

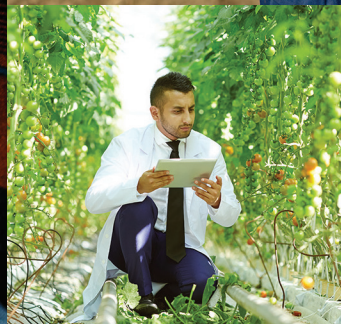
THE GATEKEEPERS OF ORGANIC INTEGRITY

Guide to Organic Certifiers



CORNUCOPIA
INSTITUTE

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Researched, written, and edited by the entire policy and communications staff of The Cornucopia Institute.

The Cornucopia Institute is chartered as a tax-exempt public charity focusing on research and education. Cornucopia aims to empower organic producers, consumers, and wholesale buyers to make discerning marketplace decisions, protecting the credibility of the organic food and farming movement and the value it delivers to society.

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THE ORGANIC CERTIFIER GUIDE

ACCREDITED CERTIFYING AGENTS (ACAS), also known as “certifiers,” are agents of the USDA’s National Organic Program (NOP) and occupy one of the most important roles in the organic movement.¹

Farmers, processors, and handlers hire ACAs to ensure that their practices comply with organic regulations. Certification is a legal requirement under federal law for commodities or food products to be labeled “organic.” Because certifiers often exercise discretion in interpreting and applying organic regulations, their credibility and commitment to organic principles is crucial in maintaining organic authenticity and trust in the organic label.

Every decision certifiers make cumulatively determines the working definition of organics and whether this definition embodies the spirit and letter of the law or simply caters to corporations who want to use the organic label for marketing purposes.

When Congress passed the Organic Foods Production Act of 1990 (OFPA), part of its intent was to create a minimum uniform standard for organic production. Instead, the USDA has created an uneven playing field with wide variation in certifiers interpreting the regulations, which has competitively disadvantaged and damaged ethical industry participants.

Given the important role certifiers play in ensuring compliance with the organic regulations and in safeguarding consumer confidence in the organic label, The Cornucopia Institute recognized the desire of both producers and consumers for comprehensive informational materials setting forth the varying policies and procedures adopted by ACAs.

This guide is designed to help producers choose certifiers with values that align with their own and to help educate consumers about the ACAs that certify the organic products they purchase. Now, more than ever, the varying policies ACAs have adopted reveal those that are commit-

ted to preserving and promoting longstanding organic principles and those that are incentivized by profit and corporate influence.

HISTORY AND BACKGROUND: ORGANIC CERTIFIER ADMINISTRATION

Certifiers are chosen from the USDA’s accredited list. Each establishes its own fee schedule as either a flat rate or a sliding fee based on the operation’s gross income. Many longtime organic farmers or businesses renew with their previous certifiers, given the amount of initial work it takes to change certifiers (including an investment in current inventories of printed labels and packaging that are required to identify the certifier).

Some farmers operate on the misconception that they are obligated to patronize certain certifiers that are dominant in specific states, including the state governments that operate certification programs.

While many producers choose the cheapest option, others are choosing certifiers based on their reputation and practices. Some operations are becoming aware that some certifiers, playing fast and loose with enforcement, are hurting their bottom lines and the reputation of the organic label.

Just one step removed, consumers are also invested in the credibility of certifiers. Just as producers have an option when it comes to choosing certifiers, consumers can look for the certifiers on product packaging.

Several issues have emerged in recent years that illustrate the divergent paths ACAs are taking. The willingness to certify hydroponics (soil-less growing), large confinement dairies in desert conditions, and industrial hen houses with small porches substituting for required outdoor access has been most controversial. These issues strike at the heart of a certifier’s commitment to organic regulations and foundational principles.



Many certifiers are members of the Organic Trade Association (OTA)², a prominent and controversial industry lobby group. The OTA primarily represents the interests of corporate agribusiness, oftentimes at the expense of the core values held by farmers, consumers, and the founding leaders of the organic movement.

The OTA pushed the USDA's NOP to approve hydroponic production of certified fruits and vegetables, despite the requirement that soil stewardship is a prerequisite for organic certification.

The primary certifier of hydroponic operations is CCOF, the U.S.'s largest certifier. One of CCOF's hydroponic clients is the giant berry producer, Driscoll's.

CCOF has also been listed as one of the largest donors to the OTA and has been active at OTA's public events.



Corporate members of the OTA have included “factory farms” that USDA investigators have found to be “willfully” in violation of the law. The OTA has aggressively lobbied to include a myriad of potentially dangerous additives in organic food, including genetically mutated algal oil (DHA) and carrageenan, a food coagulant and documented inflammatory agent.

