US-Canada Organic Equivalence Arrangement (US-COEA)
Questions and Answers

The U.S. has an "equivalency arrangement" with Canada. What does this mean?

This means that as long as the terms of the equivalence arrangement are met, organic operations certified to the USDA organic regulations or Canada Organic Regime may be labeled and sold as organic in both countries. As long as they are certified by a National Organic Program-accredited certifying agent, this arrangement eliminates the need for USDA certified organic operations to have a separate certification to the Canada Organic Regime standards.

Additional Information: www.ams.usda.gov/NOPTradeCanada

Does Canada accept the USDA organic seal?

Yes. As a result of the trade arrangement, both the Canada Organic Biologique logo and the USDA organic seal may be used on a products entering Canada. Products exported under the equivalency arrangement must meet all Canadian labeling standards.

When did this equivalency arrangement take effect?

June 30, 2009.

What happens if an organic operation or certifying agent violates the arrangement?

Significant non-compliances will be reported to both countries and appropriate enforcement actions may be pursued under the respective countries' regulations.

Can crops planted using sodium nitrate prior to June 30, 2009, be shipped to Canada and labeled as organic?

Effective July 1, 2009, no field may be treated with sodium nitrate in order for crops to be harvested from that field for shipment to Canada. Products already properly certified and labeled under the USDA organic regulations and in the stream of commerce may remain in the market place, even if they are exported to Canada.

Does the prohibition against sodium nitrate under the terms of the arrangement apply to processed products too?

Yes. There is a two-year transition period for implementation of this requirement. During 2011, certifying agents started working with operations that they certify to identify organic ingredients that have been produced with sodium nitrate. When processed organic products are identified that contain ingredients produced with sodium nitrate, certifying agents will notify the operations that the ingredients need to be eliminated from future production. Starting in 2013, the prohibition against the use of sodium nitrate in all organic products and ingredients certified to the terms of the arrangement will be enforced.

Accreditation & Certification

I am a certifying agent based in Canada, and all of my clients are in Canada. Do I need to maintain my direct accreditation to the USDA organic standards?

No. The NOP no longer provides accreditation to Canadian certifying agents who operate only within Canada. Furthermore, operations in Canada must be certified to the COPR regulations.

I am a certifying agent based in Canada, but I have clients based in the United States, Mexico, and Canada. If I wish to continue to certify them to the USDA organic regulations, do I need to maintain my accreditation with the NOP?

Yes. You must maintain your accreditation with the NOP in order to certify operations based outside the United States and Canada (i.e. Mexico) to the USDA organic regulations.

I am a certifying agent based in a South American country. May I continue to certify operations producing organic products to the USDA organic regulations for direct shipment to Canada?

Yes. As long as you retain your NOP accreditation, you may continue to certify operations producing products to the USDA organic regulations. These products may be sold, labeled or represented as organic within the United States and are also eligible for sale in Canada under terms of the US-Canadian Organic Equivalence Arrangement.

I am a United States-based certifying agent, but I have several clients outside the U.S. that are certified to the USDA organic regulations. Are those operations eligible to label and ship products to Canada?

Yes, as long as the products meet all USDA organic regulations and meets the terms of the US-Canada Organic Equivalence Arrangement.

Removal of Ruminants from Critical Variance

What changed and when is it effective?

Effective January 20, 2012, Canada considers the USDA organic regulations as equivalent to their standards for ruminant stocking rates, or the number of animals in a given area. As of this date, USDA organic ruminant livestock operations and organic ingredients from these operations do not need to demonstrate compliance with Canada's stocking rates in order to sell their organic products to Canada. This reduces the paperwork burden to organic ruminant producers wishing to export ruminant animals and animal products to Canada under the equivalency agreement.

To what type of operations does this January 20, 2012 amendment apply?

It applies to organic operations certified by NOP-accredited certifying agents that export ruminant animals or animal products to Canada. It also applies to processed products and ingredients that contain organic ruminant livestock products.

What is a ruminant?

A ruminant is an animal with four stomachs. In organic agriculture, the primary ruminant animals are dairy and beef cattle, sheep, and goats. These animals are used to produce both meat and dairy products.

Do organic products from non-ruminant animals have to comply with the Canadian organic space requirements?

Yes. Non-ruminants, such as poultry and swine, must meet space requirements outlined in the Canadian organic standards before these animals or animal products can be traded under the equivalency arrangement.