


From: Essig, Mario - AMS on behalf of AMS - AIAInbox
To: Courtney, Cheri - AMS; Mann, Renee - AMS
Subject: FW: Registered: Notice of Non-compliance - Onsite Assessment
Date: Monday, June 15, 2015 3:08:52 PM
Attachments: :-WBD000.jpg
image001.png
LETTER_150612.pdf
NOP 2014 on site accr audit CA plans ETKO.pdf
image002.png

Hi Cheri and Renee,

Here is a letter and CA plan that need to be assigned

Regards,
Mario Essig

 **Mario Essig | Program Analyst | National Organic Program**
USDA AMS | 1400 Independence Ave SW RM 2648-S Washington, DC 20250
Mario.Essig@ams.usda.gov
Office #: 202 779 9466
[NOP website](#)

.....
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From: ma@etko.org [mailto:ma@etko.org]
Sent: Friday, June 12, 2015 5:50 PM
To: Zuck, Penelope - AMS; Yang, RobertH - AMS
Cc: AIAInbox@usda.gov; 'Fatih AKSOY'
Subject: RE: Registered: Notice of Non-compliance - Onsite Assessment

Mrs Zuck

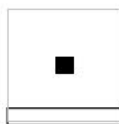
You can find attached ETKO Letter and Corrective Action Plan For any remaining questions I am at your disposal

Sincerely

Mustafa Akyuz

ETKO Turkey
160 Sokak No: 13/3 35100 Bornova
Izmir – Turkey
www.etko.org

From: Penelope Zuck@ams.usda.gov [mailto:Penelope.Zuck@ams.usda.gov]
Sent: Wednesday, May 13, 2015 9:22 PM
To: ma@etko.org
Cc: AIAInbox@ams.usda.gov; Renee Mann@ams.usda.gov; RobertH.Yang@ams.usda.gov
Subject: Registered: Notice of Non-compliance - Onsite Assessment



This is a Registered Email® message from Zuck Penelope - AMS.

Dear Dr Mustafa Akyuz,

Attached to this email is the NOP Notice of Noncompliance including the findings of the Ecological Farming Control Organization audit conducted on May 12-16, 2014 Corrective actions are due within 30 days of receipt of this notice

A copy of the assessment report, NP4132LCA, is attached for your reference

If you have questions on this notice, please do not hesitate to contact your Accreditation Manager, Robert Yang, at 202-690-4540 or RobertH.Yang@ams.usda.gov

Best regards,
Penny



PENNY ZUCK | USDA-NATIONAL ORGANIC PROGRAM | ACCREDITATION MANAGER
USDA - AMS - NOP | 1400 Independence Ave SW | 2649-S | Washington DC 20250
☎ 202.260.9444 | Fax 202.205.7808 | ✉ Penelope.Zuck@ams.usda.gov
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[Click here](#) to send a Registered Email® message to anyone.



Ref No: 2015061201

Date: June 12, 2015

Subject: Proposed Corrective Action Plan related to Renewal Accreditation
Assessment Audit NCs

Dear Mrs Courtney

According to your letter May 13, 2015 and Noncompliance Report we prepared a
Corrective Action Plan as attached to this letter.

We will start corrective actions as an immediate effect in line with NOP 2608
Responding to Noncompliance's Instruction.

I hope the Corrective Action Plan is enough for the moment, otherwise please let
us know for further explanations.

Sincerely
Dr. Mustafa AKYÜZ

Documents send:

1-Corrective Action Plan

ETKO
EKOLOJİK TARIM KONTROL ORG.LTD.ŞTİ.
160 Sk.No:13/7 35040-Bornova
Tel:0232.339 76 06 Fax:339 76 07
İzmir

(b) (6)

Tel: 0232-3397606

Fax: 0232-3397607

Email: info@etko.org

http: www.etko.org

Tax office: Bornova
Tax No: 381 023 6931

Chamber of commerce
No: 92592.1

Bank
Türkiye İşbankası
Bornova Şubesi

Account
Euro:
T.lira:

(b) (4)

ON SITE AUDIT CORRECTIVE ACTION PLAN

	Penny Zuck, NOP Reviewer; Lars Crail, On-site Auditor 12-16 May 2014: Meysan Crop and Processing, Susitas wild collection		
	NOP REQUIREMENT	NON COMPLIANCES	CORRECTIVE ACTION PLAN
NP4132LCA.NC1 –	7 CFR §205.501(a)(3) states, “A private or governmental entity accredited as a certifying agent under this subpart must: Carry out the provisions of the Act and the regulations in this part, including the provisions of §§205.402 through 205.406 and §205.670.” Furthermore, NOP 4009, Instruction – Who Needs to be Certified?, states “The OFPA requires that agricultural products sold or labeled as organically produced must be produced only on certified farms and handled only through certified handling operations (see 7 USC § 6506(a)(1)). The USDA organic regulations reiterate these requirements (see 7 CFR 205.100.)”	Comments: ETKO certifies projects that contain uncertified operations (i.e. contractors) that produce or handle organic products that are not certified entities	During 2015 production period processing facilities will be certified separately in case they are subcontracted to any NOP certified operators.
NP4132LCA.NC2	7 CFR §205.404(b)(3) states, “The certifying agent must issue a certificate of organic operation which specifies the: Categories of organic operation, including crops, wild crops, livestock, or processed products produced by the certified operation.”	Comments: Certificates do not adequately indicate the certification scopes of Crop, Wild Crop, and Handling/Processing	2014 certificates will be updated accordingly and scopes will be clearly indicated.
NP4132LCA.NC3	CFR §205.662(c) states, “When rebuttal is unsuccessful or correction of the noncompliance is not completed within the prescribed time period, the certifying agent... shall send the certified operation a written notification of proposed suspension or revocation of certification of the entire operation or a portion of the operation, as applicable to the noncompliance....The notification of proposed suspension or revocation of certification shall state: (1) The reasons for the proposed suspension or revocation; (2) The proposed effective date of such suspension or revocation; (3) The impact of a suspension or revocation on future eligibility for certification; and (4) The right to request mediation pursuant to §205.663 or to file an appeal pursuant to §205.681.	Comments: ETKO suspended an operation without issuing a Notice of Proposed Suspension. The same operation after receiving the Notice of Suspension effective for 30 days was issued a Notice of Proposed Revocation and subsequently a Notice of Revocation. The sequence of issued notices and contents of the notifications demonstrate that ETKO does not fully comprehend the process of issuing notifications for noncompliance’s and adverse actions	ETKO NOP Procedure will be updated according to following procedures. These procedures will be studied carefully with ETKO staff members involved with NOP certification. 1-Instruction Enforcement of the USDA Organic Regulations: Penalty Matrix. January 20, 2015, 2-NOP Penalty Matrix 2612 and 3-NOP 4011 Adverse Action Appeal Process for the National Organic Program. These

ON SITE AUDIT CORRECTIVE ACTION PLAN

			documents will be translated in Turkish in order to provide better understanding of the procedures by NOP involved ETKO staff members.
NP4132LCA.NC4	CFR §205.403(c) states, “The on-site inspection of an operation must verify: (1) The operation’s compliance or capability to comply with the Act and the regulations of this part; (2) That the information, including the organic production or handling system plan, provided in accordance with §§205.401, 205.406, and 205.200, accurately reflects the practices used or to be used by the applicant for certification or by the certified operation; (3) The prohibited substances have not been and are not being applied to the operation through means which, at the discretion of the certifying agent, may include the collection and testing of soil; water; waste; seeds; plant tissue; and plant, animal, and processed products samples	Comments: The following issues were identified by the NOP auditor during a review of the operation files and witness audits 1. Inspectors did not completely verify the information stated in the Organic Compliance Plans. If observations and interviews at the onsite inspection did not align with the Organic Compliance Plan, the inspector failed to state this finding as an issue of concern. 2. ETKO inspectors are responsible for collecting large amounts of information about the operations when the Organic Compliance Plan (OCP) is incomplete or in error. The inspector did not note the finding as an issue of concern, failing to indicate that the OCP is incomplete. The inspector did not record these findings in the inspection report. Minor	Training will be done for inspectors assigned as NOP inspectors for the following topics: 1-Using and Evaluation of OCP during onsite inspection 2-Review of Organic Compliance plans before inspections, in order to avoid losing time to collect large amount of information and documents. Identify noncompliance’s during the review process of OCP before inspections.

ON SITE AUDIT CORRECTIVE ACTION PLAN

		<p>updates or adjustments to the OCP during the onsite inspection is acceptable and can be noted in the inspector's report.</p> <p>3. The inspection reports did not include a description and the outcome of the reconciliation activities (e.g. mass balance and audit trail audit) conducted by inspectors.</p>	<p>3. How to make Input-output balance and report it. Inspection forms will be updated accordingly. More</p>
NP4132LCA.NC5	<p>CFR § 205.501(a)(2) states, "A private or governmental entity accredited as a certifying agent under this subpart must: Demonstrate the ability to fully comply with the requirements for accreditation set forth in this subpart</p>	<p>Comments: During a crop witness audit observation, the NOP auditor noted that the inspector was not equipped and possibly not adequately trained to conduct sampling for pesticide residues. Product samples were collected during the crop inspection; however, the inspector collected the samples with bare hands potential exposing the samples to contamination and jeopardizing sample integrity</p>	<p>Training will be done for inspectors assigned as NOP inspectors for the following topics: OP 03 Testing, TI 05 Sampling Method, TI 40 NOP Guide Testing & Enforcement Action</p>
NP4132LCA.NC6	<p>7 CFR § 205.501(a)(21) states "A private or governmental entity accredited as a certifying agent under this subpart must: Comply with, implement, and carry out any other terms or conditions determined by the Administrator to be necessary." NOP Policy Memo (PM) 11-10 (dated 01/21/11) states, "Grower group certification...accredited certifying agents should use the National Organic Standards Board (NOSB) recommendations of October 2002 and November 2008 as the current policies."</p>	<p>Comments: Grower Groups certified by ETKO do not have documented and functioning Internal Control Systems</p>	<p>ETKO Procedure OP 02 Grower group certification will be implemented this year for all groups.</p>

ON SITE AUDIT CORRECTIVE ACTION PLAN

<p>NP922ZZA.NC21 – Outstanding</p>	<p>CFR §205.501(a)(4) states, “A private or governmental entity accredited as a certifying agent under this subpart must: Use a sufficient number of adequately trained personnel, including inspectors and certification review personnel, to comply with and implement the organic certification program established under the Act and the regulations in subpart E of this part.” Interviews conducted, records reviewed, and witness inspections observed, verified a general lack of understanding of the NOP standards. While personnel had sufficient experience and education in organic agricultural production and handling practices, there was insufficient understanding on the application of the NOP standards as evidenced by inadequate information in the approved organic compliance (system) plans with no issues of concern or non-compliances being identified over multiple years of certification. The primary Certification Committee (CC) member with expertise in crops was not familiar with basic requirements such as the 90/120 day rule for raw manure application, did not know where to reference in the NOP Rule to determine if an input is permitted, and did not know when commercially available seeds and planting stock could be used. Additionally, while it was stated that the Certification Committee (CC) had received training there were no training records for any of the CC members prior to 2009.</p>	<p>Corrective Action: ETKO conducted training of inspectors, reviewers, and Certification Committee members on November 21, 2009 and March 12-14, 2010 which covered NOP standards, review, inspection, and certification procedures. ETKO has designed a 2010 training plan to ensure periodic training on the NOP is completed. ETKO submitted records of training for all inspectors, reviewers, and Certification Committee members.</p> <p>2014 Verification of Corrective Action: The NOP auditor found the following issues of concern that demonstrated an insufficient understanding of the USDA organic regulations and NOP policies:</p> <ol style="list-style-type: none"> 1. Label review – the label review checklist did not include USDA organic regulation label requirements to be verified. 2. Inspectors during the witness audits used incorrect regulation citations during exit interviews to identify findings. 3. OCP templates state the incorrect USDA organic regulations. 4. Inspectors are using outdated USDA organic regulations (2010). 5. Inspectors and reviewers not readily able to look up regulations. 6. ETKO personnel have an incomplete understanding of the 	<p>Training will be intensified for inspectors and necessary updates will be done for the following issues:</p> <ol style="list-style-type: none"> 1-Label assessment form will be updated and NOP labelling requirements will be added to the assessment form. 2-NOP Regulation will be provided to inspectors assigned for NOP inspections. Inspectors will be trained for “How to identify regulation citations related to findings” 3-OCP templates will be reevaluated and regulation numbers will be corrected. 4-Inspectors will be provided actual regulation. 5-Case study will be prepared for ETKO Stuff (inspectors, reviewers, and certifier) how to use the regulation during inspection. 6-NOP Procedure will be updated according to NOP Noncompliance and Adverse Action Notification procedures. ETKO Stuff members will be trained for the updated procedure. 7-Crop rotation standard 205.205 will be studied carefully and NOP operator’s compliance will be verified through OCP review and
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ON SITE AUDIT CORRECTIVE ACTION PLAN

		<p>noncompliance and adverse action notification procedures.</p> <p>7. Several crop operation OCPs reviewed by the NOP auditor indicated "Not Applicable" for Crop Rotation practice standard (205.205).</p> <p>8. ETKO personnel did not understand and document buffer zone requirements (205.202(c)).</p>	<p>evaluation on site.</p> <p>8-Buffer zone practice will be studied and buffer zone evaluations will be made onsite. Inspectors will be monitored for this practice.</p>
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From: [Yang, RobertH - AMS](mailto:Yang_RobertH@ams.usda.gov)
To: [Courtney, Cheri - AMS](mailto:Courtney_Cheri@ams.usda.gov)
Cc: [Zuck, Penelope - AMS](mailto:Zuck_Penelope@ams.usda.gov)
Subject: FW: Registered: Notice of Proposed Suspension of Accreditation
Date: Monday, December 21, 2015 10:18:00 AM
Attachments: [-WRD134.jpg](#)
[image001.png](#)

FYI

Robert Yang
Accreditation Manager
USDA National Organic Program
Office: (202) 690-4540

From: ma@etko.org [mailto:ma@etko.org]
Sent: Monday, December 21, 2015 9:06 AM
To: Zuck, Penelope - AMS <Penelope.Zuck@ams.usda.gov>
Cc: Yang, RobertH - AMS <RobertH.Yang@ams.usda.gov>
Subject: RE: Registered: Notice of Proposed Suspension of Accreditation

Dear Penny

Received the notification

1-Could you please explain in which extend the certified operators are affected? When suspension is done, they are also suspended or they remain certified until ETKO accreditation is reinstated. They can continue with exports in to USA? What is the procedure USDA follows?

2-After suspension ETKO cannot operate for inspection and certification for NOP until reinstatement

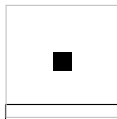
3-As far as I understood from the notification we do not have chance to provide further corrective actions within this 30 days, but we can provide after the suspension applying for reinstatement

4- NC1-6 and CA's report indicates the current situation, this report indicates the corrective actions taken by ETKO but there is no results indicated. This means the CAs were not sufficient to clear the NCs and further evidences to be provided?

