MOFGA CERTIFICATION SERVICES, LLC.

Sea Vegetable Harvest Area Approval Affirmation

The purpose of this form is to affirm that the applicant/renewing client is responsible for complying with all applicable laws and regulations.

Background information:

In response to the ruling made by the Maine State Supreme Judicial Court on March 26, 2019, the Maine Department of Marine Resources acknowledges that the intertidal zone is now interpreted to be the property of the upland landowner, meaning it is no longer part of the public trust but owned by private landholders.

The USDA National Organic Program (NOP) permits the organic certification of wild crop and cultivated sea vegetables and MOFGA Certification Services (MCS) accepts applications from both sea vegetable harvesters and processors. Organic certification only verifies compliance with NOP regulations. Such certification does not represent compliance with any other laws or regulations.

While MCS approves intertidal sea vegetable harvest areas that comply with our program and USDA-NOP standards, there may be additional State laws and regulations, private property owner agreements, and business agreements that govern the harvest and extraction of the sea vegetable crop. Additionally, organic certification and harvest area approval in no way supersedes private property rights or agreements, or standing agreements between business entities harvesting in similar areas.

Affirmation:

On behalf of the operation named below, I confirm understanding of all applicable state rulings, laws and regulations, private property rights, and working agreements between business entities as they pertain to the intertidal zone and its products which I am requesting for organic certification. I further confirm that I understand that organic certification does not represent compliance with any laws, regulations, or agreements other than the USDA National Organic Program regulations.

Name of Operation: _____

Print Name of Responsible Representative:_____

Title and/or Position:_____

_____   _____
Producer Signature   Date

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