Checklist for Exempt-From-Certification Organic Farmers

To label products as organic to sell at a market, farmers must hold organic certification or qualify as “exempt.” Exempt farmers sell less than $5,000 worth of organic products a year directly to consumers and follow organic standards. If you can check off all of the requirements listed, then you may label your market products “organic,” but not display the USDA Organic Seal. Only check the “Additional Rules” that apply to products you are selling as organic.

☐ 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 am aware I must seek organic certification or no longer use “organic” to describe my products.

☐ I maintain documentation for at least 5 years on all my farm and processing activities, inputs and sales to demonstrate compliance with organic regulations.

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

☐ Land where I’m growing organically labeled crops has been free of materials not allowed under the organic regulations for at least 36 months before harvest.

☐ I maintain a buffer zone where no organically labeled crops are harvested between my fields and fields applied with materials such as synthetic fertilizers, herbicides, insecticides, or fungicides that are not on the National List of approved materials. The buffer zone is sufficiently sized to prevent the unintended application of these unapproved 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 risks of unintended application. If runoff from the non-organic field is likely, the buffer zone size will need to mitigate this risk.

☐ 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 applied fertility, pest, disease and weed management inputs that have either been approved by OMRI or by an organic certification agency. I have gone the extra step to verify the inputs I’m using meet the organic law and do not make organic claims that are untrue.

☐ I have documentation that I first used cultural, biological or mechanical practices which were ineffectual in controlling the problem before I used any approved synthetic materials for pest, insect, disease or weed control. Cultural practices would include hand picking insects or choosing disease-resistant seed varieties; biological practices would include providing habitat or introducing predatory insects; mechanical practices would include the use of row covers or other types of exclusion.

*OMRI = Organic Materials Review Institute; www.omri.org

This form is available at mosesorganic.org/farmers-market

☐ I have implemented a soil-building rotation on my farm, where annual crops of the same type are not grown in succession in the same field. I also use plant- and live-stock-based materials, such as cover crops and compost, to continually improve my soils.

☐ All of the above items have been maintained for at least three years before labeling the product as organic.

☐ 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 pathogens, 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 are in contact with soil (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 I used on my fields where crops will be labeled as organic has documentation that no arsenic was fed to the animals of origin, no unapproved synthetics were added to the manure and that no synthetics were present in the bedding that might be part of the manure stock.

☐ 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.

Additional Rules

Only check if you are selling these products as organic.

☐ 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. For “organic”-labeled products, the non-organic 5% could have ingredients listed 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.

☐ I have managed all mammalian livestock organically from the last third of gestation to the day of slaughter. All poultry has been managed organically from the second day of life. Organic management includes 100% certified organic feed and supplements that have been approved by OMRI or an organic certification agency. No antibiotics are allowed to be used at any stage of life for an animal whose meat would be sold as organic. Only approved parasiticides from the National List may be used.

☐ All livestock has had access to the outdoors, with ruminants receiving 30% of their nutrition from pasture during a 120-day grazing season minimum. All livestock health products have been approved by OMRI or an organic certification agency.

Sign: ___________________________________________ Date: ________________

Print Name: ___________________________________________

Farm Name: ___________________________________________