Best regards,

Mustafa

From: [Penelope Zuck@ams.usda.gov](mailto:Penelope.Zuck@ams.usda.gov) [mailto:Penelope.Zuck@ams.usda.gov]
Sent: Friday, December 18, 2015 10:16 PM
To: ma@etko.org
Cc: RobertH.Yang@ams.usda.gov; NOPAppeals@ams.usda.gov
Subject: Registered: Notice of Proposed Suspension of Accreditation



This is a Registered Email[®] message from **Zuck Penelope - AMS**.

Dear Mustafa,

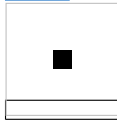
Please see the attached Notice of Proposed Suspension of Accreditation. If you have any questions, please feel free to contact me or you Accreditation Manager, Robert Yang

Regards,
Penny



PENNY ZUCK | USDA-NATIONAL ORGANIC PROGRAM | ACCREDITATION MANAGER
USDA • AMS • NOP | 1400 Independence Ave SW | 2649-S | Washington DC 20250
☎ 202.260.9444 | Fax 202.205.7808 | ✉ Penelope.Zuck@ams.usda.gov
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[Click here](#) to send a Registered Email[®] message to anyone.



From: [Yang, RobertH - AMS](#)
To: [Courtney, Cheri - AMS](#)
Cc: [Mann, Renee - AMS](#)
Subject: FW: Registered: Notice of Proposed Suspension of Accreditation
Date: Wednesday, January 06, 2016 10:06:15 AM
Attachments: [image001.jpg](#)
[image002.png](#)

FYI ... It looks like ETKO is planning to appeal

Robert Yang
Accreditation Manager
USDA National Organic Program
Office: (202) 690-4540

From: ma@etko.org [mailto:ma@etko.org]
Sent: Tuesday, January 05, 2016 7:39 AM
To: Yang, RobertH - AMS <RobertH.Yang@ams.usda.gov>
Cc: Zuck, Penelope - AMS <Penelope.Zuck@ams.usda.gov>
Subject: RE: Registered: Notice of Proposed Suspension of Accreditation

Dear Robert

Thank you for answers, we will update the certified operators list with the Integrity Database in these days, we have time until 8th of January. We are preparing also Annual report and submit it until 22nd of January.

Meanwhile we would like to prepare a file for appeal until 18th of January. I want to confirm the content of appeal;

-A letter to USDA Administrator
-We will prepare a file of Resolutions against Non-compliances issued by USDA Auditor and listed in NoNC Report "NC 21 and following NC1-NC5"
-Shall we also prepare a file related to IOAS non-compliances and corrective actions?
-Any other supportive information and documents, maybe ETKO accreditation with TURKAK for ISO 17065 for Turkish Organic Program, Globalgap, Good Agricultural Practices
-The file to be presented as hard copies so we have to send the file to USDA or soft version is valid, so we can provide it by email?

-Maybe it is better to do it through a Lawyer?

Best wishes for the year 2016

Mustafa
ETKO Turkey

From: Yang, RobertH - AMS [mailto:RobertH.Yang@ams.usda.gov]
Sent: Wednesday, December 23, 2015 9:13 PM
To: ma@etko.org
Cc: Zuck, Penelope - AMS
Subject: RE: Registered: Notice of Proposed Suspension of Accreditation

Hello Mustafa:

Please see my responses below in red. I hope this answers your questions.

Regards,

Robert Yang
Accreditation Manager
USDA National Organic Program
Office: (202) 690-4540

From: ma@etko.org [mailto:ma@etko.org]
Sent: Wednesday, December 23, 2015 2:50 AM
To: Yang, RobertH - AMS <RobertH.Yang@ams.usda.gov>
Cc: Zuck, Penelope - AMS <Penelope.Zuck@ams.usda.gov>
Subject: RE: Registered: Notice of Proposed Suspension of Accreditation

Dear Robert

Thank you for clarification. Some more questions following:

- 1- Clients files to be provided to USDA before the suspension or after the suspension
In the event that ETKO is suspended, the client records should be transferred to the NOP at that time
- 2- Notification to clients will be done by ETKO or USDA to look for another certifier? Maybe it is wise to inform them in these days so they can start looking for a new certifier
ETKO is responsible for notifying its clients in the event its accreditation with the USDA is suspended. Please note that operations certified by a certifying agent that loses its accreditation must apply for certification with another certifying agent within 60 days of the date of suspension of accreditation of their certifying agent or surrender certification (see NOP2604 Responsibilities of Certified Operations Changing Certifying Agents)
- 3- ETKO needs to inform the clients that we received notification of suspension from USDA, so it should not be surprise at the very last moment,
See response to question 2. I would like to clarify that ETKO has been issued a Notice of Proposed Suspension

Best regards,

Mustafa

From: Yang, RobertH - AMS [<mailto:RobertH.Yang@ams.usda.gov>]
Sent: Tuesday, December 22, 2015 8:17 PM
To: ma@etko.org
Cc: Zuck, Penelope - AMS
Subject: RE: Registered: Notice of Proposed Suspension of Accreditation

Hello Mustafa:

The following are answers to your questions:

- 1 If/When ETKO is suspended, you are required to transfer all client records concerning certification to USDA NOP can work with you to notify all clients prior to the date of suspension They will be given an opportunity to acquire certification through another certification agency In the meantime, they will remain certified and can continue to export products We follow the Instruction *NOP2604 Responsibilities of Certified Operations Changing Certifying Agents* in the NOP handbook
- 2 Once suspended, ETKO must cease all certification activities, meaning it cannot operate for inspection and certification for NOP until reinstated by USDA
- 3 At the stage of Notice of Proposed Suspension, you can no longer correct noncompliances, you can appeal the proposed suspension within the 30 days as outlined in the notice If you appeal the notice, you can submit any supporting documentation at that time All noncompliances will need to be fully corrected and implemented prior to reinstatement
- 4 The corrective actions are neither accepted or denied at this time The notice of proposed suspension is due to the number and severity of the noncompliances

As a reminder, ETKO's annual report is due January 22nd The report still needs to be submitted to NOP while ETKO is in good standing Let me know if you have any other questions or need further clarification

Regards,

Robert Yang
Accreditation Manager
USDA National Organic Program
Office: (202) 690-4540

From: ma@etko.org [<mailto:ma@etko.org>]
Sent: Monday, December 21, 2015 9:06 AM
To: Zuck, Penelope - AMS <Penelope.Zuck@ams.usda.gov>
Cc: Yang, RobertH - AMS <RobertH.Yang@ams.usda.gov>
Subject: RE: Registered: Notice of Proposed Suspension of Accreditation

Dear Penny

Received the notification

1-Could you please explain in which extend the certified operators are affected? When suspension is done, they are also suspended or they remain certified until ETKO accreditation is reinstated They can continue with exports in to USA? What is the procedure USDA follows?

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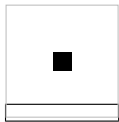
3-As far as I understood from the notification we do not have chance to provide further corrective actions within this 30 days, but we can provide after the suspension applying for reinstatement

4- NC1-6 and CA's report indicates the current situation, this report indicates the corrective actions taken by ETKO but there is no results indicated This means the CAs were not sufficient to clear the NCs and further evidences to be provided?

Best regards,

Mustafa

From: Penelope.Zuck@ams.usda.gov [<mailto:Penelope.Zuck@ams.usda.gov>]
Sent: Friday, December 18, 2015 10:16 PM
To: ma@etko.org
Cc: RobertH.Yang@ams.usda.gov; NOPAppeals@ams.usda.gov
Subject: Registered: Notice of Proposed Suspension of Accreditation



This is a Registered Email[®] message from **Zuck Penelope - AMS**.

Dear Mustafa,

Please see the attached Notice of Proposed Suspension of Accreditation If you have any questions, please feel free to contact me or you Accreditation Manager, Robert Yang

Regards,
Penny



PENNY ZUCK | USDA-NATIONAL ORGANIC PROGRAM | ACCREDITATION MANAGER
USDA • AMS • NOP | 1400 Independence Ave SW | 2649-S | Washington DC 20250
☎ 202.260.9444 | Fax 202.205.7808 | ✉ Penelope.Zuck@ams.usda.gov
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From: [Mann, Renee - AMS](#)
To: [Zuck, Penelope - AMS](#)
Cc: [Courtney, Cheri - AMS](#); [Yang, RobertH - AMS](#); [Lusby, MaryLou - AMS](#)
Subject: FW: Review of Annual Report for ETKO
Date: Friday, March 13, 2015 12:15:56 PM
Attachments: [image001.png](#)

Hello Penny:

I am assigning this annual report to you.

Thank you,
Renee

Renee Mann
Assistant Director, Accreditation and International Activities Division
USDA National Organic Program
(202) 260-8635
[Join the NOP mailing list.](#)

From: Lusby, MaryLou - AMS
Sent: Friday, February 06, 2015 2:32 PM
To: Mann, Renee - AMS
Subject: Review of Annual Report for ETKO

Rene,

I have finished reviewing the [Annual Report for ETKO](#). The documentation has been saved in there folder.

Thank you

Mary Lou Croisetiere



Mary Lou Croisetiere | Program Specialist, National Organic Program
USDA AMS | 100 Riverside Parkway Suite 101 Fredericksburg VA 22406 540-361-2712

MaryLou.Lusby@ams.usda.gov

From: [Mann, Renee - AMS](#)
To: [Zuck, Penelope - AMS](#)
Cc: [Courtney, Cheri - AMS](#)
Subject: FW: Review of ETKO Annual Report
Date: Tuesday, April 12, 2016 4:39:38 PM

Hi Penny:
Can you please process the annual report for ETKO?
Thank you,
Renee

Renee Mann
Assistant Director, Accreditation and International Activities Division
USDA National Organic Program
(202) 260-8635
[Join the NOP mailing list.](#)

From: Lusby, MaryLou - AMS
Sent: Friday, February 19, 2016 11:02 AM
To: Courtney, Cheri - AMS <Cheri.Courtney@ams.usda.gov>
Cc: Mann, Renee - AMS <Renee.Mann@ams.usda.gov>
Subject: Review of ETKO Annual Report

Hello Renee,

I have finished reviewing the Annual report for [ETKO](#). The documents have been saved in their folder.

If you have any questions please let me know.

Also according to their Annual report submitted ETKO has made changes to their list of Foreign countries in which they certify in.

The countries that need to be added on the NOP website for ETKO are [Belarus, Bangladesh, Kirgizia, Tachjkistan, and Turkey.](#)

If you have any questions please let me know.

Thank you,
Mary Lou Craisetiére

From: [Essig, Mario - AMS](#) on behalf of [AMS - AIAinbox](#)
To: [Courtney, Cheri - AMS](#); [Mann, Renee - AMS](#)
Subject: FW: Revocation of Certification NT NOVA
Date: Monday, May 11, 2015 12:41:36 PM
Attachments: [2015042702 Notification of Immediate Revocation - NT - NOVA.pdf](#)
[Annex 5 Transport docs for suncake Nt-Nova.PDF](#)
[image001.png](#)

Hi Cheri and Renee,

Here is a revocation to be assigned.

Regards,
Mario Essig



Mario Essig | Program Analyst | National Organic Program
USDA AMS | 1400 Independence Ave. SW RM 2648-S Washington, DC 20250

Mario.Essig@ams.usda.gov
Office #: 202.779.9466
[NOP website](#)

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From: ma@etko.org [<mailto:ma@etko.org>]
Sent: Thursday, April 30, 2015 6:47 AM
To: AMS - AIAinbox
Cc: 'Fatih Aksoy'
Subject: Revocation of Certification NT NOVA

Dear Madam / Sir

We would like to inform you that we revoked the NOP certification of NT Nova from Ukraine due to recent violation of the organic regulations.

Here you can find attached Notification and related Annexes.
FYI: The product exported and subjected to residue problems was only certified according to EU Regulation.

I hope to inform you duly.

For any questions I am at your disposal.

Mustafa Akyuz
Man. Dir.
ETKO Turkey.
T:+90-232-3397606

F: +90-232-3397607

	Notification of Immediate Revocation	Nr	GP 18 F 19
		Date	20.04.2015
		Rev	00
		Page	1/3

Ref Nr: 2015042702
Subject: Notification

Date: April 27, 2015

NT NOVA

11, Domostroitel'naya Str., 2 floor, office 203, Kherson, 73011 Ukraine

Dear Andrei KAMINSKI

ETKO received Notification from authorities related to Sunflower Cakes contaminated by several pesticides not allowed by organic farming regulations. Therefore ETKO initiated investigation audits to your operations as your company was one of the related party on the dates February 24-27, 2015 and a desk audit March 26-27, 2015

As a result of the investigation audits below mentioned nonconformities raised: Although there was no product exported from the affected lots still your compliance to NOP regulation is affected.

This Notification of Revocation pursuant to NOP art. 205.662 has been issued in according with ETKO certification procedures.

1. Effective Date of Revocation

The revocation will become effective on *30 days*, if a response is not received to this Notification of Proposed Revocation within 30 days after its receipt.

2. Noncompliance's:

See below listed Nonconformities described:

3. To avoid revocation, you MUST do one of the followings:

1. Submit corrective actions to ETKO in writing for each Notification of Noncompliance, make sure you fully address the noncompliance.
2. You may file an appeal to this Proposed Revocation pursuant to NOP 205.681. The appeal must be in writing and submitted to:

*USDA Agricultural Marketing Service National Organic Program
1400 Independent Avenue SW. Room 2095-S, Stop 0203,
Washington, DC 20250*

The appeal must be filed in 30 calendar days of receipt of this notice. Please submit a copy to ETKO and a copy to NOPACAAverseActions@ams.usda.gov

3. You may request mediation pursuant to NOP 205.663 within 30 days of this notice, in writing to ETKO. If your request for mediation is accepted and the mediation is unsuccessful, upon written notification, you will have 30 calendar days, from receipt of notice, to appeal the Revocation. If your request for mediation is rejected, you will receive written notification and have 30 days, from the date of that notice, to appeal the Revocation.

4. Notice: In case of revocation, you will no longer be able to sell, label, and represent your product as organic. You will be ineligible to receive NOP certification for a period of 5 years following the date of revocation, (*Except, That, the Secretary may, when in the best interest of the certification program, reduce or eliminate the period of ineligibility.*) At the end of the 5 years period you may re apply to receive certification. Certification will be granted after your operations has been inspected by ETKO to verify that your operation complies with regulations.

	Notification of Immediate Revocation	Nr	GP 18 F 19
		Date	20.04.2015
		Rev	00
		Page	2/3

If you have any questions regarding the inspection findings or of the suitability of any related corrective actions please contact to **Mr. Fatih AKSOY** from ETKO +90-232-3397606 or by email at: fa@etko.org, info@etko.org .

