



National Organic Standards Board Meeting Fall 2019: National Organic Program Update

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National Organic Program
October 2019



Welcome to Pittsburgh!



Operation	Certifier	Info	Status	City	State/Province	Country	Certified Products
<input type="text"/>			Certified ▾	Pittsburgh	PA-Pennsylvania ✕	<i>Enter Country</i>	<input type="text"/>
Alpha Aromatics	[OTCO] Oregon Tilth Certified Organic	i	Certified	Pittsburgh	Pennsylvania	United States of America	HANDLING: Other: Fragrance Blend (4736-1)... More
Chris Candies, Inc.	[CCOF] CCOF Certification Services, LLC	i	Certified	Pittsburgh	Pennsylvania	United States of America	HANDLING: Other: Chocolate (73% Super Dark Chocolate Bar)... More
Garden Dreams Urban Farm & Nursery	[PCO] Pennsylvania Certified Organic	i	Certified	Pittsburgh	Pennsylvania	United States of America	CROPS: Nursery/Starts/Flowers/Trees: Transplants (Transplants)
HVL, LLC	[QCS] Quality Certification Services	i	Certified	Pittsburgh	Pennsylvania	United States of America	HANDLING: Health Products: Multivitamins
Iceland Inc.	[OTCO] Oregon Tilth Certified Organic	i	Certified	Pittsburgh	Pennsylvania	United States of America	HANDLING: Other: Storage and Distribution
La Prima Espresso Company	[PCO] Pennsylvania Certified Organic	i	Certified	Pittsburgh	Pennsylvania	United States of America	HANDLING: Beverage Related Products: Coffee (Blend - Bar Italia Espresso Blend (16oz))... More
Pittsburgh Distilling Company, LLC	[PCO] Pennsylvania Certified Organic	i	Certified	Pittsburgh	Pennsylvania	United States of America	HANDLING: Alcohol: Bitters (Bitters - Aromatic (4oz))... More

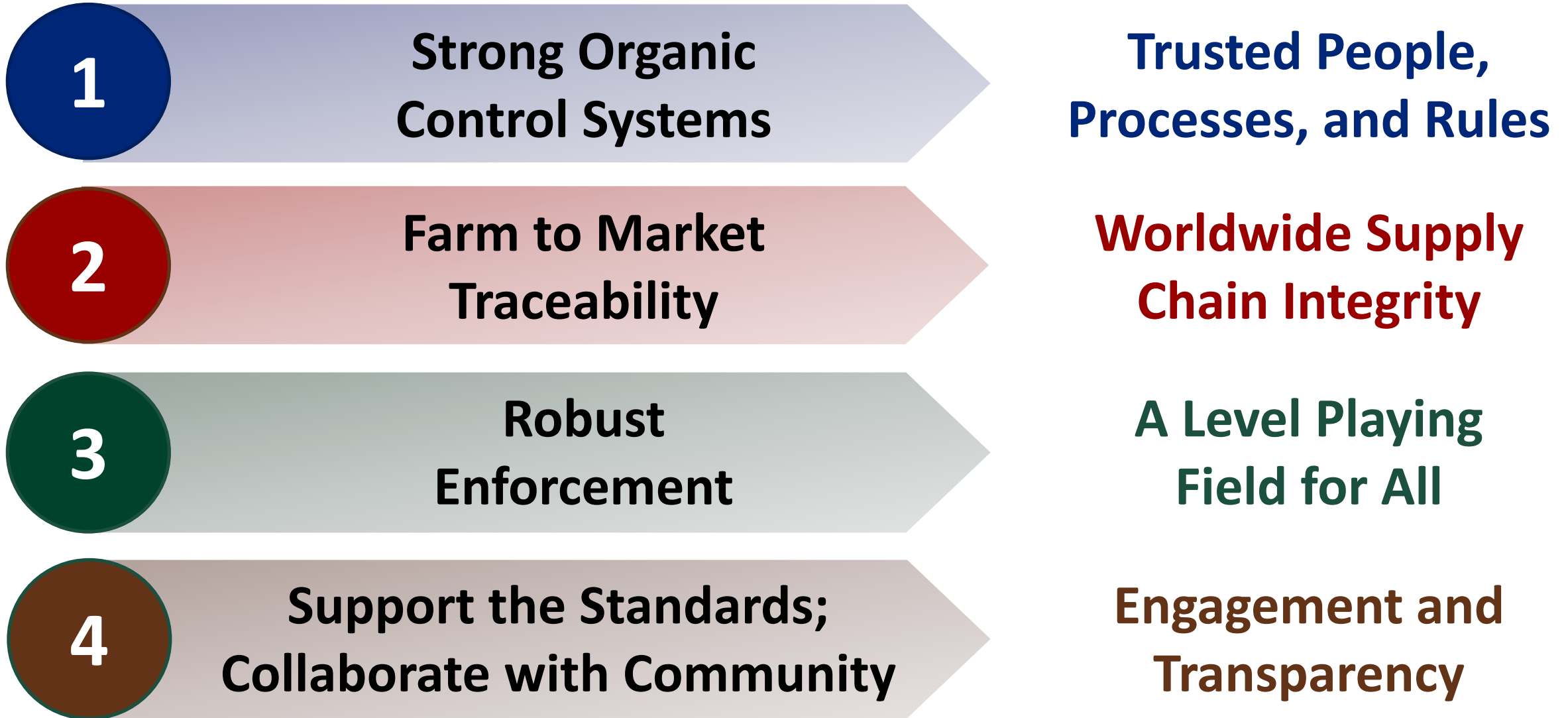
1,591 Certified Organic Farms & Businesses in Pennsylvania

