



October 4, 2018

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National Organic Standards Board
USDA-AMS-NOP
1400 Independence Ave., SW.,
Room 2642-S., Mail Stop 0268
Washington, DC 20250-0268

Submitted via www.regulations.gov

RE: Document #AMS-NOP-18-0029.

**NOSB Compliance, Accreditation, & Certification Subcommittee Proposal:
Developing Criteria for Risk-based Accreditation Oversight**

Dear NOSB Members:

Thank you for the opportunity to provide comments on the Proposal regarding Developing Criteria for Risk-based Accreditation Oversight. MOSA certifies approximately 2125 organic operations throughout the United States. We were among the first group of organic certification agents accredited by the USDA, when the National Organic Program was implemented in 2002. We have worked with several auditors through many accreditation cycles.

We appreciate the extensive input contributing to formation of this proposal, and others related to fraud prevention. We also appreciate the related trainings, instructions, and other NOP efforts to collaborate with certifiers to identify best practices for strengthening our verification policies and procedures. Organic principles are best served when the NOP and certifiers undertake our separate responsibilities in a complementary manner. We recognize that the success of our organic label is grounded in strong enforcement and continuous improvement, and so we welcome robust oversight of our accreditation. Risk-based oversight is sound and sensible. Continuous improvement also involves self-assessment, some looking in the mirror, and identifying areas of focus.

We support the criteria offered in the proposal. We have a few related comments:

1- The proposal encourages the National Organic Program to consider the frequency and intensity of audits when risk factors are present, and to schedule sufficient time to address them. Again, to be clear, we welcome review of our practices via audits, but, audit expenses can be a significant burden on certifiers, and presence of some identified risk factors are out of certifiers' control. Increasing audit time correlates with added audit expenses, which are billed to certifiers. Added costs should not simply be passed on to certifiers, but rather, they should be considered and covered through an adequately-funded National Organic Program. In this case, it's our job to be compliant and NOP's job to do sound oversight.

2- We would like to be able to self-gauge our relative risk compared to norms across certifying bodies. Risk factor 6, regarding working with contract inspectors, refers to “minimal management or oversight.” We’d like some more insight as to what constitutes “minimal” oversight, and what type of oversight is expected. At MOSA, we use a lot of contract inspectors’ services, and we think our management is robust, including annual field evaluations, continuous monitoring of inspection reports and client and reviewer feedback regarding inspections, as well as additional inspector training and guidance provided by our Inspection Manager. In our experience, this system has proven to be sound.

3- Similarly related to our desire to gauge our performance, risk factors 9 (residue sampling results) and 10 (number of noncompliances issued) suggest a comparison to averages. To self-monitor, we’d need data on averages, or better, on the statistical spectrum. Perhaps such aggregated data is not yet available.

We hope these comments are useful in your deliberations, and also are heard by the USDA, since they may not affect the proposal so much as its implementation. That gets us back to the concept of collaboration for continuous improvement. That also works best when the NOP and NOSB recognize their separate and valuable roles, and work in a complementary manner.

We have a final general concern regarding the very limited comment period for this meeting. There were only 16 business days to read and analyze all documents and to write our feedback. This shortchanges our best collaborative thinking. It’s a disservice to all organic stakeholders, including the NOSB, and is disrespectful of this public, democratic process. We hope that USDA will hear this ongoing concern, and will get meeting materials published for comment earlier. We’d note that the NOSB Policy Manual sets pre-meeting timeframes for posting, and requires at least 30 days for public comment. For best engagement and useful input, a reasonable comment period is closer to 60 days. Thank you for addressing this concern.

We value our National Organic Standards Board’s unique authority, good process, and insight. Thank you for your work.

Respectfully submitted,

The MOSA Certification Team