

ONSITE REVIEW REPORT ON THE UNITED STATES NATIONAL ORGANIC PROGRAM

Dates of review : 9-13 September , 2019

Legal ground : Act on Japanese Agricultural Standards (Act No. 175 of May 11, 1950)
Article 12 (2)

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1. BACKGROUND

MAFF is engaged in ongoing discussion with the United States Department of Agriculture (USDA) for Japan – U.S. organic livestock equivalence arrangement. As part of the determination, an onsite review the U.S. National Organic Program (NOP) was planned for getting more information about certification, production and handling system of organic livestock.

Prior to this onsite review, MAFF completed a side-by-side comparison of both countries' organic livestock standards.

2. OBJECTIVES OF ONSITE REVIEW

The onsite review was carried out in the framework of a possible scope extension of the current Japan – U.S. Organic Equivalency Arrangement. The objective of the review was to evaluate the system capabilities in certifying organic livestock and its equivalence with the Japanese Agricultural Standards (JAS). This report covers the results from Japan's review activities.

3. ONSITE REVIEW CRITERIA

The onsite review criteria are listed as follow:

- a. Criteria for Equivalency Determination of Organic Rules and Standards Systems of Overseas Countries provided by Food Manufacture Affairs Division (FMAD), MAFF
- b. ISO/IEC 17065- Conformity assessment Requirements for bodies certifying products, processes and services
- c. National Organic Program (NOP)

4 ONSITE REVIEW PROTOCOL

- a. Japan Review Team met with representatives from USDA to assess the administration of NOP.
- b. The review team met with representatives of a certification body (CB) to assess the livestock certification process.
- c. The review team visited an organic beef cattle grazing operation to observe an annual inspection by CB, and interviewed an inspector in order to confirm her ability and knowledge of livestock certification.
- d. The review team visited an organic poultry operation to observe production and interviewed a manager in order to determine the level of compliance accomplished by the operation.

e. The review team was accompanied by USDA representatives throughout the review. Any issues of concern were immediately brought to the attention of the accompanying representatives.

5. ONSITE REVIEW PROCEDURE

The Japan Review Team planned and conducted the onsite review in a manner which allowed the team to obtain sufficient evidence and reasonable basis for the observations and conclusions. The onsite review was conducted in accordance with Criteria for Equivalency Determination of Organic Rules and Standards Systems of Overseas Countries provided by MAFF and consisted of the following elements:

- a. Opening meeting
- b. Technical discussion
- c. Onsite verification
- d. Closing meeting

6. ONSITE REVIEW PROCESS

- a. Open meeting

The review team began the onsite review at Fairfield Inn in Santa Cruz, in the morning of 9 September 2019.

- b. Technical discussion

The review team and USDA officials discussed key issues arising from side-by-side comparison of both countries' organic livestock standards. See the details annex.

- c. Onsite visit

The onsite review included onsite visits to the following organizations:

(1) USDA accredited certification body: CCOF Certification Service, LLC (CCOF), Santa Cruz, CA.

The review team was provided with a presentation on CCOF activities including livestock certification and interviewed the CCOF representatives to confirm their ability and knowledge of certification services.

CCOF is accredited by USDA and the Canadian Organic Regime, and provides certification service for organic products. CCOF is one of the largest USDA accredited CBs and certified more than 4,000 operations across 45 states and 3 countries under NOP. Additionally, based on the business cooperation with ACO Certification Ltd in Australia, CCOF implemented 4

inspections for organic JAS certification. CCOF conducts around 5,000 inspections annually.

CCOF was well organized. CCOF has 80 certification staff members and more than 70 inspectors including around 25 inspectors for livestock. The inspectors except one full-time employee are independent, located nationwide. CCOF has maintained management system and managed all communication and certification processes using “Ecert”.

The processes of CCOF are in place to investigate complaints including residue test results from outside parties. All positive results are investigated. CCOF closed 348 investigations in 2018 and 204 of these investigations closed in less than 7 days.

In 2018, CCOF issued 478 TM-11 export certificates under the Japan – U.S. Organic Equivalency Arrangement. Sixteen U.S. exporters sold their organic products to 24 Japanese importers. Total export volume was about 2,926 tons. CCOF verifies product labels for compliance with NOP and international standards including JAS.

A certification staff member reviews application documents including Organic System Plan (OSP), a description of practices, after receiving an application for certification. An inspector in charge verifies whether production process follows OSP or not during the inspection. Also, the inspector confirms that the operation and OSP are in compliance with NOP standards. All inspections are done during the growing or grazing season. An inspector submits the inspection report which evaluates the conformation to NOP standards after inspection. Certification decision is made by a certification specialist based on the inspection report.

During certification period, certified operations undergo an annual inspection conducted by CCOF. Certified operations are required to submit OSP annual update before inspection. For livestock operations, all health care materials, feed additives and feed supplements must be approved by CCOF and included OSP materials lists. CCOF allows inspectors to inspect at the same operation until three times in a row.

