



10th of August 2015

Swiss Peer Review of the US Department of Agriculture (USDA) - Agricultural Marketing Service (AMS) National Organic Program (NOP)

1. Introduction/Background

The Swiss review of the US Department of Agriculture (USDA) - Agricultural Marketing Service (AMS) National Organic Program (NOP) took place in Washington D.C., Maryland and Pennsylvania in the US from 11 – 13 May 2015. It formed part of the organic equivalency recognition/evaluation process between Switzerland and the United States and was not part of a legal or regulatory enforcement function of the Swiss Federal Office for Agriculture.

The Swiss team comprised two auditors from the Federal Office for Agriculture. A representative of the Competent Authority of the United States, from the USDA – NOP, accompanied the Swiss team for the duration of the whole review.

This report describes the main observations and conclusions made by the auditors to the USDA-NOP.

2. Objectives of the Audit

The objective of the peer review was to evaluate the control and supervision system in place for organic production and labelling of organic products and the implementation of the requirements as set out in the 7 U.S. Code of Federal Regulations (CFR) Part 205, National Organic Program and the U.S. National Organic Program's NOP Handbook, taking into account all stages of production, preparation and distribution of organic products.

In pursuit of this objective, the following sites were visited:

Visits/meetings	Description
Competent Authority	Opening meeting Closing meeting Peer Review
Control Body	Headquarter (audit)
On-Site-Visits	Diary production (witness audit) Creamery (Processing) (review audit) Mixed plant and animal production (review audit)

3. Summary of Peer Observations

Overall, the auditors observed a complete and well-functioning supervision and control system.

The Following general observations are highlighted with regard to the NOP system, and in particular to inspection and certification:

1. An adequate and robust system of supervision and controls is in place in accordance with the USDA-NOP provisions.
2. The control and supervision system profits from a strong regulatory framework. The U.S. National Organic Program's Handbook includes guidance documents and policy memos. It facilitates the consistent implementation of the program.
3. The information flow between the Competent Authority and the Control Bodies is well defined and works properly.
4. The system involves and profits from highly motivated and competent staff.
5. There are clearly defined competences and tasks of all stakeholders involved in the NOP-system. This allows for an effective implementation of the supervision and control system. However, the internal market controls are not under the full oversight of the public authority.
6. An adequate system for complaints and appeals is in place. The competent authority reviews complaints and appeals according to defined handling-procedures. It may warrant justified complaints and appeals with financial penalties or suspension or revocation of organic certificates.
7. The Organic system Plan (OSP) is a detailed description of the practices and procedures used by every operator to produce organic goods. It is an interactive tool for in-

spection and certification and supports the communication between certification bodies and operators.

8. The NOP has a very strong focus on allowed and not allowed substances. On the other hand, rather little attention is given to systemic aspects of organic production on farm level (nutrient management, biodiversity, environmental and water protection etc.).

The peers identified two potential areas for further improvement of the NOP regulatory framework and implementation system:

- a. There is a high effort on all levels of the system (farmers, certifiers, authorities) in order to verify whether a certain substance is allowed or not in organic production. There exists no comprehensive tool for verification of products, although the OMRI List (a directory of substances allowed and prohibited in organic production and handling) provides a compilation of products, which are found to be suitable for use in organic production, processing and handling.
- b. The use of Sodium Nitrate is not clearly regulated in the NOP. This substance seems to be widely and legally used in organic agriculture in the US. This is not in line with major international standards for organic farming (Codex Alimentarius; IFOAM Basic Standards) and is a significant difference compared to Swiss, EU and Canadian regulations. Switzerland flagged this issue for further discussions in the organic working group between the USDA and FOAG.

4. Conclusions

On the basis of the observations made, the auditors conclude that there are no open issues that need follow-up with regard to the organic equivalency arrangement between the US and Switzerland. The signature of the arrangement can take place in July 2015.