

Deputy NOP Director Holds Second Dialogue with OFARM Leadership



Following an initial meeting in September of 2019 in Piper City Ill., David Glasgow, Associate Deputy Administrator of the USDA National Organic Program (NOP) met again with OFARM producers, including Marketers and Staff at the organization's Meeting held February 26 – 27, 2020 in conjunction with the MOSES organic conference in Lacrosse, Wisconsin. Representatives from the Organic Farmers Association, the National Organic Coalition, Organic Valley, Quality Organic Producers Cooperative, The Real Organic Project (ROP) and collaborators and partners representing organic producers joined in the dialog as well.

A recently uncovered second case of large scale domestic fraudulent activity as well as continuing suspicion of such activity in the now global organic supply chain, primarily grains, quickly brought the issue of organic integrity to center stage. The integrity of the USDA Organic Seal is at stake and every negative report that rears its ugly head is a double-edged sword, warning criminals that they will be caught and punished, and potentially undermining consumer confidence in a label that has been held in high esteem. Glasgow highlighted NOP work in higher risk regions that has resulted in certifiers, and more than 275 farms and businesses leaving the organic sector in the Black Sea Region, South America and other places at home and abroad. He also emphasized strengthened partnerships with other enforcement agencies that have more authority and manpower to prosecute criminals, like Customs and Border Protection, Animal and Plant Health Inspection Service, Office of the Inspector General, and the Justice Department.

Glasgow noted that organizations like OFARM and their supporters have been successful in their encouragement of congressional members to increase funding and resources to expand organic oversight and enforcement. He shared the recently expanded NOP organizational chart and talked about key positions that include in-house livestock specialists, international specialists and more enforcement analysts and accreditation auditors for oversight and enforcement. Hiring and training are in process with emphasis on filling these positions with individuals with solid backgrounds in the various skills required to cover the wide range of organic livestock, produce and handling operations eligible for certification.

With support from the most recent farm bill, the Strengthening Organic Enforcement (SOE) proposed rule is being moved forward and has been called a 'real game changer' by the NOP administration. It was reported by Mr. Glasgow that there are a number of enforcement elements in this rule that will make it easier and faster to identify suspect activity and gather the necessary documentation to bring perpetrators to justice. One primary element is to

provide for a much greater collaboration among the various government agencies like Customs and Border Patrol (CBP) and the USDA Office of the Inspector General, which become involved in imports and domestic cases; and more robust tracking of imports and exports to close a loophole that some use to change how they label a commodity to make tracking more difficult, like calling their import “cracked corn” one time and “whole or worked corn” the next time. Such changes will more adequately clarify actual volumes and origins of product being imported.

The SOE proposed rule will also require handlers that repackage, reconstitute, combine multiple lots, process, or take ownership of organic product be certified, making it easier to trace goods across the supply chain under organic certification which has, until now, been an opportunity for some to avoid proper scrutiny. Additionally, a good deal of groundwork has been laid to gather more useful and informative data to help identify possible fraud, using things like farm-level acreage data to more easily confirm that reported yields match the capacity of the region. Certifiers will also be required to submit more complete and more timely reports on their certified operations, making it easier to cross check production claims so they may be matched with documentation of traded volume. NOP is also streamlining the process of reporting suspected fraudulent activity and managing the data collected on complaints, inspections and accreditations to make it easier to analyze for risk factors in a timely fashion.

Additionally, in 2019, the NOP launched a more in-depth training program for certifiers and inspectors to know what to look for to meet the rigorous organic standards with a growing number of advanced courses related to consistency across certifiers, and enforcement. The free online Organic Integrity Learning Center is also available to farmers and handlers interested in learning more about specific topics.

Other topics of discussion with Glasgow included dairy and livestock. Many expressed concerns that there has been inconsistent guidance from some certifiers in certain states favoring large Confinement Animal Feeding Operations (CAFOs) giving them a financial advantage over family operations in traditional dairy states. Meeting participants expressed their concern that access to outdoors and proper grazing requirements remain highly questionable and uniform enforcement of the rules is urgently needed with greater scrutiny on the part of the NOP.

On the positive side, the long-delayed Origin of Livestock rule is now moving forward again, and Glasgow said it will help close a loophole that has allowed some dairies to keep transitioning non-organic livestock into dairy herds. He also presented an overview of the continuing Dairy Surveillance Project, which has included unannounced on-farm audits. The audits target higher risk operations based on factors like the operation size, complexity, geographic location and history. He reported that NOP has provided face-to-face and advanced online training for certifiers and inspectors. As a result of this surveillance and training, there is a high level of consistency between certifiers, particularly with respect to key things like how the grazing season is determined and decisions on when temporary confinement of livestock may be allowed.

According to Mr. Glasgow consideration of new forms of genetic engineering in organics is not on the agenda. He also encouraged farmers, coops and other organic businesses to follow the NOP’s Organic Insider emails that provide a first look at what’s happening at the NOP and often provides links to resources and support for organic producers offered by other USDA agencies: www.ams.usda.gov/reports/organic-insider .

While the meeting participants accepted the descriptions of increased NOP oversight, they purposefully expressed their disillusion and frustration with the apparent “snail’s pace” of the progress in this increased scrutiny. They repeatedly pointed to the ongoing millions of dollars of economic damage to producers while positive action is so slow coming to fruition.

Contact Oren Holle, President of OFARM by Email: oholle@bluevalley.net
OFARM’s website: www.ofarm.org USDA, NOP website: www.ams.usda.gov/Organic