



CORNUCOPIA
I N S T I T U T E

April 4, 2019

Michelle Arsenault
National Organic Standards Board
USDA-AMS-NOP
1400 Independent Ave., SW
Room 2648-S, Mail Stop 0268
Washington, D.C. 20250-0268

RE: *Meeting of the National Organic Standards Board*

Docket # AMS-NOP-18-0071
Federal Register Number: 2018-25572

Dear National Organic Standards Board Members:

The following comment is submitted to you on behalf of the The Cornucopia Institute, whose mission is, in part, to support economic justice for family-scale farming.

The Cornucopia Institute submits this comment in response to the Compliance, Accreditation and Certification Subcommittee's request for public input to develop a stronger certification system that is both reactive when fraud is suspected and proactive to deter and identify fraud.

Oversight Improvements to Deter Fraud Discussion Document

As the Board is aware, fraudulent organic grain imports have been undeniably established over the past two years. These fraudulently labeled grain imports have had disastrous consequences for U.S. organic grain producers.

The Cornucopia Institute is again renewing its plea for the NOP to take immediate action to (1) investigate implicated foreign certifiers; (2) address questionable supply chains that are still in operation, and (3) enhance oversight of organic imports from high-risk regions.

Based on ongoing problems in certain countries of origin, we ask that the Board recommend that the NOP enact the same protocols implemented by the European Union to safeguard U.S. markets from fraudulent imports.

Swift NOP action is underscored by a recent and consequential decision issued by the European Commission (the Commission) on March 20, 2019.

In this decision, the Commission limited the authority of Control Union Certifications (a major multi-national certification body), to certify organic products in Turkey, Russia, Moldova, Kazakhstan, and the United Arab Emirates.

The Commission found that Control Union issued organic certificates for products that had previously been downgraded to conventional due to pesticide residues. Findings also included the fact that Control Union failed to provide the Commission with “timely and conclusive” answers to requests for information related to several lots of products from these countries.

Nine months ago, Cornucopia reported that multi-billion dollar agribusinesses and their affiliates, located or doing business in the very same countries that the Commission recently identified, were connected to dubious grain shipments. Several of these operations surrendered their organic certifications and engaged Control Union as their certifier.

The Commission’s decision reaffirms Cornucopia’s findings from our own investigation that organic products hailing from Turkey, Russia, Moldova, Kazakhstan, and the United Arab Emirates cannot be trusted without verification.

Now that the E.U. has limited the activities of a major certifier in this high-risk region, the NOP must exercise all available authority to confirm the authenticity of organic imports presented for entry at ports of entry and border crossings.

Although legislative provisions in the 2018 Farm Bill give the Secretary authority to establish expedited investigative procedures over foreign certifying agents where there is a sudden and substantial increase of organic products, this would serve to correct a serious lapse only after it has occurred. The NOP must act now under all available authority to ensure that the U.S. does not absorb fraudulent product that has been diverted from European markets.

The Cornucopia Institute thanks the Board for its attention to this very important matter and its role in ensuring a robust and authentic organic food system.

With Gratitude,



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