

Spring 2017

The Organic Sprout

MOFGA's Newsletter
for Organic Producers

Animal Welfare Rule *Organic Livestock and Poultry Practices Standard*

The United States Department of Agriculture's Agricultural Marketing Service (AMS) is delaying the effective date of the rule published on January 19, 2017, for an additional six months to November 14, 2017, to allow time for further consideration by USDA. The effective date for this rule was initially March 20, 2017, and was subsequently delayed to May 19, 2017, by a document published in the Federal Register on February 9, 2017. MCS feels that even though the rule is delayed it is necessary to inform our clients in order for operations to begin to explore what changes will need to be made for compliance.

After a long process beginning in 2011, the USDA National Organic Program (NOP), on January 19, 2017, released the Organic Livestock and Poultry Products Standard. The new rule, published in the Federal Register, may take effect November 14, 2017. With support from the National Organic Standards Board and over 6,700 comments from industry stakeholders, the new guidelines create a framework and guidance for certifying agencies to interpret and verify specific animal welfare standards.

The intent of the new rule is to assure consumers that organically produced products meet a consistent standard and that organic farms and businesses are consistently applying organic regulations for livestock and poultry operations. Due to some inconsistencies and "gray areas" within the rule, varying interpretations of acceptable organic production were *eroding consumer confidence* and creating disparity amongst organic producers. This rule aims to clarify these areas and define more specific areas of animal welfare.

MCS will continue to monitor the rollout of the new rule, as we will need to make several adjustments to the Livestock OSP forms to comply with the many changes in this rule. While there are many provisions that have a grace period of 1-5 years, much of this new standard will need to be implemented for the 2018 certification year. MOFGA Agricultural Services staff, as well as MCS, will be available to answer any compliance questions and ensure that everyone understands the changes.

The accompanying information graphic (on page 2) shows some of the general highlights, as well as implementation timelines. We have provided additional detail here:

- **New rule breaks apart 205.239** (Livestock Living Conditions) into two parts: 205.239 – Mammalian Living Conditions and 205.241 – Avian Living Conditions
- **Additional Section 205.242** detailing Transport and Slaughter
- **17 new terms defined**, including Physical Alterations (8 new terms), Indoors and Outdoors (space), Types of Housing (Avian only), Stocking Density, Soil, and Vegetation.
- **205.238 - the Livestock Care section**, includes extensive additions of requirements for physical alterations, including 205.238(a)(5), which states: *Physical alterations may be performed to benefit the welfare of the animals, for identification purposes, or for safety purposes. Physical alterations must be performed on livestock at a reasonably young age, with minimal stress and pain and by a competent person.*
- **205.238(a)(5)(i) - describes needle teeth trimming and tail docking for Swine** that can only be performed where other methods to prevent injury have failed: *The following practice may not be routinely*

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MOFGA Certification Services LLC

Chris Grigsby - Director
 Kate Newkirk— Associate Director of Processing
 Jacomijn Schravendes-Gardei — Associate Director of Crops
 Joan Cheetham—Certification Specialist
 Katie Webb—Dairy Certification Specialist
 Laurah Brown—Certification Specialist
 Katy Green—Inspector/Materials Review
 Kristen Farrell—Operations Assistant/ Inspection Coordination
 Grace Keown—Operations Assistant/ Information Management

email: certification@mofga.org
www.mofgacertification.org

MOFGA Agricultural Services

Dave Colson—Ag Services Director
 Heather Omand—Organic Marketing Coordinator
 Eric Sideman—Organic Crop Specialist
 Diane Schivera—Organic Livestock Specialist
 John Chartier—Aroostook County Coordinator
 C.J. Walke—Organic Orchardist

email: mofga@mofga.org
www.mofga.org

PO Box 170 Unity, ME 04988
 207-568-4142 Fax: 207-568-4141



FINAL RULE: Organic Livestock & Poultry Practices
 These changes to the organic regulations address organic livestock & poultry living conditions, health care, handling & transport.

incorporates feedback from approximately **6700 PUBLIC COMMENTS**

Provisions

- OUTSIDE TIME FOR ALL SPECIES** when temperatures are between **40-90°**
- 2.25 lbs per square foot** required layer outdoor space
- GROUP Housing** required for swine
- 10 PPM** (Maximum Residue Levels) for all species
- 6 inches** of perch space per bird
- Organic feed & water required** for all species being transported for 12+ hours
- Outdoor requirements** for all species

Projected COSTS

- Broilers:** Producers may need to build housing to maintain production and comply with indoor stocking density requirements.
- Layers:** Some producers may need to provide additional space and face higher feed costs.

Projected BENEFITS

- Establishes a clear standard for consumers & protects the value of the USDA organic seal
- Facilitates fair competition among organic livestock & poultry producers
- \$678 MILLION** in organic egg sales (2015)
- the integrity of the **\$43 Billion** U.S. organic market

Implementation Timeline

- Within 1 YEAR** of publication of the final rule: All provisions must be implemented, EXCEPT:
 - Outdoor access requirements for layers
 - Indoor space requirements for broilers
- Within 3 YEARS** of publication of the final rule: Certified organic broiler operations must meet INDOOR space requirements. Egg laying operations which apply for organic certification 3 years or more after rule publication must meet all requirements to obtain certification.
- Within 5 YEARS** of publication of the final rule: All certified organic poultry operations must meet OUTDOOR access requirements. Prior to year 5, producers could use porches and other shelter areas for outdoor access and maintain current stocking densities for outdoor space.

Agencies: Marketing Service, National Organic Program, USDA is an equal opportunity provider, employee and vendor.

Make your voice heard!

Your input matters. The comment period for the Organic Livestock and Poultry Practices Final Rule is now open, and ends on June 9th. USDA is asking the public to comment on the possible actions they should take in regards to the disposition of the Final Rule (FR).

Submit comment online: https://www.regulations.gov/document?D=AMS_FRDOC_0001-1590 - click the Comment Now! button in the top right.

Submit comments by postal mail: Paul Lewis, PhD., Director, Standards Division, National Organic Program, USDA-AMS-NOP, Room 2646-So.k Ag Stop 0268, 1400 Independence Avenue SW, Washington, DC 20250-0268.

Director's



Corner

Happy Spring to you! It is an honor to get the chance to write to you from my perspective as Director of MOFGA Certification Services. I do hope this publication finds you well and dusting off from the seemingly endless winter. There is nothing quite like the first few times the spring sun shines on our faces!

