

The global picture:

Upholding the standard – International versus Home update

By Dr Andrew Monk

While no doubt the drought and the challenges of continuing to meet the organic standard and sourcing sufficient organic inputs through this time is on many worried minds, the spectre of the organic standard outside of the organic industry's control should worry all far more. In this context it is worth updating ourselves on international and home trends with how the organic sector is controlling and directing these standards.

Let's start with clarifying a few matters. Firstly, certification agencies (such as ACO) across the world remain at the core of requirements to confirm compliance to organic standard requirements (particularly so following legislation). Secondly the standard (eg BFA's Australian Organic Standard, or the AQIS standard) that they certify to in the main relates to a common backbone of international requirements, albeit with regional (and often very important) variations. Lastly, the standard is an evolving beast, as new technologies (eg GMOs, nanotech) manifest, and as the industry weathers both growth and expansion and faces climate patterns that challenge the sustainability of feeds and other input ingredients.

Because the standard needs to evolve to maintain its organic ideals, the organic sector's control and directioning of this process is vital (rather than governments or other external parties). This currently happens at a number of levels. Internationally there are broad forums both at the government level via Codex (the grouping of World Trade Organisation nations that covers matters relating to regulation of foods and marketing) and at the NGO (non government organisation) level via such organisations as IFOAM (of which BFA is a member, with ACO being accredited for certification by its subsidiary IOAS). The combination of these two establishments combined with directions of individual larger country regulations (such as EU, US and Japan) ultimately play the driving roles in informing what may or may not be permitted in an organic standard at the international level. Australia is, and will always remain, a minnow in these arrangements – certainly in relation to influencing what is allowed in those overseas markets.

All the more reason why Australia needs to remain connected to its own home grown realities (while clearly having to kowtow to the specifics of any given import-

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ing country requirement).

Of course the critical factor, particularly if you are a farmer or processor in one of those large bloc trade areas such as the EU or US, is that some regional variances are often allowed at the national level. These variances are often minor in the broad scheme of things and effectively still follow the broad outlining principles of organic production, after all fac-

tors are weighed up. For instance, the US organic standard allows the use in poultry production of an amino acid (methionine) as part of a balanced diet (welfare and livestock health reasons, and arguably also environmental reasons). On the other side of the Atlantic, the EU allows extended periods of penning livestock due to weather conditions in those regions.

Both stances are based upon balancing sustainable development of the industry (ie enabling farmers and processors to actually sustainably survive!), aligning allowances with the broader principles of organics and as a consequence reflecting and protecting the expectations of the consumer – the ultimate driver of organic market growth. So where does this leave Australian producers in this context? Let's look briefly at the key drivers internationally.

The **US** has seen no change since our last articles on standards (see *Australian Organic Business* No. 14 and No. 13) and remains with almost 100 certifiers accredited by the USDA (Department of Agriculture) under the NOP (National Organic Program) which locks the use of the word organic into law. There is a non mandatory (but very successful and prevalent) national logo that may be used with NOP certified product. It must be used however in combination with the accredited certifier's own logo at all times.

BFA's certifier subsidiary ACO is accredited for certification to this standard anywhere in the world. This NOP standard interestingly has a mandatory maxima clause which states that any given certifier may not prevent a farmer from using an

item otherwise listed as allowed in the standard. This has interesting implications for other jurisdictions where such an item (eg the amino acid mentioned, or the US allowance for 20% of their N source able to come from Chilean nitrate – a highly soluble, albeit natural, source of nitrogen) is not permitted by other country regulations.



About the author

Dr Andrew Monk is the former CEO of the BFA and now chairs the BFA Standards Subcommittee. Andrew is currently the Managing Director of Green Planet Holdings Pty Ltd as well as owning an organic business together with his wife Janice.

Japan, via MAFF (another ministry of agriculture) regulates organic via the JAS system, again backed up with legislation to protect the word organic. This now also covers reference to organic livestock. Again ACO is directly accredited by MAFF for access to this growing market which requires mandatory use of the JAS organic logo to trade product as organic. There is a cross-over occurring whereby Japan is moving away from government-to-government recognition (similar to the trend that the US set) and instead directly accrediting certifiers across the world or within Japan. This trend is putting pressure on smaller or less resourced certifiers to keep up with the increasingly onerous tasks of carefully and effectively regulating industry members, while also keeping ahead of the international and national regulatory game. If ever there was an argument for Australian producers to combine the scarce organisational resources we have, it would be these unrelenting trends and pressures.

