

5TH Jan 2020

Soil Association (UKAS Accreditation No. 0107)

Att: - Cheryl Wade,
Spear House
51 Victoria Street Bristol
BS1 6AD

United Kingdom Accreditation Services.

Complaints Department
2, Pine Trees,
Chertsey Lane,
Staines-Upon-Thames
TW18 3HR

BBC Panorama Program,

4th Floor
Broadcasting House
Portland Place
London
W1A 1AA

Compliance and Accreditation to "Organic" Standards

Dear Sirs, a copy of this letter is going to each of your organisations (the Soil Association and the United Kingdom Accreditation Services) as it regards both parties and it will probably be easier for each to aid in understanding.

For the Attn: - The Soil Association

On behalf on myself and many in the community on the Isle of Skye, Highlands, Scotland, we wish to point out that a new company operating here as Organic Sea Harvest Ltd (OSH), by its very name is already implying compliance to your Organic Aquaculture production methods as outlined by your association. There is no record of approval?

We doubt the company in question has any historical records to audit, and as such the "Organic" claim is surely misleading to your organisation's standards and more to the point, the public, who upon reading the company name will assume the company, is already certified organic.

As such please can you provide us with evidence of their compliance?

If a company can claim to be "organic" from the outset, as its name suggests to the public, without audits of historical evidence based records, it makes your standards and your organisation meaningless. It is putting the cart before the horse so to speak. They (OSH) may not be compliant for two or three years (if at all) and it makes a mockery out of your organisations and accreditation. Even if you say "ah but they will be" there is absolutely no way you can guarantee that, and it paints an image that you are just ticking a box at the end of the certification process where conformity for an organisation is already guaranteed. A very grave road to walk down indeed.

They may not have produced a single product yet but they are promoting their new company to the public as "organic" already, something which is not their decision to make.

We would wish the Soil Association to investigate if: -

1. The Soil Association has approved the use of the word "Organic" in the company title and if so what audited and documented and evidence based records has this been based on? We cannot find any supporting evidence?
2. If this is not the case, whether or not the Association agrees that the "organic" prefix is (deliberately or otherwise) misleading to the public and whether it is lawful or not? (Example - Please let me know the difference....I decide I want to be called "Sir" Jon.....I haven't been knighted yet, but I am sure I will be sometime in the future so that is ok, I can call myself Sir, and ask you to call me sir in the meantime?)
3. Please can you clarify whose third party audit services you use to assess your "organic" status compliance for companies wishing to become "organic" on the west coast of Scotland? (or do you do this yourselves? And does it require an on-site visit?)

For the Attention of :- U.K.A.S.

With the above in mind, it has become apparent one of the new company's founder Directors, namely an elected member of the Highland Council, Mr Alexander MacInnes, is also a self-proclaimed Technical Assessor for UKAS. If this is the case as he states, we wish to make, not so much as a complaint to UKAS (who we believe to be the Accreditation Authority to The Soil Association) but to make UKAS aware of a certain situation and how it could reflect on your Accreditation Services, particularly with up and coming media interest in this new company.

Mr MacInnes (as a co-creator and director of OSH), has been complicit in the use of a publicly contentious and misleading term of compliance, for a company name, of which he has been integral in registering.

Should UKAS be using the services of an officer who condones (and who is fronting) the misleading of the public, in a matter such as this, when he himself should know of the importance of independent, third party, historical evidence based accreditation, before attaching such a conformity statement as the "Organic" prefix to his company name?

Until "Organic" Sea Harvest can produce historical records, audited by the Soil Association or other independent accredited third party, the current situation of this "self-proclaimed", (organic) status is un-tenable and makes a farce out of the Soil Association and the whole compliance regime. They are at the moment - Sea Harvest

Re Questions for UKAS

1. If the above is the case and we are not mistaken that this company has no record of compliance, we cannot see this as a good advert for UKAS and the standards you must maintain. How can you condone the fact that UKAS are using the services of a self-employed Technical Auditor who believes it is ok to mislead the public with a statements of compliance within a company name, to which he has helped create. His actions, to anyone within the accreditation, audit and certification industries, will be seen as a horrific, betrayal of the audit and historical record, evidence based accreditation.
2. **Re other points for UKAS to consider concerning its Soil Association client: -**

