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Biologica

**I**NTERNATIONAL **F**EDERATION of **O**RGANIC **A**GRICULTURE **M**OVEMENTS

Please reply to:

## ATTACHMENT 4

### IFOAM Public Comment and Proposal to the NOSB June 1999

**World Board Member:**

*President*

**Linda Bullard**  
Belgium

*Vice President*

**Gunnar Rundgren**  
Sweden

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Italy

**El Hadji Hamath Hane**  
Senegal

**Annie Kirschenmann**  
USA

**Alberto Lernoud**  
Argentina

**Hervé La Prairie**  
France

**Suzanne Vaupel**  
USA

**TO:** Members of the NOSB  
USDA National Organic Program

**FROM:** Suzanne Vaupel  
for the IFOAM World Board

**DATE:** 8 June, 1999

Thank you for again providing the opportunity to comment and to provide input into the process of developing the organic program in the United States. I speak to you today on behalf of the IFOAM World Board, and the worldwide organic community as represented by IFOAM's membership in 107 countries.

IFOAM is recognized by the International Standards Organization (ISO) as an international standards setting body for both its organic standards and its accreditation criteria for organic certification bodies. The ISO Directory of international standardizing bodies is referenced by the World Trade Organization. IFOAM also has official consultative status with the United Nations Food and Agriculture Organization.

This proposal and comment is a follow up to the comment we presented in February, which is attached. We will not reiterate its contents, except to underscore that our objective is the establishment of a public-private partnership as called for in OFPA.

As you are all aware, IFOAM has developed an accreditation program for the organic community which is operated by the independent International Organic Accreditation Service (IOAS). The purpose of this accreditation is to create a quality internationally harmonized oversight program specifically for organic certification organizations. Cooperation between the USDA

accreditation program and the IFOAM Accreditation Program can serve to reduce duplicative processes and save resources of the certifiers and USDA.

In a letter to Keith Jones sent in March of this year, IFOAM outlined three methods by which USDA could work with the IFOAM Accreditation Program to reduce costs for USDA accreditation of U.S. certifiers that have been accredited by IFOAM. This letter, a copy of which is attached, also supplies information about IFOAM and the IFOAM Accreditation Program; IFOAM's position regarding ISO 61, ISO 65/EN45011 and European Regulation 2092/91; and additional information germane to the discussion of this comment, including the position of the Committee for the Agreement on Technical Barriers to Trade regarding international conformity.

Also attached is the "Resolution on USDA-IFOAM Accreditation Cooperation", which was passed by the NOSB Accreditation Committee in November of 1993. This resolution recommended that USDA/AMS and IFOAM begin discussions to determine areas where agreements could be made to avoid duplicative work and enhance the implementation of both accreditation programs.

The NOSB Accreditation Committee emphasized in its 1993 recommendations that "failure to utilize this...opportunity to cooperate... will result in lost learning, additional cost, wasted effort and the probable need to reconcile differences later...." It also noted that it "wishes to further the best interest of the Organic Industry-Community as a whole, by supporting cooperation between IFOAM and US entities...." Specifically the Accreditation Committee emphasized:

- That accreditation is a time-consuming and expensive process;
- The need to avoid duplication;
- The need to maximize harmonization of organic standards for purposes of international trade;
- The fact that IFOAM has demonstrated experience in developing quality management principles for organic certification programs, field evaluations and scoring methodology, and training of evaluators;
- That failure to cooperate would result in additional costs to certifiers and USDA and unnecessary duplicative efforts.

IFOAM recognizes, of course, that USDA has a responsibility for due diligence in the accreditation of certifiers approved under its National Program.

We are requesting today that the NOSB adopt its 1993 Resolution as a Recommendation to the USDA in order to:

- enhance the public/private partnership called for by OFPA;
- reduce redundancy in the accreditation process;
- reduce cost of accreditation to those certifiers who choose to be accredited by both programs, as well as reduce costs for the USDA;
- facilitate international acceptance by providing a common basis for accreditation.

