

# OnTrak with ReposiTrak

**Thought Leadership Webinar Series** 

**Q3 Quarterly Trends Update:** 

# Preventing Organic Food Fraud During Disruptive Times

### World's Largest Network of Supply Chain Partners Sharing Documents and Data

**Improve Product Safety, Reduce Cost & Risk** 

Used in 100+ countries and 100,000+ connections in the ReposiTrak network.

Many of you and your suppliers are likely already using ReposiTrak to share documents with customers

# ReposiTrak Compliance Management



ReposiTrak



# **Exclusively Endorsed in the Industry**



"ReposiTrak augments our food and drug safety efforts...with a **proven, comprehensive and easy-to-implement solution** that **doesn't require systems changes** and is extremely cost effective."



"We see the ReposiTrak system becoming an **industry standard** for the retail supply chain, helping all trading partners **meet the new federal food safety requirements**, reducing unsalable products and keeping the end consumer healthy."



"We were looking for a technology partner to help us **raise the bar** not only with our data management and reporting, but also with upgrades to all of our user interfaces. It made perfect sense to partner with ReposiTrak because of their **experience in the industry** and technical capabilities."



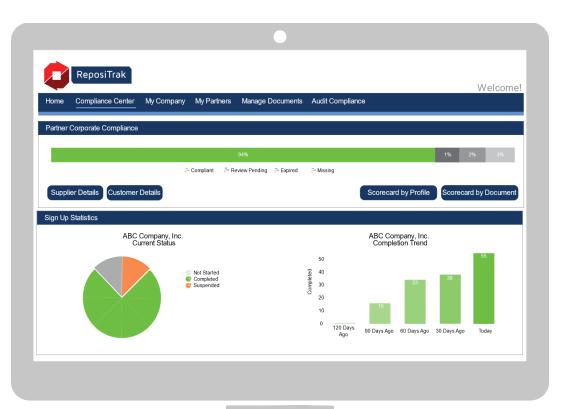
"ReposiTrak is a **pioneering innovator** in delivering robust retail management software solutions for our rapidly changing industry. This technology will equip our members with a toolbox for success in a constantly evolving marketplace. We are thrilled to partner with ReposiTrak as we continue to advance and expand our ecosystem."

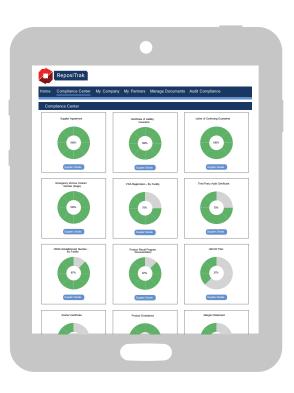




# **Easily Identify Your Risk Areas And Process Failures**

**One-Minute Compliance Check for Easy Reporting & Performance Tracking** 







# We Know You're Busy, So Our Team Does the Heavy Lifting for You

### **Cloud-based system**

Nothing to install, you just need an internet browser

#### **Set-up** is easy

 We just need your supplier list and document requirements to get started, and you can be live in 30 days



### We do all the supplier follow-up for you!

- It takes up to 20 "touches" by phone, e-mail and mail on average to get and keep a supplier compliant
- We have a full-time, U.S. based Customer Success Team who follow-up with your vendors to ensure adoption and compliance with your requirements





We've found over 50 suppliers. As a helpful hint, you can allows...

- 1. Add additional search critieria above to filter the list.
- 2. Email us at CONCIERGE@REPOSITRAK.COM for help finding the right supplier for you.



