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Ronnie Cummins
Organic Consumers Association
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Dear Ron:

The Accredited Certifiers Association (ACA) believes we must take issue with the posting on your website pertaining to the statements made regarding the National Organic Program (NOP) audit procedures.

Your statement that “15 of the 30 accredited organic certifiers they [NOP] recently inspected failed the USDA audit and will have 12 months to make corrections or lose their accreditation with the NOP” is in error. You reference the NOP Audit Report of August 5, 2008 however this report makes no reference to accredited certifiers “failing” the NOP audit. In fact, the NOP states very clearly, multiple times, that the aca’s accreditation remains in force throughout the audit process. Accreditation remains valid until surrendered, suspended or revoked.

NOP conducts audits of accredited certification agencies wherein they review the “system” being used by the certification agency in relation to the implementation of the National Organic Program. As in all systems there may be a weakness discovered, and in such a case a non-compliance notice is issued.

Dependent upon the severity of the weakness, non-compliances are categorized as “major” (a threat to the organic integrity of the product) or “minor” (little or no threat to the organic integrity of the final product). The majority of non-compliance notices issued by the NOP are in the minor category, and cover mostly procedural matters.

In this audit process, the issuance of non-compliance notices and the correction of the non-compliances is what is known as a continuous improvement plan. This type of auditing promotes improvement in the operations of certification agencies. The issuance of a non-compliance notice itself is not associated with “failing” the audit. If the non-compliance is not corrected, eventually this would lead to the agency losing its accreditation. The use of non-compliances is also the mechanism certification agencies use when certifying a client.

OCA's statement of the duties of the Peer Review Panel is also incorrect. The Peer Review Panel will not "monitor and police violations of organic standards on the part of producers, importers, and certifiers". According to the National Organic Program Rule § 205.509, the duties of the Peer Review Panel are:

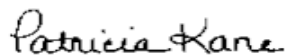
to evaluate the National Organic Program's adherence to the accreditation procedures in subpart F of the National Organic Program and ISO/IEC Guide 61, General requirements for assessment and accreditation of certification/registration bodies, and the National Organic Program's accreditation decisions. This shall be accomplished through the review of accreditation procedures, document review and site evaluation reports, and accreditation decision documents or documentation.

The Peer Review Panel will review and monitor NOP's accreditation process. ACA supports the implementation of the Peer Review Panel process, and hopefully a portion of the additional NOP funding will be used to institute the Panel.

We feel that the inflammatory wording you have used does a disservice to the public that produces and purchases organic products, and certainly to the accredited certification agencies. These unnecessarily alarmist statements will undermine the public's confidence in organic products. Yes, there are instances of violations of standards, but for the most part, these violations are discovered and investigated thoroughly by the certification agencies.

ACA believes that the goals of both our organizations are very similar and that continued accurate education of the public will be beneficial to us both.

Yours truly,



Patricia Kane
ACA Coordinator