ETKO
160 Sok. 13/3 35040 Bornova – izmir/TURKEY

Sincerely
Enclosure: Non compliances

(b) (6)

Cc : NOPACAAverseActions@ams.usda.gov



	Notification of Immediate Revocation	Nr	GP 18 F 19
		Date	20.04.2015
		Rev	00
		Page	3/3

Noncompliance:

Noncompliance No	1	Major <input checked="" type="checkbox"/> Minör <input type="checkbox"/>	Inspection Date	24-27.02.2015 onsite and 26-27.03.2015 desk audit
Date of Notification	27.04.2015		Due Date	
<p>Noncompliance :</p> <p>NC 1-Documents you provided for transporting SFC from ATK Dnipro to Dniprovsky Terminal were not proven that they are original.</p> <p>§205.103 Recordkeeping by certified operations.</p> <p>(a) A certified operation must maintain records concerning the production, harvesting, and handling of agricultural products that are or that are intended to be sold, labeled, or represented as "100 percent organic," "organic," or "made with organic (specified ingredients or food group(s))."</p> <p>(2) Fully disclose all activities and transactions of the certified operation in sufficient detail as to be readily understood and audited;</p>				
Inspection criteria	NOP Regulation. ref	§205.103	ETKO rules ref.	
<p>Action taken</p> <p>Please identify the supporting documents, if any:</p>				
Name, Surname and Signature of Appl. Resp.	Andrei Kaminsky		Date	
Review Date				Resolved <input type="checkbox"/> Unresolved <input type="checkbox"/>
<p>Review Comment:</p> <p>Reviewer name & signature:</p>				

From: [Courtney, Cheri - AMS](#)
To: [Lopez, JasonJ - AMS](#)
Subject: FW: URGENT: ETKO ACCREDITATION Status under NOP
Date: Thursday, December 17, 2015 3:47:36 PM

FYI

Cheri

From: Valeriya Staykova [mailto:Valeriya.Staykova@inspection.gc.ca]
Sent: Monday, December 14, 2015 8:14 PM
To: Courtney, Cheri - AMS <Cheri.Courtney@ams.usda.gov>; McEvoy, Miles - AMS <Miles.McEvoy@ams.usda.gov>; Gebault King, ReneeA - AMS <ReneeA.GebaultKing@ams.usda.gov>
Cc: Benoit Dube <Benoit.Dube@inspection.gc.ca>; Rola Yehia <Rola.Yehia@inspection.gc.ca>
Subject: RE: URGENT: ETKO ACCREDITATION Status under NOP

Dear Miles, Cheri and Renee,

Thank you for the update.

As you know, US and Canada signed an equivalence arrangement in 2009 and since then organic products certified by the NOP accredited Certification bodies have been imported and marketed in Canada as long as the shipment was accompanied by a valid organic certificate and an attestation.

On June 15, 2015 Canada informed NOP that" the CFIA accreditation of **Etko Ekolojyk Tarim Kontrol Organizasyonu Limited (ETKO)** under the Canada Organic Regime is suspended as of June 15, 2015" and requested information on ETKO's accreditation status under the NOP since this might affect the importation of organic products to Canada under the USCOEA.

Canada values the relations with USDA NOP and respects the decisions made by NOP however Canada is responsible to ensure that all imported organic products meet the requirements of the *Organic Products Regulations, 2009 (OPR)*.

Due to the nature of the non-conformities issued to ETKO, the CFIA has a reason to believe that the organic products that are listed in ETKO's Attestations under the USCOEA may not meet the requirements of the *OPR*. Allowing these products in Canada might jeopardise the integrity of Canada's import controls for organic products.

CFIA would like to inform you that a decision was made not to allow organic products certified by ETKO to the NOP under the US-CANADA Organic equivalency arrangement to be marketed as organic in Canada until such time that ETKO is notified directly by the CFIA.

Thank you.

Regards,

Valeriya

Valeriya Staykova
Lead Auditor /Chef-auditeur
Labelling, Organic Regime and Packaging/
Étiquetage, Le Régime Bio et Emballage
Consumer Protection and Market Fairness | Division de la protection des consommateurs et de l'équité des marchés
Canadian Food Inspection Agency | Agence canadienne d'inspection des aliments

1400 Merivale Road, Tower 2
Floor 6, Room 252

Ottawa, Ontario K1A 0Y9
Tel: (613) 773-6222, Fax 613-773 - 5961
valeriya.staykova@inspection.gc.ca

>>> "Gebault King, ReneeA - AMS" <ReneeA.GebaultKing@ams.usda.gov> 2015-12-11 12:06 PM >>>

Dear Valeriya,

Thank you for contacting us with your questions about the certifier ETKO. We appreciate the concerns you have expressed.

At this time, ETKO is currently accredited by the USDA NOP. We are continuing to evaluate the situation regarding ETKO's accreditation and will inform you immediately should their status change.

Please contact me if you have additional questions.

Kind regards,

Renée

Renée Gebault King, Ph.D.
Accreditation Manager

Office: 202.690.1312 | Mobile: (b) (6)
ReneeA.GebaultKing@ams.usda.gov

USDA National Organic Program | 1400 Independence Ave SW | Room 2649-South, Stop 0268
Washington, D.C. 20250-0268 | Tel: 202.720.3252 | Fax: 202.205.7808 | www.ams.usda.gov/nop
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From: Valeriya Staykova [<mailto:Valeriya.Staykova@inspection.gc.ca>]
Sent: Thursday, December 10, 2015 2:05 PM

To: Courtney, Cheri - AMS <Cheri.Courtney@ams.usda.gov>; Gebault King, ReneeA - AMS <ReneeA.GebaultKing@ams.usda.gov>
Cc: McEvoy, Miles - AMS <Miles.McEvoy@ams.usda.gov>; Benoit Dube <Benoit.Dube@inspection.gc.ca>; Rola Yehia <Rola.Yehia@inspection.gc.ca>
Subject: URGENT; ETKO ACCREDITATION Status under NOP

Dear Renee and Cheri,

It has been a while since NOP has communicated any information with regards to the current status of the ETKO accreditation by NOP.

It was brought to the CFIA's attention that certain organic products (wheat, sunflower seeds) currently certified by ETKO under the NOP and the terms of the USCOEA will be imported to Canada from Ukraine tomorrow. We have concerns with this shipment and feel that this might jeopardise the integrity of the Canada Organic Regime import controls. We are hesitant to allow this shipments in Canada due to the fact that ETKO's accreditation has already been suspended by EU and Canada.

We would appreciate your assistance in this urgent matter.
Thank you.

Regards,
Valeriya

Valeriya Staykova
Lead Auditor /Chef-auditeur
Labelling, Organic Regime and Packaging/
Étiquetage, Le Régime Bio et Emballage
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Tel: (613) 773-6222, Fax 613-773 - 5961
valeriya.staykova@inspection.gc.ca

>>> "Howley, JannaB - AMS" <JannaB.Howley@ams.usda.gov> 2015-08-26 1:52 PM >>>

Good Afternoon, Valeriya:

I hope you are doing well and have had a nice summer. The NOP continues to review information related to our recent audit of ETKO. We were hoping that CFIA would be able to share a copy of their full audit report with the NOP, as well as the names of any operations where CFIA auditing identified the use of prohibited substances. The NOP is also trying to determine whether ETKO certified operations' products are being imported into the United States, so this information would be very helpful.

Additionally, I wanted to let you know that my last day with the National Organic Program will be Friday, September 4th. I have enjoyed working with you, and with the other CFIA staff involved with organic regulations. Renée Gebault King, another Accreditation Manager in our Accreditation and International Activities (AIA) division, will be your USCOEA liaison now. She has been cc:ed on this email and will contact you to introduce herself.

Penny Zuck, Accreditation Manager, AIA, who is also cc:ed on this email, will be handling our ongoing review of the ETKO accreditation issue.

Thank you, and please don't hesitate to contact me with any questions.

Janna Howley

Accreditation Manager | USDA National Organic Program

Room 2649-S (Stop 0268) | 1400 Independence Ave SW | Washington, DC 20250-0268

202-692-0047 Direct | www.ams.usda.gov/nop

[Sign up here](#) for the NOP Organic Insider, the National Organic Program's email notification service.

From: Valeriya Staykova [<mailto:Valeriya.Staykova@inspection.gc.ca>]

Sent: Friday, June 19, 2015 12:25 PM

To: Howley, JannaB - AMS

Cc: Courtney, Cheri - AMS; Rola Yehia

Subject: RE: IMPORTANT : NOTICE OF ACCREDITATION SUSPENSION under COR - ETKO

Hello Hanna ,

As requested please find below a list of the NCs issued during the 2015 Surveillance audit at ETKO . These NCs cover both ISO 17065 and the COR specific requirements.

NC 1 : ETKO are not following their own policy of completing a risk assessment form for each operation on an annual basis

Norm ref: COR C.2.3.10, ETKO procedure

NC 2: ETKO are not conducting input:output audits at on-site inspections of handling and processing units.

Norm ref: COR C.2.3.12

NC 3 : ETKO do not make clear in compliance forms and assessment (inspection) forms (ETKO formats) nor in nonconformity forms (completed by the inspector) the standard reference (or on occasions the standard) against which the operator is being assessed.

Norm ref: CAN 7.4.4,

NC 4: ETKO do not make sure that all relevant forms and contracts are signed and dated.

Norm ref: ISO/CAN 4.2 & 7.2, CAN 2.1.1, .

NC 5: ETKO are not complying with requirements on provision of information in inspection reports.

Norm ref: COR C2.23.2

· Transparency of process – the operator file whether paper or electronic should allow easy traceability of the process from application through to decision. Information on files is not easy to follow and there are frequently no links between statements in the inspection report and evidence.

o Inspection reports do not indicate time and duration of inspection (C2.3.22.1).

- o Inspection reports do not indicate names of interviewees (C2.3.22.2).
- o Inspection reports indicate which fields of farms were visited but do not refer to which buildings were visited (C2.3.22.3).
- o When labels approved.

NC 6 : ETKO inspections are not sufficiently investigative to objectively verify the information provided by the operator and do not provide sufficient evidence of compliance to the standard for the certification body to make a competent decision. Note: this includes contradictory information in inspection reports, copied text from one report to another, zero or minimal issue of nonconformities, retroactive conversion as standard for new projects, inspections that do not visit important locations on the farm and insufficient provision of evidence by inspectors.
Norm ref: ISO/IEC17065/COR 7.4.4

NC 7: ETKO awarded COR certification without 12 months application of the standard on the farms. Organic certification status was just based upon no use of prohibited inputs.

Norm ref: Canada standard 5.1.1

· Conversion period - The issue of conversion period under the Canada standard is much clearer that there must be a 12 month period of verified implementation of the standard, not just absence of prohibited products. Although noted in the visit relating to EU equivalence the requirements under Canada are more explicit so is raised here as a separate issue;

NC 8 : ETKO are not regulating the use of non-organic seed in Ukraine and the inspectors appear to be denying what appears to be common knowledge that GMO seed for crops commonly grown in ETKO projects (maize, soybean) are widely available and used, despite the authorities not permitting them.

Norm ref: COR Std 5.3.2

Issue: It is generally accepted that there are no organic seeds available in Ukraine and this has led to ETKO not regulating and recording the use of non-organic seed. Regular purchases of hybrids are wrongly reported as own reproduction from elite seeds on farms. As there are no records it cannot be demonstrated that the bought in seeds really are untreated nor whether the seeds are not from GM sources.

Evidence: ETKO have no register of approvals of non-organic seed and were only able to show a few examples of information provided by Ukraine operators.

NC 9: ETKO list of approved outsourced services does not include all service providers, agreements are not in place with all providers and annual performance review policy of ETKO is not being met.

Norm reference: ISO 65 4.4, (ISO 17065 6.2.2)

Please note that under the Canada Organic Regime while under suspension ETKO cannot accept new applications, issue certificates of inspection, or certify products as organic however products already certified by ETKO as meeting the Canadian Organic requirements are not affected.

It would be appreciated if you could share with us the NOP findings as well.

In addition, we have received an inquiry from ETKO in regards to the status the NOP certified organic products imported to Canada. We would appreciate your opinion on this matter.

Thank you,
Regards,
Valeriya

Meanwhile I would like to learn the position of NOP certified products coming to Canadian market. Is it possible that NOP certified clients (other than COR certified clients) can export products in to Canada with NOP certificates?

>>> "Howley, JannaB - AMS" <JannaB.Howley@ams.usda.gov> 2015-06-17 9:37 AM >>>

Good Morning, Valeriya:

Would you please let us know the reasons for ETKO's suspension? It would be helpful to know whether the reasons for CFIA's suspension of their accreditation are similar to any noncompliances – and ETKO's proposed corrective actions - identified during their NOP audit.

Thanks so much,

Janna Howley

Accreditation Manager | USDA National Organic Program
Room 2649-S (Stop 0268) | 1400 Independence Ave SW | Washington, DC 20250-0268
202-692-0047 Direct | www.ams.usda.gov/nop

[Sign up here](#) for the NOP Organic Insider, the National Organic Program's email notification service.

From: Valeriya Staykova [<mailto:Valeriya.Staykova@inspection.gc.ca>]
Sent: Monday, June 15, 2015 2:27 PM
To: Courtney, Cheri - AMS; Howley, JannaB - AMS
Cc: McEvoy, Miles - AMS; Rola Yehia
Subject: IMPORTANT : NOTICE OF ACCREDITATION SUSPENSION under COR - ETKO

Dear Cheri and Janna,

Please note that subject to subsection 2 of the *Organic Products Regulations 2009*, the CFIA accreditation of **Etko Ekolojyk Tarim Kontrol Organizasyonu Limited (ETKO)** under the Canada Organic Regime is suspended as of June 15, 2015.

As per section 4 of the *Organic Products Regulations 2009* the suspension will remain in effect until the required corrective measures specified in the report are implemented by ETKO and verified by the CFIA. Please note that until such time that ETKO's suspension is lifted, ETKO shall not accept and process applications from operators under the Canada Organic Regime.

Could you please advise on ETKO's accreditation status under the NOP since this might affect the importation of organic products to Canada under the USCOEA.

Should you have any questions or require further clarification please feel free to contact me.

Thank you.

Regards,

Valeriya

Valeriya Staykova

Lead Auditor /Chef-auditeur

Labelling, Organic Regime and Packaging/

Étiquetage, Le Régime Bio et Emballage

Consumer Protection and Market Fairness | Division de la protection des consommateurs et de l'équité des marchés

Canadian Food Inspection Agency | Agence canadienne d'inspection des aliments

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Ottawa, Ontario K1A 0Y9

Tel: (613) 773-6222, Fax 613-773 - 5961

valeriya.staykova@inspection.gc.ca

From: [McEvoy, Miles - AMS](#)
To: [Courtney, Cheri - AMS](#); [Mann, Renee - AMS](#); [Zuck, Penelope - AMS](#)
Subject: Fwd: ETKO
Date: Wednesday, October 28, 2015 7:15:56 AM

FYI

Miles V McEvoy
Deputy Administrator
USDA National Organic Program

Begin forwarded message:

From: (b) (6), (b) (7)(C)
Date: October 28, 2015 at 5:21:06 AM EDT
To: "McEvoy, Miles " <Miles.McEvoy@usda.gov>
Cc: (b) (6)
Subject: ETKO

Dear Miles

IOAS suspended ISO 65 accreditation of ETKO with scope of an EU equivalent standard for all scopes and all countries in May, 2015. The reason for this was due to serious breaches in the manner in which they carried out organic inspection and certification. Almost immediately afterward the CFIA in Canada also suspended ETKO for the same reason. And in June the European Commission removed their recognition as a 3rd country certification body again for all EU scopes and in all countries.

After a full and enhanced surveillance visit, ETKO remains accredited by the IOAS for COSMOS, GOTS and Textile Exchange accreditation. The IOAS found that different personnel were involved and that the inspection and certification process did not exhibit the same flaws as were found in the certification of organic production and processing.

