



# The **ORGANIC INTEGRITY** **QUARTERLY**

January 2013

*Organic Integrity from Farm to Table, Consumers Trust the Organic Label.*

## **Strengthening Organic Integrity Through Residue Testing**

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In late 2012, the USDA National Organic Program (NOP) announced a strengthened residue testing program to help increase consumer confidence in the \$32 billion organic industry worldwide. Consumers purchase organic products expecting that they maintain their organic integrity from farm to market, and USDA is committed to meeting these expectations. This program will provide additional verification that organic farmers are following the rules and not using prohibited substances.

Beginning January 1, 2013, each USDA organic certifying agent will test products from at least 5 percent of the organic farms and businesses that they certify each year. While testing has always been a part of organic product oversight and is required by the Organic Foods Production Act of 1990, the new program specifies a minimum amount of testing that must occur.

This additional testing will help certifying agents identify and take enforcement action against farms and businesses intentionally using prohibited substances or methods, such as prohibited pesticides, antibiotics, synthetic hormones or genetic engineering.

Additionally, certifying agents can use test results to identify and address instances in which organic products may have unintentionally come in contact with prohibited substances. For example, when test results suggest pesticide drift from neighboring farms or facilities, this could lead certifying agents to require a larger buffer zone between the organic and non-organic farms. Or, handling facilities could be required to better protect organic products from prohibited substances.

The NOP has provided certifying agents with several resources to help them comply with the new residue testing program, including a target list of prohibited pesticides. The NOP plans to finalize its draft guidance on responding to positive residues soon and will provide in-person and online training sessions for certifying agents.

Certifiers currently conduct residue testing when they are concerned that a farm or business has used a prohibited substance or method. Certifying agents

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## Strengthening Organic Integrity, continued from page 1

will continue to determine which organic farms and businesses should be subjected to testing in order to meet the 5 percent testing requirement. Some testing will likely be random, while other testing will be risk-based. Since there will be wide variety in how organic operations are selected and which tests are conducted, test results will not be used to make broad conclusions about a specific commodity or category of products.

The strengthened testing program also increases confidence in the integrity of USDA organic products among international trade partners. The U.S. currently has trade partnerships with the European Union and Canada, streamlining trade between three of the largest organic markets in the world. USDA is currently in discussions to consider similar arrangements with other foreign governments, creating new markets and jobs for organic farmers and businesses in the U.S.

The majority of pest control materials permitted in organic agriculture are naturally derived from plants (e.g. pyrethrum), microorganisms (e.g. *Bacillus thuringiensis*), or other natural sources. Organic standards prohibit the use of most synthetic substances—including most pesticides used in conventional agriculture—for at least 3 years prior to the harvest of an organic crop. Synthetic pest control materials allowed in organic crop production include elemental sulfur, insecticidal soap, horticultural oils, and copper hydroxide.

The following pages provide more specific details on the periodic residue testing program and the pilot study that helped shape it. We thank our accredited certifying agents for their work to implement this important program, and encourage them to contact their NOP Accreditation Manager with any questions.

The new periodic residue testing program will discourage mislabeling and facilitate our oversight of USDA organic products around the world. This will allow us to prevent residues of a wide variety of prohibited substances, thus meeting consumer expectations. Periodic residue testing is an important tool to protect the integrity of USDA organic products around the world. Thank you for your work and support in achieving this shared goal.

Sincerely,  
Miles V. McEvoy, NOP Deputy Administrator

View all residue testing resources at [www.ams.usda.gov/NOPOrganicStandards](http://www.ams.usda.gov/NOPOrganicStandards)



## Periodic Residue Testing of Organic Products

Beginning January 2013, certifying agents will be required to test samples from at least 5 percent of the farms and businesses they certify. If they certify less than 30 operations, they must test at least one operation annually.

