One of the more confusing parts of the National Organic Rule, both for the grower and the certifier, is the requirement for organic seeds. The NOP rule states “the producer must use organically grown seeds, annual seedlings, and planting stock; except non-organically produced untreated seeds and planting stock may be used to produce an organic crop when the equivalent organically produced variety is not commercially available.” The first part of this regulation is pretty straightforward; producers must use organic seeds. It’s the exception that causes the confusion, what is meant by “equivalent variety” or commercial availability?”

To address this the MOFGA Certification Services practice manual requires certified organic seeds except when the kind, quantity, and/or quality cannot be found in a certified organic form. First, the equivalent variety or “kind” refers not to the generic broccoli, but to a specific variety you might use. If you have been using a variety that is unavailable from certified organic seed, or you choose to use a variety which has properties that fit your growing situation but is also unavailable, then non-organic seed may be used. Likewise if the organic seed variety you want is only available in a small quantity and you require a larger amount than is “commercially available” you may purchase non-organic, untreated seed. Finally, if you feel that the quality (let’s say germination or vigor) of an organic seed is inferior to a non-organic seed of the same variety, then you may use non-organic, untreated seed.

Now here’s where the rubber hits the road. As with most aspects of the organic certification process MCS needs to verify these exemptions in order to meet the NOP rule. Back to the practice manual, under seeds “not permitted, conventional seeds (may not be used) without demonstrating that the kind (variety), quality or quantity sought were unavailable as certified organic. You must conduct a broad search. You must keep records about your search to show to your inspector.” OK, I have a variety I want to use that I can’t find in the three or four catalogs I use, but how do I know whether that variety might be available in some catalog I don’t usually source from. In New England we’re lucky to have a choice of regional seed companies from which to buy. Both Johnny’s Selected Seeds and Fedco Seeds list organic varieties, but not all the seed from these two catalogs are organic.

In some cases a variety may be offered as both organic and non-organic seed. Another regional seed house that only sells organic seed is High Mowing Seeds in Vermont. Often what I find when checking out organic seed offerings is that the varieties available tend to be the same across different catalogs. For example in looking for choices for broccoli across four catalogs De Cicco and Belstar consistently showed up, and in some cases were the only varieties offered. I’ve grown each of these varieties, but if you need a fall producing broccoli with a good single head these varieties may not work well. If the Organic offerings of broccoli do not meet your needs, non-organic, untreated seed may be purchased. But, I still want to know if that variety
is available somewhere I don't usually check. A few years ago the Organic Materials Review Institute (OMRI) created an Organic Seed Database, this was intended to be a single source for growers to use to find organic varieties. Unfortunately, not all of the seed companies participated in the database and while the list can be helpful it is incomplete. A new database is now in the works from the Organic Seed Alliance and may be more useful for organic growers. This kind of resource should help to alleviate the need to search multiple catalogs beyond the ones you may currently use. The Organic Seed Alliance is expected to be up and running later in 2012.

From a practical point of view I have some suggestions to growers doing their seed purchases. First, order early, organic seed stocks can go quickly. Second, trial a few new varieties each year. This is a good idea anyway and will help you to keep up on new varieties in case an old one is discontinued. On my farm, we target investing about 10% of our total seed budget in trial varieties each year, many of them organic varieties. Third, a target of 50% organic seed of your total seed purchases shows a good effort on the part of the grower, less than that will draw the attention of your certifier and possibly require more documentation. This is not an accurate metric of organic seed use and is not part of the NOP rule, but is a simple working guideline that a certifier can use to evaluate seed purchases. Fourth, keep a log of your seed search, if a non-organic seed is purchased a note of the seed and a check off of the other sources considered should be adequate. I would also suggest that you maintain a sowing log for all your sowings. This can help with planning for future years and will give you a place to note which seeds you actually use are from organic sources. Lastly I believe that any record keeping you do should benefit you as a grower. Records should help to give a basis for farm evaluation and management while at the same time satisfying the need for certification documentation. Enjoy your search through the seed catalogs and the anticipation of the growing season to come.

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The field of organic seed suppliers has grown in the last few years. It was interesting to peruse the web for organic seed and planting stock and we thought we would share our findings with you. This is neither a complete list of organic seed sellers nor intended to be an endorsement by MOFGA.

**Vegetables, herbs, flowers….**

Fedco Seeds, Waterville, ME  
http://www.fedcoseeds.com/  
(207) 873-7333 or (207) 430-1106

Johnny’s Selected Seeds Winslow, ME  
http://www.johnnyseeds.com/  
877-Johnnys (877-564-6697)

High Mowing Organic Seeds, Wolvott, VT  
http://www.highmowingseeds.com/  
Phone: 802-472-6174

Seeds of Change, Rancho Dominguez, CA  
http://www.seedsofchange.com  
1-888-762-7333

Harris Seeds, Rochester, NY  
http://www.harrisseeds.com  
(800) 544-7938

Southern Exposure Seed Exchange, Mineral, VA  

Peaceful Valley Seeds, Grass Valley, CA  
http://www.groworganic.com  
(888) 784-1722

Territorial Seed Company, Cottage Grove, OR  
http://www.territorialseed.com  
800-626-0866

Irish Eyes Garden Seeds, Ellensburg, WA  
http://www.irisheyesgardenseeds.com/index.php  
1-509-933-7150

Family Farmers Seed Cooperative, Williams, OR  
www.organicseedcoop.com  
1-541-306-3863

**Corn, soy, small grains, grasses, cover crops, oil seed, legumes….**

Welter Seed Co., Onslow, IA  
http://www.welterseed.com/  
(563) 485-2762 or (563) 852-3325

Blain’s Best Seeds  
http://localfoods.umn.edu/blainesbest  
(701) 776-6023

Alberta Lea Seed, Alberta Lea, MN  
(800) 352-5247

American Organic, Warren, IL  
(866) 471-9465

**Planting stock: potatoes, garlic, and sweet potatoes….**

Wood Prairie Farm  
http://www.woodprairie.com/  
(800) 829-9765  
(Wood Prairie also sells vegetable seeds).

Maine Potato Lady  
https://www.mainepotatolady.com  
207-343-2270

The vegetable seed houses listed above (e.g., Fedco’s Tuber division) may also sell organic potato and garlic planting stock.

Congratulations to Johnny’s Selected Seeds in Winslow and Fedco Seeds in Waterville! They were named among the top vegetable seed companies in the country by a survey of *Mother Earth News* readers.