



International Organic Inspectors Association
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March 30, 2022

Ms. Michelle Arsenault, Advisory Committee Specialist
National Organic Standards Board
USDA-AMS-NOP 1400 Independence Ave. SW
Room 2642-S, Mail Stop 0268
Washington, DC 20250-0268
Re: Docket # AMS-NOP-21-0087

Dear Ms. Arsenault:

IOIA would like to comment on three very important issues addressed by the Compliance, Accreditation, & Certification Subcommittee.

- Proposals and Discussion Documents
 - Discussion Document: Oversight improvements to deter fraud:
Modernization of organic traceability infrastructure
 - Human Capital Management: Supporting the Work of the NOSB
- Memorandum to the National Organic Standards Board dated February 23, 2022
re: Work Agenda Request: Organic and Climate-Smart Agriculture

IOIA is the leading worldwide training and networking organization for organic inspectors. Though a United-States based nonprofit 501(c)(3), IOIA operates globally with nearly 250 inspector members in over a dozen countries. Our members are the “boots on the ground” at the annual inspections of certified operators. The inspector is often the first representative in-person at the operation and sometimes the only one. We see first-hand successes and failures of the many administrative and technical innovations which are implemented in the name of ensuring organic integrity.

Thank you for acknowledging in the discussion document the critical role that inspectors and certifiers play and the good work that they are doing.



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Discussion Document: Oversight improvements to deter fraud: Modernization of organic traceability infrastructure

1. *Should acreage by crop be included on organic certificates?*

Sound and sensible is a key practice in approaching this proposal. IOIA understands first hand the need for transparent information in preventing fraud and *supports total acreage* on the certificate and OID. Adding *crops by acre* to the organic certificate and OID for all operations may appear like a low lift, however, there are multiple factors that complicate that assumption.

- Many organic operations are small diversified crop operations. How will a small CSA with 40-60 different types of produce document acreage when they are planting a few hundred bed feet or less of tomatoes and garlic? What about a banana farmer that has 100 plants spread over 50 hectares?
- Those on the ground understand that changing weather, and more and more so changing climate, make the best laid plan go awry. Often the ongoing rain keeps another year of cuttings from a hay field a much more viable option than ruining the soil by planting corn in mud. The constant adjustment to cropping plans required by farmers due to factors beyond their control will make creating an accurate and timely picture difficult at best and impossible at worst. Without real time information that requires constant administrative resources during the busiest time of the year from both farm and certifier, the value of the information is lost.
- Most fraud takes place outside of the inspection and certification process. The Black Sea, Jericho Solution, and Mumbai cases show that the most serious fraud cases involve large scale organized crime and are interstate or international. While these are a tiny fraction of cases, they have a disproportionate impact on organic integrity. Though we commend the NOSB and NOP for looking for solutions to prevent fraud, every new requirement and regulations adds a cost to being certified. Those of us in the field see first-hand how these changes make life disproportionately more difficult for law-abiding operators and increases expense at a time when the reimbursement is being cut. We need more good, honest operators; not less!! *We strongly recommend a risk-based approach to use limited resources in a targeted manner.*

IOIA proposes that instead of blanket requirements that increase administrative burdens in a field that already has trouble with capacity, that



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identified risk should trigger escalation of the requirement. Entering crop by acreage into the OID for operations selling bulk wholesale for broader distribution into the supply chain with a specific number of acres, gross sales, and/or previous compliance history may be an obtainable goal and result in better outcomes and more reliable data.

2. In addition to total certified acres should acres per crop also be included on the organic certificate and be public facing in the Organic Integrity Database?

Identifying total crop acreage certified and making this information available to the public through OID and organic certificates is a good tool for all stakeholders. For higher risk operations where crop acreage is entered into the OID, specific acreage/crop information should be accessible within the cone of confidentiality and not public facing. Open access to this information would bring more disadvantages than advantages. Producers would likely see this as unnecessarily invasive and it could create a barrier to fair marketing.

IOIA welcomes the time when organic certificates, searchable on the OID, will be available for all operations.

3. How can the community better educate inspectors and certified operators on what is sufficiently auditable record-keeping? (e.g., organic learning center, etc.)

