



Accredited Certifiers Association, Inc.

*Accredited certifying agents working together to ensure
the integrity of organic certification in the United States*

October 7, 2014

Ms. Michelle Arsenault, Special Assistant
National Organic Standards Board
USDA-AMS-NOP
1400 Independence Ave. SW.,
Room 2648-So., Mail Stop 0268
Washington, DC 20250-0268;

Re: Docket AMS-NOP-14-0063
NOSB Compliance, Accreditation & Certification Subcommittee
Assessing Soil Conservation Practices Discussion Document

Dear Ms. Arsenault:

Thank you for the opportunity to provide comments to the National Organic Standards Board (NOSB) regarding the Compliance, Accreditation and Certification (CAC) Subcommittee Assessing Soil Conservation Practices Discussion Document.

The Accredited Certifiers Association (ACA) represents 50 foreign and domestic accredited certifying agents. Our comments were developed through a survey of our membership. Nineteen ACA members participated in the Assessing Soil Conservation Practices Survey.

Our members and their staff recognize that soil quality and conservation are the cornerstones of organic production and we appreciate that the National Organic Program (NOP) and the NOSB are addressing specific issues surrounding these issues. In reviewing participant responses to the survey questions, two repeating themes emerged:

- the need for the National Resource Conservation Service (NRCS) and NOP to collaborate on developing any additional requirements for the National Organic Program, and
- the lack of codification of NRCS (or other agencies) requirements within the NOP with the result being that certifiers cannot enforce NRCS requirements.

Our members believe that their staffs are well qualified to determine compliance with the NOP §205.200 requirements, but that additional education and training could be needed if additional requirements are enacted. Organic operators will also likely need additional educational opportunities. Time will be needed to address the additional education aspects, and we urge the NOSB to consider this in further discussion on this topic.

Below is a compilation of the survey responses and comments received from our members regarding the questions asked in the CAC Assessing Soil Conservation Practices document.

1) How do certifiers assess whether production practices, identified in an organic system plan and/or observed on-site, maintain or improve soil quality?

Certifiers verify the production practices identified in the organic system plan are implemented. Activities for assessing soil quality include inspector observation of current practices such as crop rotation and pasture management; review of fertility methods and materials; soil tests and organic matter levels; review of erosion and compaction prevention methods. Indicators such as crop health and yield, pest pressures and disease, soil movement on site, will tell the certifier if the plan that was approved is effective at that location.

Survey respondents indicated that a determination of whether production practices maintain or improve soil quality cannot be a single “snap shot”, but this must be assessed over time.

Is visual assessment sufficient?

Of those participating in the survey, 63.2% indicated that visual assessment was not sufficient to determine whether an operation is maintaining or improving soil quality. Combining visual assessment of soil structure/aggregation/crop vigor with evaluation of records showing the inputs and cultural practices used, and soil analyses provides a more complete picture.

2) What tools, other than visual inspection, could aid certifiers in evaluating soil management practices, e.g., Revised Universal Soil Loss Equation 2 (RUSLE2) or soil organic matter levels?

Respondents identified soil tests, particularly with the soil organic matter % included, tissue tests, adherence to nutrient management plans, yield comparisons. It was noted by several that certifiers cannot require soil tests, and the test itself does not necessarily indicate soil health.

Several noted that the NRCS tools would be helpful if certifiers and inspectors were trained to use the tools. Soil health assessment tools such as [Cornell's Soil Health Assessment Training Manual](#) and Testing may also be helpful to certifiers, inspectors and producers. Awareness of RUSLE2 is good, but impractical for an inspector to carry out and possibly onerous to small producers.

There are other basic field techniques that could augment the inspector's visual assessment of soil conservation, especially if a Nutrient Management Plan is unavailable, including:

- (a) Soil aggregate formation could be assessed with a simple “crumble” test. Healthy soils will stick together to form aggregates. Aggregate formation is an indicator of healthy soil structure. This test would work better for clay based soils and might not be as useful in assessing the health of sandy soils. Sandy soils tend to naturally fall apart and do not form aggregates as well.
- (b) Testing could be done to determine organic matter. When producers test their soil for fertility programs, we could also ask to have percent organic matter determined. An initial test could give the certifier a baseline organic matter percentage. Subsequent soil tests could document that organic matter is being maintained or increased over time.
- (c) Plant cover percentages can be used to assess the potential of soil erosion. Perennial crops, such as hayfields and pasture, reduce soil erosion rates dramatically. Cover crops minimize erosion to a lesser extent. No-till systems provide crop residue cover throughout the year, but no-till practices are not typically consistent with nutrient management practices or crop types in organic systems. An inspector might be able to make quick assessments of crop residue or hayfield stands to estimate erosion risks. This assessment would take some basic training (as might be available through cooperative extension services or private professional soil consultants).

3) What benchmarks do certifiers have for issuing noncompliance's related to soil conservation: for instance, visible erosion, overgrazing, and evidence of manure application on frozen ground, manure or compost stored in flooded areas?

Survey participants agreed that the examples noted above could result in a noncompliance being issued. Some indicated that a noncompliance would not be issued unless the issue was on-going and the operator would be asked how they intend to remedy the situation.

Other examples included lack of soil testing for copper (Cu) when it is used year after year; deviations from the organic system plan (e.g. operator indicates they have implemented crop rotation but have a crop in for multiple years).

Several participants also cautioned that the examples are all part of farming situations and certifiers need to look at the whole system. Because an operator may be spreading manure on frozen ground does not always necessitate a noncompliance if other measures are taken to prevent runoff.

