

## “Sound and Sensible” Certification

*A refreshing topic to start the New Year...*

IOIA became involved in the discussion in late November 2012. Mac Stone, National Organic Standards Board member and since named NOSB Chair, contacted IOIA to chat about a new idea -- “Strict but Sensible” certification. The idea was a NOSB/NOP initiative to streamline organic certification and reduce paperwork without diminishing organic integrity. Stone was seeking unified support within the organic sector to reduce the paperwork, with a goal of keeping smaller direct marketers (i.e. selling through CSAs, farmers markets) under the ‘certified organic’ umbrella. He invited IOIA to engage in the discussion. In addition to his roles as certified organic producer in Kentucky and certifier representative on the NOSB, Stone is also a supporting member of IOIA. That same month, Jake Lewin, CCOF’s Chief Certification Officer, submitted a 9-page letter to the National Organic Program entitled “Opportunities for the Organic Program – “Practices, Not Paperwork”.

After a preparatory conference between the IOIA Executive Director and Board Chair and a conversation between the ED and Mac Stone, the ED sent an email message to all IOIA inspector members, asking for input on the topic and announcing IOIA’s plan to write a white paper on the topic. The paper would be sent to the NOSB and the NOP and developed with open communication between IOIA and the Accredited Certifiers Association (ACA). The response to that message was heartening. The

request elicited more than a dozen missives both long and short, unleashed a few volleys of frustration, and revealed some great common points. More fodder for the paper was gathered at the NOP training on Jan 15 and the ACA Training Jan 16-17 in Orlando, Florida. IOIA’s Executive Director participated in both events. The theme as presented by Miles McEvoy, Deputy Administrator of the NOP, on January 15 was “Sound and Sensible”. Mac Stone and Robin Foster of CCOF facilitated a 2-hour session on the topic “Strict and Sensible Certification” during the ACA training. It was described on the training agenda as “Our initial open discussion about a process to attempt the reduction of the paperwork burden on certifiers and certified operations, while at the same time maintaining the integrity of the certification system.”

IOIA brings a unique and valuable insight to the conversation with the inspector perspective. Inspectors are usually the only representatives of the certifier on-site, actually verifying and actually seeing how paperwork does and doesn’t work for certified operators. They see the initial review, the system plan, the actual operation, and the paperwork that follows it up after the final review. They see the noncompliances, the responses, and the resolutions. They fill out inspection report forms and exit interview documents. They prepare for the inspection by studying the system plans that the operators completed. Many inspectors work for several different certifiers, [see **Sensible**, page 4]

### Notes from the Chair

By Ib Hagsten

Happy New Year and may 2013 be a successful year for you as an organic inspector. Likewise, we hope and plan to make 2013 a successful year for your “mother organization” IOIA, just as your mother taught you well, then patted you on your head and encouraged you to make her proud, while she was waiting on you to return safely from playing in the street when the street lights came on. If a bully had given you a hard time, or you had a skinned knee, she wiped it with the same apron she had used to collect potatoes, as a hot pad, as she dusted the coffee table, and cleaned your ears – no wonder we didn’t get sick in those days, as we were well immunized.

Likewise, IOIA provides excellent 100-level [see **Notes**, page 4]



*IOIA Chair Ib Hagsten at the MOA Poultry Conference*

## 2013 IOIA Membership Directory Now Available!

Price is \$15 for IOIA members, \$30 for non-members. Copies of the Directory are provided by IOIA to all supporting certification agency members as a membership service.

Other categories of membership must pre-order and pay for their copies. A few extra copies are available first come, first-served. See the inserted Mini-Directory in this issue or the online IOIA Member Directory for current contact information for members.

## Accreditation News

Congratulations to the following members who have been successful in renewing their Accreditation status:

Thomas Cassan: Crop, Livestock, Processing

Kelly A. Monaghan,: Processing

Margaret Scales: Crop, Livestock, Processing

## IOIA BOARD OF DIRECTORS

IB HAGSTEN, PHD  
— CHAIR —  
HÉLÈNE BOUVIER  
— VICE CHAIR —  
ERIC FEUTZ  
— TREASURER —  
SILKE FUCHSHOFEN  
— SECRETARY —  
DEBRA BUNN  
— DIRECTOR AT LARGE —  
STUART McMILLAN  
— DIRECTOR —  
ISIDOR YU  
— DIRECTOR —  
JENNIFER CLIFFORD  
— SPECIAL PAST CHAIR —

*The Inspectors' Report* is the newsletter of the International Organic Inspectors Association. IOIA is a 501 (c)(3) educational organization. Our mission is to address issues and concerns relevant to organic inspectors, to provide quality inspector training and to promote integrity and consistency in the organic certification process.

Editor: Diane Cooner [webgal@ioia.net](mailto:webgal@ioia.net)

Deadlines: Feb 1, May 1, Aug 1 & Nov 1.

Published quarterly on recycled paper.

## Training Schedule

### Ontario, Canada - Basic Crop Inspection Training - March 4-8

Canadian Organic Growers and IOIA will cosponsor basic crop inspection training in Ontario. The course includes comprehensive training on the Canadian Organic Standards and four days of instruction including a field trip to a certified organic operation, plus one-half day for testing.

### Webinar – 200 Level IOIA/OMRI Livestock Input Materials - March 14

This is a three hour webinar. Enrollment: limited to 20. This webinar will cover what livestock inspectors should look for during inspections and how OMRI reviews livestock materials. The course is geared for persons with an understanding of NOP Livestock Standards and farm inspection or certification. Course participants preferably will have completed the IOIA Basic Crop and/or the Basic Livestock Inspection course(s). OMRI will provide the technical expertise of Lindsay Fernandez-Salvador, OMRI Program Director, as lead presenter, assisted by Lisa Pierce, IOIA Trainer. The course is comprised of 3 components: self-study, webinar, and evaluation. The self-study component includes exercises that are completed and submitted in advance of the webinar and encourages participants to prepare and explore resources on the OMRI website applicable to input material assessment related to organic livestock. The webinar will include in-class discussion, examples, exercises and the opportunity for questions and answers. The course concludes with an exam to evaluate individual learning.

### Asilomar, California - Advanced Training and AGM - March 22-24

IOIA will sponsor Advanced Training March 22 and March 24, 2013 with the Annual General Membership Meeting March 23. The training will include advanced processing on March 22, Livestock topics and Technology Tools for the Inspector on March 24. Hands-on Residue Sampling Training is scheduled for March 21, all afternoon, at ALBA in Salinas. Application forms, more details, and housing forms are available on the IOIA website.

### Lima, Peru – Basic Organic Farm Inspection Training - April 8 -12 (Spanish language)

IOIA and EKO PRIMUS PERU S.A.C. will cosponsor a 4.5 day Basic Organic Farm Inspection training using USDA National Organic Standards as a reference. Please contact Jorge Olivo at ph.: 959777605 or Gavy Leiva at ph.: 945-586-452, or 989-392-788; web-site [www.ekoprimusperu.com](http://www.ekoprimusperu.com), e-mail: [ekoprimus@gmail.com](mailto:ekoprimus@gmail.com) or [jorge\\_olivoal@hotmail.com](mailto:jorge_olivoal@hotmail.com) for further information.

### Tampa, Florida - Basic Organic Crop and Processing Inspection Training - April 8 -12

IOIA will sponsor Basic Organic Crop and Processing Inspection Training April 8-12. Trainings will be held at the Bethany Center in Lutz, Florida near Tampa. Crop and Processing courses will run concurrently. Each basic course includes 4 days of instruction including a field trip to a certified organic operation, plus 1/2 day for testing. Application forms and details are available on the IOIA website. Application deadline is February 23.

### Webinar - 100 Level USDA NOP Organic Crop Standards – April 16 and 23

This Webinar Training course covers the USDA NOP Organic Crop Standards and is designed as an essential session for the Crop Inspector or Reviewer. This

## **Training Schedule, from page 2**

course will focus on topics including the National List of allowed synthetic and prohibited natural inputs for crop production. Participants will gain skill in navigating the regulations. Training includes pre-course reading and an assignment, 5 hours of in-class instruction via distance presenter, and a post exam. It is highly recommended for organic producers, consultants, educators, extension, and certification agency staff and can be used as a credential to seek work as an entry-level certification file reviewer.

### **San José, Costa Rica - Basic Organic Farm Inspection Training - April 22 – 26 (Spanish language)**

IOIA and Eco-LOGICA will cosponsor a 4.5 day Basic Organic Farm Inspection training using USDA National Organic Standards as a reference. The course will be held at ICAES, Coronado in Costa Rica. Please contact Jhamna Magsig at ph.: (506) 2297-6676, fax: (506) 2235-1638 or e-mail: [jmagsig@eco-logica.com](mailto:jmagsig@eco-logica.com) for further information.

### **Webinar - 200 Level Natural Resource Assessment on Organic Farms - April 25**

This is a three hour webinar. The webinar is available in the US and Canada via phone or VOIP, available elsewhere via VOIP. The course is comprised of 3 components: self-study, webinar, and evaluation. The self-study component includes exercises to be completed and submitted to the Trainer in advance of the webinar. The webinar component will include in-class discussion, examples, and the opportunity for questions and answers. The course concludes with an exam to evaluate individual learning.

