



## Organic at the Farmers' Market

# FARMERS' MARKET BEST PRACTICES

CCOF developed these best practices for farmers' market managers and organic producers to provide clear guidelines on how the word "organic" may be used at farmers' markets, as well as the proper way to display organic produce and prepared products. A few of the guidelines in this document speak specifically to California farmers' market practices and are noted as such. Farmers and food processors outside of California should check with their state department of agriculture for information on how farmers' markets are regulated in their state.

## Prevent Commingling of Organic and Non-Organic Products

The USDA organic regulations require that organic producers implement measures to prevent commingling of organic and non-organic products, as well as protect organic products from contact with prohibited substances.<sup>1</sup>

Organic and non-organic products must be separated during transport. For example, growers may have yellow bins for organic product and white bins for non-organic product to clearly distinguish and separate products during transport.

Organic and non-organic products must also be physically separated on the table or display area.

**Product displays must be arranged so that organic products and non-organic products cannot touch, unless they are separated by packaging. To prevent accidental mixing, organic and non-organic versions of the same product should not be placed side by side. See photo #1 for a compliant produce display and photo #2 a non-compliant produce display.**

PHOTO #1:



**Compliant**

PHOTO #2:



**Not Compliant**

<sup>1</sup>USDA National Organic Program Standards 7 CFR § 205.272



# Farmers' Market Best Practices Guidelines

## Clearly Label Organic and Non-Organic Products

In addition to preventing commingling, organic producers are required to clearly label organic and non-organic products. Many farmers and food processors sell both organic and non-organic products. Consumers may see the word "organic" in a farm or company name (such as "ABC Organic Farm") or see an "organic" sign and believe that all of the products being sold at that booth are organic. This is not always true! There must be clear signage stating which products are organic and which are non-organic to prevent unintentional misrepresentation of products sold at the same booth.

**If the vendor has "organic" in their company name or has other signage (such as the "CCOF Certified Organic" sign) indicating that the vendor is organic, then all non-organic products must be clearly labeled as such.<sup>2</sup>**

This labeling could look like:

- » Signs on each product stating whether it is organic or not, as illustrated in photo #1.
- » A single sign stating which products are organic and which are not, as illustrated in photo #3.

It is not acceptable for a vendor selling organic and non-organic products to have an "organic" sign or use the word "organic" in their company name unless the vendor clearly labels their organic and non-organic products.

## Appropriate Organic Claims & Organic Certification

"Organic" is a federally regulated term. Only farms and food processors that are certified organic, or small enough to be exempt from organic certification, can legally use this term.<sup>3</sup>

**Language such as "better than organic," "have applied for organic certification," "almost organic," etc. is misleading and must not be used. Photo #4 illustrates a misleading sign.**

PHOTO #3:



This whiteboard sign is compliant because few crops are being sold and the vendor is not selling organic and non-organic versions of the same crop. In more complex situations, including when a vendor is selling organic and non-organic versions of the same crop, the vendor would need to have clear signage on the display itself to differentiate organic and non-organic crops. See photo #1 for an example.

PHOTO #4:



<sup>2</sup> USDA National Organic Program Instruction 4012

<sup>3</sup> USDA National Organic Program Standards 7 CFR § 205.100; 205.300

# Farmers' Market Best Practices Guidelines

## Have Proof of Organic Certification and Registration

All operations should post their organic certification certificate in plain view. In addition, all operations in California must post their organic registration certificate from California Department of Food and Agriculture (CDFA) and/or the California Department of Public Health (CDPH) (photo #5). Which agency an operation registers with depends on what the operation produces. In general, farms register with CDFA and processors register with CDPH, though there are some exceptions. The posting of the organic certification and registration certificates is a requirement of farmers' markets that are part of the California Department of Food and Agriculture Certified Farmers' Market producer program.<sup>4</sup>

## Signage for Operations Exempt from Certification

Operations may be exempt from organic certification if they sell less than \$5,000 of organic product annually. Only those who fall under this exemption category may use the word "organic" without being certified. They must not use the words "certified organic" to refer to their products. Exempt farms must still be registered with the California Department of Food and Agriculture (CDFA) as an organic producer. Exempt food processors must register as an organic processor with the California Department of Public Health (CDPH). The organic registration document provided by CDFA or CDPH must be posted in producer's market booth.

## Prohibit the Use of "No Spray" or "Pesticide Free" Signs

**Signs describing production methods such as "No Spray" or "Pesticide Free" can also be misleading to consumers and should not be allowed at farmers' markets.**

"No Spray" or "Pesticide Free" are not verified claims and do not mean that the crops were grown without synthetic chemicals through methods such as fumigation or application of synthetic fertilizers. Only certified organic products are third-party verified as being produced without such chemicals. Market managers have the right to prohibit "No Spray" or "Pesticide Free" signage if it is stated in their market rules.<sup>5</sup> If this is not stated in market rules and producers continue to use such language, state-based standardization programs may take samples for verification.

PHOTO #5:



PHOTO #6:



<sup>4</sup> California Code of Regulations Conditions of Direct Marketing 1392.4.

<sup>5</sup> California Food and Ag Code 47004 A gives the authority to the market to establish more restrictive rules in the market's rules and regulations.