

**RULES  
OF  
GEORGIA DEPARTMENT OF AGRICULTURE  
  
CHAPTER 40-7-17  
ADDITIONAL REGULATIONS APPLICABLE TO  
ORGANIC**

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**40-7-17-.01 Adoption of Reference.** The following publication is adopted by reference: The United States Department of Agriculture, Agricultural Marketing Service, Part IV, 7 CFR Part 205 National Organic Program; Final Rule, and any subsequent amendments.

Authority O.C.G.A. Sec. 2-14-130 et seq. **History.** Original Rule entitled "Adoption of Reference" adopted. F. Jan. 28, 2003; eff. Feb. 17, 2003.

**40-7-17-.02 Registration Standards.** REGISTRATION REQUIREMENTS, PRODUCERS, LIVESTOCK PRODUCERS, HANDLERS, PROCESSORS, CERTIFICATION ORGANIZATIONS, (of raw or processed agriculture commodities, meat, fowl, dairy products, fish, seafood or other products).

(1) No person in this state without having first registered with the Commissioner of Agriculture, shall engage in the production, handling, processing, or certification of raw or processed agriculture commodities including meat, fowl, dairy products, fish, seafood, or any other products to be sold as organic, excluding retailers of food sold as organic, provided however, that retail food sales establishments licensed under Article 2 of this chapter that do not process or repackage certified organic commodities shall be exempt. The registration shall thereafter be renewed annually unless no longer engaged in the activities requiring the registration. Each registrant shall provide a complete copy of its registration to the Commissioner of Agriculture. Registration shall begin on and after January 1, 2003. Registrations shall expire on the last day of December of the year for which they are issued.

(2) Registration pursuant to this section shall be on a form provided by the Department and shall be valid for the calendar year from the date of validation by the Commissioner of Agriculture. A registration number will be assigned to a valid registrant.

(3) The information provided on the registration form shall include all of the following:

(A) The name and address of the registrant.

(B) The nature of the registrants business, including the categorical products produced, handled, or processed that are sold as organic, or certified as organic.

1.(a) For processors, handlers, and distributors, quantities processed, handled, or distributed, and annual gross sales or revenue from processing/handling or distributing of organic foods or products.

(b) For processors and handlers a completed copy of an organic production or handling system plan that is agreed to by the producer or handler and an accredited certifying agent.

(c) A copy of the processor or handlers current organic certificate.

2.(a) For producers and livestock producers quantities produced and annual gross sales or revenue from production of organic foods or products.

(b) For producers and livestock producers a completed copy of the organic production or handling system plan that is agreed to by the producer or handler and an accredited certifying agent.

(c) A copy of the producer or livestock producer's current organic certificate.

(C) For exempt producers,

1. A map showing the precise location and dimensions of the facility or farm where the products are produced. The map shall also describe the boundaries of the production area and all adjacent land uses, shall assign field numbers to distinct fields or management units, and shall describe the size of each field or management unit.

2. If the registrant has not had control of the property being registered for at least 36 months, then documentation from previous owners/ managers that show the 36 month land use **History**. If the registrant is not the owner, then documentation from the owner granting permission for the parcel to be registered as organic by the registrant.

(D) In the case of exempt producers, for each field or management unit list of all substances applied to the crop, soil, growing medium, growing area, irrigation or post-harvest wash or rinse water, or seed, including the source of the substance, the brand name, if any, the rate of application, and the total amount applied in each calendar year.

(E) The names of all certification organizations or governmental entities, if any, providing certification pursuant to the regulations promulgated by the National Organic Program (Section 6517 of the federal Organic Foods Production Act of 1990 (7 U.S.C. Sec. 6501 et seq.)).

(F) All certification organizations shall provide a copy of their USDA accreditation, or a letter to the Commissioner of Agriculture from the USDA stating the certifier is not required to be accredited.

(G) All certification organizations shall provide a list of all Georgia clients that the agency has granted certification.

(H) The Commissioner of Agriculture shall reject a registration submission that is incomplete or not in compliance with the Georgia Organic Certification and Labeling Act, or not in compliance with regulations promulgated by the National Organic Program (Section 6517 of the federal Organic Foods Production Act of 1990 (7 U.S.C. Sec. 6501 et seq.)).

(I) A registrant shall immediately notify the Commissioner of Agriculture of any change in the registration form.

(J) A registration is considered legal and valid until revoked, suspended or until the expiration of the registration.

(K) The Commissioner of Agriculture can initiate the revocation process of a registration for failure to comply with the Georgia Organic Certification and Labeling Act or any part of the regulations adopted pursuant to the Organic Foods Production Act of 1990 (7 U.S.C. Sec. 6501 et seq.). Any person against whom the action is being taking shall have the opportunity to appeal the action and be afforded the opportunity to be heard in an administrative appeal.

Authority O.C.G.A. Sec. 2-14-130 et seq. **History**. Original Rule entitled "Registration Standards" adopted. F. Jan. 28, 2003; eff. Feb. 17, 2003.

**40-7-17-.03 Registration Fees for Certifying Entities.** A registration form shall be accompanied by a payment of a nonrefundable registration fee of \$250.00 payable to the department by certification entities.

Authority O.C.G.A. Secs. 2-14-130 et seq. **History**. Original Rule entitled "Registration Fees for Certifying Entities" adopted. F. Jan. 28, 2003; eff. Feb. 17, 2003.  
**Amended:** F. June 15, 2010; eff. July 5, 2010.