

U.S. Department of Agriculture (USDA) Agricultural Marketing Service (AMS) National Organic Program (NOP) Update

**Jennifer Tucker, Ph.D.
Deputy Administrator
October 2018**



Welcome to St. Paul, Minnesota!



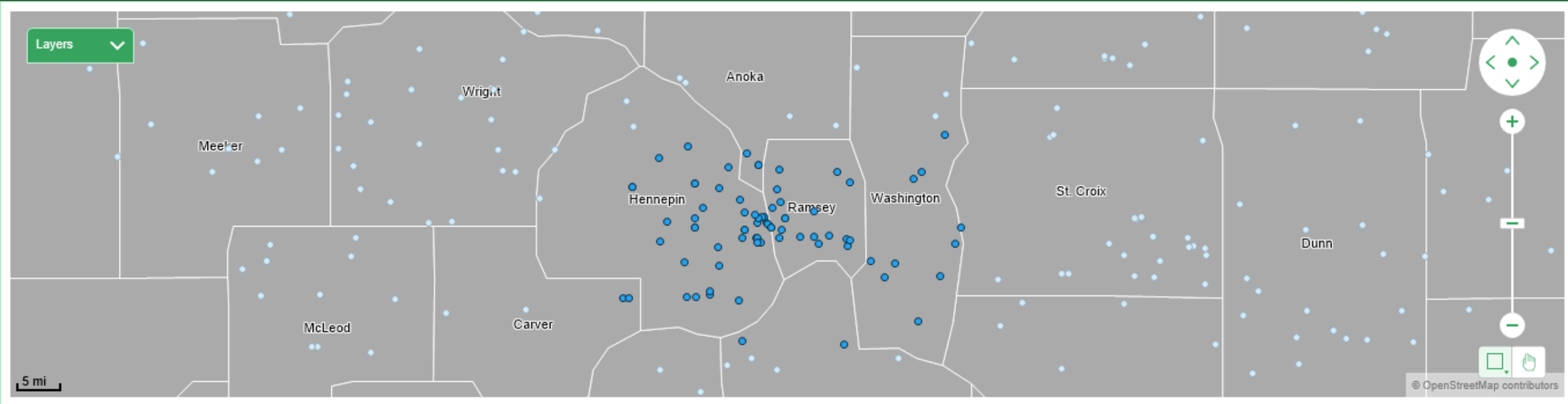
Operation	Certifier	Info	Status	City	State/Province	Country	Certified Products
<input type="text"/>			Certified ▾	<input type="text"/>	MN-Minnesota ×	<i>Enter Country</i>	<input type="text"/>
2 Creeks Farm	[MOSA] Midwest Organic Services Association, Inc.	i	Certified	Peterson	Minnesota	United States of America	CROPS: Other: Corn, Oats, Alfalfa... More
A & B Wild Rice Processing	[MCIA] Minnesota Crop Improvement Association	i	Certified	Cass Lake	Minnesota	United States of America	HANDLING: Other: Parching, Cleaning, Bagging and Labeling of Wild Rice
A & J Dairy	[MCIA] Minnesota Crop Improvement Association	i	Certified	Aitkin	Minnesota	United States of America	CROPS: Other: Hay, Oats
A & L Layers	[GOA] Global Organic Alliance, Inc	i	Certified	St. Charles	Minnesota	United States of America	CROPS: LIVESTOCK: Poultry: Laying Hens (Slaughter Eligible)
Aaron Mast	[MOSA] Midwest Organic Services Association, Inc.	i	Certified	Clearbrook	Minnesota	United States of America	CROPS: Other: Corn, Hay, pasture... More
Adam & Curt Olson Farms	[OCIA] Organic Crop Improvement Association	i	Certified	Windom	Minnesota	United States of America	CROPS: Other: Corn, Wheat
Adam Loven Farm	[MOSA] Midwest Organic Services	i	Certified	Peterson	Minnesota	United States of America	CROPS: Other: Alfalfa hay, Barley... More

Certified Organic Farms & Businesses: 966 in Minnesota

Welcome to St. Paul, Minnesota!