#### 💼 Beta Candies & More Maryland

Baltimore Frederick

#### Virginia

Roanoke

#### West Virginia

Martinsburg

#### Candy & Chocolate Cereal & Granola Bars Cheese

Cheese Puffs Chips Coffee

Crackers **Dried Vegetables** Dry Beans

Eggs

View 8 more

#### Carrier Compliance Policy

Certificate of Liability Insurance Certificate of Organic Operation-by Facility Emergency 24-hour Contact Number (Esign)

FDA Registration - By Facility

Genetically Modified Organism (GMO) Statement

Hold Harmless

Letter of Continuing Guarantee Organic Certification - By Facility Product Recall Program Documentation

View 10 more

#### Charlie Coffee Colorado

Denver Sparta

#### California

Los Angeles Oakland San Francisco

#### Candy & Chocolate Cereal & Granola Bars

Cheese Cheese Puffs Chips

Coffee Crackers **Dried Vegetables** Dry Beans

Eggs View 8 more

#### Carrier Compliance Policy

Certificate of Liability Insurance Certificate of Organic Operation-by Facility Emergency 24-hour Contact Number (Esign)

FDA Registration - By Facility Genetically Modified Organism (GMO) Statement

Hold Harmless Letter of Continuing Guarantee Organic Certification - By Facility Product Recall Program Documentation View 2 more



5 Customers



# Want to Make **Your Sales** Team Happy?

ReposiTrak helps you connect with new customers in the **Marketplace** so you can sell more!



### **OnTrak with ReposiTrak**

**Q3 Quarterly Trends Update:** 

**Preventing Organic Food Fraud During Disruptive Times** 

### John Spink, PhD

- Director & Assistant Professor, Food Fraud Initiative
- Eli Broad Business College, Michigan State University
- Department of Supply Chain Management



# Food Fraud Quarterly Trends Update: Preventing Organic Food Fraud During Disruptive Times

### John Spink, PhD

Director, Food Fraud Prevention Think Tank LLC Assistant Professor, Supply Chain Management Eli Broad Business College, MSU

- Introduction to Supply Chain Management (SCM 303)
- Procurement and Supply Management (SCM 371)

#### WWW.FoodFraudPrevention.com

Twitter @FoodFraud #FoodFraud

Wednesday, July 15, 2020 OnTrak Webinar Series Hosted by: Repositrak





### **Food Fraud Prevention Resources**

**Textbook: Food Fraud Prevention (Spink, 2019)** 

Massive Open Online Course (MOOC - free, open, online)

- With a 'certificate of completion' based on assessments
- On-demand, ten professional training hours
- 1. Food Fraud Prevention Overview MOOC
- 2. Food Fraud Prevention Audit Guide MOOC
- 3. Food Defense Threat Audit Guide MOOC
- 4. Food Fraud Vulnerability Assessment & Prevention Strategy (VACCP)

# International part of the Communication of the Comm



#### **Executive Education**

- (Includes invitation-only/brand owner-only sessions)
- 1. Food Fraud Prevention Annual Update
- 2. Food Fraud Management Strategy
- 3. Food Fraud Initial Screening FFIS/ FFVA Workshop

#### Reports, Primer Documents, and Scholarly Works

#### **Videos and Training Links**

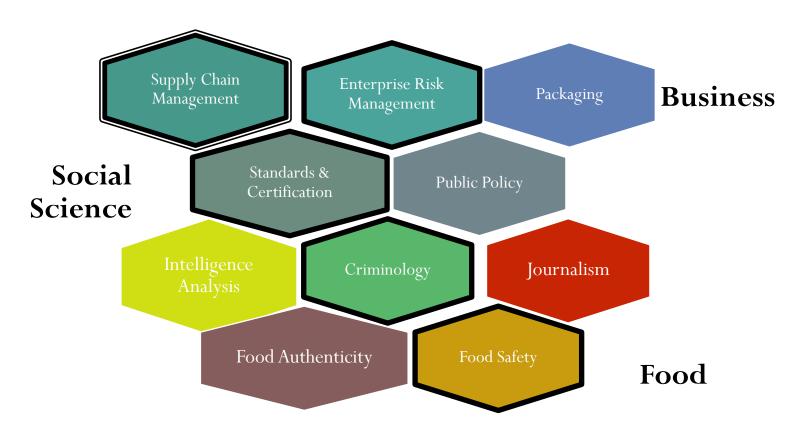
# Research Outreach Education

#### Link to Textbook:

http://www.anrdoezrs.net/links/9101220/type/dlg/https://www.springer.com/us/book/9781493996193



