



2022 Standard Updates

Vermont Organic Farmers, LLC (VOF)

The USDA accredited certification agency owned by NOFA Vermont

VOF Office: 802-434-3821 vof@nofavt.org www.nofavt.org/vof

February 9, 2022

VOF values the voices of our certified producers and we work hard to make sure that our organization is producer-driven. This past year, our Review Committee, comprised of five certified organic farmers and processors, created policies based on thoughtful interpretations of the USDA National Organic Program Rule. These interim policies were then discussed and voted on at our Annual Meeting held virtually on January 28th. We want to thank those producers who were able to take time from their busy schedules to attend the meeting. It is vitally important that producers send a representative to the meeting to vote on standards interpretations.

If you were not able to attend, please consider sending a spokesperson in the future to represent your business's interests. Annual Meeting minutes are available upon request by calling the VOF office.

Note: Approved standards changes are in bold type; old language has a line through it, if appropriate.

Standard Updates

1) Container Growing

Proposal Passed with Amendments

(21 yes, 1 no, 2 abstentions)

Background:

At the 2021 VOF Annual Producers Meeting, the container growing guidelines were revised to clarify what type of container-grown production complies with organic regulations. Additional clarification is necessary, specifically in regards to microgreen production.

Relevant Standards:

§205.203 Soil fertility and crop nutrient management practice standard.

(a) The producer must select and implement tillage and cultivation practices that maintain or improve the physical, chemical, and biological condition of soil and minimize soil erosion.

(b) The producer must manage crop nutrients and soil fertility through rotations, cover crops, and the application of plant and animal materials.

(c) The producer must manage plant and animal materials to maintain or improve soil organic matter content in a manner that does not contribute to contamination of crops, soil, or water by plant nutrients, pathogenic organisms, heavy metals, or residues of prohibited substances.

Proposal: (new language in red, bold)

II Certification Eligibility, A. Admissibility, 1) Application Restrictions, Page 15

Vermont Organic Farmers
PO Box 697 • 14 Pleasant Street • Richmond VT 05477 • 802-434-3821
Certified **Organic, Locally Grown**

The Organic Foods Production Act (OFPA) section 6513(b)(1) states that "An organic plan shall contain provisions designed to foster soil fertility, primarily through the management of the organic content of the soil through proper tillage, crop rotation, and manuring."

Soil is defined as the outermost layer of the earth comprised of minerals, water, air, organic matter, fungi, and bacteria in which plants may grow roots.

VOF does not accept applications for hydroponic, soilless, or container production of edible terrestrial plants to a harvestable stage. **Exempted crops which include** transplants (annual seedling), nursery stock, ornamentals and herbs may be grown in containers if sold in containers. Sprouts, fodder, mushrooms, and microgreens are **also** exempt from this application restriction. **Microgreens may be grown in containers provided that; 1) compost based potting soil is used, 2) no solid or liquid fertility is added to the container after the crop is planted, and 3) the microgreens ~~are~~ must be harvested within 21 days after planting. Analogous to sprouts, the seed used in the production of all microgreens must be NOP Certified Organic.**

Some container production **of non-exempt crops** will be considered for approval by the Review Committee if the following restrictions are met:

1. No more than 20% of the plants' nitrogen requirement is supplied by liquid feeding, no more than 50% of the plants' nitrogen requirement is added to the container after the crop has been planted, and the container substrate is at least 50% soil and/or compost by volume.
2. Do not represent more than 5% of the total farm sales and do not exceed a total of \$20,000 **unless an exemption is approved by the VOF Review Committee.**
3. Use artificial light only as described in the greenhouse practices section.

Commented [ND1]: This bolded language was added as an amendment at the meeting.

To add to Greenhouse Section:

C. Greenhouse Practices (page 41)

Greenhouse management must comply with all aspects of previously stated soil management with the exception of crop rotations. However, greenhouses must be managed to maintain or improve the physical, biological, and chemical conditions of the soil. Crop production without a rotation in protected (greenhouse or tunnel) culture is allowed if the producer can:

- Demonstrate that the system builds and maintains the health of the soil and crops;
- Demonstrate that the system is not reliant upon routine use of (approved) pesticides for insect control.