**Selection Criteria.** All four scopes of certification (crops, wild crops, livestock, and handling) are included in this mandatory periodic residue testing program. As long as certifying agents test at least 5 percent of the operations they certify to the USDA organic regulations, they may establish their own criteria to determine which operations are subjected to testing. Possible selection criteria include:

- Selecting operations at random.
- Focusing on operations that produce more organic products.
- Testing operations more likely to have residues of prohibited substances or methods.
- Conducting testing as part of an investigation.
- Combining these or other selection criteria.

**Records.** Certifying agents must maintain records of all residue testing and provide these results to the public upon request. These records will be reviewed as part of each certifying agent's next USDA audit.

**Types of Testing.** Certifying agents may subject an operation's product(s) to any type of residue testing for prohibited substances or methods. Prohibited substances and methods include, but are not limited to:

- **Prohibited pesticides** – possible target list at <http://1.usa.gov/prohibited-pesticides>
- **Arsenic or other contaminant metals**
- **Genetic engineering** – review policy at <http://1.usa.gov/gmo-policy>
- **Synthetic hormones**
- **Antibiotics**, except in organic apple and pear production per USDA organic regulations

*continued on page 4*



## Periodic Residue Testing of Organic Products, continued from page 3

**Lab Selection.** Laboratories must hold current accreditation to either:

- ISO/IEC 17025:2005, General Requirements for the Competence of Testing and Calibration Laboratories.
- An alternate standard approved by the NOP on a case-by-case basis. Certifying agents should contact their NOP Accreditation Manager for additional information. See full instructions at <http://1.usa.gov/lab-selection>.

**Responding to Results.** The NOP has provided draft guidance on responding to pesticide residue results. NOP plans to finalize these instructions, including how to report violations to the appropriate authority, soon.

<http://1.usa.gov/positive-residues>

**Use of Data.** USDA auditors will review test results to confirm that each certifying agent is testing samples from at least 5 percent of the operations they certify per year and responding to positive samples as instructed. There will be wide variety in each certifying agent's selection criteria and which tests they conduct.

As such, it will not be possible to draw conclusions across a specific commodity or category of products.

**Additional Resources.** To help certifying agents comply with the periodic residue testing requirements, the NOP has published the following resources, summarized in a memo to certifying agents. <http://bit.ly/residue-memo>

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**Certifying agents, have you identified a lab to do your required residue testing?**

USDA's National Science Laboratory meets NOP's laboratory selection criteria. For more information, contact Roger Simonds at 704-833-1525 or [roger.simonds@ams.usda.gov](mailto:roger.simonds@ams.usda.gov)



## Periodic Residue Testing of Organic Products, continued from page 4

<p><b>Final Rule</b></p>	<p>Requires that you conduct periodic residue testing beginning January 1, 2013 and provides background information.  <a href="http://bit.ly/residue-final-rule">http://bit.ly/residue-final-rule</a></p>
<p><b>Pilot Pesticide Residue Report</b></p>	<p>Provides a validated model for testing organic samples for pesticide residues.  <a href="http://bit.ly/residue-pilot-study">http://bit.ly/residue-pilot-study</a></p>
<p><b>NOP 5028: Responding to Results from Pesticide Residue Testing (Draft Guidance)</b></p>	<p>Clarifies how to respond to pesticide residue testing data.  <i>Finalized version is forthcoming.</i>  <a href="http://1.usa.gov/positive-residues">http://1.usa.gov/positive-residues</a></p>
<p><b>NOP 2610: Sampling Procedures for Residue Testing</b></p>	<p>Describes how samples should be collected and shipped to accredited laboratory.  <a href="http://1.usa.gov/sampling-procedures">http://1.usa.gov/sampling-procedures</a></p>
<p><b>NOP 2611: Laboratory Selection Criteria for Pesticide Residue Testing</b></p>	<p>Identifies the requirements the laboratory that tests your clients' samples must meet.  <a href="http://1.usa.gov/lab-selection">http://1.usa.gov/lab-selection</a></p>
<p><b>NOP 2611-1: Prohibited Pesticides for NOP Residue Testing</b></p>	<p>Provides possible target list of prohibited pesticides in organic production.  <a href="http://1.usa.gov/prohibited-pesticides">http://1.usa.gov/prohibited-pesticides</a></p>