Cornucopia holds the position that conflicts of interest threaten organic integrity when clear boundaries between certifiers, their clients, the OTA, and the NOP are not defined and enforced.

The certification system is rife for fraud because certifiers are paid by the corporate clients they monitor. Certifiers then collaborate with, and financially contribute to, lobbying organizations that advance the interests of these same corporate agribusinesses.

The potential for fraud is amplified when former NOP employees move, unfettered, through the proverbial “revolving door” to work for certifiers and lobby the NOP on their behalf.

These relationships must be closely monitored and regulated to ensure that conflicts of interest do not undermine the interests of high-integrity organic farmers and the founding entrepreneurs of the organic industry.

To learn which certifiers are members of the OTA, consult Cornucopia's ratings.

In 2005, without public notice or opportunity for comment, the USDA unilaterally began allowing the certification of hydroponic (soil-less) operations, bypassing the National Organic Standards Board's (NOSB) input. Instead the USDA stated that they are leaving the decision up to the ACAs. Many organic industry stakeholders and longtime observers have questioned the legality of this decision.

Unlike other approved organic management systems, the NOSB and NOP have never adopted any rules or guidelines for hydroponic production.

Some ACAs already certify hydroponic systems, apparently because of the corporate-friendly USDA posture. Others have decided not to certify hydroponics based on the clear language in the law that identifies “*improving and maintaining soil fertility*” as a prerequisite.

In addition to a commitment to soil health and all of its associated benefits, the best certifiers are also paying attention to animal welfare. Under the USDA's organic regulations, “*all*” livestock “*must*” have “*outdoor access*,” where animals get direct sunlight, fresh air, shelter and shade, and clean drinking water.

However, many organic egg producers do not provide hens with access to outdoor space, or even sunlight, in

windowless buildings holding as many as 200,000 birds each. Industrial-scale producers managed to convince the USDA to substitute small porches—commonly with concrete floors—in place of legitimate outdoor access.

In organic dairy production, operations with thousands of cows in the desert are theoretically meeting grazing requirements on ridiculously small acreages, and industrial-scale dairies are allowed to buy conventionally raised replacement heifers, sometimes raised with antibiotics, and “convert” them to organic on an ongoing basis.

These practices place legitimate organic dairy farmers, who raise their own organic replacement animals from birth, at an extreme economic disadvantage. This has facilitated the rapid growth of organic milk production; the resulting surplus is now poised to drive farmers out of business from coast to coast.

Although the USDA has done nothing to stamp out abuses in produce or livestock production, some of the best certifiers have consistently adhered to the spirit and letter of the law of their own accord—placing these ACAs at a competitive disadvantage as well. Poor enforcement by the USDA has also encouraged industrial “organics” to grow and invest hundreds of millions of dollars into infrastructure.



An inspector looks over grower's records.

INSPECTOR QUALIFICATIONS

Certifiers hire inspectors to review an operation seeking initial organic certification and to conduct subsequent annual inspections. Qualified and well-trained organic inspectors are an important link in ensuring organic integrity.

A well-trained inspector will make unbiased observations and then provide inspection reports to the certifiers they work for. In the report, the inspector records on-site observations and audits relevant documentation to help the certifier verify whether the operation's practices are consistent with the organic regulations and the Organic System Plan (OSP) prepared by the operator.

Some organic inspectors are independent contractors and others are employed directly by certifiers. The organic regulations do not include specific training or experience requirements to become an organic inspector, other than specifying the inspector must be "qualified." This leaves certifiers considerable discretion to determine whether an inspector is suitable for hire.

Although not all certifiers require inspectors to successfully complete formal training, many do. Some certifiers require inspectors to complete courses conducted by the International Organic Inspectors Association (IOIA). For aspiring inspectors, IOIA training includes an initial test to determine if a candidate's background, knowledge of organic techniques of farming, and perception of the role of an organic inspector are sufficient to proceed with

a course in one of three areas of inspector training: crops, livestock, or handling.

IOIA courses include presentations, field trips, mock inspections on real farms or processing plants, written tests, and an individually-drafted inspection report. An IOIA trainee is also expected to apprentice. The apprenticeship involves participating in site inspections accompanied by an experienced inspector.

Certifiers also have discretion in determining the continuing education and ongoing training required of inspectors.

HOW CORNUCOPIA EVALUATES THE CERTIFIERS

ACAs were asked to provide information about whether they certify hydroponic operations and details on if they certify factory-style "farms."

These topics—along with the certifier transparency—were evaluated and synthesized to create three rating categories:

EXEMPLARY (GREENLIGHTED)

Certifiers showing an exemplary commitment to organic principles, transparency, and regulatory adherence.