ETKO is currently working toward re-instatement of their ISO accreditation - although given that ISO Guide 65 has now been replaced by ISO 17065, this will now involve an assessment against the new standard.

I was asked to write to you by the IOAS Board of Directors who have noted that ETKO appears to remain accredited by the NOP and wished to ensure that you were aware of decisions made by other authorities. If I can be of further assistance, please don't hesitate to get in touch.

Best regards

(b) (6), (b) (7)(C)

[Redacted signature block]

[Redacted line]

From: [McEvoy, Miles - AMS](#)
To: [Doherty, Julia](#); [Strzelecki, Kelly - FAS](#)
Cc: [Courtney, Cheri - AMS](#)
Subject: Fwd: URGENT: ETKO ACCREDITATION Status under NOP
Date: Tuesday, December 15, 2015 9:10:12 AM

(b) (5)

Miles V McEvoy
Deputy Administrator
USDA National Organic Program

Begin forwarded message:

From: Valeriya Staykova <Valeriya.Staykova@inspection.gc.ca>
Date: December 14, 2015 at 8:14:14 PM EST
To: Cheri -AMS Courtney <Cheri.Courtney@ams.usda.gov>, Miles - AMS McEvoy <Miles.McEvoy@ams.usda.gov>, ReneeA - AMS Gebault King <ReneeA.GebaultKing@ams.usda.gov>
Cc: Benoit Dube <Benoit.Dube@inspection.gc.ca>, Rola Yehia <Rola.Yehia@inspection.gc.ca>
Subject: RE: URGENT: ETKO ACCREDITATION Status under NOP

Dear Miles, Cheri and Renee,

Thank you for the update.

As you know, US and Canada signed an equivalence arrangement in 2009 and since then organic products certified by the NOP accredited Certification bodies have been imported and marketed in Canada as long as the shipment was accompanied by a valid organic certificate and an attestation.

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Canada values the relations with USDA NOP and respects the decisions made by NOP however Canada is responsible to ensure that all imported organic products meet the requirements of the *Organic Products Regulations, 2009 (OPR)*.

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OPR. Allowing these products in Canada might jeopardise the integrity of Canada's import controls for organic products.

CFIA would like to inform you that a decision was made not to allow organic products certified by ETKO to the NOP under the US-CANADA Organic equivalency arrangement to be marketed as organic in Canada until such time that ETKO is notified directly by the CFIA.

Thank you.

Regards,
Valeriya

Valeriya Staykova
Lead Auditor /Chef-auditeur
Labelling, Organic Regime and Packaging/
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Consumer Protection and Market Fairness | Division de la protection des consommateurs et de l'équité des marchés
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valeriya.staykova@inspection.gc.ca

>>> "Gebault King, ReneeA - AMS"
<ReneeA.GebaultKing@ams.usda.gov> 2015-12-11 12:06 PM >>>

Dear Valeriya,

Thank you for contacting us with your questions about the certifier ETKO. We appreciate the concerns you have expressed.

At this time, ETKO is currently accredited by the USDA NOP. We are continuing to evaluate the situation regarding ETKO's accreditation and will inform you immediately should their status change.

Please contact me if you have additional questions.

Kind regards,

Renée

Renée Gebault King, Ph.D.
Accreditation Manager

Office: 202.690.1312 | Mobile: (b) (6)

ReneeA.GebaultKing@ams.usda.gov

USDA National Organic Program | 1400 Independence Ave SW | Room 2649-South, Stop 0268
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From: Valeriya Staykova [<mailto:Valeriya.Staykova@inspection.gc.ca>]

Sent: Thursday, December 10, 2015 2:05 PM

To: Courtney, Cheri - AMS <Cheri.Courtney@ams.usda.gov>; Gebault King, ReneeA - AMS <ReneeA.GebaultKing@ams.usda.gov>

Cc: McEvoy, Miles - AMS <Miles.McEvoy@ams.usda.gov>; Benoit Dube <Benoit.Dube@inspection.gc.ca>; Rola Yehia <Rola.Yehia@inspection.gc.ca>

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Thank you.

Regards,
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Valeriya Staykova
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valeriya.staykova@inspection.gc.ca

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Janna Howley

Accreditation Manager | USDA National Organic Program
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Sent: Friday, June 19, 2015 12:25 PM
To: Howley, JannaB - AMS
Cc: Courtney, Cheri - AMS; Rola Yehia
Subject: RE: IMPORTANT : NOTICE OF ACCREDITATION SUSPENSION under COR - ETKO

Hello Hanna ,

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NC 2: ETKO are not conducting input:output audits at on-site inspections of handling and processing units.
Norm ref: COR C.2.3.12

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NC 7: ETKO awarded COR certification without 12 months application of the standard on the farms. Organic certification status was just based upon no use of prohibited inputs.
Norm ref: Canada standard 5.1.1

· Conversion period - The issue of conversion period under the Canada standard is much clearer that there must be a 12 month period of verified implementation of the standard, not just absence of prohibited products. Although noted in the visit relating to EU equivalence the requirements under Canada are more explicit so is raised here as a separate issue;

NC 8 : ETKO are not regulating the use of non-organic seed in Ukraine and the inspectors appear to be denying what appears to be common knowledge that GMO seed for crops commonly grown in ETKO projects (maize, soybean) are widely available and used, despite the authorities not permitting them.
Norm ref: COR Std 5.3.2

Issue: It is generally accepted that there are no organic seeds available in Ukraine and this has led to ETKO not regulating and recording the use of non-organic seed. Regular purchases of hybrids are wrongly reported as own reproduction from elite seeds on farms. As there are no records it cannot be demonstrated that the bought in seeds really are untreated nor whether the seeds are not from GM sources.

Evidence: ETKO have no register of approvals of non-organic seed and were only able to show a few examples of information provided by Ukraine operators.

NC 9: ETKO list of approved outsourced services does not include all service providers, agreements are not in place with all providers and annual performance review policy of ETKO is not being met.

Norm reference: ISO 65 4.4, (ISO 17065 6.2.2)

Please note that under the Canada Organic Regime while under suspension ETKO cannot accept new applications, issue certificates of inspection, or certify products as organic however products already certified by ETKO as meeting the Canadian Organic requirements are not affected.

It would be appreciated if you could share with us the NOP findings as well.

In addition, we have received an inquiry from ETKO in regards to the status the NOP certified organic products imported to Canada. We would appreciate your opinion on this matter.

Thank you,
Regards,
Valeriya

Meanwhile I would like to learn the position of NOP certified products coming to Canadian market. Is it possible that NOP certified clients (other than COR certified clients) can export products in to Canada with NOP certificates?

>>> "Howley, JannaB - AMS" <JannaB.Howley@ams.usda.gov> 2015-06-17 9:37 AM >>>

Good Morning, Valeriya:

Would you please let us know the reasons for ETKO's suspension? It would be helpful to know whether the reasons for CFIA's suspension of their accreditation are similar to any noncompliances – and ETKO's proposed corrective actions - identified during their NOP audit.

Thanks so much,

Janna Howley

Accreditation Manager | USDA National Organic Program
Room 2649-S (Stop 0268) | 1400 Independence Ave SW | Washington, DC 20250-0268
202-692-0047 Direct | www.ams.usda.gov/nop

[Sign up here](#) for the NOP Organic Insider, the National Organic Program's email notification service.

From: Valeriya Staykova [<mailto:Valeriya.Staykova@inspection.gc.ca>]

Sent: Monday, June 15, 2015 2:27 PM

To: Courtney, Cheri - AMS; Howley, JannaB - AMS

Cc: McEvoy, Miles - AMS; Rola Yehia

Subject: IMPORTANT : NOTICE OF ACCREDITATION SUSPENSION under COR - ETKO

Dear Cheri and Janna,

Please note that subject to subsection 2 of the *Organic Products Regulations 2009*, the CFIA accreditation of **Etko Ekolojyk Tarim Kontrol Organizasyonu Limited (ETKO)** under the Canada Organic Regime is suspended as of June 15, 2015.

As per section 4 of the *Organic Products Regulations 2009* the suspension will remain in effect until the required corrective measures specified in the report are implemented by ETKO and verified by the CFIA. Please note that until such time that ETKO's suspension is lifted, ETKO shall not accept and process applications from operators under the Canada Organic Regime.

Could you please advise on ETKO's accreditation status under the NOP since this might affect the importation of organic products to Canada under the USCOEA.

Should you have any questions or require further clarification please feel free to contact me.

Thank you.

Regards,

Valeriya

Valeriya Staykova
Lead Auditor /Chef-auditeur
Labelling, Organic Regime and Packaging/
Étiquetage, Le Régime Bio et Emballage
Consumer Protection and Market Fairness | Division de la protection des consommateurs et
de l'équité des marchés
Canadian Food Inspection Agency | Agence canadienne d'inspection des aliments

1400 Merivale Road, Tower 2
Floor 6, Room 252

Ottawa, Ontario K1A 0Y9
Tel: (613) 773-6222, Fax 613-773 - 5961
valeriya.staykova@inspection.gc.ca

From: [Valeriya Staykova](#)
To: [Courtney, Cheri - AMS](#); [Howley, JannaB - AMS](#)
Cc: [McEvoy, Miles - AMS](#); [Rola Yehia](#)
Subject: IMPORTANT : NOTICE OF ACCREDITATION SUSPENSION under COR - ETKO
Date: Monday, June 15, 2015 2:28:23 PM

Dear Cheri and Janna,

Please note that subject to subsection 2 of the *Organic Products Regulations 2009*, the CFIA accreditation of **Etko Ekolojyk Tarim Kontrol Organizasyonu Limited (ETKO)** under the Canada Organic Regime is suspended as of June 15, 2015.

As per section 4 of the *Organic Products Regulations 2009* the suspension will remain in effect until the required corrective measures specified in the report are implemented by ETKO and verified by the CFIA. Please note that until such time that ETKO's suspension is lifted, ETKO shall not accept and process applications from operators under the Canada Organic Regime.

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Should you have any questions or require further clarification please feel free to contact me.

Thank you.

Regards,

Valeriya

Valeriya Staykova
Lead Auditor /Chef-auditeur
Labelling, Organic Regime and Packaging/
Étiquetage, Le Régime Bio et Emballage
Consumer Protection and Market Fairness | Division de la protection des consommateurs et de l'équité des marchés
Canadian Food Inspection Agency | Agence canadienne d'inspection des aliments

1400 Merivale Road, Tower 2
Floor 6, Room 252
Ottawa, Ontario K1A 0Y9
Tel: (613) 773-6222, Fax 613-773 - 5961
valeriya.staykova@inspection.gc.ca

From: [Mann, Renee - AMS](#)
To: [Courtney, Cheri - AMS](#)
Subject: Items to hand off to Meg
Date: Wednesday, February 05, 2014 4:32:26 PM

Hi Cheri:

I have the following new items for Meg to potentially review:

VOF annual report (received 10/4/2013) – I'm not sure if you want to give this to her, because it's not exactly "new."

ETKO annual report (received 1/22/2014)

I don't have any other items.

Thanks,
Renee

From: [Crail, Lars - AMS](#)
To: [Courtney, Cheri - AMS](#)
Cc: [Zuck, Penelope - AMS](#)
Subject: Proposed Schedule Attached - ETKO and Israel Audits
Date: Monday, June 20, 2016 3:28:36 PM
Attachments: [Israel and ETKO 2016 Schedule 06 16 16.docx](#)
[image001.png](#)

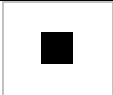
Cheri,

Attached is our current proposed audit schedule for ETKO and Israel. There are details yet to be confirmed and filled in; however, this will give you an idea what the status is. I received initial travel approval from the Department of State Turkey Desk. Our next step is to submit an ECC to FAS Ankara (US Embassy in Turkey). I should have all the forms completed to submit the ECC by Wednesday.

I have a meeting with ETKO on Tuesday at 12:15 pm to confirm more audit details. I am waiting to hear from Israel on audit details regarding their audit of a certifier and a review audit on a certifier that we will conduct.

One question that I have (and we can discuss on Tuesday) is the allocation of Penny's audit costs for the ETKO's audit.

Lars Crail
USDA NOP
202.205.5536 office
(b) (6) mobile



**Proposed Schedule – ETKO Compliance Audit and US/Israel Recognition Agreement Audit
Jul 16 – Jul 29, 2016**

Date	Day	Location	Review Activity	Participants	Lodging
16 Jul 16	Saturday	<ul style="list-style-type: none"> • Depart Washington DC for Istanbul 	<ul style="list-style-type: none"> • UA 8784 (IAD →MUC) Depart: 10:30 pm • TA 1634 (MUC→IST) Arrive: 6:30 pm 	NOP: Lars Crail and Penny Zuck	NA
17 Jul 16	Sunday	<ul style="list-style-type: none"> • Istanbul 	<ul style="list-style-type: none"> • Arrive Istanbul • Rest Day 	NOP: Lars Crail and Penny Zuck	Holiday Inn – Istanbul City, Turgut Ozal Cad no 189 Topkapi 34280
18 Jul 16	Monday	<ul style="list-style-type: none"> • Istanbul 	<ul style="list-style-type: none"> • Witness Audit (1): Office: Ares Organic Gida, Osmanaga Mah. Sogutluceme Cad. Altintepe Mah. Istasyon yolu sok. No:3 Maltepe 	NOP: Lars Crail and Penny Zuck ETKO: (TBD)	Holiday Inn – Istanbul City, Turgut Ozal Cad no 189 Topkapi 34280
19 Jul 16	Tuesday	<ul style="list-style-type: none"> • Istanbul • Izmir 	<ul style="list-style-type: none"> • Witness Audit (2): Office: Efal Tarim, Atatürk cad Atatürk Cad. Gonca Sk. No: 1-9 Kadikoy, Istanbul – TURKEY. Farm: Aktas koyu, Kula, MANISA - TURKEY • Travel from Istanbul to Izmir (TA 2332) Depart: 5 pm; Arrive: 6:10 pm. 	NOP: Lars Crail and Penny Zuck ETKO: (TBD)	Anemon Egesaglik Hotel. (Situated 500 m distance to ETKO office) within the Ege Univercity campus.)
20 Jul 16	Wednesday	<ul style="list-style-type: none"> • Izmir • ETKO office: 160 Sokak 13/3, Bornova – Izmir 35100. Tele: 90 232 339 76 06 	<ul style="list-style-type: none"> • Opening Meeting • Review of records and interview ETKO personnel 	NOP: Lars Crail and Penny Zuck ETKO: Dr. Mustafa Akyuz	Anemon Egesaglik Hotel.
21 Jul 16	Thursday	<ul style="list-style-type: none"> • TBD 	<ul style="list-style-type: none"> • Witness Audit (3): Farm: Arif Gurdal Tarim Isletmesi, Hamzabali Mevkii Baltakoy Vedat Ciftci Ciftligi Cine Yolu 8.km, Aydin 9000 	NOP: Lars Crail and Penny Zuck ETKO: (TBD)	Anemon Egesaglik Hotel.
22 Jul 16	Friday	<ul style="list-style-type: none"> • Izmir • Tel Aviv (Separate NOP Audit) 	<ul style="list-style-type: none"> • Review of records and interview ETKO personnel • Closing Meeting • Depart Izmir for Tel Aviv via Istanbul: TA 2327 Depart: 5:10 pm; TA 864 Arrive: 9:50 pm. 	NOP: Lars Crail and Penny Zuck ETKO: (TBD)	Dan Panorama Tel Aviv Hotel. +972-3-5190190

