

Final Questions and Answers – complying with 2020 Canadian Organic Standards

As a reference only

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5 Crop production

5.1 Land requirements for organic crop production

Alternating between organic & non-organic

Are there any exceptions to the rule against alternating between organic and non-organic production outlined in 5.1.7? (6)

The intent of 5.1.7 is to prevent deliberate abuse. CBs may be faced with situations that appear to fall in this definition; but that do not demonstrate a deliberate abuse of alternating production. In these cases, the CB should note that although the organic certification lapsed for a period of time, the operator has not intentionally violated 5.1.7. These cases could include instances where the loss of certification where the cause was beyond the operator control (e.g., mandated use of a prohibited substance, natural disaster, financial failure of the enterprise) or is unconnected to the management or operational decision-making connected to the organic operation (death of a family member, marital distress, intergenerational transfer).

What is required for a certified farm to retain the possibility of future certification beyond an intervening period when no certification is required for the sale of products? (97)

In the event that the operator has no crops to sell, and wishes to allow certification to lapse, an application to recertify would have to be done in compliance with requirements of the Safe Food for Canadians Regulations as they apply to new operations.

Owning organic and non-organic operations

If an operator owns two land-based operations, where one is organic and the other conventional, does the non-organic operation have to transition to organic as outlined in 5.1.3 and 5.1.4? (488) - 29 June 2020

If the non-organic operation is a separate legal entity, then it is not subject to organic transition certification requirements in 5.1.3 and 5.1.4. But if the non-organic operation is not a separate legal entity 5.1.3 & 5.1.4 are applicable and the operation is subject to the purview of the CB. (See 'legal entity' description in C.2.4.4 in the COR Operating Manual).

Buffers

How should the minimum buffer zone be measured in an orchard? (138.1)

The distance is measured from drip line to drip line between an organic orchard and adjacent non-organic block. If a portion of some of the trees is within the 8 meters, the entire harvest from those trees is sold as non-organic. As tree canopies expand with time, such buffer areas need to be checked annually to reaffirm compliance.

Could a buffer zone larger than 8 m. be required in special circumstances, for example when prohibited substances are being applied on the windward side of the organic crop? (138.2)

Yes. 5.2.2 states that "distinct buffer zones or other features sufficient to prevent contamination are required". If there is a risk of contamination, a 8 m or wider buffer (5.2.2 a)) or other effective barriers (5.2.2 b)) must be employed. For isolation distances relevant to GE crops, refer to 5.2.2 d). "

Does the crop in a buffer zone need to be visually distinguishable from the organic crop? (272)

No. The same crop can be planted in the buffer zone as long as the buffer crop is harvested and directed out of the organic stream, and such activity is documented.

External buffer zone

Can a buffer zone be established on land not owned by the operation? (499.1) - 18 Dec 2020

Yes. The buffer zone is measured from the edge of the area treated with a prohibited substance to the edge of the organic crop, regardless of the entity owning/managing the land in the buffer zone, but the CB must be able to verify compliance of such a buffer.

Buffer zone – immature hedgerow

Does a newly planted, immature hedgerow eliminate the requirement for an 8m buffer zone? (499.2) - 18 Dec 2020

No. When a risk of contamination is present, this new planting is insufficient, and an 8 m buffer zone will need to be put in place until the hedgerow fills in. An effective physical barrier does not have to be 8 metres wide.

Parallel production

Is it parallel production if the same type production is separated by time? (73)

No. The growing of visually indistinguishable crops (organic and non-organic) non-simultaneously does not constitute parallel production. See definition in Clause 3.

Can parallel production be allowed if management to avoid co-mingling is documented? (1)

5.1.4 prohibits parallel production of most non-distinguishable crops by the same enterprise. Some exemptions do exist (e.g., perennial crops (already planted), agricultural research facilities, and production of seeds, vegetative propagating materials and transplants) with conditions. Refer to 5.1.5 for further details. Post harvest operations are not subject to this prohibition.

Is the word 'simultaneous' in 3.52 defining “parallel production” applicable to:**1) geography? - For example, a farm ins isolated from other farm sites owned and operated by the same organic operation)? 450.1**

The requirement is that the same or similar crops grown conventionally and organically within an operation are visually distinguishable by a common person, regardless of location.

