



*Organic Production and Handling —
Food Safety Reform:
An emphasis on avoiding both chemical contaminants
& pathogens*

July 13, 2009

The Organic Trade Association (OTA) is the membership-based business association for organic agriculture and products in North America. Its members include growers, shippers, processors, certifiers, farmers' associations, distributors, importers, exporters, consultants, retailers and others. OTA's Board of Directors is democratically elected by its members. OTA's mission is to promote and protect the growth of organic trade to benefit the environment, farmers, the public and the economy (www.ota.com).

CONTENTS

Fact Sheet:	3
<i>Introduction to Organic Production and Handling</i>	
Fact Sheet:	4
<i>Unique Food Safety Characteristics of Certified Organic Food</i>	
Fact Sheet:	8
<i>Food Safety Legislation and the Organic System</i>	

Fact Sheet: Introduction to Organic Production and Handling

All products that are marketed and sold as “certified organic” in the United States must meet the requirements of the Organic Foods Production Act of 1990 (OFPA),¹ This statute, part of the Farm Bill of 1990, required the U.S. Department of Agriculture (USDA) to published regulations governing the entire system of organic production and processing. The regulations cover crops and livestock on the farm and any processing and handling of products to create a far-reaching and innovative set of regulations. Organic producers and handlers are also required to comply with all local, state and federal laws and regulations.

Organic refers to how farm products are grown, processed and handled, and use of the term *organic* on the label of a food or beverage product denotes that it meets or exceeds U.S. national organic standards. Organic producers and processors must adhere to rigorous growing and processing standards, and farms and processors must have their organic system plans and their facilities inspected at least annually by an agent of the USDA, an accredited certification agent. There are 98 accredited certification agencies in operating globally.

All certified organic farms and production facilities are registered with the U.S. Department of Agriculture, and USDA accredits third party certifiers to the National Organic Standard/Program.

As labeling terms, *organic* and *natural* are not interchangeable.

As noted, all applicable local, state and federal requirements for food safety are followed on organic farms and processing facilities, additionally, there are some unique processes required in organic farming and manufacturing that could assist in consideration of food safety legislation:

There are some unique perspectives and points of organic farming and manufacturing that deserve consideration when food safety legislation is being crafted.

- The organic system is built on third-party certification, audit trails/ traceability and inspections.
- The organic regulation includes a process to review and approve or disapprove new materials, processes and methods as they come to market.
- Organic compliance begins on the farm, and any processing or handling must maintain that integrity all the way through the food chain to the consumer.
- Manure use on organic farms is strictly regulated by the organic standards to substantially minimize the potential for contamination of crops.
- Organic farms build healthy soils without the use of toxic and persistent pesticides and chemical fertilizers, and without the use of sewage sludge.

¹ USC Code

Fact Sheet: Unique Food Safety Characteristics of Certified Organic Food

The organic industry takes food safety seriously and embraces Congressional efforts and their intended outcome of a safer food supply.

As a certified process, the organic food industry is uniquely positioned to respond to food safety requirements in ways that are not in effect in other food sectors. The organic foods industry has legally mandated safeguards that contribute to food safety for consumers, including full food product traceability, accountability of food production methods, and strict controls on known potential sources of food contamination such as manure and toxic, synthetic pesticide residues. Organic producers and handlers are already familiar with planning, regulatory oversight, third-party certification, and independent inspections. Certified organic growers follow strict guidelines for organic food production and, as with all food producers, they must comply with local, state and federal food safety and health standards. Familiarity with these requirements positions the organic sector well in terms of complying with future efforts to improve food safety systems in the U.S.

The organic certification system allows all producers and processors, small and large, the flexibility to maintain traceability records appropriate to the type and scale of operation, i.e. manually or electronically. The record keeping system is outlined in the organic system plan. Independent third-party onsite inspections verify each of these organic system plans and their implementation annually, thus providing excellent accountability. Ultimately, regardless of scale or type of farming operation, every operation must understand and address its specific on-farm risks.

1) All organic farmers and processors are registered with the U.S.D.A.

As required by the National Organic Program regulation sub-section §205.100 – What has to be certified, each production or handling operation or specific portion of a production or handling operation that produces or handles organic products must be certified according to the provisions of the certification section. Certification agents are accredited by the U.S.D.A.

2) Third-party oversight. All organic producers and handlers are subject to oversight by third-party certifiers accredited by the U.S.D.A.