NOP Update Agenda

- **Goals and Priorities**
- Enforcement Updates
- Strengthening Organic Enforcement Proposed Rule
- NOP Organization Update
- Other Updates



National Organic Program Goals



FY 2020 Priorities



- **Rules:** Strengthening Organic Enforcement, Origin of Livestock, National List
- **Enforcement:** Investigations and Surveillance
- **Import Certificates**
- **International Arrangements**
- **Federal Partnerships**
- **Certifier and Other Partner Training**
- **Launch Noncompliance Library and Certifier Portal**
- **Building the Organization**

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Department of Justice

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FOR IMMEDIATE RELEASE

Field of Schemes Fraud Results in Over a Decade in Prison for Leader of Largest Organic Fraud Case

Defendant and Three Others Sentenced to Federal Prison for Selling More Than \$120,000,000 in Grain Falsely Marketed as Organic

The defendant sold millions of dollars' worth of non-organic grain as organic for more than ten years in the Northern District of Iowa.

Robust Enforcement: A Level Playing Field



- Complaint Investigations
- Market Surveillance
- Coordination with Federal Enforcement Agencies

- Import Oversight
- Livestock Compliance
- Grain and Oilseed Handling



Risk-Based Analysis and Projects



FARM-LEVEL
YIELD ANALYSIS
STUDIES



TRADE DATA
TREND ANALYSIS



COUNTRY-
COMMODITY
STUDIES



SHIP-SPECIFIC
SURVEILLANCE

Where Organic Grows, We Go!

Livestock Compliance: Continuing Focus

- **Unannounced visits** continuing across U.S. - Risk-based selection.
- **Investigations** have led to certifier and operation adverse actions
- **Training** available now to improve certifier and inspector consistency!
- **Origin of Livestock Rule** Comment period reopened - **Closes Dec. 2.**

Visits

Investigations

Training

Rulemaking

Grain & Oilseed Fraud: Continuing Focus



Multi-million dollar problem

- Organic grains & feedstuffs have high price premiums
- Bulk commodities: hard to trace – long shelf lives, open storage, long supply chains
- **Import Challenges:** High-volume from Black Sea, Argentina, and India
- **Domestic Challenges:** Processors represent non-organic product as organic
- **Investigations & Surveillance** increasing



Many Hands Beyond NOP....



USDA Office
of Inspector
General

Foreign
Agricultural
Service

Foreign
Governments

Other Federal
Agencies
(CBP, DOJ, FTC)

Certifiers

State Organic
Program (CA)

Public

Risk-Based Control System Oversight



Inspections

(Annual Certification, Unannounced Visits, Random Checks)

Farm > Aggregator > Processor > Broker > Shipper >
Wholesaler > Retailer > Consumer

Certifier Information Sharing Speeds Fraud Detection!

