



Maintaining Organic Integrity for Imported Products

Getting the paperwork right is only half of the importer's job. The other half is the product itself: verifying that what arrived at your receiving dock is the same certified organic product that left the origin country, that it was not treated with a prohibited substance in transit, and that you have documented evidence of both. This article covers the importer's obligation to maintain a documented organic control system for verifying that imported shipments have had no contact with prohibited substances or exposure to ionizing radiation since export. It also covers the practical document set that supports that verification and explains how to build the OSP language that will satisfy your certifier at inspection.



What You'll Learn

- What fumigation and irradiation do to a shipment's organic status, and why the loss is permanent
- How APHIS-required treatments can affect organic products at ports of entry, and what your notification options are
- The documents that constitute your verification system for prohibited substance contact
- The distinction between bulk and sealed/tamper-evident shipments and how it affects your verification approach
- What your OSP must say about import integrity procedures
- How responsibility for transit integrity is allocated when you have control over shipping arrangements

The USDA organic regulations require importers to verify organic integrity at the point of receipt. When you receive a shipment of organic agricultural products, two obligations apply: confirm that the import is accompanied by valid NOP Import Certificate data, and verify that the shipment had no contact with prohibited substances and was not exposed to ionizing radiation since export.¹ You must have a documented organic control system to conduct this verification.¹ Your organic control system is the written procedures and records you use to make that verification, normally documented within your OSP. This obligation arises at the moment of receipt, before the product enters your production stream.

A fumigated or irradiated shipment permanently loses its organic status.^{2,3,4,5} The product cannot be relabeled, remediated, or retroactively approved. If it enters your production stream as an organic ingredient, your finished products are noncompliant.



DEFINITION

An **organic control system** is the documented set of procedures and records an operation uses to carry out a specific compliance function required by the USDA organic regulations. For an organic importer, it is the written procedures and supporting documents that verify each imported shipment kept its organic integrity from export to receipt, meaning the shipment had no contact with prohibited substances and no exposure to ionizing radiation since it left the origin country. This system is normally documented as part of your Organic System Plan, not maintained as a separate document.

HOW FUMIGATION AND IRRADIATION HAPPEN TO ORGANIC SHIPMENTS

Two pathways introduce the risk. APHIS (the Animal and Plant Health Inspection Service) establishes import requirements for live plants and plant products, including fruits, vegetables, seeds, and soil, because these could introduce exotic pests and diseases.^{3,4} Certain commodities require treatment as a mandatory condition of entry, regardless of organic status. APHIS does not distinguish between organic and nonorganic products.⁴

Other shipments are inspected at ports of entry by CBP Agriculture Specialists. When a pest is detected, the finding goes to APHIS for identification and risk determination. If the pest poses a threat, APHIS may require the shipment to be treated, re-exported, or destroyed.⁴

When treatment is proposed, CBP notifies the responsible parties before any action is taken. The options are re-export, treatment, or destruction. If the responsible party elects treatment, that treatment may involve fumigation (with substances such as methyl bromide) or ionizing radiation. Both are prohibited for organic products.^{2,4,5} Re-export is, in practice, the only option that preserves organic status. Importers sourcing commodities with known phytosanitary treatment risk should understand this before the shipment arrives. The time to plan is before the purchase contract is signed, not when CBP calls.

Organic status is permanently lost in two circumstances:

1. The product is fumigated using a prohibited substance and the product comes into contact with the fumigating agent;^{2,4} or
2. The product undergoes treatment using ionizing radiation in any instance.^{4,5}

One nuance on fumigation: products whose packaging is infested, but whose contents are fully enclosed in a sealed container at the time of fumigation, may not have had contact with the fumigant. That determination requires documentation, and it is not a universally safe assumption that sealed containers remain uncontaminated.⁴

Treatments are documented by APHIS and CBP through phytosanitary certificates, fumigation records, and Emergency Action Notifications (EANs).⁴

A **phytosanitary certificate** is issued by the exporting country's plant protection entity. It records that a shipment met the importing country's phytosanitary requirements. Multiple certificates may be generated as the product moves from country to country, since each leg of a journey through a port or transit country may have its own inspection. These certificates are issued by a government agency outside the organic certification structure, which makes them an independent evidentiary source. Requesting phytosanitary certificates for each leg of a shipment's journey is one of the most effective ways to detect whether prohibited fumigation occurred along the route.

NOP receives notifications for fumigated fruits, vegetables, grains, and oilseeds that may have been declared or labeled as organic, including products fumigated as a condition of entry.⁴ If your shipment was fumigated and you attempt to sell it as organic, NOP may already have a record of the fumigation event before the product enters commerce.

ORGANIC SYSTEM PLAN DOCUMENTATION

The USDA organic regulations do not prescribe exactly what your organic control system must look like for this obligation. They require that you have one and that it is sufficient to conduct the verification. Your Organic System Plan must describe the measures or procedures in place to ensure organic integrity is maintained at the port of entry, and identify the types of records you keep for imports.^{1,6} An importer's control system may vary depending on the documentation provided and the country and commodity in question.¹

The documents that typically constitute this system include:

- NOP Import Certificate confirming the shipment was approved before departure
- Phytosanitary certificates for each vessel used to move the product through the supply chain, specifically reviewed for any record of fumigation activity
- Clean container, truck, or tanker affidavits for bulk product, verifying the container was thoroughly cleaned before loading and poses no risk of contact with prohibited substances
- Emergency Action Notifications (EANs), when treatments were performed; these USDA documents record what was done and must be retained even if the product is ultimately reclassified as nonorganic
- Certificate of origin
- Bills of lading, packing lists, and invoices, all designating the product as organic and carrying matching lot numbers
- Organic certificates for the exporter and/or final handlers, when available



The [NOP Import Certificate](#) covers what the NOP Import Certificate is, how it is generated, what data it must contain, and how it connects to CBP's filing system.

