USDA National Organic Program

National Organic Standards Board
October 26, 2015

Miles V. McEvoy, Deputy Administrator
USDA Agricultural Marketing Service
National Organic Program
Overview

- Agricultural Marketing Service’s National Organic Program Strategic Plan
- Protecting Organic Integrity
- National Organic Standards Board
- Organic Integrity Database
- Sound and Sensible Certification
Accomplishments

• Age of enforcement
• Pasture rule
• Residue testing rule
• NOP Handbook
• Increased accreditation audit consistency
• Implemented improvements based on 4 Office of Inspector General audits
Accomplishments

• International equivalency arrangements
• Improvements to the Appeals process
• USDA Organic Literacy Initiative
• USDA Organic Insider
• List of certified organic operations
• Sound and Sensible Certification
AMS-NOP Strategic Plan 2015-18

Protect Organic Integrity

Market Access: Local, Regional, International

Clear Standards

Build Technology that Advances Organic Integrity

Organizational Development
Protecting Organic Integrity
10 Points of Organic Integrity

1. Clear/enforceable standards
2. Communication
3. Transparency
4. Certification
5. Complaints
6. Penalties
7. Market surveillance
8. Unannounced inspections
9. Periodic residue testing
10. Continual improvement
## How to File A Complaint

### Anyone Can File a Complaint

If You Suspect a Violation... gather as much information as possible

<table>
<thead>
<tr>
<th>Who?</th>
<th>What?</th>
<th>When &amp; Where?</th>
<th>Submit to:</th>
</tr>
</thead>
</table>
| Identify:  
- Brand name  
- Manufacturer  
- Certifying agent  
- Other useful information regarding the operation | Identify:  
- Product lot numbers  
- Product package or copy of the label  
- Other identifying information  
- Explanation of violation | Provide details of:  
- When you observed the alleged violation  
- The location it occurred | Email: NOPCompliance@ams.usda.gov  
Phone: 202-720-3252 | Fax: 202-205-7808  
Mail: USDA Agricultural Marketing Service  
NOP Compliance and Enforcement Branch  
1400 Independence Avenue SW  
Room 2648-S; Stop 0268  
Washington, DC 20250-0268 |
Complaint Review Process

Incoming Complaint

1. **Is it within NOP jurisdiction?**
   - Yes: **Refer to Appropriate Authorities**
     - Examples:
       - Food Safety and Inspection Service
       - Food and Drug Administration
       - State Public Health Offices
   - No: **Provide Relevant Policy**

2. **Does complaint allege violations of USDA organic regulations?**
   - Yes: **Is there enough evidence to investigate?**
     - Yes: **Refer to CA-SOP**
     - No: **Refer to Certifier**
   - No: **Uncertified Operation**
     - Yes: **NOP Investigates**
     - No: **Close Case**

- Represents 70-75% of complaints
Compliance & Enforcement
FY 2015 Administrative Proceedings

Proceeding #1

Type: Formal administrative complaint proceeding
Operation: Ernest D. Miller, d/b/a Stoney-M Farm
Concern: Applied prohibited substance during organic processes
Disposition: Suspended land from organic certification for 3 years

Proceeding #2

Type: Consent decision and order
Operation: Organic Food Chain
Concern: Willful violation of USDA organic regulations
Disposition: Suspended accreditation for 2 years
Story #1: Who Needs to Be Certified

Background:
• “Who Needs to Be Certified” instruction published
• Number of complaints filed regarding uncertified auction barns handling

Success:
• NOP initiated 11 complaint investigations
• Resulted in 6 certified and 11 compliant operations
Story #2: Uncovering Serious Violations

Background:
- Uncertified operation sells products as organic and offers organic certification consulting services
- In FY 2013, NOP initiates investigation
- State of Alabama identifies operation’s criminal activity

Success:
- State AG partners with NOP to investigate operation for securities fraud
- In FY 2015, owner accepts plea agreement; receives 15-year prison term and fines
Compliance & Enforcement FY 2015 Successes

• Compliance & Enforcement: Overall Summary
  – Incoming Complaints: 549
  – Completed Complaints: 390

• Summary of Initial Actions Taken
  – Cease & Desist Orders: 36
  – Notices of Warning: 121

