flour, jams, jellies, syrups, breads, cakes, etc.)

Other

If "other," please describe:

Organic Practices

I use or will use the following organic practices to build soil fertility, control insect pests and diseases, suppress weeds, prevent erosion, and support biodiversity in and around my organic field(s).

Rotate crops

Companion plant

Plant cover crops

Plow in green manure crops

Mulch

Sticky traps/mechanical traps

Barriers/screens/plant collars/row covers

Prune/remove diseased or infested plants

Till/cultivate/hoe/hand-weed

Mow/scythe/weed trim

Bat/bird houses

Beneficial insect habitats

Release beneficial insects

Bee hives/orchard bees

Moon signs

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Fertilizers and Soil Amendments

I will NOT be using, nor have I used in the past 3 years, any of these or other prohibited fertilizers or amendments in my organic production:

- Conventional fertilizers including urea (45-0-0), ammonium nitrate (33.5-0-0), ammonium sulfate (21-0-0), calcium nitrate (15-0-0), superphosphate (0-20-0), triple superphosphate (0-44-0), diammonium phosphate (18-46-0), phosphoric acid (0-52-0), potassium nitrate (13-0-46), potassium chloride (0-0-60). These are commonly formulated as granular materials.
- Dry blends of these materials such as 10-10-10, 13-13-13, 18-24-6, 29-2-5, or 10-20-10, or liquid formulations of these fertilizers (e.g., 3-18-18, 9-40-9)
- Dry soluble chemical fertilizers.
- Synthetic slow-release fertilizers.
- Fertilizers made from biosolids, sewage sludge, or other human waste products.
- Prohibited liquid soil conditioners.

The materials I've used and/or will use for fertilization and soil improvement are: None.

(List material type(s) and/or product name(s))

I will keep record of fertilizers and soil amendments I've used. Not applicable.

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Manure & Compost Use

I will use manure, compost, or products that contain manure or guano. None used.

When I make compost, I use the following ingredients: Not applicable.

(List ingredients)

I will keep record of my composting and the ingredients I've used. Not applicable.

I treat and will treat all manure or guano that has not been thoroughly composted at a high temperature (131°–170° F.) for at least 15 days, as raw manure and follow these rules:

- I will NOT apply raw manure less than 90 days before harvesting an food crop whose edible portion does NOT have soil contact or soil splash (e.g. sweet corn, sunflower seeds)
- I will NOT apply raw manure or compost tea less than 120 days before harvesting an food crop whose edible portion DOES have soil contact or soil splash (e.g. most vegetables)

I will keep record of all manure and compost applications. Not applicable.

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Pest Control Products

I will NOT be using, nor have I used in the past 3 years, any of these or other prohibited pesticides in my organic production:

- Conventional insecticides, including those that contain: carbaryl, diazinon, malathion, esfenvalerate, cyhalothrin, cyfluthrin, imidacloprid, or permethrin.
- Synthetic fungicides including those that contain captan, chlorothalonil, myclobutanil, tebuconazole, zineb, or mancozeb.
- Synthetic herbicides, including those with active ingredients like: glyphosate, sethoxydim, fluazifop, diquat, trifluralin, triclopyr, mecoprop, or 2,4-D.
- Tobacco dust or nicotine extract sprays.
- Strychnine rodent baits.
- Natural pesticides that contain piperonyl butoxide.
- Household detergents and dishwashing soaps as either insecticides or surfactants.

The materials I expect use for pest control are as follows:

None.

(List material type(s) and/or product name(s); retain product labels.)

I will keep record of all pest control products used.

Not applicable.

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Seeds and Planting Stock

- I will NOT be using, nor have I used in the past 3 years, any fungicide or insecticide treated seed in my organic production.
- I will NOT be using, nor have I used in the past 3 years, any genetically engineered seeds or varieties in my organic production.
- I ONLY use organic transplants when growing transplanted annual crops.
 - I don't use transplants for organic production.
- I purchase and use organic seed and planting stock whenever the needed varieties are available.
- I only use organic seed for growing organic sprouts.
- I do not grow or sell sprouts.
- I retain all my seed labels/packets.