### Our Approach: The Science and Sciences of Food Fraud Prevention



# Quarterly Trends Update Webinars Series

- 2018-3Q
- Non-conformity
- Quarterly Trends Update: Food Fraud
  Compliance and the Implications to
  Your Business: 3Q-2018

  Wickinst Wickmard Systemsor 19, 2018
  100 to 20 PHE 17
  100 to 20

- 2018-4Q
- GFSI FF Document
- 2019-1Q
- Management
  - FFPC



- 2019-2Q
- US Food Law Compliance



https://doi.org/10.1016/j.foodcont.2019.06.002



# Quarterly Trends Update Webinars Series

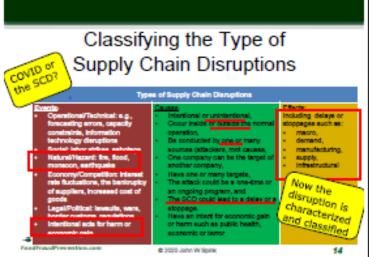
• 2019-3Q • 2020-1Q

• 2020-2Q





**Quarterly Trends Update:** Stress Testing Your Food Fraud Prevention Strategy - application to COVID-19



What is 'Organic' and how is it Defined?

# **Organic Market Overview**

### Organic Price Premiums Remain High

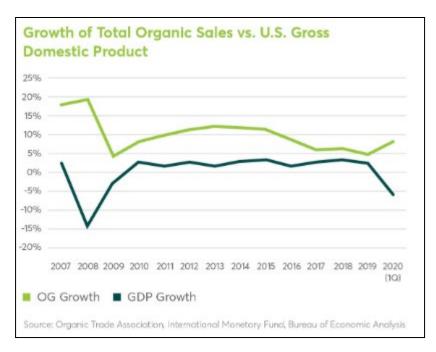
- Consumer demand for organically produced goods continues to show <u>consistent growth</u> providing market incentives for U.S. farmers across a broad range of products
- U.S. sales of organic products were an estimated \$2.2 billion in 2012 and hit \$52.5 billion in 2018
- Over 82% of households across the U.S. purchase some organic products



**Reference**: 2019 Organic Industry Survey – Organic Trade Association

# Organic Food Demand 1Q 2020

- Already growing in 2019: Total Organic +5.0%
- 1Q 2020: 4.9% growth to 8+%
- Reference: Organic Trade Association, 2020 Organic Industry Survey, Conducted 2/7/2020 to 3/27/2020: https://ota.com/news/press-releases/21328





# Overview of the Requirements: USDA's National Organic Program

What is required and how to combat fraud?

- Organic Foods Production Act (OFPA) of 1990
- U.S. Code implemented in 7 CFR 205
  - Set organic standards
  - Require oversight of mandatory certification and organic production
    - Organic system plan
    - Recordkeeping

#### Code of Federal Regulations Title 7 - Agriculture Volume: 3 Date: 2020-01-01 Original Date: 2020-01-01 Title: PART 205 - NATIONAL ORGANIC PROGRAM Context: Title 7 - Agriculture. Subtitle B - Regulations of the Department of Agriculture (Continued). CHAPTER I - AGRICULTURAL MARKETING SERVICE (STANDARDS, INSPECTIONS, MARKETING PRACTICES), DEPARTMENT OF AGRICULTURE (CONTINUED), SUBCHAPTER M. ORGANIC FOODS PRODUCTION ACT PROVISIONS. Pt. 205 PART 205-NATIONAL ORGANIC PROGRAM Subpart A—Definitions Meaning of words. Terms defined. Incorporation by reference Subpart B—Applicability What has to be certified. Exemptions and exclusions from certification. Use of the term, "organic. Recordkeeping by certified operations. Allowed and prohibited substances, methods, and ingredients in organic production and handling [Reserved] Subpart C—Organic Production and Handling Requirements



