

# TREATED LUMBER GUIDELINES

## Draft Guidance from the NOP

by Jacomijn Schravessande-Gardei, Associate Director of Crops

Whenever we receive a question in the office about treated lumber I grit my teeth. These questions are always very difficult to answer, as the National Organic Program (NOP) has not been clear on the use of treated lumber and there are many different interpretations. MOFGA Certification Services worked on its own guidance years ago, but was then told that the NOP was developing guidance. It is finally here!

This September the NOP announced the availability of a Draft Guidance document intended for use by accredited certifying agents and organic producers. The draft guidance document is entitled: Treated Lumber (NOP 5036). Comments to the draft guidance were due by October 31<sup>st</sup>.

However, we do not expect many changes and therefore feel it's a good time to discuss what the guidance addresses:

- How lumber treated with prohibited substances affects a producer's timeline for obtaining certification;
- Where lumber treated with prohibited substances can and cannot be placed on organic farms, for new installations or replacement of existing lumber;
- How organic producers can prevent crops and livestock from contacting lumber treated with prohibited substances.

## Highlights of the Draft Guidance

### TIMELINE FOR OBTAINING CERTIFICATION

Lumber treated with prohibited materials and installed or used for replacement purposes prior to the operation achieving certification is

permitted, provided there is no contact with crops. The use of lumber treated with prohibited materials does not necessitate a three-year transition because pesticides in or on treated articles are only intended to protect the article itself. (By definition, the use of treated lumber on land is not an application of prohibited substances to land.) However, USDA organic regulations still prohibit the use of lumber treated with prohibited materials for new installations and for replacement purposes contacting crops, soil or livestock.

Also, lumber treated with prohibited materials is not to be considered a "new" installation when the lumber was installed on a parcel prior to acquisition by a certified organic operation (lease, purchase, rent, etc.).

### LOCATIONS AND USES

Lumber treated with prohibited materials in contact with crops is always prohibited. Lumber treated with prohibited materials in contact with soil or livestock is prohibited for new installations and replacement purposes.

#### Examples of lumber in contact with soil or crops in an organic crop production area include:

1. planter boxes, raised beds, or other planting containers where lumber contacts soil;
2. trellises or stakes that support crops;
3. trellis posts, including end posts and posts within a row (line posts);
4. stakes or posts placed in soil to indicate rows or identify boundaries, next to crops;
5. baseboards in high tunnels in contact with soil, with crops grown in soil.

#### Examples of lumber in contact with livestock in an organic livestock production area include:

1. components of a living area in contact with animals;
2. walls of a shelter, living area or pen;

3. flooring in housing areas in direct contact with livestock;
4. corrals and temporary holding pens;
5. perching structures for poultry;
6. feed bunks and watering troughs.

#### Examples of lumber that does not contact soil, crops, or livestock include:

1. Tables in greenhouses, where lumber has no contact with soil.
2. Baseboards in permanent greenhouses, where all plants are grown in aboveground containers and do not contact lumber.
3. Lumber used to support structures that are isolated from organic production areas, including employee/residential housing, equipment storage areas, and sheds.
4. Lumber covered with some other allowed material (see "Barriers" below).

### FENCES

*Crop Production.* Treated lumber may be used for fences that are not in contact with soil or crops in the organic production area. Contact is direct contact with any part of the plant under organic production, including direct contact with plant roots.

*Livestock Production.* Treated lumber may be used for fences that are not in contact with livestock in the organic production area. Contact is direct contact with livestock under organic production. Evaluating if fences will contact organic livestock may depend on a number of factors, including the parcel size, the physical terrain, and an organic producer's livestock management practices. Empirical evidence (observations) about the contact between livestock and fences on an organic operation can be an important and valid factor for evaluating compliance with USDA organic regulations.