## Pilot Study: Pesticide Residue Testing

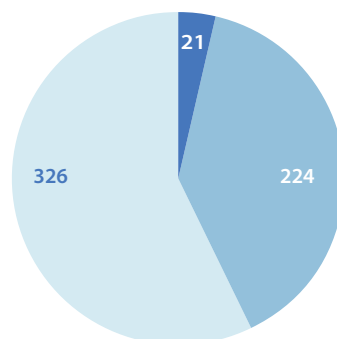
The majority of pest control materials permitted in organic agriculture are naturally derived from a plant (e.g., pyrethrum), microorganism (e.g., *Bacillus thuringiensis*), or other natural sources. Organic standards prohibit the use of most synthetic substances—including most pesticides used in conventional agriculture—for at least 3 years prior to the harvest of an organic crop. Synthetic pest control materials allowed in organic crop production include elemental sulfur, insecticidal soap, horticultural oils, and copper hydroxide.

The U.S. Environmental Protection Agency (EPA) establishes the maximum allowed levels of pesticides, or EPA tolerances, which may be present on foods. Although most EPA-registered pesticides are prohibited in organic production, there can be inadvertent or indirect contact from neighboring conventional farms or shared handling facilities. As long as the operator hasn't directly applied prohibited pesticides and has documented efforts to minimize exposure to them, the USDA organic regulations allow residues of prohibited pesticides up to 5 percent of the EPA tolerance.

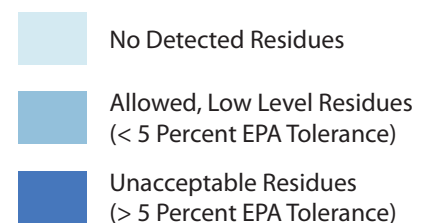
In 2010, the National Organic Program worked with the USDA Agricultural Marketing Service's Science and Technology Program to evaluate pesticide residues on USDA organic produce. The study involved 571 domestic and foreign fruit and vegetable samples bearing the USDA organic seal, which were obtained from retail establishments across the United States. Using sensitive equipment, the USDA National Science Laboratory tested each sample for approximately 200 pesticides typically used in conventional crop production.

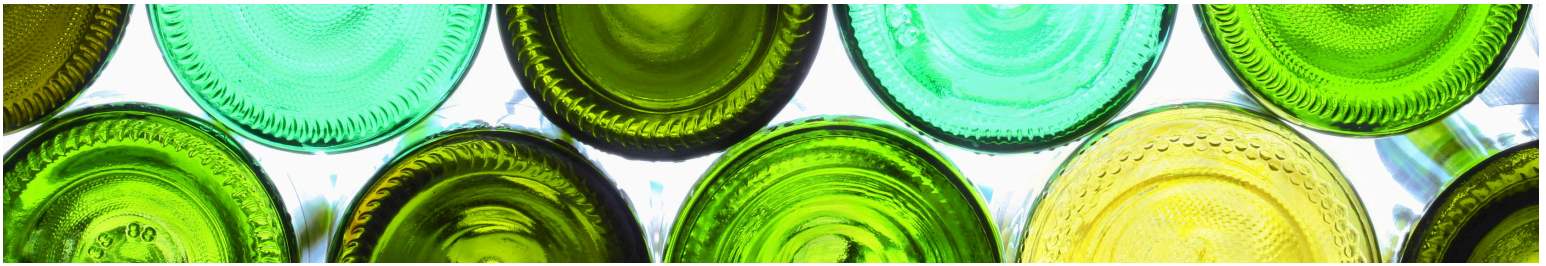
Of these 571 samples, 96 percent were compliant with USDA organic regulations (see graph). This means that the produce either had no detected residues (57 percent) or had residues less than 5 percent of the EPA tolerance (39 percent). Four percent of the tested samples contained residues above 5 percent of the EPA tolerance and were in violation of the USDA organic regulations. The findings suggest that some of the samples in violation were mislabeled conventional products, while others were organic products that hadn't been adequately protected from prohibited pesticides. The NOP is working with certifying agents to provide additional scrutiny in these areas.