Options for this type of cooperation have been articulated in the attached letter to Keith Jones and in a paper written by Jim Riddle and presented to the NOSB last year. These options call for the USDA to retain its authority for approval of certifiers, while allowing for partnership with the IFOAM Accreditation Program, reducing costs, and eliminating redundancy. A copy of Mr. Riddle's paper is attached for your reference. We recommend that it also be utilized in the USDA/IFOAM dialogue.

We note here that the third option suggested in both the letter to Keith Jones and in Mr. Riddle's paper is already being used by other governments, notably the competent authorities in Germany and Quebec. This option involves accreditation by the government authority based on evaluation reports submitted by the IFOAM Accreditation Program.

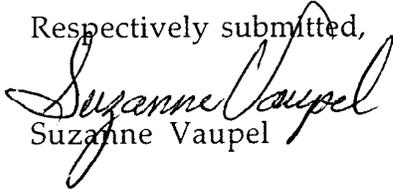
In order to implement a partnership between USDA and the IFOAM Accreditation Program, we invite the USDA to undertake its own review of the IFOAM Accreditation Program, as it is operated by the IOAS. In this way, the USDA can determine the competence of the IOAS and determine how to minimize the USDA resources needed to evaluate and accredit certifiers already accredited under the IFOAM Accreditation Program.

We urge you, members of the NOSB, to adopt the 1993 NOSB Resolution as a Recommendation to USDA for immediate action, referencing the attached documents. In doing so, you will:

- 1) strengthen the public/private partnership mandated by the OFPA,
- 2) reduce unnecessary duplication in accreditation,
- 3) help to contain costs and resources,
- 4) strengthen the US National Organic Program by encouraging a viable working relationship with a program that has more than 7 years practical experience in private sector accreditation in organic production.

Thank you for considering this proposal presented on behalf of IFOAM.  
Members of the IFOAM World Board stand ready to offer assistance to the  
NOSB and the USDA at any time.

Respectively submitted,

  
Suzanne Vaupel

Attachments:

1993 NOSB Resolution

Proposal for the Delegation of Organic Accreditation Service by the  
USDA to the IOAS by Jim Riddle

IFOAM NOSB Public Comment February, 1999

IFOAM letter to Keith Jones March, 1999

IFOAM Letter to the IFOAM Accredited Certifiers

1  
2 Resolution on USDA-IFOAM Accreditation Cooperation  
3

4 NOSB ACCREDITATION COMMITTEE RECOMMENDATION TO FULL BOARD  
5

6 PASSED BY COMMITTEE: November 12, 1993  
7

8 C.C. TO: USDA/AMS/TMD/NOPP, IFOAM ACCREDITATION BOARD,  
9 OFFANA, OCC.  
10

11 WHEREAS: Several large US Organic Certifiers will be applying for  
12 the first time for both IFOAM and USDA Accreditation, both being  
13 new programs instituted for the purpose of standardization and  
14 verification of Organic Certification between programs and  
15 countries; and  
16

17 WHEREAS: The Accreditation process is both time consuming and  
18 expensive, both for the conducting agency and the certifier,  
19 especially when including travel costs from abroad; and  
20

21 WHEREAS: Both USDA and IFOAM wish to maximize the harmonization of  
22 Organic Standards for purposes of International trade, as evidenced  
23 among other things by their joint participation in the CODEX work;  
24 and  
25

26 WHEREAS: The criteria and process of USDA Accreditation of Organic  
27 Certifiers under OFPA and ensuing regulations is substantially  
28 parallel and duplicative of IFOAM criteria and process; and  
29

30 WHEREAS: IFOAM has demonstrated experience in developing Quality  
31 management principles for Organic Certification Programs, field  
32 evaluation and scoring methodology, and training of evaluators  
33 which could benefit the implementation of the USDA Accreditation  
34 Program; and  
35

