

# **SAN LUIS OBISPO COUNTY AGRICULTURAL COMMISSIONER**

The Role of the County Agricultural  
Commissioner in Organic Production

## **Role of Agriculture Commissioner**

- ▣ Environmental Protection-Pesticide Use Enforcement
- ▣ Pest Prevention-Exclusion, Detection, Eradication
- ▣ Inspection Programs-Farmers' Market, Nursery and Seed, Organics and Apiary
- ▣ Weights and Measures-Weight, Measuring, Transaction and Product Verification
- ▣ Agriculture Resources-Statistics, Mapping, Land Use Planning, Emergency Preparedness

## **Regulatory Role in Organics**

- ▣ Enforcement of the Federal Organic Foods Production Act (OFPA) of 1990
- ▣ National Organic Program (NOP)-The USDA program setting the standards for organic production nationwide
- ▣ California Organic Products Act of 2003 (COPA) implements the standard of NOP by statutes
- ▣ These statutes protect consumers, producers, handlers, processors and retailers by establishment of standards under which fresh agricultural products/ foods may be labeled and/or sold as “organic”.

## **Agricultural Commissioner Activities**

- ▣ Registrations and Amendments
- ▣ Spot Inspections
- ▣ Soil and Tissue Sampling
- ▣ Complaint Investigations

## **Registrations-New**

- ▣ Who must register with the County?
- ▣ Farming Operations of Fruits, Nuts, and Vegetables
- ▣ Farming Operation of Livestock, Dairy, Poultry, and Eggs
- ▣ Handlers, Commission Merchant, Broker and Wholesaler , which do not take possession or title of product and do not provide storage
- ▣ Handlers, Commission Merchant, Broker and Wholesaler that provide storage and take title or possession of product
- ▣ Retailers that processes raw and ready to eat products (in store delis), re-pack or re-label organic products

## **Other Registration Requirements**

- ▣ Processors or handlers of defined processed products including pet food, cosmetics, alcoholic beverages, fish and seafood pursuant to Sections 110460, 18653, 11795 of the Health and Safety Code must register with the State Public Health Officer
- ▣ All other processors of organic agriculturally derived products must register with California Department of Food and Agriculture (CDFA)
- ▣ Wholesale processors of organic food must register with the California State Public Health Department

## **Registrations-Amended and Out-of County**

- ▣ Adding a new location-Apply through SLO County
- ▣ Adding a Commodity-Contact CDFA directly
- ▣ Other county registrants adding sites in SLO County-other county obtains information from SLO County on site and substances use

## **Registration Information**

- ▣ **3 Substance Lists Approved by CDFA** : These lists are used by SLO Co. to determine applicant's organic compliance for the 36 months prior to selling as "organic".
- ▣ 1) NOP National List of Allowed and Prohibited Substances  
<http://www.ams.usda.gov/AMSV1.0/nop>
- ▣ 2) Organic Materials Review Institute's Product List  
<http://www.omri.org/omri-lists>
- ▣ 3) Washington State Department of Agriculture's Approved Input List  
<http://agr.wa.gov/FoodAnimal/Organic/MaterialsLists.aspx>
- ▣ CDFA oversees Fertilizers with the Feed, Fertilizer and Livestock Drugs Regulatory Services  
<http://www.cdfa.ca.gov/is/flders/fertilizer.html>

## **California State Organic Program Activities**

- ▣ Handle complaints filed against operators
- ▣ Handles appeals filed by operators
- ▣ Reviews proposed mediation settlements
- ▣ Conduct spot inspections
- ▣ Conduct residue testing
- ▣ Levies civil penalties
- ▣ Administer Advisory Committee
- ▣ CACs provide registration and enforcement

## **Spot Inspections**

- ▣ A structured inspection process to determine compliance with the NOP and COPA
- ▣ Focused on Compliance History, Type of Operation, Crop Value and Residue Test Results
- ▣ Certified Farmers' Markets, Farm Stands, Community Supported Agriculture (CSA), Co-Ops, Producers and Retail Handlers

## **Certified Farmers' Market Inspections**

- ▣ Is the organic registration current?
- ▣ Are the organic commodities being sold listed on the organic registration?
- ▣ Are conventional and organic products separated?
- ▣ Was the product properly transported to the point of sale?
- ▣ Is the operation correctly advertising and/or utilizing the term organic?
- ▣ Is the operation advertising as certified organic?