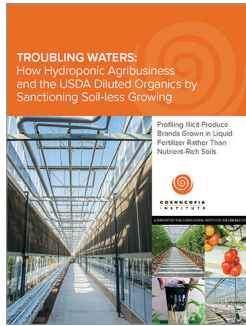
FAIR TO EXCELLENT (EXERCISE CAUTION)

Certifiers that did not fully share and/or formally confirm their policies in writing but have a positive track record and we found some information indicating they are operating in an ethical manner.

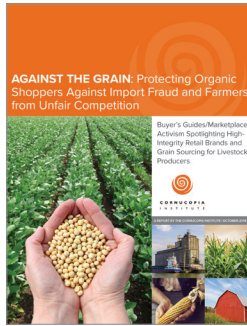
DOCUMENTED UNETHICAL BEHAVIOR (STOP SUPPORTING)

These ACAs are certifying dairy CAFOs, chicken houses with porches, and/or hydroponic operations. They may have been implicated in other improprieties, like certifying products with non-organic/synthetic ingredients not included on the National List.

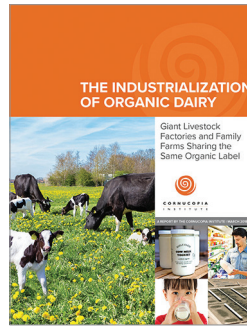
ALSO PUBLISHED BY THE CORNUCOPIA INSTITUTE:



Troubling Waters: How Hydroponic Agribusiness and the USDA Diluted Organics by Sanctioning Soil-less Growing



Against the Grain: Protecting Organic Shoppers Against Import Fraud and Farmers from Unfair Competition



The Industrialization of Organic Dairy: Giant Livestock Factories and Family Farms Sharing the Same Organic Label



Raising the Bar: Choosing Healthy Snack Bars versus Gimmicky Junk Food



Behind the Dazzling Smile: Toxic Ingredients in Your Toothpaste?



Protecting Children's Health: Choosing Organic Food to Avoid GMOs and Agricultural Chemicals.



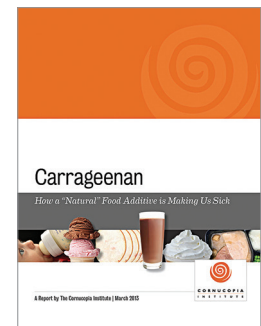
Scrambled Eggs: Separating Factory Farm Egg Production from Authentic Organic Agriculture, 2nd edition.



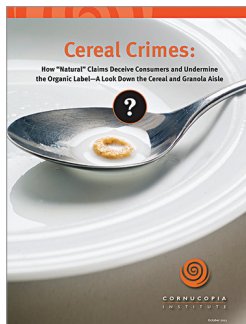
Decoding Pet Food: Adulteration, Toxic Ingredients, and the Best Choices for Your Companion Animals



Culture Wars: How the Food Giants Turned Yogurt, a Health Food, into Junk Food



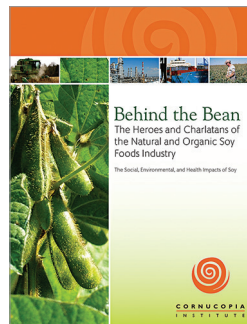
Carrageenan: How a "Natural" Food Additive is Making Us Sick



Cereal Crimes: How "Natural" Claims Deceive Consumers and Undermine the Organic Label—A Look Down the Cereal and Granola Aisle



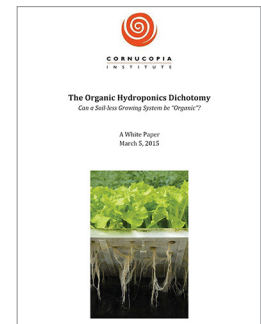
Replacing Mother—Imitating Human Breast Milk in the Laboratory: Novel oils in infant formula and organic foods: Safe and valuable functional food or risky marketing gimmick?



Behind the Bean. The Heroes and Charlatans of the Natural and Organic Soy Foods Industry



Do It Yourself Organic Certification Guide and Video: Helps shoppers navigate their local markets when a certified organic farm vendor is not available



The Organic Hydroponics Dichotomy: Can a Soil-less Growing System be "Organic"?



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THE CORNUCOPIA INSTITUTE is engaged in research and educational activities supporting the ecological principles and economic wisdom underlying sustainable and organic agriculture. Through research and investigations on agricultural and food issues, The Cornucopia Institute provides needed information to family farmers, consumers, stakeholders involved in the good food movement, and the media.

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