



## Approval of Liquid Fertilizers for use in Organic Production

### Background

On February 20, 2009, the National Organic Program (NOP) issued a notice to its accredited certifying agents (ACA) that it was no longer confident that the following liquid fertilizer products can be shown to be compliant with the NOP regulations: Marizyme™ and Agrolizer™. Both of these products were manufactured by Port Organic, Ltd., which was no longer operating at that time. The notice further advised that continued use of the products Marizyme™ and Agrolizer™ without the ability to prove they are in full compliance with the NOP standards could jeopardize the organic status of operations, including land and products.

NOP announced it will focus increased scrutiny on how inputs are approved for use by certified organic operations during accreditation audits of ACAs conducted beginning in 2009, beginning with an emphasis on liquid nitrogen fertilizers. Further, the NOP advised vigilance in the approval of all liquid fertilizer products and other inputs and advised ACA's of steps to be taken by October 1, 2009 for the review of all nitrogen liquid fertilizers with a nitrogen analysis of greater than 3 percent. Included in this announcement, NOP required that reviews must verify that no synthetic nitrogen equipment, tanks, or supplies must be present within 100 yards of the facility that produces the organic approved inputs at any time of the year.

On March 4, 2009, the NOP issued an amendment to the previous notice to clarify that while fertilizer producers were required to obtain third-party verification of their ingredients by October 1, 2009, all fertilizers were expected to be in compliance at the time of the notice. The amendment further clarified that manufacturers who do not produce liquid fertilizers with nitrogen analysis content greater than 3 percent are not required to undergo third-party inspections unless further advised by the NOP.

### Terms Defined

For the purpose of this instruction, the following definitions shall apply:

Material evaluation program: An organic certification or other program, independent from the crop producer or the input manufacturer, with the expertise to verify compliance of inputs used in organic production and handling with the NOP regulations. The expertise and approval of material evaluation programs will be a component of the NOP accreditation program. Approved material evaluation programs include NOP accredited certifying agents and the Organic Materials Review Institute (OMRI). ACAs and OMRI are audited regularly to evaluate their compliance with the NOP regulations and this policy.

### Policy

All liquid fertilizers with a nitrogen analysis greater than 3 percent must be approved by a material evaluation program to be used in organic production. When approving organic systems plans (OSP), ACA's must verify and document that all liquid fertilizers with a nitrogen analysis greater than 3 percent have been approved by a material evaluation program. It is a violation of the NOP regulations to apply unapproved liquid fertilizers to certified organic or transitional land.

### Procedures for approving liquid fertilizers with a nitrogen analysis greater than 3 percent

Manufacturers seeking approval of liquid fertilizers with a nitrogen analysis greater than 3 percent for use in organic production must:

1. Produce inputs that comply with all NOP and other regulatory requirements.
2. Maintain complete records sufficient to demonstrate compliance with the NOP regulations.



3. Submit complete documentation describing all ingredients (active and inactive), manufacturing processes, process control information, testing, and other information as required by the material evaluation program.
4. Request and complete an onsite audit by a material evaluation program.

Approval. Upon receipt of complete documentation and request for an onsite audit, the material evaluation program must:

1. Conduct a complete review of all documented processes by a qualified inspector.
2. Conduct annual onsite audits of manufacturing facilities and processing by a qualified, experienced inspector to verify compliance with NOP requirements and stated procedures.
3. Conduct a balance-in / balance-out analysis of all ingredients and finished products including, when appropriate, by nitrogen content.
4. Prepare and issue a complete report of all observations and findings to the manufacturer and retain for review by the NOP.
5. Issue a signed certificate or other instrument which specifically lists all products approved under the scope of the material evaluation program. Document must state "Approved for use in NOP organic production by [name of material evaluation program who conducted the material review and onsite inspection]."
6. Conduct at least one annual unannounced inspection during manufacturing to ensure ongoing compliance.
7. Not issue approval for any fertilizer or other input which does not fully comply with the regulations.

Criteria for approval of fertilizer manufacturers. A material evaluation program may issue written approval of the fertilizer manufacturing process if:

1. Written procedures fully describe the manufacturing process.
2. Procedures fully account for product plant nutrient content and other attributes.
3. On-site inspections confirm that all NOP requirements are met and there is no evidence of fraud in formulation,
4. The infrastructure necessary to produce the approved finished product is present and complete. This may include dry and liquid storage areas, conveyances (such as forklifts, trucks, piping), finished product storage, and both the ingredient and finished product transportation infrastructure.
5. Shipping and receiving balances for ingredients and finished products support findings of product compliance.
6. Unannounced inspections and analytical testing verify compliance.

With this notice, the NOP removes the requirement for a minimum of 100 yards of separation between synthetic nitrogen storage facilities and organic fertilizer production areas.

#### **Document Control**

This document supersedes NOP Notices to Certifiers on this subject dated February 20, 2009 and March 4, 2009, which are now obsolete.

#### **Approval**

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