Surveillance

(Supply Chain Monitoring, Mass Balance Checks,
Targeted Visits for High Risk Areas/Activities)

Outcomes



>275 operations
have lost
certification in
Black Sea Region

High profile
criminal &
appeals cases
are deterrents

Suspensions &
settlement
agreements ensure
sound systems

Certifiers
improving around
the world – more
denials, actions

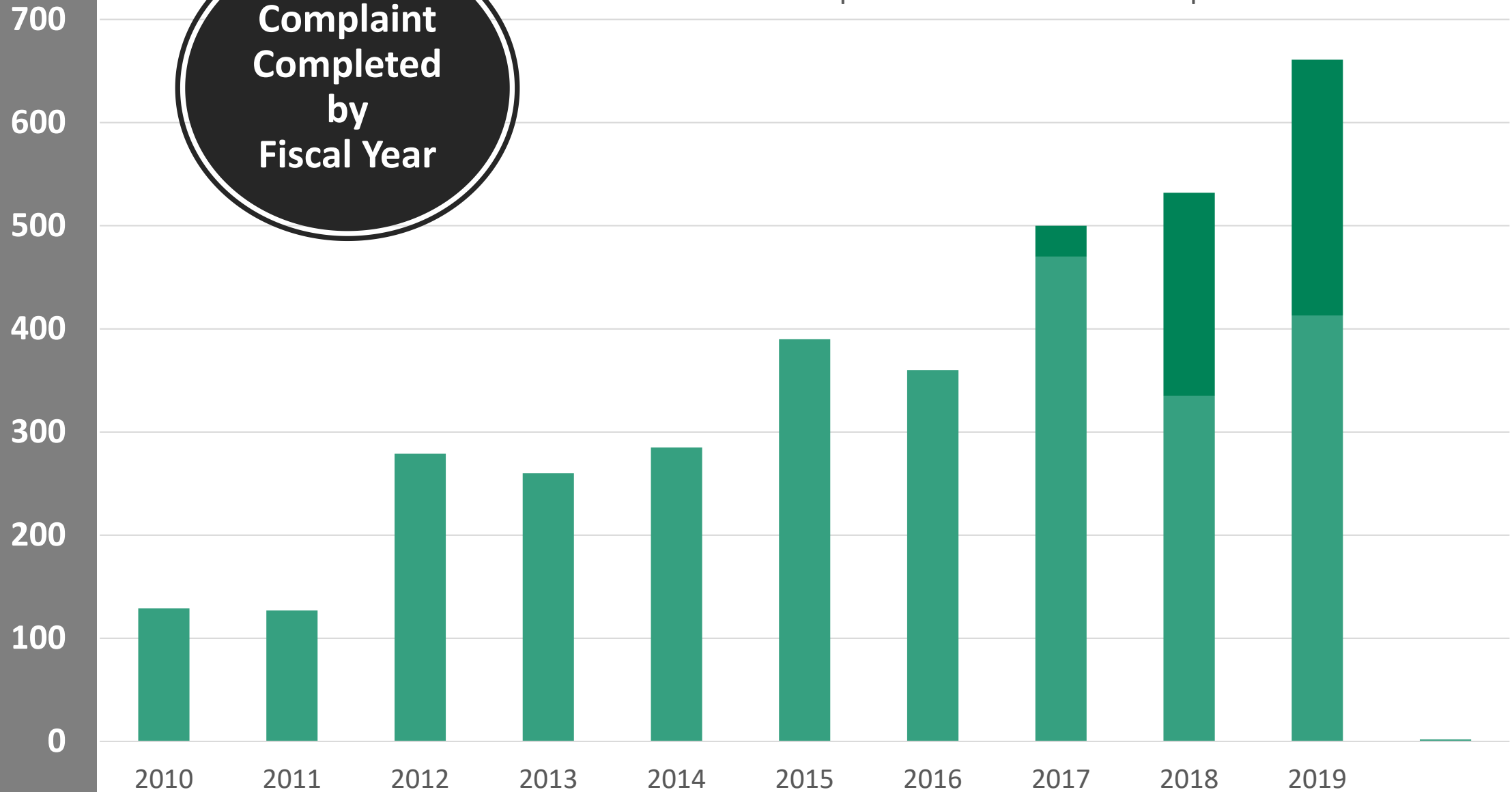
Completed **412**
