



# Accredited Certifiers Association, Inc.

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

March 30, 2017

Ms. Michelle Arsenault, Special Assistant  
National Organic Standards Board  
USDA-AMS-NOP  
1400 Independence Ave. SW.,  
Room 2648-So., Mail Stop 0268  
Washington, DC 20250-0268

Docket Number: AMS-NOP-16-0100  
Certification, Accreditation & Compliance Subcommittee Proposal on  
Personnel Performance Evaluations of Inspectors

Thank you for the opportunity to provide comments to the National Organic Standards Board (NOSB) Certification, Accreditation & Compliance Subcommittee (CACS) Proposal on Personnel Performance Evaluation of Inspectors. The Accredited Certifiers Association (ACA) is a non-profit educational organization, and our membership includes 54 USDA Accredited Certification Agents.

As we gratefully acknowledge the NOSB for the work they have done on this topic, we also thank the National Organic Program for the revision of NOP 2027 that was posted on 3/6/2017. The ACA supports a risk-based approach for inspector field evaluations and appreciates the NOSB's advocacy for this. It seems clear that this approach is more sustainable than an annual approach, and more likely to achieve the targeted results that inspectors and ACAs need. The allowance for risk-based models resolves what was arguably the most significant challenge certifiers faced regarding NOP 2027. However, the ACA sees at least two additional parts of this conversation that merit continued work and discussion.

The first matter is related to use of the word *should* in communications from NOP. Previous drafts of NOP 2027 stated that certifiers *should* perform annual field evaluations for inspectors, but the word *should* was enforced by NOP as a *must* in some cases, resulting in certifier noncompliance that some deemed questionable. We strongly appreciate the CACS giving voice to this concern in its discussion of the topic. While the question of annual in-field evaluations has been resolved, challenges with the implementation of NOP guidance in general will persist if the distinction between *should* and *must* is not recognized in NOP communications. [\*Federal Plain Language Guidelines\*](#) instruct writers to use "must" for an obligation and "should" for a recommendation. The ACA recommends that the NOP follow the *Federal Plain Language Guidelines* when writing regulations and guidance to provide clearer communication and reduce confusion.

The second matter is related to training of inspectors. ACAs have consistently voiced the need for uniform training criteria for new inspectors and have supported ongoing continuing education. The CACS Proposal approved on December 13, 2016 stated that NOP trainings “...must include clear direction as to inspector qualifications, continuing education, annual evaluations, and periodic in-field witness audits.” Our membership is not united around the idea that NOP should establish training criteria. A task force made up of representatives from ACAs and the International Organic Inspectors Association may be best suited to establish these standards.

Also with regard to certifier training in general, the training slides published by NOP – while useful – only provide part of the information provided during the actual training. It would be very helpful if the text of the oral presentations could be included along with the slides.

Thank you to the Certification, Accreditation & Compliance Subcommittee for the ear you have given to the organic certification community. We appreciate the work you do.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Jennifer Cruse".

Jennifer Cruse  
Coordinator