Preventing Contamination

- My growing area(s) is/are isolated or buffered from conventional lawns, fields and other sources of chemical contamination.
- I store my organic seeds, fertilizers, amendments, and other inputs where they cannot be contaminated with prohibited materials.
- The sprayer(s) I use for organic growing is/are NOT used for conventional pesticide spraying.
 - I do not use a sprayer.
- I maintain my tractor, tiller, and other farm/garden equipment so that no engine fluids contaminate the soil.
 - I do not use power equipment.
- I will NOT use treated wood in any manner that might contaminate organic crops or soil.
- I do NOT use fungicide-treated containers for harvesting or storing organic produce.
- I store my organic harvest where it cannot be contaminated by pesticides or other prohibited materials.

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Preventing Commingling

- I will ensure that my organic production does not commingle with my conventionally grown products.
 - I produce and sell only organic products.

Labeling & the USDA Organic Seal

- I do NOT represent my products as 'certified' organic.
- I do NOT use the USDA/NOP organic seal.

Processing

- I don't produce or sell any processed organic products.
- I label my processed organic products according to National Organic Program Requirements
 - "100% Organic" products only contain organic agricultural ingredients.
 - "Organic" products contain 95%–100% organic agricultural ingredients; remaining ingredients are limited to those found in Sections 205.605 & 606 (the National List) in the Organic Standard.
 - "Made with organic (specified ingredients) for products that contain at least 70% organic agricultural ingredients.
- I will keep records of the products I make including dates and ingredients. Not applicable.

Record keeping

- I keep records of and/or labels from all my purchased seeds, fertilizers, soil amendments, pest control products, and other inputs.
- I keep harvest and sales records to demonstrate my annual organic sales do not exceed \$5000.
- I retain each year's records for at least 5 years.

I affirm that all statements and information provided in this document are true.

Signature of Operator _____ Date _____

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OSP ANNUAL UPDATE

(ATTACH TO ORIGINAL ORGANIC SYSTEM PLAN (OSP) & AFFIDAVIT FOR NON-CERTIFIED SMALL FARMS)

Year to Which this Plan Applies: _____

Name: _____ Farm/Garden Name: _____

New contact info

Mailing Address: _____

Physical Address (if different than mailing address): _____

Phone: _____ Cell: _____

Email: _____ Fax: _____

General Information

The location(s) I use for growing organic crops remain the same as last year.

IF YOUR FIELD OR GARDEN LOCATION(S) HAS CHANGED, PLEASE COMPLETE A NEW ORGANIC SYSTEM PLAN (OSP) & DECLARATION.

I am selling less than \$5,000 of organic products in this calendar year.

The land from which I harvest my for-sale organic products has had no applications of prohibited fertilizers, pesticides, or other materials in the previous 36 months.

I am selling the same kinds of organic products this coming year as I have in the previous year.

IF YOU ARE ADDING A NEW CLASS OF PRODUCTS FOR ORGANIC SALE, PLEASE COMPLETE A NEW ORGANIC SYSTEM PLAN (OSP) & DECLARATION.

Organic Practices

I am making no significant changes in the kinds of organic practices I use this coming year.

I am changing the organic practices I use this year. (Describe the changes.)

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Fertilizers and Soil Amendments

- I am making no significant changes in the fertilizer and amendments I use this coming year.
- I am using some different materials or products this coming year. (List the new products or materials.)

- I will keep record of fertilizers and soil amendments I've used. Not applicable.

Manure & Compost Use

- I am making no significant changes in my manure use and/or composting practices and compost use.
- I am changing my manure and compost practices this coming year. (Describe any changes.)

- I will keep record of all manure and compost applications. Not applicable.

Pest Control Products

- I am making no significant changes in the pest control products I use this coming year.
- I am using some different products this coming year. (List the new products.)

