

CHAPTER 94—ORGANIC CERTIFICATION

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§ 6501. Purposes

It is the purpose of this chapter—

- (1) to establish national standards governing the marketing of certain agricultural products as organically produced products;
- (2) to assure consumers that organically produced products meet a consistent standard; and
- (3) to facilitate interstate commerce in fresh and processed food that is organically produced.

(Pub. L. 101-624, title XXI, § 2102, Nov. 28, 1990, 104 Stat. 3935.)

SHORT TITLE

Pub. L. 101-624, title XXI, § 2101, Nov. 28, 1990, 104 Stat. 3935, provided that: "This title [enacting this chapter] may be cited as the 'Organic Foods Production Act of 1990'."

§ 6502. Definitions

As used in this chapter:

(1) Agricultural product

The term "agricultural product" means any agricultural commodity or product, whether raw or processed, including any commodity or product derived from livestock that is marketed in the United States for human or livestock consumption.

(2) Botanical pesticides

The term "botanical pesticides" means natural pesticides derived from plants.

(3) Certifying agent

The term "certifying agent" means the chief executive officer of a State or, in the case of a State that provides for the Statewide election of an official to be responsible solely for the administration of the agricultural operations of the State, such official, and any person (including private entities) who is accredited by the Secretary as a certifying agent for the purpose of certifying a farm or handling

operation as a certified organic farm or handling operation in accordance with this chapter.

(4) Certified organic farm

The term "certified organic farm" means a farm, or portion of a farm, or site where agricultural products or livestock are produced, that is certified by the certifying agent under this chapter as utilizing a system of organic farming as described by this chapter.

(5) Certified organic handling operation

The term "certified organic handling operation" means any operation, or portion of any handling operation, that is certified by the certifying agent under this chapter as utilizing a system of organic handling as described under this chapter.

(6) Crop year

The term "crop year" means the normal growing season for a crop as determined by the Secretary.

(7) Governing State official

The term "governing State official" means the chief executive official of a State or, in the case of a State that provides for the Statewide election of an official to be responsible solely for the administration of the agricultural operations of the State, such official, who administers an organic certification program under this chapter.

(8) Handle

The term "handle" means to sell, process or package agricultural products.

(9) Handler

The term "handler" means any person engaged in the business of handling agricultural products, except such term shall not include final retailers of agricultural products that do not process agricultural products.

(10) Handling operation

The term "handling operation" means any operation or portion of an operation (except final retailers of agricultural products) that do not process agricultural products) that—

- (A) receives or otherwise acquires agricultural products; and
- (B) processes, packages, or stores such products.

(11) Livestock

The term "livestock" means any cattle, sheep, goats, swine, poultry, equine animals used for food or in the production of food, fish used for food, wild or domesticated game, or other nonplant life.

(12) National List

The term "National List" means a list of approved and prohibited substances as provided for in section 6517 of this title.

(13) Organic plan

The term "organic plan" means a plan of management of an organic farming or handling operation that has been agreed to by the producer or handler and the certifying agent and that includes written plans concerning all