



# Accredited Certifiers Association, Inc.

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

April 28, 2014

Miles McEvoy, Deputy Administrator  
National Organic Program  
U.S. Department of Agriculture  
Room 2646-So. (Stop 0268)  
1400 Independence Avenue SW  
Washington, DC 20250

Dear Miles,

The Accredited Certifiers Association is deeply committed to protecting the integrity of the organic label and the message it sends to consumers that a product has been produced in an environmentally sustainable manner. We are equally committed to maintaining it as the mark of a product produced without the use of genetically modified organisms (GMOs). Our membership has become increasingly concerned that consumers are losing confidence or do not understand that the organic label equates to a product produced without GMOs.

As non-GMO claims and labeling crowd the marketplace we see consumer confusion, with some consumers expressing preference for and greater confidence in claims specific to non-GMO production. Education is clearly one approach to clarify this confusion. But we also believe that to maintain consumer confidence that an organic product is produced without GMOs, we must also be able to show them this in quantifiable ways.

*NOP Policy Memo 11-13* sought to respond to some concerns regarding the potential for GMO presence in organic food. The memo reiterated that the organic standards are process based and that the inadvertent presence of genetically modified material does not affect the status of the certified operation and does not result in loss of organic status for the organic product. While we agree with this premise, we also see that there are analytical tools available that can measure how effectively the process is working. A process based standard must demonstrate that it works.

7 CFR Part 205.670(c) requires that “a certifying agent must conduct periodic residue testing of agricultural products to be sold, labeled, or represented as ‘100 percent organic,’ ‘organic,’ or ‘made with organic (specified ingredients or food group(s)).’” *NOP Instruction 2610 Sampling Procedures for Residue Testing* outlines the sampling procedures recommended by the NOP for parties conducting residue testing of

organically produced agricultural products under the above requirements. However, the *Instruction* falls short of outlining any guidelines for GMO sampling and testing.

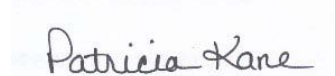
In order to maintain consumer confidence that the organic label means non-GMO and so much more, we feel that the industry must have data to show this. To do so consistently and to build a meaningful data set, GMO sampling guidance is necessary. With GMO sampling and testing guidance, we can begin to build meaningful data and evaluate whether the process based standard is working. Further, with guidance that offers greater direction in responding to evidence of GMO contamination, we can work to ensure that an operation's preventive practices are adequate.

In a February 2013 report to the Office of Inspector General (OIG), the National Organic Program (NOP) responded to the OIG's recommendation that the NOP conduct a study of testing methods that may be used to detect the presence of genetically modified (GM) materials in organic livestock feed. In its response, the NOP stated that "there are procedures for certifiers and official guidance already provided by AMS and other USDA agencies regarding the testing of organic agricultural products for the presence of GM material." While ACA appreciates that there are resources for organic feed testing, we feel that further guidance on the testing of other crops for human consumption (soy, corn, etc.) would be helpful.

Toward this end, we ask that NOP offer certifiers and the trade guidance and best practices for GMO sampling and testing. Experience to date has shown that testing that includes a percentage presence is more accurate and useful than simply a binary positive/negative test. We recognize the inherent challenges in establishing compliance action tied to percentage presence. To be clear, we are not requesting this at this time. However, we feel it is extremely important that guidance offer clear and consistent sampling and testing protocols so that we may begin to assess how effectively the process based standard is working.

We look forward to engaging with you in this important step and appreciate your continued partnership in ensuring the integrity of the organic label.

Sincerely,



Patricia Kane, Coordinator  
for the ACA Board of Directors

Scott Rice, Washington State Department of Agriculture, Chair

Dave DeCou, ECOCERT ICO

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