

Frequently Asked Questions for Organic Certification

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Questions?

Email the TDA Organic Certification Program at Organic@TexasAgriculture.gov or call 512-936-4178.

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What is Organic? ↑

Organic is a labeling term that refers to an agricultural product produced in accordance with the Act and the regulations in this part. [National Organic Program, Part 205.2, Subpart A.](#)

What is Organic Production? ↑

Organic production is a production system that is managed in accordance with the Organic Foods Production Act of 1990 and the National Organic Program Regulations to respond to site-specific conditions by integrating cultural, biological, and mechanical practices that foster cycling of resources, promote ecological balance, and conserve biodiversity.

What is the Purpose of Organic Certification? ↑

Organic food handlers, processors and retailers adhere to standards that maintain the integrity of the organic claims. The purpose of organic certification is to promote organic agricultural growth and development, while ensuring the integrity of USDA organic products in the U.S., and throughout the world. Obtaining organic certification allows for competition in the organic market.

What are the USDA National Organic Program (NOP) Regulations? ↑

NOP Regulations are the USDA's regulations to which all products sold, labeled, or represented in the United States as "organic" or "made with organic specified ingredients or food groups" or "100 percent organic" must comply.

How can I get a copy of the National Organic Program Regulations? ↑

Go to [USDA National Organic Program Regulations](#) website.

How can I get a copy of the Texas Organic Standards? ↑

Go to the [Texas Administrative Code \(TAC\) Title 4, Chapter 18](#) website.

I want to become certified, where do I start? ↑

Visit the [TDA website](#) and follow the [Forms](#) link to access and download the certification application(s) the operation is seeking.

What is the cost of certification? ↑

The fees associated with organic certification are based on the type of certification requested and, for producers, the size and scope of the operation. The TDA Organic Certification fee schedule is outlined in [the application instructions](#). New applicants may use the [fee calculator](#) (located below Resources in the TDA website) to find out the operation's total cost for certification. Certification fees must be submitted annually.

How often do I have to update my application for certification? ↑

Organic certification is an annual process. To remain compliant, an operation must update its certification annually. An Organic System Plan and certification fee must be submitted every year. Update reminder notices are mailed at least 45 days prior to the scheduled due date of annual update. To avoid late fees, updated documentation and certification fees must be received by TDA on or before the scheduled due date.

What happens if I do not update my certification? ↑

Failure to update or surrender an organic certification will result in TDA taking compliance action against the operation, in accordance for NOP requirements.

What do I do if I don't want to update my certification? ↑

If an operation does not intend to update its organic certification, the responsible party must contact TDA, complete a [ROR-625](#) Organic Certification Form and submit it to the Organic Certification Program.

Is there a transition period? ↑

Yes only if the land used to produce raw organic commodities has had prohibited substances applied to it in the previous 3 years. If prohibited substances came into contact with the land, a full 36-month transition period must be met and the operation must not do the following:

- Sell, label, or represent the product as “organic.”
- Use the USDA organic certifying agents seal.

How often will my operation be inspected? ↑

Certified organic operations are inspected at least once each year of certification. An inspector contacts the responsible party to schedule the initial and annual inspection.

Could I get unannounced inspections? ↑

TDA is authorized to conduct additional inspections (both announced & unannounced) during the certification year to verify compliance with the NOP Regulations. Surveillance inspections of markets, where organic products are sold, may also be conducted to monitor compliance with the NOP Regulations.

What does the inspector typically look for on a farm? ↑

On the farm, an inspector observes the operation's on-site practices and compares them to the submitted Organic System Plan. An inspector may also assess the risk of contamination from prohibited materials, as well as, take soil, tissue or product samples as needed.

The inspector may also look at the following:

- Crop inspection: Fields, soil conditions, crop health, approaches to management of weeds and other crops pests, water systems (for irrigation and post-harvest handling), storage areas, and equipment.
- Livestock inspection: Feed production and purchase records, feed rations, animal living conditions, preventative health management practices, health records, and the number and condition of animals present on the farm.

What does the inspector look for as a handling or processing facility? ↑

An inspector examines the certified operation's facility and compares the observations with the submitted Organic System Plan.

The inspector may also look at the following:

- The receiving, processing, and storage areas used for organic ingredients and finished products;
- Potential hazards and critical control points in the operation; and
- Suitable organic control points (procedures to prevent contamination from sanitation systems, pest management materials, or nonorganic processing aids).

Will samples of products be taken and tested? ↑

The TDA Organic Certification Program may notify the inspector to collect a pesticide residue sample while conducting an operation's on-site inspection. Samples may be collected during the initial and annual on-site inspection of production operations.

