

Organic Certification of Hemp-Derived Products



Policy Statement

This document is intended to clarify MCS's current approach to the certification of hemp-derived products (like CBD), as well as the responsibility and liability of the certified operation to comply with FDA and other labeling requirements.

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 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](#).
- 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.

(over, please)

Please note that the following three hemp-derived food items are considered GRAS (Generally Recognized as Safe) by the FDA, and are exempt from any exclusions listed above:

- 1. hulled hemp seed (GRN765)*
- 2. hemp seed protein powder (GRN771)*
- 3. hemp seed oil (GRN778)*

If you have any questions about the above policy position, or would like to ask about a product not specified, please contact our office at 207-568-6030 or certification@mofga.org.