**Proposed Schedule – ETKO Compliance Audit and US/Israel Recognition Agreement Audit
Jul 16 – Jul 29, 2016**

23 Jul 16	Saturday	<ul style="list-style-type: none"> • Tel Aviv 	<ul style="list-style-type: none"> • Off Duty 	NOP: Lars Crail and Penny Zuck	Dan Panorama Tel Aviv Hotel. +972-3-5190190
24 Jul 16	Sunday	<ul style="list-style-type: none"> • PPIS offices, Bet-Dagan, Israel 	<ul style="list-style-type: none"> • Opening Meeting • USDA organic program overview and update by PPIS personnel • Review of records and interview PPIS personnel 	NOP: Lars Crail and Penny Zuck PPIS: (TBD)	Dan Panorama Tel Aviv Hotel. +972-3-5190190
25 Jul 16	Monday	<ul style="list-style-type: none"> • PPIS offices, Bet-Dagan, Israel • TBD 	<ul style="list-style-type: none"> • PPIS Spot Audit of Certifier - Agrior (Zuck) • Continue PPIS office audit (Crail) 	NOP: Lars Crail and Penny Zuck PPIS: (TBD)	TBD
26 Jul 16	Tuesday	<ul style="list-style-type: none"> • TBD 	<ul style="list-style-type: none"> • PPIS Spot Audit of Certifier - Agrior (Zuck) • Review Audit of Certifier - Secal (Crail) 	NOP: Lars Crail and Penny Zuck PPIS: (TBD)	TBD
27 Jul 16	Wednesday	<ul style="list-style-type: none"> • TBD 	<ul style="list-style-type: none"> • PPIS Spot Audit of Certifier - Agrior (Zuck) • Review Audit of Certifier - Secal (Crail) 	NOP: Lars Crail and Penny Zuck PPIS: (TBD)	Dan Panorama Tel Aviv Hotel. +972-3-5190190
28 Jul 16	Thursday	<ul style="list-style-type: none"> • TBD 	<ul style="list-style-type: none"> • Closing Meeting 	NOP: Lars Crail and Penny Zuck PPIS: (TBD)	Dan Panorama Tel Aviv Hotel. +972-3-5190190
29 Jul 16	Friday	<ul style="list-style-type: none"> • TBD 	<ul style="list-style-type: none"> • UA 9287 (TLV → FRA) Depart: 7:45 am • UA 988 (FRA → IAD) Arrive: 3:10 pm 	NOP: Lars Crail And Penny Zuck	NA

From: [Crail, Lars - AMS](#)
To: [Courtney, Cheri - AMS](#)
Cc: [Yang, RobertH - AMS](#)
Subject: QAD Conversation - RE: ETKO Audit
Date: Thursday, July 14, 2016 12:28:56 PM
Attachments: [image001.png](#)

Cheri,

I spoke to (b) (6). He will put me in contact with the QAD/LPS Budget person, Sang Lineback, to discuss details of our proposal using a contractor for audit activities. (b) (6) stated that it is likely that we will process the audit through normal QAD billing system as we do with all certifier audits. Funds would be provided to NOP from QAD to pay IOAS or another contractor directly. NOP would need to set up IOAS as a vendor and establish the contract.

I will probably meet with Sang by next week to discuss in detail.

(b) (5)
[Redacted]

Lars Crail
USDA NOP
202.205.5536 office
(b) (6) mobile



From: [Mann, Renee - AMS](#)
To: [Howley, JannaB - AMS](#)
Subject: RE: AIA Audit Database
Date: Wednesday, January 14, 2015 12:06:00 PM

Hi Janna:

I was able to confirm the following regarding the four missing audit reports.

ETKO's (Ecological Farming Control Organization) audit report has not been completed yet.

3 audits did not occur this year, but are on the list:

1. Istituto Mediterraneo Di, Certificazione
2. Nevada (NDA) (delayed to 2015, Lars is adding to the audit list)
3. Utah's mid-term audit (delayed to 2015, Lars is adding to the audit list)

Please update your list accordingly.

Thanks,
Renee M

Renee Mann
Assistant Director, Accreditation and International Activities Division
USDA National Organic Program
(202) 260-8635
[Join the NOP mailing list.](#)

From: Howley, JannaB - AMS
Sent: Tuesday, December 23, 2014 11:54 AM
To: Mann, Renee - AMS
Subject: AIA Audit Database

Renee:

I've run through the audit schedule, workload tracking log and audit files, for audits scheduled between 10/1/13 and 9/30/14. I have already updated the audit schedule in the database with the appropriate Audit ID numbers, dates, and checked off "confirmed" if the audit dates have already passed and the audit was conducted. There was one duplicate entry (DPI), which I had Mario delete.

I compiled everything on an Excel spreadsheet. The bottom of the spreadsheet provides a color legend that explains, in general terms, what I've identified. Please let me know if you would like me to explain these in further detail.

Janna Howley

Accreditation Manager
National Organic Program
U.S. Department of Agriculture

Room 2649-So. (Stop 0268)
1400 Independence Ave SW
Washington, DC 20250-0268
202-692-0047 Direct
www.ams.usda.gov/nop

[Sign up here](#) for the NOP Organic Insider, the National Organic Program's email notification service.

From: [Courtney, Cheri - AMS](#)
To: [Crail, Lars - AMS](#)
Cc: [Skinner, Rick - AMS](#); [Mann, Renee - AMS](#)
Subject: Re: Ecocert Turkey office
Date: Monday, January 27, 2014 8:14:35 AM

Lars as we discussed please conduct the audit.

Sent from my iPhone

On Jan 26, 2014, at 2:13 PM, "Crail, Lars - AMS" <Lars.Crail@ams.usda.gov> wrote:

All, I need a decision as to whether I will conduct an onsite assessment of ECOCERT's Turkey office. I am firming up plans to conduct an onsite renewal assessment of ETKO and EcoGlobe during the weeks of May 11th and May 18th. ETKO's office is located in the same city as ECOCERT's satellite office. Please let me know as soon as possible.

Lars Crail
USDA – AMS – NOP
202.205.5536 office
(b) (6) mobile

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From: Courtney, Cheri - AMS
Sent: Wednesday, January 22, 2014 10:24 AM
To: Skinner, Rick - AMS; Mann, Renee - AMS
Cc: Crail, Lars - AMS
Subject: RE: PCO audit date

Hi All,
Lars is slated to go to Turkey this year perhaps he can cover the satellite offices rather than Columbia.

Cheri

From: Skinner, Rick - AMS
Sent: Tuesday, January 21, 2014 4:32 PM
To: Mann, Renee - AMS
Cc: Courtney, Cheri - AMS
Subject: RE: PCO audit date

Good afternoon Renee –

I am working on the initial contact with Ecocert SA – After discussing the activities of the last couple of years with Miguel Caceres, he indicated that the original intent of NOP was to try to perform an assessment at each of the 19 satellite offices of Ecocert within 5 years. With that in mind – and through the process of elimination, have concluded that the offices that perform NOP certification duties that remain on that long list are Nepal, Turkey, Canada, Romania, Southeast Asia, China, and Ecuador. Mike indicated that he reviewed 4 of the 5 offices in Africa and completed Brazil and Germany during the last audit. My question – should I plan to include a couple of these satellite offices into the schedule for this year? Since Ecuador is a new office that was just opened as the 2012 audit completed – and since it was previously tied to the Colombian office that has not had a review, I am thinking that would be a logical one to look at. I'm not sure what the current status of travel in Turkey, Nepal, and Southeast Asia is, and I assume that China is looked at during a higher level visit. Let me know what you think as I would like to get this started. Thanks – Rick

From: Mann, Renee - AMS
Sent: Tuesday, January 14, 2014 1:11 PM
To: Skinner, Rick - AMS
Subject: RE: PCO audit date

Hello Rick,

Thank you for the update – and don't worry about not having dates sketched out yet. If possible, please do not schedule the PCO audit any time from August 26 through September 14 (I have a very exciting vacation planned!).

I look forward to hearing more from you about the audit scheduling as time permits.

Safe travels,
Renee

From: Skinner, Rick - AMS
Sent: Monday, January 13, 2014 8:43 PM
To: Mann, Renee - AMS
Subject: RE: PCO audit date

Hello Renee –

Very nice to hear from you – and honestly – I have only scanned the assignments that I received late last week. I know that I have 5 or 6 NOP audits to schedule and the best place to start is to eliminate all foreign certifiers in late July – all of August and the first week or two of September. They are all on Holiday and are not available for an audit. I assume that I should schedule that audit in August if at all possible. I am traveling this week but I am planning to send out the initial contact emails this Friday upon my return. I should know more after the initial responses from the certifiers that I have. I do have three domestic certifiers that will need to be scheduled in June, July and August – as well. I will keep you posted and I always look forward to working with someone from NOP. Stay in touch and I will as well!

Rick

From: Mann, Renee - AMS
Sent: Monday, January 13, 2014 4:42 PM
To: Skinner, Rick - AMS
Subject: PCO audit date

Hello Rick:

I am scheduled to be the second auditor during the PCO audit this year. Would you please let me know approximately when you hope to conduct the PCO audit? I look forward to working (and learning!) from you.

Kind Regards,
Renee

Ms. Renee Mann
Accreditation Manager
USDA National Organic Program
(202) 690-1312

[NOP website](#)

Sign up for our newsletter, the [USDA Organic Insider](#).

From: [McEvoy, Miles - AMS](#)
To: [Tucker, Jennifer - AMS](#); [Courtney, Cheri - AMS](#)
Cc: [Kuhn, Meg - AMS](#)
Subject: RE: ETKO - Summary and 2 Options
Date: Thursday, March 03, 2016 1:59:23 PM

Nicely done. I'd like to pursue settlement. Please prepare for review.
Miles

From: Tucker, Jennifer - AMS
Sent: Wednesday, March 02, 2016 4:42 PM
To: McEvoy, Miles - AMS <Miles.McEvoy@ams.usda.gov>; Courtney, Cheri - AMS <Cheri.Courtney@ams.usda.gov>
Cc: Kuhn, Meg - AMS <Meg.Kuhn@ams.usda.gov>
Subject: ETKO - Summary and 2 Options

Miles and Cheri – Here are two documents for you to consider with ETKO:

Appeals Summary (3 pages): [P:\Appeals\16-008 ETKO\Case Summary.ETKO.APL-008-16.docx](#)

Based on an initial review and previous discussions, Meg developed the following one-page options paper:

[P:\Appeals\16-008 ETKO\Appeal Options.ETKO.APL-008-16.docx](#)

I got the sense that you wanted to start with a settlement proposal, which I would offer through the lawyer – the hope would be that the settlement would be (b) (5)

██████████ We are happy to prepare the draft settlement for review if this is the path you would like to take.

Meg, nice job with these!

Jenny

From: [Courtney, Cheri - AMS](#)
To: [McEvoy, Miles - AMS](#); [Tucker, Jennifer - AMS](#)
Cc: [Kuhn, Meg - AMS](#)
Subject: RE: ETKO - Summary and 2 Options
Date: Thursday, March 10, 2016 5:33:59 PM

I agree.

Cheri

From: McEvoy, Miles - AMS
Sent: Thursday, March 03, 2016 1:59 PM
To: Tucker, Jennifer - AMS <Jennifer.Tucker@ams.usda.gov>; Courtney, Cheri - AMS <Cheri.Courtney@ams.usda.gov>
Cc: Kuhn, Meg - AMS <Meg.Kuhn@ams.usda.gov>
Subject: RE: ETKO - Summary and 2 Options

Nicely done. I'd like to pursue settlement. Please prepare for review.
Miles

From: Tucker, Jennifer - AMS
Sent: Wednesday, March 02, 2016 4:42 PM
To: McEvoy, Miles - AMS <Miles.McEvoy@ams.usda.gov>; Courtney, Cheri - AMS <Cheri.Courtney@ams.usda.gov>
Cc: Kuhn, Meg - AMS <Meg.Kuhn@ams.usda.gov>
Subject: ETKO - Summary and 2 Options

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<P:\Appeals\16-008 ETKO\Appeal Options.ETKO.APL-008-16.docx>

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██████████ We are happy to prepare the draft settlement for review if this is the path you would like to take.

Meg, nice job with these!

Jenny

From: [Mann, Renee - AMS](#)
To: [McEvoy, Miles - AMS](#)
Cc: [Courtney, Cheri - AMS](#); [Zuck, Penelope - AMS](#)
Subject: RE: ETKO
Date: Monday, November 16, 2015 6:07:01 PM

Hi all,

I just took a closer look at this IOAS report regarding ETKO. This is the exact same report the EU voluntarily provided to us in August. (b) (5)

[REDACTED]

[REDACTED]

-Renee

Renee Mann
Assistant Director, Accreditation and International Activities Division
USDA National Organic Program
(202) 260-8635
[Join the NOP mailing list.](#)

From: McEvoy, Miles - AMS
Sent: Friday, November 06, 2015 4:56 PM
To: Mann, Renee - AMS <Renee.Mann@ams.usda.gov>
Subject: FW: ETKO

From: (b) (6), (b) (7)(C)
Sent: Friday, November 06, 2015 1:47 PM
To: McEvoy, Miles - AMS
Cc: (b) (6); Courtney, Cheri - AMS
Subject: Re: ETKO

Dear Miles

According to IOAS policy, we need the permission of the CB concerned to circulate any reports. I've been in contact with Mustafa Akyuz and he has agreed that we may send the report to you.

Best regards

(b) (6), (b) (7)(C)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

From: McEvoy, Miles - AMS <Miles.McEvoy@ams.usda.gov>
Sent: Thursday, October 29, 2015 7:53 AM
To: (b) (6), (b) (7)(C)
Cc: (b) (6); Courtney, Cheri - AMS
Subject: RE: ETKO

Dear (b) (6), (b) (7)(C)

Thanks for this information. Could IOAS share the surveillance visit report or any additional information on ETKO?

Best regards,
Miles

Miles V McEvoy
Deputy Administrator
Agricultural Marketing Service
National Organic Program

From: (b) (6), (b) (7)(C)
Sent: Wednesday, October 28, 2015 5:21 AM
To: McEvoy, Miles
Cc: (b) (6)
Subject: ETKO

Dear Miles

IOAS suspended ISO 65 accreditation of ETKO with scope of an EU equivalent standard for all scopes and all countries in May, 2015. The reason for this was due to serious breaches in the manner in which they carried out organic inspection and certification. Almost immediately afterward the CFIA in Canada also suspended ETKO for the same reason. And in June the European Commission removed their recognition as a 3rd country certification body again for all EU scopes and in all countries.

After a full and enhanced surveillance visit, ETKO remains accredited by the IOAS for COSMOS, GOTS and Textile Exchange accreditation. The IOAS found that different personnel were involved and that the inspection and certification process did not exhibit the same flaws as were found in the certification of organic production and processing.

ETKO is currently working toward re-instatement of their ISO accreditation - although

given that ISO Guide 65 has now been replaced by ISO 17065, this will now involve an assessment against the new standard.

