



COOPERATIVE EXTENSION SERVICE  
UNIVERSITY OF KENTUCKY COLLEGE OF AGRICULTURE, FOOD AND ENVIRONMENT

# Organic Certification Process

## Introduction

Growers who plan to market their agricultural products as “organic” or “certified organic” must first be certified by a USDA accredited certifier. Certification, required by federal regulation, provides third party verification that the grower is complying with production standards regulated by the National Organic Program (NOP). Annual inspections and detailed record keeping are required for continuing certification. These strict regulations are meant to protect consumers by ensuring that all organic producers are adhering to the same set of uniform standards.

The Kentucky Department of Agriculture (KDA) can serve as the certifying agent for Kentucky residents. While there are many benefits (e.g. cost) to using the KDA, growers may instead contract with any accredited certifier who is willing to inspect an operation located in the Commonwealth, if they prefer. This profile will address the steps involved in the USDA organic certification process. It is one in a series of introductory information sheets concerning organic crop production in Kentucky.

## Certification Versus Registration

Certification is required for organic growers with an annual gross income of more than \$5,000 from organic sales. Growers who complete the certification process may label and market their products as “100% Organic,” “organic,” “certified organic,”



and/or use the USDA organic logo depending on product composition.

Small growers (less than \$5,000 per year gross income) may be exempt from certification; however, they must still register with the KDA by completing the exempt registration form. Exempt organic growers, who must comply with all NOP regulations, may market their products “organic,” but they may not claim they are “certified organic” nor may they use the USDA organic logo. These products are also not eligible for use as ingredients in certified organic products.

## Obtain an Application and the NOP Standards

The producer needs to contact the KDA for an application packet and a copy of the National Organic Program (NOP) Standards or regulations as soon as they begin to seriously consider organic production. The application, also called an organic system plan (OSP), is the basic required information that describes the operation in detail. The NOP federal regulations provide

essential details on the areas of compliance required for certification. Both resources are available on the KDA organic program website.

### **Develop an Organic System Plan**

Organic growers are required to develop an Organic System Plan (OSP), in which they outline the procedures that will be used to achieve, document, and comply with NOP standards. Much of this information will be covered in the application form; however, it may be necessary to attach additional documentation to complete the OSP. A detailed account of the field history, farm maps, and a comprehensive plan of operation for following organic protocols need to be incorporated into the plan. All fields, greenhouses, storage areas, warehouses, and processing facilities used in organic production must be discussed in the OSP. Growers with split operations (organic and conventional production on the same farm) need to include information on how they plan to prevent commingling of the two systems. Annual updates of the plan will be required once a farm has received certification; significant changes by a client should be reported as they occur throughout the year. Organic growers are required to maintain all records for a period of 5 years.

### **Submit the Application**

The signed application form, OSP attachments, and any supporting documentation need to be submitted to the KDA Organic Certification Program at least 3-4 months prior to the expected harvest or production of product eligible for certification. This allows KDA to complete the necessary pre-inspection review process and gives sufficient time for assignment to an inspector. An OSP that lacks sufficient detail to demonstrate compliance is required to be amended by the client prior to assignment to an inspector; this can delay assignment to an inspector. It is in the best interest of the client to allow as much lead time as possible. KDA will always attempt to give priority to new applicants.

### **On-site Inspection**

Before a decision on certification is made, the certifying agency must conduct an on-site inspection. The farm should be in some stage of production at the time of the inspection so that compliance can be demonstrated. The grower, or other person knowledgeable about the farm operation, needs to be on hand to answer any questions the inspector may have. All aspects of the organic enterprise will be examined. If the inspector deems it necessary, samples for testing (for example, water analysis or residue tests) may be taken at this time.

The inspector's job is to observe and gather information; not to make any decision regarding the status of the farm's certification. In addition, while inspectors can provide information on NOP regulations, they are not permitted to act as consultants or assist the grower in any decision-making.

Once a farm is approved for certification, it can be inspected at any time, without advance warning. Annual, scheduled inspections, along with a completed application form, will be required to maintain certification.

### **The Final Review and Decision**

The certifying agency will examine the report from the on-site inspection and review, as necessary, the application and accompanying documents. Once the agency has made a final decision, the producer will be notified in writing. KDA estimates that it takes 3 to 4 months from receipt of an application to final certification, presuming the OSP is complete at the time of application and there are no issues of concern. The certifying agency may deliver any of the following decisions:

#### *Approved*

The grower is now 'certified organic' and can market farm products using the USDA organic logo. An on-farm inspection and payment of the certification fee will be required each year of

operation to maintain certification. In addition, an updated OSP must be submitted annually and approved by the certifying agency.

#### *Notice of Noncompliance*

The applicant has one or more minor areas of noncompliance. The certification may be granted contingent on correction of the problems by a specific date or the certification may be withheld until the noncompliance issues have been addressed. The grower must document the required changes.

#### *Denial of certification*

The applicant has not complied with the NOP regulations and is denied certification. This would involve major areas of noncompliance that cannot be readily resolved. The grower may appeal this decision within 30 days or reapply at a later date.