36 WHEREAS: USDA has under its mandate from OFPA, safeguards for  
37 industry integrity, through public regulation which may act to  
38 strengthen industry self-regulation, and thus the purposes of  
39 IFOAM; and  
40

41 WHEREAS: Failure to utilize this timely opportunity to cooperate in  
42 the early development of both programs will result in lost  
43 learning, additional cost, wasted effort, and the probable need to  
44 reconcile differences later; and  
45  
46

47 WHEREAS: The NOSB Accreditation Committee wishes to further the  
48 best interests of the Organic Industry-Community as a whole, by  
49 supporting cooperation between IFOAM and US entities; the Committee  
50 also recognizes that many IFOAM program elements exceed what is  
51 needed or appropriate for smaller US certifiers, and  
52

53 WHEREAS: The Committee is unable to recommend in good conscience a  
54 full delegation of PHASE I and PHASE II activities, record-keeping

55 etc. to IFOAM for those groups wishing it, thereby ensuring that  
56 track USDA Accreditation program, one of which would be  
57 administered off-shore; and

58 WHEREAS: It is recognized that both the USDA/AMS and IFOAM have a  
59 number of administrative and legal conditions which must be met in  
60 making any formal cooperative or contractual agreements;  
61

62 the Committee therefore  
63

64 RESOLVES to recommend  
65

66 THAT: USDA/AMS and IFOAM begin discussions to determine areas  
67 where agreements could be made to avoid duplicative work, and  
68 enhance the implementation of both Accreditation Programs,  
69 which might include: shared site evaluators  
70 shared training of site evaluators,  
71 shared use of duplicate or parallel  
72 application forms,  
73 shared scoring sessions for application  
74 materials and design of site evaluations, etc.  
75

76 THAT: Negotiations towards this be conducted directly between  
77 USDA/AMS and IFOAM, with ongoing communication to this Committee  
78 on progress made, and  
79

80 THAT: This committee offer ongoing support and consultation to all  
81 parties towards these ends.  
82  
83  
84



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**I**NTERNATIONAL **F**EDERATION of **O**RGANIC **A**GRICULTURE **M**OVEMENTS

Date: 8 February, 1999

On behalf of the International Federation of Organic Agriculture Movements (IFOAM), we appreciate the opportunity to continue to provide input into the process of developing the organic program in the United States.

IFOAM is the international standards setting organization for the organic sector. It has 770 member organizations in 107 countries, representing all areas of the organic movement. IFOAM has been active for more than 25 years in the development and promotion of organic agriculture, and is the voice for the worldwide organic movement. As such, IFOAM has participated in the development of organic standards and regulations at the international level, including those of Codex Alimentarius and the European Union, where, through the IFOAM EU Working Group, IFOAM continues to play an active role in the evolution of Regulation 2092/91. IFOAM is also referenced in the U. S. Senate Report language which accompanies the US Organic Food Production Act as "working to harmonize standards internationally" (page 290).

In light of the public response to the first proposed rule, we understand that the USDA has been rethinking its approach to the design and content of the proposed regulation. IFOAM, representing the worldwide organic community, stands with the U.S. organic community in its demand that the USDA establish a true public private-partnership in its new version of the proposed rule, as called for by the OFPA itself.

Our comments in this paper will be directed specifically to the accreditation aspects of this partnership.

The implementation of measures to judge equivalence between standards and inspection from different countries for imports of organic products can result in confusion, inequalities and discrimination which constitute technical barriers to trade. The Committee on Technical Barriers to Trade of the World Trade Organization has noted the restrictive effect on trade of multiple testing and conformity assessment procedures and stated that the principle of one standard, one test, one certification, one time should be pursued in order to facilitate trade and reduce the costs, which are often borne unequally by the countries of the South. IFOAM has instituted the only fully operational, international accreditation system for certification programs in the field of organic agriculture and food production: the IFOAM Accreditation Programme. Based on ISO Guides 65 and 61 adapted to the specific needs of the organic sector, the system is operated independently by the International Organic Accreditation Service (IOAS), based in the United States.