2) crop rotations? For example, where an operation has two production units(one organic and the other not), can a non-organic crop be grown in Field 1 (always conventional) in Year A and then the same crop grown in Field 2 (always organic) in Year B when Field 1 has a different crop? (450.1) - 26 Sep 2019

In the example given this same crop would be planted in different years, therefore the growing of that crop would be considered neither simultaneous nor parallel.

5.1.4 states that parallel production is an exception to an enterprise’s entire conversion to organic.**“Operation” is defined at 3.4.7 and may have multiple production units but “enterprise” is not defined in the Standards. What is the difference between enterprise and operation? (450.2) - 26 Sep 2019**

Enterprise and operation are synonymous.

Does the term “farm, company or organization” included within the definition of an operation encompasses separate and distinct divisions of one overall food conglomerate, each division having a separate business name, management and geographical location for crop production? (450.3) - 26 Sep 2019

If each division is a legal entity they need to be certified individually. If the food conglomerate is the certified entity then regardless of its divisions having separate names, any parallel production of a crop within the conglomerate (even if the production took place at different divisions) would be prohibited. (See 'legal entity' description in C.2.4.4 in the COR Operating Manual).

Parallel production after harvest

Do organic and conventional crops need to be visually distinguishable while in the field, or only once harvested such as organic corn grown for grain and conventional corn grown for silage? (552)

Organic and conventional crops only need to be visually distinguishable after harvest to not be considered parallel production.

Parallel production & hydroponics

Can an operator engage in hydroponic production (not organic) and produce the same products using organic methods? (261)

No. 5.1.4 does not allow parallel production of visually indistinguishable products of annual crops, regardless of the non-organic method of production.

Transition – Management change

In the case where there is a change in management, is a transition period necessary? (58) - 15 juin 2022

No. A change in management or control by a new owner/operator/manager of an organic operation does not require a transition period.

Transition – Adding new fields

Does the requirement, in 5.1.1, that land be in compliance with the standard for 12 months prior to harvest apply to new fields added to an existing operation? (8)

If it can be verified that no prohibited substances have been applied for the past 36-months, no transition period is required for new fields added to for existing operations holding organic certification (5.1.2 of 32.310)

Transition of a GE crop field

When calculating the 36-month transition period, does it begin on the date that a prohibited GE crop was last sown? Or last harvested? (459.1) - 21 June 2019 - confirmed 18 August 2020

The 36-month transition period is calculated from the date on which a prohibited GE crop was destroyed (e.g., harvested, tilled, ploughed).

Oversight of the CB during transition

During the transition period, does an operator need to consult with their CB before applying any crop amendments? (459.2) - 21 June 2019

Detailed input records must be kept during the 36-month transition period so that compliance can be verified by the certification body. The standards require a certification body's oversight during the last 12 months of transition, not the full 36-months. But new operations must apply for certification 15 months in advance of when they want to market products as organic to allow for the certification body's oversight during the last 12 months of transition.

Status of crops grown after first application

Can crops grown during the season of the first inspection of a new COR applicant be stored and sold as organic in the following year after the client receives certification? (570) 19 December 2022

No. Per 32.310 5.1.1, the standard needs to be fully applied (after application) for 12 months on the production unit before the first harvest. Therefore, only crops seen at the second inspection will be eligible for certification.

Type of plant grown in containers

Can any type of plant, including perennials, be grown in containers or any off-the-ground structure (e.g., elevated gutters) and be compliant? (396)

Yes. Plants, including perennials, can be grown in containers or any off-the-ground structure in a greenhouse or outside if the growing medium substrate meets the requirements of 7.5.2.1 and the soil definition 3.73 in 32.310). Keep in mind that if the crop is typically trellised / staked - the production system must also comply with the requirements of 7.5 of 32.310.

Non-organic trees or grapevines planted before end of transition

If non-organic trees or grapevines are planted before the land has completed the 36-month transition, how long before the fruit would qualify as “organic”? (431) - 19 Apr 2019

The fruit would qualify as organic either after the completion of the 36-month transition period (5.1.1), or 12 months after the planting date (5.3 b) – whichever is later. For example, there is 4 months left in a land transition and the producer plants non-organic planting stock. The fruit could not be harvested as organic until 8 months after the land meets the 36-month transition requirement.