The **EU**, continuing as it is to add member states, has a Union wide, legislated organic regulation that member states then administer in the main via their own agriculture departments (eg in the UK it is DEFRA) and their own expanded national regulations (that need to meet at a minimum the requirements of the organic EEC regulation 2092/91 and its amendments). There is a non mandatory logo for the EU, possibly because it is so difficult to differentiate it from other EU logos and because national or private brand logos are far better recognised. It has not become the dominant label for organics across the EU and is unlikely to become so.

Other indicative places of interest include **Singapore**, where no national regulation exists, and none is ever likely. This market instead relies on internationally accredited certified products from the main regional standards to be freely traded in this market. You may be amazed to hear that even places like **Uganda** now have an organic standard set up by the department of agriculture, albeit because that country is highly reliant upon export markets for growth, the relevant different importing country regulations and certifications still hold the largest sway in this and similar regions across the world.

And what about **New Zealand**? In some cases arguably the most similar to Australia, but with one key difference. Whereas NZ exports a large proportion of its own product, Australia has a critical mass of a domestic consumer market, so export and domestic markets drive considerations for regulation equally.

Like Australia, NZ is without legislated control of the word organic. While Australia has since the early 1990s had a nationally administered (albeit officially for export) standard, set by the organic sector, NZ remains without one. In the past few years NZ has moved to set up, via Standards NZ an organic standard. The argument has been that, in the absence of a governmental political will to legislate for the term organic this standard would remain in the background to be referenced for use in cases of fraud (similar to a case in Australia currently being tested based on the AQIS National Standard).

Interestingly to date, instead of this (NZ) standard being used, the only current precedent relates to BioGro (ACO's equivalent in relative industry size and logo recognition in the industry) having taken an operator legally to task that was

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using the BioGro logo improperly. In addition, BioGro administers its standard and certification to service domestic market needs. Organic sector self regulation in action.

And just in case people are thinking that legislation is only for big market countries, interestingly just this past month, the Canadian Food Inspection Agency has pre-published an organic regulation for comment. They are welcoming external feedback.

See <http://canadagazette.gc.ca/part1/2006/20060902/html/regle2-e.html>. A clear signal to the Australian government if ever there was one.

So with all this regulation, (and lack of legislation) what about less than scrupulous operators that attempt to

flout the organic rules otherwise universally accepted in Australia? It is evident that without legislation, even with the ongoing endorsement and support of the major retailers, full protection of the term organic will be an ongoing challenge. But a challenge it will remain, irrespective – one requiring ongoing vigilance and resourcing from the organic sector (not dissimilar to monitoring tree clearing or development in a given region – requiring active input from the community at all levels).

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In the meantime the Australian organic sector should continue to insist on DAFF (Department of Agriculture, Fisheries and Forestry) involvement (but not control) of organics – which is the case in every key international market, with back-up legislation (AQIS is a subset of DAFF in Australia). We should continue to insist (and write to local members demanding) that the term organic is protected via proscription in legislation. FSANZ (Food Standards) has a key role to play here also – however much that has been fobbed off by government for well over a decade now. Similarly, however, the organic sector needs to remain awake and involved in evolving its own existing organic standards to counter-balance governmental tendencies which potentially could progressively water down organic production requirements (mostly through naivety or lack of resourcing but also where clashes with other policies exist – one classic pressure here is in relation to GMOs).

Arguably only (democratically connected) members of the organic sector, not governmental or quasi governmental players, can effectively balance regionally relevant standards requirements with the demand and expectation of protection of organic integrity in the market place and on the farm. While Australia remains without legislation, and this is a crying shame and embarrassment that needs to be rectified in the coming years, we actually have one of the better balanced and effectively regulated systems in the world – all without much assistance to date from government. Viva self determination for the organic sector – after all it is our standard! ■