At its recent General Assembly in Mar del Plata Argentina, the worldwide organic movement unanimously called upon all national governments to fully recognize IFOAM Accreditation as providing the necessary evidence of import equivalence in standards, inspection and certification of organic food and farming.

For a portion of an IFOAM Accredited Certifiers meeting during the Mar del Plata Scientific Conference, Beth Hayden from the National Organic Program was in attendance. One of the questions from the certifiers to Ms. Hayden was whether or not the USDA would accept and recognize IFOAM Accreditation. She said that while she could not comment on the current drafting process and how this issue might be addressed there, the first proposed rule had allowed for this option. In our reading of the first proposed rule, we did not recognize this option; however we are pleased to hear that it did exist and encourage the NOSB to recommend and the USDA to adopt this option, in clear language, in the next version of the draft.

During a seminar session at the Eco Farm Conference in January of 1999, Keith Jones of the National Organic Program was presented with a series of questions regarding the cost of accreditation, as well as concerns regarding the USDA's intentions to duplicate in

the federal government structures which already exist in the private sector. These questions and concerns are not new. Throughout the entire rule making process, the private sector has consistently asked that the USDA not duplicate structures which already exist in the private sector, but rather find ways to work with these structures. Mr. Jones indicated the USDA's willingness to consider these options.

The accreditation system operated by the IOAS is such a structure. In our reading of the OFPA, there is nothing to prohibit the USDA from delegating the job of accreditation to a private sector body; and the IFOAM Accreditation Programme offers a cost effective, efficient, experienced and operating accreditation system, which meets the OFPA requirements for the Peer Review Panel called for in Section 2117.

We urge the NOSB to recommend that the USDA look to this private sector system for its accreditation needs, rather than creating a costly and redundant accreditation structure within the US government. This would represent a true public-private partnership, as called for by the OFPA.

On behalf of the IFOAM World Board,

Linda Bullard  
President



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Biologica

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Vereinigung  
Biologischer  
Landbau-  
Bewegungen

INTERNATIONAL FEDERATION OF OF ORGANIC AGRICULTURE MOVEMENTS

Please reply to:  
IFOAMHeadOffice

1999-03-07

To  
National Organic Program  
Att: Keith Jones  
TMD/AMS/USDA, Room 2510  
PO Box 96456  
Washington DC 20090-6456  
USA

Fax +1-2026900338

Dear Mr. Jones,

We have been informed by the U.S. certification organizations accredited under IFOAM's Accreditation Program, that the USDA is planning to offer accreditation/ISO 65 assessment for organic certifiers in the US, by the Meat Grading and Certification Branch of the USDA, in order to facilitate the acceptance of US certifiers by the member states of the European Union. We also understand that there is some question as to whether or not the USDA will include recognition of IFOAM Accreditation in this process; or utilize reports on accredited certifiers generated by the IFOAM Accreditation Program.

Four of the largest certification organizations based in the United States are accredited by the IFOAM Accreditation Program: CCOF, FVO, Oregon Tilth, OGBA. Two more US certifiers have applied for accreditation: OCIA and Global Organic Alliance.

On behalf of these certification organizations, as well as the worldwide organic movement, we wish to encourage the USDA to include a provision for either:

- 1) acceptance of IFOAM accreditation, or
- 2) the recognition of IFOAM accreditation as a basis for USDA accreditation, or
- 3) utilization of the reports generated by the IFOAM Accreditation Program as a basis for USDA accreditation.

It would create unnecessary redundancy and cost for these accredited certification organizations, if the USDA does not recognize their IFOAM accreditation in the development of the USDA accreditation. For the future the USDA will also have to consider how to handle organic imports into the USA. IFOAM Accreditation is available for certifiers all over the world. By providing for recognition of IFOAM Accreditation within the USA, USDA would have a safe and easy way to handle imports of organic products.