As a relative newcomer to MOFGA, I have enjoyed my first few months getting to know the certification process, our producers, and many members of the larger MOFGA community. It is truly a partnership of many stakeholders: producers, certifiers, distributors, consumers, advocates, regulators and legislators among others. Within this, and in order for certified organic food and products to continue to succeed in the marketplace, we will need to foster the idea of win-win partnerships at all levels.

As we consider what a win-win partnership looks like, we must consider all of the stakeholders, but most of all we need to consider the concept of "value". What is the value of the Organic label? What does "value" mean for all the stakeholders at the table? These questions are not new. Many discussions at all levels have happened and will continue to happen. It is what drives markets, consumer confidence, and growth.

We are often asked the question "Why Certify"? This is, after all, a voluntary label. One answer to this can be found in the marketplace, and more specifically the relationship with the end user. The reason why any operation would certify is largely due to market demand, or at the very least market potential. The value of certifying can include premium pricing for the producer and nutritional excellence, environmental concern and the health of the planet for the consumer. Win-Win! This is what we all are looking for when we choose to sell, barter, or trade anything. We look for value. We look for fairness. We look for trust.

By choosing to certify your operation as organic, you are making a proclamation that you stand wholeheartedly behind your practices. You are making the investment and are proudly contracting with a third party verification

service to back up your stated claim. You are willing to go the extra mile to prove to the world that your operation and organic system or handling plan complies with what our country currently considers to be the Organic Standard.

This is the value proposition at its core and what drives the integrity of the sector. The partnership between you and MOFGA relies on trust and expectation. You expect us to provide a positive certification experience. You expect MOFGA to help our sector to stay vibrant and viable. We expect you to uphold your Organic System Plan and we trust that you are doing what you say you are. Our Certified Organic Label is symbolic of this partnership, and it is a symbol to the marketplace that both parties have done what they said they would. At the point of product transfer there is then a level of confidence in the stated value.

As we know, now more than ever, anyone can say anything. False claims come at us all the time, every day. Certified Organic as a marketing tool, backed by a rigorous verification, cuts through a lot of that. Certified Organic by MOFGA says to consumers that you are a trustworthy, honest and hardworking operation and are committed and dedicated to the philosophical approaches of organic agriculture.

Being a certified organic operation is hard work. It is not for the faint of heart. The requirements are challenging. Sometimes in our marketplace we find false claims or cheating. Often we feel we are waging an uphill battle. Within all of this however, we continue to find value. Whether it is a stellar sales day at the farmers' market, the excitement of seeing a bumper crop in the field or a herd of happy cows on open pasture, we gain the affirmation to keep going. We feel a sense of value in the partnership.

So when the question of "Why Certify" comes up, to my mind it is simple: because you and your operation deserve to be. This is where I find value and I hope you do as well.

Chris Grigsby
MCS Director

Animal Welfare Rule

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used and must be used only with documentation that alternative methods to prevent harm failed: needle teeth clipping (no more than top one-third of the tooth) in pigs and tail docking in pigs.

- **205.238(a)(5)(ii) - The following practices are prohibited: de-beaking, de-snooding, caponization, dubbing, toe clipping of chickens, toe clipping of turkeys unless with infrared at hatchery, beak trimming after 10 days of age, tail docking of cattle, wattling of cattle, face branding of cattle, tail docking of sheep shorter than the distal end of the caudal fold, and mulesing of sheep.**
- **205.238(a)(8) - introduces a monitoring component for lameness:** Monitoring of lameness and keeping records of the percent of the herd or flock suffering from lameness and the causes. Certified operations may monitor lameness in a manner prescribed by the NOP.
- **205.238(c)(8) - re-enforces the need to manage pain and suffering and reads:** *Withhold individual treatment designed to minimize pain and suffering for injured, diseased, or sick animals, which may include forms of euthanasia as recommended by the American Veterinary Medical Association.* 205.238(c)(9) goes on to say the operation must not "Neglect to identify and record treatment of sick and injured animals in animal health records." 205.238(c)(10) also tells the operation they must not "Practice forced molting or withdrawal of feed to induce molting".
- **205.238(d) - details the need for minimizing internal parasite issues, and states** "Organic livestock operations must have **comprehensive plans to minimize internal parasite problems** in livestock. The plan will include preventive measures such as pasture management, fecal monitoring, and emergency measures in the event of a parasite outbreak. Parasite control plans shall be approved by the certifying agent".

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Animal Welfare Rule

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- 205.238(e) - goes on to outline approved methods of Euthanasia in written plans, including detail as to methods that are not approved and the assurance through examination that the animal is dead. (2) "The following methods of euthanasia are not permitted: suffocation; manual blow to the head by blunt instrument or manual blunt force trauma; and the use of equipment that crushes the neck, including killing pliers or Burdizzo clamps".

Mammalian Living Conditions

Section 205.239, now re-named *Mammalian Living Conditions*, though not as extensive as the poultry section, does address several factors. While it does not specify stocking density, the new rule does prohibit cages, and further specifies that all animals must be able to lie down full, turn around and fully stretch without touching their enclosure or other animals. Housing stalls are one per animal, and the animals are no longer required to feed all at once provided that there isn't competition and sufficient body condition is maintained. The following are several changes and additions for consideration:



- 205.239 (a)(1) - revision removes the words in bold - "Yards, feeding pads, and feedlots shall be large enough to allow all ruminant livestock occupying the yard, feeding pad, or feedlot to feed **simultaneously** without **crowding** or competition for food".
- 205.239 (a)(4)(i) - revision of shelter requirements - old statement: Shelter designed to allow for: Natural maintenance, comfort behaviors, and opportunity to exercise. New statement: Over a 24-hour period, sufficient space and freedom to lie down, turn around, stand up, fully stretch their limbs, and express normal patterns of behavior.
- 205.239(a)(4)(iv) - is a new statement: If indoor housing is provided, areas for bedding and resting that are sufficiently large, solidly built, and comfortable so that animals are kept clean, dry, and free of lesions.

