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May 4, 2026

Ms. Michelle Arsenault, NOSB Advisory Committee Specialist
National Organic Standard Board, USDA–AMS–NOP
1400 Independence Ave. SW., Room 2642-So., Mail Stop 0268
Washington, DC 20250–0268

Re: Docket Number: AMS-NOP-25-0914 National Organic Standards Board Meeting Spring 2026

Dear Ms. Arsenault:

Thank you for the opportunity to provide comments to the National Organic Standards Board (NOSB).

The Accredited Certifiers Association (ACA) is a 501(c)(3) nonprofit organization focused on ensuring consistent interpretation and implementation of the USDA Organic regulations. We advance professionalism, consistency, and integrity in organic certification by providing training, facilitating collaboration, and developing shared resources and guidance. ACA serves as a critical bridge among the USDA National Organic Program (NOP), accredited certifiers, and the broader organic community. Our membership includes 62 certifiers representing 98% of U.S.-based NOP-accredited certifiers, as well as a growing network of international certification agencies, associate members, and inspectors.

We are pleased to offer comments on the proposals for residue testing for a global supply chain and e-commerce labeling. We are also pleased to offer our perspective on consistency in organic seed use. Finally, we share an update on our efforts on risk-based certification, and a comment on the importance of our organic workforce and community, that is the backbone of our thriving sector.

Residue Testing for a Global Supply Chain: Regulation Review

We are grateful for the continued efforts of the Certification, Accreditation, and Compliance Subcommittee (CACS) on developing recommendations to refine how the organic regulations

address residue testing. While organic is a process-based standard, residue testing remains an important tool in certifiers' toolbox to verify compliance.

ACA's Residue Working Group recently finalized a strong set of practical tools and references to support ACA certifier members in evaluating the presence of prohibited substance residues, and to promote a consistent framework for determining appropriate actions following residue detection in organic food, feed, or land used for organic production. The Working Group finalized a set of best practices, as well as practical tools including worksheets and case studies, to support our members in their work in this area. Interested certifier members will gather online late this month to bring real-world concerns and work through them as a community.

We are pleased to see the NOSB proposal including a recommendation that certifiers incorporate risk into their selection criteria with regard to residue testing. As we know, certifiers are already doing this – and the ACA Residue Working Group best practices include a multi-page discussion of how to determine and evaluate risk while selecting the operations to include in residue testing. It is good to see this alignment between the NOSB recommendation and in-practice realities.

We are also pleased to see a recommendation that NOP 2613 be updated to provide clearer direction to certifiers. The best practices include a multi-page discussion of contamination classifications and determining the causes of contamination. The working group also developed a worksheet for certification staff to use to determine causes of contamination. Additional clarity from NOP in the form of an updated guidance document would help certifiers to ensure a consistent approach.

We have some concern about the NOSB proposal allowing certifiers to pass along the costs of testing to operations only when the test is being conducted as part of a credible complaint or investigation and contamination is determined to be caused by an intentional application or failure of an operation to adhere to its Organic System Plan (OSP). While we understand the intention behind this, in practice, it creates a lot of room for inconsistent application. It also places an inappropriately high burden of proof on certifiers to develop a "case" for testing. We recommend an approach that allows certifiers to have defined policies for sampling fees outlined in their internal policies and procedures, and potential additional costs for sampling outlined and publicly available to clients and applicants.

We also want to note some concern that this proposal is being finalized without a certifier representative on the Board. While we know certifier perspective has been heard and considered, moving forward without a voting certifier representative is not a best practice.

E-Commerce Labeling

We are also grateful for the continued efforts of the CACS on e-commerce labeling. This is a topic that would not have been considered at the time the Organic Foods Production Act (OFPA) was written, nor when the implementing regulations were finalized. Yet today, e-

commerce is a significant portion of the organic market and ensuring that e-commerce labeling guidance is sensible feels critical to minimize consumer confusion and ensure an even playing field. We support the proposal recommending that NOP provide guidance on e-commerce labeling practices, with the goal of improving clarity and consistency in how organic claims are presented online.

Of course, the devil is in the details, and navigating the limitations of USDA authority over retailers and platforms will be tricky. We are encouraged by the efforts being undertaken by the Food and Drug Administration (FDA) on digital labeling, and encourage NOP to consider aligning with those, as well as any efforts underway at the Federal Trade Commission (FTC) with regard to consumer protection in online markets.

We encourage NOP to think about ways to assure consumers that the products they are selecting are certified organic, while managing some of the implementation and enforcement concerns that arise in an online and ever-shifting marketplace. A certified organic label or claim tells consumers that the product they're considering complies with the NOP organic regulations. This is true because of the certification and accreditation process. Accredited certifiers are all bound to uphold the organic regulations. They all meet a rigorous set of accreditation requirements, to which they are regularly audited for compliance. And they are all staffed by professionals committed to the organic sector – many of whom are themselves organic farmers and/or consumers. A certified organic label or claim carries with it integrity, and will allow consumers in the online marketplace to have that same confidence that they do in the grocery store aisles.

Consistency in Organic Seed Use

We appreciate the opportunity to provide feedback on consistency in organic seed use. ACA's engagement on this issue has come primarily in the form of our participation in the Organic Trade Association's (OTA) Seed Task Force, a cross-sector group of breeders, seed producers, certifiers, growers, and advocates working to strengthen the use of organic seed and planting stock across U.S. organic production. Cross-sector efforts that ensure voices from farm to certifier to consumer are heard are truly the most valuable, as they reflect diverse perspectives and give us all an opportunity to learn from each other. This process has included not just those of us on the task force, but surveys to ensure broader representation of perspectives. We've been grateful to be a part of this work to develop collaborative, data-driven roadmaps to move the industry toward maximum use of organic seed and planting stock in a sensible and predictable way.