### **Webinar - 200 Level IOIA/OMRI Processing Input Materials - April 29**

This is a three hour webinar. Enrollment: limited to 20. This is an intermediate 200 level course. The course is geared for persons with an understanding of NOP Processing Standards and processing inspection or certification. Course participants preferably will have completed the IOIA Basic Processing course. Previous IOIA/OMRI crop, livestock and processing input material webinars have been evaluated very well by inspectors, reviewers, and, certification agency staff. OMRI will provide the technical expertise of Lindsay Fernandez-Salvador, OMRI Program Director, as lead presenter, assisted by Lisa Pierce IOIA Trainer. The course is comprised of 3 components: self-study, webinar, and evaluation. The self-study component includes exercises to be completed and submitted to the Trainer in advance of the webinar. It encourages participants to prepare and explore resources on the OMRI website (<https://www.omri.org>) applicable to input material assessment for organic processing. The webinar component will include in-class discussion, examples, exercises and the opportunity for questions and answers. The course concludes with an exam to evaluate individual learning.

### **Clovis, New Mexico - Basic Organic Livestock Inspection Training - May 6-10**

IOIA will sponsor Basic Organic Livestock Inspection Training May 6-10 in Clovis, about 220 miles east of Albuquerque. The training will be held at the La Quinta Inn in Clovis. The course includes 4 days of instruction including a field trip to a certified organic dairy operation, plus 1/2 day for testing. A room block has been reserved under the name "IOIA"; room cost is \$85 plus tax. Participants are responsible for booking their own room within that block. The block will no longer be available after April 5. The hotel has free wireless internet and a continental breakfast with hot items included. The "Make Connection" shuttle can provide transportation from the Albuquerque airport. Closer airport options are Lubbock or Amarillo, Texas, both about 100 miles. Information on accommodations are available on the IOIA website. Application and more details will be posted soon.

### **Webinar - 300 Level Grower Group Inspection and Certification – May 16 and 23 (English language)**

9:00 a.m. - 11:00 a.m. (PDT). Two, 2-hr sessions. Trainer: Luis Brenes.

### **New York - Basic Organic Crop, Livestock and Processing Inspection Training - Fall 2013**

IOIA and NOFA-NY will cosponsor Basic Organic Crop, Livestock, Processing Inspection Trainings and Advanced Inspector Training in the Binghamton area. Application forms and more details will be posted on the IOIA website.

### **Under Development – Basic Organic Crop Inspection Training – Colorado, September 2013**

**Notes, from page 1**

basic training courses, has mentors for those needing apprentice time, presents outstanding 200- and 300-level webinars in specialties needed for additional assignments, and provides ample advanced training opportunities in conjunction with the AGM (Annual General Membership) meeting and/or at other co-sponsored locations across the nation in an attempt to minimize travel burdens yet optimize face-to-face interactive networking opportunities.

As a result of the unfortunate NOP slip-up and a sue-happy client, one of our IOIA members was psychologically and financially hurt a lot in 2012. Margaret attended the first court case, your BOD wrestled hard with what actions to take (within our charter), and provided a White Paper on the topic; these actions resulted in tangible results on behalf of the membership.

The 2012 board worked hard and made numerous accomplishments – yet, to tell you about them here would be to knock the “wind out of the sails” for the AGM. So, you will just have to wait. If you come to Asilomar you’ll find our colorful presentation. If you don’t make it, you will be receive the “dried rose” version (the shape and color are visible yet the fragrance is missing) in a future newsletter.

Interestingly enough, in early February, at the invitation of Sue Baird, ED of MOA (Missouri Organic Assn.), IOIA ED Margaret Scoles, Treasurer Eric Feutz, and I participated in the MOA Organic Poultry Symposium during the Missouri Organic Conference in Springfield.

The program that is coming together during and in conjunction with the AGM looks very promising – so (1) clear your calendar, (2) go to the new IOIA website to pre-register, and (3) order your airline ticket, if needed. We look forward to seeing you in mid March on the lovely Monterey Peninsula.

**Sensible, from page 1**

their observations bring even broader insights. Many others in the system of certification only see the paper, not the operators. This has probably contributed to the development of document-laden systems. However, it must be said that sometimes a paper document is actually the only way to verify a practice and some documents are essential. Inspectors are required to verify written documents because the certifiers ask them to, and the certifiers ask inspectors to verify documents because the NOP auditors look for them. Finally we have reached the point, where we are looking at each other, and saying, “How did there get to be so much paper?” Whether it is hard copy paper or virtual paper, there is often too much of it.

IOIA is pleased to be part of this initiative and looks forward to seeing operators, inspectors, certifiers, regulators, and compliance auditors all closer to the same page on this topic. One of our ultimate goals is for the sector to recognize that the system rests largely on reviewer and inspector quality and professionalism and the certifiers’ trust in the competency of their inspectors. IOIA’s goal is that the paper will reach the NOSB in early March at least a month before the upcoming NOSB meeting in Portland, Oregon on April 9-11. Both Board and non-Board inspector members are participating in the IOIA committee that is developing the paper. An ACA Working Group is working on the same topic. IOIA and ACA will present separate papers, but are communicating with each other as the papers are developed. Further input from members is welcomed.

In California, Jake Lewin will be speaking on the topic “Practices, Not Paperwork” before lunch at the IOIA Annual Meeting, and Miles McEvoy will be speaking as the keynote after lunch on “Sound and Sensible Certification”.

To review the NOP’s perspective on adequate recordkeeping, see the segment entitled “Adequate Records”

within the 2013 NOP Training Module “Compliance and Enforcement Update”, available on-line at <http://www.ams.usda.gov/AMSV1.0/get-file?dDocName=STELPRDC5102091>



Mark Geistlinger (IOIA member, Wisconsin) caught our ED with her winning bid ticket for a Big Box of ... get ready - Natural Nail Fungus Soak. Yum! Margaret says: “The story is that my aunt has toenail fungus and she is adamant about not using anything that is not natural. I actually plan to use some of it, too, but I don’t think I needed a whole case. I like to help out a benefit auction and I was the only bid. \$20 for the whole case. I had a heck of a time fitting it into my little suitcase that was already crammed full. Each one of the 6 was worth about \$17, so it was actually a good deal. You boil it up in vinegar. The creator came and explained everything to me after he saw me get it. His first question was, ‘Do you have a store?’ and when I said no, he said, it actually makes good salad dressing!”

Upon further exploration, the product contains eucalyptus so we don’t think it will be making it into a salad soon.



## Notes from the ED

by Margaret Scoles

Space is at a premium this issue, so I'll keep my remarks brief and focused on a highlight for February -- a trip to Springfield, Missouri. Sue Baird, IOIA Inspector Member and volunteer Executive Director of the Missouri Organic Association, birthed the idea of the Poultry Symposium running concurrently with the MOA Annual Conference. She called me about a year ago and asked me if I'd come as a speaker. We decided that I would do a 'Virtual Inspection' of a poultry house. That didn't sound too tough. But as the event developed, we began to explore the idea of video-taping the entire symposium, and using that to create an 300-level self-directed, on-line Poultry Inspection course. When the videotape crew failed to show-- as the saying goes, "Necessity is the mother of invention". Loath to lose this event for future use, we embarked on a combination of audio-recordings, live video, still photos, and PowerPoint presentations. We are re-taping some sessions. Sue had created a fictitious organic poultry operation, complete with system plan and inspection slide show. A Certifier Panel (Jessica Ervin, Dave DeCou, Mark Geistlinger, Eric Feutz) did the initial review and the final review. Sue was the inspected party and threw me more than a few curve balls that were definitely not in the script. The event was highly educational and often quite fun. An excellent panel of speakers covered Poultry Health and another addressed Poultry Nutrition. Dr. Bruce Behrends of Agri-Tech in MN graciously re-taped his entire session on Poultry Nutrition afterwards when we learned that his recording had failed. Wendy Fulwider, Animal Husbandry Specialist for CROPP/Organic Valley, PhD in Animal Behavior, and NOSB member, was the Chair for the panels on Housing and Spacing Issues and Poultry Outdoor Access. IOIA inspector members Allan Benjamin, Ib Hagsten, Eric Feutz

served on one or more panels. Sue Baird and Ib Hagsten are developing the on-line course, which should be available by late spring. It will be offered as a collaboration between MOA and IOIA, with shared profits. This will be our first self-directed on-line course!

## Trainings for Korea inspectors

By Isidor Yu

Korea governmental accreditor NAQS has subsidized IOIA trainings since 2011. Participants got chances to get trainings almost in half cost than previous courses. There were two processing courses under this subsidy program last fall. Gathering participants were even easier than past for cosponsor. Further, NAQS made six people in their staff participate to learn organic control systems in these courses. NAQS indeed trusts IOIA as the only professional and highest level of organic inspector organization in the world. 15 people per course participated. And these were the first courses cosponsored by KOIA. The courses were done at the KOIA offices. KOIA was established in 2008, but it has not been easy to make concrete activities. These courses this year were the first chances for KOIA to make formal activity by itself.

## Customized for Korea officials

One of these customized trainings related to NAQS was in Montana and reported on in the last issue of this periodical. They studied about USDA NOP and visited crop fields, ranches, handling facilities and retailers.