As required by the general requirements for certification sub-section §205.400 – Any entity seeking to maintain organic certification must comply with “the act” and establish and implement, and update annually an organic production and/or handling system plan that is submitted to an accredited certifier.

- 3) **Inspections of organic operations.** All organic producers and handlers are subject to initial and annual on-site inspections. Additionally certifiers may conduct additional announced or unannounced inspections to determine compliance with the governing organic standards.

As required by the general requirements for certification sub-section §205.403 – On site inspections.

- 4) **Organic farmers and processors are required by law to maintain records that allow “one up, one down” traceability for all inputs and for all sales. Authorized entities, accredited certifiers, maintain and have access to full chain traceability.**

As required by the National Organic Program regulation sub-section §205.103– recordkeeping, all certified operations must maintain records pertaining to the production, harvesting and handling of agricultural products intended to be sold as organic. Records must document all activities and transactions in sufficient detail to be audited and must be maintained for a minimum of five years. Records must be made available for inspection (announced or unannounced) by representatives of the Secretary of Agriculture, applicable State program’s governing official, or the certifying agent. From field to fork, every entity in the supply chain or in the stream of commerce must maintain an audit trail that permits full traceability and accountability.

- 5) **Organic is the only segment of agriculture that has rigorous national regulations regarding the application of manure on farms.**

Organic food production is the only segment of the food industry where animal manure is strictly regulated as an input to agriculture for purposes of safety. The U.S. regulations for organic production impose strict requirements for the use of animal manure if it is used on the farm. The regulations require that raw animal manure must be composted unless it is applied to land used for a crop not intended for human consumption; or is incorporated into the soil not less than 120 days prior to the harvest of a product whose edible portion has direct contact with soil; or is incorporated into the soil not less than 90 days prior to the harvest of a product whose edible portion does not have direct contact with the soil surface or soil particles. See 7 CFR 205.203 (c) (1) and (2). The purpose of these restrictions is to substantially minimize the potential for contamination of organic crops by raw manure.

- 6) **Compost made with animal manure must meet temperature, mixing, and time requirements to ensure its safety.**

The requirements for making compost are well regulated and are designed to encourage soil health while minimizing risks to human health or the environment. The National Organic Program Rule defines compost (7 CFR 205.2) as follows:

Compost: The product of a managed process through which microorganisms break down plant and animal materials into more available forms suitable for application to the soil. Compost must be produced through a process that combines plant and animal materials with an initial Carbon:Nitrogen ratio of between 25:1 and 40:1. Producers using an in-vessel or static aerated pile system must maintain the composting materials at a temperature between 131 deg. F and 170 deg. F for 3 days. Producers using a windrow system must maintain the composting materials at a temperature between 131 deg. F and 170 deg. F for 15 days, during which time the materials must be turned a minimum of five times. The purpose of these requirements is to substantially minimize the ability of human pathogens to survive the composting process and pose a food safety problem with the organic crop.

7) Organic farmers are required to maintain or improve soil and water quality.

As required by the National Organic Program regulation sub-section §205.200 - Production practices implemented in accordance with this subpart must maintain or improve the natural resources of the operation, including soil and water quality. Additionally, sub-section §205.203 soil fertility and crop nutrient management practice standard requires a producer must manage crop nutrients and soil fertility to maintain or improve soil organic matter content in a manner that does not contribute to contamination of crops, soil, or water by plant nutrients, pathogenic organisms, heavy metals, or residues of prohibited substances.

8) Organic production permits anti-microbial steps to be taken to lower pathogen contamination

Pasteurization, restricted use of chlorine and hydrogen peroxide, equipment sanitation, and other food safety practices are also utilized by organic food producers and handlers to assure the safety of organic foods. These processes are permitted under the National Organic Program.

9) Antibiotics are prohibited in livestock feed and routine organic health programs. Organic farms do not increase the risk of creating antibiotic resistant bacteria.

As required by the Organic Production and Handling Requirements sub-section §205.238 – Livestock healthcare practice standard, healthy living conditions and attentive care are considered first steps in the prevention of illness. Therefore, animals must not be overcrowded, and must be allowed periodic access to the outdoors and direct sunlight. Antibiotics are not used to treat organically raised animals in the United States, and if, for humane reasons, an animal must be treated with an antibiotic, then it is removed to a conventional herd, and not returned to organic status.

10) Organic livestock cannot be fed animal by-products, adding a layer of protection against the possibility of transmission of certain diseases.

This prohibition exceeds current non-organic rules which, for example, allow non-mammalian animal by-products to be fed to cattle and vice versa.

