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Ms. Michelle Arsenault, Advisory Committee Specialist
National Organic Standards Board
USDA-AMS-NOP
1400 Independence Ave., SW.,
Room 2642-S., Mail Stop 0268
Washington, DC 20250-0268

Submitted via [Regulations.gov](https://www.regulations.gov).

RE: Docket #AMS-NOP-20-0089

**Compliance, Accreditation, & Certification Subcommittee (CACS) Proposal:
Human Capital: Strategy for Recruitment and Talent Management- Organic
Inspectors and Reviewers**

Dear NOSB Members:

Thank you for the opportunity to provide additional comments on the proposal regarding Human Capital: Strategy for Recruitment and Talent Management - Organic Inspectors and Reviewers. We're grateful for this important discussion. Our human capacity challenge is ever-increasing as certification expands into new areas and the need for oversight increases. MOSA certifies approximately 2,100 organic operations throughout the United States. As a larger certifier, we are very much aware of the challenges of finding and sustaining human talent to help manage our mission of providing ethical, practical, reliable and friendly certification services.

In our many comments over the years to USDA on the organic regulatory process, we've often noted this "human capacity" (our preferred, more "humanizing" terminology) challenge, and ever-increasing expectations for our regulatory enforcement sector. We support strengthened standards to regulate a growing industry and to correct gaps. Sound and sufficient oversight upholds integrity and consumer trust in the Organic Seal, and is key to the growing success of the organic industry. However, we're conflicted when these improvements place more burden on certifiers, and we have serious concerns about capacity challenges, costs, and whether the strengthening of requirements also makes certification less widely accessible, and hinders MOSA's vision of a "thriving organic world."

Strengthening organic enforcement is important, but we also are very interested in ways we can find or create some reasonable respite. Examples might include: using risk assessment to focus capacity where it's needed and also to perhaps lessen some burdens, enabling some use of remote technologies for assessment work, risk-based inspection schedules, timely clarifications from NOP when certifier inconsistencies are found, revisiting the \$5000 limit for exemption from certification, and providing more cost assistance for providers and/or users of organic certification.

In these times and in our current organic regulatory system, financial costs and inability to pass financial burden on to farmers is the root constraint. MOSA as an organization, our staff and the

contract inspectors we work with, are very conscious of the financial struggle many of our clients face, even with the organic premium. We need stronger agricultural policies that support living wages for farmers and organic professionals and consider true cost accounting.

So, there's some brief background perspective on our feelings around this wider capacity/capital concern, much reiterated from our previous comments. Below are more specific comments on the specific questions for your meeting this time.

1. What have you experienced or witnessed that contributes to the shortage of organic inspectors/reviewers?

We agree with most of the factors identified in the January 12, 2021 document related to capacity challenges specific to inspectors and reviewers. However, these factors are a part of the bigger picture related to increasing demands on the regulatory sector, as business-as-usual certification schemes are challenged by the scale-up of a more complicated, diverse, and globalized organic community. We can identify and perhaps address challenges with parts of the whole, but there's also a need for use of creative thinking about innovative methods for verification of compliance, and a need for more collaboration and/or financial support for the costs of current enforcement oversight.

The capacity challenge and the burdens of increasing enforcement responsibilities get in the way of solutions. We may have ideas of ways to improve our systems, but it's like fixing the plane when flying it; we're challenged by lack of time and space to work solutions or come up with more potential solutions.

With the bigger picture noted, below are some things we've experienced or witnessed that contribute to the personnel shortages. Some factors are specific to the organic sector, and some are wider trends.

National Trends (outside of NOP)

- Lack of health care insurance options for subcontractors.
- Lack of financial incentives/benefits for younger inspectors to consider contract inspecting as a career path.
- Murky evolution of "gig economy" labor laws. This puts the organic certification community - which includes a lot of independent contractors - on a risky and unknown precipice. Certifiers may struggle to interpret labor laws, including required pay schemes for independent contractors, and sometimes interpretations conflict between certifiers. For example, in our interpretation, labor laws for independent contractors prevent us from being able to provide direct training for our 50+ independent inspectors.
- "Marketing" issue - As a nation we face a decreased interest in agriculture as a career option. In 2017 the average age of the American Farmers was 57.5. Where are our youth? How do we get them excited about a career in organic agriculture? Do they know that organic inspecting and review work is a viable career option? As organic or conventional farmers retire or stop farming due to financial challenges do they have a clear path to retraining? Farmers can be culturally portrayed as stalwart stewards, but imagery and messaging can connect farming to the past rather than a key toward a better future. In organic circles, we can be skeptical of things that are new, but we also could benefit from being perceived as more modern.

Organic Trends

- Cost inequalities related to travel - traveling inspectors' expenses are considerably more than regional inspectors who eat/sleep at home, whose work is considerably more affordable for clients. Densely-located organic operations benefit from this, but more remotely-located operations pay higher fees.
- Bottleneck of organic-focused training options - the "gold standard" is IOIA training for contractors. This training is expensive for prospective inspectors, and costs certifiers in terms of time and labor to efficiently train staff. The cost and limited availability is a barrier to entry for new inspectors, who may not be in a position to fund their own training, and we're not aware of loan programs for this kind of "education." Training/education expenses aside, the primary constraint is training availability.
- Increased paperwork verification at inspections - NOP audits focused on strengthening enforcement are indicating less trust in inspectors' autonomy and objectivity, requiring more audits and inspectors showing how they arrive at compliance assessments. Increasing verification burdens may create some backlash and/or pushback from inspectors.
- Inspecting requires a special background and work environment that appeals to a slice of qualified people:
 - flexible schedule (especially summer)
 - interest in travel
 - willing to perform contract work
 - have another source of income and/or health insurance
 - extensive farming background
 - zest for auditing and regulating
 - physical fitness
 - technological literacy
 - comfortable with adverse weather and dirty work conditions
 - professional, non-judgemental, outgoing and friendly personality

2. What are some additional strategies that can be employed to increase the numbers of organic inspectors and reviewers?

Here are a few ideas.