- 205.239(a)(6) - describes proper sanitation practices: Housing, pens, runs, equipment, and utensils shall be properly cleaned and disinfected as needed to prevent cross-infection and build-up of disease-carrying organisms.
- 205.239(a)(7-10) - goes on to describe various livestock living conditions and parameters: (7) Dairy young stock may be housed in individual pens until completion of the weaning process but no later than 6 months of age, provided that they have enough room to turn around, lie down, stretch out when lying down, get up, rest, and groom themselves; individual animal pens shall be designed and located so that each animal can see, smell, and hear other calves. (8) Swine must be housed in a group, except: (i) Sows may be housed individually at farrowing and during the suckling period; (ii) Boars; and (iii) Swine with documented instance of aggression or recovery from an illness. (9) Piglets shall not be kept on flat decks or in piglet cages. (10) For swine, rooting materials must be provided, except during the farrowing and suckling period.
- 205.239(a)(11) - details approved confined housing options that are acceptable: In confined housing with stalls for mammalian livestock, enough stalls must be present to provide for the natural behaviors of the animals. A cage must not be called a stall. For group-housed swine, the number of individual feeding stalls may be less than the number of animals, as long as all animals are fed routinely over a 24-hour period. For group-housed cattle, bedded packs, compost packs, tie-stalls, free-stalls, and stanchion barns are all acceptable housing as part of an overall organic system plan.
- 205.239(a)(12) - includes definitions of outdoor space including requirement of presence of soil: Outdoor space must be provided year-round. When the outdoor space includes soil, maximal vegetative cover must be maintained as appropriate for the season, climate, geography, species of livestock, and stage of production.
- 205.239(b)(7 & 8) - have slight revisions to the confinement section, specifically around breeding and demonstration. The new version provides clearer guidance for

amount of time confined for (7) Breeding: Except, that, animals shall not be confined any longer than necessary to perform the natural or artificial insemination. Animals may not be confined to observe estrus; and for (8) 4-H, National FFA Organization, and other youth projects, for no more than one week prior to a fair or other demonstration, through the event, and up to 24 hours after the animals have arrived home at the conclusion of the event. These animals must have been maintained under continuous organic management, including organic feed, during the extent of their allowed confinement for the event. Notwithstanding the requirements in paragraph (b) (6) of this section, facilities where 4-H, National FFA Organization, and other youth events are held are not required to be certified organic for the participating animals to be sold as organic, provided all other organic management practices are followed.

Avian Living Conditions

Section 205.241, a completely new section, is named *Avian Living Conditions*. It describes stocking densities for layers and broilers (pounds of bird per square foot, both indoor and outdoor). The new rule also describes housing, natural light, ammonia monitoring, flooring, spacing for perches, outdoor space, vegetation, and shade requirements among other specifications. The following is a full listing of the new section:



- 205.241(a) The producer of an organic poultry operation must establish and maintain year-round poultry living conditions that accommodate the health and natural behavior of poultry, including: year-round access to outdoors; shade; shelter; exercise areas; fresh air; direct sunlight; clean water for drinking; materials for dust bathing; and adequate outdoor space to escape aggressive behaviors suitable to the species, its stage of life, the climate, and environment. Poultry may be temporarily denied access to the outdoors in accordance with paragraph (d) of this section.



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Animal Welfare Rule

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- **205.241(b) Indoor space requirements [including conditions]:**
- **205.241(b)(1) Poultry housing must be sufficiently spacious to allow all birds to move freely,** stretch their wings, stand normally, and engage in natural behaviors.
- **205.241(b)(2) Producers must monitor ammonia levels at least monthly and implement practices to maintain ammonia levels below 10 ppm.** When ammonia levels exceed 10 ppm, producers must implement additional practices and additional monitoring to reduce ammonia levels below 10 ppm. Ammonia levels must not exceed 25 ppm.
- **205.241(b)(3) For layers and fully feathered birds, artificial light may be used to prolong the day length, to provide up to 16 hours of continuous light.** Artificial light intensity must be lowered gradually to encourage hens to move to perches or settle for the night. Natural light must be sufficient indoors on sunny days so that an inspector can read and write when all lights are turned off.
- **205.241(b)(4) Exit areas—poultry houses must have sufficient exit areas that are appropriately distributed to ensure that all birds have ready access to the outdoors.**
- **205.241(b)(5) Perches—for layers (Gallus gallus), six inches of perch space must be provided per bird.** Perch space may include the alighting rail in front of the nest boxes. All layers must be able to perch at the same time except for aviary housing, in which 55 percent of layers must be able to perch at the same time.
- **205.241(b)(6) All birds must have access to areas in the house that allow for scratching and dust bathing. Litter must be provided and maintained in a dry condition.**

- **205.241(b)(7) Houses with slatted/mesh floors must have 30 percent minimum of solid floor area available with sufficient litter available for dust baths so that birds may freely dust bathe without crowding.**
- **205.241(b)(8) For layers (Gallus gallus), indoor stocking density must not exceed (live bird weight):** (i) Mobile housing: 4.5 pounds per square foot. (ii) Aviary housing: 4.5 pounds per square foot. (iii) Slatted/mesh floor housing: 3.75 pounds per square foot. (iv) Floor litter housing: 3.0 pounds per square foot. (v) Other housing: 2.25 pounds per square foot.
- **205.241(b)(9) For pullets (Gallus gallus), indoor stocking density must not exceed 3.0 pounds of bird per square foot.**
- **205.241(b)(10) For broilers (Gallus gallus), indoor stocking density must not exceed 5.0 pounds of bird per square foot.**
- **205.241(b)(11) Indoor space includes flat areas available to birds, excluding nest boxes.**
- **205.241(b)(12) Indoor space may include enclosed porches and lean-to type structures (e.g. screened in, roofed) as long as the birds always have access to the space,** including during temporary confinement events. If birds do not have continuous access to the porch during temporary confinement events, this space must not be considered indoors.

Avian Outdoor Space Requirements

205.241(c) Outdoor space requirements:

- **205.241(c)(1) Access to outdoor space and door spacing must be designed to promote and encourage outside access for all birds on a daily basis.** Producers must provide access to the outdoors at an early age to encourage (i.e., train) birds to go outdoors. Birds may be temporarily denied access to the outdoors in accordance with § 205.241(d).
- **205.241(c)(2) At least 50 percent of outdoor space must be soil.** Outdoor space with soil must include

maximal vegetative cover appropriate for the season, climate, geography, species of livestock, and stage of production. **Vegetative cover must be maintained in a manner that does not provide harborage for rodents and other pests.**

- **205.241(c)(3) Shade may be provided by structures, trees, or other objects in the outdoor area.**
- **205.241(c)(4) For layers (Gallus gallus), outdoor space must be provided at a rate of no less than one square foot for every 2.25 pounds of bird in the flock.**
- **205.241(c)(5) For pullets (Gallus gallus), outdoor space must be provided at a rate of no less than one square foot for every 3.0 pounds of bird in the flock.**
- **205.241(c)(6) For broilers (Gallus gallus), outdoor space must be provided at a rate of no less than one square foot for every 5.0 pounds of bird in the flock.**
- **205.241(c)(7) Outdoor space may include porches and lean-to type structures that are not enclosed (e.g. with roof, but with screens removed) and allow birds to freely access other outdoor space.**
- **205.241(d) The producer of an organic poultry operation may temporarily confine birds. Confinement must be recorded.** Operations may temporarily confine birds when one of the following circumstances exists:
 - **205.241(d)(1) Inclement weather, including when air temperatures are under 40 degrees F or above 90 degrees F.**
 - **205.241(d)(2) The animal's stage of life, including:** (i) The first 4 weeks of life for broilers (Gallus gallus); (ii) The first 16 weeks of life for pullets (Gallus gallus); and (iii) Until fully feathered for bird species other than Gallus gallus.
 - **205.241(d)(3) Conditions under which the health, safety, or well-being of the animal could be jeopardized.**