Pesticides are intended as a fallback strategy. Growers must create a level of soil health and a rich biological community that allows production without the regular use of pesticides. The farm must produce a fertility management plan for the protected cropping system (greenhouse, hoop house). The plan must demonstrate that the growing system maximizes the efficient use of nutrients and builds soil health and fertility.

Artificial light is allowed, if the normal daylight is insufficient for the normal growing of crops. It should only be used as a supplement to natural light when necessary for plant growth. Artificial light is also allowed for the production of **exempted** container plants without limitation. Examples include transplants, nursery stock, ornamentals, herbs, sprouts, fodder, mushrooms and microgreens. Artificial light may also be used for photo-periodical induction of flowering.

2) Use of Paint on Trees in an Organic Sugarbush

Proposal Passed with Amendments **(22 yes, 0 no, 2 abstentions)**

Background:

The use of paint on trees in an organic sugarbush has long been an area of contention. Because paint is not listed on the National List of approved synthetic materials, VOF has historically prohibited its use. However, it is widely agreed that paint can be used in a manner to prevent contamination and contact with organic sap. Therefore, the Review Committee is proposing the following language to allow the use of paint in organic sugarbushes in a way that prevents contact with organic sap.

Relevant Standards:

§ 205.105 Allowed and prohibited substances, methods, and ingredients in organic production and handling. To be sold or labeled as "100 percent organic," "organic," or "made with organic (specified ingredients or food group(s))," the product must be produced and handled without the use of:

(a) Synthetic substances and ingredients, except as provided in 205.601 or 205.603 (crop & livestock section of the National List)

205.272 Commingling and contact with prohibited substance prevention practice standard.

(a) The handler of an organic handling operation must implement measures necessary to prevent the commingling of organic and nonorganic products and protect organic products from contact with prohibited substances.

Proposal: (new language in red, bold)

B. Certification Requirements, Section 3(i), Page 3

- (i) ~~Trees that are tapped must not be marked with prohibited substances (this includes synthetic paint). Trees painted prior to January 26, 2010 are grandfathered in.~~

For the long-term health of the tree, research indicates that it is best to distribute tap holes around the entire circumference of the tree rather than placing tap holes in close proximity for multiple years. Because of this, producers often mark a spot adjacent to a current tap hole with substances such as paint or lumber crayons/markers to avoid tapping in the same location the following year. Similarly, for the long-term health of the forest and identification and integrity of sugarbush boundaries, paint or other lumber crayons/markers are used on tapped trees to identify boundaries or cull trees.

VOF allows these practices provided that; 1) the material used to mark tap holes is applied in such a way that it will not come into contact with sap, syrup or soil, 2) the minimum amount required is used, and 3) the purpose of marking trees is to ensure their long-term health and management.

Commented [ND2]: Proposal was amended at the meeting to remove "paint" from being an allowed substance.

Commented [ND3]: Proposal was amended at the meeting to remove "paint" from being an allowed substance.

3) Post-Harvest Water Standard

Proposal Passed with Amendments **(21 yes, 1 no, 2 abstentions)**

Background:

The current VOF guidelines for post-harvest water have contradicting information. The guidelines recommend that water used post-harvest to wash crops must be potable but require testing for only E.coli (fecal coliform). Testing water for potability requires testing for both total coliform and E.coli. The FSMA standard for post-harvest water is no detectable generic E.coli per 100mL sample using an [acceptable test methodology](#). For FSMA, post-harvest water does not need to be "potable," but it must have no detectable generic E.coli. The Review Committee is recommending resolving the conflict in the guidelines and standardizing the post-harvest wash water standard to better match what FSMA requires. Please note that water used as an ingredient or in a processing facility must be potable.

Relevant Standards:

205.272 Commingling and contact with prohibited substance prevention practice standard.

(a) The handler of an organic handling operation must implement measures necessary to prevent the commingling of organic and nonorganic products and protect organic products from contact with prohibited substances.

