Checklist for Exempt-From-Certification Organic Farmers Selling Produce

To sell products as organic at a market, farmers must hold organic certification or qualify as “exempt,” meaning they sell less than $5,000 of organic products a year directly to consumers and follow organic standards.

If you meet these requirements, you may label your products “organic,” but not display the USDA Organic Seal. This list applies only to produce, not livestock.

☐ I have read the organic regulation at www.ams.usda.gov/nop.

☐ I sell less than $5,000 annually in organically labeled products. If I sell more, I must seek organic certification or not use “organic” on signs.

☐ I maintain records for at least 5 years on all farming and processing activities, inputs, and sales to show compliance with organic rules.

☐ My production activities maintain or improve my farm’s natural resources, including soil and water quality.

☐ Land where I’m growing organic crops has been free of materials prohibited under organic rules for at least 36 months before harvest.

☐ I maintain a buffer zone between my fields and fields where synthetic fertilizers, herbicides, insecticides, or fungicides not on the National List of approved materials are used. The buffer zone is sufficiently sized to prevent the unintended application of these materials. The buffer zone size can range from 25 to 100+ feet, depending on the topography, vegetation, and the unapproved materials and application system used. For instance, aerial applications or high-volume blast sprayers used in orchards need a wider buffer zone than ground-based equipment. Trees, shrubs, and grass can lessen the risk of unintended application and runoff from the non-organic field.

☐ I have not planted any seeds that had synthetic treatments, such as fungicides or insecticides.

☐ I have planted all organic seeds if they were available in the variety and quantity I required.

☐ I haven’t used genetically modified or genetically engineered seeds, planting stock, or nitrogen-fixing bacteria. I have documentation from all of my seed, planting stock and input suppliers to verify this.

☐ I have either grown transplants myself using only potting mixes and inputs approved by OMRI* or an organic certifier, or I have purchased certified organic transplants.

☐ I have implemented a soil-building rotation on my farm for at least 3 years prior to selling organic produce, where annual crops of the same type are not grown in succession in the same field. I also use plant- and livestock-based materials, such as cover crops and compost, to continually improve my soils.

☐ I have applied inputs approved by OMRI or an organic certification agency to manage fertility, or pests, diseases, and weeds. I have gone the extra step to verify the inputs I use meet the organic law.

☐ I have documented that I first used cultural, biological, or mechanical practices that did not fix the issue before I used any approved synthetic materials to control pests, disease or weeds. Cultural practices would include hand picking insects or choosing disease-resistant seed varieties; biological practices would include providing habitat for or introducing predatory insects; mechanical practices would include the use of row covers or other types of exclusion.

☐ If and when I apply manure or other nutrients to my fields, it is done in a manner that does not contaminate the crops, soil or water with nutrients, pathogenic organisms, heavy metals or residues of prohibited substances. Manure cannot be applied to crops grown for human consumption within 90 days of harvest for crops that are not in contact with soil (e.g., sweet corn), or 120 days for crops that can be in contact with soil either directly or by splashing (e.g., root crops, tomatoes, peppers).

☐ I have documentation that compost used on my farm that contains livestock-originated components meets the requirement of having a Carbon to Nitrogen ratio of 25:1 to 40:1, has maintained a temperature of 131-170 degrees F for 15 days, and has been turned 5 times, or if in a static vessel, had this temperature maintained for 3 days.

☐ Any manure or compost used on my fields has documentation that no arsenic was fed to the animals, no unapproved synthetics were added, and no synthetics were in the bedding that might be in the manure.

☐ Any wild crop harvested, such as morels, ramps or wild berries, has been harvested from land untreated with prohibited substances for 3 years before harvest, and was done in a way that was not destructive to the environment and will sustain the growth and production of the crop into the future.

☐ If I am making an organic processed product (e.g., jams, bakery products or meat products), I have verification proving all ingredients are certified organic for “100% organic” or 95% to 99.9% certified organic ingredients for “organic.” Any processing aids used for “100% organic” need to be certified organic. Organic-labeled products, the non-organic 5% could have ingredients on the National List as not being commercially available in an organic form. Any processing aids used for “organic” products should be on the National List 205.605 a or b. For products labeled “made with organic,” at least 70% of ingredients must be certified organic.

*OMRI = Organic Materials Review Institute; www.omri.org
This form is available at mosesorganic.org/farmers-market

Name: ___________________________ Farm: ___________________________ Dated: ___________________________

Signed: ___________________________