investigations

Resolved **>250**
inquiries

>600
C&E customers

**Complaint
Completed
by
Fiscal Year**

■ Complaints Closed ■ Inquiries Resolved



Continuous Improvement

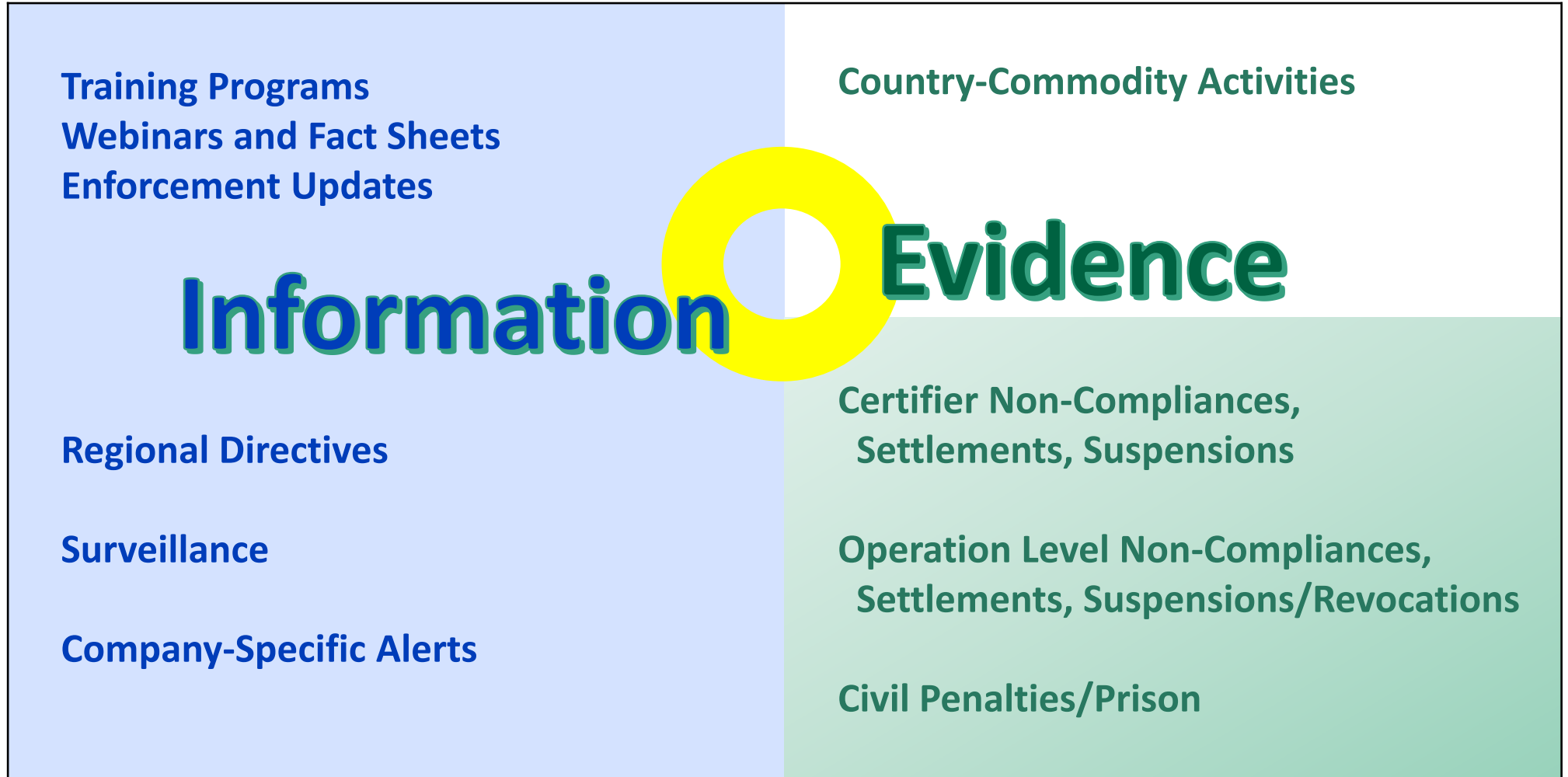


Scale

Broad-Based,
Industry-
Level

Certifier
Level

Operation
Level



Capability Development

Enforcement

Goal

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Strengthening Organic Enforcement: New Rule



