

ATTACHMENT 1a

NOSB public comment, June 6, 2001, Harriet Behar presenter

Thank you for the opportunity to address the National Organic Standards Board and the employees of the National Organic Program. I hope you have enjoyed your time in the beautiful hills and valleys of the Upper Mississippi River region and the Driftless area, where I call home.

My name is Harriet Behar, and I am currently the Chair of the Independent Organic Inspectors Association, (IOIA) as well as a member of the OMRI Board (Organic Materials Review Institute). I have been a certified organic farmer growing vegetables and herbs since 1989, an organic inspector since 1991 and a trainer of organic inspectors since 1996. I also worked for Organic Valley during their earlier years from 1989 through 1996, as the marketing coordinator, a member of the management team and new products coordinator. I am an avid organic consumer.

I will speak to you today wearing my hat as the Chair of IOIA, although my experiences as an organic producer, organic marketer, and organic consultant have all contributed to my viewpoint.

Organic inspectors have a unique position in the organic community. We usually represent the only face to face contact with the certification body by the producer. Organic certification agencies and ultimately consumers rely on our work as reviewers of the producer's compliance with the organic standard as well as our expertise and skill to produce a complete report of our findings. Our viewpoint is unique and we feel we are important stakeholders in the process of implementation of the of the USDA National Organic Program's Final Rule as well as the ongoing process of organic certification.

IOIA inspector trainings, conducted around the globe, carry the respect of the worldwide organic community and our trainings serve not only inspectors, but also members of certification agencies, governmental regulatory bodies, and the organic industry as a whole. Our recent IOIA organic inspection manual was published with a joint copyright between IFOAM (International Federation of Organic Agricultural Movements) and IOIA, and is in the process of being translated into a variety of languages to be used for training as well as an organic reference material worldwide. IOIA, with the Organic Trade Association, recently completed a manual to aid retailers in complying with the USDA Final Rule, when they handle organic products in their stores.

IOIA has incorporated the Final Rule in both our basic and advanced inspector trainings, and we have been very proactive in discussing ISO 65 guidelines with our membership, to aid in compliance with this aspect of accreditation for organic certification agencies. As the NOSB and the NOP continue to work on USDA organic standards and accreditation, you can feel free to call on IOIA as a resource.

IOIA's perspective is unique and, on most issues, objective. Our overriding goal is to promote organic integrity from the field to the marketplace. The knowledge of our collective membership includes experience with just about every item that has both applied for, and received, organic certification. IOIA would like to work with the NOSB and the NOP in defining a "qualified" inspector, and we look forward to specific suggestions on skills and areas of expertise the NOP would like us to impart to our membership.

The Final Rule to be implemented in October 2001 has both clarified some areas of organic certification and complicated others. It is in the interest of all parties involved, from production to certification and regulation, to have a rule that is clear, complete, easy to understand, and practical. As inspectors, it is our job to assess compliance with standards. These standards need to be verifiable in order to be implemented in a consistent manner.

IOIA would like to comment upon a few issues within the NOP Final Rule. A five page IOIA Final Rule response has been mailed to the NOP office, or if anyone wishes to have a copy of the complete letter, I have a few copies with me at this time. It is also available at our website www.ioia.net

We are concerned that the NOP has set the national standard as the "maximum" standard. Many other governmental standards are minimum standards and having the Final Rule be the maximum standard, goes beyond the mandate necessary to allow for free trade of goods. Reciprocity between certification agencies could still be mandated by the rule, while allowing agencies and producers to distinguish themselves in the marketplace. IOIA requests that the NOSB develop a policy, guiding the NOP to allow different agencies the freedom of speech to advertise their difference in the marketplace. We believe it is in the best interest of the organic community to encourage and recognize excellence and achievement.

The USDA prohibition against allowing a certifiers board of directors from being certified by the same agency, goes beyond both ISO guide 65 and the Organic Food Production Act. IFOAM has approved agencies that maintain certified organic members on their board, and IFOAM accreditation works within the ISO guide 65. The enthusiasm and energy expressed by these type of certification agencies has been the foundation of the organic movement, and we would not be where we are today, with a 8 billion dollar a year industry, without them. IOIA believes that the NOP could interpret the Rule in a way that does not squeeze out these important grassroots based bodies, and we request that the NOSB direct the NOP to develop a policy that allows for certified members to sit on the boards of their own certification agency.

IOIA is concerned that there is no mention in the Rule that specifically bans the intentional rotation of fields in and out of organic production. We ask the NOSB to direct the NOP (as stated in the Final Rule preamble) to develop a standard to prevent this rotation, which can compromise organic integrity.

There is not a minimum standard on the size of the buffer zone needed between organic and non-organic production. This will lead to confusion and inconsistency, a minimum standard should be added to the rule, with the allowance of a greater buffer zone requirement if the certification agency feels it to be necessary.

IOIA would like the NOSB to ask the NOP to require the type of production being certified to be listed on an annual organic certificate. Transparency in this area is necessary to prevent fraud, and to be clear exactly what has been certified for sale into the organic marketplace.

Thank you again for the opportunity to speak with you, and I thank all of you for your dedication and commitment to the organic community. ---Harriet Behar