

Organic Farming and Noxious Weeds

- The Canadian Food Inspection Agency (CFIA) brought the Organic Products Regulations into effect for all of Canada on June 30, 2009. These regulations are mandatory and enforced by CFIA. Farmers seeking organic status for their crops must have their operations inspected annually by independent third-party inspectors who perform the work for CFIA-accredited certification bodies, such as the Organic Producers Association of Manitoba (OPAM). If the inspection is successful, the certification body grants "certified organic" status to the products produced on that farm.
- All regulations regarding "organic" production are actually referring to "certified organic" production. This means that the operation has been inspected and organic market certificates have been issued by the accredited certification body. Anything other than "certified organic" is not truly organic and therefore is not subject to these rules and regulations, which apply to the entire production system. For example, producers who claim "organic" status solely because they don't use synthetic chemicals on their crops are not "certified organic."
- The regulations require *products* to be certified organic, not producers. A producer may have some organic fields and some conventional fields on the same farm. Similarly, the producer could have both types of fields on farmland adjacent to RM property where weeds might be present and need to be controlled to prevent their spread.
- Weed control requirements under the *Noxious Weeds Act* are unaffected by regulations for organic certification, except that synthetic herbicides cannot be used for control. An organic producer is required to control weeds on his/her property (including buffer zones) just as all other farmers must. If an organic producer has negotiated with an RM or a neighbour to use land as a buffer zone that does not belong to the farm, the onus is on him/her to use acceptable organic weed control methods (such as mowing, roguing, cultivation or grazing).
- *The Noxious Weeds Act* of Manitoba states:

General duty to destroy weeds

3(1) Each occupant of land, or, if the land is unoccupied, the owner thereof, or the agent of the owner, and each person, firm, or corporation who or which is in control of, or in possession of, or in charge of, land, shall destroy all noxious weeds and noxious weed seeds growing or located on the land as often as may be necessary to prevent the growth, ripening and scattering of weeds or weed seeds.

- Further:
"destroy" means, with respect to noxious weeds, to cut down, burn, kill by chemicals or toxic substances, or eradicate by any means whatsoever; and in respect to noxious weed seeds, means to burn or kill by any means whatsoever so as to prevent germination;
- The intent of the Noxious Weeds Act is to prevent problems related to noxious weeds, not to implement synthetic herbicide use as the only means of control.
- The Organic Products Regulations require a minimum 8 metre (25 feet) buffer area between organic and conventional fields. Below is the exact wording from the Canadian General Standards Board document titled *Organic Production Systems General Principles and Management Standards (CAN/CGSB-32.310-2006)*, which is one of the two principal documents referred to in the regulations:

5.1.4 When unintended contact with substances prohibited by par. 1.4.1 is possible, distinct buffer zones or other features sufficient to reasonably prevent contamination are required:

- a. Buffer zones shall be at least 8 metres wide
- b. Permanent hedgerows or plant windbreaks, artificial windbreaks, permanent roads or other adequate physical barriers may be used instead of buffer zones.

5.1.5 Crops grown in buffer zones shall be considered non-organically grown products whether they are used on the farm or not.

- The onus is always on the certified organic farmer to provide the buffer area, but arrangements are often made between the farmer and the RM before the growing season if it is known that weed control on adjacent road allowances will be undertaken. Alternative methods of weed control other than herbicides can almost always be used.
- All documents relating to the CFIA regulations can be found at:
http://www.tpsgc-pwgsc.gc.ca/cgsb/on_the_net/organic/index-e.html
 The *Standards* document referred to above, as well as the accompanying document, the *Organic Production Systems Permitted Substances Lists*, can be downloaded free of charge.
- In conclusion, both conventional and organic producers must comply with *The Noxious Weeds Act* and all other regulations affecting their operations.