The organic certification program named EFAPA was started by NAQS in 1997. And accreditation service for public organizations began in 2001. The certification was only for fresh products without processing. Another organic certification program named FIPA began in 2008. So Korea has currently two organic certification regulations under two different acts.

Korea organic programs are facing big changes now. First, these two separate certification regulations will be combined to one regulation from June 2013. Second, this new combined regulation will allow certification not only agricultural food but also textile, feed, and aquaculture products. Third, the new regulation makes it possible for the exporting country to get reciprocal equivalency with Korea certification. All these big changes are involved by NAQS.

NAQS mentioned two points of longer theoretical class and deeper field trips evaluating the course. One day was allotted for theoretical training, but we had to have extra time for fulfill all prepared subjects. But they felt still the necessity of longer time to understand the control system more deeply. They had ten field trips for three days. All were impressed and very satisfied of this training [see **Korea**, p 17]



Isidor Yu, second from left, with Margaret, Jonda and the Korean delegation in the Montana Governor's Reception Room.

## SECTOR NEWS

**Nation averts 'fiscal cliff,' but critical organic support gone**

The U.S. House of Representatives voted January 1 to approve the Senate version of the American Taxpayer Relief Act on a vote of 257-167 following the 2 a.m. Tuesday Senate approval by a 89-8 vote. While this brought general taxpayer relief, the organic sector was not so fortunate. This is because mandatory funds supporting organic programs in the 2008 Farm Bill did not meet the threshold "no baseline" for automatic inclusion in a Farm Bill extension.

After a week of close tracking and daily communications with OTA allies on Capitol Hill and despite a bi-partisan agreement between the House and Senate Agriculture Committee leaders to extend the 2008 Farm Bill with subsidy reforms and funding for organic, local, beginning farmer and conservation programs, a final nine-month, straight extension of the Farm Bill was passed by both Senate and House, eliminating for 2013 mandatory funding for critical organic programs including the organic data initiative (ODI), organic research and extension initiative (OREI), and certification cost-share.

This represents a huge setback for the organic sector, diversity in agriculture, and rural communities. [The full text of the bill and extension are available online.](#)

**Programs without FY13 mandatory funding**

- **Specialty Crop/Horticulture Title:** Farmers Market Promotion Program, Clean Plant Network, Organic Cost-Share, Organic Data Collection
- **Conservation Title:** Voluntary Public Access ("Open Fields"), Watershed Rehab, Desert Terminal Lakes, Rural Development Title, Rural Micro-en-

trepreneur Assistance Program (RMAP), Value-Added Producer Grants (VAPG)

- **Research Title:** Organic Research and Extension Initiative (OREI), Specialty Crop Research Initiative (SCRI), Beginning Farmer and Rancher Development Program
- **Forestry Title:** Healthy Forest Reserve Act
- **Energy Title:** Bio-based Markets Program, Bioenergy Program for Advanced Biofuels, Biodiesel Fuel Education Program, Rural Energy for America Program (REAP), Biomass Research and Development Program, Biorefinery Assistance Program, Biomass Crop Assistance Program (BCAP)
- **Miscellaneous Title:** Section 2501 Outreach for Socially Disadvantaged Farmers & Ranchers

**So where does organic stand?**

The 2013 fight for funding of once mandatory programs will turn to appropriations when the 2013 continuing resolution expires at the end of March. However, these requests for new appropriations will come at the center of the national debate on spending cuts, entitlement reform and the debt ceiling.

The 2013 Congress will be sworn in Thursday, January 3. Work on a full five-year farm bill will begin anew with the limiting devastating extension ending Sept. 31, 2013. The new five-year bill will need to work its way back through committee mark-up and to the floor of both House and Senate prior to being enacted into law. The full Senate passed its version of a 2012 Farm Bill, while the House version passed through committee but failed to reach the House floor for

a full vote.

2008 organic programs—all funded in the Senate version with all but cost-share funded in the House Committee bill—will need to find their way into the 2013 full five-year farm bill. Any new policy affecting organic, such as research and promotion order technical fixes and mandatory funds for an NOP technology upgrade, must wait for a new five-year farm bill.

**Thicke Appointed to NOSB**

In the midst of much turmoil in the organic sector there is one shining bit of good news: Francis Thicke, Ph.D. has been appointed by the USDA to the National Organic Standards Board (NOSB), adding valuable perspective to this 15-member advisory Board.

An organic farmer for over 30 years, Dr. Thicke currently operates an 80-cow, certified organic dairy in Fairfield, Iowa, producing milk, cream, yogurt, and cheese.



In addition to his experience as a grass-based dairy producer, and years of involvement in the environmental movement, he holds a PhD in soil science. He was named the 2012 Farmer of the Year by the Midwest Organic and Sustainable Education Service, and has been active in many environmental organizations including the Iowa Environmental Protection Commission, the Leopold Group Sierra Club in Southeast Iowa, the Iowa Environmental Protection Commission, and Food Democracy Now.

Dr. Thicke's five-year term began January 24, 2013, replacing Barry Flamm, Ph.D. as one of the three environmentalists serving on the NOSB.

## National Organic Groups Grow Closer

On January 29 two of Canada's longest-running organic organizations announced that they are streamlining and centralizing their efforts to better represent Canada's organic sector in Ottawa. The Canadian Organic Growers (COG) and Canada Organic Trade Association (COTA) will build upon their history of collaboration while also sharing office space and resources in the nation's capital.

Active since 1975, Canadian Organic Growers is a national charitable organization with nine regional chapters, four affiliated organizations, and members in all regions of Canada. COG's membership is diverse and includes farmers, gardeners, processors, retailers, educators, policy-makers, and consumers who share a vision for a sustainable bioregionally-based organic food system.

Active since 1985, the Canada Organic Trade Association is the membership-based trade association for the organic sector in Canada, representing growers, shippers, processors, certifiers, farmers' associations, distributors, importers, exporters, consultants, retailers and others in the organic value chain. COTA's mission is to promote and protect the growth of organic trade to benefit the environment, farmers, the public and the economy. COTA maintains an affiliation with the Organic Trade Association in the U.S.

"COG and COTA have an excellent history working together," says Daniel Brisebois, COG President and organic farmer from Quebec, "and in sharing physical office space, we believe even greater efficiencies can be recognized to benefit our collective memberships."

"This will be welcome news for the Canadian organic sector," says BC-based Gunta Vitins, COTA President and industry co-chair of Agriculture Canada's Organic Value Chain Roundtable, "it will allow the organic sector to have a strong and consistent message for policymakers in Ottawa."

Both COG and COTA are members of the International Federation of Organic Agriculture Movements. They have partnered on numerous projects and priorities in the past: as founders of Canada's annual national "Organic Week" celebration, on educational workshops to train organic operators on the new organic standards, and in other areas of importance to the organic sector. The two organizations will maintain distinct boards of directors and organizational roles, but will maximize efficiency through collaboration, shared resources and common headquarters in Ottawa.

More information about COG and COTA is available at [www.cog.ca](http://www.cog.ca) and [www.ota-canada.ca](http://www.ota-canada.ca).

## Canada and Switzerland achieve organic equivalency

Last month, on 18 December 2012, Canada was added to the list of recognised third countries under the Swiss Organic Farming Ordinance (Annex 4 of Ordonnance du DFE sur l'agriculture biologique), following extensive study by each country of the other's organic standards, regulatory framework and enforcement mechanisms.

The arrangement is applauded by Canadian organic exporters. Now food and livestock feeds certified under the Canada Organic Regime are accepted as organic in the important Swiss export market, removing the need for additional certifications. For more information see: <http://tinyurl.com/ax5pm9k>



### The Gals at Guelph:

Left to Right – Kelly Monaghan, Margaret Scoles, and Jonda Crosby at the IOIA Guelph Organic Conference booth. Jonda was a presenter at the Feb 1 workshop on the Canadian Organic Extension Network, reviewing the state of organic extension in the US with "US View from afar: the USDA model." The half-day workshop took a broad view of extension, including the corporate model (private consultants), the government model, and the non-profit model. Crosby's presentation was one of three case studies. IOIA is an Official Sponsor of the event, participating at some level for the past 12 years. The booth is a meeting place for IOIA members; the first member to drop by was M. Reza Ardakani of Iran (faculty of Azad University, Iran and Visiting Scientist, University of Guelph).



---

## IOIA Annual Report -2012 – Executive Summary

Prepared by Ib Hagsten, IOIA Board Chair, and Margaret Scoles, IOIA Executive Director

Note: The complete Annual Report is posted on the IOIA website ([www.ioia.net](http://www.ioia.net)) and copies will be available at the Annual Meeting on March 23.

For IOIA, 2012 was a year of cooperation and building organizational capacity, reflecting the theme declared by the United Nations, the *Year of Co-operatives*. IOIA built or strengthened bridges and alliances from North America to Asia. On March 1, at the annual meeting in Canada, Beth McMahon, Executive Director of COG, and Gunta Vitins, Industry Chair of Agri-Food Canada’s Organic Value Chain Roundtable, used that theme for their joint keynote --“Canada Organic – a state of evolution and cooperation”.

