



New Jersey Department of Agriculture
Organic Certification Program

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Pest Control Guidance for Handling Operations

Below is §205.271 of the National Organic Program Final Rule. This section of the rule contains the requirements for “facility pest management”. These requirements must be met by all operations handling organic crops or products; from state of the art food processing facilities to organic producers (growers) who are handling (on-farm processing) or storing their own organic products.

§ 205.271 Facility pest management practice standard.

(a) The producer or handler of an organic facility must use management practices to prevent pests, including but not limited to:

- (1) Removal of pest habitat, food sources, and breeding areas;
- (2) Prevention of access to handling facilities; and
- (3) Management of environmental factors, such as temperature, light, humidity, atmosphere, and air circulation, to prevent pest reproduction.

(b) Pests may be controlled through:

- (1) Mechanical or physical controls including but not limited to traps, light, or sound; or
- (2) Lures and repellents using nonsynthetic or synthetic substances consistent with the National List.

(c) If the practices provided for in paragraphs (a) and (b) of this section are not effective to prevent or control pests, a nonsynthetic or synthetic substance consistent with the National List may be applied.

(d) If the practices provided for in paragraphs (a), (b), and (c) of this section are not effective to prevent or control facility pests, a synthetic substance not on the National List may be applied. Provided, That, the handler and certifying agent agree on the substance, method of application, and measures to be taken to prevent contact of the organically produced products or ingredients with the substance used.

(e) The handler of an organic handling operation who applies a nonsynthetic or synthetic substance to prevent or control pests must update the operation's organic handling plan to reflect the use of such substances and methods of application. The updated organic plan must include a list of all measures taken to prevent contact of the organically produced products or ingredients with the substance used.

(f) Notwithstanding the practices provided for in paragraphs (a), (b), (c), and (d) of this section, a handler may otherwise use substances to prevent or control pests as required by Federal, State, or local laws and regulations, Provided, That, measures are taken to prevent contact of the organically produced products or ingredients with the substance used.

General Requirements of §205.271:

This section of the rule establishes a required “hierarchy” of methods and materials to be used for the prevention of pests in certified facilities, and if required, for the application of pest control substances. The methods listed in parts (a) and (b) (prevention methods and non-chemical control methods) must be part of the submitted organic system plan and are verified during inspections.

If prevention and non-chemical control methods are not effective at controlling pests, organic operations then have the option of using chemical substances, but

those substances must be consistent with the “National List” (§§205.601, 603, or 605).

If materials found on the National List fail to control pests effectively, non-listed (prohibited) materials may be used; however, the material(s) to be used, the method(s) of application, and the procedures to be used to protect organic products and packaging from contamination must be disclosed to the certifying agent and approved PRIOR to the application of a non-listed material.

Records of all pest control activities must be kept by the certified operation and made available during inspections. Methods of pest control can change with time and operations must update their organic system plans to report any changes in methods and/or materials used. If a substance must be used at a facility because it is required by Federal, State, or local laws/regulations, its use must be disclosed in the organic system plan and the measures used to prevent contamination of organic products and packaging must be reported to and approved by the accredited certification agent.

Often, handling facilities will contract pest control services to a third party. It is the certified organic facility that is responsible for meeting the requirements of the rule. Under the New Jersey Department of Agriculture’s Organic Certification Program, operations who contract out their pest control services must document that the pest control provider is aware of and willing to follow the requirements found in the rule. If not completed by the time of application, operations are asked to notify the pest control company that they are seeking organic certification, and provide the relevant sections of the rule to the pest control provider (at a minimum, §205.271 and the National List sections - §§205.601 – 606). Formatted excerpts of the relevant sections can be requested from the NJDA Organic Certification Program staff.

In addition, a letter or documentation from the pest control provider that the pertaining rule sections have been received and will be followed will be required to complete the review of the pest control program. Be sure that notification and documentation of receipt and compliance is coming through the office that is actually providing the pest control service. It is not acceptable if a regional office is aware of the requirements yet the actual local provider is unaware.

For questions concerning pest control, please contact the NJDA Organic Certification Program.