Are quantitative benchmarks used?

Survey participants were equally split regarding the use of quantitative benchmarks, Yes: 50%; No: 50%. It was noted that §205.200 and §205.203 do not contain quantitative benchmarks; others indicated that certifiers cannot mandate testing. Soil testing was the most frequently referenced benchmark.

4) What qualifications do certifiers seek among inspectors for evaluating soil management practices on-site?

Qualifications include general knowledge of agronomy, including basic understanding of crop production and farming background; several respondents stated they do not have qualifications specific to evaluating soil management practices. Other respondents noted the use of IOIA Training and NRCS training for inspectors.

One respondent noted that they do not think we need to get inspectors trained in doing soil loss calculations or reviewing organic matter (OM) percentages in soil test reports – you can get widely different OM percentages within a farm and also across regions and the soils in both instances can be equally healthy.

5) What tools do inspectors use (other than soil testing) to evaluate/measure the adequacy of soil management during on-site inspections?

Tools include:

- Visual inspection of crop vigor, health and yield
- Touching the soil: looking at color, structure, tilth, compactness, signs of soil organisms, signs of erosion
- Photographs

Is one on-site inspection enough to assess erosion if it is done during a single visit?

Survey respondents generally indicated that one visit is enough to assess erosion, but also noted that the time of year (planting/harvesting timing) could impact assessment. It was also noted that erosion should be monitored over a period of years to evaluate changes to erosion patterns and the practices implemented by the client to maintain or improve areas affected by erosion.

6) How do certifiers respond if a review/on-site inspection indicates that there is a soil management problem?

Depending upon the severity of the problem, for less serious issues, a “condition for certification”, “minor noncompliance” or “findings” identifies the issue and requires a corrective action plan. Corrections involve future monitoring and may also involve additional inspections. Recurring problems would be upgraded to a noncompliance

For more serious/frequent issues, a noncompliance or proposed suspension would be issued.

Certifiers may also suggest resources such as NRCS, local Soil & Water Conservation Districts, National Center for Appropriate Technology (NCAT), Rodale Institute to assist the operator in correcting the issue.

Do certifiers issue notices of noncompliance or note as a finding to be reassessed at a later time?

Again, this depends upon severity of problem, see above. Findings, with reassessment at the next inspection, may be more appropriate. With proper inputs and cover crops (and other practices) soil takes time to improve.

7) How do certifiers respond when complaints are filed about a producer’s soil management?

Certifiers conduct an investigation, which could involved an inspection (either the annual inspection or an unannounced inspection) to evaluate the merits of the complaint.

Several respondents noted that they had not experienced this type of complaint, but would follow their standard procedures of investigating a complaint.

8) Some USDA benefits require producers to be in compliance with Highly Erodible Land (HEL) provisions. Are certifiers aware of USDA Natural Resource and Conservation Service (NRCS) classification and HEL provisions?

Of the 17 survey participants that addressed this question, 10 indicated they were aware of the HEL classification. Several stated that additional information on these requirements would be useful, as would collaboration between NOP and NRCS.

Should certifiers verify whether production acreage is classified as “highly erodible land” (HEL) and ensure appropriate soil management practices for HEL?

Certifiers may opt to use the HEL classification as a tool to ensure operations are meeting requirements to preserve and improve soil quality. However, until such classification is codified into the USDA organic regulations, this should not be a requirement, as it is currently outside of the scope of the NOP regulations.

9) Are certifiers aware of USDA NRCS’s tolerable soil loss standards?

Of the 18 survey participants that addressed this question, 13 indicated they were not aware of these standards. The NOP [§205.200] requires operators to “maintain or improve the natural resources of the operation, including soil and water quality.” This would not appear to allow for tolerable loss.

Should certifiers verify whether production acreage has been assessed to meet tolerable and sustainable soil loss levels?

Of the 13 survey participants that addressed this question, 8 indicated that certifiers should not address tolerable and sustainable soil loss. Lack of knowledge of the requirements, plus lack of

inclusion of this requirement in the National Organic Program were cited as reasons. It was also noted that certifiers generally recommend outside experts such as NRCS to address soil issues.

10) When NRCS personnel who provide technical assistance on organic operations observe soil management risks and problems should the producer be required to communicate this information to their certifier?

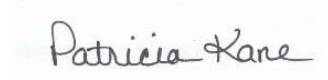
Of the 17 survey participants that addressed this question, 11 indicated that it would be useful information for the operator to share. However, it is also noted that the National Organic Program does not require this, and certifiers would not be able to require this sharing.

Other comments include:

- Operators are required to notify the ACA of any changes that may affect their compliance so if they have instituted changes (not doing something in their OSP that lead to soil mgmt concerns) then the ACA should have been notified. More information is generally a good thing but an NRCS person is not an organic inspector so unless they are familiar with the organic regulations the observation could be taken out of context or not assessed within the entirety of the operations production system.
- Organic operations receive advice and assistance from a number of service providers and draw on this input to create and implement a compliant OSP. While this input is helpful to the operation, it should not be a requirement that the operation communicate this information to the certifier. The certifier has the responsibility to evaluate the operation's OSP and practices to ensure they meet the requirements of the USDA organic regulations. As noted previously, if the metrics would be helpful to the certifier in evaluating an operation's OSP and soil management practices, then additional training to the certifier would be beneficial.

Again, thank you to the Subcommittee for bringing this topic to the forefront, and for the opportunity to provide comments.

Respectfully submitted,



Patricia Kane
ACA Coordinator