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- **205.241(d)(4) Risk to soil or water quality, including to establish vegetation by reseeding the outdoor space.**
- **205.241(d)(5) Preventive healthcare procedures or for the treatment of illness or injury (neither various life stages nor egg laying is an illness or injury).**
- **205.241(d)(6) Sorting or shipping birds and poultry sales,** provided that the birds are maintained under continuous organic management, throughout the extent of their allowed confinement.
- **205.241(d)(7) For nest box training, provided that birds shall not be confined any longer than required to establish the proper behavior. Confinement must not exceed five weeks.**
- **205.241(d) (8) For 4-H, National FFA Organization, and other youth projects,** provided that temporary confinement for no more than one week prior to a fair or other demonstration, through the event, and up to 24 hours after the birds have arrived home at the conclusion of the event. During temporary confinement, birds must be under continuous organic management, including organic feed, for the duration of confinement. Notwithstanding the requirements in paragraph (d) (6) of this section, facilities where 4-H, National FFA Organization, and other youth events are held are not required to be certified organic for the participating birds to be sold as organic, provided all other organic management practices are followed.
- **205.241(e) The producer of an organic poultry operation must manage manure in a manner that does not contribute to contamination of crops, soil, or water by plant nutrients, heavy metals, or pathogenic organisms.** The producer must also optimize recycling of nutrients and must manage outdoor access in a manner that does not put soil or water quality at risk.

Transport and Slaughter

Section 205.242 is also a new section, named **Transport and Slaughter**, defines eligibility requirements for animals to be fit for transport, including being clearly identified as organic (full traceability), season appropriate transport (protection against cold and heat), transport times, access to organic feed and water after 12 hours, emergency plans in case of issues during transport, and bedding requirements among others. Additionally, the slaughter requirements align with federal regulation, including the Federal Meat Inspection Act and the Poultry Products Inspection Act. Emphasis is placed on recordkeeping availability and transparency of any noncompliance activity associated with slaughter at time of inspection or upon request. For avian slaughter, all birds must be irreversibly insensible before scalding. The following is a full listing of this section:

Transport

- **205.242(a)(1) Certified organic livestock must be clearly identified as organic, and this identity must be traceable for the duration of transport.**
- **205.242(a)(2) All livestock must be fit for transport to buyers, auction or slaughter facilities.** (i) Calves must have a dry navel cord and be able to stand and walk without human assistance. (ii) Non-ambulatory animals must not be transported for sale or slaughter. Such animals may be medically treated or euthanized.
- **205.242(a)(3) Adequate and season-appropriate ventilation is required for all livestock trailers, shipping containers, and any other mode of transportation used to protect animals against cold and heat stresses.**
- **205.242(a)(4) Bedding must be provided on trailer floors and in holding pens as needed to keep livestock clean, dry, and comfortable during transport and prior to slaughter.** Bedding is not required in poultry crates. When roughages are used for bedding, they must be certified organic.
- **205.242(a)(5) Arrangements for water and organic feed must be made**

if transport time, including all time on the mode of transportation, exceeds 12 hours. (i) The producer or handler of an organic livestock operation, who is responsible for overseeing the transport of organic livestock, must provide records to certifying agents during inspections or upon request that demonstrate that transport times for organic livestock are not detrimental to the welfare of the animals and meet the requirements of paragraph (a)(5) of this section.

- **205.242(a)(6) Organic producers and handlers, who are responsible for overseeing the transport of organic livestock, must have emergency plans in place** that adequately address possible animal welfare problems that might occur during transport.

Mammalian Slaughter

- **205.242(b)(1) Producers and handlers who slaughter organic livestock must be in compliance, as determined by FSIS, with the Federal Meat Inspection Act (21 U.S.C. 603(b) and 21 U.S.C. 610(b)), the regulations at 9 CFR part 313 regarding humane handling and slaughter of livestock, and the regulations of 9 CFR part 309 regarding ante-mortem inspection.**
- **205.242(b)(2) Producers and handlers who slaughter organic exotic animals must be in compliance with the Agricultural Marketing Act of 1946 (7 U.S.C. 1621, et seq.), the regulations at 9 CFR parts 313 and 352 regarding the humane handling and slaughter of exotic animals, and the regulations of 9 CFR part 309 regarding ante-mortem inspection.**
- **205.242(b)(3) Producers and handlers who slaughter organic livestock or exotic animals must provide all noncompliance records** related to humane handling and slaughter issued by the controlling national, federal, or state authority and all records of subsequent corrective actions to certifying agents during inspections or upon request.

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Organic Updates

NOP Posts Fraudulent Organic Certificates

The USDA Agricultural Marketing Service (AMS) National Organic Program (NOP) is alerting the organic trade about the presence of fraudulent organic certificates. Fraudulent organic certificates listing the following businesses are in use and have been reported to the NOP:

- Chia-Brand LLC
- Mult Blindagem LTDA (Certificate No. 53540-12)
- Worldwide Wholesale Warehouse, Inc. (Certificate No. 51368-13)
- Supattra Import & Export Co., LTD
- Multi Purpose Trade Marketing PTY LTD
- Desert Harvest, Inc.
- Yunnan Dianhong Group Co. Ltd.

Review these and other fraudulent certificates online at: [Fraudulent Organic Certificates](https://www.ams.usda.gov/services/enforcement/organic/fraudulent-certificates). (<https://www.ams.usda.gov/services/enforcement/organic/fraudulent-certificates>).

These certificates falsely represent agricultural products as certified organic under the USDA organic regulations, violating the Organic Foods Production Act of 1990. Fraudulent certificates may have been created and used without the knowledge of the operator or the certifying agent named in the certificate.