What will happen to the samples? ↑

The samples will be collected by a TDA inspector and then analyzed for pesticide residues and other prohibited substances by a TDA authorized laboratory. A copy of each sample analysis will be sent to the applicant or certified operation. There is no fee to the applicant or certified operation for sample collection and analysis that was authorized by the TDA Organic Certification Program.

My buyer wants a pesticide residue sample taken and analyzed. How much does it cost? ↑

A producer may contact TDA to request a pesticide sample be collected. There is a fee of \$250 per sample collected.

What happens if I don't show up at the agreed upon time for the annual inspection? ↑

The inspector will leave and no inspection will take place. A noncompliance will be issued to the applicant or licensee for failure to be present for the inspection ([Section 205.403\(b\)\(2\)](#)).

In order to resolve the noncompliance, the responsible party must attend the re-inspection and pay a \$250 re-inspection fee.

What happens if my farm or business practices are not in compliance with the NOP regulations? ↑

If TDA finds violations of the NOP regulations, a Notice of Noncompliance will be sent to the operation. The notice will state what actions must be taken to correct the noncompliance, and a timeline is given to submit any required information to TDA. If a re-inspection is required to verify that the correct actions have been implemented, the applicant or licensee must pay a \$250.00 re-inspection fee.

Do I need to notify TDA if my Organic System Plan changes during the year? ↑

Yes. The NOP Regulations require that certified operations notify their certifying agent *before* making any changes to the operation's Organic System Plan. The Organic System Plan should describe the operation's plans for producing organic crops or livestock and include a list of all inputs planned for use. It is understood that environmental, economic, and other reasons can cause modifications to the plan as the year progresses.

Do I need to be a certified processor if I am currently certified as an organic producer? ↑

Organic on-farm processor certification is required if the operation also engages in processing activities as defined in section 205.2 "processing" of the NOP Regulations.

How do I provide full disclosure? ↑

An operation must provide full disclosure through recordkeeping in accordance with NOP [Section 205.103](#). A certified operation must maintain records concerning the production, harvesting, and handling of agricultural products that are or that are intended to be sold, labeled, or represented as "100 percent organic," "organic," or "made with organic (specified ingredients or food group(s))". Such records must:

- Be adapted to the particular business that the certified operation is conducting;

- Fully disclose all activities and transactions of the certified operation in sufficient detail as to be readily understood and audited;
- Be maintained for not less than 5 years beyond their creation; and
- Be sufficient to demonstrate compliance with the Act and the regulations in this part.

The certified operation must make such records available for inspection and copying during normal business hours for authorized representatives of the USDA and the TDA.

What happens to the submitted documentation? ↑

Documentation must be on file and must be submitted to the TDA Organic Certification Program for all inputs used during the handling or processing of organic products. This documentation must include enough information to determine if the input substances comply with the NOP Regulations and any noted annotations.

What kind of cleaning products can I use on my equipment and food contact surfaces? ↑

The NOP regulations do not contain an approved list of cleaners and sanitizers. Organic handlers and processors should follow all appropriate and mandated food safety protocols and FDA regulations regarding cleaning and sanitizing equipment, and food contact surfaces.

How can I prevent cross contamination of organic products manufacturing to comply with by NOP Regulations? ↑

The NOP Regulations do require that handling practices and procedures prevent contamination of organic products and from the use of cleaners and sanitizers. Depending on the products used, intervening steps are often required to ensure residues of materials are not present. These steps may include a potable water rinse, complete evaporation of the substance prior to processing, purging of equipment with organic products that will be sold as conventional, or even routine residue testing.

As a certified organic processor or handler, do I need to document my cleaning procedures? ↑

Procedures for cleaning and sanitizing food contact surfaces must be included in the Organic System Plan, and the implementation of procedures, before and during organic handling or processing, must be documented. TDA staff will evaluate the procedures during the application review and inspection, in reference to the use of equipment cleaners and sanitizers.

Can I use the same equipment and containers for both organic and conventional products? ↑

Yes. The NOP Regulations do not require certified operations to have designated equipment for organic products. The same equipment and containers may be used, provided adequate steps are taken to:

- (1) prevent any commingling of organic and nonorganic products, and
- (2) prevent any contamination of organic products with prohibited substances.

The cleaning of all equipment, between conventional and organic product handling and processing, can ensure the protection of the organic integrity of the products. Reusable bags or containers that have been in contact with prohibited substance cannot be used unless the bag or container has been thoroughly cleaned and presents no risk of contamination.