IOIA increased our organizational capacity by fully implementing the position of Training Services Director to expand the IOIA Training Institute. Jonda Crosby, who joined IOIA in late 2011 as full-time senior staff, completed her first year in-training with IOIA and is now responsible for the webinar program. We increased our resilience by naming Sacha Draine to the position of Assistant Executive Director. IOIA began the training process so that she can take over the helm in the case of an emergency. Kathy Bowers took on an expanded role and stepped up to manage the webinar training program.

The BOD built on many of the initiatives identified in the 2011 BOD retreat, grappled with a complete restructuring of the inspector accreditation program (the key initiative for 2013) and initiated a financial audit and a social media strategy. A BOD section was added to the website to allow BOD members to readily access their resources.

### Key Activities and Alliances:

- ▶ Celebrated a new logo - the culmination of two years of work. A new table-top display featuring the new logo was used at several trade events.
- ▶ Launched a new and totally revised website, featuring the new logo. Diane Cooner, IOIA Website Manager, deserves a big thank-you for her work.
- ▶ Offered members the most international board slate in history with six candidates from six countries.
- ▶ Continued to support the lawsuit of Organic Seed Growers and Trade Association (OSGATA) et al vs. Monsanto by signing on to the *amici brief* to support the appeal after the suit was initially dismissed in favor of Monsanto.
- ▶ Developed a position statement and sought change within USDA to mitigate damage to an inspector member for failure to protect the anonymity of his complaint and to protect organic integrity by preventing reoccurrences.
- ▶ Ib Hagsten as BOD Chair presented “*Organics through the Eyes of an Organic Inspector*” at the annual meeting of the American Society of Agricultural Consultants.
- ▶ Participated in Guelph Organic Conference (Ontario), Expo West (Anaheim), Expo East (Baltimore), and Organic Connections (Saskatchewan). Attended the OTA Annual Meeting.
- ▶ Participated for the first time in the annual meeting and training of the Accredited Certifiers Association in San Antonio, Texas.
- ▶ Continued our sponsorship of the Guelph Organic Conference in Ontario.
- ▶ Greatly expanded webinar training offered through the IOIA Training Institute, increasing webinars by 25%. A new 300 level webinar addressed Food Safety. IOIA responded to the need for basic organic standards training by developing a complete series of 100-level Crop, Livestock, and Processing Standards webinars to both the NOP and COR standards.
- ▶ Continued our partnership with the Organic Materials Review Institute to provide the second (Livestock) and third (Processing) of a series of three webinars begun in 2011 with Crop Input Materials. These were among the first of the (“200-level”) trainings, identified as topics not covered comprehensively in the basic courses but still essential for all inspectors.
- ▶ Hosted quarterly Certifier-Inspector Dialogue conference calls. The ongoing dialogue is invaluable in shaping the IOIA training program and addressing inspector issues and member concerns.
- ▶ Accepted an invitation to participate in the long range planning of the eOrganic Community of Practice of the Cooperative Extension Services.
- ▶ Continued to participate on the Canadian General Standards Board’s Organic Technical Committee. Kelly Monaghan



is the IOIA representative.

- ▶ Continued sponsorship of the Guelph Organic Conference in Canada and provided advanced training in conjunction with the 2012 conference.
- ▶ Continued support of OTA, IFOAM, OMRI, COG, Green America, and MT Nonprofit Association through memberships and subscriptions.
- ▶ Published four issues of the IOIA Inspectors' Report and the 2012 Membership Directory.

### **Trainings:**

IOIA training continues to increase in diversity and global recognition. IOIA sponsored training events in Ontario, British Columbia, South Carolina, Pennsylvania, Washington, Minnesota, Oregon, Honduras, Korea, Ecuador, Puerto Rico, and Japan. IOIA also delivered NOP Standards training via webinar to participants in Australia. Evaluations of trainings continue to reflect IOIA Trainer capacity to deliver the highest caliber of inspector training.

#### A summary of in-person training activity and languages:

Basic Crop Inspection Training – 3 Spanish, 1 Japanese, and 3 English  
Basic Processing Inspection Training – 2 Korean, 2 English  
Basic Livestock Inspection Training – 1 English  
Canadian Aquaculture Workshop – 1  
Advanced Organic Inspector Training – 5

IOIA hosted training in Montana for a delegation of six representatives from the Korean government. Isidor Yu, IOIA Board member and trainer, provided translation. Montana Organic Association assisted IOIA with field trips and the MT Department of Agriculture hosted the delegation at the state Capitol.

In addition to taking on the webinar program, Jonda served at Basic Crop and Livestock trainings as Assistant Trainer; assisted in the development of Advanced Training in Pennsylvania; and attended the Basic Processing Training. She was also instrumental in the finalization of the new look for IOIA, including the website, the logo, and the trade show display.

### **Finances:**

IOIA maintains a solid financial position and once again, did not need to dip into cash reserves. The BOD had projected a positive bottom line of \$20,000 this year, in anticipation of receiving payment in 2012 for the USDA contract completed in 2011. We fell short of that goal, ending instead at about \$11,000. See 2012 Balance Sheet for details.

The Board took action on the IOIA audit and enlisted the help of an accountant to develop Agreed-Upon Procedures to prepare for an external accountant to come to the IOIA office. The Agreed-Upon Procedures were endorsed by the Finance Committee (comprised of past Treasurers). The review process was completed in January 2013, with the treasurer on-site. The report is very encouraging and complimentary to Margaret, the IOIA staff, and our retiring Treasurer, Eric Feutz. Based on his involvement in the process, Eric states that he feels comfortable he is handing over a clean set of books to the upcoming Treasurer.

### **Committees -- Full Committee Reports will be available at the Annual Meeting.**

IOIA is pleased to announce a new Accreditation Committee Chair, Christopher Warren-Smith. He is working for a year with Linda Kaner, outgoing chair, as his mentor. Thank you, Linda, for your years of service on the ARP and for assisting with a smooth transition to a new chair.

### **Board of Directors in 2012:**

Two new members of the seven-person board were duly elected at the AGM: Stuart McMillan, and Isidor Yu. Isidor is IOIA's first BOD member from Asia.

**Retiring Board members:** Eric Feutz (4 years), Jennifer Clifford (3 years), Deb Bunn (2 years), Silke Fuchshofen (2 years), Helene Bouvier (2 years). Jennie Clifford served as Special Past Chair this past year as allowed in the bylaws. This was the first time ever that this position was implemented. Special thanks to Jennie - for the extra year of dedicated service.

## Annual Report 2012, from previous page

Special thanks to Eric Feutz for being treasurer during most of his tenure.

The BOD met in person at the AGM and 12 times via conference calls. BOD minutes' highlights are published in each newsletter. Full minutes are available in the Inspector-Only section of the website.

### Staff:

Margaret Scoles continues as Executive Director. IOIA benefits from a staff of highly skilled and dedicated individuals.

- ▶ Jonda Crosby, Training Services Director
- ▶ Sacha Draine, International Training Manager and Assistant ED
- ▶ Joe Whalen and Gina Vineyard, shared position of Office Manager
- ▶ Kathy Bowers, U.S. Training Services Coordinator
- ▶ Lynell Denson, Administrative Assistant
- ▶ Diane Cooner, Newsletter Editor, Website Manager, and moderator of the IOIA Forums.
- ▶ Tony Fleming, Newsletter Technical Editor

### Balance Sheet (Cash Basis) As of December 31, 2012 Current and Previous Year

	<u>Dec 31, 12</u>	<u>Dec 31, 11</u>
<b>ASSETS</b>		
<b>Current Assets</b>		
Total Checking/Savings	173,381.27	160,238.72
Accounts Receivable	-1,331.17	-23.63
Total Other Current Assets	<u>12,319.98</u>	<u>11,249.73</u>
<b>Total Current Assets</b>	184,370.08	171,464.82
<b>Fixed Assets</b>		
Total Building	35,908.86	35,000.00
<b>Other Assets</b>		
Accumulated Depreciation	<u>-5,875.41</u>	<u>-3,380.43</u>
<b>TOTAL ASSETS</b>	<b><u>214,403.53</u></b>	<b><u>203,084.39</u></b>
<b>LIABILITIES &amp; EQUITY</b>		
<b>Liabilities</b>		
Health Reimbursement Arrangement	<u>-100.00</u>	<u>-100.00</u>
<b>Total Liabilities</b>	-100.00	-100.00
<b>Equity</b>		
Contributed Property-FMValue	29,031.80	29,031.80
Restricted (Scholarship Travel Fund)	656.00	656.00
Retained Funds	173,496.59	199,418.55
Net Income	<u>11,319.14</u>	<u>-25,921.96</u>
<b>Total Equity</b>	<u>214,503.53</u>	<u>203,184.39</u>
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<b><u>214,403.53</u></b>	<b><u>203,084.39</u></b>

Statement is subject to review and approval by IOIA Board of Directors. Final copies will be available to members at the IOIA AGM and on the website.

## Resources

*The NOP has been busy recently with the release of new guides and policy memos.*

### **New Guides for Organic Operations**

To describe the relevant organic requirements, provide best practices, and further explain the certification process, the National Organic Program (NOP) partnered with the National Center for Appropriate Technology (NCAT) to provide the following detailed guides:

#### **\* Organic Crop Production**

<http://tinyurl.com/a5eepup>

#### **\* Organic Livestock Production**

<http://tinyurl.com/bxrq9pp>

#### **\* Organic Processing**

<http://tinyurl.com/bfa2j7r>

#### **\* Organic Certification**

<http://tinyurl.com/b4danzc>

These guides provide helpful information for both beginning farmers and current organic operations looking to adopt new management approaches.