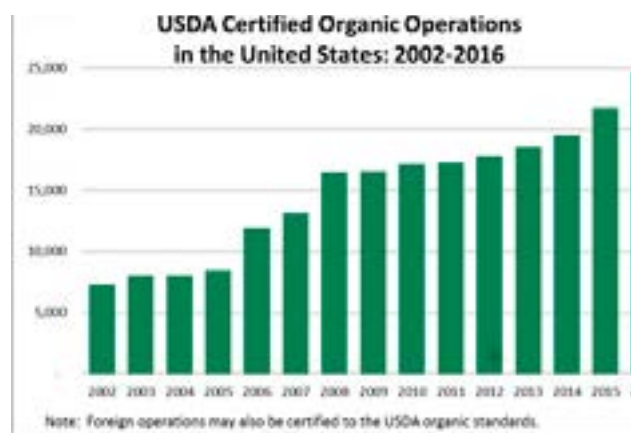
The posting of fraudulent certificates does not necessarily mean that the named operator or certifying agent was involved in illegal activity. If an operation named on a fraudulent certificate is certified, its certifying agent, identified in the list of certified operations, can provide additional information and verification to the organic trade. Organic handlers should continue to review certificates carefully, validate with their certifying agents where needed, and send any suspicious certificates to the [NOP Compliance and Enforcement Division](#). (email: NOPCompliance@ams.usda.gov)

Any use of these certificates or other fraudulent documents to market, label, or sell non-organic products as organic can result in a civil penalty of up to \$11,000 per violation. Persons with information regarding the production or use of this or other fraudulent NOP certificates are asked to send information to the [NOP Compliance and Enforcement Division](#). (email: NOPCompliance@ams.usda.gov)

AMS Announces 2016 Count of Certified Organic Operations

The U.S. Department of Agriculture (USDA) today announced new data indicating the organic industry continues to grow domestically and globally, with 24,650 certified organic operations in the United States, and 37,032 around the world.

The 2016 count of U.S. certified organic farms and businesses reflects a 13 percent increase between the end of 2015 and 2016, continuing the trend of double digit growth in the organic sector. Read more here: <https://www.ams.usda.gov/press-release/2016-count-certified-organic-operations-shows-continued-growth-us-market> [Chart of Certified Organic Operations from 2002 to 2016](#)



The Organic Integrity Database

The USDA's Organic INTEGRITY Database is available to the public at <https://organic.ams.usda.gov/integrity/> and provides an easy and precise way to search for information about a certified organic farm or business. You can search for an operation with specific characteristics such as their status (Certified, Surrendered, Revoked or Suspended) or the scopes for which they are certified (Crops, Livestock, Wild Crops or Handling).

The Organic INTEGRITY Database, developed over the past two years by the Agricultural Marketing Service (AMS), supports the NOP's efforts to guarantee the integrity of the USDA organic seal, and embodies the goals of providing up-to-date and accurate information, deterring fraud, increasing supply chain transparency, and promoting market visibility for organic operations.

As an accredited certifying agent, MOFGA Certification Services is charged with providing regular uploads through the year of non-confidential information pertaining to our certified producers. If you have any questions about the function of the Organic INTEGRITY Database and MCS's role, please feel free to contact us: certification@mofga.org.



UNDERSTANDING MATERIAL PRODUCT REVIEW

by Katy Green, Inspector / Materials Review

At MCS we often field questions from producers who would like to use a particular product and they are not sure whether or not it is permitted in organic production. Our goal is to give everybody a clear and timely answer about if, and how, a material can be used. Our material review program is currently a free service to our certified clients.

What can be used?

MOFGA certification allows products approved for use by Organic Materials Review Institute (OMRI -www.omri.org), WSDA (<http://agr.wa.gov/FoodAnimal/Organic/>), and PCO (Pennsylvania Certified Organic). Locally produced composts that have been approved for use by MOFGA's Agricultural Services Department may also be used.

As always, you must pay attention to any annotations or restrictions and notify your certification specialist prior to use of a new product not mentioned on your material list. Bear in mind that products are added and removed from these lists periodically, so keep an eye out for changes.

Other materials

Materials that don't appear on the lists above may be reviewed by MOFGA Certification Services at the request of a client who would like to use a product. Certified clients can submit materials for review to their certification specialist. Generally speaking, the more complete information that we receive about a product the swifter the review process. Information that you'll need to provide about a product includes the full product name, manufacturer, and a description of how and when you'd like to use the product. Additional information that can be useful, but is not required, includes a copy of the label and/or contact information for a representative of the manufacturer.

Once this information is received by MCS we initiate a product review. As part of the review we need to look at all of the ingredients in a product. Ingredients in products for crop or livestock production must be either a natural substance (there are a few exceptions) or a synthetic substance that is included on the "National List" of allowed products. All ingredients, whether or not they are listed on a product label, must be reviewed. Sometimes obtaining a full ingredient

list from manufacturers is not possible or takes a great deal of time. We will contact the producer who requested the review when a determination is made.

All products approved by MCS are re-reviewed every three years. During that time we determine if a product is still in use by a MOFGA certified organic grower. If a product does not appear on any producer's materials list we remove it from our review list. For all others we work directly with the manufacturer to determine if a product can still be approved for use. Status changes that impact a large number of producers will be announced in this publication. Otherwise, MCS will make an effort to contact individual producers who are using products that have been removed from the list.

MCS typically sends out a MOFGA approved compost list and a livestock materials list to certified producers annually. These lists are intended to help clients of MCS make informed product decisions. Producers should make their certification specialist aware of any materials changes, even if using a product that appears on a list supplied by MCS.



MOFGA Goes Solar!

On March 8, MOFGA took a giant step toward energy self-sufficiency when it flipped the energy switch to solar power at its Common Ground Education Center in Unity. With inspiration, guidance and generous financial support from Liberty-based ReVision Energy, MOFGA dramatically expanded its renewable energy infrastructure by installing a 102.08 kilowatt solar array and air source heat pumps. After almost 20 years at its home in western Waldo County, MOFGA is fulfilling its dream of becoming self-sufficient with energy.

For several years, MOFGA has partnered with ReVision Energy to accelerate the plan for energy self-sufficiency. A key part of MOFGA's programming is an assortment of small-scale energy systems that visitors may view and recreate in their own homes or on their farms.



Aspects of design for conservation and energy efficiency include building orientation for solar gain and use of local materials; a flat-plate solar wall on the structure that houses water tanks for the sprinkler system in the main building to keep the temperature above freezing; a flat-plate solar wall on the south side of the main building that preheats water and pumps it to a 1,500-gallon insulated water tank that serves the general heating system; a 10 kW Bergey Excel wind generator atop an 80-foot tilt-up tower; and a grid-tied 11.7 kW solar photovoltaic array installed on MOFGA's 200-year-old red barn.

