



## SUBMISSION to the ORGANIC PRODUCTS BILL

23/05/2020

Dear Chairperson,

The release of the Organic Products Bill has been 20 years in the making. The Organic Dairy & Pastoral Group (ODPG) has been instrumental over time in seeing it through to the stage it is now.

ODPG is a group of organic producers, both certified and uncertified devoted to farming with nature and offering consumers the best quality food possible. The challenge isn't always easy and once the choice is made to become certified organic, the journey changes. The producer's integrity is questioned and is required to be catalogued and registered with a certifier. The extra book work is time consuming and rigorous. Every input into the system must pass the certifiers regime before being utilised. Effectively the farmer must know twelve months in advance of what they plan to use in their day to day routine.

For the producer who wants to harvest an organic product from the land it takes three years of conversion before reaching complete certification.

ODPG have several concerns with the Organic Products Bill. It is not what was originally called for.

At present the contents of the Bill criminalises the organic producer and disincentives any new comer to the practice. It also drastically increases the cost of organic food which is the opposite of what is envisaged by the organic community.

The Organic Dairy & Pastoral Group (ODPG) foresees highly nutritious organic food being available for every New Zealander at a price consumers can afford. The Organic Products Bill is too heavy on levies, charges and enforcement, all of which negatively affect the ambitions of ODPG and many other organic producers.

### DEFINITION of ORGANIC

The Bill as it stands suggests there is no definition of 'organic' that is indisputable by science and law. The IFOAM definition of 'organic' has been contested and acknowledged. It is presently adopted by 29 countries.

ODPG wish to submit this fact to committee and request it be written into the Organic Products Bill as New Zealand's definition as well.

## CLAUSE 12

This Bill is required to facilitate government to government transactions within the organic sector. Its purpose is to give clarity as far as the international market is concerned.

The certified organic primary producer of New Zealand complies with the standards of our certifying agencies so their products can be exported around the globe. Our primary producer has already passed a rigorous audit of the inputs and processors they used before being exported. This Bill requires all operators to be registered with MPI and pass their certifying criteria as well.

The Korean organic market, as an example, requires every New Zealand farmer to be individually audited by Korea's own certifier before the final product is accepted for export. The Organic Products Bill will not change this process. When the Organic Products Bill comes into law, will the property and farmer need to pass three levels of regulation, the initial licensee, government and as well as the Korean auditor?

There is a tremendous amount of paper work that must be presented by the farmer to the certifier at each audit. The Organic Products Bill will double the necessary documents required for certification.

ODPG submit to the committee, government do not increase the stress, costs and workload for farmers and move away from the multiple regulation this Bill is suggesting. The organic community is looking for equivalency for ease of marketing.

## CLAUSE 18

Use of the National Mark – With the passing of this Bill into law, ODPG would expect to use the national mark on every organically certified product both exported and consumed nationally. The use of the national mark is concurrent with the organic communities understanding of one mark for all. This Bill is null and void if on compliance to the Bill's regulations, there is no final stamp of approval. What are the prescribed requirements? If this Bill does not cover the prescribed requirements, will it recognise the national certifiers as doing so? Is the National Mark voluntary and will it stand alone?

## CLAUSE 37

The prescribed fees relating to approval or recognition being suggested by the Organic Products Bill increases the primary producer's expenses unnecessarily. Such costs will be difficult to counteract.

The cost of the licensee's audit and associated documentation has increased significantly. The Bill is collecting more revenue to contribute directly to regulations. As a consequence

organic producers will be discouraged from obtaining certification and will exit the organic market. Government needs to encourage growers to participate not the opposite.

### CLAUSE 51-52

Organic operators have been paying levies to their relevant agricultural administrations for many years. None of it has been reinvested into the organic sector from which it came.

ODPG wish to submit to committee, any fees, levies, charges incurred administering this Act be drawn from those levies.

### CLAUSE 62

The Organic Officers warrantless power of entry is of concern to our members. While being under certification it is accepted a 'spot check' could be made by certifying agencies at any stage, members see this an opportunity to rectify any noncompliance. There is no such opportunity in this clause.

A written warning preceding the officer's possible entry is requested with notification detailing the date and time of the Organic Officers visit.

