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**TO:** USDA-Accredited Organic Certifiers

**FROM:** Jennifer Tucker, Ph.D.  
Deputy Administrator  
National Organic Program (NOP)

**SUBJECT:** Alert and Reporting Requirements  
Updated Grain Directive

This letter provides an alert about organic certification activities in the Black Sea region. It includes reporting requirements for certifiers, updates about NOP's investigative work in the region, and an updated grain directive. This directive supersedes grain directives issued by the National Organic Program (NOP) in 2016 and 2017.

**Alert: Additional Controls and Reporting Requirements**

On May 9, 2019, the U.S. Department of Agriculture (USDA), Agricultural Marketing Service (AMS), National Organic Program (NOP) suspended Control Union Certifications Turkey office (CUC – Turkey). As a result, within 60 days, almost 200 operations (listed in attached Appendix A) must either surrender their organic certification or apply to a new certifier to retain their USDA organic certification.

Based on ongoing compliance concerns in the Black Sea region, certifiers operating in this area are to exercise additional controls and are required to provide specific information to the NOP, as follows:

- Certifiers choosing to operate in this region must ensure they have adequate administrative capacity to oversee new and existing organic operations. This includes having adequately qualified and trained inspectors, being able to verify production practices and reported yields, and being able to verify all organic requirements are being met.
- Certifiers choosing to issue transaction certificates for product being exported from the Black Sea region must maintain documentation of how they determined that the operation had the productive capacity and certified organic acreage, or available inventory of organic product, to ensure that the product listed on the certificate complies with the USDA organic regulations.

**NOTE:** NOP does not generate transaction certificates for operations. Impacted operations are listed in the Organic Integrity Database as “Transitioning to a New Certifier.”

- Operations impacted by the suspension of CUC-Turkey have been instructed to notify the NOP when they have applied for certification with a new certifier and when they receive certification. To further verify certification activities, certifiers receiving an application for USDA organic certification from any of the operations in attached Appendix A are required to provide the National Organic Program at [NOPCompliance@usda.gov](mailto:NOPCompliance@usda.gov) with the following information:
  - The names of the operations that have applied to your certification agency
  - Confirmation that you are completing a full review consistent with any new applicant for certification, including a full review of the Organic System Plan and an inspection, prior to issuing a certificate.
  - At any time in the certification process, send an update to NOP if your reviews or inspections identify issues of concern. You should be prepared, upon request, to provide copies of applications, organic system plans, and inspection reports.
- If you certify organic operations importing from the operations in Appendix A, you should only approve imported products if you have received proof of continuing USDA organic certification for operations identified as part of the incoming supply chain.

### **Update on Investigations and Outcomes in Black Sea Region**

Trade data show significant reductions in imports from the Black Sea region and Turkey since the NOP’s 2016 directive to certifiers. As a result of your work through unannounced inspections and residue testing, 180 operations (60 percent of the certified population) in the Black Sea region have lost USDA organic certification. Trade data show that organic grain and oilseed imports from this region to the United States has declined from 49 percent of the total value of these organic imports in 2016 to 21 percent in 2018. We appreciate the work many of you have done to increase the organic integrity of these supply chains.

The USDA continues to invest significant resources to ensure organic import integrity. A 2018 analysis showed common oversight gaps in the region, which led us to complete a comprehensive analysis of commodity producers in Ukraine, Kazakhstan, and Russia. Our findings showed patterns of organic producers reporting farm-level yields per acre which exceeded local averages by as much as 300%. This analysis showed specific discrepancies by commodity, country, and operation, and indicates inadequate certifier oversight. We validated our findings through economic and meteorological experts in both in the United States and the target countries; we have been unable to identify a plausible explanation for such high yields.

**Directive Title:** Black Sea Region Grain and Oilseed Oversight Actions  
**Applicable Dates:** May 15, 2019 – December 31, 2019

NOP's investigations and audits have shown gaps in certifier oversight in the Black Sea region. Certifiers certifying grain and oilseed producers in the Black Sea region shall complete and document the following activities. These actions were specifically selected because of their demonstrated positive impact on organic integrity in the supply chain. NOP will assess certifier compliance with these requirements through record requests and on-site visits.