Overall, the pilot study demonstrated that it can serve as a model for future pesticide residue testing projects of organic produce. It should be noted that the pilot study did not measure pesticide levels in all types of USDA organic products; it only analyzed 571 samples across 6 select commodities. Organic certifying agents are encouraged to use the methods described in this report when conducting required periodic residue testing of organic products.



Overview of Pesticide Residue Testing Results by Sample for All Commodities





## Organic Integrity Update: Uncertified Operations

When the NOP declared in late 2009 that it was the beginning of the “age of enforcement,” it renewed its mission to protect the integrity of the USDA organic seal and the products labeled organic. Enforcement efforts are a critical part of that mission, and investigating violations of the organic standards alleged by complaints is an integral component of the NOP’s work.

Thorough case investigations are vital not only to make sure that violators are held accountable for their actions, but also to protect organic operations who are in compliance with the regulations. Where willful wrong-doing is found, such as when an operation knowingly mislabels a product as organic, the NOP has the authority to issue civil penalties, which can be as high as \$11,000 per violation. Since the inception of the “age of enforcement,” 34 civil penalties have been issued totaling more than \$428,500.

Certifying agents are a vital part of a complete and scalable system that supports organic integrity. In addition to conducting investigations when necessary, certifying agents conduct thorough on-site inspections each year to verify that the operation is following its written organic system plan and meeting all USDA organic requirements.

In fiscal year 2012, almost half of the 279 received complaints were about uncertified operations. Many of these operations were selling, labeling, or representing products as organic without the oversight and rigor of the certification process. Most operators we investigated were surprised to learn that labeling their product as organic is a violation of the USDA organic regulations. Many claimed they didn’t know they needed to be certified to process certified organic ingredients and call the final product “organic.”

As a result of these investigations of uncertified operations, NOP typically provides resources to help those operations to become certified, compliant members of the organic community. Through this process, several previously uncertified operations have identified a certifying agent and are now certified organic or in transition.

The volume of complaints involving uncertified operations indicates that additional education and outreach is required in this area. The NOP needs your help accessing organizations and individuals who can help to farmers, processors, and distributors better understand certification requirements. To help operations understand certification and labeling requirements, we encourage you to share the following resources widely:

Do I Need to be Certified Organic?  
<http://bit.ly/who-certified>

Organic Certification  
<http://bit.ly/organic-cert>

Is Organic an Option for Me?  
[www.ams.usda.gov/organicinfo](http://www.ams.usda.gov/organicinfo)

Labeling Organic Products  
<http://bit.ly/organic-labeling>

Proactive outreach in these areas will help compliance and enforcement staff to focus on more complex cases. NOP is currently finalizing materials to address certification questions related to unpackaged products and direct to consumer markets.

To report suspected violations to the NOP, submit complaints to [NOPCompliance@ams.usda.gov](mailto:NOPCompliance@ams.usda.gov). We appreciate your help in protecting organic integrity.



## New Guides for Current + Prospective Organic Operations

In late 2012, USDA launched its Organic Literacy Initiative to help better connect current and prospective organic operations with appropriate USDA resources. This effort includes the following offerings, all of which are available at [www.ams.usda.gov/organicinfo](http://www.ams.usda.gov/organicinfo):

- A guide to organic- and organic-related programs at the USDA.
- A toolkit that helps farmers and businesses answer the question, *is organic an option for me?*
- Organic 101 and 201, self-guided training modules on the fundamentals of organic.
- USDA-wide training program to improve service to organic customers.