Steps taken to ensure regulatory compliance can be considered “organic control points” similar to the “critical control points” considered in hazard analysis. Some of these are detailed and directly transferable to food safety issues, such as the documentation of the non-use of prohibited materials and the plans for compost and manure management. With these systems and documentation protocols in place, the organic system offers an integrated process approach to preventive food safety practices that could stand as a national model for both farming and manufacturing operations. The organic process already contains many steps that contribute to food safety processes and it can be easily integrated into a more elaborate food safety system – especially in processing.

Fact Sheet: Food Safety Legislation and the Organic System

The Organic Trade Association (OTA) fully supports reform in food safety. The organic system includes accredited third-party oversight and audit-trail systems, and OTA fully supports the use of these practices in food safety protocols.

There are some unique perspectives and points of organic farming and manufacturing that deserve consideration when food safety legislation is being crafted.

Concerns

1) Legislation should not require materials or processes that are prohibited for use in organic production

Any new food safety legislation should avoid prescriptive requirements that could mandate use of materials or technologies that are prohibited for use in organic agriculture and processing, such as irradiation. A focus on outcome goals will allow organic farmers and processors to meet both important food safety standards and the standards set by the National Organic Program.

2) Legislation should not disproportionately affect small businesses

Like agriculture as a whole, many organic farmers are small farmers. Many problems in food safety occur at the national or international level. Legislators should be careful in assessing the root causes of food safety problems when crafting legislation. Similarly, protocols such as costly tests that work for organizations that are able to fund major programs might not be feasible for the large number of small farmers in the country. See OTA's comment on the Leafy Greens Marketing Agreement: (<http://www.ota.com/pp/otaposition/frc/amsleafygreens.html>).

Another issue within this concern is how to handle sales that are directly from the farmer to the consumer as in farmer's markets, Community Supported Agriculture (CSA) or on the farm sales. Additionally these small farms are supplying regional supermarkets, restaurants, and processors. This is an area of trade that is more and more integrated into the overall food supply, and supports a growing number of organic farmers, and legislation should not put excessive burdens on this avenue to local economic development.

Organic farmers and processors are permitted to keep records in hard copy or electronically, and small operations may not even own a computer. Therefore, solely electronic record keeping could be a strong deterrent to organic production.

3) Legislation should focus on prevention through process controls rather than post-contamination remediation

Although we applaud the current draft pieces of legislation for including this perspective, there may be those who find business easier to manage through promotion of, for example, irradiation to ensure the safety of beef products. Not only is this an approach which is not geared to preventing contamination, irradiation is prohibited in organic production, so this approach would not work for the growing organic meat sector.

The same point should be applied to the use of sterilizing materials to clean up prior contamination—the emphasis should be on preventive process controls.

4) User fees would add to the financial burden of prior compliance with the organic regulation and could be largely duplicative in the case of organic operations, most of which spend considerable money to be certified

Again, many organic farmers are small farmers, and many organic processors are small businesses. If user fees are included, consideration should be given to the existing system of organic regulatory compliance, which includes inspections. Organic operations should not pay twice for oversight that could include both organic certification and food safety inspections.

5) Registration for certified organic farmers would be duplicative; any such requirement should simply direct FDA to consult with USDA regarding certified organic operations

The certification and inspection of organic operations is a complex and demanding process, well beyond simple registration. OTA urges legislators to require cooperation between FDA and USDA to minimize the regulatory burden on small organic businesses, whether farms or manufacturers. Organic operations should not pay twice for organic certification and food safety registration.

6) Traceability requirements for organic farmers and processors would also be duplicative.

Organic farmers and processors are required by law to maintain records that **allow “one up, one down” traceability** for all inputs and for all sales. Authorized entities, accredited certifiers, maintain and have access to **full chain traceability**.

As required by the National Organic Program regulation sub-section §205.103– recordkeeping, all certified operations must maintain records pertaining to the production, harvesting and handling of agricultural products intended to be sold as organic. Records must document all activities and transactions in sufficient detail to be audited and must be maintained for a minimum of five years. Records must be made available for inspection (announced or unannounced) by representatives of the Secretary of Agriculture, applicable State program’s governing official, or the certifying agent.

7) Food safety issues are not limited to microbial contamination

Consumer concerns regarding safety of the food supply are broader than microbial contamination. They include heavy metals, pesticide residues, the use of synthetic hormones and antibiotics in livestock production and various other substances. A full assessment of the safety of the food supply should address non-microbial contamination as well as microbial contamination as they relate to public health.