HOW VERIFICATION DIFFERS BETWEEN BULK AND SEALED SHIPMENTS

The type of packaging determines your verification approach.

For **bulk shipments**, such as grain, seed, liquids, and other unpackaged commodities, container integrity and quantity verification are both critical.

Key controls for bulk shipments include:

- Tanker or container seals verified at receipt
- Documented inspection of the container for cleanliness and evidence of prior contents
- Clean container affidavit from the shipper
- Weight verification confirming the quantity received matches the quantity shipped
- Review of phytosanitary certificates for the vessel

A discrepancy between the shipped quantity and the received quantity is an indicator of potential substitution in transit. Your control system should include a step for this comparison and a documented corrective action procedure if a discrepancy is found.⁶

For sealed, tamper-evident shipments, the physical commingling risk is lower, but the obligation to verify the absence of fumigation and irradiation remains.¹ Physical container inspection plays a smaller role in this scenario; documentary verification is primary.

Key controls for **sealed shipments** include:

- Review of phytosanitary certificates for the vessel
- Monitoring for Emergency Action Notifications
- Recording NOP Import Certificate data

Verification Comparison for Bulk vs. Sealed Shipments

Shipment Type	Bulk / Unpackaged Shipments	Sealed / Tamper-evident Shipments
Contamination Risk	Higher – can occur during transit	Lower – if the physical barrier is intact
Container Inspection	Verify seals, cleanliness, prior contents	Verify seal integrity upon arrival
Quality Verification	Critical – compare shipped to received	Important – confirm count
Additional Documents	Clean container affidavit	Phytosanitary Certificate still best practice; EAN if applicable

Note: Both types require an NOP Import Certificate and verification of non-fumigation and non-irradiation.

WHO IS RESPONSIBLE FOR TRANSIT INTEGRITY

Responsibility for transit integrity follows control. If your business arranged for the shipping of the product, your business is responsible for integrity during transit. If the exporter arranged shipping, the question of how the exporter's control system addresses transit events falls within their certification responsibility. Whoever has the identified responsibility takes the steps to ensure product integrity is maintained.

This responsibility allocation should be documented in your contractual agreement with the exporter and described in your OSP.

“As an importer, having a clear understanding of who’s responsible for product integrity during shipping is going to be a really critical component of having successful compliance here. If your business arranged for the shipping of the product, then your business becomes responsible for integrity during transit. And if you have a conversation with your exporter and the exporter says, ‘I will ship this to you, but you are responsible for making sure that the product integrity is maintained during transit.’ Whoever has that identified responsibility becomes responsible for taking the steps to ensure product integrity is maintained.”

Johanna Phillips

Director of Business Development and Regulatory Affairs
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HANDLER TIP

A U.S. importer sources organic cacao from a certified exporter in Ecuador. The exporter arranges and pays for ocean freight. Midway through transit, the vessel's cargo hold is fumigated for a different shipment. The cacao containers, though sealed, share the hold. The fumigation record shows the product was in the hold during treatment.

Because the exporter arranged shipping, how the exporter's control system addresses this event is part of their certification responsibility. If the U.S. importer had arranged shipping, they would bear direct responsibility for ensuring the carrier's practices did not introduce prohibited substance contact. In either case, the U.S. importer's obligation to verify non-contact at the time of receipt remains.

ADDITIONAL PRECAUTIONS FOR HIGHER-RISK IMPORTS

Certain factors warrant heightened scrutiny. Commodities with documented fraud history and plants with known phytosanitary issues put your organic integrity at higher risk.

“For those countries that we do source from that don’t have equivalency, we do have extra steps, extra precautionary measures. A lot of it is testing the product itself, verifying that there aren’t any pesticide residues.”

Abel Sánchez
Product Innovation Manager
Tradin Organic

Residue testing is one of the more effective additional tools for high-risk imported ingredients. For commodities with documented fraud or pesticide application history, documentary verification alone may be insufficient. Building a testing protocol into your control system for those specific ingredients is a recognized best practice.

Country-specific admissibility rules also apply. APHIS prohibits certain plants from specific countries due to phytosanitary risks, regardless of organic status.^{3,4} If you source from regions with known phytosanitary complications, verify admissibility through APHIS’s Agricultural Commodity Import Requirements (ACIR) database before entering purchasing agreements.

LEARN MORE

[Using Residue Testing for Organic Products](#) covers when and how to use residue testing as part of your organic fraud prevention and verification system.

CONCLUSION

The NOP Import Certificate confirms what the certifier verified before departure. Your documented organic control system, including the phytosanitary certificates, the container affidavits, the quantity check, and the EAN records confirms what actually happened between departure and your receiving dock. Together, these two layers of documentation satisfy both import check requirements: accurate NOP Import Certificate data and verified non-contact with prohibited substances or ionizing radiation.

ACTION ITEMS

- Collect phytosanitary certificates during your standard receiving process.
- Request certificates for each transit leg and flag any fumigation history.
- Make a clean container affidavit a mandatory document for bulk imports.
- Compare shipped and received quantities and document corrective actions for discrepancies.
- Specify transit integrity responsibilities in exporter agreements and your OSP.
- Verify import admissibility using the APHIS ACIR database before signing purchase agreements.
- Complete your OSP with detailed procedures for recordkeeping, verification, and transit responsibility.

SOURCES CITED

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United States Department of Agriculture
Agricultural Marketing Service
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