IOIA notes that certifiers and reviewers were not listed as parties that may need to be better educated on auditable record keeping. Both inspectors and certified operations follow the instructions and requirements of the certification agencies that they are affiliated with. If unsatisfactory audits are being submitted in an inspection report, the inspector and/or the certified operator should be made aware of this with the expectation of improvement. If certifiers and reviewers are not experts at audit expectations, this communication cannot happen. The person in each role has a responsibility: the operator to keep the records, the inspector to audit and understand the recordkeeping system, and the reviewer to verify that the audit is complete and adequate and the farmer/handler is compliant. When any segment fails in that obligation, the system fails the industry and public.

Audit skills and exercises are one foundational element of a good inspection. It is crucial that all parties involved in the certification process fully understand all aspects and requirements of good, clear, quality records. Audit exercises often require several skill sets acting in harmony to be successful.



Entering numbers into a spreadsheet only works if the inspector understands the exercise in the context of the operation and has the math and reasoning skills to arrive at the correct conclusions. Audits vary widely in complexity. This reality reveals the need for a robust skillset where education and training might be best as a multi-class course and apprenticeship, instead of a one-and-done approach. For example, the traceback for garlic sold at a farmer's market is a different task from performing a traceback on an operation importing ingredients from Europe using multiple uncertified brokers and several contracted services before the end product is ultimately sold. Likewise, verifying that the quantity of milk sold was reasonable based on herd size, breed, and management is worlds away from verifying that enough cream was purchased to produce and sell the amount of alfredo sauce a company is claiming.

- **Encourage** all parties to complete the courses already available.
 - OILC has several solid courses on audit exercises.
 - IOIA, in addition to regularly scheduled training across all pertinent disciplines within organic certification, has an on-demand self-paced dairy feed audit course. This is one example of available self-guided learning tools already in use.
 - Many certifiers are addressing this concern by offering annual trainings
- **Create** more courses.
 - Begin with courses in basic audit skills that help define what an audit is and the basic math and writing skills.
 - Move to simple audit exercises for each scope and build on that with more complexity in each course.
 - Use a multimedia approach including video to show the interview process, types of forms used by an operation, database systems, and the actions required to bring it all together and fulfill the organic rule requirements in a successful inspection.
- **Experience** is the best teacher. Certification agencies that take care in assigning inspections to those who have experience in the scale, scope, and complexity of the inspected operation do the industry a great service. Likewise, inspectors who turn down work that they are not ready for are to be commended.
- **Mentorship and Apprenticeship** programs where inspectors have access to those more experienced in the field while they learn as a



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new inspector/reviewer or work to grow the scope and/or complexity of their skill sets. It is invaluable to have access to real world experience in tough, new situations.

- **ISO 9001** compliance is an excellent benchmark option for training, especially for inspectors who perform audits at high risk, complex operations.

Provide templates and forms that make the process easier. Spreadsheets can do some of the more complex math and traceability forms can prompt for the needed information. Some standardization of Traceability and Mass balance exercise formats will develop a clearer expectation across the community/industry for what is expected and acceptable.

4. What opportunities are there for stakeholders to collaborate in creating additional resources (e.g., forms, etc.) for use by organic operations that incorporate key data elements?

Collaboration is key! We are better when we work together. Each role and each individual has a different and valuable perspective.

Developing consensus around good audit forms, templates, and platforms that make the process easier for all parties involved would be helpful. Certification agencies are ultimately the parties responsible to the NOP for ensuring their forms, policies, and processes are compliant with the regulations. Inspectors and farmers are the parties that use the forms. It is important to note many inspectors find that poorly designed forms actually hinder a good inspection or audit. In such cases, more focus must be put into completing a form rather than collecting and auditing the records. It is critical that certifiers and inspectors work together to create forms that both improve on site audits and ensure that all requirements are being met. Remaining in silos will impede progressing to concise, usable, and broadly understood documentation that facilitates compliance and verification.

Collaborative training is another area where we need all parties working together. For example, OTA has the ear of many processors. With the help of certifiers and inspectors, they may be a great platform for educating handlers on the differences between a mock recall and traceback/mass balance exercises. Hearing from a respected organization on the importance of past inventories for a successful mass balance eases the burden on inspectors asking for something



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different or new than other audit schemes and improves the final product submitted to certification agencies.

