



Strengthening Organic Enforcement (SOE) Fact Sheet

for Certified Organic Farm & Livestock Operations

The Strengthening Organic Enforcement (SOE) final rule is the most substantial change to the Organic Standards since the establishment of the NOP. The rule is intended to minimize the potential for fraud throughout the organic supply chain.

While the main impacts are on handlers, processors, and uncertified operations in the organic supply chain, certified organic farmers are affected as well. **All operations must meet all requirements of the rule by March 19, 2024.**

How It Impacts You:

This fact sheet highlights the key impacts that may affect you and your farm, but this is not meant to be comprehensive. Please review USDA NOP resources for full details.

1. Non-Organic Storage Locations, Private Label Brand Owners, & Others

SOE requires many operations to get certified that had been previously exempt from certification. This includes:

- Storage facilities that store organic products that are not in sealed, tamper-evident packages or containers
- Private label brand owners that buy or sell organic products that are not in sealed, tamper-evident **retail** packaging or containers

The SOE final rule can be located at <https://www.ams.usda.gov/rules-regulations/strengthening-organic-enforcement>. You can reach out to Baystate to check whether it applies to any operation in your supply chain, to assist them in determining whether they must get certified. You will be required to maintain certification certificates for these suppliers going forward. Certificates will be reviewed at your annual inspection.

Some exemptions to the new certification requirements do remain. Some of your suppliers, storage facilities, etc. will claim that they are exempt from certification. We will require proof of exemption. Baystate has created an **Exempt Handler Affidavit**. If one of your suppliers or operations you work with claims exemption, then you will need to have an Exempt Handler Affidavit on file for that supplier and submit copies of the Affidavit with your renewal application.

For more information, see SOE – Who Has to Be Certified on our website.

2. Sourcing of Organic Seeds, Seedlings, and Organic Planting Stock

When you are sourcing organic products, such as organic seeds, planting stock, or organic seedlings, you will need to have measures in place to prevent fraud or accidental representation of non-organic products as organic. Examples of such measures are maintaining your records of your suppliers' organic certification documentation and purchase records showing the organic status of these products. This is not a large change for our Baystate-certified operations, since we are already requesting this information.

3. Sourcing of Livestock and Livestock Feed

Livestock and feed brokers as well as facilitators of sale, such as auction yards, will be required to be certified. You will need to source organic feed and/or animals from organic suppliers, brokers and/or facilitators of sale.

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4. Supply Chain Traceability and Organic Fraud Prevention

Operations will be required to develop monitoring practices to verify suppliers in the supply chain and organic status of products received to prevent fraud. You will need to have a plan in place to report suspected fraud in your supply chain; this plan must include reporting any issues to Baystate Organic Certifiers or the NOP.

Please note that on the surface it may seem like farms do not have supply chains, but many of you do. If you purchase to resell or reuse any organic crop, livestock, or processed product, then you have a supply chain. If you buy organic feed for your livestock, you have a supply chain. If you buy organic livestock, you have a supply chain. It may not be a complex supply chain, but it is a supply chain that will need proof of certification on file for suppliers in that supply chain.

5. Producer Group Operations

Baystate does not currently certify any producer groups (also known as grower groups), however regulations regarding producer groups are outlined under SOE.

6. Non-retail Container Labels

Non-retail containers used to ship or store organic products (such as produce in boxes/crates, maple syrup in drums, bulk tanks, etc.) must now label with the following information:

- Identify the product as organic
- Display the lot number or shipping identification that links the container to the audit trail documentation

Audit trail documentation for non-retail containers must identify the last certified operation that handled the organic product. Send all new or updated labels to Baystate for approval prior to mass printing.

7. Standardized Organic Certificates

Baystate is required to create standardized organic certificates going forward. These will be in the Organic Integrity Database. These organic certificates will replace the main certificate that we send you now. You will still be issued a crop detail and field listing certificate. The formatting will change, but your products will still be listed in these separate documents. No action is required from you on this item. This is simply a notification that the certificates will change.

What Do You Need to Do Now?

Baystate Organic Certifiers is here to support you in taking the steps needed to be compliant with all the requirements of SOE by March 19, 2024. As a measure to meet these requirements, we created the **Organic Farm Plan Supplemental Form** that will be sent with your application. Carefully review this form and complete it with the rest of your application forms.

As always, contact us with any questions you might have.