- Organic has grown! So has supply chain complexity...
- Proposed Rule shaped by:
 - Farm Bill, Program Experience, Stakeholder Feedback
 - National Organic Standards Board Recommendations

This rule is a game-changer



Strengthening Organic Enforcement Rule



**Transforming the organic regulations to meet market needs:
Increasing accountability and visibility**

Fewer Exemptions

Increase
Handler
Certifications

Import Certificates

Electronic
Certificates for
all Imports

Enhanced Oversight

Strengthen
Accreditation
and Certification
Oversight



Strengthening Organic Enforcement



Robust Inspections

Unannounced Inspections

Inspector Training

Traceback and Mass Balance Audits

Grower Groups

Confirming Organic Status

Nonretail Labeling

Standardized Organic Certificates

Data Reporting

Certifier Information Sharing

Overseeing Certifiers

90-day Notification:
New Offices

Equivalency Reviews

Adverse Action Processes

Look for Proposed Rule for Comment: Late 2019

- **Publication**, proposed rule – Late 2019
- **Comment Period** - 60 days. Businesses affected encouraged to submit comments during this period
- **Best Practices** for comments:
 - Describe concern and impact
 - Offer alternative solutions
 - Respond to questions in rule
- All comments will be **public and viewable** at www.regulations.gov

Import Certificates: Technology Steps



Early Pilot Testing: 2020

Data Entry/Approvals

Operations
Certifiers
(Use Existing Import
Filing Processes)

Import Certificate

CBP Automated
Commercial
Environment (ACE)



USDA Data Access

Data Analytics
Visualization

Decisions and Action

Reporting & Trends
Investigations
Risk-Based Surveillance





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Expanding the NOP Organization



We Are Hiring!



Recruiting for Multiple Positions – Fall 2019:

- National List Manager – Washington, D.C. only
- Auditors – may be based anywhere in the continental U.S.
- Accreditation Managers – Washington, D.C. only
- Compliance & Enforcement Specialists – Washington, D.C.

Interested?

- All jobs will post on www.USAJobs.gov.
- Set up a search and daily alerts for positions in USDA Agricultural Marketing Service.
- NOP job titles are often: “Agricultural Marketing Specialist” or “Compliance Officer.”
- **APPLY EARLY** – Federal job announcements are typically open for 7 days and may have a cap on the number of applicants.

As We Grow: Avoiding Conflicts of Interest



Recruiting/ Hiring

- Office of Personnel Management rules drive the recruiting process
- Human Resources screens all candidates before NOP receives list of qualified people
- All Federal employees take Oath of Office and commit to avoiding conflicts of interest
- Employees bound by Ethics Rules and Code of Conduct

Certifier and Enforcement Case Assignments

- No NOP staff member is assigned to cases or certifiers they used to work with
- Three year minimum (one accreditation audit cycle), but in practice, lasts much longer

As We Grow: Avoiding Conflicts of Interest



Appeals

- Appeals of NOP-issued adverse actions are decided by people outside the program

