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Obtaining Organic Certificates for Purchased Products

by MCS Staff

The National Organic Program (NOP) rule requires that certified operations maintain records of all organic activity to verify compliance at the annual inspection or as requested by the certifier. If you are purchasing other producer's certified organic products or ingredients beyond what you produce, including further processing or handling, you are responsible for requesting the valid organic certificate and product listing from the certified entities you are purchasing from.

Examples include purchasing off-farm products to add to CSA or farmstand offerings, use of ingredients as part of a certified organic product, livestock slaughter into retail cuts, etc.

Obtaining valid certificates and product lists at the point of purchase ensures that you are in fact buying or processing currently certified products and can further market them as certified organic. There are many cases where a farm or operation may be certified organic, but not all products being produced are certified. It is your responsibility to verify this by checking the list of certified products and having this record available at inspection. Mislabeling a product as certified organic when it isn't is a compliance issue, as well as eroding trust in the organic claim by the customer.

In some cases, when purchases are made between two MOFGA-certified companies, there have been requests to the MCS office to procure organic certificates and product lists just

prior to inspection instead of obtaining them at the point of purchase or transfer. MCS has typically honored these requests, but this is not how producers should be operating under this requirement. We will be transitioning away from honoring these requests for operations who consistently request them.

Under the recordkeeping requirements section of our Practice Manual: A Guide for Producers, MCS reminds producers about this. Documentation for purchased ingredients must include quantity and date of purchase, lot number and certification status. Current organic certificates for all purchased certified ingredients need to be available for inspection (computer files are fine).

NOP Rule References

§205.103 Recordkeeping by certified

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operations. (a) A certified operation must maintain records concerning the production, harvesting, and handling of agricultural products that are or that are intended to be sold, labeled, or represented as "100 percent organic," "organic," or "made with organic (specified ingredients or food group(s))."

§205.2 Terms defined. Records. Any information in written, visual, or electronic form that documents the activities undertaken by a producer, handler, or certifying agent to comply with the Act and regulations in this part.

In 2020, MOFGA and Maine Farmland Trust began to produce Market Reports, for the purpose of supporting farmer and buyer communication and creating clarity in a rapidly changing market due to the COVID-19 pandemic.

In 2021, the two organizations are again collaboratively producing Market Reports for the same purpose and providing a platform for data and information sharing to enhance business and marketing decisions. Observations are collected biweekly from the same group of wholesale buyers and diversified farmers in Maine, and synthesized with relevant links to national trends in produce supply and demand.

The Reports are posted on a Google Group platform, which allows readers/subscribers to interact and connect in real time and communicate about supply or demand needs and relevant thoughts and perspectives. The information in the Reports is solely for informational and observational purposes.

To subscribe to the Maine Produce Market Report, click on this link: <https://groups.google.com/u/1/g/maine-produce-market-report> and look for the "Ask to Join" button near the top center of the page --click that button, fill in the boxes, and then click "Ask to join."