"We should be saving about 5,000 gallons of fossil fuel (diesel, propane, heating oil) per year. About 85 percent of our energy is going to be generated on-site. Revision previously did the solar panels on our red barn, which offset energy used at our bunkhouse/woodshop."

Jason Tessier, MOFGA's buildings and grounds director

"Each of these components was an important step along our path to energy self-sufficiency," says Jason Tessier, MOFGA's buildings and grounds director. "But now we really can demonstrate that it's possible to shed our dependence on fossil fuels and embrace a clean and dependable source of energy."

Federal Cost Share Program

On December 21, 2016, the USDA announced that it would be shifting the National Organic Certification Cost Share Program (NOCCSP) from state Departments of Agriculture administration to the Farm Service Agency (FSA) offices throughout the country.

The stated intent is to broaden the opportunity for organic producers to access the cost share program as well as introduce them to other FSA programs, including disaster protection and farm loans.

The press release also went on to describe the partnership between FSA and the states and the opportunity for increased participation in many of FSA's programming. "The Agricultural Marketing Service (AMS) and the National Organic Program look forward to this exciting opportunity to leverage the Farm Service Agency's rural footprint to reach more organic producers and handlers," said AMS Administrator Elanor Starmer. "At the same time it is important to recognize and continue the valuable partnerships with states that remain at the core of the program."

Historically, participation in the organic cost share has been relatively low in some parts of the country and in many states. Maine stands in stark contrast to this, with a participation rate of over 90%. We feel that because of the success of the program here, the current state-run process should continue.

MOFGA Certification Services has enjoyed a long partnership with the Maine Department of Agriculture, Conservation, and Forestry, and have urged them to continue to administer the program. They have applied for the grant funding for 2017 and we are hopeful that will continue for years to come. We feel that the burden on the producers is relatively low and does not require an in-person visit to an office.

In a meeting with staff at the Ag department in April, we discussed some

process improvements that will make things go more smoothly for both producers and the state. As with any program administration, the success depends largely on information accuracy. MCS organic producers are reminded that any change to names, addresses, or business structure need to be communicated to the department directly through an updated W-9 form.

If you agree with MOFGA that the cost share administration should remain with the Maine Department of Agriculture, Conservation, and Forestry, let them know. The more we can show our support the better chance we may have of the program staying with this department. Maine is a very rural state, and many producers would have to travel a fair distance to access an FSA office. That said, MOFGA also encourages all our certified operations to utilize any program at the FSA that is a good fit. There are many resources at the state and federal level that are worth exploring.

For more information on either the Cost Share program or FSA programs, visit:

<https://www.ams.usda.gov/services/grants/occp>

<https://www.fsa.usda.gov/index>

Organic Check-off Update

On April 9, 2017, the MOFGA Board unanimously approved a motion to reject the currently proposed Organic Check-off, officially known as the Organic Research, Promotion, and Information Order.

According to the USDA, "These [check-off] programs are designed to maintain and expand markets and uses for agricultural commodities." The purpose of this check-off program is to generate revenue from the organic industry to help support organic research, marketing, and other efforts of promotion.

While this sounds good in theory, MOFGA believes that, as has been the case with other similar programs in the commodities market, this proposal may

do very little to help small to midsize organic farms.

The following excerpt, found in the summer edition of The MOF&G, explains MOFGA's position and reasoning for rejecting the proposed rule as it currently stands:

"While many organic farmers and handlers (food processors and retailers) likely would agree that the organic industry needs increased research and marketing efforts, opinions diverge significantly regarding the best ways to support that research and marketing. The program now under discussion at the USDA has come under fire from many organic farmers and organic advocacy organizations. They believe the rules unfairly favor corporate farming operations and organic food processors.

The proposed rulemaking for the check-off has been under discussion for more than three years, and the USDA has been moving slowly toward issuing a final set of rules to govern the program.

Once the final rules are published, certified organic farmers and handlers will be called upon to vote "Yes" or "No" on the program. Existing rules on commodity check-offs allow only those who would be assessed under the check-off to vote on the program. This would essentially exclude about 60 percent of certified operations – those grossing \$250,000 or less – from participating in the vote. Although a vote could still be a year away, the MOFGA board determined that the program falls far short of providing real benefits to Maine's organic farmers, and indicated this by rejecting the current rules.

As members of the No Organic Check-off Coalition, MOFGA has joined with more than 30 other organizations representing nearly half of all the certified organic producers in the country arguing against the check-off program. Nationally among certified organic growers, an obvious lack of support for the check-off exists. A lack of backing is one factor USDA is required to weigh in determining whether to push ahead with a final vote on the plan."

For more information on the No Organic Check-off Coalition, please visit: <http://noorganiccheckoff.com>





CATTLE CORNER

ARE YOU REQUIRED TO BE NPE-FREE?

by Jacomijn Schravessande-Gardei, Certification Specialist

Nonylphenol Ethoxylates (NPE), industrial grade surfactants, are commonly found in products such as teat dips, udder washes and foothbath solutions used by the dairy industry. Products which contain NPE can leave a residue in milk. For that reason, China, Canada and the EU are not allowing NPE residue, and many U.S. milk shippers are now requiring that their producers go NPE-free. If your dairy is required to be NPE-free, being proactive and beginning the process well in advance is advised, as it can take months for the residues to clear the milk.

Please note that cleaners and sanitizers will not remove NPE residue. *The only option is to discontinue using products that contain NPE and to replace components that came into contact with NPE.* The main source of NPE on dairy farms is iodine teat dips. Check to make sure that your teat dips are NPE-free. Some approved NPE-free teat dips can be found in the table below. If you cannot find your teat dip on this list, or want to check on NPE and other products, please call MCS at 568-6030.

Approved NPE-Free Teat Dips

Brand Name	Manufacturer
DeLaval Prima	DeLaval
Lactifence	DeLaval
Genesis Barrier Teat Dip	IBA
Genesis 102 Sanitizing Teat Dip	IBA
Option One Teat Dip	IBA
Blockade Teat Dip	West Agro
Bovadine Sanitizing Teat Dip	West Agro
QuarterMate Plus Sanitizing Teat Dip	West Agro

MCS Advisory Committee

The MCS Advisory Committee held its annual meeting on March 23, 2017.

The group, made up of certified farmers and processors, Extension staff, Management Committee members, and Ag Services colleagues, met with staff to give feedback on issues important to the work of our program.

Agenda items included updates on the program, sea vegetables and maple, biodiversity/wildfarm alliance partnership, container growing, the final rule on livestock and poultry practices, certifying operations outside of Maine, and organic checkoff proposals.

If you are interested in becoming part of the Advisory Committee, please contact Chris Grigsby at cgrigsby@mofga.org.

