

National Organic Standards Board
Certification and Accreditation Subcommittee (CACs) Discussion Document
Personnel Performance Evaluations of Inspectors
September 14, 2016

I INTRODUCTION

Over the last year and a half certifiers have been working to meet the requirements of [NOP 2027, *Instruction: Personnel Performance Evaluations*](#), promulgated by the NOP on August 2, 2013 and revised effective March 31 2016. This Instruction appears to require that every inspector should be evaluated in the field every year. Many certifiers have expressed considerable concern for the logistics and expense of meeting this Instruction and the potential negative impact it will have on the organic community over time.

This Discussion Document seeks to provide an opportunity for stakeholders to respond to the NOSB request for further public comment on this issue.

II BACKGROUND

On December 2, 2011 the NOSB voted 13:1 with 1 abstention to “provide all inspectors with performance assessment and oversight: a. Witness audits by ACA to be conducted at a minimum every 300 inspections or 3 years whichever is less. Results must be documented. Witness audits may be conducted by certification management, senior inspectors or senior reviewers.”

On August 2, 2013 the NOP issued *Instruction 2027* requiring in-field evaluations “at least annually.”

In 2014 the International Organic Inspectors Association (IOIA) explored a pilot program to assist certifiers in developing and managing an in-field inspector evaluation program. IOIA developed an evaluation form, recruited evaluators and in consultation with several certifiers, implemented a fee for service program in 2015. In 2016, IOIA expanded this program.

On September 4, 2015 the Accredited Certifiers Association (ACA) submitted a [letter to the NOP](#) providing some observations and concerns about the impact of this Instruction and provided several recommendations for improving this requirement. ACA referenced the 2011 NOSB recommendation and requested *Instruction 2027* be amended to permit certifiers to develop risk-based plans to evaluate the inspectors they work with across a rotational cycle and not limited to one calendar year. ACA also requested certifiers be permitted to shared evaluations.

On December 8, 2015 the NOP issued [NOP 2501 *Evaluating Auditor Performance*](#) (of NOP Auditors), which requires in-field evaluation every 3 years. “5.2b A Witness Appraisal shall be conducted at least once every 3 years.”

On February 15, 2016 the IOIA submitted a Report to the NOP on the pilot in-field evaluation program.

In response to concerns about implementation of the in-field evaluation of every inspector world wide every year, the NOP revised *NOP 2027* effective March 31, 2016 to include a provision, at 3.2 b ii, that “Certifiers may use the field evaluations of another accredited certifier. The revised Instruction at, 3.2 b iii, also included a provision that “Certifiers may submit alternative proposals for field evaluation to their Accreditation Manager.”

During spring and summer 2016 the IOIA reports that they are working with 10 certifiers to provide in-field evaluations of 106 inspectors.

III RELEVANT AREAS OF THE RULE

USDA Organic Regulations (7 CFR Part 205) § 205.501 General requirements for accreditation.

- (a) A private or governmental entity accredited as a certifying agent under this subpart must: ...
 - (6) Conduct an annual performance evaluation of all persons who review applications for certification, perform on-site inspections, review certification documents, evaluate qualifications for certification, make recommendations concerning certification, or make certification decisions and implement measures to correct any deficiencies in certification services.

IV DISCUSSION

In response to public comment in spring 2016 the CACS reached out to both NOP staff and certifiers to better understand how *NOP 2027* was impacting the certification process.

Stakeholders agree that all inspectors must be professionally evaluated every year. Indeed, inspectors are professionally evaluated on a regular basis via review of their inspection reports and anecdotal and statistical feedback from certified operations. Stakeholders agree that in-field evaluations must take place, but many certifiers disagree about the requirement of an in-field evaluation of every inspector every year, worldwide. This disagreement is based primarily on logistics but also cost.

The NOP expressed considerable concern about the quality of work of some inspectors that the NOP auditors had witnessed during mid-term or 5 year review of some certifiers in recent years. The NOP interprets §205.501 to require in-field evaluation of every inspector world wide every year, and that this is necessary to ensure consistency in organic certification.

The ACA provided feedback from a range of certifiers. For some state-run certifiers the annual in-field inspections do not appear to be a serious concern either logistically or financially. Some certifiers see this requirement as beneficial in encouraging inspectors to increase their ongoing education.

For many other certifiers however, large and small, considerable concern has been raised regarding costs, logistics, inequities between certifiers and a range of other issues. Below are some comments and feedback encapsulated from outreach with stakeholders.

- It's unclear if NOP will approve alternative plans but certifiers would appreciate the option.
- Evaluating an inspector used only a few times a year is not feasible.
- Some certifiers are already relying heavily on shared evaluations and offering them to other certifiers at no charge. Others are trading evaluations or charging a fee.
- The most expensive evaluations are those in remote areas since the remote location is often the reason a certifier is using an outside inspector.
- Many certifiers believe strongly that in-field evaluations are a positive for their organization and the industry. Conducting them internally carries a high value. Evaluations received from other sources vary in quality and do not cover adherence to a certifier's own policies, nor do they present an opportunity to observe personal, interactive skills essential to good inspections. However, some find the cost-benefit just doesn't work out for every inspector every year. A risk-

based approach would be more effective and efficient at achieving the desired results.

- Some certifiers have seen a number of new applicants and have had to find new inspectors, or certifiers have had to turn to more inspectors than planned late in the year. This presents an even greater workload to ensure these inspectors are evaluated. The logistics and entire process is time consuming for all involved and presents difficulties and disincentives.

There are reasonable arguments for enforcing this in-field evaluation of every inspector world wide every year, and reasonable arguments for allowing flexibility in how certifiers meet the intent of 205.501.

The implementation of the IOIA field evaluation is only in its second year, and time will tell if the programs in place now will be sustainable over time without loss of inspectors or increased fees to clients at a time when there is increasing demand for certification of operations worldwide.

V REQUEST FOR PUBLIC COMMENT

The NOSB seeks public comment from certifiers, providers of evaluation services such as IOIA, individual inspectors, and organic producers about the requirement of every inspector being evaluated in the field every year:

1. **For certifiers:** To date, what have you observed about the benefits, costs and logistics of meeting this requirement?
2. **For certifiers:** Have you been able to meet this requirement for inspectors in overseas locations?
3. **For certifiers:** If given an option to present alternative evaluation plans to the every inspector, every year, what would these look like? If a risk-based approach, how do you define risk?
4. **For certifiers and inspectors:** What has been your experience sharing evaluation forms and processes? What have been the challenges associated with this sharing?
5. **For inspectors:** To date, what are the concerns and benefits that you have observed?
6. **For organic operators:** To date, what are the concerns and benefits that you have observed or experienced during in-field audits conducted on your operation?
7. **For all stakeholders:** What mechanisms are in place to ensure that client files being shared between evaluators and inspectors are taking place on completely secure computer systems?
8. **For all stakeholders:** What are the in-field audit requirements for auditors of other inspection or certification schemes such as GFSI, Global GAP, SQF etc.?

Motion to approve the discussion document for posting for the fall 2016 NOSB meeting

Motion by: Scott Rice

Seconded by: Harriet Behar

Yes: 6 No: 0 Abstain: 0 Absent: 0 Recuse: 0

Approved by Carmela Beck, Subcommittee Chair, to transmit to NOSB September 14, 2016