*Note: the guides are quite large and may take a few minutes to download.*

### **Certified Organic By \*\*\* Statement**

The USDA organic regulations require that packaged products include a statement similar to, "certified organic by \*\*\*" below the information identifying the product's handler or distributor.

Due to inconsistent NOP correspondence and training resources, the NOP granted a transition period for the correct placement this statement on September 12, 2012.

In response to feedback from certifying agents and operations, the NOP has updated PM 12-2 to provide increased flexibility:

#### **\* Existing Product Labels**

"Certified organic by \*\*\*" statement must be correctly placed by January 1, 2016.

#### **\* New Product Labels**

"Certified organic by \*\*\*" statement must be correctly placed prior to certifying agent approval.

View PM 12-2: Placement of "Certified Organic By \*\*\*" Statement:

<http://tinyurl.com/bbhvmwv>

#### **Organic 101: Organic Wine**

From sulfites to international trade, many consumers, distributors, and other key players have questions about organic wine.

The NOP's most recent Organic 101 article explains the oversight, labeling, and trade of organic wine.

#### **Organic 101: Organic Wine**

<http://tinyurl.com/a6ec755>

#### **Organic Wine: Oversight, Labeling, and Trade**

<http://tinyurl.com/a6jewnj>

#### **Organic Livestock Requirements**

NOP's new organic livestock fact sheet summarizes:

- \* Standards for all livestock
- \* Allowed and prohibited substances
- \* Ruminant pasture requirements
- \* Benefits of organic and pasture-based management

Fact Sheet: Organic Livestock Requirements:

<http://tinyurl.com/ackourx>

#### **NOP Fact Sheet**

The National Organic Program (NOP) has posted 6 new training modules to its website. They were presented at the certifying agent training session on January 15, 2013 in Orlando, Florida:

#### **\* Practices for Submitting Residue Samples for Testing**

<http://tinyurl.com/ayzm2pd>

#### **\* National List Update**

<http://tinyurl.com/axlgcgg>

Describes changes to the National List, including new substances and Sunset 2012 updates

#### **\* Compliance and Enforcement Update**

<http://tinyurl.com/b3qukcl>

Summarizes NOP's enforcement activities during the 2012 fiscal year

#### **\* Penalty Matrix**

<http://tinyurl.com/a57xvdp>

Reviews the penalty matrix and how it can be used

#### **\* Certification and Accreditation Review**

<http://tinyurl.com/abnlyoy>

Discusses several topics, including temporary variances, safety, OSPs, and adequate records.

View All NOP Training Modules at:

<http://tinyurl.com/azjce6c>

#### **January Organic Integrity Quarterly**

The January issue of the Organic Integrity Quarterly summarizes the NOP's recent activities and status updates, including the following topics:

- \* Periodic residue testing
- \* Organic integrity update: uncertified operations
- \* New guides for organic operations
- \* Cost share for farmers in 16 States
- \* 2012 Ag Census
- \* Organic trade update: Mexico

<http://tinyurl.com/ar4ss8z>



## The New NOP Rule on Periodic Residue Testing Puts the Onus on Inspectors: So Now What?

by Tony Fleming

*“Sample collection pursuant to paragraphs (b) and (c) of this section must be performed by an inspector representing the Administrator, applicable State organic program’s governing State official, or certifying agent” — 205.670(e)*

On November 9, 2012, the NOP’s final rule updating §205.670 of the NOP, otherwise known as the “Periodic Residue Testing Rule”, was published in the Federal Register. According to the NOP, the new rule is a response to a perceived lack of “periodic” residue testing by certifiers, as required by OFPA §6506 — commenters pointed out that the intent of this section is open to interpretation because the Act does not define “periodic”, while other references to testing in the Act seem geared towards a risk- and compliance-based approach — but the language accompanying the rule also states that “Residue testing plays an important role in organic certification by providing a means for monitoring compliance with the NOP and by discouraging the mislabeling of agricultural products”. Whether the rule, as currently constituted, is an effective way to achieve this objective is debatable; but there is little doubt that it exposes inspectors to a number of significant new practical challenges and legal liabilities.

### Background

As initially proposed in 2011, the draft rule contained several dubious provisions that drew criticism from certifiers, IOIA, and other commenters. Two provisions seemed particularly inconsistent with the stated intent of the rule: 1) the draft rule exclusively targeted finished products, while ignoring other elements of the production system (soil, water, intermediate inputs and stages of produc-

tion) far more likely to harbor detectable residues of fraudulently applied conventional inputs; and 2) the rule counted only “periodic” tests towards the required percentage of operations to be tested, to the exclusion of targeted testing based on observable and quantifiable compliance- and risk-driven factors. While a number of contentious provisions remain in the final rule, these two were changed to include testing of all elements at any stage in the production system, and to allow risk-, compliance-, and other forms of investigative-based testing to count towards the required 5% of certified operations that must annually undergo residue tests. For a summary, see Margaret’s lead article in the Fall, 2012 *Inspector’s Report*. The comments to the draft rule also are instructive.

Few in the organic community disagree with the idea that some form of residue testing is desirable. But depending on your point of view, the way the rule is structured will either provide a substantial deterrent to fraud, or it will produce reams of mostly meaningless data, while significantly escalating costs for certifiers and risk to inspectors. Also open to debate is exactly how such “periodic” testing fits into what has long been the signature characteristic of organic certification, namely that it is fundamentally process-based, not a guarantee of numerical outcomes (i.e., a lack of residue). Regardless of your perception of these and other aspects of the new rule, however, two things are certain: 1) the rule is now in force; and 2) it introduces an entirely new set of variables—practical, scientific, economic, and legal—into the equation for inspectors, some of which may not always be controllable, or even foreseeable.

A comprehensive discussion of these issues is well beyond the scope of this article. As IOIA’s ED underscored in the organization’s comments to NOP

on the draft rule, the topics of sampling and residue testing are complex, specialized, and could *easily* fill several training sessions. Thus, the remainder of this column briefly calls attention to several practical considerations for inspectors who may be called upon to perform sampling, with a focus on how to avoid common pitfalls, not the least of which is how to think about charging for sampling in a way commensurate with the increased liability you will inevitably be exposed to.

### Collecting Samples

Stated simply, as NOP-appointed samplers-in-chief, inspectors need to be prepared to collect samples from a variety of operations (crop, dairy, livestock, processing) in a manner that raises no questions about the integrity of the sampling procedure. These samples will have diverse physical properties (leaves, roots, soil, liquids, solids, packaged, etc.) that require different collection procedures and have specific handling needs. Despite the changes noted above, the final rule continues to emphasize finished organic products, so it seems reasonable to assume that produce, feedstuffs, and other plant-based products will constitute a majority of the items you are asked to sample. This emphasis is evident in a companion document (NOP-2610; see resources) that provides sampling instructions focused mostly on produce. While necessarily generalized, NOP-2610 outlines expectations for basic collection methodology, sample sizes, chain of custody documentation, and other useful details. You should familiarize yourself with this document if you expect to be collecting samples. Rather than duplicating that information, the remainder of this article focuses mainly on additional sampling considerations above and beyond those covered by NOP-2610.

During my inspection career, I sampled several kinds of substances at the request of certifiers as part of various

risk- and compliance-based investigations. This experience reinforced what I already knew from environmental monitoring: any number of variables can complicate even the best-laid plans and can sometimes lead to several hours of additional time just collecting, handling, and shipping the sample(s). Here is a quick breakdown.

**Produce and Plant Parts:** Residue of prohibited insecticides and fungicides is the primary target of plant sampling. Samples can be collected from the field (usually not best), packing line, or a produce cooler (best, if available). If sampling from a packing shed or cooler, pay attention to the post-harvest procedure. If produce is washed or otherwise cleaned, obtain the sample prior to that step. Plant materials tend to be highly perishable. Sampling during the heat of the day is inadvisable unless you have a means available to quickly remove the field heat from the item. The ideal time to field-sample produce is early in the morning when there is still dew on the plant. Not only does this provide a naturally pre-cooled sample with strong turgor pressure, the dew also helps retain residues of volatile chemicals that may be present. Prompt delivery to the lab is essential (see dairy, below).

**Soil:** In some respects, soil presents the greatest sampling challenges. As a historical note, prior to the NOP, some certifiers required newly-transitioned producers to submit soil tests, either to verify the efficacy of fertility practices or to test for persistent pesticides and herbicides. Sometimes the task of sampling fell to the inspector. Collecting a representative soil sample is actually fairly time consuming if you are sampling a large field, or even multiple fields: depending on the objective, you may have to obtain material from several different and representative parts of the sampled area, mix them together, extract one (or more) samples for the

lab, bag it properly, submit it in person or via a delivery service with proper chain-of-custody documentation, and perhaps pay for the analysis (more on that later).