# **U.S. Organic Regulations**

**TITLE 7—Agriculture** 

Subtitle B—REGULATIONS OF THE DEPARTMENT OF AGRICULTURE (CONTINUED)

CHAPTER I—AGRICULTURAL MARKETING SERVICE (STANDARDS, INSPECTIONS, MARKETING PRACTICES), DEPARTMENT OF AGRICULTURE (CONTINUED)

SUBCHAPTER M—ORGANIC FOODS PRODUCTION ACT PROVISIONS

#### PART 205—NATIONAL ORGANIC PROGRAM

- 7 CFR § 205.100 What has to be certified.
- 7 CFR § 205.102 Use of the term, "organic."
- 7 CFR § 205.2 Terms defined.

<u>Organic</u>. A labeling term that refers to an agricultural product produced in accordance with the Act and the regulations in this part.

Organic system plan [OSP]. A plan of management of an organic production or handling operation that has been agreed to by the producer or handler and the certifying agent and that includes written plans concerning all aspects of agricultural production or handling described in the Act and the regulations in subpart C of this part.



# § 205.201 Organic production and handling system plan

#### § 205.201 Organic production and handling system plan. [emphasis added]

- a. The producer or handler of a production or handling operation,... <u>must develop an organic production or handling system plan</u> that is <u>agreed to by the producer or handler and an accredited certifying agent</u>. An organic system plan.... An organic production or handling system plan must include:
  - 1. A description of practices and procedures...
  - 2. A list of each substance to be used as a production or handling input...
  - 3. <u>A description of the monitoring practices and procedures to be performed and</u> maintained to verify that the plan is effectively implemented;
  - 4. <u>A description of the recordkeeping system</u> implemented to comply with the requirements established in § 205.103;
  - 5. <u>A description of the management practices and physical barriers established to prevent commingling</u> of organic and nonorganic products...
  - 6. Additional information deemed necessary by the certifying agent to evaluate compliance with the regulations.





# U.S. Food Drug & Cosmetics Act of **1938**

All types of Food Fraud are illegal.

AND!!!

- FDCA: Adulterated Foods, Misbranded Foods
- To determine "hazards that require a preventive control," an assessment for all types of fraud is needed.
- Addressing Food Fraud is NOT covered in the FDA Food Defense plans.



# Current FDA Thinking: FDCA, Dr. Ostroff, April & Oct. 2017

Reference:

http://foodfraud.msu.edu/2017/11/06/ updated-comments-from-fdapresentation-on-food-fraud-andeconomically-motivated-adulterationfda-deputy-commissioner-for-foods-drstephen-ostroff/

# **USDA National Organic Program** (NOP) Resources



# USDA National Organic Program (NOP)

#### **Resources:**

- 1. check/ confirm certificates
- 2. Review enforcement actions
- 3. Learn how to identify fraudulent certificates (WOW!)

#### **Enforcement**

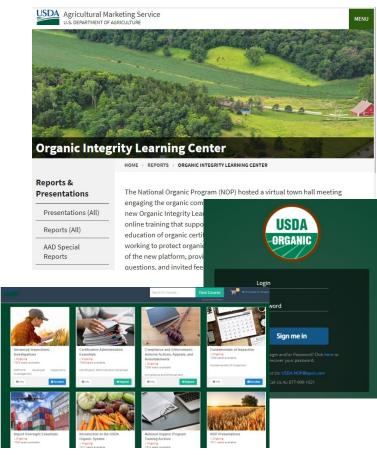
- Check the status of <u>certified operations and certifiers</u>
- View Enforcement Actions
- View Fraudulent Certificates