Contracting

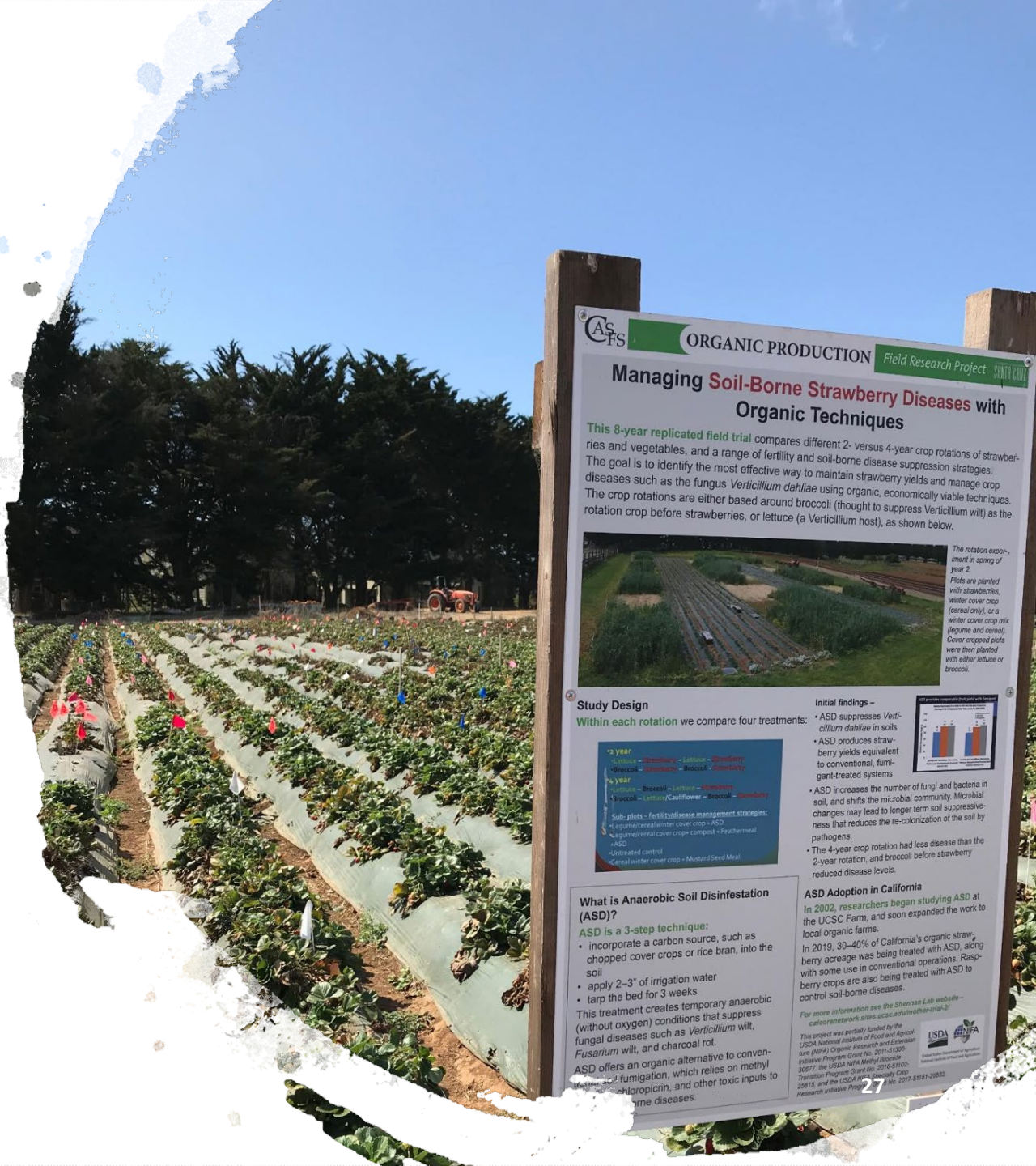
- NOP follows Federal Acquisition Regulations for all contracting activities; prohibits conflicts of interest
- All contract staff must review and sign Non-Disclosures to ensure confidentiality and Conflict of Interest declarations

Certifier Oversight of Operations

- NOP reviews certifier adverse action processes and issues noncompliances to certifiers when needed
- We also check for COIs across certifier staff/leaders
- **415** operations **suspended or revoked** since Jan. 2019

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ASFS ORGANIC PRODUCTION Field Research Project SANTA CRUZ

Managing Soil-Borne Strawberry Diseases with Organic Techniques

This 8-year replicated field trial compares different 2- versus 4-year crop rotations of strawberries and vegetables, and a range of fertility and soil-borne disease suppression strategies. The goal is to identify the most effective way to maintain strawberry yields and manage crop diseases such as the fungus *Verticillium dahliae* using organic, economically viable techniques. The crop rotations are either based around broccoli (thought to suppress *Verticillium* wilt) as the rotation crop before strawberries, or lettuce (a *Verticillium* host), as shown below.