#### IFOAM and IFOAM Accreditation

The IFOAM Accreditation Program is the only accreditation program in the world specifically designed to address the needs of organic agriculture. Each of the certification programs which have been accredited under the IFOAM Accreditation program, has undergone a lengthy and thorough screening, on-site evaluation and review by a panel of experts and peers. Each program is monitored on an on-going basis by the Accreditation program. Not only their procedures are assessed, but also the practical performance. Further their certification standards are assessed against the IFOAM Basic Standards.

The competency of the IFOAM Accreditation Program has already been recognized by several governments in the world, e.g. Costa Rica and Czech Republic. Reports from the IOAS, based on the IFOAM Accreditation Program, have been recognized by numerous member states in the EU for import approval.

The International Federation of Organic Agriculture Movements (IFOAM), is an international standard setting organization, and has registered with the ISO as such. IFOAM is also officially recognized as a liaison to the ISO. The Committee for the Agreement on Technical Barriers to Trade has encouraged the establishment of appropriate, international conformity assessment systems, and the use of international standards. IFOAM has instituted a fully operational, international accreditation system, based on international norms (e.g. ISO 61 and ISO 65), for the accreditation of certification programs in the field of organic agriculture and food production -- the IFOAM Accreditation Program, operated independently by the International Organic Accreditation Service (IOAS). This is the only international organic accreditation program in the world. It was designed to address the specific needs of organic production and certification.

IFOAM has 700 member organizations in over 100 countries, representing all sectors of the organic movement. IFOAM has been active for more than 25 years in the development and promotion of organic agriculture, and is the voice for the worldwide organic movement. As such, IFOAM has participated in the development of organic standards and regulations at the international level, including those of Codex Alimentarius and the European Union, where IFOAM continues to play an active role in the evolution of Regulation 2092/91. IFOAM is also referenced in the U. S. Senate Report language which accompanies the US Organic Food Production Act as "working to harmonize standards internationally". (Page 290)

At its recent General Assembly in Mar del Plata Argentina, the worldwide organic movement unanimously called upon all national governments to fully recognize IFOAM Accreditation as providing the necessary evidence of import equivalence in standards, inspection and certification of organic food and farming.

#### About EU requirements

The (EEC) 2092/91, even though it has been amended many times, has no legal requirement for accreditation, and in many of the EU member states certifiers are not accredited. Also in relationship to imports the (EEC) 2092/91 has no requirement for accreditation. In the EU, authority for the regulation of imports (according to Article 11.6) has been delegated by the EU Commission to the EU member states. As you may be aware, this has created a patchwork of different and confusing requirements across Europe. The request for accreditation originates in a guiding paper from the EU Commission. In this paper accreditation is only one of three options for how EU member states can assess a certifier's compliance with ISO 65. The implementation will still be in the hands of the EU member states. Therefore, on behalf of the accredited certifiers, we ask whether or not the USDA has received, in writing, confirmation from the authorities in the EU member states that the solution now being offered by the USDA to US certifiers will be accepted by the individual member states in the EU.

Additionally, it has been the experience of EU based certifiers who have received EN45011 accreditation, that while this accreditation facilitates the acceptance of products certified within the EU; it does not cover the acceptance of products certified by these certification organizations outside of the EU. Assuming that the EU member states accept the USDA's proposed solution for product produced within the US; since many of the U.S. certification organizations also operate internationally, we can only expect that they will experience the same difficulties for products which they certify outside of the US. Many organic products exported from the U.S. will also contain organic ingredients originating outside the U.S., and the accreditation would need to cover the certification of the whole supply chain. The IFOAM Accreditation is covering both these situations.