5. How can the NOP assist certifiers in issuing non-compliances for insufficient record keeping?

§ 205.510(a)(4) requires certifiers to “Use a sufficient number of adequately trained personnel, including inspectors and certification review personnel, to comply with and implement the organic certification program”. In order for the current system of organic certification to work, all parties are responsible for compliance to the regulations. When published, SOE will provide additional criteria and regulations that the NOP and certifiers may use to ensure that inspectors are performing quality audits and operators maintain adequate and appropriate records.

Though issuing more noncompliances to both certifiers and certified operations surrounding areas of insufficient record keeping may be an effective way to improve audits and traceability, technical assistance from the NOP and the on-going conversation surrounding Human Capital may be a significantly more effective solution. Those who have expressed interest and willingness to participate in the organic certification process are becoming disenfranchised by an ‘all stick’ approach and burn-out is on the increase. We support a more balanced “stick and carrot” approach. As noted in question 3, certifiers and reviewers were not included in the parties that may need more education, though they are vital to success. Additional training for all parties involved will lead to better administrative capacity and higher compliance from both certifiers and certified operations.



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Human Capital Management: Supporting the Work of the NOSB

IOIA supports financial assistance in the form of technical support. We strongly believe that the unpaid time required to be an effective member should not be a barrier to joining the board. Currently, a member is generally supported by an organization or company that can afford to subsidize their time or they do not have the need for a full-time job. Empowering more individuals to serve in the role by providing funding for additional resources will certainly go a long way in ensuring that the board is a true representation of all stakeholders.

IOIA would like to address the structure and source of the technical support. The most effective and efficient use of additional funding would go to specialists and subject matter experts who are knowledgeable about current topics. Tasks such as drafting language for proposals may be a valuable way to gain efficiencies, but paying a group simply to summarize information for the members of the NOSB has great potential to devolve into a game of telephone that ultimately adds profitless hours to the workload and dilutes the practical effectiveness of an individual's position on the board.

IOIA also feels strongly that the original intent in establishing the NOSB in its representative composition was to guard the organic standards against lobbyists and other influential parties who base their efforts on what appears to be the financial interests of the individuals/entities they represent. Creating a paid group from within the government/USDA as proposed, appears to abandon the wisdom shown in the OFPA regarding the potential for financial interests to undermine the very foundation for which the NOSB was created: develop and protect the organic standards in the interests of the public. Finding support from universities and non-profit organizations based in research for the public good and without conflicts of interest is integral to maintaining the integrity of the organic standards and the forward movement of the certified organic industry.



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Memorandum to the NOSB dated February 23, 2022 re: Work Agenda Request: Organic and Climate-Smart Agriculture

We are pleased to see the NOP request that the NOSB initiate a collaborative community dialogue about the links between organic farming and climate-smart agriculture. We enthusiastically support this effort. We commend USDA for the interest in developing and rolling out climate-smart agricultural strategies and resources for producers.

We offer the following comments as this dialogue moves forward:

- Organic agriculture exemplifies the principles of climate-smart agriculture and must be recognized as a climate-smart practice.
- Organic and should play a prominent role in USDA's work to reduce the carbon footprint of the agriculture in the US.
- The Organic System Plans could be modified to capture key climate-smart practices. Organic inspectors are well positioned and qualified to verify carbon friendly practices on organic farms.

Our concerns:

- Research funding is critical. Defining truly climate-smart practices is not simple.
- Financial incentives are important and must be available to existing organic producers and not just those who implement new practices. The USDA has historically paid producers to implement new practices but not paid producers for maintaining previous practices.
- New programs and funding incentives must recognize that full carbon accounting is essential. "Climate-smart" cannot be reduced simply to a measurement of increased carbon in the soil. How much carbon was expended to get that increase in carbon? Organic measures up so well in carbon accounting largely because synthetic fertilizers and herbicides are not used. True carbon accounting must include the carbon emissions generated by the use of synthetic fertilizers and pesticides.
- Additional market labels for "Climate-Smart Agriculture" run the risk of greenwashing unsustainable systems as climate-smart, confusing consumers, and thereby diluting the value of the organic label.

Respectfully,

Margaret Scoles

Margaret Scoles, Executive Director, on behalf of the IOIA Board of Directors