Under the new rule, a soil analysis requested by a certifier will most likely be targeting residue of prohibited herbicide or fertilizer. One scenario that could entail collecting samples from multiple locations in a field involves suspected drift through a ragged buffer: a representative sampling program would collect a series of samples along the edges of the field in front of obvious gaps in hedgerows, along with a control sample collected either in front of a robust section of buffer or adjacent to a benign land use. An entirely different scenario might involve sampling for intentional use of a prohibited herbicide, in which case the selection of sampling locations may depend to a considerable extent on the inspector's observational skills in identifying suspect places that look "different" from other parts of the farm (missing, different, or even stunted weeds, for example).

In either instance, the target is the soil surface: many modern herbicides and pesticides volatilize rapidly or they break down in a matter of days into metabolites once exposed to soil and sunlight. Therefore, the greatest likelihood of detection lies within the first centimeter (or less) of the soil. Much depends on the specific substance: different classes of chemicals behave very differently from one another in the environment. It makes no sense to sample deeper soil layers for many surface-applied herbicides, but it is critical to sample at depth if the target is urea, which typically is injected 5-10 cm (2-4 inches) below the soil surface. In connection with urea, and contrary to what you might think, it is worth noting that synthetic and natural sources of nitrogen can be readily discriminated in the lab using nitrogen isotope ratios to "fingerprint" the

source.

**Water:** Ideally, you will have been provided with a sterile sample container by the lab. *Never* re-use jars and bottles, even if you think they are thoroughly cleaned and sterilized: even the tiniest amount of food residue, for example, can stimulate bacterial growth and contaminate or alter the chemistry of the sample you collect! To collect a sample from a building's water supply, find a tap or hydrant that produces raw water. It will usually be located close to the water source (a well or water main from outside). Do not collect water that has been softened, filtered, RO'd, or otherwise treated in any way unless the specific objective is to assess the efficacy of a water-treatment system. Rinse the sample container thoroughly with the water to be collected before obtaining your sample. To collect water from a stream, lake, or farm pond, follow the exact same procedure; select a location with the clearest, most sediment-free water you can find, and avoid stirring up the bottom of the waterbody while collecting the sample. For most common analytes (e.g., coliform, nitrate) it is essential that the sample be kept cool and delivered to the lab within 24 hours. If sampling for other contaminants (nutrients, pesticides), the lab will provide instructions, which may include acidifying the sample to stabilize the solution.

**Dairy:** Here, the target will be prohibited substances (or their metabolites) administered to cows. In my experience, dairy sampling can be very time consuming, particularly if it involves going through the operator's records to identify specific target animals, perhaps searching medicine cabinets and trash receptacles for evidence, then finding the animals out in the field before obtaining milk samples from the specified animals. The samples must be placed in clearly labeled sterile vials (don't expect these to be provid-

ed by the operator, who may not be terribly pleased), immediately putting on (dry) ice in the cooler you just purchased for this purpose, packaging it all up securely (ideally using distinctive, numbered seals), then going directly to what may be a very distant UPS or Fedex counter to arrange overnight shipping to a lab. Don't start this process late in the day.

**Processed products:** These are generally the easiest to sample, because they will already be packaged. Simply select a package from a finished product bin or pallet at the facility. Another option is to buy the product at a store prior to the inspection, then use the item for your audit trail exercises at the inspection, before shipping it to a lab. If the item is perishable, then the same considerations noted above under dairy will apply.

**Inputs:** Most dry inputs (feed, minerals, seeds, fertilizers, etc.) present few sampling challenges. Collect 1-2 cups of the material directly from the bin, the package it came in, or other on-site storage container, and place in a heavy-duty freezer bag. Liquid inputs are more problematic because the volume needed for an accurate analysis can vary according to the input and substance being tested for. In general, their collection and handling are similar to water, but depending on how the input is packaged, a sterile sampling syringe may be needed to obtain the sample and transfer it to the vial or bottle to be sent to the lab.

### Chain of Custody

This term originated in legal circles in reference to the handling and storage of evidence used in court cases and other legal proceedings. The idea is to be able to document the whereabouts of the evidence at all times from collection to final disposal, with no gaps that might have allowed tampering or inadvertent contamination. The concept has since been expanded to encompass the manage-

ment of evidence in a wide variety of situations, including samples collected during environmental investigations and medical claims. Two particularly noteworthy examples are environmental compliance monitoring (e.g., air, soil, or water sampling around contamination sites) and drug testing, both of which hold important lessons for residue sampling under the NOP. It is no coincidence that EPA requires professional certification (and regular recertification) for those who perform many types of environmental compliance monitoring. As a result, lawsuits that target the competence of sampling personnel and the integrity of the sample-handling procedures (i.e., chain of custody) in environmental investigations are increasingly rare. In contrast, the drug testing industry has historically been much less regulated, and as the current uproar over the alleged use of performance-enhancing substances by athletes clearly demonstrates, legal challenges to the chain of custody are *de riguer* in most of these cases. It is important to note that there is no formal legal standard or regulatory definition of "chain of custody", only a conceptual basis derived from case law. It might also be noted that environmental consulting companies typically have liability policies that run in the tens or hundreds of millions of dollars.

Maintaining solid documentation of the chain of custody is essential for validating the integrity of the sampling program, and perhaps more importantly, to protect yourself in the event of a legal challenge. The best way to do that is to *record everything*. Create a log documenting the entire sequence of events from when you arrive at the sampling site to when you relinquish custody of the sample to the lab or delivery service. Have the operator read and sign it. Provide a receipt to the operator that describes the sample taken, location it was taken, and for what purpose (a signed copy of your log of events can serve

this purpose). Back it up with time-stamped photographs and, wherever possible, a GPS reading (using your cell phone) of the exact location in a field or facility the sample was collected. Obtain a time-stamped receipt from the lab or delivery service to complete the documentation.

### Closing Thoughts

This article gives only the briefest overview of a complex, specialized subject to which entire manuals and college-level courses are devoted. Inspectors who plan to collect samples would be well advised to immerse themselves in the subject by reading technical literature, reviewing case law, and taking hands-on training. In closing, here is the short list of do's and don'ts to ensure a smooth and efficient sampling process and minimize your own liability, in no particular order:

- Some kinds of sampling won't add much time or expense, but others will, and it can be difficult to predict *a priori*. Given this reality, it probably is ill advised to set a flat fee for sample collection.

- Many contingencies can be mitigated by sorting out roles and responsibilities with the certifier before heading out to the field: 1) has the certifier identified a specific production run, field, or animal(s) they want sampled, or is the selection ultimately left up to the inspector? 2) is the lab (or certifier) providing the containers to collect the sampled items, or is that your responsibility? If the latter, you need to build that into your fee; 3) does the certifier have an account with a shipping service that you can use, or are you expected to pay for shipping and be reimbursed when paid for the inspection? 4) has the certifier contracted with a specific lab? This may seem silly, but back in the early days, certifiers generally did not have established accounts with laboratories, so it was incumbent upon the inspector to pay for soil tests up front and get reimbursed; and 5) always get written



instructions from the certifier specifying: what is to be sampled, the number of samples, the location(s) to be sampled, and the specific procedure to be followed in taking the samples. Note that 205.514(b)(6) requires certifiers to have procedures for sampling to ensure consistency.

-Know your target substance(s): The inspector and certifier must agree on a clearly defined target compound, must understand how it behaves in the environment, and use that knowledge as the basis for identifying the proper places and techniques to sample for it.

-Identify and gather all needed collection containers, sampling equipment, and shipping supplies, including a cooler and dry ice or pre-frozen cold packs for perishables. Considering the ad hoc way some inspection assignments happen, keeping at least some basic supplies on hand is a good idea.

-Identify the nearest shipping counter (Fedex, UPS, etc) before leaving for the site. It may be surprisingly distant. Never break the chain of custody by leaving a sample package at a remote pickup site if you will not be present at all times.

-Always wear disposable latex gloves when collecting and handling any kind of sample. Always!

-Record everything about the sampling procedure in your notes, have the operator sign it, and provide a receipt to operator

-Last but not least, consider obtaining liability insurance if you don't already have a policy, and make sure it clearly covers sampling and chain of custody issues. Unfortunately, the cost will likely be greater than it would without sampling: the process of collecting and handling samples for NOP residue testing is fundamentally no different than it is for environmental compliance or drug testing. In the legal world, the chain of custody is still widely perceived as a weak link to be exploited, and creating doubt about sample integrity is a leading strategy in litigating these kinds of cases.

Moreover, case law has determined that clear custody documentation alone does not assure the ability to support one's data or conclusions in a regulatory proceeding; it is only one part of a broader "data defensibility" program that necessarily depends on all actors in the chain of custody following proper procedure. You can do the most conscientious job in the world, but it won't necessarily prevent a disgruntled operator from suing you or hauling you into court as a witness because another entity failed to follow procedure. Just ask Everett Lunquist.