The rotation experiment in spring of year 2. Plots are planted with strawberries, winter cover crop (cereal rye), or a winter cover crop mix (legume and cereal). Cover cropped plots were then planted with either lettuce or broccoli.

Study Design

Within each rotation we compare four treatments:

- 2 year: Broccoli - Strawberry - Lettuce - Strawberry
- 4 year: Broccoli - Lettuce - Broccoli - Strawberry

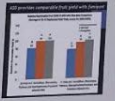
Soil plots = fertility/disease management strategies:

- inorganic/cereal winter cover crop + ASD
- inorganic/cereal cover crops + compost + FytHermaal
- ASD
- unamended control
- cereal winter cover crop + Mustard Seed Meal

Initial findings –

Within each rotation we compare four treatments:

- ASD suppresses *Verticillium dahliae* in soils
- ASD produces strawberry yields equivalent to conventional, fumigant-treated systems
- ASD increases the number of fungi and bacteria in soil, and shifts the microbial community. Microbial changes may lead to longer term soil suppressiveness that reduces the re-colonization of the soil by pathogens.
- The 4-year crop rotation had less disease than the 2-year rotation, and broccoli before strawberry reduced disease levels.



What is Anaerobic Soil Disinfestation (ASD)?

ASD is a 3-step technique:

- incorporate a carbon source, such as chopped cover crops or rice bran, into the soil
- apply 2–3" of irrigation water
- tarp the bed for 3 weeks

This treatment creates temporary anaerobic (without oxygen) conditions that suppress fungal diseases such as *Verticillium* wilt, *Fusarium* wilt, and charcoal rot.

ASD offers an organic alternative to conventional fumigation, which relies on methyl bromide, chloropicrin, and other toxic inputs to control soil-borne diseases.

ASD Adoption in California

In 2002, researchers began studying ASD at the UCSC Farm, and soon expanded the work to local organic farms.

In 2019, 30–40% of California's organic strawberry acreage was being treated with ASD, along with some use in conventional operations. Raspberry crops are also being treated with ASD to control soil-borne diseases.

For more information see the Shennan Lab website - shennanlab.ucsc.edu/mother-plant/

This project was partially funded by the USDA National Institute of Food and Agriculture (NIFA) Organic Research and Extension Initiative Program Grant No. 2011-15300-36577, the USDA NIFA Healthy Soils Transition Program Grant No. 2016-31102-25815, and the USDA NIFA Specialty Crop Research Initiative Program Grant No. 2017-5181-0883.

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National List Updates



- Sunset 2019 Renewals: Published
- National List Proposed Rule in Response to October 2018 NOSB Recommendations: [Open for Comment until December 17](#)
- National List Final Rule in Response to April 2018 NOSB Recommendations: [Published Today!](#)
- Biodegradable Mulch Study



Organic Integrity Learning Center



- **Enrollment Update:**
 - >1,500 Accounts
 - >200 Completions per Lesson
- **Coming Upgrade:**
 - Introduce Course Certificates
- **Upcoming Courses:**
 - Advanced Investigations
 - Fraud Prevention (OTA)
 - Certification Administration
 - Material Reviews (OMRI)
 - Tools for Traceability



Public Sign-Up Process
Individual or Group
Requests:

USDA-NOP@apvit.com

Include: User Name,
First Name, Last Name,
Organization, Email

Gene Editing



- Many public comments for this NOSB meeting focused on **gene editing** in organic agriculture.
- The **Excluded Methods** definition in the USDA organic regulations does not allow for gene editing: it is prohibited.
- USDA encourages continued **robust dialogue** about the role of new technologies and innovations in organic agriculture.
- Changing the definition of Excluded Methods is **not** on the USDA regulatory agenda.

Containers



- June 2019 Memo upheld existing USDA regulations for organic container systems.
- Increased consistency across certifiers.
- Certifiers evaluate land use histories for compliance with the regulations.
- Prohibited substances are not allowed in organic production.





Questions from the Board?