The SA's current classification of aquaculture as "Organic" we believe is confusing to the public. The first being, there is no soil at sea!! but that aside, and being very serious, there are numerous articles and complaints on line which have not been addressed by the Soil Association, ranging from comments from qualified marine biologists who say "you cannot have organic salmon farms" and "there is no such thing", to moreover the public's expectation of the "organic" classification for aquaculture falling short upon investigation, (the aquaculture organic classification is perceived as only marginally different from a non-organic aquaculture classification, whereas in land based accreditation, the difference between organic and non-organic is known to be poles apart) This in turn is leading to public confusion. You only have to type in organic fish farms, and words like Fake Farms and Scammon appear. The "Organic" aquaculture classification appears to have been dumbed down. (I had a private conversation with a qualified marine biologist who called it a sham) Why? Why hasn't this been addressed? Is the Soil Association in denial over this? (Could it be that the Soil Association is

becoming too close to its patrons who are “watering down” its aquaculture standards, (sorry for the pun))

Certainly the consensus of opinion outside the industry appears to be one of confusion, with many notable and qualified biologists feeling that the Soil Association is creating aquaculture standards which are falling short of the public’s current understanding of the word “organic”

(Is the soil association there to appease their patrons or to provide security of appropriate process to the public?)

The “Organic” aquaculture brand which is fronted, is often not questioned, and is accepted, riding on the back of the historical rigorous land based classification by the general public, but reviews from researchers, marine biologists and investigative food reporters, seem to concur that there are many failings, questions and discrepancies between the land and water based standards which are non-aligned. Is the soil association answerable to its patrons or is it the public? Could the Soil Association’s fitness for purpose as regards Organic aquaculture standards be improved to bring on board more of the dissenters? Is the soil association “cowering down” and taking too much advice from the fish farming industry, and in so doing becoming a sales promotional arm for them (instead of doing the job they promote publically?). Is this relationship a little “too cosy”

We and many others will be monitoring the situation and also believe there is a case to be examined re-the incestuous customer/client/patron accreditation - conflict of interest.

Whilst the above is referring to the Soil Association, we would also like to know what steps and reviews UKAS takes to ensure its chosen audit assessors are without links to the business being audited?

i.e. UKAS would not wish to be perceived as being no more than a “self-certification” service for its clients, but rather as an impartial and trusted independent third party accreditation service, a standard of which you (UKAS) have maintained throughout the years (and have an excellent record for)

Having worked extensively in the Accreditation and Compliance industries as an engineer in the past, and liaised with UKAS as one of their clients, I feel that if UKAS were to choose not to investigate these matters, it would be a betrayal of its hard working officers who strive to uphold the value of historical evidence based records confirming compliance and hence trust. Moreover actions designed to deceive the public into believing compliance, when they are not, only accomplish a deep distrust of the accreditation industry as a whole, which if not actioned, devalues all businesses on both sides.

We are not expecting an instant answer. As a qualified and trained auditor in the past I believe that coming out with the right answer is more important to you.

We would appreciate a timely confirmation of receipt of this correspondence from each party, followed by confirmation if the matters raised warrant further investigation or if you will be ignoring this information which has been supplied to you in good faith in the spirit of integrity, transparency, public perception and understanding of your industries. In so doing to enable you to strive for continual improvement and fitness for purpose through feedback.

There is nothing in this correspondence which isn't in the public domain already. It is very likely to be publicised locally and nationally, as we believe the issues raised are quite serious ones which the public deserve a way forwards. A copy of this letter has also been forwarded to the BBC Panorama office who have an interest in the current situation re approval of fish farms, after their program on the subject of fish farms earlier last year. I am sorry to have to expose these local public worries to them, but have confidence that your response may well dictate theirs. This is also the reason that I ask both the Soil Association and UKAS to respond in a non-confidential and open manner, nothing more than the public deserve.

Regarding the specific issue of OSH, we have also sought clarification from Companies House on aspects of this complaint who in turn have advised us to contact the Insolvency Service who deal with "sharp practice".... because as things stand we believe the matter to be highly contentious and unsatisfactory.

Thank you for listening to our concerns.

Please reply to the address on the header of this letter, and mark the correspondence for the attention of: -

"Sir" Jonathan Johnson ;)