# USDA NOP - Organic Integrity Learning Center

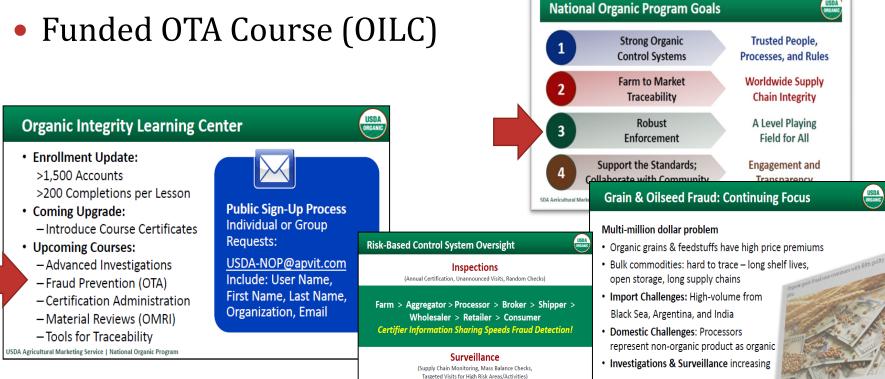
- Free, online resource
- Foundational concepts from registration to inspection
- https://www.ams.usda.gov/report s/organic-integrity-learningcenter





# USDA-NOP Priority Enforcement and Oversight

 PRIORITY: Organic Fraud Prevention



Proposed Rule Update: Public Meeting on July 8, 2020



# Proposed rule on Enforcement

- Get ready to review and comment...
- "When the proposed rule publishes in the Federal Register, it will open a 60-day comment period, and NOP will send an Organic Insider with details on how to submit comments."



## Public Meeting: Summary

A preview draft of the proposed rule, the official draft rule will be published soon on <a href="https://www.FederalRegister.gov">www.FederalRegister.gov</a>

- "to <u>strengthen oversight and enforcement</u> of the production, handling, and sale of organic agricultural products."
- "intended to <u>protect integrity</u> in the organic supply chain"
- "and providing <u>robust enforcement</u> of the USDA organic regulations."
- Reference: Docket Number: AMS-NOP-17-0065

HSDA-AMS-NOD NOTE: This document is a draft version of the proposed rule provided as a courtesy. The official publication of the proposed rule in the Federal Register may include changes from this version. The effective date of the proposed rule is, and the comment period will not begin until, the date of publication in the Federal Register DEPARTMENT OF AGRICULTURE Agricultural Marketing Service 7 CFR Part 205 [Document Number AMS-NOP-17-0065: NOP-17-02] AGENCY: Agricultural Marketing Service, USDA SUMMARY: The United States Department of Agriculture (USDA) Agricultural Marketing Service (AMS) proposes amending the USDA organic regulations to strengthen oversight and enforcement of the production, handling, and sale of organic agricultural products. The proposed amendments are intended to protect integrity in the organic supply chain and build consumer and industry trust in the USDA organic label by strengthening organic control systems, improving farm to market traceability, and providing robust enforcement of the USDA organic regulations. Topics addressed in this proposed rule include: applicability of the regulations and exemptions from organic certification; National Organic Program Import Certificates: recordkeeping and product traceability: certifying agent personne qualifications and training; standardized certificates of organic operation; unannounced on-site inspections of certified operations; oversight of certification activities; foreign conformity assessment systems; certification of grower group operations; labeling of nonretail containers; annual update requirements for certified operations; compliance and appeals processes; and calculating organic DATES: Send comments on or before [INSERT DATE 60 DAYS AFTER DATE OF PUBLICATION IN THE





# Public Meeting: SOE Summary

- **Document Number:** AMS-NOP-17-0065; NOP-17-02] RIN 0581-AD09 National Organic Program; Strengthening Organic Enforcement]
- AGENCY: Agricultural Marketing Service, USDA
- **ACTION:** Proposed rule.
- "In response to their experiences in the organic system, stakeholders have repeatedly called for the NOP to take steps to <u>improve oversight of organic</u> <u>systems and enforcement</u> of the USDA organic regulations.
- Commonly cited areas for improvement include certification of excluded handlers, organic import oversight, <u>fraud prevention</u>, organic trade arrangements, and organic inspector qualifications."
- B. Summary of Provisions
- This proposed rule will strengthen enforcement of the USDA organic regulations through several actions mandated by the Agriculture Improvement Act of 2018:
  - "13. *Require* certified operations and certifying agents to develop improved recordkeeping, <u>organic fraud prevention</u>, and trace-back audit processes. Information sharing between certifying agents and <u>documented organic</u> <u>fraud prevention procedures</u> are also required."

