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ACA Guidance for Risk Assessment and Follow-up

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Purpose

This ACA Guidance document describes administrative and procedural steps that certifiers should take to ensure thorough risk assessment of all operations certified to the USDA Organic Regulations. Implementation of this guidance will help assure sensible allocation of resources and should increase the likelihood of uncovering fraudulent activity or other non-compliant actions that jeopardize the integrity of the organic label.

Methodology

The working group considered a variety of common risk factors across four categories: General, Crop Scope Specific, Livestock Scope Specific, and Handling Scope Specific. The list of risk factors was derived from existing risk assessment tools and risks identified by the European Organic Certifiers Council's, 2016 report, "Risk-assessment in organic certification: A snapshot of the current implementation and further perspectives." Once the list of risk factors was compiled, each identified area of risk was classified on a scale of 1 - 4, where 1 indicated the least significant level of risk and 4 indicated the most significant level of risk. Each risk factor was ranked by the seven participating working group members and given an average (mean) score.

The factors that were ranked as having the highest level of risk in each category were as follows:

General/Universal: Use of or contamination with prohibited substances, history of noncompliance or suspension related to organic integrity.

Specific to Crop Scope: Use or presence of prohibited inputs; nearby aerial spraying, adjoining land where GMO crops are grown or where drift is reported; yields that are higher than average or than expected.

Specific to Livestock Scope: Calculated dry matter intake for ruminants is less than 40%; ruminant herds with size increases of decreases in pasture area greater than 10%; large herd or

flock with comparatively small pasture or outdoor access area as applicable.

Specific to Handling Scope: Known issues in product or ingredient country of origin; use of uncertified handlers; imported products; contamination with cleaning or pest control substances; lots of new or unknown suppliers; long or complex supply chains; unsatisfactory labeling or prevention of commingling.

The full risk ranking assessment is included as Appendix A.

Recommendations

The working group considered building a risk assessment tool for use by all certifiers or adopting or modifying an existing tool to recommend for universal use. However, there was general agreement that different certifiers may have good reasons for preferring one model over another. Additionally, a robust risk assessment plan involves more than any particular risk assessment tool. Therefore, instead of developing or recommending particular risk assessment tool, the working group arrived at general principles that should be applied to all risk assessment programs.

All certification agencies should have written policies for assessing the levels of risk for their certified organic operations. These policies should include the following:

1. A description of the frequency and timing of risk assessment. A standardized risk assessment should happen at least annually for all operations. Often, this happens during the final review post-inspection, but additional assessments, or adjustments to the assessment results, may be necessary. Additionally, all new applicants for certification should be formally assessed for risk during the initial review of the file prior to inspection assignment.
2. A description of which team members can perform risk assessment activities. Typically, routine risk assessment is done by certification staff, but evaluations may also be performed or adjusted by supervisors trained in certification and individuals' tasks with receiving or responding to complaints. Input from inspectors or others with knowledge of the file or operator should be considered.
3. A description of the method used to calculate or ascribe risk. Mathematical models are commonly implemented. Many certifiers agree they can be a fast and effective way of assessing risk. However, it is important for the tool or system to enable appropriate staff to make judgment calls to adjust the final assessment based on factors they can see, which the mathematical model might not recognize. The risk assessment tool should

take into consideration the risks identified and ranked in Appendix A. This list of identified risks should be thought of as informative but not exhaustive; certifiers should maintain and utilize a list of risk factors that includes any they have identified in addition to those listed here. Certifiers may also want to consider including risk-reducing factors; in other words, certain qualities or characteristics might lower the assessed level of risk in some cases.

4. A description of policies and procedures related to unannounced inspections, additional announced inspections, marketplace surveillance, audit cross checks, residue sampling, and any other investigative activities commonly employed in situations of heightened risk. This should include procedures for determining how operations are selected for each type of activity. It should also include a description of who is responsible for assigning follow-up actions based on assignment of risk. This should be a designated individual or team.
5. A description of processes ensuring risk assessment follow-up activities are prioritized and scheduled at the necessary time.
6. A description of how operations "graduate" from a high-risk classification to a lower risk classification.
7. A description of fee schedule provisions that enable a robust program for risk assessment and follow up. Unannounced inspections and other surveillance activities should not be limited geographically for the sake of keeping costs down. Risk related monitoring/surveillance, including unannounced inspections, should be risk based. Fee schedules must anticipate risk follow-up expenses.
8. Risk assessments that are narrower in scope and pertain to operations with specific risk characteristics are encouraged in addition to the overall risk evaluation. For example, dairy operations might be subject to evaluation using a tool specifically designed with pasture rule compliance in mind.

Conclusion

The ACA recommends all accredited certifiers adopt ACA Guidance for consistent implementation of the USDA Organic Regulations. ACA Guidance Documents are reviewed periodically to ensure they are accurate and up to date. Concerns with this or any ACA Best Practice or guidance document should be submitted to the ACA Coordinator.

Resources

Risk Ranking Assessment Appendix A