• Civil Penalties Issued via Settlement Agreements
  – Total Number: 8
  – Total Amount: $1,872,875
National Organic Standards Board
The NOSB is a Federal Advisory Committee which assists and advises USDA. It has

- a **charter** with established mission and duties
- a Designated Federal Official (DFO)
- Subcommittees and Chair
- Opportunity for public participation
NOSB Appointments

- Fifteen members appointed by the Secretary of Agriculture to five-year terms
- Six new appointments for January 2016
- Two who own or operate organic farms
- Two public interest or consumer interest representatives
- One certifier
- One with expertise in environmental protection and resource conservation – Nominations for this position are open through October 29
NOSB Recommendations 1994-2014

• Practice Standards
  – 174 recommendations
  – Around 150 have been addressed
  – Outstanding recommendations include
    • Aquaculture (3)
    • Pet food
    • Apiculture
    • Mushrooms
    • Animal Welfare (multiple)
NOSB Recommendations 1994-2014

• National List
  – 101 recommendations
  – 89 addressed
  – Outstanding recommendations are recent and in process

• Sunset
  – 129 reviews completed (previous sunset reviews bundled substances into one review recommendation)
  – Outstanding sodium nitrate
NOSB Recommendations on Hydroponics

• 1995: NOSB recommended that “Hydroponic production in soilless media to be labeled organically produced shall be allowed if all provisions of the OFPA have been met.”
• 2004: NOSB reiterated its recommendation that “Hydroponic production in soilless media to be labeled organically produced shall be allowed if all provisions of the OFPA have been met.”
• 2005: NOP confirmed that hydroponic operations may be certified organic if produced in compliance with the regulations.
• In NOSB 2010 greenhouse recommendation, the NOSB recommended that USDA shouldn’t allow organic crops to be produced using hydroponic methods.
AMS established a hydroponic-aquaponic task force to report on the compatibility of these systems with the USDA organic regulations and the Organic Foods Production Act (OFPA).

The task force will provide a report to the NOSB on

• (i) current hydroponic and aquaponic production methods used in organic production, and
• (ii) whether these practices align with OFPA and the USDA organic regulations.
Hydroponics/Aquaponics Task Force

NOSB liaisons –
• Jean Richardson and
• Zea Sonnebend

• Will Allen, Milwaukee, Wis.;
• Colin Archipley, Escondido, Calif.;
• John Biernbaum, Ph.D., East Lansing, Mich.;
• Angela Caporelli, Frankfort, Ky.;
• Dave Chapman, East Thetford, Vt.;
• Marianne Cufone J.D., New Orleans, La.;
• Amy Lamendella, Santa Cruz, Calif.;

• Richard Shultz, Lethbridge, AB, Canada;
• Eric Sideman, PhD., Strafford, N.H.;
• Pierre Sleiman, Encinitas, Calif.;
• Stacy Tollefson, Ph.D., Tucson, Ariz.;
• Jose Edgardo Torres, Sahuarita, Ariz.;
• Jessica Vaughan, Freedom, Calif.;
• Jeffry Evard, Plainfield, Ind.;
• Sam Welsch, Lincoln, Neb.;
• Theresa Lam, East Brunswick, N.J.
Organic Integrity Database
Vision: The Organic INTEGRITY Database

The NOP is responsible for the integrity of the USDA organic seal.

The Organic INTEGRITY Database is a modernized certified organic operations database that will:

- Contain up-to-date and accurate information, deterring fraud
- Increase supply chain transparency
- Promote market visibility for organic operations
Accredited certifying agents have been highly involved and continue to play a critical role in the INTEGRITY development process

- A full quarter of our certifiers are participating in the user group
- Over 31,000 operations are listed in the database (certified, suspended, revoked, surrendered)
- Over 175,000 products are listed in the 2014 data provided by certifiers
Release 1 Capabilities

Certifier User Account Management

New Data Fields

Scope/Product Taxonomy

Data Upload & Download (Excel, User Interface)