USDA AMS Operations Visualization Map



Operation Detail in Selected Area

Certifier	NOP Operation ID	Operation Name	Address	City	State
Oregon Tilth Certified Organic	8150008020	Pipeline Foods LLC	1250 E Moore...	Minneapolis	MN
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Quality Assurance International	5520294298	Treehouse Private Bra...	7350 Commer...	Fridley	MN
Quality Assurance International	5520294298	Treehouse Private Bra...	7350 Commer...	Fridley	MN
Quality Assurance International	5520388220	Pipeline Foods, LLC	1250 East Mo...	Minneapolis	MN
Quality Assurance International	5520388220	Pipeline Foods, LLC	1250 East Mo...	Minneapolis	MN
Oregon Tilth Certified Organic	8150002035	Federal Package Netw...	8100 Powers...	Chanhasen	MN

Number of Operations for Each Certifier in Selected Area

Certifier_ID	Certifier	Accreditation Manager	Email (2)	Phone (
23	Ecocert ICO, LLC	Rebecca Cla...	info.ecocertic...	888-337-824
35	International Certification Services, Inc	Karin French	info@ics-intl...	701-486-357
45	Midwest Organic Services Association,...	Graham Davis	mosa@mosa...	608-637-252
46	Minnesota Crop Improvement Associat...	Bridget McEl...	mncia@mnci...	612-625-776
60	OneCert, Inc.	Penny Zuck	info@onecert...	402-420-608
62	Oregon Tilth Certified Organic	Graham Davis	organic@tilth...	503-378-069
63	Organic Certifiers, Inc	Graham Davis	info@ocert...	905-594-540

Certified Organic Farms & Businesses: 966 in Minnesota

USDA Principles for Organic



- Protect the integrity of the USDA organic certified seal.
- Deliver efficient and effective oversight of organic production practices, to ensure organic products meet consistent standards.



Fiscal Year (FY) 2019 Priorities



- 1** **Strong Organic Control Systems**
Trusted People, Processes, and Rules
- 2** **Farm to Market Traceability**
Worldwide Supply Chain Integrity
- 3** **Robust Enforcement**
A Level Playing Field for All
- 4** **Support the Standards; Collaborate with Community**
Engagement and Transparency

1

Strong Organic Control Systems Trusted People, Processes, and Rules

- Released New Policy Memos, Letters on Fumigation, Prohibited Commodities
- Collaborating with APHIS for Better Data
- Developing New Models for Risk-Based Oversight Using Diverse Data Sources
- Ongoing Certifier Audits Worldwide
- Advancing Enforcement Rule and Learning Management System



Strengthening Organic Enforcement Rulemaking



- Eliminate Exclusions for Uncertified Handlers
- Certification Expiration Dates
- Accreditation of Certifier Satellite Offices
- Inspector and Reviewer Qualifications and Continuing Education
- Unannounced Inspections
- Federated Organic Certificate
- Increased Reporting to Organic Integrity Database
- Data to Support Import Certificates, Traceability
- International Agreement Updates
- Appeals, Noncompliance Processes
- Grower Groups
- Non-Retail Container Labeling

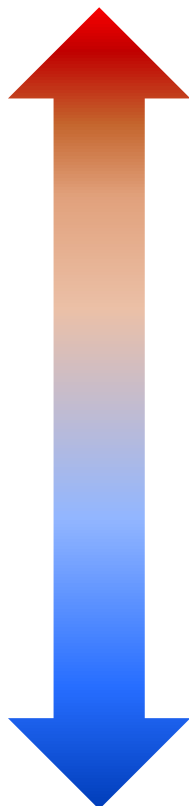
Feedback? NOP.Guidance@ams.usda.gov

July 2018 Virtual Town Hall Feedback



Attendance
400

Chat Rate
14/minute



Topic Area	Chats
Excluded Operations	121
Import Certificates/Traceability	78
Standardization of Inspector Qualifications	64
Unannounced Inspections.....	51
Federated Certificates	49
Noncompliance and Appeals	41
Satellite Offices	35
Trade Arrangements	32
Grower Groups	29

Proposed Rule Anticipated Spring 2019 | Monitor Organic Insider!

The Organic Integrity Learning Center



U.S. Department of Agriculture

Agricultural Marketing Service | National Organic Program



The National Organic Program (NOP) is a regulatory program housed within the USDA Agricultural Marketing Service. We are responsible for developing national standards for organically-produced agricultural products. These standards assure consumers that products with the USDA organic seal meet consistent, uniform standards. Our regulations do not address food safety or nutrition.

About the Organic Integrity Learning Center

The USDA Agricultural Marketing Service, National Organic Program (NOP) is designing an Organic Integrity Learning Center to provide online training that supports the professional development and continuing education of organic professionals working to protect organic integrity.

