



## TEXAS DEPARTMENT OF AGRICULTURE COMMISSIONER SID MILLER

### **Policy on use of certified organic seed, seedlings, and planting stock**

#### **1. Purpose**

The purpose of this document is to serve as an addendum to the Texas Administrative Code (TAC), Title 4, §18.702(a)(2)(A)(i-v) regarding the incurrence of input fees for utilization of certified organic seed and certified organic planting stock. The Organic Certification Program conducted an assessment regarding the input review fees involved in the review of certified organic seed, seedlings, and planting stock. The assessment found no significant impact on time spent for the review of certified organic seed, seedlings, and planting stock, when documentation to justify the organic claim is provided by the producer. Therefore, crop producers who utilized certified organic seed, annual seedlings, and planting stock are not required to submit an input fee under specified conditions.

#### **2. Applicability**

This instruction applies to all crop producers certified organic, certified transitional, or in application status with the Texas Department of Agriculture (TDA).

#### **3. Authority**

The authority to charge fees for organic certification is established in 7 CFR §205.642. The TDA Organic Certification Program Fee Schedule is located in §18.702(a) of the TAC.

#### **4. Policy**

Effective December 1, 2015, a crop producer, who utilizes certified organic seed, annual seedlings, and planting stock, may not incur an input fee when the following conditions are met:

- 4.1 The producer provides evidence confirming the seed, annual seedlings, or planting stock is certified organic as part of the initial application packet submission or initial submission of annual update documentation. This evidence must be in the form of one of the identified formats listed below:
  - a. A copy of the organic certificate that identifies the seed, seedling, or planting stock as being certified organic in conjunction with a copy of the purchase order or sales invoice. If the manufacturer's organic certificate consists of a certificate page and a supplemental product listing, the certificate page and the entire supplemental product listing must be submitted in conjunction with a copy of the purchase order or sales invoice.
  - b. If a producer purchases seed packets from a retailer and is not provided a copy of the manufacturer's organic certificate, organic certification may be confirmed through the submission of a copy of the principle display panel (front) that clearly identifies the type and variety of the seed, seedling or planting stock and a copy of the information label (back) that clearly identifies the "Certified organic by (name of certifying agent that certified the handler of the finished product)" statement and the manufacturer's name and contact information.
- 4.2 Failure to provide one of the above forms of documentation in legible form, at the time of initial application packet submission or initial submission of annual update documentation will result in the incurrence of an input fee, even if the documentation is provided on a later date.
- 4.3 This policy has no impact on the incurrence of input fees associated with changes to a crop producer's organic system plan or crop plan after the initial application packet submission or initial submission of annual update documentation.

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