#### How IFOAM and the USDA could cooperate

We understand from various interactions with USDA representatives that recognition of IFOAM Accreditation is under consideration. NOSB recommendations have also requested interaction between the IFOAM Accreditation Program and the USDA. Given this history of directives and interactions regarding cooperation between the USDA and IFOAM, we would like to encourage cooperation in this current process, as well as in the development of USDA Organic Accreditation.

At its recent meeting in Tholey-Theley, Germany, the IFOAM World Board established a task force with the mandate to serve as a communications link in the process of dialogue with the USDA. The task force will consist of the following individuals:

- { Suzanne Vaupel, IFOAM World Board member, USA
- { Lynn Coody, Representative of the US IFOAM Accredited Certifiers
- { Jim Riddle, Representative of the IOAS Board, in order to provide technical information in this dialogue.

The IFOAM World Board hopes for the development of a good working relationship between our organization, which represents the worldwide organic movement, and the USDA. We will assist our task force in their

dialogue with the USDA and are available to provide additional information as needed. We hope that we will be able to develop a true private-public partnership.

On behalf of the IFOAM World Board,

Gunnar Rundgren  
Vice President

cc: IFOAM Accredited Certification Organization  
International Organic Accreditation Services  
National Organic Standards Board  
Enrique Figueroa, Administrator, USDA, AMS  
Audrey Talley, USDA, Foreign Agriculture Service  
Mark Bradley, Meat Grading and Certification (USDA)  
Organic Trade Association, OCC

# IFOAM

## **International Federation of Organic Agriculture Movements**

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TO: IFOAM ACCREDITED CERTIFIERS and  
APPLICANT CERTIFICATION BODIES

FROM: The IFOAM Executive Board

DATE: May 14, 1999

RE: **IFOAM Accreditation in the EU—Status Report**

As the European Union's June 30<sup>th</sup> deadline approaches, we would like to inform you how we view the current situation concerning acceptance of IFOAM Accreditation in the EU.

Both IFOAM and the IOAS have been active in lobbying for recognition within the EU of the IFOAM Accreditation Programme. In general, we practice a division of labor, with IOAS focussing on the technical issues and IFOAM taking responsibility for the political aspects of promoting our system. Often there is overlap, however, since technical solutions can only be found where there is the political will to look for them. The IOAS keeps you informed about developments on the technical side. This paper is an update about where things stand on the political side.

Recently our lobbying efforts have begun to show some significant signs of success:

- Denmark has written to the European Commission (3 November 1998) to express its confidence in the IFOAM Accreditation Programme:  
***"Accreditation by the IOAS guarantees that the structure and procedures of the inspection body satisfy the requirements laid down in EN 45011/ISO 65 and that there is also a competent 'organic' supervision of the control body that certifies according to standards for production methods'. It continues: 'In many third countries a realistic possibility to be certified is to choose inspection bodies accredited by IOAS which we find is a competent and reliable alternative to national authorities in developing countries."***
- Sweden wrote to the Commission as well (9 March 1999) that:  
***"IOAS accreditation can be used as a basis to ensure compliance with EN 45011/ISO 65 and that control bodies certify according to standards equivalent to the Regulation. Additional information can of course be required." Sweden continues: "According to our information, the process to comply with EN 45011/ISO 65 takes time. It can also be very costly. Also the IOAS has a number of applicant programmes under evaluation. Due to these time constraints there is a need for some flexibility, as we think that it will be detrimental to the market for organic products if it will be almost impossible to import from several third countries from a fixed date."***

- Germany expressed in a letter to the European Commission dated 4 November 1998 that it will grant import authorizations on the basis of IOAS supervisory reports and that “a contract between an inspection body and the IOAS will be provisionally considered to constitute sufficient evidence that the inspection body will probably provide proof by mid 1999 with standards of equivalent effectiveness to EN 45011.”
- The United Kingdom (8 March 1999) hoped that **“further discussions between the Commission and the IOAS can lead to a global solution for those bodies accredited by IOAS.”** In the interim they support the German position above.
- Most Member States of the EU have not expressed any formal opinion on IFOAM Accreditation, but it is clear that many are prepared to approve assessments done by another Member State.

