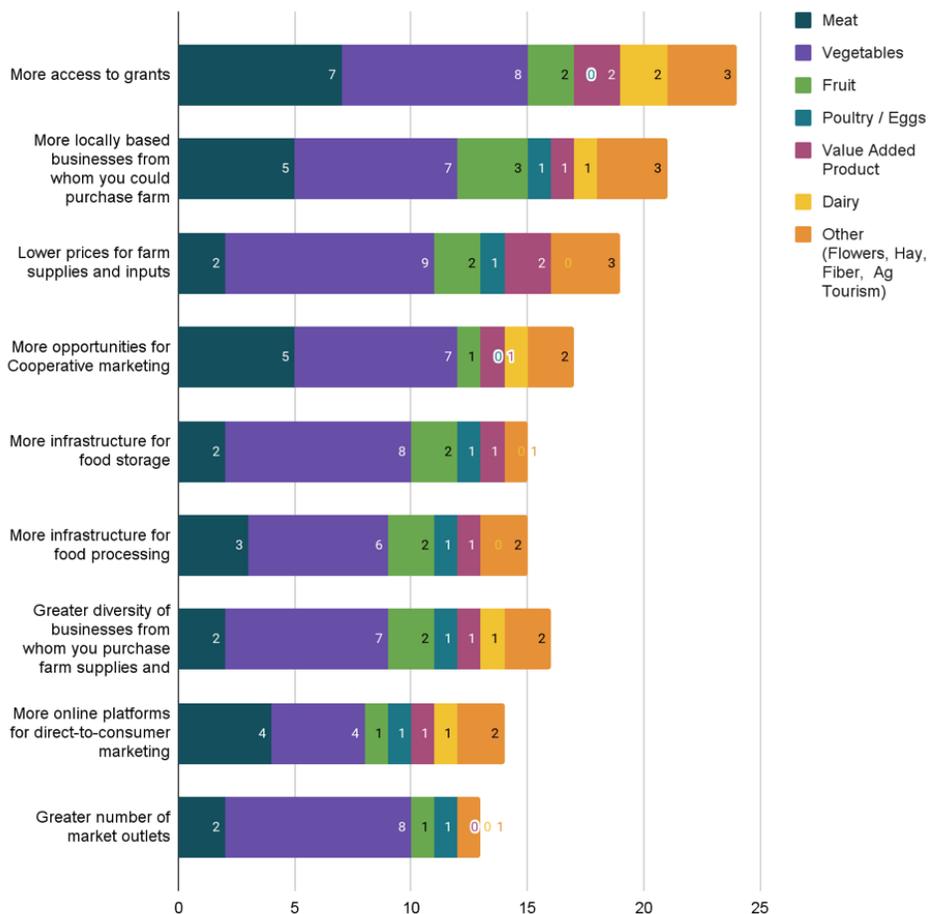


Understanding the Impacts (continued from Page 6)

Figure 2. Top 10 Desired Changes in the Food System by Primary Enterprise (Farmers' survey)



Hemp Update (cont'd)

as dietary supplements, FDA has chosen not to pursue regulatory action for products appropriately labeled (no misleading claims) as dietary supplements containing CBD in retail products.

MCS takes the following approach to certifying hemp-derived products until further notice.

MCS **will** certify as organic the following (under the NOP crop scope):

- hemp plants (including harvest and post-harvest handling consisting of drying/curing)
- hemp seeds
- hemp seedlings

MCS **will** certify as organic the following (under the NOP handler scope):

- bulk and retail packaged hemp oil
- bulk and retail packaged tinctures
- other bulk and retail packaged extractions
- certifiable products containing hemp oils, extracts, CBD, etc.
- topicals

MCS **will not** certify as organic the following:

- hemp pre-rolls (due to “paper” not currently allowed on the National List)
- any product deemed to be in violation of the Food, Drug & Cosmetics Act: <https://www.fda.gov/regulatory-information/federal-food-drug-and-cosmetic-act-fdc-act/fdc-act-chapter-iv-food>

MCS **will not** certify any bulk ingredient hemp extraction that has been processed in a non-certified lab or facility —the organic regulations do not allow this for any product marketed as certified organic. The lab or processing facility must be certified organic.

Hemp Update



MCS Updates Hemp-Derived Products Policy

In October of this year, MCS updated our Hemp-Derived Products Policy based on current FDA precedent and legal review. In short, MCS has expanded the types of products that are hemp derived (hemp oils, CBD, etc.) and now eligible for organic certification. These are namely retail labeled products that MCS had not previously certified, based on the FDA messaging around products containing CBD. The following is excerpted from the full policy, which can be viewed here:

https://mofgacertification.org/wp-content/uploads/Processor_MCSHemp-DerivedProductsPolicy_UPDATEDOctober2021.pdf

MCS's certification of hemp-derived products is informed by existing policies and interpretations from other accredited USDA organic certifiers, as well as the current precedent within the marketplace. Despite the FDA's past press releases and public facing statements regarding the legality of CBD in food and