Staff Changes at MCS

This past winter Katy Green joined MCS as a full time staff inspector and materials reviewer, replacing our outgoing staff inspector, Jake Galle. Katy has worked for MOFGA since 2008, primarily helping farmers and processors transition to organic production. This work has allowed Katy to travel all over the state offering assistance, guidance, and answering questions about complying with the organic standards. She is excited that her work with MCS will still have her traveling all over the state and that she'll be able to apply the knowledge learned from working with clients transitioning to organic production to her new role working with the certification program. Katy can be reached at her same email address: kgreen@mofga.org.

Additionally, Laurah Brown, Certification Specialist, has stepped in to review dairy updates and applicants while Katie Webb, Dairy Certification Specialist, has been on maternity leave. Laurah can be reached at lbrown@mofga.org with any questions.

REMINDER: PESTICIDE LICENSING

Any grower who annually sells more than \$1,000 worth of plants or plant products intended for human consumption and who uses general use pesticides (including those approved for use in organic production) must obtain an Agricultural Basic pesticide applicator license from Maine's Board of Pesticides Control (BPC). Contact the BPC at (207) 287- 2731 or by email at pesticides@maine.gov to learn about how to obtain a license.



MOFGA Marketing Materials and Resources for Certified Producers

by Heather Omand, Organic Marketing Coordinator

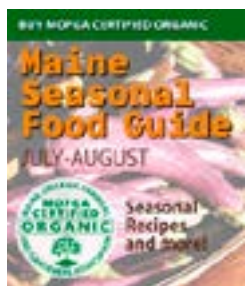
In 2016 MOFGA staff developed a variety of new marketing materials and resources for organic producers, as well as re-designed several preexisting ones. These resources include:

- My Maine, Organic Plate – based on the concept of the “Healthy Eating Plate”
- The Maine Organic 20 – 20 foods consumers can find local AND organic year round in Maine
- Why Buy Certified Organic – poster in multiple sizes
- Seasonal Eating Guides – recipes and tips for local AND organic eating all year
- Local & Organic: Better Together – postcards and posters in multiple sizes
- Tips for Eating Organic on a Budget – postcards and small poster available
- Marketing toolkits for buyers – a packet of information on the demand for organic products, organic FAQ’s, services MOFGA can provide to businesses that buy local food, and more! Designed to convince Maine local-food buyers that they should be sourcing more local organic products. Share this great resource with existing or potential markets!
- New web page – mofga.org/buyorganic – all about WHY consumers should buy local AND organic!
- Online map of certified producers – new searchable, interactive map of MOFGA certified producers

All of these graphics can be found on (and downloaded from) our mofga.org/buyorganic web page, and can be freely used by MOFGA certified producers. Printed materials can be ordered (for shipping costs only) from <http://www.mofgastore.org/>, by calling Heather Omand at 207-568-6024, or by emailing Heather at homand@mofga.org.

Meanwhile, in 2017, Heather is actively developing an “organic farmer toolkit” of resources on evaluating appropriate scale, setting prices, articulating the organic message, other practical considerations like risk management and label/package design, and services that MOFGA can provide to our certified businesses. This resource will be available as a new page on our website and a separate mailing will go out to announce it when it’s done.

Finally, if you do not currently receive our emailed Ag Services Newsletter, where this kind of information is shared on a regular basis; call Heather at 207-568-6024 to get on the list!



Animal Welfare Rule

(continued from page 6)

Avian Slaughter

- **205.242(c)(1) Producers and handlers who slaughter organic poultry must be in compliance, as determined by FSIS, with the Poultry Products Inspection Act requirements (21 U.S.C. 453(g)(5)); the regulations at paragraph (v) of the definition of “Adulterated” in 9 CFR 381.1(b), and 9 CFR 381.90, and 381.65(b)); and FSIS Directives 6100.3 and 6910.1.**
- **205.242(c)(2) Producers and handlers who slaughter organic poultry must provide all noncompliance records** related to the use of good manufacturing practices in connection with slaughter issued by the controlling national, federal, or state authority and all records of subsequent corrective actions to the certifying agent at inspection or upon request.
- **205.242(c) 3) Producers and handlers who slaughter organic poultry, but are exempt from or not covered by the requirements of the Poultry Products Inspection Act, must ensure that: (i) No lame birds may be shackled, hung, or carried by their legs; (ii) All birds shackled on a chain or automated system must be stunned prior to exsanguination, with the exception of ritual slaughter; and (iii) All birds must be irreversibly insensible prior to being placed in the scalding tank.**

At the April 2017 meeting of the National Organic Standards Board (NOSB) in Denver, the NOSB unanimously passed a recommendation that the NOP implement the rule, as is, and allow it to be put into effect on May 19, 2017:

The rule is supported by organic producers, consumers, the industry, and the NOSB. The NOSB stands ready to answer any additional questions the Secretary may have on the Organic Livestock and Poultry Practices Rule. Therefore be it resolved by unanimous vote, the National Organic Standards Board—as USDA’s Federal Advisory Board on organic issues and representing organic farmers, ranchers, processors, retailers and consumers—urges the Secretary to allow the Organic Livestock and Poultry Practices rule to become effective on May 19th 2017 without further delay.

For more information, please visit:

<https://www.ams.usda.gov/rules-regulations/organic-livestock-and-poultry-practices>

To see the full rule including comments and responses, go to: [Full Rule With Comments](https://www.federalregister.gov/documents/2017/01/19/2017-00888/national-organic-program-nop-organic-livestock-and-poultry-practices).
<https://www.federalregister.gov/documents/2017/01/19/2017-00888/national-organic-program-nop-organic-livestock-and-poultry-practices>

Dear Certification Specialist...



Dear Certification Specialist.

This might sound crazy, but I am always a bit nervous for my organic inspection. What are some tips to prepare for my inspection?

Signed,
Nervous Nelly

Most of the preparation needed for an organic inspection can and should be done as you go. Keeping track of inputs, production and sales on paper and filing these documents accordingly as you go will greatly reduce the amount of time needed to prepare for an inspection and the time and stress involved in the inspection itself! However, before your inspection it is a good idea to review and organize to be fully prepared when the time comes.