**Resources** (*these citations barely scratch the surface; search terms like "Chain of Custody Legal Cases", "Environmental Case Law", "Pesticide Residue Sampling", etc, will turn up hundreds of others; not all of the listed publications are free: \$\$ indicates ones with a cost*)

American Society for Testing and Materials International, 2010, Standard Guide for Sampling Chain-of-Custody Procedures, ASTM D4840-99: <http://www.astm.org/Standards/D4840.htm> (\$\$)

Chain of Custody Key in Bonds Case: Yahoo! Sports, Jan. 14, 2009: <http://sports.yahoo.com/mlb/news?slug=-jo-chain011409>

Codex Alimentarius Commission, 1999, Recommended methods of sampling for the determination of pesticide residues, 23 p: [www.codexalimentarius.net/download/standards/361/CXG\\_033e.pdf](http://www.codexalimentarius.net/download/standards/361/CXG_033e.pdf)

Codex Alimentarius Commission, 1993, Portion of commodities to which CODEX maximum residue limits apply and which is analyzed, 9 p: [www.codexalimentarius.net/download/standards/43/CXG\\_041e.pdf](http://www.codexalimentarius.net/download/standards/43/CXG_041e.pdf)

Conklin, Alfred, Jr., 2004, Field Sampling: Principals and Practices in Environmental Analysis: CRC Press, Boca Raton, FL, 300 p. (\$\$; print only; may be available at some university science libraries)

Maine Wastewater Control Association, 2003, Chain of custody procedure: <http://www.lagoonsonline.com/laboratory-articles/custody.htm>

National Organic Program Periodic Residue Testing final rule. 7 CFR Part 205.670: Federal Register, v. 77, no. 218, p. 67239-67251, published December 9, 2012: <http://www.ams.usda.gov/AMSV1.0/getfile?dDocName=STELPRDC5101235>

National Organic Program Instruction: Sampling Procedures for Residue Testing: NOP-2610, published December 9, 2012: <http://www.ams.usda.gov/AMSV1.0/getfile?dDocName=STELPRDC5088986>

U.S. Environmental Protection Agency, 2002: Standard operating procedure for chain of custody samples: <http://tinyurl.com/ar6xq9d>

Zinnikas, W., 2003, Chain of custody considerations. Federal Bureau of Investigation: <http://tinyurl.com/bzwb6ev>

## Japan, from page 19

the Cartagena Protocol on Biosafety, which will be held in the Republic of Korea in October 2014 (<http://bch.cbd.int/protocol/#tab=2>). There still are several unsolved issues regarding the transboundary movement of Living Modified Organisms (LMOs).

Transportation of GM seeds are making problems even in countries where no such seeds are used or imported. Switzerland has a moratorium against the commercial use of GM crops and GM animals until 2017 since 2005 (<http://www.infogm.org/spip.php?article5300>). However, wild-growing GM canola was found next to the railway tracks ([http://gmwatch.org/index.php?option=com\\_content&view=article&id=14182](http://gmwatch.org/index.php?option=com_content&view=article&id=14182)). In Japan, the GM canola seeds fall from transport trucks, and in Switzerland, the GM canola seeds fall from goods trains passing through the country.

For further information and details of the GM canola cleaning up activities, please visit Non-GM association Aichi: <http://www.kit.hi-ho.ne.jp/sa-to/index.htm>

## 2013 IOIA Scholarship Winners

IOIA is pleased to announce that the 2013 round of scholarships have been awarded. Congratulations to **Josue Samano Monroy** and **Dianne M. Jones**.

IOIA accepts applications for the annual **Andrew Rutherford Scholarship Award**, which provides full tuition for an IOIA-sponsored organic inspector training course during the following year. Both prospective and experienced inspectors are eligible to apply for the Rutherford Scholarship. It is awarded to an individual on the basis of need and potential as judged by the IOIA Scholarship Committee. Applicants can choose to attend any IOIA-sponsored training. The Scholarship pays for tuition, room and board but does not cover transportation or other expenses.

The late Andrew Rutherford was a farmer, organic inspector, and organic agriculture researcher from southern Saskatchewan. He served on IOIA's initial steering committee and then several years as a Founding Board Member.

IOIA also offers an annual **Organic Community Initiative Scholarship (OCIS)**, which provides full tuition for an IOIA-sponsored basic organic inspector training during the following year. It is awarded to an individual on the basis of need and their potential to have a positive impact on their regional organic community. The Organic Community Initiative Scholarship is only open to applicants from outside of the US or Canada. Applicants can choose to attend any basic IOIA-sponsored training. The Scholarship pays for tuition, room and board but does not cover transportation or other expenses.

### **Dianne M. Jones from Lindell Beach, B.C., Canada is our Rutherford Scholarship winner.**

Statement from Maggie Jones: "The photo shows a part of my garden, using a heat-sink wall facing southwest, built of reject concrete blocks and bricks. The thermal mass of the wall greatly extends the growing season of the raised bed. Eventually the pieces will be mortared in place in a more decorative pattern which will include water catchment basins to reduce the need for irrigation.

It's such fun to experiment with a wide variety of edible plantings so as to encourage edible landscapes over merely decorative ones. Blueberries for their bright fall foliage and winter red twigs; cranberries and lingonberries as groundcover; evergreen huckleberries to provide prickly hedges; kiwis and grapevines for shade as well as wine; tulips, daylilies, pansies in your salad; bee balm to attract hummingbirds and flavour your tea as well as fill your vases – these multi-purpose plants need to be regarded from a new landscaping perspective.

A garden, like a farm, is a long-term commitment and a gift to the future – as the current steward of this land, I am in the process of developing an organic farm in the Columbia Valley near Chilliwack, British Columbia, Canada. I am discovering more and more local farms growing organically including medicinal plants, mixed veggies and fruit, dairy and cheese, vineyards, honey and eggs. Two local Farmers' Markets new in 2012 are selling organic produce as well as a Community Supported Agriculture program at Yarrow Eco-village. The Farm Circle tour is an effective way to promote these farms both to residents of the Fraser Valley and visitors alike. My hope is to be able to contribute to this organic movement by becoming qualified as a Verification Officer, and I am very grateful to have received the Andrew Rutherford scholarship to enable me to do this.



Previously our family farm raised lamb, pork, beef, free-range chickens, ducks, turkeys, geese, and eggs. For 10 years I volunteered as a leader in a Lamb and Swine 4H club, and through this experience, learned how to coordinate schedules, organize events, designate

responsibilities, teach young farmers and communicate effectively.

After many years in architectural and landscape design, including passive-solar design such as the heat-sink wall, I am continuing to apply sustainable construction techniques including strawbale, cob, light clay/straw and cordwood, to buildings and farm. I hope to be able to provide opportunities for hands-on learning by sponsoring workshops and events that promote healthy, sustainable building and gardening.”

**Josue Samano Monroy from Celaya, Guanajuato Mexico is our OCIS Scholarship winner.**



Josue’s statement: “I’m Josué Sámano, and I’m very excited to take the basic organic crop and livestock IOIA training and become organic inspector. I just graduated from Agricultural Engineer at the Tec of Monterrey in Querétaro, México, having always a focus on organics and environmental issues, as well as with environmentally friendly ways of producing high quality food. During my studies in USA, I was working at CIT (Center for Irrigation Technology) at California State University, Fresno where I also studied abroad for a year, taking organic production courses, getting involved in farming and research conferences. In México I founded an Ecological Group called XMéxico formed by students and young people that organizes reforestation projects in the state of Querétaro and in the state of Guanajuato linking the local community and students with environmental actions, encouraging ecological consciousness in the society. My goal is to encourage and promote

organic production in my community, with the philosophy of working and preserving the environment rather than dominate it.”

## Volunteers Needed for Scholarship Committee

IOIA’s scholarship committee is in need of 2 or 3 volunteers to help with the annual selection cycle. Volunteers read and evaluate applications for two scholarships that IOIA offers – The Rutherford Scholarship and the Organic Community Initiative Scholarship.

Longtime Chairperson Margaret Weigelt would also like to train a new chair: “I would help a new chair ease into the position, just as I was,” says Weigelt.

To volunteer for this opportunity to help, please contact Margaret at [organic-inspector@usa.net](mailto:organic-inspector@usa.net)

### Korea, from page 5

covering comprehensive categories of crop, livestock, processing, handling and retailer.

This training granted three impressions to the participants. First was the association and networking among producers, processors, and retailers. All the field trips seemed as one organization. They knew well each other and looked not competitive but cooperative for one purpose of organic

development.

Second was the size of fields and natural environments. Any fields they visited were huge size in the view of people from small size country. Field size cannot be compared between MT and Korea. Machines were surprising also. A family farm was bigger than most Korean cooperative consists of 200-300 producers. They envied of the size of fields that may organic agriculture more possible than intensive

field structure in Korea. It was really surprising.

This successful special training was possible by Margaret’s hard working from arrangement of the field trips to the end of the training. She drove full day on the sixth day from early morning to evening. She trained them day and night with sincere enthusiasm. Deep appreciation to Margaret!



## Board of Directors Meetings – Meeting Highlights

### IOIA BOD Meeting November 8, 2012 – Conference Call

**Board Members Present:** Ib Hagsten, Hélène Bouvier, Deb Bunn, Eric Feutz, Silke Fuchshofen, Isidor Yu, Stuart McMillan, Jennie Clifford, Margaret Scoles (ED). Chair: Ib Hagsten Note-taking: Silke Fuchshofen

#### **Agenda Item #4: Report from the Chair:**

Ib reports about his conversations with Margaret and expresses his appreciation with the quantity and quality of her work. He reported on his presentation at the ASAC Annual Conference: he got good feedback, and found one ag consultant interested in becoming an organic inspector.

