

An Introduction to the National Organic Program (NOP) for Processors



Statutory information is for guidance only and is correct at time of going to print

Introduction

The United States Department of Agriculture (USDA) has established the National Organic Program to set standards for the labelling, composition, production and processing of organic food products.

These standards also apply to products imported into the USA and all such products must have been produced in accordance with the NOP by a producer or processor certified by a certification body directly or indirectly accredited with the NOP

To assist the UK organic sector comply with this, Defra has been recognised by the USDA under their Foreign Government's Conformity Assessment Programme under which the UK certification bodies, including OF&G can operate. (www.ams.usda.gov/nop/nop/tradeissues/unitedkingdom.html)

The US and the EU do not currently recognize each other's standards, due to major and apparently irreconcilable differences. In some areas, notably livestock production, the US has higher standards and in others, such as crop production, lower standards. In the processing (called 'handling' in the NOP Standards) sector, some additives and processing aids permitted by the EU are not permitted by the NOP and vice versa.

This makes it very complex for importers and processors to deal in products destined for the US, because in theory a raw material, produced to the NOP Standards, in a third country could be imported into the UK but if not compliant with the EU Regulations, it would have no organic status in the UK even though it was destined for re-export to the US.

To avoid this situation, Defra has decreed that all products destined for export to the US must be produced, processed or imported in compliance with the EC Regulation 2092/91, as defined in the Defra Compendium of Standards.

This means that operators applying to OF&G for the NOP certification must:

- Be certified under the OF&G/Defra Certification Programme in accordance with the procedures and Standards specified in the OF&G Control Manual.
- Be careful to ensure that they are compliant with all relevant sections in both the OF&G Control Manual and the NOP Control Manual, particularly the permitted inputs listed in Subpart G – Administrative - The National List of Allowed and Prohibited Substances.

NOP Certification Programme

OF&G has established an NOP Certification Programme for those producers and processors planning to export organic products to the US or provide raw materials to other processors of products destined for export to the US.

The documents supporting this programme are described below:

NOP Control Manual: The NOP Control Manual:

- Sets out the NOP regulations
- Identifies the differences between the materials on The National List of Allowed and Prohibited Substances and those listed in the OF&G Control Manual and Defra Compendium of Standards

Processor Application Form: To be completed by each operator seeking NOP certification.

Organic Processing System Plan: Section 205.201 of the NOP Control Manual specifies that the production or handling (processing) operation must develop an organic production or handling system plan that is agreed to by the processor and the certification body. An organic production or handling system plan must include:

- A description of practices and procedures to be performed and maintained, including the frequency with which they will be performed;
- A list of each substance to be used as a production or handling input, indicating its composition, source, location(s) where it will be used, and documentation of commercial availability, as applicable;
- A description of the monitoring practices and procedures to be performed and maintained, including the frequency with which they will be performed, to verify that the plan is effectively implemented;
- A description of the record keeping system implemented to comply with the requirements established in § 205.103;
- A description of the management practices and physical barriers established to prevent commingling of organic and nonorganic products on a split operation and to prevent contact of organic production and handling operations and products with prohibited substances; and
- Additional information deemed necessary by the certifying agent to evaluate compliance with the regulations.

A producer may substitute a plan prepared to meet the requirements of another Federal, State, or local government regulatory program for the organic system plan provided that the submitted plan meets all the requirements of this subpart.

The System Plan has to be evaluated by OF&G as part of the application and before an inspection can be carried out.

OF&G has drawn up an Organic Processing System Plan as a template and by completing this, the requirements of the NOP will be met.

Whilst this is a large and onerous document to complete, it only has to be done once and then updated when significant changes are made to the products or system. OF&G must check it annually at the time of certificate renewal and verify, during the inspection, that it is being implemented.

It is recommended that an operator amends his/her existing HACCP or Quality Manual to incorporate the additional requirements for the NOP, which are over and above those required for organic products. If the HACCP or Quality Manual includes all, or significant components of the System Plan, these need not be repeated in the OF&G template.

Who needs to apply for NOP Certification? The following operators must be subject to the NOP Certification Programme:

- Processors who manufacture or pack products intended for export to the US.
- Importers who import products with the intention of re-exporting them to the US.

Importers who import products with the intention of supplying processors who manufacture or pack products intended for export to the US.

How does the NOP Certification Programme fit in with the basic organic standards? The NOP Certification Programme is a bolt-on module to the basic organic standards. As a first requirement, all operators must be compliant with the Regulation (EEC) 2092/91 and be subject to inspection and certification by an approved certification body.

There are some inputs which are permitted under the NOP which are not permitted in the EU and UK Standards. These are marked in the NOP Control Manual as NOT PERMITTED.

Similarly there are some inputs which are permitted in the OF&G Control Manual and Defra Compendium of Standards but not permitted in the NOP. These are marked in the OF&G Control Manual as ***National Organic Program – Not Permitted***.