I was asked to write to you by the IOAS Board of Directors who have noted that ETKO appears to remain accredited by the NOP and wished to ensure that you were aware of decisions made by other authorities. If I can be of further assistance, please don't hesitate to get in touch.

Best regards

(b) (6), (b) (7)(C)

[Redacted]

[Redacted]

[Redacted]

From: [Courtney, Cheri - AMS](#)
To: [McEvoy, Miles - AMS](#); [Yang, RobertH - AMS](#)
Cc: [Zuck, Penelope - AMS](#); [Mann, Renee - AMS](#)
Subject: RE: ETKO
Date: Friday, November 13, 2015 11:23:22 AM

(b) (5)



We are still working with ETKO on their CAs from their last audit which was their accreditation renewal. We should have the report to you in a couple of weeks.

Cheri

From: (b) (6), (b) (7)(C)]
Sent: Friday, November 06, 2015 1:47 PM
To: McEvoy, Miles - AMS
Cc: (b) (6) Courtney, Cheri - AMS
Subject: Re: ETKO

Dear Miles

According to IOAS policy, we need the permission of the CB concerned to circulate any reports. I've been in contact with Mustafa Akyuz and he has agreed that we may send the report to you.

Best regards

(b) (6), (b) (7)(C)





From: McEvoy, Miles - AMS <Miles.McEvoy@ams.usda.gov>
Sent: Thursday, October 29, 2015 7:53 AM
To: (b) (6), (b) (7)(C)
Cc: (b) (6); Courtney, Cheri - AMS
Subject: RE: ETKO

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information on ETKO?

Best regards,
Miles

Miles V McEvoy
Deputy Administrator
Agricultural Marketing Service
National Organic Program

From: (b) (6), (b) (7)(C)
Sent: Wednesday, October 28, 2015 5:21 AM
To: McEvoy, Miles
Cc: (b) (6)
Subject: ETKO

Dear Miles

IOAS suspended ISO 65 accreditation of ETKO with scope of an EU equivalent standard for all scopes and all countries in May, 2015. The reason for this was due to serious breaches in the manner in which they carried out organic inspection and certification. Almost immediately afterward the CFIA in Canada also suspended ETKO for the same reason. And in June the European Commission removed their recognition as a 3rd country certification body again for all EU scopes and in all countries.

After a full and enhanced surveillance visit, ETKO remains accredited by the IOAS for COSMOS, GOTS and Textile Exchange accreditation. The IOAS found that different personnel were involved and that the inspection and certification process did not exhibit the same flaws as were found in the certification of organic production and processing.

ETKO is currently working toward re-instatement of their ISO accreditation - although given that ISO Guide 65 has now been replaced by ISO 17065, this will now involve an assessment against the new standard.

I was asked to write to you by the IOAS Board of Directors who have noted that ETKO appears to remain accredited by the NOP and wished to ensure that you were aware of decisions made by other authorities. If I can be of further assistance, please don't hesitate to get in touch.

Best regards

(b) (6), (b) (7)(C)

[Redacted]

[Redacted]

From: [Yang, RobertH - AMS](#)
To: [Courtney, Cheri - AMS](#)
Subject: RE: ETKO
Date: Thursday, November 12, 2015 8:39:49 AM

Cheri,

Thanks for keeping me in the loop. Let me know if you need me to do anything.

Regards,

Robert Yang

Accreditation Manager
USDA National Organic Program
Office: (202) 690-4540

From: Courtney, Cheri - AMS
Sent: Thursday, November 12, 2015 8:16 AM
To: Yang, RobertH - AMS <RobertH.Yang@ams.usda.gov>
Subject: FW: ETKO

Hi Robert,
Here is information Miles received from IOAS regarding ETKO.

Cheri

From: Mann, Renee - AMS
Sent: Friday, November 06, 2015 5:09 PM
To: Zuck, Penelope - AMS
Cc: Courtney, Cheri - AMS
Subject: FW: ETKO

Penny,
I'm forwarding this to you for your information.

Renee Mann
Assistant Director, Accreditation and International Activities Division
USDA National Organic Program
(202) 260-8635
[Join the NOP mailing list.](#)

From: McEvoy, Miles - AMS
Sent: Friday, November 06, 2015 4:56 PM
To: Mann, Renee - AMS <Renee.Mann@ams.usda.gov>

Subject: FW: ETKO

From: (b) (6), (b) (7)(C)
Sent: Friday, November 06, 2015 1:47 PM
To: McEvoy, Miles - AMS
Cc: (b) (6); Courtney, Cheri - AMS
Subject: Re: ETKO

Dear Miles

According to IOAS policy, we need the permission of the CB concerned to circulate any reports. I've been in contact with Mustafa Akyuz and he has agreed that we may send the report to you.

Best regards

(b) (6), (b) (7)(C)

[Redacted signature block]

[Redacted signature block]

From: McEvoy, Miles - AMS <Miles.McEvoy@ams.usda.gov>
Sent: Thursday, October 29, 2015 7:53 AM
To: (b) (6), (b) (7)(C) - IOAS
Cc: (b) (6); Courtney, Cheri - AMS
Subject: RE: ETKO

Dear (b) (6),

Thanks for this information. Could IOAS share the surveillance visit report or any additional information on ETKO?

Best regards,
Miles

Miles V McEvoy
Deputy Administrator
Agricultural Marketing Service
National Organic Program

From: (b) (6), (b) (7)(C)
Sent: Wednesday, October 28, 2015 5:21 AM
To: McEvoy, Miles
Cc: (b) (6)
Subject: ETKO

Dear Miles

IOAS suspended ISO 65 accreditation of ETKO with scope of an EU equivalent standard for all scopes and all countries in May, 2015. The reason for this was due to serious breaches in the manner in which they carried out organic inspection and certification. Almost immediately afterward the CFIA in Canada also suspended ETKO for the same reason. And in June the European Commission removed their recognition as a 3rd country certification body again for all EU scopes and in all countries.

After a full and enhanced surveillance visit, ETKO remains accredited by the IOAS for COSMOS, GOTS and Textile Exchange accreditation. The IOAS found that different personnel were involved and that the inspection and certification process did not exhibit the same flaws as were found in the certification of organic production and processing.

ETKO is currently working toward re-instatement of their ISO accreditation - although given that ISO Guide 65 has now been replaced by ISO 17065, this will now involve an assessment against the new standard.

I was asked to write to you by the IOAS Board of Directors who have noted that ETKO appears to remain accredited by the NOP and wished to ensure that you were aware of decisions made by other authorities. If I can be of further assistance, please don't hesitate to get in touch.

Best regards

(b) (6), (b) (7)(C)

A large black rectangular redaction covers the signature and name of the sender. The redaction is composed of several overlapping horizontal bars of varying lengths, completely obscuring the text underneath.

From: [McEvoy, Miles - AMS](#)
To: (b) (6), (b) (7)(C)
Cc: (b) (6); [Courtney, Cheri - AMS](#)
Subject: RE: ETKO
Date: Thursday, October 29, 2015 8:53:55 AM

Dear (b) (6),

Thanks for this information. Could IOAS share the surveillance visit report or any additional information on ETKO?

Best regards,
Miles

Miles V McEvoy
Deputy Administrator
Agricultural Marketing Service
National Organic Program

From: (b) (6), (b) (7)(C)]
Sent: Wednesday, October 28, 2015 5:21 AM
To: McEvoy, Miles
Cc: (b) (6)
Subject: ETKO

Dear Miles

IOAS suspended ISO 65 accreditation of ETKO with scope of an EU equivalent standard for all scopes and all countries in May, 2015. The reason for this was due to serious breaches in the manner in which they carried out organic inspection and certification. Almost immediately afterward the CFIA in Canada also suspended ETKO for the same reason. And in June the European Commission removed their recognition as a 3rd country certification body again for all EU scopes and in all countries.

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appears to remain accredited by the NOP and wished to ensure that you were aware of decisions made by other authorities. If I can be of further assistance, please don't hesitate to get in touch.

Best regards

(b) (6), (b) (7)(C)

A large area of the document is redacted with black boxes. It includes a small redaction box at the top left, a large redacted signature block, and a long redacted line at the bottom.

From: [McEvoy, Miles - AMS](#)
To: [Zuck, Penelope - AMS](#)
Cc: [Courtney, Cheri - AMS](#); [Mann, Renee - AMS](#)
Subject: RE: ETKO
Date: Tuesday, September 08, 2015 5:28:35 PM
Attachments: [image001.png](#)

Please pursue option 1. Thanks for your prompt review and analysis.

Miles

From: Zuck, Penelope - AMS
Sent: Tuesday, September 08, 2015 4:34 PM
To: McEvoy, Miles - AMS
Cc: Courtney, Cheri - AMS; Mann, Renee - AMS
Subject: ETKO

Dear Miles,
We have discussed how to proceed with ETKO's renewal of accreditation along with the investigation into their suspensions with the EU and Canada. We would like to propose the following options:

- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

These options were based upon the high number and severity of noncompliances. Here is a brief history:
2007 Audit – 4 noncompliances
2008 Renewal Desk Audit – 6 noncompliances
2009 Audit – 5 of the above 10 noncompliances were cleared while the other 5 remained outstanding and **21 new** noncompliances were identified.
2009 Corrective Actions were accepted for all noncompliances to be verified at the next audit

2014 Audit – 24 noncompliances were cleared, 1 noncompliance was withdrawn, 1 noncompliance remains outstanding (see below), and **6 new** noncompliances were identified.

Outstanding Noncompliance since 2009:

NP9222ZZA.NC21 - 7 CFR §205.501(a)(4) states, “A private or governmental entity accredited as a certifying agent under this subpart must: Use a sufficient number of adequately trained personnel, including inspectors and certification review personnel, to comply with and implement the organic certification program established under the Act and the regulations in subpart E of this part.”

Interviews conducted, records reviewed, and witness inspections observed, verified a general lack of understanding of the NOP standards. While personnel had sufficient experience and education in organic agricultural production and handling practices, there was insufficient understanding on the application of the NOP standards as evidenced by inadequate information in the approved organic compliance (system) plans with no issues of concern or non-compliances being identified over multiple years of certification. The primary Certification Committee (CC) member with expertise in crops was not familiar with basic requirements such as the 90/120 day rule for raw manure application, did not know where to reference in the NOP Rule to determine if an input is permitted, and did not know when commercially available seeds and planting stock could be used. Additionally, while it was stated that the Certification Committee (CC) had received training there were no training records for any of the CC members prior to 2009.

Corrective Action (2009): ETKO conducted training of inspectors, reviewers, and Certification Committee members on November 21, 2009 and March 12-14, 2010 which covered NOP standards, review, inspection, and certification procedures. ETKO has designed a 2010 training plan to ensure periodic training on the NOP is completed. ETKO submitted records of training for all inspectors, reviewers, and Certification Committee members.

Verification of Corrective Action (2014 audit): The NOP auditor found the following issues of concern that **demonstrated an insufficient understanding of the USDA organic regulations and NOP policies:**

1. Label review – the label review checklist did not include USDA organic regulation label requirements to be verified.
2. Inspectors during the witness audits used incorrect regulation citations during exit interviews to identify findings.
3. OCP templates state the incorrect USDA organic regulations.
4. Inspectors are using outdated USDA organic regulations (2010).
5. Inspectors and reviewers not readily able to look up regulations.
6. ETKO personnel have an incomplete understanding of the noncompliance and adverse action notification procedures.
7. Several crop operation OCPs reviewed by the NOP auditor indicated “Not Applicable” for Crop Rotation practice standard (205.205).
8. ETKO personnel did not understand and document buffer zone requirements (205.202(c)).

Corrective Action (2015): ETKO submitted power point presentations, updated forms, training agenda, and training log of the training that was conducted for inspectors, staff, and advisory committee members. The documentation submitted also included copies of completed OCPs with documented buffer zones, and crop rotation practices.

Your thoughts?

Please let me know if you have any questions or would like any additional information.

Thank you,
Penny



PENNY ZUCK | USDA-NATIONAL ORGANIC PROGRAM | ACCREDITATION MANAGER
USDA • AMS • NOP | 1400 Independence Ave SW | 2649-S | Washington DC 20250
☎ 202.260.9444 | Fax 202.205.7808 | ✉ Penelope.Zuck@ams.usda.gov
[Join the NOP mailing list](#)

From: [Courtney, Cheri - AMS](#)
To: [Zuck, Penelope - AMS](#)
Subject: RE: ETKO
Date: Tuesday, September 08, 2015 3:36:23 PM
Attachments: [image001.png](#)

Hi Penny,
Your email looks good please send it to Miles and cc Renee and me.
Thanks
Cheri

From: Zuck, Penelope - AMS
Sent: Friday, September 04, 2015 10:15 AM
To: Courtney, Cheri - AMS
Cc: Mann, Renee - AMS
Subject: FW: ETKO

Cheri:
Please see the revised draft message to Miles with Renee's edits below...

Thank you,
Penny



PENNY ZUCK | USDA-NATIONAL ORGANIC PROGRAM | ACCREDITATION MANAGER
USDA • AMS • NOP | 1400 Independence Ave SW | 2649-S | Washington DC 20250
☎ 202.260.9444 | Fax 202.205.7808 | ✉ Penelope.Zuck@ams.usda.gov
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From: Mann, Renee - AMS
Sent: Thursday, September 03, 2015 5:38 PM
To: Zuck, Penelope - AMS <Penelope.Zuck@ams.usda.gov>
Subject: RE: ETKO

Hi Penny,
This is beautiful! I would make a tiny change (in green). (b) (5)

Also, I highlighted the sections of the NoNC that are similar. You could bold or italicize, I just thought those sections might need to pop out.

Thanks,
Renee

Renee Mann

Assistant Director, Accreditation and International Activities Division
USDA National Organic Program
(202) 260-8635
[Join the NOP mailing list.](#)

From: Zuck, Penelope - AMS
Sent: Thursday, September 03, 2015 4:36 PM
To: Mann, Renee - AMS
Subject: ETKO

Hi Renee,
Here is my draft email to Miles:

Dear Miles,
We have discussed how to proceed with ETKO's renewal of accreditation along with the investigation into their suspensions with the EU and Canada. We would like to propose the following options:

- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

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Corrective Action (2015): ETKO submitted power point presentations, updated forms, training agenda, and training log of the training that was conducted for inspectors, staff, and advisory committee members. The documentation submitted also included copies of completed OCPs with documented buffer zones, and crop rotation practices.

Your thoughts?

Please let me know if you have any questions or would like any additional information.

Thank you,
Penny



PENNY ZUCK | USDA-NATIONAL ORGANIC PROGRAM | ACCREDITATION MANAGER
USDA • AMS • NOP | 1400 Independence Ave SW| 2649-S | Washington DC 20250
☎ 202.260.9444 | Fax 202.205.7808 | ✉ Penelope.Zuck@ams.usda.gov
[Join the NOP mailing list](#)

From: [Mann, Renee - AMS](#)
To: [Howley, JannaB - AMS](#); [Michael, Matthew - AMS](#)
Cc: [Courtney, Cheri - AMS](#); [Zuck, Penelope - AMS](#)
Subject: RE: ETKO
Date: Saturday, August 29, 2015 4:59:20 PM
Attachments: [image001.png](#)
[image002.png](#)

Hi all,

The IOAS (EU) full audit report of ETKO is a treasure trove of information. Janna, thank you for getting this from the EU so quickly!

