

Introduction: Avoiding Contamination by Prohibited Substances

Eric Soderholm, *Organic Transition Coordinator*

Contamination of certified organic or transitioning land - either by unknowing usage or outside drift of prohibited substances - can have devastating consequences to the organic farmer. One simple mistake could potentially cost you certification – and the access to the markets and price advantages that come with certification. One of the first obstacles for many transitioning farmers is to prove to their certifying agent that they haven't applied prohibited substances to the land they hope to certify in the previous 3 years. It can be dizzying to consider the multitude of inputs available to help manage crop pests or balance fertility while meeting the strict standards of the National Organic Program (NOP). For these reasons, it is extremely important to know and understand which substances are allow and prohibited for use at the onset of your transition process.

Guidance from the National Organic Program

The NOP maintains the *National List of Allowed and Prohibited Substances*, which specifies materials that may and may not be used in certified organic production.

The general rule of thumb is that *natural* substances are allowed unless expressly prohibited and included on the list. On the other hand, *synthetic* substances are prohibited for use unless they are specifically listed as allowed.

For example, tobacco dust, a natural substance, may not be used, but synthetic plastic mulch may be used - as long as it is removed at the end of the season. Allowed materials often must meet a number of provisions before their use is warranted.

- Included in this section of the Organic Transition Handbook is the *National List* at the time of publishing. [Click here to view the most currently updated list](#) on the U.S. government website of federal regulations.

Guidance from the Organic Materials Review Institute

The Organic Materials Review Institute (OMRI) is a nonprofit organization that reviews products and decides whether or not they should be allowed for use by certified organic operations. OMRI publishes a listing of approved products and generic materials to help producers determine what inputs they can use.

- [Click here to see the lists](#) that are available on their website. You can download the OMRI-approved product list and do an online search of either approved products or approved generic material lists.

Good to Know

These considerations can help producers avoid mistakes in their selection of inputs:

1. Companies must apply and pay annual fees to have a product reviewed by OMRI. Not all companies choose to enter the review process, but some products may still meet NOP regulations.
2. Many products claim that they are organic, but have not gone through any review process to support it. These claims can be misleading and producers are rudely awakened when slapped with noncompliance charges. In some cases, even if the product ingredients seem to meet NOP regulations, the processes used to produce the end product may not be acceptable.
3. There may be generic materials that are on the NOP National List and OMRI approved, but no companies that offer products specifically marketed for use in organic production.
4. When building new or replacing wood in older structures, keep in mind that treated lumber containing arsenate or other prohibited substances cannot come into contact with soil or plants.

If you are considering using a new input on your farm that you believe is in compliance with NOP regulations, you can never be too safe. *Be certain to talk first with your certifying agent about any new input you are considering.* It is their responsibility to determine whether an input meets NOP regulations.

From the NOP

Following is an excerpt from the NOP Final Rule regarding land requirements and prohibited substances:

§ 205.202 Land requirements.

Any field or farm parcel from which harvested crops are intended to be sold, labeled, or represented as “organic,” must:

- (a) Have been managed in accordance with the provisions of §§ 205.203 through 205.206;
- (b) Have had no prohibited substances, as listed in § 205.105, applied to it for a period of 3 years immediately preceding harvest of the crop; and
- (c) Have distinct, defined boundaries and buffer zones such as runoff diversions to prevent the unintended application of a prohibited substance to the crop or contact with a prohibited substance applied to adjoining land that is not under organic management.

NOP regulations necessitate that land certified as organic have distinct borders and buffer zones that separate it from neighboring land not under organic management. However, there is no specified distance for required buffers between organic and conventional fields. Your certifying agent ultimately determines if the buffer at your particular site is sufficient, so it is best to draw and submit clear, helpful maps of your operation. Be sure to communicate with your neighbors, in person and in writing, about

the organic or transition status of fields that border them. There are template letters available in the Organic System Plan section of this handbook, in the publication *Organic System Plans: Market Farms and Greenhouses* to help get you started. Ask your neighbors to consider wind conditions and direction before they spray to reduce drift onto your land. It goes without saying that a mutually respectful relationship with neighbors is a great asset that has benefits far beyond organic compliance.

It is your responsibility to contact local entities that may use prohibited substance on or near your fields. Utility companies often apply synthetic herbicides to control vegetation on and around power and telephone poles. Some companies apply herbicides on swaths of land just below the path of lines and road crews will spray along guardrails. Local municipalities in parts of the Carolinas may spray broad spectrum synthetic insecticides to control mosquito populations. Identify these potential threats and tactfully write to the appropriate authorities explaining your situation. Utility companies will be especially understanding and unoffended if proper measures are taken on your part to manually maintain vegetation surround utility poles.

As described by one organic inspector, the NOP Regulations are a “moving target,” undergoing constant change. To help keep the organic community involved and informed, the NOP sends out regular email updates through their Organic Insider list. [Click here to join the Organic Insider](#) and receive these helpful messages.