**REQUIRE** = NOT Optional

# Public Meeting: Definitions:

DRAFT Proposed Rule - July 8, 2020

#### Terminology and Objectives

Throughout this proposed rule, AMS refers to four concepts—organic integrity, organic fraud, audit trails, and supply chain traceability—which are integral to the purpose of this proposed rule. AMS is explaining these concepts upfront to assist reader understanding:<sup>7</sup>

- Organic integrity: The unique attributes that make a product organic, and define its status as
  organic. A product that fully complies with the USDA organic regulations has integrity, and its
  organic qualities have not been compromised.
- Organic integrity: The unique attributes that make a product organic, and define its status as organic.
  - A product that fully complies with the USDA organic regulations has integrity, and its organic qualities have not been compromised.
    - Organic fraud: Intentional deception for illicit economic gain, where nonorganic products are labeled, sold, or represented as organic. This may include substitutions or deliberate mislabeling; falsified records; and/or false statements given in applications or organic system plans, or during inspections, investigations, and audits.
  - Organic fraud: Intentional deception for illicit economic gain, where nonorganic products are labeled, sold, or represented as organic.
    - This may include substitutions or deliberate mislabeling; falsified records; and/or false statements given in applications or organic system plans, or during inspections, investigations, and audits.

# Call to Action: Updating the FFVA & FFPS





# Organic Trade Association (OTA)

Organic Fraud Prevention Solutions (OFPS) Program:

- A voluntary program for certified organic operations
- NOT a "certification program," though there is a "certificate of completion" for this training and for completing the enrollment process
- The program does NOT provide a "consumer-facing label"
- Organic fraud vulnerability assessment and corresponding mitigation measures

   will become an update to a certified operator's Organic System Plan (OSP)



www.OTA.com Www.FoodFraudMOOC.com

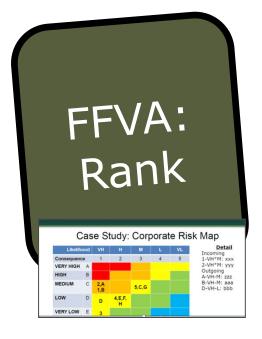


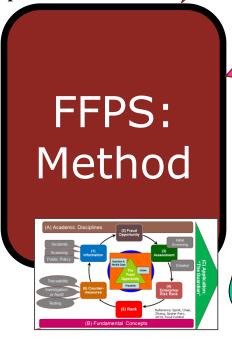
### Required Documents

- Food Fraud Vulnerability Assessment
  - Clarify details: at least annual, etc.
- Food Fraud Prevention Strategy

Clarify details: covers all fraud and all products, etc.

Plus: Policy





Create one-pagers... why not, easy and good process check

> Also, meet the **GFSI** requirements and support your OSP

# Call to Action (Again)

### Now

- Review the FF and organic fraud prevention resources
- Gather your latest FF Vulnerability Assessment
- Search for any known incidents or suspicious activity
- Review current purchase history vs. a year ago changes?
- Ask for a team to conduct a review of vulnerabilities and then to try to prioritize the worst concerns.
- Work with the team to consider actions.
- …and, document your path…



# Discussion

John Spink, PhD

SpinkJ@msu.edu

Twitter: Food Fraud and #FoodFraud

www.FoodFraudPrevention.com





#### Link to Textbook::

http://www.anrdoezrs.net/links/910 1220/type/dlg/https://www.springer. com/us/book/9781493996193

MOOC programs: www.FoodFraudMOOC.com





## Acknowledgements

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