ODPG would like to see unannounced inspections be triggered and carried out by the auditing body.

### CLAUSE 69

Statements to be made public by relevant chief executive should be preceded by two written warnings delivered in a timely manner to the producer in question.

Farming organically is extremely challenging especially when surrounded by conventionally managed properties. An unintended contamination can result in a product recall.

A product recall advertised in newspapers will inform the consumer of the products quality. To imply in the Bill a person's poor performance, in regard to this Act's requirements be made public is not acceptable and should be removed from the Bill.

### CLAUSE 98

Protection of persons acting under authority of Act

Organics is a perfectionists industry. Every ingredient from the soil to the manufacturers processing equipment involved must pass the scrutiny of authority and regulations. However miniscule the input, to however large the mechanism called upon to blend or package the organic product, there are standards to be met.

The powers of those acting under authority of the Act play an important role in the perfectionism of that organic product going to market.

Clause 98 protects authority from a mistake. Liability belongs to every stage of development. There is risk at every stage of producing a certified organic product and the biggest risk is human error.

ODPG wish to submit to committee, the protection suggested in this clause segregates authority from the core industry without which there would be no organic products. Liability should be shared equally.

### TECHNICAL ADVISORY BOARD

The expertise of our Licensee auditors is second to none in New Zealand and while they have rules to adhere to they also contribute a passion and an understanding of their job. The Organic Products Bill suggests a number of ministries or their employees will be asked to perform as organic overseers and administer the regulations within this Bill. ODPG considers this to be virtually impossible without learning the rules of organics and building a passionate understanding for the reason organics even exists.

The Technical Advisory Board should showcase this.

The New Zealand Government had the chance to lead the country into organics twenty years ago. The opportunity was missed. Many of our organic farmers began their journey all those years ago and they are the ones who need a voice on the Advisory Board.

New Zealand has several high profile farming entities who have steered our farmers through the conventional industrial period. The farming methods and principles being successfully adopted by the Organic Dairy & Pastoral Group (ODPG) and fellow organic/biodynamic farmers have been disputed and denied by the above.

ODPG wish to submit to committee the Technical Advisory Board prominently consist of New Zealand's organic representatives, those who understand the protocol from the soil to the export sector from an organic perspective.

### CHIEF EXECUTIVE

Through the entirety of the Bill the Chief Executive is called upon as the duty officer. ODPG would like to submit to committee a Technical Advisory Board be convened to consult with the Chief Executive. This will enhance consumer confidence rather than the action of an individual.

## ORGANIC STANDARDS

The New Zealand Biological Producers & Consumers Council Inc. (NZBPCC) was founded in 1983 and is the owner of the BioGro Organic Standards which were developed in 1984. The original Organic Standards comprised of one page but as New Zealand's organic industry has expanded so have the standards. BioGro is now the largest and leading organic trademark and certifier for New Zealand's domestic and export markets.

The BioGro standards are reviewed and updated as required to maintain compliance with the International Federation of Organic Agricultural Movements (IFOAM) Basic Standards and all relevant export market regulations.

As an Accredited certifier, the BioGro Standards must meet or exceed Basic Organic standards.

The Organic Standards and Regulations to be written into law using the Bill as a vehicle must also meet or exceed the Basic Organic Standards.

ODPG wish to submit to committee they adopt the functional and highly acclaimed BioGro Organic Standards.

To introduce another set of standards would be of no benefit and would cause a lot of confusion within the industry.

## IN CONCLUSION

The Organic Products Bill reflects the purpose of our organic operators, to produce food of the highest regard both here in New Zealand and around the world.

This Bill can add to that recognition, but it must accomplish recognition without punishing operators for doing the best they can nor making operators pay for extra regulations to get their product certified. There should also be an element of expertise behind the convenors of the Act.

The Bill should not lose site of the important role New Zealand's organic domestic market plays in our communities. The export market may be catered for in this Bill but the heavy enforcement and unreal charges planned are unacceptable for the smaller sector.

The organic industry in New Zealand is driven by a passionate and dedicated group of individuals. It is that passion ODPG wishes to acknowledge as we forward this submission.

*Janette Perrett*

**ODPG Chairperson**

*(On behalf of the Organic Dairy & Pastoral Group of New Zealand)*