Section 2111 of the Organic Food Production Act states, "For an operation to be certified, the operation shall not, with respect to any agricultural product covered by this title (organic) use in such product water that does not meet all Safe Drinking Water Act requirements."

Proposal: (new language in red, bold)

11. Crop Management, E. Irrigation and Wash Water, Page 45

To minimize food safety risks associated with microbial pathogens, VOF recommends that vegetables that have visible soil or organic matter residues on their surface be thoroughly washed before sale. Washing should be done with ~~potable~~ **water that contains no detectable generic E.coli** only. Washing with ~~potable~~ **water verified to this standard** appears to be the simplest way to minimize food safety risks on fresh fruits and vegetables. Producers are required to provide evidence that the farm's wash water meets this standard. VOF recommends that all wash water not from municipal sources be tested every 2 years to **ensure no detectable generic E.coli** for fecal coliform. ~~We recommend that wash water is tested for nitrates as well. Please see the below Water Testing Recommendations for testing sources.~~ Farmers will be required to show documentation that wash water is not contaminated with prohibited substances. Do not use water that has tested positive for **generic E.coli** ~~fecal coliform~~. If water tests positive please inform the VOF office immediately and the Review Committee will review each case on an individual basis. If water tests positive follow guidelines as recommended by the Vermont Department of Health.

1. Processing and Handling, C. Water, Page 74

C. Water

To minimize food safety risks associated with microbial pathogens, VOF recommends that water used as an ingredient in processed products or water used to clean ingredients in processed products should be potable water only. Processors are required to provide evidence that the facility's water used to clean organic ingredients or water used as an ingredient is not contaminated with prohibited substances. **VOF recommends that all wash water used to clean ingredients and water used as an ingredient, not from municipal sources be tested every 2 years for both total coliform and E.coli to ensure potability. fecal coliform.** We recommend that water is tested for nitrates as well. Please see the below Water Testing Recommendations for testing sources. Processors will be required to show documentation at their annual inspection. Do not use water that has tested positive for **E.coli** fecal coliform. If water tests positive please inform the VOF office immediately and the Review Committee or Certification Director will review each case on an individual basis. If water tests positive follow guidelines as recommended by the Vermont Department of Health.

The basis of the requirement is based on Section 2111 of the Organic Food Production Act, which states, "For an operation to be certified, the operation shall not, with respect to any agricultural product covered by this title (organic) use in such product water that does not meet all Safe Drinking Water Act requirements."

Water Testing Recommendations

By Vern Grubinger, UVM Extension Sustainable Agriculture Specialist:

Ground and surface waters are a potential source of a wide range of contaminants. The rationale for using, and the cost, of different types of tests (by Vermont Department of Health Lab, P.O. Box 1125, Burlington, VT 05402-1125 (800) 660-9997, unless otherwise stated) are described below:

1. The following tests for common pollutants are **recommended** for certification on a yearly basis, regardless of source of water: fecal coliform and nitrate. However for wash water used to wash ingredients and water used as an ingredient, fecal coliform tests are **required** on a biannual basis for non-municipal water sources.

Maple Guidelines, E. Production Equipment, Methods, and Syrup Storage, Page 8

Sap Collection and Storage Equipment:

Accepted:

~~All wash water used to clean sap collection tanks, not from municipal sources, must be tested every 2 years to ensure no detectable generic E.coli.~~

Commented [ND4]: This language was removed from the proposal to be discussed further at a separate time.

Other items voted on by the membership

1) 7% Fee Increase

Proposal Passed
(22 yes, 1 no, 0 abstentions)

Certified producers voted on a 7% fee increase. This fee increase will help support competitive staff salaries and support the hiring of an additional Certification Specialist. Having an additional member on staff is intended to address capacity issues and to achieve two goals. The first goal is to reduce file loads to allow certification specialists to invest in more one-on-one time with producers to help them be successful with certification and the second goal is to create space for certification specialists to lead projects identified as priorities in our work plan.

2) VOF Review Committee & Executive Committee Members

Proposal Passed
(22 yes, 0 no, 0 abstentions)

Certified producers voted to approve the members of the Review Committee and Executive Committee.