

# Current Temporary Variances



Temporary variances from the production and handling requirements of the USDA organic regulations may be granted by the Administrator for natural disasters declared by the Secretary, damage caused by severe weather, or other business interruption, or for the purpose of conducting research in organic production or handling. Procedures for requesting temporary variances are described in [NOP 2606: Processing Requests for Temporary Variances](#). 7 CFR Section 205.290 provides the full regulatory text regarding temporary variances.

The list of temporary variances that are currently in effect or that were denied are shown below. For a list of expired temporary variances, please visit <http://www.ams.usda.gov/rules-regulations/organic>.

2020 Allowed Temporary Variances						
Company / Producer	Location	Date of AMS Decision	Effective Date	Expiration	Certifying Agent	Remarks
Certified organic ruminant livestock producers in various counties in Maine	Maine	11/9/2020	11/9/2020	2020 grazing season only	MOFGA Certification Services, LLC (MCS)	<p>The temporary variance from §205.237(c)(1) and §205.239(a)(2) is due to drought conditions and restricted to the following:</p> <ul style="list-style-type: none"> <li>• Applies only to certified organic ruminant livestock producers in the following counties of Maine: Androscoggin, Aroostook, Cumberland, Franklin, Hancock, Kennebec, Knox, Lincoln, Oxford, Penobscot, Piscataquis, Sagadahoc, Somerset, Waldo, Washington, and York.</li> <li>• Applies to non-irrigated pastures only.</li> <li>• Ruminants must be provided with at least 30 percent average dry matter intake from pasture, or no more than 70 percent average of the ruminant’s dry matter demand from dry matter fed, during the 2020 grazing season.</li> <li>• Ruminants must be grazed on pasture throughout the grazing season for no less than 90 days during the 2020 grazing season.</li> </ul>

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<b>Certified organic ruminant livestock producers in various counties in New Hampshire</b>	New Hampshire	11/9/2020	11/9/2020	2020 grazing season only	New Hampshire Department of Agriculture, Markets and Food (NHDAMF)	<p>The temporary variance from §205.237(c) is due to drought conditions and restricted to the following:</p> <ul style="list-style-type: none"> <li>• Applies only to certified organic ruminant livestock producers in the following counties of New Hampshire: Belknap, Carroll, Cheshire, Coos, Grafton, Hillsborough, Merrimack, Rockingham, Strafford, and Sullivan.</li> <li>• Ruminants must be provided with at least 15 percent average dry matter intake from pasture, or no more than 85 percent average of the ruminant’s dry matter demand from dry matter fed, during the 2020 grazing season.</li> <li>• Ruminants must be grazed on pasture throughout the grazing season for no less than 90 days during the 2020 grazing season.</li> </ul>
<b>Mikita Dairy</b>	Calhan, El Paso County, Colorado	8/4/2020	8/4/2020	2020 grazing season only	Oregon Tilth Certified Organic (OTCO)	<p>The temporary variance from §205.237(c)(1) and §205.239(a)(2) is due to drought conditions and restricted to the following:</p> <ul style="list-style-type: none"> <li>• Applies only to organic livestock producer, Mikita Dairy, in El Paso County, Colorado.</li> <li>• Ruminants must be provided with at least 30 percent average dry matter intake from pasture, or no more than 70 percent average of the ruminant’s dry matter demand from dry matter fed during the 2020 grazing season.</li> <li>• Ruminants must be grazed on pasture throughout the grazing season for no less than 65 days during the 2020 grazing season.</li> </ul>

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<b>Prosper Farms Investments, LLC</b>	Washington County, Colorado, with grazing sites in Kiowa and Lincoln Counties	7/22/2020	7/22/2020	2020 grazing season only	CCOF Certification Services, LLC (CCOF)	<p>The temporary variance from §205.237(c) and §205.240(b) is due to drought conditions and restricted to the following:</p> <ul style="list-style-type: none"> <li>• Applies only to organic livestock producer, Prosper Farms Investments LLC, in Washington County, Colorado, with grazing sites also located in Kiowa and Lincoln Counties.</li> <li>• Ruminants must be provided with at least 20 percent average dry matter intake from pasture, or no more than 80 percent average of the ruminant’s dry matter demand from dry matter fed, during the 2020 grazing season.</li> <li>• Ruminants must be grazed on pasture throughout the grazing season for no less than 90 days during the 2020 grazing season.</li> </ul>
<b>Ohio State University Organic Food and Farming Education and Research (OFFER) Program</b>	2 Sites: Wooster, OH and Bowling Green, OH	7/14/2020	7/14/2020	11/30/2023	Ohio Ecological Food and Farm Association (OEFFA)	<p>The temporary variance from §205.203(d)(1) is for research purposes and restricted to the following:</p> <ul style="list-style-type: none"> <li>• The use of micronutrients on the National List of allowed synthetic substances at §205.601(j)(6) without documentation of deficiencies from soil testing.</li> <li>• The variance only covers OFFER field WB1101.</li> </ul>

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<b>Gillian's Dairy</b>	Petaluma, California	6/1/2020	6/1/2020	2020 grazing season only	Oregon Tilth Certified Organic (OTCO)	<p>The temporary variance from §205.237(c)(1) and §205.239(a)(2) is based on severe drought and restricted to the following:</p> <ul style="list-style-type: none"> <li>• Applies only to organic livestock producer, Gillian's Dairy, in Petaluma, California.</li> <li>• Ruminants must be provided with at least 30 percent average dry matter intake from pasture, or no more than 70 percent average of the ruminant's dry matter demand from dry matter feed, during the 2020 grazing season.</li> <li>• Lactating cows must be grazed on pasture throughout the grazing season for no less than 100 days during the 2020 grazing season.</li> </ul>
<b>Blake's Landing Farm</b>	Marshall, California	1/16/2020	1/16/2020	12/31/2020	Marin Organic Certified Agriculture (MOCA)	<p>The temporary variance from §205.237(a) is for research purposes and restricted to the following:</p> <ul style="list-style-type: none"> <li>• Applies only to the organic livestock producer, Blake's Landing Farm, in Marshall, California.</li> <li>• No more than 45 of the operation's certified organic cows.</li> <li>• The operation may feed its certified organic cows non-organic <i>Asparagopsis taxiformis</i> for a period that must not exceed 60 days.</li> </ul>

**2020 Denied Requests for Temporary Variances**

Company / Producer	Location	Date of AMS Decision	Certifying Agent	Remarks

This table is updated when AMS Administrator decisions are issued.