These overview materials are designed as a first step in understanding organic certification. The next step for prospective organic operations is learning more about their specific type of organic production: crops, livestock, or processed products. When considering organic certification, one of the main questions farms and businesses ask is, *what would I need to change in order to go organic?*

To describe the relevant organic requirements, provide best practices, and further explain the certification process, NOP partnered with the National Center for Appropriate Technology (NCAT) to provide the following detailed guides:

***Guide for Organic Crop Producers***, overview of requirements

<http://bit.ly/ncat-crops>

***Guide for Organic Livestock Producers***, overview of requirements

<http://bit.ly/ncat-livestock>

***Guide for Organic Processors***, overview of requirements

<http://bit.ly/ncat-handling>

***Guide to Organic Certification***, overview of requirements

<http://bit.ly/ncat-certification>

These guides provide helpful information for both beginning farmers and current organic operations looking to adopt new management approaches. The NOP encourages you to use and share these resources, helping current and prospective organic farms better understand the organic standards.





## Organic Certification Cost Share for Farmers in 16 States

### Are You a Certified Organic Farmer or Rancher in One of These States?

- Connecticut
- Delaware
- Hawaii
- Maine
- Maryland
- Massachusetts
- Nevada
- New Hampshire
- New Jersey
- New York
- Pennsylvania
- Rhode Island
- Utah
- Vermont
- West Virginia
- Wyoming

If so, you are eligible to receive a 2013 organic certification cost share reimbursement!

### Amount of Reimbursement

Organic crop and livestock producers in the states listed above can be reimbursed as much as 75 percent of their certification costs from October 1, 2012 through September 30, 2013, up to a maximum of \$750. This program is not competitive; \$1.425 million are available for farmers and ranchers in the States listed above.

### How to Get Reimbursed

#### 1. Contact your State's department of agriculture (or its equivalent) for an application

To find State contacts and other information (including applications for some States) online, visit [www.ams.usda.gov/NOPCostShareProgramParticipants](http://www.ams.usda.gov/NOPCostShareProgramParticipants). If you don't have access to the internet, then you can either call your certifying agent or your State department of agriculture to get an application.

#### 2. Assemble your supporting documentation

You will need to show proof of your certification and the expenses you have already paid. Save your invoices, statements, and receipts – they may be required as proof of payment. The following documents are typically requested by State departments of agriculture, but make sure to review your State's requirements carefully.

- Proof of USDA organic certification (a copy of your certificate)
- Itemized invoice showing expenses paid for certification
- W-9 tax form

If funds become available for additional states, the NOP will announce this via the NOP Organic Insider.



### Want to become an organic insider?

Sign up to receive email updates from the NOP  
<http://bit.ly/NOPOrganicInsider>



*Francis and Susan Thicke on their Fairfield, Iowa farm*

## USDA Appoints New Member to the NOSB

On January 15, 2013, USDA appointed environmentalist and farmer Francis Thicke, Ph.D. to the National Organic Standards Board (NOSB), adding valuable perspective to this 15-member advisory Board.

“Since the NOSB serves as a gatekeeper for allowed and prohibited substances, it is essential that members fully understand both organic principles and the realities of organic farming,” noted Deputy Secretary Kathleen Merrigan. “Dr. Thicke brings a wealth of knowledge of the environmental attributes and is a valuable addition to the NOSB as it carries out its duties.”

An organic farmer for over 30 years, Dr. Thicke currently operates an 80-cow, certified organic dairy in Fairfield, Iowa, producing milk, cream, yogurt, and cheese. He has been active in many environmental organizations including the Iowa Environmental Protection Commission, the Leopold Group Sierra Club in Southeast Iowa, the Iowa Environmental Protection Commission, and Food Democracy Now.

Previously, Dr. Thicke served as a National Program Leader for Soil Science at the USDA Cooperative Extension Service, and has worked extensively in water quality and sustainable agriculture programs. He was named the 2012 Farmer of the Year by the Midwest Organic and Sustainable Education Service, and is a current member of the Cornucopia Institute’s Policy Advisory Panel.