**Agenda Item #5: New IOIA Website Update:** JOIA and KOIA are not easy to find. Sister affiliates need to be defined before referring to them with that term. KOIA is not currently a member of IOIA; JOIA is a supporting member. Before adding their logos to the site, we need to define IOIA's relationship with them better. The BOD expresses its appreciation to Diane and approves the expenditure for her work (motion by Helene, seconded by Ib).

**Agenda Item # 6: Treasurer's Report:** The IOIA BOD Policy Manual requires a 3 months operating reserve as minimum and the Treasurer is to be informed if it falls below 6 months. We are well over this reserve, but at the same time the IOIA operating expenses have gone up substantially with hiring a Training Institute Manager and full time office person. Finance Committee will be asked to look at the recommended cash reserve amount.

Motion to accept 3<sup>rd</sup> Qtr financial reports by Deb, Helene seconds. No objections. Motion for approval of 990 IRS return by Jennie, seconded Deb. No objections.

The finance committee is requested to make a proposal to the BOD regarding the "Agreed Upon Procedures".

**Agenda Item #7: Inspector Certification/ Accreditation/Licensing Decision:** based on Deb's paper and the current accreditation program Jennie, Deb and Margaret will draft a work plan (similar to a white paper) for accreditation. It will be presented to Garry Lean and Luis Brenes for teacher feed-back and discussed at the next BOD meeting.

#### **Agenda Item #8: IOIA's Social Media Strategy – Work Plan Update**

Joe Whalen had submitted a plan of work and we are on schedule. He has befriended all certifiers that are on Facebook to find out what types of social media are used by people in our profession. A discussion about the need to post information, to maintain the communication and the required time followed. There will be a Facebook page and someone needs to devote about 3 hours per week to it. A general recommendation requests 1 – 2 posts per day, but that seemed too much. Stuart is interested in being the liaison in a couple of months; Silke will step in until then.

Full minutes of all BOD meetings are posted on the Inspectors section of the website, after final reading and approval.

The IOIA Board of Directors initiated an audit in 2010 to follow the BOD's Financial Audit Policy. They enlisted the aid of IOIA's accountant, David Gardner to move forward after learning the scope and cost of a full financial audit. Gardner summarized for the Board the difference between different levels of audit, review, compilation, and agreed upon procedures.

IOIA has no large government grants that would make a full audit mandatory. The Board decided in 2011 to take the first step with Agreed Upon Procedures. A CPA would be brought in to look at identified points of concern and areas where they felt the BOD or the members might want reassurance. David Gardner, the Treasurer, the Finance Committee, and



the ED all participated in the development of the procedures. As IOIA uses accountants at Gardners to handle the annual tax return, payroll calculation, and reporting to state and federal governments, the procedures focused primarily on those financial details that are handled in-house at the office. The initial date was re-scheduled two weeks later to Jan 26, due to blizzard conditions in Montana. Present in the office for the day were Philip Emmons, CPA; Margaret Scoles, Executive Director; Gina Vineyard, IOIA bookkeeper; and Eric Feutz, Treasurer. Emmons answered 18 questions outlined in the Agreed Upon Procedures in a written report submitted to IOIA the same week. The BOD reviewed the report at their January meeting. Eric Feutz, BOD Treasurer (left) and David Gardner, CPA, Gardners Financial Services (right) in Broadus, Jan 28.

## GMO NEWS

## Wild-growing GM canola continues to spread in Japan

By Akiko Frid

This article was published by GM-Watch.org on January 5, 2013.

The non-GM association **Aichi Japan** conducts regular actions by concerned about imported genetically modified canola [oilseed rape] threatening local biodiversity and food safety. The most recent one was the 12th in the series and it was conducted on the 18th November 2012.

Monsanto's Roundup Ready GM canola and Bayer's Liberty Link GM canola were found growing by the roadside between Yokkaichi port and Matsusaka city in Mie Prefecture, Japan. 44 citizens gathered together and walked along more than 15 kms in order to clean up the unwanted GM canola.

The association members together with concerned consumers, processors of agricultural products and farmers have been doing these clean up operations and finding Canadian GM canola plants growing wild again and again since they first started in 2004. The association has undertaken this activity regularly since 2006.

According to Mr Ishikawa, who is one of the core members of Aichi, the amount of Liberty Link GM canola has been increasing in recent years. He has been hearing that Canadian farmers use Liberty Link GM canola seeds that are tolerant to a weedkiller Basta (glufosinate) more than Roundup (glyphosate) tolerant one. There have been growing problems in North American farm fields where the wild weed populations are becoming tolerant to commonly used chemicals like Roundup.

The 44 citizens carefully pulled up 197

plants from the ground and they tested 101 plants. The test kits are rather expensive for the local citizens group, therefore they did not test all the plants they collected. There were a few plants that were not Canadian canola plants, but which were wild relatives, that tested positive for GMO.

The association usually sends some of the GMO positive samples to be PCR tested [for DNA analysis] in order to double check the result from the simple strip test. They also check a few GMO negative samples by the PCR, since they have been noticing there are some plants with "hidden GMOs". Those are the ones that the test strip would not recognise any GMO proteins, but the PCR test result can be GMO positive. They have found Canadian canola plants with "hidden GMOs" as well as among some wild relatives a few times. The PCR test is also very expensive for a local citizens group, so the amount of the samples they can test is very limited.

Japan is the biggest importer of canola seeds in the world, and most of the canola seeds are imported from Canada where GM canola varieties have been cultivated since 1995. The rest is imported from Australia. Bloomberg wrote in October 2012 that Japan's canola imports will probably climb to 2.4 million metric tons in 2012, surpassing the 2.3 million-ton record set in 2010.

Japanese food companies that have been trying to avoid using GM canola for food production were choosing the Australian canola, however since some areas in Australia started GM canola cultivation, the issue of wild-growing GM canola there also became a reality (<http://ccwa.org.au/content/fugitive-gm-canola-study>). Japanese consumers who want to avoid GMO canola are choosing domestic rapeseed oil, however domestic production is fairly small. The same is true for domestic soybeans.

Consumers in Japan were among the very first citizens in the world to clearly say No to GMOs as far back as 1996. The government of Japan introduced its GMO food labeling law in 2001, but the law is well-known among the consumers as rather useless since there are many exceptions so the food companies basically do not need to label anything. Consumers are demanding better labelling from the government so that concerned consumers and farmers will be able to avoid buying GMO derived crops and products.

Aichi Japan will continue to conduct regular GM canola clean up operations. Mr Ishikawa who has been participating in these operations since 2004 says that their efforts have been effective in slowing down the further spread of contamination. However, it is necessary to continue this process, otherwise the GM canola will spread faster and wider and contaminate the wild relatives and food crops.

Citizens who participate in the activities cover their own travel costs. The association covers the cost of insurance (since the activity is done by busy roads), the test kits and the materials. In recent years, a concerned [food] oil company that is importing GM canola into the area is cooperating with the citizens in order to clean up the GM canola.

The main issue is that the government has not taking any fundamental measures to minimize and eliminate this problem, especially the issue of the transport of GM seeds. We will continue to act on this issue since it is related to our food security and our food culture, says Mr Ishikawa.

Consumers Union of Japan (<http://www.nishoren.org/en/?s=COP+MOP>) together with many active citizens' organizations are now preparing for the 7th meeting of the Conference of the Parties serving as the meeting of the Parties to [see **Japan**, p 15]



IOIA  
PO Box 6  
BROADUS, MT 59317 USA

406 - 436-2031  
IOIA@IOIA.NET  
WWW.IOIA.NET

**Keep IOIA Strong - Lend Your Strength And Get Involved!**

## 2013 Calendar

**March 4 - 8** Guelph, Ontario. Basic Crop Inspection Training. See page 3. For more info, contact Beth McMahon at COG. E-mail: [beth@cog.ca](mailto:beth@cog.ca) Phone: 613-216-0741 Fax: 613-236-0743 [www.cog.ca](http://www.cog.ca)

**March 21 - 24** IOIA Advanced Training with Annual General Meeting on March 23. Asilomar, California –Advanced Training See IOIA website for more information.

**April 8 – 11** NOSB meeting, Portland Oregon. <http://www.ams.usda.gov/AMSV1.0/ams.fetchTemplateData.do?template=TemplateJ&page=NOSBMeetings>

**April 8-12** Lima, Peru. Basic Organic Farm Inspection Training in Spanish language. See page 3 for details.

**April 8-12** Tampa, Florida. Basic Crop and Processing Inspection Training. See page 3 for details. Info and application forms are posted at <http://www.ioia.net/>.

**April 30 – May 1** Washington, DC. OTA Policy Conference and Hill Visit Days. For info contact Angela Jagiello [ajagiello@ota.com](mailto:ajagiello@ota.com)

**May 6 - 10** Clovis, New Mexico - Basic Organic Livestock Inspection Training. See page 3 and [www.ioia.net](http://www.ioia.net) for details.

**Fall 2013** New York. Basic Organic Crop, Livestock and Processing Inspection Training IOIA and NOFA-NY will cosponsor Basic Organic Crop, Livestock, Processing Inspection Trainings and Advanced Inspector Training in the Binghamton area.

---

***For a complete listing of upcoming IOIA trainings,  
please see page 3 of this issue***