

Date: October 5, 2020

Docket: AMS-NOP-17-0065

Re: Strengthening Organic Enforcement Proposed Rule – Implementation Timeframe

Thank you for this opportunity to provide comment on the United States Department of Agriculture (USDA) Agricultural Marketing Service (AMS) National Organic Program (NOP) Proposed Rule on Strengthening Organic Enforcement. The Organic Trade Association is submitting individual comments on each topic in the proposed rule to help NOP in its process of finding and navigating our positions and recommendations. We have also submitted all of our comments bundled into a single PDF including a cover letter. This comment addresses NOP’s request for comments on the Implementation Timeframe.

NOP is proposing that all requirements in this proposed rule be implemented within ten months of the effective date of the final rule (this is also one year after publication of the final rule).

Organic Trade Association’s (OTA) Positions and Recommendations

OTA supports implementation of the Strengthening Organic Enforcement Proposed Rule at the earliest feasible opportunity. In most cases, the proposed one-year implementation timeframe after publication of the final rule is suitable. However certain sections of the Proposed Rule will require significant preparation in systems and resources in order for operations and certifiers to be in compliance.

The following list is a summary of OTA’s recommended implementation timeframes for each section in the Proposed Rule (with OTA’s requested revisions and recommendations for guidance). Please refer to the OTA’s full comments on each topic for more information.

OTA’s Comment – <i>NOP Proposed Rule Section</i>	OTA’s Recommended Implementation Timeframe (from the date of publication of the final rule)
Exemptions from Certification – <i>Section #1</i>	2 Years for handling operations that must get certified as a result of this proposed rule
Imports to the United States (Import Certificates) – <i>Section #2</i>	2 Years for shipments by ground transportation from Mexico and Canada 1 year from publication of final rule for all other imports
Labeling of Nonretail Containers – <i>Section #3</i>	2 Years for all nonretail containers

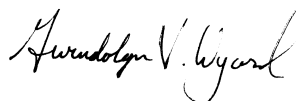
OTA's Comment – NOP Proposed Rule Section	OTA's Recommended Implementation Timeframe (from the date of publication of the final rule)
On-site and Unannounced Inspections – <i>Section #4</i>	1 Year
Organic Certificates & Data Reporting – <i>Section #5 & #7</i>	2 Years for mandatory use of Organic Integrity Database for generating certificates
Continuation of Certification – <i>Section #6</i>	1 Year
Personnel Training and Qualifications – <i>Section #8</i>	1 Year
Oversight of Certification Activities – <i>Section #9</i>	1 Year
Accepting Foreign Conformity Assessments – <i>Section #10</i>	1 Year
Noncompliance, Mediation and Appeals – <i>Section #11-15</i>	1 Year
Grower Group Operations – <i>Section #16</i>	1 Year
Calculating Percent Organic Ingredients – <i>Section #17</i>	1 Year
Supply Chain Traceability and Fraud Prevention – <i>Section #18</i>	1 Year
Technical Corrections – <i>Section #19</i>	Immediately upon final rule becoming effective

On behalf of our members across the supply chain and the country, the Organic Trade Association thanks the National Organic Program for your commitment to protecting organic integrity.

Respectfully submitted,



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 Farm Policy Director



Gwendolyn Wyard
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cc: Laura Batcha
 Executive Director/CEO