



California Certified Organic Farmers

May 6, 2002

National Organic Standards Board
C/o Richard Mathews
Program Manager
USDA-AMS-TMP-NOP
Room 4008-South Building
1400 and Independence Avenue, SW
Washington, DC 20250-0020

Regarding: NOP accreditation and ISO-65 Guide Assessment of Organic Certifying Agencies

Dear Members of the NOSB,

Congratulations to everyone here today, the passage and implementation of the OFPA and the National Organic Program has been a twelve year odyssey of Herculean effort. Congratulations to all of the USDA staff involved in the accreditation process, it was a big job and I appreciate your efforts.

As with the development of any new program, the process moves forward a step at a time and we are sometimes dealt blows that cause us to take a step back. Such is the case with the announcement of the accredited certifiers under the NOP program. With that huge step forward, we are now faced with a problem; that is the fact that the NOP accreditation program and ISO-65 Guide Assessment of Organic Certifying Agencies are not the same.

The NOP had one overriding goal in this accreditation process: to create a uniform standard for organic production in the United States. Unfortunately, the USDA accreditation programs have created two standards for the accreditation of organic certification programs. This is a disservice to the organic community and must be resolved quickly.

The NOP list of accredited programs is not only different from the ISO-65 list, but documents that programs that cannot achieve ISO-65 accreditation may in fact achieve NOP listing. The ISO-65 program was implemented in order to resolve trade issues with the European Union States. The program was effective and I for one appreciate the USDA efforts in this area. However, now there is a potential gap in the ability of the USDA to promote the NOP program as equivalent to the EU regulation 45011 when in fact they are not and the NOP website provides definitive evidence of the gap.

The USDA NOP program and USDA ISO-65 program managers were made aware of this issue at the Atlanta Training of Certification programs (February 2001). Current members of this NOSB were very vocal and clear in their warning to the USDA staff that the NOP Rule was not consistent with ISO-65 and that it could cause the problem that we find ourselves in today.

At the Atlanta meeting we were assured that the USDA staff would sort out this issue. Even up until shortly after CCOF submitted our application to the NOP we were assured by USDA staff that the NOP and ISO-65 programs would be in "lock step" regarding accreditation issues.

I hope that current USDA personnel at a high level will take this issue under advisement and seek a resolution immediately. I have two principle concerns as a result of the gap between the NOP and ISO 65 programs:

- A. Organic certification programs are subject to two accreditations in order to qualify product for export to the EU. This is added expense and administration on organic certification programs that will surely be passed on to organic producers.
- B. European Union regulators now have evidence of the ways that the NOP program does not comply with ISO 65. This will surely be point of discussion for any trade agreement.

I hope that this NOSB can place this issue on their work plan and schedule some discussion on the issue at the next meeting. Your support on this issue will surely help to bring about the right solution in an expedient manner.

Sincerely,



Brian McElroy
CCOF Certification Services Manager

Cc Roy Reeves, CCOF Certification Division Committee Chair
Phil LaRocca, CCOF Chairman of the Board