5.2 Environmental factors

Isolation distances

How should the note in 5.2.2 on isolation distances for preventing GE contamination be used in the enforcement of 5.2.2 d)? (282)

Isolation distances are one of many strategies that could be used to minimize contamination risk. Shorter distances other than those provided in the Note (5.2.2) may prove to be as effective depending on wind direction, topography, vegetation, etc. Other mitigation strategies such as delayed planting, border rows, etc., could also be effective on their own, or in combination with other tactics. It is critical to understand that Notes and examples in the standard are not themselves enforceable, and are used to give insight or direction on how to implement the standard.

Does the note in 5.2.2 d), “(for seed production)”, refer to the organic alfalfa or to the GE alfalfa? (282.1)
Organic alfalfa seed fields should be 3 km from ALL GE alfalfa fields (i.e., both GE seed production fields and GE hay fields).

Corn field is surrounded by GE corn

My sweet corn field is surrounded by GE corn. Since I do multiple plantings, I know that there are times when pollen from the GE corn contaminates my crop, but I have nowhere to locate the corn where this will not be the case. Can this crop still be compliant in light of the GE risk management criteria in 4.4.4 and 5.2.2 d)? (296)

The product of farms whose operators engage consistently in implementing mitigation strategies aimed at eliminating risks of GE pollen contamination will be considered compliant.

Contamination – Accidental

What are the effects regarding certification, of an unintentional spill of plastic pellets onto an organic field or contamination by pesticide applied in a government-sponsored pest control program? (67, 69)

The standard requires a 36-month transition after the application of a prohibited substance (5.1.1 - 32.310). Depending on the nature and extent of contamination, buffer strips around the contaminated zone and/or a transition period may be reasonable ways of maintaining the organic integrity (refer to 5.2.2). A prescriptive solution that applies universally to all cases of potential contamination is not possible, but in every case the degree of risk must be assessed and every attempt must be made to mitigate the negative impact on the final product. (See Introduction III- Organic practices paragraph 5).

GE seeds in an organic field

If GE (untreated, treated) seeds are accidentally dumped in an organic field, would that field require a 36-month transition to regain compliance? (313.1)

No - if the seeds are untreated. However, the pile of untreated seeds has to be removed as soon as the accident is discovered. If the seeds are treated, the area where the dumping occurred must go through a 36-month transition and a 8-metre buffer around the area would be required as well (5.2.2).

If GE seeds are accidentally planted in an organic system, is a 36-month transition required? (313.2)

**Yes. GE seeds are prohibited materials (see definition 3.63) and products of a prohibited technique (1.4), therefore fields contaminated with products of genetic engineering require a 36-month transition to return to organic status. Any plants that have sprouted from these GE seeds have to be destroyed prior to seed set as soon as the accidental planting is noted. The 36-month transition, in this circumstance, will be calculated from the point in time at which the GE plants have been destroyed (e.g., tilled, mowed).

If GE seeds were purposefully planted in an organic system, would the 36-month transitional period be required after removal of the plants? (313.3) 22 March 2023

No. Transition periods are irrelevant and do not apply to this scenario. Alternating in and out of organic production methods is prohibited (see 5.1.7 of 32.310).

Equipment – Lubricants

Are the lubricants used in harvesting equipment regulated by the standard? (122)

There is no specific reference to the maintenance materials such as lubricants in the standard. But equipment must be well maintained to minimize potential contamination of land (5.2.1).

Equipment – Shared

Are there any guidelines for cleaning farm equipment that is shared with non-organic operators? Could the sharing of equipment jeopardize certification? (147)

Where there is a risk that shared equipment could convey prohibited substances, seed, or crop, it must be adequately cleaned to ensure that contamination of organic products or land is prevented. The operator must document the cleaning process (5.2.1 of 32.310).

Irrigation – Shared

Can a farmer irrigate land from an irrigation system that uses Magnicide, an aquatic weed herbicide? (19, 104)

Active substances included in Magnicide cannot come in contact with organic land or crops. If the irrigation system can be shown to be free of such residues, it may be used to irrigate organic farms (5.7).