User Interface and Web Based Forms

Public Search and Reports
### New Data Submission Template

**USDA Agricultural Marketing Service | National Organic Program**

<table>
<thead>
<tr>
<th>Operation ID</th>
<th>Operation Name</th>
<th>Other/Former Names</th>
<th>Client ID</th>
<th>Contact First Name</th>
<th>Contact Last Name</th>
<th>Operation Certification Status</th>
<th>Effective Date of Operation Status</th>
<th>NOP Anniversary Date</th>
<th>CROPS Certification Status</th>
<th>Effective Date of CROPS Status</th>
</tr>
</thead>
</table>

**Notes:**
- NOP's 10-digit unique ID for operation. First 3 numbers are certifier ID (see Certifier IDs tab); last 7 numbers are assigned by the certifier.
- Operation's business name
- Other names that the operation is doing or has done business as
- Client ID issued by certifier. This can be any identifier that the Certifier uses to identify the operation. No constraints on format.
- Certified/Surrendered/Suspended/Revoked/Denied Certification/Withdraw with NONC
- Date the selected Operation Certification Status became effective.
- Date of annual update for certificate, at operation level. May include renewal, inspection, or verification.
- Certified/Surrendered/Suspended/Transitioning/Denied Certification/Withdraw with NONC/Not Certified
Public Interfaces (Basic Search)

Welcome to the Organic INTEGRITY Database!

Find a specific certified organic farm or business, or search for an operation with specific characteristics. Listings come from USDA-accredited certifying agents. The current list is a snapshot from January 2015, with all businesses and partial product lists. New listings will be posted throughout Fall 2015. You can download Microsoft Excel workbooks with full data sets from: 2014, 2013, 2012, 2011, 2010. Only certified operations can sell, label or represent products as organic, unless exempt or excluded from certification.

Certifying Agent: All

Advanced Search

<table>
<thead>
<tr>
<th>Certifying Agent</th>
<th>Operation</th>
<th>Status</th>
<th>City</th>
<th>State/Province</th>
<th>Country</th>
<th>Certified Products</th>
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</thead>
<tbody>
<tr>
<td>[ABO] A Bee Organic</td>
<td>Aqualand Farms</td>
<td>Certified</td>
<td></td>
<td></td>
<td>United States of America</td>
<td>Handling: Coffee</td>
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<td>[ABO] A Bee Organic</td>
<td>Bee Organic LLC</td>
<td>Certified</td>
<td></td>
<td></td>
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<td>Beeyard Farm</td>
<td>Certified</td>
<td></td>
<td></td>
<td>Serbia</td>
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<tr>
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<td>Big Willy’s Farm LLC</td>
<td>Certified</td>
<td>Loveland</td>
<td>Colorado</td>
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<td>Oceanside</td>
<td>California</td>
<td>United States of America</td>
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</tr>
<tr>
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<td>Diamond Bar</td>
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<td>United States of America</td>
<td>Handling: Coffee</td>
</tr>
</tbody>
</table>
Release 2 and Beyond

Planned Development Over the Next Year

• Advanced Search Enhancements
• Automated Connections (web services)
• Certifier Profile
• Operation History
• Adverse Action Document Management
• Operation Certificate Module
Sound and Sensible
• In 2014, AMS funded 14 projects that support accessible, attainable, and affordable organic certification more.

• The projects helped >2,000 farm and businesses learn about the path to organic certification.

• Educational resources – videos, tip sheets, and workshop materials – will reach thousands of new farms and businesses.
About the Projects Awarded

- **Awards:** 14 projects were awarded to 13 organizations
- **Geographic coverage of projects:** Southeast/Gulf States; New England; Northwest; California; Mid-Atlantic

![Diagram showing product topic areas and types of products]

- **Product Topic Areas:**
  - Organic System Plans
  - Recordkeeping
  - Organic Value Proposition
  - Inspections
  - Certification
  - Standards/Implementation
  - Producer Group Processes

- **Types of Products:****
  - 75 tip sheets / fact sheets
  - 16 training workshops & curricula
  - 15 informative videos
Let’s Watch!

- NOFA-VT created 5 videos communicating the organic value proposition as part of its Sound and Sensible project with AMS. Here’s a preview!
Thank You

Organic Integrity from Farm to Table,
Consumers Trust the Organic Label

www.ams.usda.gov/nop