Core audiences for the training center will include organic certifiers, inspectors, and reviewers, and professionals serving a compliance and enforcement role in organic control systems.

This training center will support the USDA's goals of fair and consistent organic certification, and effective fair enforcement, and is part of our [May 2018 Enforcement Action Plan](#).

Organic Integrity Learning Center Virtual Town Hall



Join this Virtual Town Hall to learn more about the Organic Integrity Learning Center, ask questions, and to provide your feedback about course topics for the Center.

The Center will launch in Winter 2019.

USDA NOP Organic Integrity Learning Center Audiences and Course Topics

Organic Farmers & Handlers

Inspectors & Reviewers

The Organic Integrity Learning Center

- Online training to support the professional development and continuing education of organic professionals working to protect organic integrity.
- Core audiences: organic certifiers, inspectors, and reviewers, and professionals serving a compliance and enforcement role in organic control systems.
- Supports the USDA's goals of fair and consistent organic certification and effective fair enforcement.



Join Us! November 15 Webinar

- Learn more about the Organic Integrity Learning Center, ask questions, and provide your feedback about course topics for the Center.
- **Thursday, November 15**
1-2 PM Eastern
- **More Details to be Posted:**
<https://www.ams.usda.gov/reports/organic-insider>

2

Farm to Market Traceability Worldwide Supply Chain Integrity

- Published Report on Collaboration Opportunities and Technology Needs (Response to 2017 OIG Report)
- Worked with Customs and Border Protection to Scope Organic “Message Sets” Project
- Launched Electronic Export Certificate System
- Initiated Visioning for Global Organic Oversight and Traceability System