In addition to annual inspections, CCOF implements unannounced inspections and periodic residue testing annually. CCOF mainly tests for pesticides and GMOs. The number of unannounced inspections and testing is around 5% each of certified operators. CCOF performed around 180 unannounced inspections and tested around 200 operators in 2018. CCOF certified 185 livestock operations :67 dairy animals, 54 beef cattle, 36 poultry, one apiculture and others (sheep, goats, pigs). For livestock operations, CCOF designs two additional inspections: the Livestock Unannounced Compliance Initiative (LUCI) and the Pasture Compliance and Feed Audit (PCFA). LUCI administers an unannounced pasture-based inspection to observe livestock operation during the grazing season. PCFA is

a scheduled inspection for operations of a particular size or complexity, or operations that have areas of concern with relation to pasture availability.

CCOF requires outdoor access areas for poultry that include contact with soil. CCOF has never allowed the use of porches to meet this requirement.

CCOF has developed an internal material review procedure. All health care materials, feed additives and feed supplements are reviewed every five years.

(2) CCOF certified poultry operation: Sol Seeker Farm, Corralitos, CA.

The operator is a poultry producer with chickens (layers, broilers), ducks and turkeys on 59 acres of land. They mainly sell organic eggs and meat at local farmers' market. They have been certified as organic by CCOF since 2015. They did not control when their birds enter the trailers, housing for poultry. The birds had year-round access to outdoors, pasture.

The operator provided an overview of organic activities in place, including a discussion of organic management practices including origin of livestock (chicks), feed, health care, living conditions, and a short tour of the farm.

The outdoor areas for broilers and ducks were enclosed by net and roofed. It seemed that the stocking rates, especially for ducks, did not meet JAS requirement.

During the interview with the producer it was confirmed that they were subject to an annual inspection this spring. They had not received an unannounced inspection by CCOF.

(3) CCOF certified beef cattle grazing operation: Sierra West livestock, Paicines, CA.

The operator is a beef cattle producer with about 270 heads of cattle on approximately 15,000 acres of native grass pasture. They sell organic breeders and yearlings. They have been certified as organic by CCOF since 2011. They also get Global Animal Partnership (GAP), animal welfare labeling program, Step4 certification. The cattle were all on pasture and grazing during the visit. The cattle had year-round access to pasture.

The review team was invited to observe an annual inspection conducted by CCOF, responsible for the NOP certification of the operator. An inspector in charge had 20 years of inspection experience. Prior to this inspection, the inspector had reviewed OSP. She verified whether the operation follows their OSP or not during the inspection. She verified animal healthcare records. The producer had treated two head of cattle with antibiotics. They recorded these treatments in their healthcare records and on their animal ID list. The list stated that the cattle were earmarked with red tag. The inspection took approximately 2 hours and included an inspection of the property, verification of living condition, feed formulation and

consumption, material list, healthcare practice and medicine cabinet inventory. The inspector had knowledge and experience, and demonstrated excellent inspection. She left an exit interview report and discussed the findings with the operator. There were no non-compliances issued to the operator.

7. Closing Meeting

The review team held an official closing meeting with USDA officials at Fairfield Inn in Santa Cruz, in the morning of 13 September 2019. The review team presented the overview brief. See the more details paragraph 8.

8. GENERAL COMMENTS AND ONSITE REVIEW OBSERVATIONS

8.1 General Comments:

All personnel involved in the review – from the staff at USDA, CB and the operators – were helpful, responsive, and accommodating to the requests from the reviewers, both prior to and during the onsite review.

It was observed that the organic livestock certification system implemented by the NOP is thorough and sufficiently oversees organic activities at the levels of the certification body. Although the approach implemented by the NOP differs from the one implemented under the JAS organic livestock certification system and there are variations in the certification process, it was determined that there is a system in place to efficiently oversee the certification of organic livestock products.

8.2 Differences

The review team differentiated JAS and NOP as follows.

Items	JAS	NOP
#1	JAS for organic livestock has provisions regarding indoor and outdoor livestock stocking rate in Attached Table 5 and Table 6, respectively.	There are no criteria of minimum area for outdoor space under the NOP. However, the general requirement under 205.239 requires conditions which accommodate the health and natural behavior of animals. The certification body determines whether an operation meets the requirements.
#2	“Domestic animals or poultry” in Article 4 of JAS for organic livestock states, “Domestic animals shall be born from mothers raised organically for 6 months or more before their delivery,	NOP 205.236(a) states, “Livestock products that are to be sold, labeled, or represented as organic must be from livestock under continuous organic management from the last third of

	and shall be raised organically from birth...”	gestation or hatching:...”
#3	“General management” in Article 4 of JAS for organic livestock states, “For laying hens, when natural day length is prolonged by artificial light, the length is no more than 16 hours a day.”	There are not specific day length criteria. However, an environment with an extremely long day light length is not allowed because it does not comply with 205.239, which requires conditions that accommodate the health and natural behavior of animals.
#4	“General management” in Article 4 of JAS for organic livestock states, “Embryo transfer techniques for reproduction are prohibited.”	Embryo transfer (part of in vitro fertilization) is allowed under NOP regulations as defined in 205.2 Excluded methods.
#5	“General management” in Article 4 of JAS for organic livestock states, “In capturing or transporting domestic animals or poultry, the use of electric stimulation or tranquilizer is not permitted.”	NOP does not prohibit use of electric shock. In addition to the USDA organic regulations that address livestock handling and living conditions (205.238 and 205.239), the USDA Food Safety and Inspection Service has humane slaughter regulations (9 CFR Part 313) that all livestock handlers (including organic handlers) must follow.

END OF REPORT