(b) (5) [Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

Renee

Renee Mann
Assistant Director, Accreditation and International Activities Division
USDA National Organic Program
(202) 260-8635
[Join the NOP mailing list.](#)

From: Howley, JannaB - AMS
Sent: Thursday, August 27, 2015 10:58 AM
To: Michael, Matthew - AMS
Cc: Mann, Renee - AMS; Courtney, Cheri - AMS
Subject: FW: ETKO

Matthew:

The EU shared with the NOP their entire ETKO audit report, which led to the EU suspending ETKO's accreditation. The attached documents include what substances were detected, at what levels, and the names of companies involved. I know you were trying to determine if ETKO certified operations' products were coming into the United States, and this may help.

Thanks,

Janna Howley

Accreditation Manager | USDA National Organic Program
Room 2649-S (Stop 0268) | 1400 Independence Ave SW | Washington, DC 20250-0268
202-692-0047 Direct | www.ams.usda.gov/nop

[Sign up here](#) for the NOP Organic Insider, the National Organic Program's email notification service.

From: (b) (6), (b) (7)(C)
Sent: Thursday, August 27, 2015 10:46 AM
To: Gebault King, ReneeA - AMS
Cc: (b) (6); Courtney, Cheri - AMS; Howley, JannaB - AMS
Subject: RE: ETKO

Dear Renée,

We are happy to send you more information on this case to help you in your investigations.

You will find attached the IOAS audit report and an overview of the non-compliances related to ETKO notified by EU Member States through our Organic Farming Information System (OFIS).

Hope this helps.

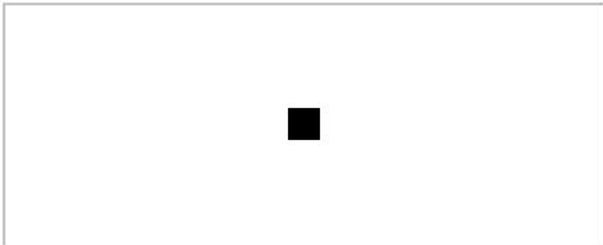
I take the opportunity to ask you something. In the framework of our IT project for setting up an electronic certificate of inspection for imported organic products, we need to put the contact information of the USDA certifiers into the system. I have found the information in your website in PDF: <http://www.ams.usda.gov/sites/default/files/media/OrganicCertifyingAgents.pdf>

Do you have this information in a Word document or an Excel table? It would be much easier for us for transferring the data to the system.

Thanks

Best regards

(b) (6), (b) (7)(C)



From: Gebault King, ReneeA - AMS [<mailto:ReneeA.GebaultKing@ams.usda.gov>]
Sent: Wednesday, August 26, 2015 6:37 PM
To: (b) (6), (b) (7)(C)
Cc: (b) (6) Courtney, Cheri - AMS; Howley, JannaB - AMS
Subject: RE: ETKO

Dear (b) (6), (b) (7)(C)

Thank you for providing the information regarding ETKO. As the NOP has delved into the situation further, additional questions have arisen and I am seeking your assistance to gather more information.

Would it be possible to obtain the following items?:

1. The IOAS audit report with regard to ETKO.
2. The names of any of the operations connected to the EU's letter, which stated, "high volume shipments of organic goods imported from Ukraine into the Union containing residues of plant protection products that are not allowed in organic farming." (This comes from the **COMMISSION IMPLEMENTING REGULATION (EU) 2015/931 of 17 June 2015 amending and correcting Regulation (EC) No 1235/2008 laying down detailed rules for implementation of Council Regulation (EC) No 834/2007 as regards the arrangements for imports of organic products from third countries**, which you provided to the NOP on 18 June 2015.)

Thank you for your assistance with this issue. I look forward to your reply.

Kind regards,

Renée

Renée Gebault King, Ph.D.
Accreditation Manager

Office: 202.690.1312 | Mobile: (b) (6)

ReneeA.GebaultKing@ams.usda.gov

USDA National Organic Program | 1400 Independence Ave SW | Room 2649-South, Stop 0268
Washington, D.C. 20250-0268 | Tel: 202.720.3252 | Fax: 202.205.7808 | www.ams.usda.gov/nop
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From: (b) (6), (b) (7)(C)
Sent: Tuesday, June 30, 2015 10:36 AM
To: Gebault King, ReneeA - AMS
Cc: (b) (6); Courtney, Cheri - AMS
Subject: RE: ETKO

Dear Renée,

In terms of nonconformities, relevant information was primarily sourced from the IOAS audit report. In summary the assessors found the ETKO control system deficient in its implementation in a number of important aspects including:

- Insufficient rigour and integrity of inspection
- Acceptance of vague authority declarations on previous land use without checking veracity
- Inability to demonstrate effective controls
- Poor management of sample taking
- Inattention to dates of last use of non-allowed inputs and parallel production
- Lack of on-site input/output balance audits at handlers and processors
- Lack of regulation of non-organic seed use
- Not holding the operator to account for failings by sub-contractors
- Sales by sub-contractors
- An inspector payment system in Ukraine that lends itself to conflicting interest

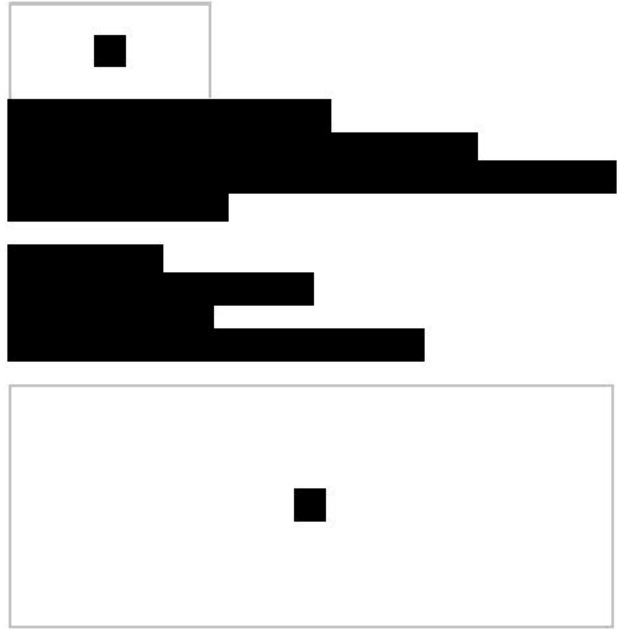
With specific regard to the irregularity cases notified in OFIS, the assessors found that the ETKO investigation was unable to demonstrate full traceability of the product or fully link available samples and analyses to the shipments. More details can be made available where necessary.

These nonconformities together with the recurrence of irregularity cases notified in OFIS indicated a systematic malfunctioning of the control measures applied. It also appeared that

ETKO was unable to take adequate corrective measures in respect of the deficiencies reported and in response to the serious infringements observed. In such circumstances the risk existed for the consumer to be misled about the true nature of the products certified by ETKO. Consequently, ETKO was withdrawn from the EU list.

Best regards,

(b) (6), (b) (7)(C)



From: Gebault King, ReneeA - AMS [<mailto:ReneeA.GebaultKing@ams.usda.gov>]
Sent: Friday, June 26, 2015 3:45 PM
To: (b) (6), (b) (7)(C)
Subject: FW: ETKO

Dear (b) (6), (b) (7)(C)

I hope this e-mail finds you well. The USDA NOP is in need of additional information regarding ETKO. I would appreciate it if the EU could share information on the specific nonconformities and other deficiencies noted with respect to ETKO.

Kind regards,

Renée

Renée Gebault King, Ph.D.
Accreditation Manager

Office: 202.690.1312 | Mobile: (b) (6)
ReneeA.GebaultKing@ams.usda.gov

USDA National Organic Program | 1400 Independence Ave SW | Room 2649-South, Stop 0268
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From: Gebault King, ReneeA - AMS

Sent: Friday, June 19, 2015 1:59 PM

To: (b) (6), (b) (7)(C)

Cc: Courtney, Cheri - AMS; (b) (6)

Subject: RE: ETKO

Dear (b) (6), (b) (7)(C)

Thank you for providing information on the actions the EU has taken with regard to Ekolojik Tarim Kontrol Organizasyonu (ETKO).

The USDA NOP is currently in the process of gathering information on the situation with ETKO. To this end, the USDA NOP would appreciate if the EU could share information on the specific nonconformities and other deficiencies noted with respect to ETKO.

Kind regards,

Renée

Renée Gebault King, Ph.D.
Accreditation Manager

Office: 202.690.1312 | Mobile: (b) (6)
ReneeA.GebaultKing@ams.usda.gov

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From: (b) (6), (b) (7)(C)

Sent: Wednesday, June 17, 2015 8:18 AM

To: McEvoy, Miles - AMS

Cc: Courtney, Cheri - AMS; Gebault King, ReneeA - AMS (b) (6)

Subject: ETKO

Dear Miles,

We would like to inform you about the measures taken against ETKO, a control body listed in Annex IV to Regulation (EC) No 1235/2008. As this control body is NOP accredited, the information below may be useful to you.

In recent months the Commission received several notifications from Member States concerning high volume shipments of organic goods imported from Ukraine into the Union containing residues of plant protection products that are not allowed in organic farming according to Regulation (EC) No 834/2007 and Commission Regulation (EC) No 889/2008. The goods in question had been certified under Regulation (EC) No 834/2007 by "Ekolojik Tarim Kontrol Organizasyonu" (ETKO).

Following information received by the Commission from ETKO and an on-the-spot examination of its activities by its accreditation body, serious deficiencies in the checks carried out and a substantial number of non-conformities were documented, which all together indicated a systematic malfunctioning of the control measures applied. It also appeared that ETKO was unable to take adequate corrective measures in respect of the deficiencies reported and in response to the serious infringements observed.

Consequently, ETKO has been withdrawn from Annex IV in accordance with points (d), (e) and (f) of the first subparagraph of Article 12(2) of Regulation (EC) No 1235/2008.

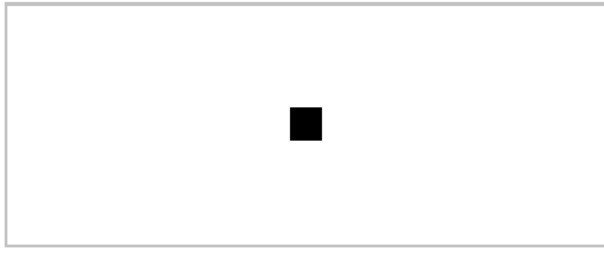
Best regards,

(b) (6), (b) (7)(C)



[Redacted text block]

[Redacted text block]



From: [Michael, Matthew - AMS](#)
To: [Howley, JannaB - AMS](#)
Cc: [Mann, Renee - AMS](#); [Courtney, Cheri - AMS](#)
Subject: RE: ETKO
Date: Thursday, August 27, 2015 11:15:50 AM
Attachments: [image001.png](#)
[image002.png](#)

Thanks. We were able to identify raw commodities, certified by ETKO, being sold on Alibaba, but no companies selling in the US. This may help.

Matthew Michael
Director, Compliance and Enforcement Division
USDA National Organic Program
1400 Independence Ave SW; Room 2959
Washington, DC 20250-0268
Phone: (202) 260-8657
matthew.michael@ams.usda.gov

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From: Howley, JannaB - AMS
Sent: Thursday, August 27, 2015 10:58 AM
To: Michael, Matthew - AMS
Cc: Mann, Renee - AMS; Courtney, Cheri - AMS
Subject: FW: ETKO

Matthew:

The EU shared with the NOP their entire ETKO audit report, which led to the EU suspending ETKO's accreditation. The attached documents include what substances were detected, at what levels, and the names of companies involved. I know you were trying to determine if ETKO certified operations' products were coming into the United States, and this may help.

Thanks,

Janna Howley

Accreditation Manager | USDA National Organic Program
Room 2649-S (Stop 0268) | 1400 Independence Ave SW | Washington, DC 20250-0268
202-692-0047 Direct | www.ams.usda.gov/nop

[Sign up here](#) for the NOP Organic Insider, the National Organic Program's email notification service.

From: (b) (6), (b) (7)(C)

Sent: Thursday, August 27, 2015 10:46 AM

To: Gebault King, ReneeA - AMS

Cc: (b) (6) [redacted] Courtney, Cheri - AMS; Howley, JannaB - AMS

Subject: RE: ETKO

Dear Renée,

We are happy to send you more information on this case to help you in your investigations.

You will find attached the IOAS audit report and an overview of the non-compliances related to ETKO notified by EU Member States through our Organic Farming Information System (OFIS).

Hope this helps.

I take the opportunity to ask you something. In the framework of our IT project for setting up an electronic certificate of inspection for imported organic products, we need to put the contact information of the USDA certifiers into the system. I have found the information in your website in PDF: <http://www.ams.usda.gov/sites/default/files/media/OrganicCertifyingAgents.pdf>

Do you have this information in a Word document or an Excel table? It would be much easier for us for transferring the data to the system.

Thanks

Best regards

(b) (6), (b) (7)(C) [redacted]

[redacted]

[redacted]

[redacted]

[redacted]

From: Gebault King, ReneeA - AMS [<mailto:ReneeA.GebaultKing@ams.usda.gov>]
Sent: Wednesday, August 26, 2015 6:37 PM
To: (b) (6), (b) (7)(C)
Cc: (b) (6); Courtney, Cheri - AMS; Howley, JannaB - AMS
Subject: RE: ETKO

Dear (b) (6), (b) (7)(C),

Thank you for providing the information regarding ETKO. As the NOP has delved into the situation further, additional questions have arisen and I am seeking your assistance to gather more information.

Would it be possible to obtain the following items?:

1. The IOAS audit report with regard to ETKO.
2. The names of any of the operations connected to the EU's letter, which stated, "high volume shipments of organic goods imported from Ukraine into the Union containing residues of plant protection products that are not allowed in organic farming." (This comes from the **COMMISSION IMPLEMENTING REGULATION (EU) 2015/931 of 17 June 2015 amending and correcting Regulation (EC) No 1235/2008 laying down detailed rules for implementation of Council Regulation (EC) No 834/2007 as regards the arrangements for imports of organic products from third countries**, which you provided to the NOP on 18 June 2015.)

Thank you for your assistance with this issue. I look forward to your reply.

Kind regards,

Renée

Renée Gebault King, Ph.D.
Accreditation Manager

Office: 202.690.1312 | Mobile: (b) (6)
ReneeA.GebaultKing@ams.usda.gov

USDA National Organic Program | 1400 Independence Ave SW | Room 2649-South, Stop 0268
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From: (b) (6), (b) (7)(C)
Sent: Tuesday, June 30, 2015 10:36 AM
To: Gebault King, ReneeA - AMS
Cc: (b) (6); Courtney, Cheri - AMS

Subject: RE: ETKO

Dear Renée,

In terms of nonconformities, relevant information was primarily sourced from the IOAS audit report. In summary the assessors found the ETKO control system deficient in its implementation in a number of important aspects including:

- Insufficient rigour and integrity of inspection
- Acceptance of vague authority declarations on previous land use without checking veracity
- Inability to demonstrate effective controls
- Poor management of sample taking
- Inattention to dates of last use of non-allowed inputs and parallel production
- Lack of on-site input/output balance audits at handlers and processors
- Lack of regulation of non-organic seed use
- Not holding the operator to account for failings by sub-contractors
- Sales by sub-contractors
- An inspector payment system in Ukraine that lends itself to conflicting interest

With specific regard to the irregularity cases notified in OFIS, the assessors found that the ETKO investigation was unable to demonstrate full traceability of the product or fully link available samples and analyses to the shipments. More details can be made available where necessary.

