

118TH CONGRESS
2D SESSION

S. 5475

To amend the Organic Foods Production Act of 1990 to provide producers with the option to confirm the absence of prohibited substances through testing, and for other purposes.

IN THE SENATE OF THE UNITED STATES

DECEMBER 11, 2024

Mr. BRAUN (for himself and Mr. KELLY) introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

A BILL

To amend the Organic Foods Production Act of 1990 to provide producers with the option to confirm the absence of prohibited substances through testing, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Meeting Demand for
5 Organic Produce Act”.

1 **SEC. 2. OPTION TO CONFIRM THE ABSENCE OF PROHIB-**
 2 **ITED SUBSTANCES THROUGH TESTING.**

3 (a) NATIONAL STANDARDS FOR ORGANIC PRODUC-
 4 TION.—Section 2105 of the Organic Foods Production Act
 5 of 1990 (7 U.S.C. 6504) is amended—

6 (1) in the matter preceding paragraph (1)—

7 (A) by striking “shall”; and

8 (B) by striking “To be” and inserting the
 9 following:

10 “(a) IN GENERAL.—To be”;

11 (2) in subsection (a) (as so designated)—

12 (A) in paragraph (1), by inserting “shall”
 13 before “have been”;

14 (B) in paragraph (2)—

15 (i) by striking “products; and” and
 16 inserting “product; or”;

17 (ii) by striking “livestock, not” and
 18 inserting the following: “livestock—

19 “(A) shall not”; and

20 (iii) by adding at the end the fol-
 21 lowing:

22 “(B) shall be produced in soil or another
 23 growing medium that has been confirmed prior
 24 to the time of planting to contain no prohibited
 25 substances, including synthetic chemicals,
 26 through testing or other methods certified by

1 the Secretary to verify the absence of prohibited
 2 substances in the growing medium; and”;

3 (C) in paragraph (3), by inserting “shall”
 4 before “be produced”; and

5 (3) by adding at the end the following:

6 “(b) GUIDELINES AND CRITERIA.—Not later than 60
 7 days after the date of enactment of the Meeting Demand
 8 for Organic Produce Act, the Secretary shall issue an ad-
 9 vanced notice of proposed rulemaking to develop guide-
 10 lines and criteria for approved verification methods de-
 11 scribed in subsection (a)(2)(B) to ensure accuracy and re-
 12 liability with respect to the testing described in that sub-
 13 section.”.

14 (b) MANAGEMENT OF WILD CROPS.—Section
 15 2114(f) of the Organic Foods Production Act of 1990 (7
 16 U.S.C. 6513(f)) is amended—

17 (1) by redesignating paragraphs (1) through
 18 (4) as subparagraphs (A) through (D), respectively,
 19 and indenting appropriately;

20 (2) in the matter preceding subparagraph (A)
 21 (as so redesignated), by striking “An organic” and
 22 inserting the following:

23 “(1) IN GENERAL.—An organic”;

24 (3) in paragraph (1)(B) (as so redesignated)—

1 (A) by adding “or” after the semicolon at
 2 the end;

3 (B) by striking “include a 3 year” and in-
 4 serting the following: “include—

5 “(i) a 3-year”; and

6 (C) by adding at the end the following:

7 “(ii) a certification that the soil or
 8 other growing medium of the area has
 9 been confirmed prior to the time of plant-
 10 ing to contain no prohibited substances, in-
 11 cluding synthetic chemicals, through test-
 12 ing or other methods certified by the Sec-
 13 retary to verify the absence of prohibited
 14 substances in the growing medium;”; and

15 (4) by adding at the end the following:

16 “(2) GUIDELINES AND CRITERIA.—Not later
 17 than 60 days after the date of enactment of the
 18 Meeting Demand for Organic Produce Act, the Sec-
 19 retary shall issue an advanced notice of proposed
 20 rulemaking to develop guidelines and criteria for ap-
 21 proved verification methods described in paragraph
 22 (1)(B)(ii) to ensure accuracy and reliability with re-
 23 spect to the testing described in that paragraph.”.

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