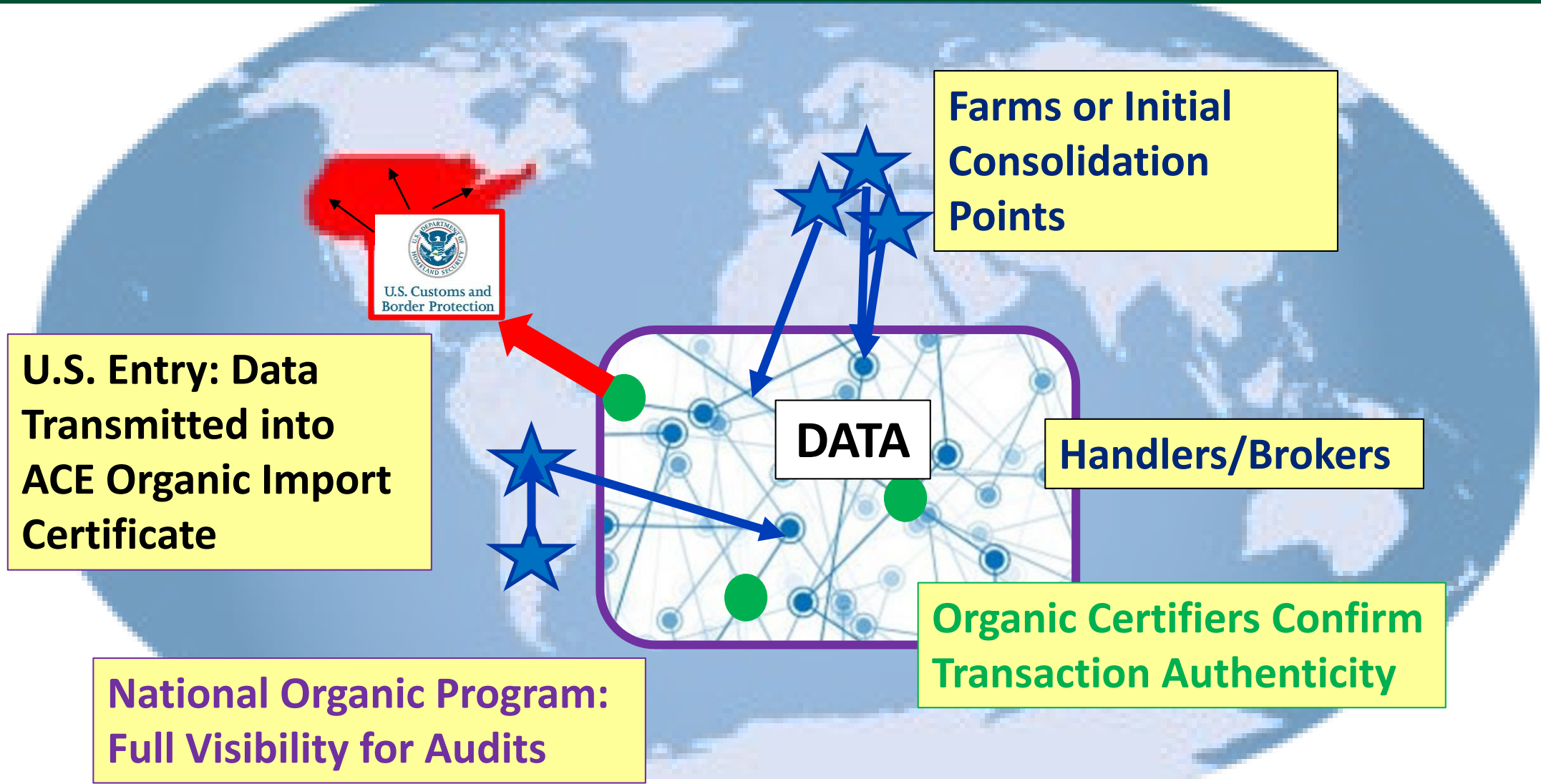


Organic Integrity Through Technology



- Published Technology Needs Assessment (August 2018)
- Technology Goals:
 - Facilitate full organic supply chain traceability from farm to market, across multiple handlers and certifiers.
 - Allow governing entities to quickly access, approve and verify that organic certificates and transactions are valid.
 - Implement organic oversight control systems that are electronically-based and secure, with verified trusted users and secure authenticated data exchange.

The Vision: One Unified Blockchain?



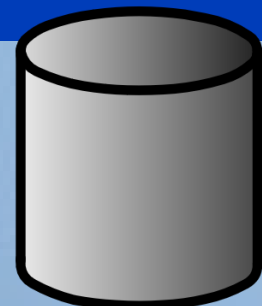
Challenge: Connect Data & Product!

The Vision: Connected Data Streams?



Organic Oversight Blockchain

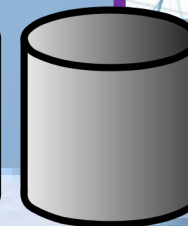
Fed By and Feeding Other Blockchains or Systems



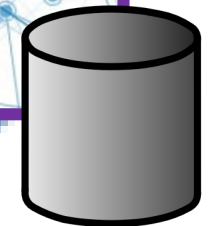
Database



Database



Database



Database

Challenge: Connect Data & Product!

3

Robust Enforcement A Level Playing Field for All

- Conducting Dairy Compliance Project: Unannounced Visits (Started in July)
- Overhauled Complaint Intake Process
- Awarded Contract to Expand Investigative Capacity by 5 People
- Continue to Block Non-Compliant Imports with APHIS and CBP
- Building New Complaint Management System
- Support Investigations by Federal Partners



An Imports Case Study

- **Situation:** Reports of new organic corn imports from Serbia, understandable fear of fraudulent imports in the community
- **NOP Actions:**
 - Obtained trade data from federal agencies, contacted importer
 - Contacted certifier to validate oversight of Serbian farm
 - Analyzed market intelligence from Foreign Agricultural Service
- Our priority is ensuring organic integrity worldwide.
- **There are both good and bad actors around the world.** We are developing risk-based systems to detect the differences.

Import Investigations Strategy

- Pursuing cases with sufficient evidence
- Continue to work specific cases with CBP-APHIS
- Focused oversight of certifiers in Black Sea region
- Focused oversight of surrendered operations in Black Sea region seeking recertification – focus on reconfirming yield
- Increasing emphasis on other geographic areas based on complaints and risk-based model
- Increasing certifier training on calculating crop yields and on noncompliance processes, evidence, and appeals

Core to All Enforcement



**Organic Foods
Production
Act**

**USDA
Organic
Regulations**

**Legally
Defensible
Evidence**

Enforcement Depends on All 3

Examples of Evidence: Often Gathered by NOP, Certifiers

- Pesticide residue testing results
- Documentation gathered during reviews and inspections:
Deviation from OSP, photos, employee and third party statements, documented admissions from operator
- Documented traceability gaps, mass balance calculations, phytosanitary certificates, detailed production records
- Third-party complaints or allegations
- Record of communication with operation
- Written statements
- Official investigative findings from other state or federal agencies
- Official records from other government agencies