As a scientist specializing in soil fertility, Dr. Thicke also has a solid working knowledge of agricultural and food chemistry. Given the NOSB’s role in vetting substances to be used in the production and processing of organic foods, his unique blend of on-farm and scientific expertise will add significant depth to the NOSB.

Dr. Thicke’s five-year term will begin Jan. 24, 2013, replacing Barry Flamm, Ph.D. as one of the three environmentalists serving on the NOSB. USDA thanks Dr. Flamm, current NOSB Chair, for his expertise and service to the organic community.

Made up of dedicated public volunteers appointed by the Secretary of Agriculture, NOSB members include four organic farmers, two handlers, three environmentalists, three consumer advocates, a scientist, an organic retailer, and an organic certifying agent.

“Since the NOSB serves as a gatekeeper for allowed and prohibited substances, it is essential that members fully understand both organic principles and the realities of organic farming.

Dr. Thicke brings a wealth of knowledge of the environmental attributes and is a valuable addition to the NOSB as it carries out its duties.”

- Deputy Secretary Kathleen Merrigan

# 2012 Ag Census: Get Counted!

Every five years, American farmers and ranchers have the opportunity to make a positive impact on their communities by taking part in the Census of Agriculture. Conducted by USDA's National Agricultural Statistics Service, the Census captures a complete count of all U.S. farms, ranches and those who operate them.

## Why is the Agricultural Census Important?

Whether they grow organic mushrooms, raise beef cattle, or harvest apples and pears, farmers across the U.S. have one thing in common: each stands to benefit from the 2012 Census of Agriculture. The last Census, held in 2007, revealed that the number of farmers in the U.S. is growing with 290,000 more farmers since 2002. The Census also provides the USDA with statistics describing trends U.S. agricultural sector based on several factors:

- Farm size (small family farms and large farms).
- Age of the operator (young, beginning farmers and older, experienced farmers).
- Location (demographics by state/county, as well as rural and urban farms).
- Production system (production through organic, conventional, and genetic engineering methods).

Since available funding for many USDA programs is determined by farmers' responses, it is especially important that organic farmers accurately report acreage and the practices they use, including natural resources conservation.

## How is the Census Data Used?

Census data is used by all those who serve farmers and rural communities from Federal, State and local governments to agribusinesses and trade associations. Companies and cooperatives can use this information to determine the locations of facilities that will serve agricultural producers. Congressional committees also use the information when shaping farm policies and programs. Finally, organic farms and businesses can also use Census data to help make informed decisions about their own operations.

USDA is calling on farmers and ranchers to share their stories, ask questions and talk to their fellow producers about this critical effort. Your answers to the Census help grow your farm future; shape farm programs; and boost services for you, your community and your industry.



## How do I Respond to the Agricultural Census?

Using the information on your Census form, you can:

- Respond online at [www.agcensus.usda.gov](http://www.agcensus.usda.gov) or
- Mail form using return envelope.

All responses due February 4, 2013

## Didn't Receive Your Form or Have Questions?

Visit [www.agcensus.usda.gov](http://www.agcensus.usda.gov)

Call 1-888-4AG-STAT (1-888-424-7828)

2012 CENSUS OF AGRICULTURE  
[www.agcensus.usda.gov](http://www.agcensus.usda.gov)

YOUR VOICE.  
YOUR FUTURE.  
YOUR RESPONSIBILITY.





## Organic Trade Update: Mexico

Mexico is a top 20 producer of organic foods worldwide, with 1.3 million acres of land dedicated to organic agriculture. Based on early 2011 data, Mexico was the main producer and largest exporter of organic coffee and the third largest producer of organic honey. Other organic crops grown in Mexico include agave, corn, cacao, avocados, sesame seeds, cactus paddles, vanilla beans, milk, and dairy products. Currently, approximately 1,000 Mexican farms and businesses are certified to the USDA organic regulations.

