Organic Export Requirement

USA OMAR
TITLE
Organic Export Requirement: USA OMAR

COMMENCEMENT
This Organic Export Requirement is effective from 13 March 2017.

ISSUING BODY
This Organic Export Requirement is issued by the Ministry for Primary Industries under the Official Organic Assurance Programme.

Dated at Wellington this 9th day of March 2017

[Signed and Dated 9 March 2017]

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Ministry for Primary Industries

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Introduction

This introduction is not part of the Organic Export Requirement, but is intended to indicate its general effect.

Purpose

The purpose of this document is to outline the specific requirements that must be met to export organic products produced in conformance with the Official Organic Assurance Programme (OOAP) into the United States of America (USA).

Background

This document sets out the overseas market access requirements (OMAR) that must be met for consignments of organic products exported under the OOAP to the USA.

The USA recognises MPI to accredit (recognise) Third Party Agencies (TPAs) to the United States Department of Agriculture’s (USDA) National Organic Program (NOP) Regulations under the Official Organic Assurance Programme.

Official Organic Assurances only attest to conformance with the importing countries organic regulatory requirements. Exporters are responsible for ensuring their consignments comply with all other relevant regulatory requirements of the importing country. Exporters are recommended to check the MPI website for further information (http://www.mpi.govt.nz/exporting/).

MPI issued OMARs override any advice your importer may have, but where MPI has no advice on a specific topic, your importer can also be an important source of information on the regulatory requirements of their countries.

The information written under the heading ‘Guidance’ contained within a border throughout this OMAR, other than in tables, is for guidance and is not part of the administrative requirements.

Who should read this Organic Export Requirement?

- Operators (including exporters) producing products under the OOAP for export to the USA.
- MPI recognised Third Party Agencies providing evaluation and verification services under the OOAP.

Why is this important?

This OMAR is important as it sets out the requirements that must be met for MPI to certify that the organic product meets the requirements New Zealand has negotiated with the government of the USA. It should be noted that although product may conform with these requirements and be given an Official Assurance (where relevant, by way of an Export Certificate); the importing country ultimately retains control over what product it clears for entry.
Part 1: Requirements

1.1 Application

(1) The following TPAs are accredited (recognised) under the MPI-USDA recognition agreement to certify operations that produce or handle agricultural products to the NOP regulations:
   a) AsureQuality NZ Ltd; and
   b) BioGro New Zealand Ltd.

1.2 Definitions

(1) In this OMAR:

   Official organic assurance means an official assurance attesting to the organic status of consignments exported under the OOAP.

(2) All terms used in this OMAR and that are defined in Standard OP1, Standard OP2 or Standard OP3 (the OOAP Standards), but not defined in this OMAR, have the same meaning as in the OOAP Standards.

1.3 Standards to be met

(1) Organic products exported to the USA under the MPI OOAP must be produced following the technical requirements of the current version of the USDA NOP.

   Guidance
   - The current version of the USDA NOP is the one listed on the USDA website:

(2) TPAs recognised by MPI under the OOAP must meet the requirements of:


   Guidance
   - The current versions of the Standards listed in Clause 1.3(2) are listed on the MPI website:
     http://www.mpi.govt.nz/exporting/food/organics/requirements/

1.4 Official Organic Assurances

(1) All consignments of organic products exported to the USA under the OOAP must be registered with MPI, using the form on the MPI website: http://mpi.govt.nz/document-vault/68

   Guidance
   - The consignment registration process includes verification of consignment eligibility by the TPA. MPI will notify registered exporters of the outcome of verification once this is completed.
   - Consignments should be registered with MPI at least 3 working days before loading to allow enough time for the verification process to be completed.
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- Check with your TPA whether you need a certificate to accompany your consignment of organic products to the USA.

1.5 Additional requirements

1.5.1 Registration as an Organic Exporter under the OOAP

(1) Consignments exported to the USA under the MPI OOAP must be exported via an MPI registered organic exporter.

Guidance
- The application form for registering as an organic exporter can be found on the MPI website at: http://mpi.govt.nz/document-vault/17.

1.5.2 Labelling

(1) Products exported to the USA under the OOAP must meet the USDA NOP Organic labelling requirements. These can be found on the USDA NOP website at: https://www.ams.usda.gov/rules-regulations/organic/labeling

1.5.3 Application of the USDA organic seal

(1) Only products labelled as “100 percent organic” or “organic” and exported to the USA under the MPI OOAP may display the USDA organic seal.

(2) The USDA organic seal may be applied in New Zealand under the oversight of your Third Party Agency.

Guidance
- The USDA organic seal and information on its use can be downloaded from the following link: https://www.ams.usda.gov/rules-regulations/organic/organic-seal
# Appendix 1: Version Control

## Document history

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