The National Organic Program (NOP)

• **Mission:**
  Ensure the integrity of USDA organic products in the United States and throughout the world

• **Vision:**
  Organic Integrity from Farm to Table, Consumers Trust the Organic Label

• **Core Role:**
  Implement the Organic Foods Production Act and the USDA organic regulations
USDA National Organic Program

Implement Organic Foods Production Act:

• USDA Organic Regulations
  Crops, livestock, handling, wild crops, labeling, certification, accreditation, National List

• Accreditation and Oversight
  ~80 authorized certifying agents worldwide
  25,000 certified organic operations

• Compliance and Enforcement
  Complaints, investigations, civil penalties, appeals

• National Organic Standards Board
Quick Facts About NOP

Staffing:
- 43 employees in three Divisions and the Office of the Deputy Administrator
- New staff include Chief of Staff, Cost Share Manager, three new compliance officers, 3 new accreditation managers, new assistant director of Accreditation, and additional administrative staff
- **Budget:**
  - FY 2012: $6.919 million
  - FY 2013: $6.369 million
  - FY 2014: $9.04 million
NOP’s Strategic Plan

- Clear Standards
- Consumer Protection
- Market Access
- Information Technology
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
1. Clear/Enforceable Standards

- Publish clear standards
- Address gray areas
- Continue to collaborate with National Organic Standards Board
- Implement NOSB recommendations
1. Clear/Enforceable Standards

- FDA proposed produce food safety rules + organic standards
- The use of brand or company names containing the word “organic”
- “Made with organic” Labeling category final guidance
2015 Rule Priorities

In Clearance
• Origin of Livestock Proposed Rule
• Aquaculture Proposed Rule
• Pet Food Proposed Rule

Other rules in progress:
• Sodium nitrate
• Animal Welfare
• Apiculture
Other standards projects

Final Guidance
• Classification of Materials
• Materials for Organic Crop Production
• Post Harvest Handling

Draft Guidance, Policy
• Responding to pesticide drift
• Nanotechnology
• Material Clarifications
• Materials for Organic Livestock Production
2. Communication

- Organic Literacy Initiative
- Organic Integrity Newsletter
- NOP Organic Insider
- Fact Sheets (GMOs, Labeling at Farmers Markets, Sunset)
- NOP website improvements
- Presentations and conferences
3. Transparency

- List of certified operations now includes updated list of suspended + revoked operations
- Posting fraudulent certificates
- Certifiers audits and corrective action reports
- NOSB subcommittee notes
- In FY15 plan to post adverse actions (cease and desist notices, settlements, etc.)
4. Certification

Quality Verification Process

– Organic system plans {thorough, complete}
– Inspections {sales and yield audits, feed audits}
– Inspection of non-organic areas of operation
– Timely notices by certifier
– Continual monitoring
Certification

• NOP Accreditation and International Activities Division oversees the work of more than 80 certifying agents
  – Audits, audit report reviews, notices of noncompliance, corrective action reviews
• In FY 2014, certifiers were in full compliance with 95% of the accreditation criteria, and have implemented corrective actions for all deficiencies.
5. Complaints

FY14 Incoming Complaints by Type

- Uncertified Operations: 189 (66%)
- Labeling Violations and Fraud: 56 (20%)
- Prohibited Substances and Methods: 41 (14%)
In FY 2014, NOP

- Closed 285 complaint investigations.

- Received 411 complaints (a new record).

- Initiated 162 initial enforcement actions, including 66 Notices of Warning, 29 Notices to Cease and Desist and 54 investigation referrals.
6. Penalties

- In FY14, the NOP levied nine civil penalties for $81,000.

