



ORGANIC REGULATIONS FOR RETAILERS

What the USDA National Organic Program (NOP) Regulations say

Retail establishments such as grocery stores, delicatessens, restaurants, and bakeries are generally exempt from certification per § 205.101(b) and (c), “Exemptions from certification.” However, there are some scenarios where a retailer does need to be certified.

Here are some typical retail scenarios that would require organic certification:

A retailer that repackages/labels certified organic product and describes it as organic

Example: a retail location that takes 50-pound bags of organic wheat flour and packages/labels the flour into two-pound retail bags for customers.

A central “commissary” location that cuts/packages/labels certified organic product for its retail stores and labels finished goods as “organic”

Example: a grocery store has a central meat cutting facility; meat is cut, packaged, and “organic” labeled into trays for sale to customers at its retail locations.

A retailer that cuts, packages and labels “grab and go” organic products

Example: a juice bar that makes drinks to order, but also sells retail packaged/labeled organic juice bottles in their cooler.

Here are some typical retail scenarios that would NOT require organic certification:

Retail products being placed on shelves

Examples: organic whole produce on display (either loose or containerized), organic packaged products on store shelves.

Product that is prepared for the customer at the point of sale

Example: organic ground beef at a meat counter is packaged for the customer at a grocery store.

Listing organic ingredients in a restaurant menu

Example: a menu listing organic cheese varieties as part of a cheese plate.

“Organic” is only used in the ingredient statement on the information panel (back label)

Example: a retail bulk-foods store packs wholesale organic pancake mix into pouches. The pouches are not labeled as organic and do not use the USDA organic logo, but they list the ingredients as organic in the ingredient statement on the back panel.

Bulk bins where product is scooped or otherwise obtained by customer

Example: bulk bins of rice and grains at a grocery store.

If product is repackaged, and not marketed as organic

Example: organic watermelon is sold in fresh cut “grab and go” containers and is not described as organic.

Products that are part of a “restaurant-service” section of the grocery store

Example: customers order made-to-order juice at a juice bar; organic ingredients are listed on the menu.

Resources:

USDA NOP website:
[“Do I Need to Be Certified Organic?”](https://www.ams.usda.gov/nop)

OEFFA fact sheet:
[Do I need to Be Certified?](#)

[USDA NOP Organic Retail Toolkit](#)



OEFFA Certification

150 E. Wilson Bridge Rd. Suite 230, Worthington, Ohio • certification.oeffa.org • (614) 262-2022