- **Inspector Co-op** - Promotion of an inspector co-op and/or some sort of an umbrella organization for logistical coordination. Currently, working with individual contractors is inefficient, requires lots of on-boarding/training, verification of training, and so forth. We can imagine a member co-op that would help with performance evaluations, annual evaluations, have a complete directory, and the ability to find/dispatch an inspector to a special region for MOSA. Plus, says our Inspection Manager, "co-op's are rad." Cooperative principles nicely align with organic values.
- **Recognizing and ameliorating inequitable enforcement burdens** - We've noted the overriding enforcement burden context above. Unchecked enforcement improvements will significantly drive up costs for inspections and demand more training (and verification of said training) of inspectors. This burden will have a bigger relative impact put upon smaller operations, and may limit certification accessibility. Some relief may help address this. Ideas as noted above include balancing enforcement with risk assessment and financial relief. The SOE rule is an opportunity to consider the course of how we conduct certification oversight, and how we might enable some innovation and efficiency in oversight processes. But without some sort of relief, we might anticipate small farm certification surrenders in response to the proposed Strengthening Organic Enforcement rules.
- **Scale Critical** - Design organic standards to be more scale *critical*, as opposed to scale *neutral*. For example, large dairies and international imports have increased risks to organic integrity, and that risk and financial impact is leading to strengthened

enforcement mandates that impact all operations, inequitably, as described above. Large-scale organizations, by default, may have a greater need to focus on profit versus human and planetary bottom lines. Increasing efficiency to achieve higher yields can be at odds with more agroecological approaches for better sustainability. Large operations have market advantages within our current agricultural system and are less inclined toward systemic change. Some systemic changes more strongly reflect organic principles like health, ecology, fairness, and care.

- **Professionalized career path** - This is among challenges noted in the January 12th document. We surmise that some feeling of non-professionalism may be something our community has brought upon ourselves via a historic sense of aversion to conformity. However, certifiers also have a strong ethic around the importance of “protecting the profession,” and we certainly recognize the skills required to do our jobs. We recognize that cost cutting or spreading our skills too thinly undermines professionalism. This ethic and awareness could use some attention and recognition in the wider organic community. We suggest some educational promotion around the value of inspector/reviewer skills toward a sound enforcement system and strong organic label, and our line of work as a viable career choice. As an aside, it’s our understanding that many farmers are seeking retraining for other careers, such as through tech schools. We might work with educational institutions or organic colleagues to steer their experience in our direction.
- **Hiring focus** - Typically, we have sought to hire staff who already have experience, education and training for the work they are to perform. But lately, with human capital shortages, we are considering the relative advantages of hiring staff with aptitude but perhaps lacking in other requirements, and investing in providing needed training ourselves. This has advantages of control and consistency in training, and increasing employee commitment to our organization.
- **Collaborative training** - We also see potential for working with other organizations to bring talent into our regulatory enforcement sector. For example, large organic companies may have common interests and more resources for overseeing training programs that then bring higher quality inspectors to their supply chain.
- **Technology** - We can enable more human-friendly work conditions by using technology and remote work, such as virtual inspections, online training and networking, as pioneered out of necessity for safety during the pandemic. Let’s consider new ways to efficiently complete our oversight and assessment work while still enabling sound and appropriate use of the inspector’s eye.

3. Are there appropriate ways for the National Organic Program to assist with the financial burdens of?:

a. Initial cost of becoming a trained organic inspector.

- Develop and endorse multiple routes to inspector training. Some examples are above - in-house training, working with organic companies with common interests, or working with educational institutions.
- Organic/ag training options embedded within college/tech programs. School-based programs would allow for financial aid, and further monitoring/evaluation of the programs. The USDA could set aside some funding for this. This relates to awareness and consideration of entering organic enforcement work as a profession.
- Making loans or other financing available for training to become an organic inspector. Consider that necessary training may vary from one individual to another, depending upon their current skills.

b. Costs of continuing education for existing experienced inspectors, and

- Continue to develop, monitor, and evaluate the efficacy of the Organic Integrity Learning Center.

c. Compensation for organizations and/or experienced inspectors to provide qualified one-on-one mentorships to beginning inspectors/reviewers.

- Continue supporting organic cost share programs. Cost share dollars going to organic operators, or perhaps directly providing federal aid to certifiers, can help with all of the costs noted above. Certifiers can take on some initial training and continuing education responsibilities for hired staff, and can improve financial compensation, except we are limited in how this financial burden gets passed on to certified operators. More dollars coming into our system enable more services to be provided with less concern about reasonable financial limitations.

Thank you for your continued work on this critical issue.

Respectfully submitted,

The MOSA Certification Team