- On October 9, 2014, an Administrative Law Judge (ALJ) upheld an AMS decision to revoke the organic certification of a Pennsylvania operation.
7. Market Surveillance

- Residue testing surveillance in progress
- 2011 residue testing of six organic commodities
8. Unannounced Inspections

2011 NOSB recommendation on unannounced inspections

- NOP 2609 Unannounced Inspection Instruction: 5 percent of certified operations have unannounced inspections
- Unannounced inspection requirement implemented by certifiers in 2013
9. Periodic Residue Testing

• Final rule implemented in 2013
• 5% of operations tested each year.
• Has led to enforcement actions for violations of organic standards.
• NOP provides instructions and training on responding to positive residues, selecting labs, targeted prohibited pesticides list.
10. Continual Improvement

- Accreditation audits
  - Auditor evaluations
  - Certifier feedback
  - Annual review of accreditation audits
- Internal Audit
- Management Review
10. Continual Improvement

• Peer Review
• OFPA Section 2117
• National Institute of Standards and Technology (NIST) conducted peer review in 2011
• American National Standards Institute (ANSI) completed peer review in 2014
• NOP drafting peer review process – will collaborate with NOSB
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The United States has trade arrangements with several nations to facilitate the exchange of organic products and provide market opportunities for organic producers.

- **Equivalency Agreements:**
  - U.S.-Canada – Launched in 2009
  - U.S.-European Union – Launched in June 2012
  - Japan – Effective in January 2014
  - South Korea – Effective July 2014

- **Recognition Agreements:**
  - India, Israel, New Zealand

NOP works closely with the Foreign Agricultural Service (FAS) and the U.S. Trade Representative (USTR).
How to maintain organic integrity in a sound and sensible manner. Certification that is Affordable, Accessible and Attainable for all operations.

• **Affordable** – Reasonable fees, reasonable compliance costs
• **Accessible** – Certifiers and technical assistance available locally
• **Attainable** – Clear and understandable standards, plain language, reasonable record keeping requirements
Sound and Sensible Certification Projects

• **Purpose:** Encourage the initiation and roll-out of new organic certification approaches, training, technical assistance, and outreach programs and materials.

• **These projects will:**

  – Help USDA and all certifiers develop and implement sound and sensible organic certification processes
  
  – Provide training modules, technical assistance, or outreach programs concerning different aspects of organic agriculture or organic certification
About the Projects Awarded

- **Awards:** 14 projects were awarded to 13 organizations
- **Total value of awarded projects:** $1,516,562
- **Geographic coverage of projects:** Southeast/Gulf States; New England; Northwest; California; Mid-Atlantic
- **Awards have a lot of diversity:** certification tools (producers and inspectors), training and outreach, technology development, technical assistance, inspector mentoring
- **Timing:** Projects will be completed between now and September 2015; work products will be available through NOP website and other public websites for use by all.
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<td>Development of a Guidance Manual for Setting-up, Administering, and Managing Internal Controls</td>
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<td>Sound and Sensible Certification System to Eliminate Excessive and Redundant Recordkeeping for Certified Operations and Certified Agents</td>
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One of our popular tools for the public is our list of **certified organic operations**.

Updated once a year with data provided by certifying agents:
- Out of date as soon as it is posted
- Flat spreadsheet format with poorly structured/validated data elements

**Key constraints:** Variable data on Excel sheets from 80+ certifying agents, regulatory text about data fields, and frequency of collection
The 2014 Farm Bill provided $5-million funding for technology investments for the National Organic Program.

We have launched the project planning phase to build a modernized **Organic Integrity Database**:

- Hired a full-time IT project manager
- Convening a certifier user group to be engaged throughout development process (15 diverse certifiers have volunteered)
- Developing a list of key requirements, project timeline, and contracting strategy
Key Capabilities for a New System

- Capture all elements in the current list of operations
- Track operations and changes in certification status over time
- Enable certifying agents to update data manually, in batch uploads, or in real time
- Permissions management to allow NOP staff, certifying agents, and the public to appropriately see and edit data
- Standard structured fields for commodities
- Mapping capabilities to locate operations
- Reporting capabilities to support trend analysis, supply chain research
- OPTIONAL certificate generation module
Farm Bill
Farm Bill – NOP provisions

• Improved enforcement authority for the NOP to conduct investigations.
• $5 million for a technology upgrade of the National Organic Program;
• $11.5 million annually for certification cost-share assistance
Thank you Joe Dickson, Jay Feldman, John Foster, and Wendy Fulwider – THANK YOU!!!

Corn Steep Liquor
Thank You

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Consumers Trust the Organic Label