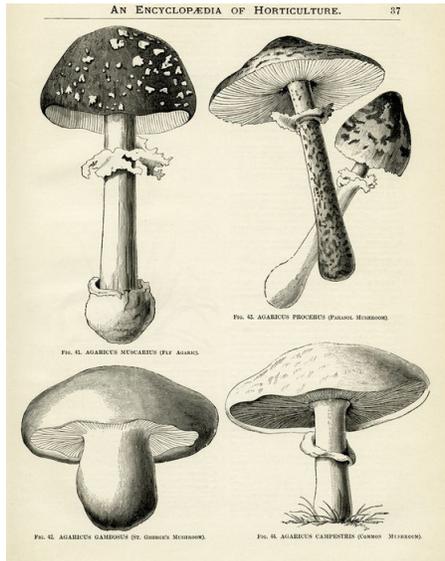


# Certifying Cultivated Mushrooms

by Joan Cheetham, MCS Certification Specialist

Mushrooms are gaining in popularity both because they are tasty and delicious and because recent research has demonstrated their exceptional health benefits. According to the Mayo Clinic website, mushrooms contain a variety of bioactive compounds that act as antioxidants. Antioxidants can protect us from cancer and heart disease, as well as moderate blood sugar levels. Regular mushroom consumption has been shown to lower risks for both cancer and heart disease. Mushrooms are also good sources of Vitamins D and B12.

Mushrooms are relatively easy to grow as long as one has a source of suitable substrate materials. There are no specific National Organic Program (NOP) mushroom standards, therefore, MCS certifies mushrooms in accordance with the National Organic Standards Board recommendations, as well as all other applicable sections of the NOP Organic Standard. Details of the MCS Mushroom Standard can be found on pages 22-23 of our current Practice Manual, which is available on our website. You can also download the two-page MCS Mushroom Cultivation Supplement which mushroom growers need to fill out and submit to MCS.



There are several important points to keep in mind when planning to grow and certify mushrooms. Mushroom spawn is generally purchased and must be certified organic, except that, non-organically produced spawn that has not been treated with a prohibited substance or raised on genetically modified substrate,

may be used when organically produced spawn is not commercially available. *Field and Forest Products, Inc.* in Wisconsin is one source for quality, organic spawn for a variety of mushroom species. Shiitake and oyster are two mushrooms being successfully grown in Maine without any special facilities.

Mushroom growth substrate must be certified organic if it is an agricultural product, such as straw or grain. Sawdust, wood chips, logs or other materials derived from wood used as a growth substrate must come from trees in areas free of prohibited materials for at least three years, and must not have been treated with a prohibited substance after tree harvest. Generally, a landowner affidavit is needed for forest areas where logs are harvested.

An excellent guide to growing edible mushrooms is the book *Growing Gourmet and Medicinal Mushrooms* (Third Edition) by Paul Stamets, Ten Speed Press.

For more information please visit the MOFGA Certification Services website at <http://www.mofgacertification.org> or call the certification office at 568-6030.

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Placement of fencing that would result in likely or certain contact between livestock and lumber treated with prohibited materials would be prohibited by the USDA organic regulations.

### Replacement Purposes

Lumber treated with prohibited materials must not be used for replacement purposes after obtaining organic certification, if the lumber is to be in contact with soil, crops or livestock. Lumber treated with prohibited materials that was previously installed or stored outside of organic production areas (no contact with soil, crops or livestock) may not be moved into organic production areas, where it will contact soil, crops or livestock.

### Buffers and Barriers

Buffer zones and barriers, when effectively established, can serve to prevent contact between lumber treated with prohibited materials and soil, crops, or livestock. When contact is effectively prevented, these are acceptable means of complying with USDA organic regulations. The management practices and physical barriers established to prevent contact must be described in a producer's organic system plan.

Buffer zones must be sufficiently sized or designed to prevent unintended contact. Barriers can include electric fencing, barbed wire, metal flashing, and untreated lumber (used to prevent contact between livestock and treated wood, for example). If a barrier will not sufficiently prevent contact, installation of a barrier is not an acceptable means to comply with USDA organic regulations. If a barrier is subject to degradation, decay, or other processes that result in the loss of effectiveness of the barrier, the producer must replace, repair or reapply the barrier at appropriate intervals.

*Again at this point this is a still a draft guidance. There are some uncertainties that MOFGA and other certifiers have asked the NOP to clarify. We will make sure to keep you posted! Please as always make sure to contact us (even though I grit my teeth) if you are planning on using any treated lumber for your farm projects.*

