



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 and replaces the August 2016 version of NOP 2040.

2. Background

The Agriculture Improvement Act of 2018 (Farm Bill), Subtitle G—Hemp Production, directed USDA to establish a national regulatory framework for hemp production in the United States. USDA established the [U.S. Domestic Hemp Production Program](#) through an interim final rule, published on October 31, 2019. The rule outlines provisions for the USDA to approve plans submitted by States and Indian Tribes for the domestic production of hemp. It also establishes a Federal plan for producers in States or territories of Indian tribes that do not have their own USDA-approved plan.

3. Policy

For hemp produced in the United States, only hemp produced in accordance with the U.S. Domestic Hemp Production Program and/or the 2014 Farm Bill may be certified as organic, if produced in accordance with USDA organic regulations. USDA accredited certifiers and certified organic operations should direct questions about the status of their State or Tribe hemp program to State and Tribe officials. For imported hemp, existing regulations and guidelines continue to govern whether products may be certified as organic.

4. References

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