Instruction
Organic Certification of Industrial Hemp Production

1.   Purpose and scope

This instruction clarifies U.S. Department of Agriculture (USDA) policy regarding the organic certification of industrial hemp production by certifying agents accredited by the USDA National Organic Program (NOP). This instruction applies to all NOP-accredited certifying agents.

2.   Background

Section 7606 of the Agricultural Act of 2014 (Farm Bill) authorized institutions of higher education and state departments of agriculture to establish industrial hemp research pilot programs in states where the production of industrial hemp is legal and subject to certain other conditions. The NOP has received questions about the organic certification of industrial hemp in light of this section of the Farm Bill.

3.   Policy

The Farm Bill section authorizing hemp research pilot projects leaves open questions with respect to what those pilot programs should look like, as well as the respective roles of USDA and Federal agencies that have jurisdiction over controlled substances. Specific questions remain about the legal uses of industrial hemp, including its use in food and pharmaceutical products. The USDA is working with its Federal interagency colleagues to develop a shared interpretation on the parameters of what is, and is not, permissible under Section 7606. The USDA will issue guidance regarding industrial hemp production once that work is completed.

Organic certification of industrial hemp production at this time is premature and could be misleading to certified organic operations, given that the legality of the various uses of this product has not yet been determined. Until USDA guidance regarding industrial hemp production under the Farm Bill is completed, NOP-accredited certifying agents may not certify the domestic production of industrial hemp.

4.   References

USDA Organic Regulations (7 C.F.R. Part 205)
7 C.F.R. § 205.501 General Requirements for Accreditation.