### **Fees**

A non-refundable fee made payable to the KDA is due at the time of application. Payment of this fee is required each year to maintain certification.

Although small growers (income of less than \$5,000 per year) may be exempt from certification, they still must register with the KDA. The registration form is available on the KDA website; there is no fee for exempt registration.

The fee schedule is as follows for in-state producers (Note: "Scopes" consist of Organic Crop; Organic Livestock, which requires Organic Crop; Organic Wild Crop; and Organic Processing/Handling):

- Certification fee - \$250 for the first scope, \$125 for each additional scope, handling operations face an additional fee based on gross sales.
- Exempt Registration - no fee

### **Selected Resources**

- KDA Division of Value-added Plant Production: Organic Program (Kentucky

Department of Agriculture) <http://www.kyagr.com/marketing/organic-marketing.html>

- Forms, Documents, and Sample Letters for Organic Producers (ATTRA, 2005) <https://attra.ncat.org/attra-pub/summaries/summary.php?pub=170>
- Getting Certified (How to Go Organic) <http://www.howtogoorganic.com/index.php?page=getting-certified>
- National Organic Program (Agricultural Marketing Service-USDA) <http://www.ams.usda.gov/nop>
- Organic Certification Guidebook (Midwest Organic and Sustainable Education Service, 2010) <http://mosesorganic.org/publications/guidebook-for-certification/>
- Organic System Plans: Field and Row Crops and Pasture and Range Systems (ATTRA, 2006) <https://attra.ncat.org/attra-pub/summaries/summary.php?pub=167>
- Organic System Plans: Market Farms and Greenhouses (ATTRA, 2009) <https://attra.ncat.org/attra-pub/summaries/summary.php?pub=168>
- Preparing for an Organic Inspection: Steps and Checklists (ATTRA, 2005) [http://attra.ncat.org/attra-pub/organic\\_inspection.html](http://attra.ncat.org/attra-pub/organic_inspection.html)
- Organic Certification of Farms and Businesses Producing Agricultural Products (ATTRA, 2012) <https://attra.ncat.org/attra-pub/summaries/summary.php?pub=152>
- Guide for Organic Crop Producers (ATTRA, 2012) <https://attra.ncat.org/attra-pub/summaries/summary.php?pub=67>
- Guide for Organic Livestock Producers (ATTRA, 2012) <https://attra.ncat.org/attra-pub/summaries/summary.php?pub=154>
- Guide for Organic Processors (ATTRA, 2012) <https://attra.ncat.org/attra-pub/summaries/summary.php?pub=407>

#### *KDA Resources*

2014 Farm/Crop Application

[http://www.kyagr.com/marketing/documents/ORG\\_Farm.Crop%20Application%202014.pdf](http://www.kyagr.com/marketing/documents/ORG_Farm.Crop%20Application%202014.pdf)

2014 Livestock Application

[http://www.kyagr.com/marketing/documents/ORG\\_Livestock%20Application%202014.pdf](http://www.kyagr.com/marketing/documents/ORG_Livestock%20Application%202014.pdf)

2014 Processing/Handling Application  
[http://www.kyagr.com/marketing/documents/ORG\\_Handling.Processing%20Application%202014.pdf](http://www.kyagr.com/marketing/documents/ORG_Handling.Processing%20Application%202014.pdf)  
Fee Schedule  
[http://www.kyagr.com/marketing/documents/ORG\\_Organic%20Program%20Fee%20Schedule.pdf](http://www.kyagr.com/marketing/documents/ORG_Organic%20Program%20Fee%20Schedule.pdf)  
Input Review Request  
[http://www.kyagr.com/marketing/documents/ORG\\_Product%20Review%20Request.pdf](http://www.kyagr.com/marketing/documents/ORG_Product%20Review%20Request.pdf)  
Previous Land Use Declaration  
[http://www.kyagr.com/marketing/documents/ORG\\_Previous%20Land%20Use%20](http://www.kyagr.com/marketing/documents/ORG_Previous%20Land%20Use%20)

[Declaration.pdf](#)  
Processing (Handling) Product Profile  
[http://www.kyagr.com/marketing/documents/ORG\\_2014%20Organic%20Product%20Profile.pdf](http://www.kyagr.com/marketing/documents/ORG_2014%20Organic%20Product%20Profile.pdf)  
Voluntary Surrender of Organic Certification  
[http://www.kyagr.com/marketing/documents/ORG\\_VoluntarySurrender.pdf](http://www.kyagr.com/marketing/documents/ORG_VoluntarySurrender.pdf)  
Withdrawal of Organic Certification Application  
[http://www.kyagr.com/marketing/documents/ORG\\_WithdrawalofApplication.pdf](http://www.kyagr.com/marketing/documents/ORG_WithdrawalofApplication.pdf)

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*Reviewed by Jake Schmitz, KDA (Issued 2006); Reviewed by Michael Fitzgerald, KDA (Revised 2010)  
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*Photo by Matt Barton, University of Kentucky; Organic logo courtesy of USDA* **April 2014**

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For additional information, contact your local [County Extension agent](#)

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