The decision about precisely how to implement the June 30<sup>th</sup> conformity assessment deadline is a matter for the Member State Competent Authorities, and there remain many inconsistencies in their approaches. In Germany, implementation is even further broken down, with authority passed on to the different states (Länder)--and here again, they behave differently. For example, notwithstanding the above-cited declaration on behalf of all the German Länder, Bavaria announced a short time ago that it would only recognize assessments by a newly-established German body, who, until recently, included the state official responsible for the organic regulation on its board. This action by the Bavarian authority is being challenged on legal grounds of restriction of trade, unfair competition, and lack of neutrality.

#### Acceptance of IOAS as “Supervisor”

The IOAS is already accepted in principle as a supervisor of certification bodies outside the EU. Upon request of the Competent Authorities it produces special reports to address EN-45011 and the EU Regulation. Recently the decision was taken to extend this service to certification bodies which are in the process of IFOAM Accreditation even before they have been formally accredited.

#### Acceptance of IOAS as Accreditor

In March 1999 a two-day meeting was held between representatives of IFOAM and IOAS and the EU Commission and Member States to discuss how IFOAM Accreditation as implemented by the IOAS could be accepted in the EU for establishing conformity assessment for imported organic products (Minutes of this meeting are available from the IFOAM Head Office). For such acceptance the EU would need to ascertain that the IOAS is reliable as an accreditation agency. During the March meeting, the Commission stated that this could be achieved either through 1) peer review or 2) through designation by a national government.

With regard to the first option, it was indicated initially that this could take the form of membership in the International Accreditation Forum (IAF). The IOAS has been exploring membership in the IAF, but peer review for IAF members is only carried out when an accreditation body signs a “multilateral agreement” (MLA). The Catch-22 is that there is no MLA for accreditation based on ISO 65, which is what the EU organic Regulation requires and what IOAS offers. Furthermore, the IAF is a recently established organization constituted exclusively by national accreditation bodies; they have no members which are international sector-specific accreditors like the IOAS and they seem uncertain how to deal with this type of accreditor. Thus, while IOAS continues to pursue the IAF option, it is simultaneously looking at other alternatives for peer review by more appropriate peers (for

example, other international sector-specific accreditors). In addition, the IOAS is in the process of evaluation against ISO-61 by an independent international consultant based in the Netherlands.

As regards the second option, the government of Costa Rica has declared its recognition of accreditation by IOAS for import purposes, and a number of other governments have expressed similar interest (Australia and Thailand, for example). IOAS is continuously following up to work out the details of such relationships.

It must be remembered that the EU authorities require conformity with both EN45011 and 2092/91. Fulfillment of EN45011 does not automatically establish conformity assessment with 2092/91. Acceptance of IOAS—or any other body—as an accreditor in this context relates only to assessing fulfillment of the requirements for EN 45011/ISO 65. Equivalence with Regulation 2092/91 is not currently entailed in the IFOAM Accreditation process *per se*, but can be provided through the Supervisory Reports as described above.

You may have received offers for accreditation services from some EU-based organizations who are taking advantage of the current blockage in the EU to try to enlarge their clientele, often with misleading claims, such as stating that they are an accepted accreditor. IFOAM considers it highly unethical—in particular for organizations which are also IFOAM members—to offer what amount to “guarantees” that they can get product into the EU at a time when nothing can be guaranteed. It creates bad feelings in the whole organic community, which needs to cooperate more than ever to overcome the hurdles to organic trade which are being erected by some national authorities. In the beginning of July IFOAM and IOAS will participate in a meeting with some of these organizations aimed at strengthening the spirit of cooperation and sorting out the problems.