How do I add a new product to my existing certification? ↑

TDA certified organic distributors and processors are welcome to submit new products for review at any time. To add a new product to your certification, or to request the approval of a revised product, please submit the following in order for the new product to be approved and added to your organic certificate.

Distributors/Brokers: A copy of the organic certificate and the label for all new organic products; as well as a [ROR-602](#) Distributor Organic System Plan must be submitted with the applicable sections completed.

Processors: A product formulation, label, organic certificates for all organic ingredients, information regarding any nonorganic ingredient and/or processing aid, and the applicable [ROR-604](#) Processor (Fiber) Organic System Plan or [ROR-606](#) Processor (Food & Feed) Organic System Plan, must be completed and submitted.

Do I need to notify TDA if my Organic System Plan changes before the annual update period? ↑

Yes. The Organic System Plan should describe the operation's plans for distributing or processing organic products and include a list of all input materials planned for use. It is understood that environmental, economic and other reasons can cause modifications to this plan as the year progresses. The NOP Regulations require that certified operations notify their certifying agent prior to making any changes that could affect the integrity of organic products.

What do I need to do to make a change to my Organic System Plan? ↑

The following must be submitted:

Distributors/Brokers: [ROR-602](#) Distributor Organic System Plan with all applicable sections completed to indicate all changes to the Organic System Plan.

Processors: [ROR-604](#) Processor (Fiber) Organic System Plan or [ROR-606](#) Processor (Food & Feed) Organic System Plan with all applicable sections completed to indicate all changes to the Organic System Plan.

I have a contract to pack an organic product with a label that is owned by another business. Is it the customer's responsibility to ensure the product and label have been approved for compliance? ↑

The NOP Regulations require all operations that sell, label or represent products as "organic" to be certified, and requires all information on the compliance of an organic product and label to be approved by the certifier of the operation. Even if you do not own the organic product being handled by your operation, you are taking responsibility for the compliance of the claims being made on the product.

If you are handling, processing, or repacking a product for another company (a private label) an operation must submit the information to the TDA, Organic Certification Program for review prior to the handling of the product. This is true even if the contracting company that is also certified by TDA. An operation's file and certification is not connected to any other operation.

If a contractor provides me with organic labels, can I use them? ↑

If an operation's contractor provides new organic labels, those labels need to be submitted and approved specifically for the operation and as a part the certification. Also, if the operation is using a label that lists a certification agency other than TDA, a copy of the Organic Certificate corresponding to the agency on the label must be submitted.

Are Brokerages required to be certified? ↑

If a brokerage does not physically handle or process organic products, certification is not required. Refer to section [205.101](#) of the NOP Regulations for the requirements of exemptions and exclusions from organic certification. Exempt and excluded brokerages may choose to obtain certification due to market demands or to increase consumer confidence of products.

What are the requirements for Brokerage Certification? ↑

If a brokerage company chooses to obtain certification, they must comply with the handling requirements outlined in the NOP Regulations. These requirements include, but are not limited to, the following:

- Brokerages must submit an application packet
- Records must be maintained that verify the organic status of the products handled by the operation as well as records that disclose all activities and transactions of the operation in regards to organic products
- Procedures must be in place to ensure that no commingling or misidentification occurs between organic products and nonorganic product records handled by the operation
- Custom marketing labels for all organic food products must be submitted and approved prior to obtaining organic certification.

Are retail stores that sell organic products required to be certified? ↑

According to section [205.101](#) of the NOP Regulations, retail food establishments are exempt and excluded from organic certification. Exempt and excluded retail food establishments may choose to obtain certification due to market demands, or to increase consumer confidence of products. Operations that do not choose to be certified must comply with the NOP Regulations when handling organic products to ensure the integrity of the organic claim remains intact.

What are the requirements for retail store certification? ↑

If a retailer chooses to obtain certification, they must comply with the handling requirements outlined in the NOP Regulations including, but not limited to, the following:

- Retailers must submit an application packet;
- Procedures must be in place to ensure that no commingling or misidentification occurs between organic products and nonorganic products;
- Prohibited substances used within the facility must not come in contact with or contaminate the organic food products;
- Labels or menus making organic claims must be submitted and approved prior to obtaining organic certification.

How are the requirements for Retail certification different than those of county health departments? ↑

Retailers should follow all appropriate and mandated food safety protocols and FDA regulations regarding cleaning, sanitizing equipment and food contact substances. Substances used as cleaners or sanitizers must be outlined in the Organic System Plan and adequate steps must be taken to eliminate the risk of contamination of the organic product (i.e. potable water rinse).

I have a question not listed on this page, who can I contact? ↑

Email the TDA Organic Certification Program at Organic@TexasAgriculture.gov or call 512-936-4178.