Treated posts

Would dipping untreated wooden posts in paraffin wax or using a polyethylene sleeve be allowed under 5.2.3? (186)

Yes. Paraffin or polyethylene coverings can be used. The prohibition of wood treatments in 5.2.3 was aimed at eliminating toxins commonly used to prolong the life of wooden posts.

Is the buffer zone around treated posts permanent or transitional? (12.1)

The standard does not prescribe any buffer zone surrounding treated fence posts. The only time a buffer zone may be necessary is when a neighbour installs treated posts adjacent to your cropping zone. The status and width of the buffer in these circumstances will be determined on a case-by-case basis.

What happens when an applicant installs treated posts? (12.2)

A 36-month transition period dating from the installation of the treated posts applies to the specific production unit (e.g., field or fields) where the posts were installed. 5.2.3 a)

What happens when an existing organic operation installs treated posts? (12.3)

This would lead to decertification of the production units (e.g., field or fields) where the posts were installed. 5.2.3 a).

Treated fence posts in livestock production

Do the treated wood restrictions in 5.2.3 a apply to barns and livestock facilities? (314)

Yes. As livestock production is a land-related activity (6.1.3) the treated wood restrictions in 5.2.3 a) applies to both organic crop and livestock production units including livestock facilities.

Certification of plantations - culinary oils

If culinary oils are harvested from an on-farm tree plantation, aka blocks of trees planted on a farm for this specific purpose, should these oils be certified under 'Crop production' (clause 5) or 'Wild crops' (clause 7.6) of the Canada Organic Standards? If the same culinary oils are harvested from private wood lots, or from Crown land timber which clause in the standards is applicable? (341)

The 'Crop production' requirements in the standard are applicable for the on-farm tree plantation scenario while the 'Wild crops' requirements are applicable for the wood lot and crown land situation. 'Wild crop' is defined in 3.85 of the standard as "plants collected or harvested in their natural habitat."

Protection and promotion of ecosystem health

Are operators required to have management practices and features to promote and protect ecosystem health on their own operations when adjacent lands and territory have such measures or features? (542) - 8 March, 2022

Yes. These measures and features are required to be incorporated into the production system on every organic operation per 1.2 & 5.2.4 (32.310), as based on the General principles of organic production, Introduction 0.2.

5.3 Seeds and planting stock

Organic seed search

Is an organic seed search necessary if non-organic seed is carried over in inventory? (619) July 22, 2024

No. An organic seed search is not necessary if a documented search was conducted and verified by the certification body at the time of purchase of the non-organic seed.

Planting stock for sweet potato

When sourcing planting stock for sweet potato production, and considering they are classified as a perennial, what requirements need to be fulfilled? (554) 8 August 2022

Sweet potatoes may be perennial in a sub-tropical setting but in the North American climate, sweet potatoes do not produce a crop beyond the first season, are not perennial per 3.54 and shall be considered an annual crop. Seedlings would need to be organic. Cuttings, if organic are not commercially available per 5.3.2, may be treated with substances listed in PSL Tables 4.2 or 7.3 as per 5.3.1

Seed – Buffers

Are seeds produced on buffer strips able to be planted in organic fields? (17.1)

Seeds grown on buffer strips under the standards are the same as those grown on conventional farms (see 5.2.2 c). Exceptions to the use of organic seeds are specified in section 5.3 a).

Seed - Common

Can non-organic common seed be used if organic common seed is not available? (17.2)

Yes. For the purposes of 5.3 a), "common" could be considered a varietal distinction subject to the exceptions to the use of organic seeds. See 3.17, definition of "commercially available."

Seeds for green manure crops

Are the seeds used to grow green manure crops, intended for incorporation into the soil, required to be organic? (269)

Yes. All seeds used in the organic production system, whether the plant is used for food, feed or soil incorporation have the same requirements outlined in 5.3 - Seeds and planting stock. They must be organic except under the specific exceptions listed.