We align with OTA's written comments on this topic, particularly on the three consistent messages – there is broad alignment that organic seed is foundational to organic integrity and requires stronger policy follow-through; any approach to increased reliance on organic seed must be based on realistic timelines and continued flexibility for grower choice; and USDA needs to act to guide certifiers, signal the market, and ensure progress.

We look forward to continuing to work together across the organic sector to move toward our shared goal of increased organic seed use.

Risk-Based Certification / Streamlining Certification

Although risk-based certification is not on the NOSB's agenda for this meeting, we wanted to share some of the continued efforts we have undertaken to identify ways to streamline certification processes, and ensure we are verifying compliance in a way that manages the burden on lower-risk operations and putting our verification tools to work where they have the most impact.

As we've commented before, leaning into a risk-based approach enhances our ability to verify compliance and ensure organic integrity; reduces the burden on low-risk American farmers and businesses; and makes good use of certification and inspection resources, creating efficiencies for certifiers and inspectors.

As our certifier members find more opportunities to apply risk-based certification, we at ACA are investing in trainings to ensure that organic inspectors and reviewers gain proficiency in critical thinking and risk-based decision-making. We must build the right resources to bring the whole community along in proficiency in risk-based decision-making. ACA has invested in targeted trainings to ensure that our certification and inspection workforce is prepared for this emphasis on critical thinking and risk-based decision-making. We have offered these trainings in our flagship annual training (held every January), as well as online on our acaDEMY learning platform. Additionally, we launched a regional training initiative - acaDEMY Live! - last year in Albany, NY, where 15 certification and inspection staff participated in an intensive face-to-face risk-based certification training. These efforts will continue in 2026, with acaDEMY Live! trainings centering risk-based certification in Georgia, Massachusetts, Michigan, and Oregon.

We have also launched a series of efforts to develop best practices for streamlining certification processes – which will improve the experience for American farmers and businesses, and create space for certifiers to devote increased resources to areas of higher impact. Our members have aligned on best practices for streamlining the annual update process already; and we have additional efforts underway to streamline the application process, the product review process, and the inspection process. acaDEMY Live! and these streamlining certification efforts are produced in part with funding from a Cooperative Agreement with the NOP.

Organic Workforce and Community

We want to acknowledge some of the partners in the organic sector whose work is critical to growing a robust organic sector based in integrity and trusted by consumers across the country.

First, we want to acknowledge you, the NOSB members. You commit your time and expertise to a volunteer role serving the organic community, and ensuring we move forward in a way that is aligned with the regulations, supports integrity, and enables the continued growth of organic

across our country. And at the time we are finalizing these comments, you are doing so at two-thirds capacity – with five seats, including the certifier representative, remaining unfilled months after new members should have been on-boarded. This puts more work on each of you, and we are grateful for your continued commitment. We hope that qualified individuals will be named to these vacancies in short order.

Second, the teams of experts across the country who have shepherded the Transition to Organic Partnership Program (TOPP) from an idea in 2021, to a reality now - connecting hundreds of transitioning organic farmers with mentors, delivering thousands of hours of direct technical assistance to organic producers, organizing nearly 1,500 events in every state, and supporting more than 500 operations (and counting) in obtaining organic certification. These dedicated colleagues built innovative farmer-focused transition programs from scratch, leaning in to collaboration with local and regional partners, and ensuring that needed resources reached farmers where they are, across all 50 states and selected territories.

As the TOPP program sunsets this year, it is incumbent upon the organic community - us - to ensure that its impact continues. We must do that by building on the programming and investments made over the last five years, continuing to support American organic farmers and those transitioning to organic. We must also do so by ensuring that this dedicated workforce of organic leaders transitions out of their TOPP roles into positions where they can continue to contribute to organic.

And finally, we want to acknowledge our partners at NOP - public servants who are committed to the organic sector, and work tirelessly to develop standards, accredit certifiers, negotiate equivalence arrangements, and bring enforcement actions. Their work is critical to and part of the reason for organic's success.

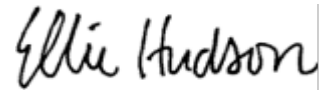
Organic regulations need NOP's enforcement and engagement to be implemented, and we are extremely concerned that continued workforce reductions or relocations will cause harm. The number of domestic certified operations has doubled in the last five years, and NOP staff is needed to manage enforcement. Further, in our members' experience, the timeliness of investigations, reports, and responses has been improved with full staffing of NOP, and we are concerned about the impact of losing staff on the business of organic certification. And American farmers who have gotten into organic with hopes of reducing reliance on imports may not be able to complete their transition without a fully staffed and funded NOP - which means that organic value-added production may not remain on American soil.

Organic is made stronger by the complementary roles that USDA staff and the rest of the community play - by how we lean into our skills and leverage our strengths. Organic is a public-private partnership success story - and none of it would happen without the NOP team, working across agencies, holding deep institutional knowledge and expertise, and serving American farmers, businesses, and eaters.

We appreciate the NOSB's work on these topics and look forward to future collaboration and

dialogue.

Respectfully submitted,

A handwritten signature in black ink that reads "Ellie Hudson". The signature is written in a cursive style and is positioned to the left of a vertical line.

Ellie Hudson
ACA Executive Director