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May 2, 2012

Ms. Ann Michelle Arsenault, Special Assistant
National Organic Standards Board
USDA–AMS–NOP
1400 Independence Ave. S.W.
Room 2648–S, Mail Stop 0268
Washington, DC 20250–0268.

Docket: AMS–NOP–12–0017; NOP–12–06

RE: **NOSB Compliance, Accreditation & Certification Committee Agenda Item -
Criteria for Material Review by Material Review Organizations**

Dear Ms. Arsenault:

Thank you for the opportunity to provide comments to the National Organic Standards Board
(NOSB) regarding the Compliance, Accreditation & Certification Committee Agenda Item -
Criteria for Material Review by Material Review Organizations

The Accredited Certifiers Association (ACA) represents 43 foreign and domestic accredited
certifying agents.

The ACA appreciates the work of the Compliance, Accreditation and Certification Committee on
the topic of Criteria for Material Review by Material Review Organizations and we are
supportive of the listed criteria.

We are asking for clarification regarding Bullet #2 of the Committee Recommendation that
reads:
> Require that MROs obtain and maintain ISO 65 accreditation, which will ensure MROs are
> meeting these strict guidelines regarding consistency and transparency.

The ACA is asking that there be a clearer distinction made in this Recommendation between:

   a) independent MROs that review materials and publish a publicly available list of approved
      materials (outside of the scope of certification activities);

   b) ACAs that conduct certification activities as well as review materials and publish a
      publicly available list of approved materials;

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

c) ACAs that review materials within the scope of an organic system plan and do not offer a publicly available materials list.

The ACA believes that independent Material Review Organizations and ACAs publishing materials lists should obtain ISO 65 accreditation. ISO 65 accreditation provides oversight to assure that policies, review, decision, appeals and compliance procedures are in place. There is currently little oversight by the National Organic Program of the independent materials review organizations.

However, to require ACAs that only review materials in context with an organic system plan to obtain ISO 65 accreditation in addition to their National Organic Program accreditation is redundant and costly. ACAs reviewing materials in the context of an organic system plan work with operators to determine if a particular material is acceptable. It is however, the operator's choice to use the material. The work of these ACAs is reviewed during their National Organic Program accreditation audits to determine that policies, procedures, and trained personnel are utilized to make these determinations.

This distinction is necessary as the Definition of MRO, according to the Final Committee Recommendation of December 2, 2011, does not distinguish between (a) MROs, (b) ACAs that may publish a materials list and (c) ACAs that do not publish a list. The definition states:
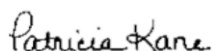
**Material Review Organization**: Any entity accredited or authorized by the Secretary to review and approve materials as compliant with the National Organic Program for use in producing or handling certified organic products.

As written, we believe the current recommendation would require all ACAs to obtain ISO 65 accreditation in addition to National Organic Program accreditation. We suggest that Bullet # 2 be clarified and revised to say:

Require that MROs (excluding ACAs that do not publish a publicly available list of approved inputs) obtain and maintain ISO 65 accreditation, which will ensure MROs are meeting these strict guidelines regarding consistency and transparency.

We thank the Committee for their work on this topic and for the opportunity to provide comments.

Sincerely,

Patricia Kane

Patricia Kane
Coordinator