#### A. Certified Grain and Oilseed Producers

Certifiers shall:

1. Require and maintain acreage and yield-per-acre calculations for all grain and oilseed operations in the Black Sea region.
2. Document its process for complying with [NOP Instruction 4009, Who Needs to be Certified?](#) Maintain records that demonstrate compliance with this Instruction.
3. Require all farm-level records to list legible names and contact information for all responsible parties on all sales transactions for grains and/or oilseeds. Confirm compliance with this requirement during unannounced and annual inspections.
4. Require all farms exceeding 10,000 hectares in size to provide the certifier with documentation that identifies the specific parcels where specific crops were grown.
5. Conduct at least one additional, unannounced inspection of 50% of your certified grain and oilseed producers in the Black Sea region before December 31, 2019. In addition to assessing overall compliance with the regulations, the inspection is to verify the independent knowledge of critical organic controls by responsible parties at the production level. This particularly important when all or part of the organic system plan was developed by a buyer in the supply chain with a financial interest in the farm or handler's activities.
6. Using risk-based criteria, collect at least two samples for pesticide residue testing from each of 50% certified grain and oilseed producers in the Black Sea region before December 31, 2019. These samples may be conducted as part of the unannounced inspections in the previous item. Because this testing is being conducted at the NOP's request, the NOP will cover the cost of residue tests at our National Science Laboratory in Gastonia, North Carolina. Please visit <https://www.ams.usda.gov/services/lab-testing/nsl> for laboratory information.
7. Report any proposed adverse actions issued as a result of the activities to:  
[NOPCompliance@usda.gov](mailto:NOPCompliance@usda.gov)

#### B. Certified Grain and Oilseed Handlers

Certifiers shall:

1. Document its process for complying with [NOP Guidance 5031, Certification Requirements for Handling Unpackaged Organic Products](#), particularly for critical control points at ports of lading. At a minimum, these processes must document controls for the following activities: transloading, combining and splitting loads, and possible fumigation in storage or on transit vessels. Maintain records that demonstrate compliance with this Guidance.
2. If you issue transaction certificates, document the records you require to validate transaction level data (e.g., documents issued by verified authorities, such as phytosanitary certificates). Mandate that operations submit these documents and document your review of these documents to validate transaction data.
3. Conduct and maintain documentation of mass-balance and traceback exercises during inspections, including a comparison to producer-level harvest records.
4. Request information on the use of brokers excluded from organic certification, when those brokers are used by a certified producer or handler under your control, and require documentation sufficient to ensure the organic integrity of the transactions between these certified operations and brokers.
5. Conduct at least one unannounced inspection of 50% of your certified grain and oilseed handlers in the Black Sea region before December 31, 2019.
6. Report any proposed adverse actions issued as a result of the activities to: [NOPCompliance@usda.gov](mailto:NOPCompliance@usda.gov)

### C. Inspectors and Certification Review Staff

Certifiers shall:

1. Use inspectors who are fluent in the native language of the location being inspected.
2. Ensure that certification review staff complete the Organic Import Essentials training course in the [Organic Integrity Learning Center](#).
3. Document your research of regional crop yields using sources such as published country-level agricultural censuses, the [USDA Foreign Agricultural Service Office of Global Analysis](#), the [Food and Agriculture Organization of the United Nations](#), and global [Vegetation Health Indices](#). This research is needed to adequately assess reasonable ranges in productive capacities.
4. Document steps performed to determine whether certified operations hold organic certification from another certifier or another government's scheme. When dual certification exists, conduct and document mass balance audits on both schemes to prevent double-counting of organic harvests.
5. Report any proposed adverse actions issued as a result of the activities to: [NOPCompliance@usda.gov](mailto:NOPCompliance@usda.gov)

If you have any questions, please contact your NOP Accreditation Manager. Thank you for your continuing commitment to ensuring integrity in the global organic supply chain.