

THE FOLLOWING RECOMMENDATION DOES NOT REPRESENT OFFICIAL USDA POLICY

**NOSB Accreditation Committee
Peer Review Panel Recommendation
Draft 3 – Adopted by the NOSB, June 7, 2001**

The Accreditation Committee has been charged with:

1. proposing a revised definition of "peer review panel" to bring the definition in line with the Rule's regulatory text;
2. drafting an appointment plan with a target of appointment of the PRP by December 31, 2001; and
3. drafting terms of reference for operation of the PRP.

1. Peer Review Panel definition. The Federal Rule currently contains the following definition:

"Peer review panel. A panel of individuals who have expertise in organic production and handling methods and certification procedures and who are appointed by the Administrator to assist in evaluating applicants for accreditation as certifying agents."

In order to make the definition consistent with the regulatory text, the Accreditation Committee recommends replacing the current definition with the following:

"Peer review panel. A panel of individuals who have expertise in organic production and handling methods and certification procedures and who are appointed by the Administrator to assist in evaluating the accreditation procedures and decisions of the National Organic Program."

2. Peer Review Panel appointment plan.

A. The Peer Review Panel (PRP) shall be a standing committee of the National Organic Standards Board (NOSB), pursuant to the Federal Advisory Committee Act. (FACA) (5 U.S.C. App. 2 et seq.).

B. The PRP shall be comprised of 3 members and one alternate. At least one member of the PRP shall be a current NOSB member.

C. PRP members shall be recommended by the NOSB.

D. Current NOSB members and members of the public are eligible to serve on the PRP.

E. PRP members must have expertise in organic production and handling methods and certification procedures.

F. Each member must be recommended for appointment to the PRP by a majority vote of the NOSB. In the event of a plurality, the lowest vote getter must withdraw, and a new ballot is cast.

G. The Administrator of the USDA's Agricultural Marketing Service shall appoint members of the PRP, based on the recommendations of the NOSB.

H. Members of the Peer Review Panel may serve up to two 3-year terms.

I. In order to establish an appointment rotation cycle, members of the first Peer Review Panel shall be appointed to 1-, 2-, and 3-year terms, with the alternate member appointed to a 3-year term.

3. Peer Review Panel terms of reference.

The Federal Rule contains the following regulatory text establishing the duties of the Peer Review Panel:

"§ 205.509 Peer review panel.

The Administrator shall establish a peer review panel pursuant to the Federal Advisory Committee Act (FACA) (5 U.S.C. App. 2 et seq.). The peer review panel shall be composed of not less than 3 members who shall annually evaluate the National Organic Program's adherence to the accreditation procedures in subpart F of these regulations and ISO/IEC Guide 61, General requirements for assessment and accreditation of certification/registration bodies, and the National Organic Program's accreditation decisions. This shall be accomplished through the review of accreditation procedures, document review and site evaluation reports, and accreditation decision documents or documentation. The peer review panel shall report its finding, in writing, to the National Organic Program's Program Manager."

The Accreditation Committee recommends that the Peer Review Panel operate according to the following terms of reference:

- A. The Peer Review Panel shall annually evaluate the National Organic Program's adherence to the accreditation procedures in subpart F of the Federal Rule.
- B. The PRP shall annually evaluate the National Organic Program's adherence to ISO/IEC Guide 61, *General Requirements for Assessment and Accreditation of Certification/Registration Bodies*.
- C. The PRP shall annually evaluate the National Organic Program's accreditation decisions for compliance with the Act, the Federal Rule, and ISO/IEC Guide 61.
- D. The PRP shall annually review the NOP's accreditation procedures, document reviews, and site evaluation reports.
- E. The PRP shall annually review the NOP's accreditation decision documents and/or documentation.
- F. The PRP shall report its findings, in writing, to the National Organic Standards Board and to the National Organic Program's Program Manager.
- G. The report shall be constructed as a consensus document of the PRP, but it may contain minority findings or positions.
- H. The proceedings of the PRP shall be confidential, but the findings shall be contained in a publicly available document.
- I. PRP members shall recuse themselves from review of NOP accreditation decisions concerning certifying agents with whom they or members of their immediate families have conflicts of interest.
- J. Upon appointment, PRP members shall receive auditor training in ISO/IEC Guide 61 and ISO/IEC Guide 10011.
- K. The PRP shall travel to the USDA offices at least annually to conduct reviews of the NOP's accreditation program. PRP members may also accompany representatives of the NOP during site evaluations of certifying agents.
- L. The PRP will be provided sufficient staff support and resources by the NOP to carry out the duties described in A–K above.