

Maintaining Public Trust in the Organic Label

PUBLIC PARTICIPATION
CRITICAL TO HOLDING
THE ORGANIC
BOARD AND USDA
ACCOUNTABLE TO
THE LAW

With a strong contingent of organic advocates at the April meeting of the National Organic Standards Board (NOSB) meeting in Tucson, Arizona, attention focused on key issues of organic integrity. Decisions by the U.S. Department of Agriculture's (USDA) National Organic Program (NOP) have challenged long-standing process of the board and called into question public trust in the USDA organic label. Advocates believe that the *Organic Foods Production Act (OFPA)* is exceptionally strong and seek to hold NOP accountable to the law.

Maintaining Rigorous Compliance with the Law

With high legal standards that set organic apart from chemical-intensive agriculture, both in practices and materials that are permitted, the board and NOP continue to have some key unfinished business that needs to be addressed. As a result, several commenters turned their attention to issues that were not on the agenda, stating that the NOSB has a duty to consider a range of critical issues, including contamination of organic crops and products from genetically engineered material, "inert" (not disclosed nor fully tested) ingredients used in substances permitted in organic production, contaminated fertility inputs, and adequate enforcement to prevent fraud. How and when these issues get addressed will determine the public's trust in the organic label.

Addressing Fraud

A panel composed of growers and certifiers kicked off an NOSB and public discussion of fraudulent imports. Panelists pointed out—as had a number of public commenters—that fraud in organic is not restricted to imports. They said that large instances of fraudulent imports were discovered not by USDA, but by other organizations. The same is true for domestic fraud—in which products are certified organic, while not meeting requirements for pasture and outdoor access for animals. Advocates maintain that on-the-ground investigations are necessary to combat fraud, even with increased documentation to track production practices.

Protecting Native Lands

In the lead up to the meeting, a series of discussion documents addressed the issue of the need to eliminate the incentive, created unintentionally to convert native lands to organic production. Unfortunately, the requirement in OFPA to avoid the use of prohibited substances for three years before land can

be certified organic produces an unintended incentive to convert important native habitat to organic farms. The NOSB passed by a vote of 11-1 (with one absent) the proposal to define native ecosystems and prohibit certification of that land for ten years after conversion to farmland. Public support will be needed to ensure that NOP implements the recommendation.

Training Organic Inspectors

The NOSB passed unanimously a proposal asking NOP to "develop minimum qualifications and training, and continuing education guidelines to ensure a professional and competent inspector pool to meet the demands of ever-evolving and complex organic supply chains," and defining "emergency" to restrict the situations in which parasiticides may be used in organic livestock.

Evaluating Allowed Substances in Production

With regard to materials used in organic production and handling, the NOSB recommended adding two materials to the National List of allowed synthetic substances in crop production—polyoxin D zinc salt as a fungicide (11 yes, 1 no, 1 abstain) and sulfur as slug and snail bait (unanimous). The board turned down a petition for glycolic acid as a teat dip by a vote of 7 yes to 6 no—the two-thirds vote required to list was not achieved. The board heard comments on materials that are due to sunset in 2020, and will vote on those materials at the October meeting.

NOSB Composition

The 15-member board, consisting of four farmers, three environmentalists, three consumers, two food processors, one retailer, one scientist, and one certifying agent, votes to allow or prohibit substances and practices in certified organic food and farming. The board was short two members, because NOP did not replace an open slot for a conservationist and due to the resignation of the handler representative. At the beginning of the meeting, Greg Ibach, Under Secretary of USDA Marketing and Regulatory Programs, announced the appointment to the conservationist position James Greenwood, PhD, an organic avocado grower and handler who serves on the faculty of the School of Public Health and the Center for Public Health of the University of California at Los Angeles, and to the handling position Eric Swartz, CEO of the California-based United Vegetable Growers Cooperative.