Seeds – GMOs

What level of GE contamination would be acceptable in seeds used for production under organic standards? Is it the responsibility of the operator or of the seed trader to check the GE contamination of the seeds sold for organic production? (41)

As testing for GE contamination is not mandatory, the standard does not specify who is responsible for checking for GE contamination, or what level of contamination is acceptable. But all operations, growing high-risk crops, have the responsibility to mitigate the risk of GE contamination (5.2.2 f) to the best of their ability, as outlined in their GE risk management plan (4.4.4). Testing could then be done to evaluate the effectiveness of the implemented plan. Certification Bodies also have the discretion to test when fraud or contamination is suspected.

Mutagenesis - cisgenesis

Do seeds resulting from mutagenesis or cisgenesis fall within the Standard's prohibition of genetic engineering? (255)

Mutagenesis and cisgenesis by way of genetic engineering are prohibited by the Standard (3.31). The use of these techniques is limited to producing plant materials through traditional breeding techniques.

Use of non-organic planting stock

When using non-organic planting stock (such as plant tissue/cuttings) due to the fact that the organic form it is not commercially available (as permitted under 32.310 Section 5.3), at what stage would the resulting plant or transplant considered to be organic and can be sold as such? (475) -17 February 2020

A cutting is not considered organic until one year (perennial) or one crop season (annual) under organic management.

Seed – Transitional fields

Can seed grown on transitional land qualify as organic seeds/tubers (5.3) if used on the same operation where it was produced? (113)

Yes. Unlike the buffer zone where there is potential for exposure to non-permitted substances (spray drift), transitional land is managed using organic standards. Therefore, seed grown on transitional land is acceptable as it meets the requirement of 5.3 and as it has not been grown using prohibited substances or techniques.

Use of GE seeds before transition

Can prohibited substances, including GE seeds, be used by an operator in fields not yet in the 36-months transition period? (468) - 2 December 2019

Yes. Prohibited substances can be used prior to the start of the 36-month transition period providing the crop is not parallel production with organic crops on the operation. Take note that in the case of GE crops, calculation of the transition period begins after harvest and /or destruction of the crop per SIC Q&A 459a.

Seed – Treatments

Can a bleach solution be used on organic seeds? On non-organic seeds? (77)

No. A bleach solution containing a concentration of chlorine higher than municipal drinking water (see Table 7.3 Chlorine compounds) cannot be used on organic seeds to either clean or treat them prior to use. Chlorine can be used on non-organic seeds only between harvest and storage. Once non-organic seed is purchased by an organic operation, it must be handled the same as organic seeds.

Organic percentage for seeds

Do seed coatings or treatments need to be considered when calculating the organic percentage of an organic seed product? (472) - 2 December 2019

No. Seed does not fall under Clause 9, therefore a calculation of the percentage of organic ingredients is not applicable. The seed needs to be organic and any coating or treatment must be listed in PSL Table 4.2 columns 1 & 2.

Do seed coatings or treatments need to be considered when calculating the organic percentage of an organic seed product? (472) - 2 December 2019

No. Seed does not fall under Clause 9 and the calculation of the percentage of organic ingredients is not applicable. The seed needs to be organic and any coating or treatment must be listed in PSL Table 4.2 columns 1 & 2.

Tissue culture

Are propagules produced through plant tissue culture micropropagation included within the provisions of 5.3 (32.310) requiring that they be produced in accordance with the standard? (203) 6 December, 2021

Yes. 5.3 applies to propagules produced through plant tissue culture micropropagation.

Can the offspring of GE seeds/plants be organic? (256)

No. The use of GE plants or seeds is prohibited.

Perennial crops managed as annual crops

If a producer manages a perennial crop (such as strawberries) as an annual (harvest within 12 months of planting) from seedlings, do the seedlings have to be organic? (641) 5 May 2025

If the perennial seedlings (considered as planting stock) have not been treated with prohibited substances, a crop may be harvested within 12 months of planting (like an annual crop).

NOTE The COS 2020 has not differentiated perennial seedlings/transplants (plants in soil) from perennial planting stock. This is under review for COS 2025.

