

IC 15-15-8

Chapter 8. Indiana Organic Certification Accreditation

IC 15-15-8-1

"Applicant"

Sec. 1. As used in this chapter, "applicant" refers to a certifying agent applying for accreditation from the director in compliance with the Organic Foods Production Act.

As added by P.L.2-2008, SEC.6.

IC 15-15-8-2

"Certifying agent"

Sec. 2. As used in this chapter, "certifying agent" refers to a person or entity acting as an independent contractor who is:

- (1) accredited by the director; and
- (2) accredited by the United States Department of Agriculture under the Organic Foods Production Act.

As added by P.L.2-2008, SEC.6. Amended by P.L.197-2011, SEC.51.

IC 15-15-8-3

"Director"

Sec. 3. As used in this chapter, "director" refers to the director of the Indiana state department of agriculture or the director's designee.

As added by P.L.2-2008, SEC.6. Amended by P.L.120-2008, SEC.50.

IC 15-15-8-4

"Organic"

Sec. 4. As used in this chapter, "organic" refers to the method of crop production with respect to a particular crop. The term does not refer to the quality, nutritional value, or healthfulness of the crop produced.

As added by P.L.2-2008, SEC.6.

IC 15-15-8-5

"Organic Foods Production Act"

Sec. 5. As used in this chapter, "Organic Foods Production Act" means the Organic Foods Production Act of 1990 (7 U.S.C. 6501 et seq.).

As added by P.L.2-2008, SEC.6.

IC 15-15-8-6

Repealed

(Repealed by P.L.197-2011, SEC.153.)

IC 15-15-8-7

Accreditation of applicants

Sec. 7. (a) The director may grant accreditation to an applicant under this chapter.

(b) The director shall make a determination and respond to the applicant not later than three (3) months after the date of receipt of

the application.

As added by P.L.2-2008, SEC.6. Amended by P.L.197-2011, SEC.52.

IC 15-15-8-8

Application for accreditation required

Sec. 8. A certifying agent operating within Indiana must apply in writing to the director for accreditation.

As added by P.L.2-2008, SEC.6.

IC 15-15-8-9

Repealed

(Repealed by P.L.197-2011, SEC.153.)

IC 15-15-8-10

Repealed

(Repealed by P.L.197-2011, SEC.153.)

IC 15-15-8-11

Repealed

(Repealed by P.L.197-2011, SEC.153.)

IC 15-15-8-12

Implementation by director

Sec. 12. The director shall implement this chapter. The director has no regulatory authority under this chapter except as provided under section 17 of this chapter.

As added by P.L.2-2008, SEC.6. Amended by P.L.197-2011, SEC.53.

IC 15-15-8-13

Repealed

(Repealed by P.L.197-2011, SEC.153.)

IC 15-15-8-14

Certification required for products labeled organic

Sec. 14. A product sold in Indiana that is:

- (1) labeled organic or certified organic; and
- (2) produced in any other state of the United States;

must be certified in accordance with the Organic Foods Production Act.

As added by P.L.2-2008, SEC.6.

IC 15-15-8-15

Sale of products designated as organic; certification required

Sec. 15. A person may sell or label a product produced in Indiana as:

- (1) organic;
- (2) certified organic; or
- (3) Indiana certified organic;

in Indiana only if the product has been certified by a certifying agency that has been accredited by the director.

As added by P.L.2-2008, SEC.6.

IC 15-15-8-16

Repealed

(Repealed by P.L.197-2011, SEC.153.)

IC 15-15-8-17

Rules

Sec. 17. The director shall adopt rules under IC 4-22-2 to implement this chapter.

As added by P.L.2-2008, SEC.6.

IC 15-15-8-18

Repealed

(Repealed by P.L.197-2011, SEC.153.)

IC 15-15-8-19

Violations; marketing uncertified products

Sec. 19. (a) A person:

(1) who uses the term:

(A) organic;

(B) certified organic; or

(C) Indiana certified organic;

alone or in combination with other words to market a product that has not been designated "certified organic" by an accredited certifying agent under this chapter and in accordance with the Organic Foods Production Act; and

(2) who:

(A) knows; or

(B) reasonably should know;

that the product has not been designated "certified organic" by an accredited certifying agent under this chapter and in accordance with the Organic Foods Production Act;

commits a Class A infraction.

(b) Each label or each copy of a written public document containing the words "organic" or "certified organic" alone or in combination with other words used to market a product that has not been designated "certified organic" by an accredited certifying agent constitutes a separate infraction.

As added by P.L.2-2008, SEC.6.