

ORGANIC TRADE ASSOCIATION (OTA) FACT SHEET ADDRESSING WSJ ARTICLE ON ORGANIC CERTIFICATION SYSTEM

- The Wall Street Journal article throws into question the thoroughness of the certification system of the U.S. organic industry. **The fact is that the U.S. certified organic system is a production and processing system that reflects and adheres to the strictest government standards of any in the agricultural sector.** The organic industry is regulated by a comprehensive network of federal requirements and regulations from the farm gate to the dinner plate that is administered by the National Organic Program (NOP) under the auspices of the U.S. Department of Agriculture.
- **Every noncompliance cited by the Agriculture Department results in either corrective action being taken by the certifier, or in that certifier being removed from the program, as noted by the article.**
- **The article attempts to cast doubt on the organic certification system by focusing on the instances of noncompliance, when in fact it is the rigorous monitoring system that USDA has in place that discovers – and corrects – these irregularities.** All third-party accredited certifiers (ACAs) are audited by the NOP on a regular basis to renew accreditation. They are audited against a list of 100-plus stringent criteria. The purpose of the audit is to ensure that certifiers understand organic regulations and apply those regulations appropriately and consistently across the farms and operations they certify. As with any audit, the purpose is also to promote **continual improvement** in the entity being audited.

The types of noncompliances cited in an audit of an ACA range from mundane administration corrections that do not have any impact on the integrity of organic products on store shelves to significant issues in a certifier's capacity to conduct competent certification of organic operations. For the latter type of violation, NOP has robust adverse action procedures to suspend or revoke the certifier's ability to certify products.

A recent USDA review shows third-party accredited certifiers in compliance with 95 percent of the accreditation criteria. A 100 percent compliance grade is rare, given the wide scope of criteria that certifiers are graded against.

- The article questions the ability of the USDA to monitor and enforce organic standards, and quotes Chenglin Liu, a professor of law at St. Mary's University, as saying the system needs to be revamped. **Mr Liu's statement is based on a piece published 3 years ago by Mr. Liu on the organic certification system, and does not reflect the dramatic improvements in the system during that period. The system has indeed been revamped, and continues to be revamped in a constant exercise of self-improvement.**
- **NOP's quality system requires periodic peer reviews to assess NOP's accreditation program and to provide continual improvement to the system.** The most recent peer review identified 14 opportunities for improvement, upon which the NOP has already begun taking action.

- **The NOP is in the process of further strengthening its peer review system to evaluate the USDA organic accreditation program.** The NOP in November submitted recommendations to the National Organic Standards Board to move from third-party auditors conducting peer reviews to form a peer review panel to ensure a strong, repeatable and transparent peer review process.
- **The 2014 Farm Bill strengthened the NOP enforcement standards significantly.** NOP has increased oversight and enforcement authority of organic standards, and has used its power to subpoena records and levy civil penalties for fraudulent activity. In the past four years, NOP has levied more than half a million dollars in civil penalties for fraudulent activity. It also worked with the U.S. Department of Justice to convict three criminals for defrauding the organic sector. Last year alone, 19 farmers or food companies were fined a total of \$87,000 for misusing the organic label. These enforcement actions bolster consumer confidence in the organic label.
- **The regulatory system governing the organic industry from its beginnings has been a rigorous, transparent and open process** that encourages public scrutiny, comment and engagement, and is constantly striving for ways to improve itself.
- There are 18,000 hard-working American organic farmers, ranchers and food-makers. They adhere to stringent federal requirements to grow food without the use of toxic and persistent pesticides and GMOs, raise animals without antibiotics and hormones, and process food without preservatives and artificial colors.

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