## **Producer Spot Inspections**

- ▣ Does the organic operation have a current registration?
- ▣ Does the operation maintain records that show quantity harvested from each field, the size of the field, the field number, and the date of harvest?
- ▣ For each field or management unit, does the operation have records of all substances applied to the crop, soil, growing medium, growing area, irrigation or post harvest wash or rinse water or seed, the quantity of each substance applied, and the date of each application?

## **Producer Spot Inspections**

- ▣ If the operation grows organic perennial crops, does the registrant have records to show that the crops were managed one year prior to the sale of crops?
  
- ▣ Does the operation have records that show only organic seed or organic planting stock was utilized?

## **Producer Spot Inspections**

- ▣ If the operation does not utilize organic seed or planting stock, does the operation have any documents to show the seeds or planting stock were not treated with a prohibited substance and are not GMO?
  
- ▣ Does the operation have transaction records documenting to whom the product was sold, gross sale of the transaction, and the date of the transaction?

## **Producer Spot Inspections**

- ▣ Does the operation maintain all records sufficient to determine compliance for three years from the date of creation?
  
- ▣ Does the operation fully disclose all activities and transactions in sufficient detail that can be readily understood and/or audited.

## **Producer Spot Inspections**

- ▣ Is the operation using organic seed or planting stock for all crops and cover crops?
  
- ▣ What management practices does the operation use to prevent crop pests, weeds, and disease?
  
- ▣ If the above measures are not effective for controlling pests, what other measures does the operation take?

## Complaint Procedures

- ▣ Anyone may file a complaint
- ▣ Complaint forms are available online and through other sources
- ▣ All Complaints **must** be sent to the SOP

## SOIL AND TISSUE SAMPLING

- ▣ CDFA approves the sampling of soil or tissue for prohibited materials during a Random Spot Inspections or Investigations.
- ▣ The sample is collected according to CDFA Department of Pesticide Regulation (DPR) “Evidence Collection” protocol
- ▣ Samples are submitted with an Organic Produce Sample Analysis Report to the CDFA Center for Analytical Chemistry in Sacramento.

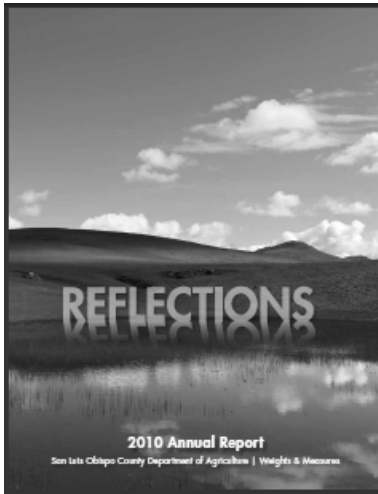
## **COMPLAINT INVESTIGATIONS**

- ▣ Complaints will be investigated if assigned by CDFA to the County.
- ▣ Complaints may be given to the County or to CDFA Organic Program.
- ▣ The complainant may remain anonymous
- ▣ Complaints can be based on incorrect labeling, comingled products, verification of crop production, improper pesticide use

## **2010 Organic Registrants**

- ▣ SLO County had 85 organic registrants
- ▣ SLO County ranked 11 out of 56 counties in number of registrants
- ▣ SLO County registered organic acres equaled 11,784 acres including 4700 acres of rangeland

## 2010 Annual Crop Report



## General Information

- ▣ [www.cdfa.ca.gov](http://www.cdfa.ca.gov)
- ▣ [www.usda.gov](http://www.usda.gov)
- ▣ [www.cdph.ca.gov](http://www.cdph.ca.gov)
- ▣ CDFA Organic Phone # (916) 445-2180
- ▣ NOP Organic Phone # (202) 205-7808
- ▣ CDPH Organic Phone # (916) 650-6598
- ▣ [www.calregs.com](http://www.calregs.com)

**THANK YOU**

Questions?