Non-organic perennial planting stock

When non-organic perennial planting stock, such as bare-root strawberry plants and raspberry canes, has not been treated with prohibited substances, does the crop need to be under organic management for at least 12 months before a harvest can be organic? (642) 5 May 2025

No. Per 5.3.2 d), 12 months under organic management prior to organic harvest is only required when the planting stock has been treated with prohibited substances.

Using perennial transplants

When using perennial transplants, does the soil and the soil amendments need to be listed in Table 4.2 of CAN/CGSB-32.311? (643) 5 May 2025

That will depend.

Yes, if the perennial transplants are to produce an organic harvest within 12 months of planting.

No. If the soil and the soil amendments are not listed in Table 4.2, the perennial transplants must be planted and managed in accordance with the standard for at least 12 months before an organic harvest, per 5.3.2 d) of CAN/CGSB-32.310.

COS 2020 has not differentiated perennial seedlings/transplants (plants in soil) from perennial planting stock. This is under review for COS 2025.

5.4 Soil fertility and crop nutrient management

Crop rotation

Does the definition of crop rotation(3.21) mean that growing the same crop 2 years in a row is not permitted? (134)

While the standard states that crop rotation shall be as varied as possible, growing the same annual crop two years in a row is not prohibited. 5.4.1 and 5.4.2 require that a soil fertility and crop nutrient management

program be maintained. A regular soil monitoring program can be used as evidence of "practices that maintain or increase humus levels that promote an optimum balance and supply of nutrients, and that stimulate biological activity within the soil".

Rotation with crops not under COR

Can an operator use crops not covered under the Canada Organic Regime (COR) (tobacco or cannabis) as part of the operation's rotation and still keep the organic status of the fields? (466) - 2 December 2019

Yes. Crops that are not covered by the scope of the COR may be grown in a rotation without affecting the organic status of the field(s), provided that they are managed in accordance with the standard.

Hydroponics

Is the prohibition on hydroponics applicable only to greenhouses, or to all types of crop production? (74.2)

The prohibition of hydroponics is universal and not limited to greenhouses. See 5.4 (soil fertility requirements) and 7.5.2 (hydroponic prohibition).

5.5 Manure management

Manure sources

Can manure from livestock raised in cages be used, if the farm has a nutritional deficit and no other manure is available within a reasonable distance? (83)

As per Clause 5.1.1 a), only manure from caged animals that cannot turn 360° is prohibited (e.g., manure from sows in farrowing crates). There are no exceptions.

Is the manure from a conventional farrowing operation compliant with the standard? (90)

Manure from sows that are kept in traditional farrowing crates and not able to turn around is prohibited under 5.5.1 a). This is the intent of the standard. The wording of 5.5.1 a) leads to the need for interpretation of the term 'fully caged system'. The part of the operation where traditional farrowing crates are used constitutes a 'fully caged system' under the standard and manure from those animals is prohibited, notwithstanding the fact that some other animals in the barn are housed differently. If the manure from the sows in the traditional farrowing crates can be segregated, the rest of the manure will be acceptable.

Does the presence of animal droppings in fields, orchards and vineyards require a waiting period as prescribed in 5.5.2.5? (31, 159)

5.5.2.5 does not apply to incidental animal droppings such as those from wild animals or birds, grazing or working animals; however, 5.5.2.4 (a) does apply and requires diligence on the part of the operator to ensure that any activities under his/her control do not cause pathogenic microbial contamination of the crop. 5.5.2.6 clearly states if livestock are part of the cropping or pest control program there has to be a management plan in place regarding manure-related contamination and the edible crop.

Manure from non-organic animals raised on an organic operation

5.5.1 states "Animal manure produced on the operation shall be used first." If the operation raises non-organic animals, should this manure be used first before the operation attempts to source organic animal manure from off farms? (438) - 21 June 2019

Yes. Animal manure, whether from organic animals or not, produced on the farm shall be used first. On-farm nutrient cycling is an important principle of organic production. The organic matter produced on the operation shall be the basis of the nutrient cycling program. There is confusion on this issue between the English and French versions of the standard which this also seeks to address.

Manure from confined operations

Can manure from confined animal feeding operations be applied on organic land? (322) 22 March 2023

Yes. Manure from such operations may be used providing requirements of 5.5.1 and 5.5.2 are met.