Here are some tips for having a great inspection experience:

- Review the national organic standards. Be familiar with the sections of the standards that directly apply to your operations. If you have any questions please don't hesitate to contact your certification specialist.
- Review your organic system plan (OSP). Probably some time has elapsed since you submitted your paperwork to the office so make sure that you review your OSP so that you can note any changes to your inspector. You might want to update some pages of your OSP and have copies of updated pages ready for the inspector.
- Review communications from MCS. Be prepared to demonstrate and provide documentation that you have addressed any requests from MCS.
- Review records since last inspection and organize them so that you can find individual items easily upon request. (Make sure that your records allow you to trace an organic product all the way through your system; seed to sale,

birth to sale, and/or inputs to final product)

- You may also want to take notes during the inspection to refer to later, so make sure to have paper on hand. You will receive a carbon copy of the findings of the exit interview from the inspector.
- Provide a space where you and the inspector can comfortably review records and where you do not disturb the rest of your operation and/or family. While a tailgate may suffice for some operations on a sunny day, a clear table and place to sit out of the wind and weather are preferable. Some inspectors require space for a laptop computer.
- Be prepared to provide easy and prompt access to all fields, buildings, and storage areas, both on- and off-farm. This may include keys to gates and sheds and having other management personnel available. Make sure to have enough gas in your vehicle.
- Make sure to set aside time for the inspection! Be sure that you do not have commitments that will interfere with the inspection. Make prior arrangements for someone else to handle work related tasks and/or family commitments.

Send your questions to Dear Certification Specialist at certification@mofga.org. We would love to respond to them in future columns.

Agrid3 Pellets Prohibited

In the 2016 Spring issue of *The Organic Sprout* we talked about rodent issues and what you can do about them that is allowed under the organic rule. We did mention that the product Agrid3 is allowed after prevention/avoidance and the use of mechanical and physical controls. **Please note that the Agrid3 Pellets have been removed (prohibited) from the OMRI list and should not be used/bought anymore for use on MOFGA Certified organic farms/processing facilities.** The Agrid3 Bait Chunx are still on OMRI and can be used after prevention and mechanical / physical controls are not enough.

The Role of the Inspector in the Certifying Process

There is sometimes confusion within the certification process between the inspectors that come to your farm or operation and the specialists and staff at MCS that make all certification decisions. To clarify, the role of the inspector in the certification process is to verify and collect information. They do not have any additional role in the process beyond those duties. The inspector takes care of the mandated yearly on-site inspection, which verifies that the operation is following their Organic System Plan. The MCS staff will make the final decision regarding the operation's compliance.

The inspector produces a report that is submitted to MCS, which is then used to assess compliance with the NOP standards. The final decision is described in the letter that accompanies the operation's inspection report. If you have any questions regarding the roles of inspectors and MCS Staff in the certification process, please contact your specialist or contact our office: 207-568-6030 or email certification@mofga.org.



2017 calendar

Events & Training

jun

Farm Training Workshops weekly May - Sept-

MOFGA's Farm Training Project (FTP) workshops follow an informal format, usually beginning with a farm tour followed by a presentation on the topic of the day. Participants are invited to stay for a potluck supper. Access schedule here:

<http://mofga.org/Events/tabid/78/www.mofga.org/Events/FarmTraining-ProjectWorkshops/tabid/298/Default.aspx>

New Program!

Farmer-to-Farmer in the Field MOFGA

presents a new series of monthly farm tours paired with farmer-to-farmer discussions addressing a range of advanced-level crop and livestock production topics. These evening workshops for experienced producers will be hosted on innovative farms around the state. <http://mofga.org/Events/Farm-TourSeries/tabid/3322/Default.aspx>



June 17 - 6th Annual Farm & Homestead Day at MOFGA

This free event features participatory workshops on sustainable living skills. Come dressed for the weather, roll up your sleeves, and dig in! FMI: <http://mofga.org/Events/FarmHomesteadDayat-MOFGA/tabid/302/Default.aspx>



June 24 - Summer Orchard Care -

Redpath Orchard, 9 Orchard Rd., Cumberland, 10 a.m. to 3 p.m. Fee: \$50; \$35 for MOFGA members Please bring your own bag lunch

Learn tips and tricks to caring for your orchard through the summer and getting your orchard to a successful harvest in the late summer and fall. C.J. Walke, MOFGA's organic orchard educator, will instruct the course and answer any questions you may have.

jul

July 6 - Poultry Processing Workshop

Thursday, July 6

MOFGA's Common Kitchen at the Common Ground Education Center, Unity. Fee: \$75. \$60 for MOFGA members

Information: Email Diane Schivera (dianes@mofga.org) or contact the MOFGA office - (207) 568-4142.



aug

Aug 5 - Bud Grafting Workshop

North Branch Farm,

Monroe - 10 am to 2:30 pm. Fee: \$50; \$35 for MOFGA members. Bring your own knives and a bag lunch.



Aug 18-20 - Maine Apple Camp Camp NEOFA, Liberty, Maine

Price: \$165 for MOFGA members \$215 for non-members

This first-ever event will bring together folks who are excited about the future of heirloom fruit varieties. Held at a traditional Maine lakeside camp in Liberty, participants will check in for 2-1/2 days and 2 nights of immersive learning and community building. FMI: <http://mofga.org/Events/MaineAppleCamp/tabid/3325/Default.aspx>

Aug 19 - Maine Axe & Saw Meetup

10am to 3pm ~ gates open 9:30

MOFGA's Common Ground Education Center, 294 Crosby Brook Rd., Unity, Maine \$5 per day, free for children. Connecting people to our tool manufacturing heritage and passing down skills for the proper use and care of traditional forestry hand tools.

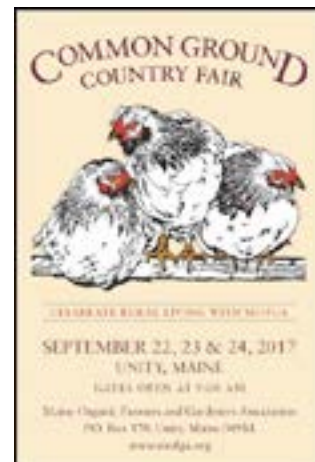
FMI: <http://mofga.org/Events/MaineAxeandSawMeetup/tabid/3192/Default.aspx>



sept

September 22, 23 & 24, 2017

Common Ground Country Fair at the MOFGA Fairgrounds, Unity



oct

Oct 7 -9 -

Nose to Tail Pork Processing Workshop

Saturday to Monday. MOFGA's Common Ground Education Center, Unity 8:30 am - 4:00 pm. Food Provided.

FMI: <http://mofga.org/Events/NosetoTailPorkProcessing/tabid/773/Default.aspx>



Oct 15 - Great Maine Apple Day

12 noon to 4:00 p.m. Rain or Shine - doors open at 11:30 a.m. Sponsored by MOFGA,



Fedco, and the University of Maine Cooperative Extension - Common Ground Education Center, Unity