



New Jersey Department of Agriculture
Organic Certification Program

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Organic Processor / Handler Certification Fact Sheet

The Meaning of “Organic”: Organic foods are distinguished by three factors; they are produced:

- (1) by agricultural methods that promote the biological health of the soil and minimize adverse effects on the surrounding environment
- (2) without the use of prohibited materials such as synthetic fertilizers or pesticides (or natural substances listed as prohibited), and
- (3) by food handling methods that ensure the integrity of the product from the field to the buyer’s table.

Definition of Handling and the Regulations: To become certified, applicants must demonstrate compliance with the USDA regulations, *7 CFR Part 205, National Organic Program; Final Rule* (often referred to as “the Rule”). These regulations are accessible through the NOP website at www.ams.usda.gov/nop.

The Rule (§205.2) defines processing as “*Cooking, baking, curing, heating, drying, mixing, grinding, churning, separating, extracting, slaughtering, cutting, fermenting, distilling, eviscerating, preserving, dehydrating, freezing, chilling, or otherwise manufacturing and includes the packaging, canning, jarring, or otherwise enclosing food in a container.*”

Operations who carry out these activities are considered “Handlers” under the Rule. Operations or portions of operations that produce or handle agricultural products intended to be sold, labeled, or represented as “100 percent organic,” “organic,” or “made with organic ingredient(s)” must be certified by a USDA Accredited Certifying Agent (an ACA). The NJDA is accredited to certify organic crop, livestock, wildcrafting, and handling (processing) operations.

Excluded operations must still follow the regulations concerning contamination and commingling of organic products. If you are not sure if your company qualifies for exclusion under the Rule, call the NJDA Organic Certification Program for clarification.

Who has to be Certified? Exclusions and Exemptions: §205.101 of the Rule explains the exemption and exclusion provisions for organic growers (producers), food processors (handlers), retailers (stores and markets), and food establishments (restaurants).

Handlers whose gross agricultural income from organic products is \$5,000 or less per year are “exempt” from certification, but must still comply with all of the organic production and handling requirements found in the Rule, to include the labeling and record keeping requirements. Even though considered “exempt” from certain certification requirements, these operations must still be familiar with and follow all of the regulations for production, handling, labeling, and record keeping.

Some companies that merely move or trade in organic products that are already packaged or enclosed in impervious containers may be “excluded” from certification per §205.101(b) of the Rule. Handling operations that act as distributors or warehouseurs are excluded from most of the Rule, with the exception of the requirements for the prevention of commingling and contact with prohibited substances found in §205.272. For additional information on exemptions and exclusions, see §205.101 of the Rule.

Certification procedure: Processors / handlers can apply for certification at any time of the year. To begin the process, applicants order the NJDA Organic Handling Certification Application Packet. The packet includes all of the necessary application forms, a copy of the Rule, and current Organic Materials Review Institute (OMRI) listings that applicants can use as a tool to help identify commonly used, compliant materials. *(note: the rule allows producers to submit a plan prepared to meet the requirements of another governmental regulatory program as the organic farm plan if that plan meets all the requirements of §205.201).*

Applications must be reviewed by the Supervisor and evaluated for completeness and compliance. Complete applications that appear to be compliant are referred to an independent, trained organic inspector who visits the operation to verify the submitted handling plan. Once the inspection report is received the application and inspection report are reviewed for compliance with the Rule. All methods and materials used by the operation for handling are scrutinized. If an operation is found to be compliant, certification is granted and an organic certificate is issued. All applicants receive a copy of the inspection report and a certification letter detailing the results of the final compliance review. Certification is not a one time “pass / fail” event. Operations with multiple minor noncompliance, or with a major noncompliance, are typically given time to address the noncompliance and earn certification. A follow-up inspection may be necessary to verify corrections of multiple minor noncompliance or a major noncompliance. Resulting inspection fees must be paid by the applicant.

If a major noncompliance is not correctable, a Notice of Denial of Certification will be combined with the Notice of Noncompliance. If an applicant fails to adequately address an identified major noncompliance, a Notice of Denial of Certification will be sent to the applicant.

The entire certification process can take months (the average is 4 to 6 months). Once the processor or handler has been certified, an organic certificate is issued, and is in effect until certification is surrendered, suspended, or revoked. The certified operation must submit an update to their organic system plan and be re-inspected each year.

Fees: The cost for handling certifications consists of a certification fee based on gross income from organic products or services (see the NJDA Handler Fee Schedule). First time applicants are asked to estimate their yearly sales. All handling applicants must cover the entire cost of their inspection.

If you have any questions, or if you would like to receive a Handling Application Order Form, please contact the NJDA Organic Certification Program at:

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