#### EU Acceptance of IFOAM Accreditation

Acceptance of IFOAM Accreditation *per se* within the EU would be the most streamlined option for establishing equivalence that an IFOAM Accredited body 1) implements certification procedures that are equivalent to EN-45011 and 2) that they certify according to standards that are equivalent to the EEC 2092/91.

There are four possible paths to achieving acceptance of IFOAM Accreditation in the EU:

1. A flexible implementation of the Regulation on the Member State level. This has already taken place for years.
2. Use of Article 11.7 in the Regulation, which allows for individual certification bodies to be put on the EU list of approved bodies.
3. An amendment to the Regulation providing for the recognition of international standards for production and certification of organic production.
4. Adoption of a separate implementing rule or an “Option 4” in the Commission’s guidance for establishing conformity assessment which recognizes IFOAM Accreditation.

In the longer term, the systemic solution of the third and/or fourth alternatives are much to be preferred. Standards and criteria developed by the international organic community in an open and participatory process should be respected by the European Union, as well as other government authorities. There are many problems with the EU Regulation 2092/91 relating to imports and accreditation, but changing it will not happen soon enough to solve the immediate trade problems. It was put up for revision in January of this year, but that has now been postponed. Therefore, while keeping this goal in mind, IFOAM is exploring the other options.

The procedure and level for making a decision within the EU to accept IFOAM Accreditation would vary according to the type of decision taken. Path 1 decisions above are obviously taken at Member State level; Path 2 would be a Commission implementing rule, in which both the European Commission and the Committee of Member State representatives (called the Article 14 Committee, or the Standing Committee on Organic Farming) play a role; Path 3 would require a decision by the EU Council of Agriculture Ministers, following consultation with the European Parliament; and Path 4 could again be a Commission ruling, with participation of the Member States, or a less formal guidance.

In the March meeting mentioned above, it was agreed to set up a joint working group with representatives of IFOAM, IOAS, and the Member States to evaluate the equivalency of the IFOAM Basic Standards with 2092/91, as a first step toward eventual acceptance of IFOAM Accreditation. IFOAM is now in the process of elaborating a comparison of the two sets of standards; the next task will be to determine the relative importance to the parties of the differences identified.

### Conclusion

At this moment it is still not possible for us to give a one hundred percent guarantee that the EU will accept IFOAM Accreditation. On the other hand, there is no guarantee at present that the EU will accept any other solution either, including that currently proposed by the USDA. Chaos, confusion, and inconsistency continue to prevail, as regards how and when the EN-45011 requirement will be enforced. The IFOAM Accreditation Programme was designed to help international certifiers avoid having to be accredited by many different authorities around the world at enormous expense and duplication of effort. The system is functioning well, with IFOAM Accredited Certifiers operating in about 60 countries. But we recognize that for the continued growth and stability of the organic sector it is essential to gain recognition of the merits of the IFOAM Accreditation Programme and the IOAS within the EU.

The so-called "Harmony Motions" which were adopted by the General Assembly in Argentina have given the World Board a strong mandate from the IFOAM membership to promote the IFOAM Accreditation Programme as a crucial element in the maintenance of private sector control over the global organic guarantee. We regret the difficulties and uncertainties which are being imposed on organic producers, processors, certifiers, and traders by the fact that the multilateral SOLUTION which IFOAM and its members developed has not been fully accepted by regulatory authorities. But we do see hopeful signs that the problems can be overcome—even by the June 30<sup>th</sup> deadline, as regards the supervisory reports option in the EU. The IFOAM Accredited Certifiers and applicants have made the right choice in terms of accreditation. Your support is not only appreciated; it is very much needed in order to make this pioneering effort of the international organic movement a success: Without the multilateral approach provided by IFOAM Accreditation, the risk is that certifiers will face the horror and expense of having to get accredited by every government in every country in which they or their clients operate or trade. By sticking together at this critical juncture and being patient, IFOAM will be recognized as the international standard setting organization for organics that we are.

Linda Bullard, President  
For the IFOAM Executive Board