

Organic Farms and Buffers

- **Buffer zone.** An area located between a certified production operation or portion of a production operation and an adjacent land area that is not maintained under organic management. A buffer zone must be sufficient in size or other features (e.g., windbreaks or a diversion ditch) to prevent the possibility of unintended contact by prohibited substances applied to adjacent land areas with an area that is part of a certified operation.

Title 7, Part 205, Code of Federal Regulations

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- Weeds are NOT exempt from growing on lands certified for organic production
- If noxious weeds are present, organic producers are subject to the law on buffers or crops the same as any other landowner
- The MN Noxious Weed Law does not stipulate what management type is used
 - A landowner either has to control or eradicate

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- **The burden of proof is on the landowner if they suggest to a CAI or CDE that they have a contract or agreement with the right-of-way authority not to spray herbicides or mow**
 - **Ask for the contract or written proof of an agreement**
 - **If there are noxious weeds, there is no issue!**

205.206 - Crop pest, Weed, and Disease Management Practice Standard

- **The producer must use management practices to prevent crop pests, weeds, and diseases including but not limited to:**
 - (1) Crop rotation and soil and crop nutrient management practices, as provided for in §§205.203 and 205.205;**
 - (2) Sanitation measures to remove disease vectors, weed seeds, and habitat for pest organisms; and**
 - (3) Cultural practices that enhance crop health, including selection of plant species and varieties with regard to suitability to site-specific conditions and resistance to prevalent pests, weeds, and diseases.**

205.206 - Crop Pest, Weed, and Disease Management Practice Standard

- Weed problems may be controlled through:
 - (1) Mulching with fully biodegradable materials;
 - (2) Mowing;
 - (3) Livestock grazing;
 - (4) Hand weeding and mechanical cultivation;
 - (5) Flame, heat, or electrical means; or
 - (6) Plastic or other synthetic mulches: *Provided*,
That, they are removed from the field at the end of the growing or harvest season.

Organic Weed Issues

- **Whatever the issue, if noxious weeds are present, federal organic regulations do not exempt the producer from the MN Noxious Weed Law**
- **Cooperative agreements are usually the best solution for organic weed issues**
 - **Cooperative agreements should be signed by the landowner, producer (if different), township supervisor, CAI, and County Attorney**
 - **Cooperative agreements should be written for no more than 2-3 years**