Demand for organic food products in Mexico has been growing over the past few years, making it an attractive market for U.S. exporters of organic food products. Currently, packaged foods and packaged, pre-washed vegetables are the most frequently imported organic products.

On October 31, 2012, the Mexican government issued revised organic production guidelines, which are currently under review. Once implemented, these guidelines would essentially create Mexico's equivalent of the NOP.

As these guidelines are implemented, the NOP and Foreign Agricultural Service staff will work with Mexico to assess the similarities and differences between the U.S. and Mexican organic standards and determine whether to move forward with a trade partnership.

## National List Update

**National List Petitions.** The following petitions to amend the National List were recently sent to the NOSB for review:

Indole-3-butyric acid, petitioned to 205.601  
Ammonium hydroxide, petitioned to 205.605  
Glycerin, petitioned for removal from 205.605  
Polyalkylene glycol monobutyl ether (PGME),  
petitioned to 205.605

**Technical Reports.** Technical reports are now available for the following substances:

Polyoxin D zinc salt, petitioned to 205.601  
1,3-Dibromo-5,5-dimethylhydantoin (DBDMH),  
petitioned to 205.605(b)  
Sulfuric acid, petitioned to 205.605(b)

**View petitions and technical reports**  
[www.ams.usda.gov/NOPNationalList](http://www.ams.usda.gov/NOPNationalList)

## NOSB Update

### Fall 2012 National Organic Standards Board Meeting

October 15-18, 2012

Providence, Rhode Island

View final recommendations and meeting transcripts

[www.ams.usda.gov/NOSBMeetings](http://www.ams.usda.gov/NOSBMeetings)

### Spring 2013 in Oregon

April 9-11, 2013

Hilton Portland & Executive Tower

921 Southwest 6th Avenue

Portland, Oregon

## NOP Web Updates

**Fact Sheet: Organic Wine.** Like all organic products, organic wine must meet all USDA organic requirements. Organic alcoholic beverages must also meet Alcohol and Tobacco Tax and Trade Bureau (TTB) regulations. NOP's new organic wine fact sheet summarizes the requirements, including oversight, labeling, and trade. <http://bit.ly/usdaorganic-wine>

**Fact Sheet: USDA Oversight of Organic Products.** To better summarize its role in overseeing organic products, the NOP updated its general fact sheet to describe its history and focus areas. <http://bit.ly/organic-oversight>

**Certifying Agents' Corrective Action Reports.** NOP-accredited certifying agents are responsible for ensuring that certified organic operations comply with the USDA organic regulations.

USDA officials conduct an on-site assessment of accredited certifying agents about once every two and a half years. This multi-day assessment includes on-farm witness inspections and thorough documentation reviews. Throughout this process, USDA auditors identify any non-compliances. The NOP then reviews the noncompliances and requests corrective actions from the certifying agent.

To continue our effort to increase transparency, NOP has posted each certifying agent's most recent corrective action report along with its current accreditation certificate.

These materials are now linked from all three lists of certifying agents (sorted by certifying agent name and those serving specific U.S. states and foreign countries).

<http://www.ams.usda.gov/AMSV1.0/NOPACAs>



## Recognizing Long-Term NOP Staff

During the NOP's 10th anniversary celebration, we recognized current and past USDA employees who had served NOP for more than 5 years. Their accomplishments required both innovation and collaboration—to do more with less—especially given that there were only seven staff overseeing all USDA organic products. These individuals played a critical role in setting the stage for NOP's more recent offerings.

We hope you will join us in recognizing the following individuals' service and dedication to the organic community:

- Katherine Benham
- Mark Bradley
- Valerie Frances
- Keith Jones
- Mary Lou Lusby
- Richard Mathews
- J.D. Melvin
- Shannon Nally
- Arthur Neal
- Bob Pooler
- Barbara Robinson
- Valerie Schmale
- Toni Strother