How You Can Help: Complaint Submittals

WHO?	WHAT?	WHEN & WHERE?
<ul style="list-style-type: none"> • Brand Name • Operation Name • Manufacturer • U.S. Importer • Certifier • Any information you have about the supply chain 	<ul style="list-style-type: none"> • Product Packaging, Label • Product Lot Numbers • Photographs, Invoices, Bills of Lading • Certificates (Check scope for alignment with complaint): Example: A handling certificate is not evidence of an uncertified crop • Specific regulatory violation 	<p>Provide details of:</p> <ul style="list-style-type: none"> • When you observed the alleged violation (date and times) • The location it occurred (webpage or specific store) • Specific ship, port if known

4

Support the Standards; Collaborate with Community Engagement and Transparency

Special Topics:

- National List Rulemaking
- Technical Reports for NOSB
- Material Inquiries and Conflicts
 - **NOP Update:** Paper Pots
- Consultation with American Indian Tribes

- **Focus of 2018 Peer Review:**
 - USDA oversight process for certifiers audited in 2017
 - Specific focus on noncompliances, complaints, and fraud
 - USDA processes for assessing risk in the current management system
 - Areas for system improvements
 - Gaps in current system compared to the new ISO17011:2017



- NOP Organizational Chart does not have a Quality Manager
- NOP should develop a document summarizing its relationships with other organizations to document ways we avoid conflicts of interest
- The NOP does not have an sufficient number of auditors
- Certifier satellite offices are not audited frequently enough
- Procedures for residue sampling are not clearly understood or followed by international certifiers and satellite offices
- Insufficient NOP personnel to handle complaints and enforcement actions
- NOP should establish stronger quantitative objectives and key performance indicators to effectively measure and monitor goals



- Several documents did not comply with document control procedure
- The accreditation certificate does not identify all premises from which key activities are performed and the certifiers' physical addresses
- Terms of Accreditation do not contain specific terms describing use of the seal. NOP does not have a separate license agreement for the seal.
- NOP should provide additional training opportunities to NOP staff and auditors in the areas of risk assessment and investigative methods for fraud prevention.
- Certifier audit trail exercises do not always provide adequate detail to verify and fully document the audit trail including full supply chain.

ANSI Peer Review: NOP Actions

- Many FY 19 Goals Will Address Peer Review Observations:
 - Hiring a Quality Manager (Approved)
 - Hiring Additional Auditors (Approved)
 - Launching Learning Management System: Will include import oversight topics (audit trails, trace-back, mass balance); residue sampling, testing, and analysis topics
 - Risk-Based Oversight Model: Will help better target audit priorities and emerging risk areas
 - Continuing to refine audit planning based on available resources

1

FY 19 Goals: Strong Organic Control Systems

1. Publish the Strengthening Organic Enforcement Proposed Rule
2. Populate and launch Learning Management System for organic certifiers and inspectors
3. Conduct face-to-face training sessions with certifiers
4. Develop a risk-based certifier oversight model
5. Maintain and negotiate organic equivalency with other governments, emphasizing oversight and enforcement

2

FY 19 Goals: Farm to Market Traceability

1. Contract with Customs and Border Protection (CBP) to program organic message sets into CBP Automated Commercial Environment (ACE)
2. Institutionalize business processes for fumigation data analysis, investigations, and industry notifications
3. Develop concept of operations and architecture for a global organic oversight and traceability system
4. Complete Memorandum of Agreement for access to CBP-ACE across all Harmonized Trade Codes

3

FY 19 Goals: Robust Enforcement

1. Launch new Compliance and Enforcement Database System
2. Resolve 90% of appeals within 180 days
3. In FY 2019, resolve 80% of complaint cases opened in FY 2017 and earlier. By end of FY 19, be trending towards resolving 75% new complaints within 180 days
4. Complete 2018 Dairy Compliance Project; Initiate 2019 Dairy Compliance Project

4

FY 19 Goals: Standards and Collaboration

1. Institutionalize streamlining actions to reduce National List rulemaking timeframe
2. Recruit highly qualified individuals for NOSB vacancies and for key NOP staff positions
3. Host two NOSB meetings in FY 2019
4. Host public engagement events and engage the community for feedback and input

STANDARDS



OFFICE OF THE DEPUTY ADMINISTRATOR



COMPLIANCE & ENFORCEMENT



ACCREDITATION & INTERNATIONAL ACTIVITIES