



Residue Harmonization: Perspectives from the US Market

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Current Requirements under USDA-NOP Regulations

- Operations must not use prohibited substances or methods, and must implement measures to prevent contamination.
- Certifiers must conduct residue testing of 5% of total certified operations per year
- Operations may be selected for any reason
- Samples may include any part of the organic system
- Test for any prohibited substance or method
- Testing must be conducted at certifier's own expense
- Analysis must be performed by an accredited laboratory
- Results must be made available to the public, unless part of an ongoing compliance investigation
- Results that exceed federal regulatory tolerances must be reported to appropriate authority





Current Requirements under USDA-NOP Regulations

Responding to positive residue test results:

- **In all cases**, the certifier must conduct an investigation to determine why the residue is present and respond with adverse actions as appropriate
- **Additional** actions for **pesticide residues**:
 - If detected at or above 5% of MRL, must be **excluded from organic sale**
 - If detected below 5% of MRL and not willful application, may be sold as organic.
 - If there is no established MRL for the detected substance on the tested sample, must be **excluded from organic sale** if above .01 ppm





Challenges for Trade

- Inconsistent enforcement and default to “zero” tolerance
- Unavoidable background contamination