- I will keep record of all pest control products used. Not applicable.

Seeds & Planting Stock

- I ONLY use organic transplants when growing transplanted annual crops.
 - I don't use transplants for organic production.
- I purchase and use organic seed and planting stock whenever the needed varieties are available.
- I only use organic seed for growing organic sprouts.
 - I do not grow or sell sprouts.
- I retain all my seed labels/packets.

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Preventing Contamination

- I will ensure that my organic production is not and does not become contaminated with prohibited substances. *Describe any new contamination hazards that have arisen and how you address them.*

Preventing Commingling

- I will ensure that my organic production does not commingle with my conventionally grown products.
 - I produce and sell only organic products.

Labeling & the USDA Organic Seal

- I do NOT represent my products as 'certified' organic.
- I do NOT use the USDA/NOP organic seal.

Processing

- I don't produce or sell any processed organic products.
- I label my processed organic products according to National Organic Program Requirements
- I will keep records of the products I make including dates and ingredients. Not applicable.

Record keeping

- I keep records of and/or labels from all my purchased seeds, fertilizers, soil amendments, pest control products, and other inputs.
- I keep harvest and sales records to demonstrate my annual organic sales do not exceed \$5000.
- I retain each year's records for at least 5 years.

I affirm that all statements and information provided in my original ORGANIC SYSTEM PLAN (OSP) & DECLARATION FOR NON-CERTIFIED SMALL FARMS document, for Plan Year _____ remain true, and as amended in any updates.

I further affirm that the statements and information in this current update document are true.

Signature of Operator _____ Date _____

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RECORD KEEPING: FORMS

For Non-Certified (Exempt) Organic Farms

1) Fertilizers, Soil Amendments, & Pest Control Products

2) Seed & Planting Stock

3) Organic Sales

Farmer or Farm Name _____

Year _____

Fertilizers, Soil Amendments, and Pest Control Products Used:

Date:

Product or Material Used:

Area or Plants Treated:

Date:	Product or Material Used:	Area or Plants Treated:

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EXEMPT ORGANIC FARM RECORD FORMS

Farmer or Farm Name _____

Year _____

Seed & Planting Stock Used:

Crop:	Variety:	Organic? (✓)	Untreated? (✓)	Non-GMO? (✓)
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EXEMPT ORGANIC FARM RECORD FORMS

Farmer or Farm Name _____

Year _____

Record of Organic Sales:

Date: **Organic Crop:** **Quantity Harvested:** **Quantity Sold:** **Gross Sales: (\$)**

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George Kuepper is Horticulture Manager at the Kerr Center for Sustainable Agriculture. He has over 30 years of experience with sustainable and organic agriculture. He has worked mostly in the non-profit sector as a researcher, educator, producer, and consultant, including an earlier stint with the Kerr Center in the late 1980s.

Before rejoining Kerr Center, he worked for NCAT (the National Center for Appropriate Technology) on the ATTRA Project and served as NCAT's Midwest Office Director in Lewis, Iowa. There he focused on organic agriculture, specializing on compliance, certification, and transition issues.

George manages the Kerr Center's intern program and the Cannon Organic Horticulture project. He also teaches organic production to both beginning and experienced farmers.

His recent publications include *Heirloom Vegetables, Genetic Diversity, and the Pursuit of Food Security* (along with an accompanying series of reports on variety trials of various heirloom crops), *A Brief Overview of the History and Philosophy of Organic Agriculture*, *Small Scale Organics: A Guidebook for the Non-certified Organic Grower*, and *Farm Made: A Guide to On-Farm Processing for Organic Producers*.

George grew up on a small dairy farm outside of Milwaukee, Wisconsin. He earned a Bachelor's Degree in Geography and a Master's in Agronomy from the University of Wisconsin at Madison. His home is now in Fayetteville, Arkansas, where he lives with his wife, Dee, and an ever-changing number of pets.