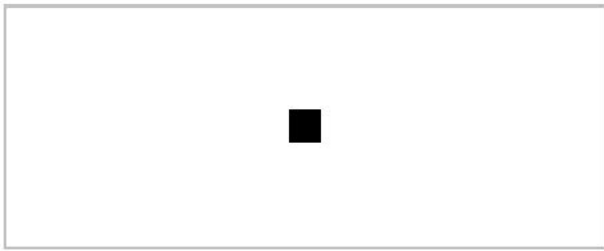
These nonconformities together with the recurrence of irregularity cases notified in OFIS indicated a systematic malfunctioning of the control measures applied. It also appeared that ETKO was unable to take adequate corrective measures in respect of the deficiencies reported and in response to the serious infringements observed. In such circumstances the risk existed for the consumer to be misled about the true nature of the products certified by ETKO. Consequently, ETKO was withdrawn from the EU list.

Best regards,

(b) (6), (b) (7)(C) [Redacted]

[Redacted]

[Redacted]



From: Gebault King, ReneeA - AMS [<mailto:ReneeA.GebaultKing@ams.usda.gov>]
Sent: Friday, June 26, 2015 3:45 PM
To: (b) (6), (b) (7)(C)
Subject: FW: ETKO

Dear (b) (6), (b) (7)(C)

I hope this e-mail finds you well. The USDA NOP is in need of additional information regarding ETKO. I would appreciate it if the EU could share information on the specific nonconformities and other deficiencies noted with respect to ETKO.

Kind regards,

Renee

Renee Gebault King, Ph.D.
Accreditation Manager

Office: 202.690.1312 | Mobile (b) (6)
ReneeA.GebaultKing@ams.usda.gov

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From: Gebault King, ReneeA - AMS
Sent: Friday, June 19, 2015 1:59 PM
To: (b) (6), (b) (7)(C)
Cc: Courtney, Cheri - AMS; (b) (6)
Subject: RE: ETKO

Dear (b) (6), (b) (7)(C)

Thank you for providing information on the actions the EU has taken with regard to Ekolojik Tarim Kontrol Organizasyonu (ETKO).

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From: (b) (6), (b) (7)(C)

Sent: Wednesday, June 17, 2015 8:18 AM

To: McEvoy, Miles - AMS

Cc: Courtney, Cheri - AMS; Gebault King, ReneeA - AMS; (b) (6)

Subject: ETKO

Dear Miles,

We would like to inform you about the measures taken against ETKO, a control body listed in Annex IV to Regulation (EC) No 1235/2008. As this control body is NOP accredited, the information below may be useful to you.

In recent months the Commission received several notifications from Member States concerning high volume shipments of organic goods imported from Ukraine into the Union containing residues of plant protection products that are not allowed in organic farming according to Regulation (EC) No 834/2007 and Commission Regulation (EC) No 889/2008. The goods in question had been certified under Regulation (EC) No 834/2007 by "Ekolojik Tarim Kontrol Organizasyonu" (ETKO).

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checks carried out and a substantial number of non-conformities were documented, which all together indicated a systematic malfunctioning of the control measures applied. It also appeared that ETKO was unable to take adequate corrective measures in respect of the deficiencies reported and in response to the serious infringements observed.

Consequently, ETKO has been withdrawn from Annex IV in accordance with points (d), (e) and (f) of the first subparagraph of Article 12(2) of Regulation (EC) No 1235/2008.

Best regards,

(b) (6), (b) (7)(C) [Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

From: [Gebault King, ReneeA - AMS](#)
To: (b) (6), (b) (7)(C)
Cc: (b) (6); [Courtney, Cheri - AMS](#); [Howley, JannaB - AMS](#)
Subject: RE: ETKO
Date: Thursday, August 27, 2015 10:58:11 AM
Attachments: [image001.png](#)
[image002.png](#)

Dear (b) (6), (b) (7)(C),

Thank you very much for providing this information. It is exactly what we needed!

I will consult with our IT personnel and see if it is possible to obtain a list of US certifiers in Word or Excel format.

Kind regards,

Renée

Renée Gebault King, Ph.D.
Accreditation Manager

Office: 202.690.1312 | Mobile: (b) (6)
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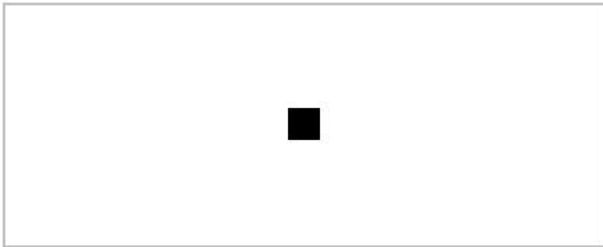
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ReneeA.GebaultKing@ams.usda.gov

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Sent: Wednesday, June 17, 2015 8:18 AM

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Cc: Courtney, Cheri - AMS; Gebault King, ReneeA - AMS; (b) (6)

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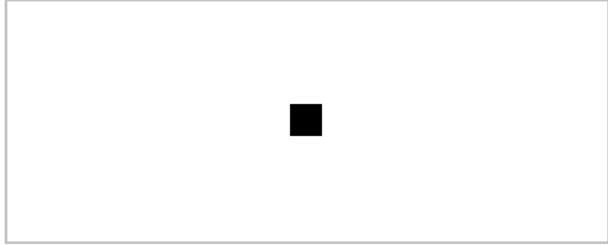
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Office: 202.690.1312 | Mobile: (b) (6)
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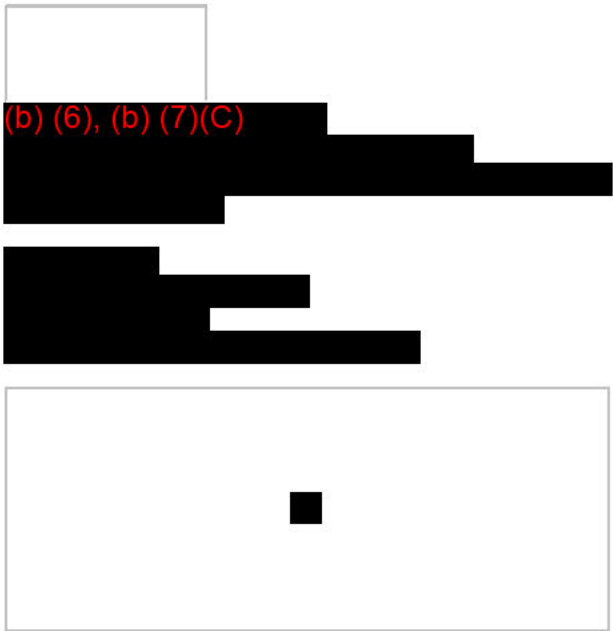
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Best regards,

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Subject: RE: ETKO
Date: Wednesday, August 26, 2015 12:37:11 PM
Attachments: [image001.png](#)
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These nonconformities together with the recurrence of irregularity cases notified in OFIS indicated a systematic malfunctioning of the control measures applied. It also appeared that ETKO was unable to take adequate corrective measures in respect of the deficiencies reported and in response to the serious infringements observed. In such circumstances the risk existed for the consumer to be misled about the true nature of the products certified by ETKO. Consequently, ETKO was withdrawn from the EU list.

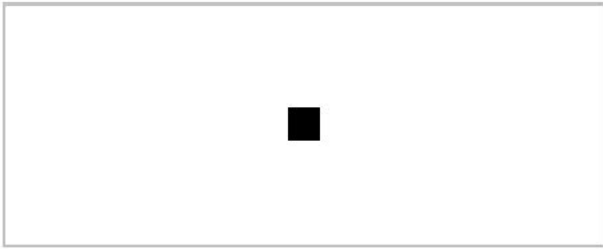
Best regards,

(b) (6), (b) (7)(C) [Redacted]

[Redacted]

[Redacted]

[Redacted]



From: Gebault King, ReneeA - AMS [<mailto:ReneeA.GebaultKing@ams.usda.gov>]
Sent: Friday, June 26, 2015 3:45 PM
To: (b) (6), (b) (7)(C)
Subject: FW: ETKO

Dear (b) (7)(C), (b) (6),

I hope this e-mail finds you well. The USDA NOP is in need of additional information regarding ETKO. I would appreciate it if the EU could share information on the specific nonconformities and other deficiencies noted with respect to ETKO.

Kind regards,

Renee

Renée Gebault King, Ph.D.
Accreditation Manager

Office: 202.690.1312 | Mobile: (b) (6)
ReneeA.GebaultKing@ams.usda.gov

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From: Gebault King, ReneeA - AMS
Sent: Friday, June 19, 2015 1:59 PM
To: (b) (6), (b) (7)(C)
Cc: Courtney, Cheri - AMS; (b) (6)
Subject: RE: ETKO

Dear (b) (7)(C), (b) (6),

Thank you for providing information on the actions the EU has taken with regard to Ekolojik Tarim Kontrol Organizasyonu (ETKO).

The USDA NOP is currently in the process of gathering information on the situation with ETKO. To this end, the USDA NOP would appreciate if the EU could share information on the specific nonconformities and other deficiencies noted with respect to ETKO.

Kind regards,

Renée

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From: (b) (6), (b) (7)(C)
Sent: Wednesday, June 17, 2015 8:18 AM
To: McEvoy, Miles - AMS
Cc: Courtney, Cheri - AMS; Gebault King, ReneeA - AMS; (b) (6)
Subject: ETKO

Dear Miles,

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Following information received by the Commission from ETKO and an on-the-spot examination of its activities by its accreditation body, serious deficiencies in the checks carried out and a substantial number of non-conformities were documented, which all together indicated a systematic malfunctioning of the control measures applied. It also

appeared that ETKO was unable to take adequate corrective measures in respect of the deficiencies reported and in response to the serious infringements observed.

Consequently, ETKO has been withdrawn from Annex IV in accordance with points (d), (e) and (f) of the first subparagraph of Article 12(2) of Regulation (EC) No 1235/2008.

Best regards,

(b) (6), (b) (7)(C) [Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

From: [McEvoy, Miles - AMS](#)
To: [Mann, Renee - AMS](#); [Yang, RobertH - AMS](#); [Howley, JannaB - AMS](#); [Zuck, Penelope - AMS](#)
Cc: [Courtney, Cheri - AMS](#)
Subject: RE: ETKO
Date: Tuesday, August 25, 2015 1:49:44 PM

Thanks for meeting today.

I didn't have a chance to review the ETKO project table prior to the meeting. The table outlines numerous findings that demonstrate failure to fully comply with the requirements for accreditation (205.501(a)(2)).

(b) (5)

Thanks.

Miles

From: Mann, Renee - AMS
Sent: Monday, August 24, 2015 3:03 PM
To: McEvoy, Miles - AMS; Yang, RobertH - AMS; Howley, JannaB - AMS; Zuck, Penelope - AMS
Cc: Courtney, Cheri - AMS
Subject: RE: ETKO

Hello Miles,

I have added Janna and Penny to the ETKO discussion because Janna has been working on the [ETKO project](#) and Penny is reviewing ETKO's [renewal audit report](#). I think we will have Penny work on this project when Janna leaves.

Thanks,

Renee

Renee Mann

Assistant Director, Accreditation and International Activities Division

USDA National Organic Program

(202) 260-8635

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-----Original Appointment-----

From: McEvoy, Miles - AMS
Sent: Friday, August 21, 2015 3:03 PM

To: McEvoy, Miles - AMS; Mann, Renee - AMS; Yang, RobertH - AMS

Subject: ETKO

When: Tuesday, August 25, 2015 9:00 AM-9:30 AM (UTC-05:00) Eastern Time (US & Canada).

Where: Miles office

Review ETKO issues

Develop plan to review ETKO, ETKO certified operations, and ETKO certified organic products.

Ideas-

(b) (5) [Redacted]

[Redacted]

[Redacted].

From: [Howley, JannaB - AMS](#)
To: [Gebault King, ReneeA - AMS](#)
Subject: RE: ETKO
Date: Tuesday, August 25, 2015 9:33:42 AM
Attachments: [image007.jpg](#)
[image008.png](#)
[image009.jpg](#)
[image010.png](#)

Renee:

Would you contact (b) (6), (b) (7)(C) to see whether we could get a copy of the IOAS audit report, as well as the names of any of the operations connected to the EU's letter, which stated, "high volume shipments of organic goods imported from Ukraine into the Union containing residues of plant protection products that are not allowed in organic farming."

This came from the document, **COMMISSION IMPLEMENTING REGULATION (EU) 2015/931 of 17 June 2015 amending and correcting Regulation (EC) No 1235/2008 laying down detailed rules for implementation of Council Regulation (EC) No 834/2007 as regards the arrangements for imports of organic products from third countries**, that (b) (6), (b) (7)(C) sent to the NOP on 18 June 2015.

Thanks, and don't hesitate to bombard me with questions about this 😊

Janna

From: Gebault King, ReneeA - AMS
Sent: Tuesday, June 30, 2015 10:48 AM
To: Howley, JannaB - AMS
Subject: FW: ETKO
Importance: High

FYI

From: (b) (6), (b) (7)(C)
Sent: Tuesday, June 30, 2015 10:36 AM
To: Gebault King, ReneeA - AMS
Cc: (b) (6) Courtney, Cheri - AMS
Subject: RE: ETKO

Dear Renée,

In terms of nonconformities, relevant information was primarily sourced from the IOAS audit report. In summary the assessors found the ETKO control system deficient in its implementation in a number of important aspects including:

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- Inability to demonstrate effective controls
- Poor management of sample taking
- Inattention to dates of last use of non-allowed inputs and parallel production

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Best regards,

(b) (6), (b) (7)(C)



[Redacted text block]

[Redacted text block]



From: Gebault King, ReneeA - AMS [<mailto:ReneeA.GebaultKing@ams.usda.gov>]
Sent: Friday, June 26, 2015 3:45 PM
To: (b) (6), (b) (7)(C)

Subject: FW: ETKO

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Kind regards,

Renée

Renée Gebault King, Ph.D.
Accreditation Manager

Office: 202.690.1312 | Mobile: (b) (6)
ReneeA.GebaultKing@ams.usda.gov

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From: Gebault King, ReneeA - AMS
Sent: Friday, June 19, 2015 1:59 PM

To: (b) (6), (b) (7)(C)

Cc: Courtney, Cheri - AMS; (b) (6)

Subject: RE: ETKO

Dear (b) (6), (b) (7)(C),

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From: (b) (6), (b) (7)(C)

Sent: Wednesday, June 17, 2015 8:18 AM

To: McEvoy, Miles - AMS

Cc: Courtney, Cheri - AMS; Gebault King, ReneeA - AMS; (b) (6)

Subject: ETKO

Dear Miles,

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Consequently, ETKO has been withdrawn from Annex IV in accordance with points (d), (e) and (f) of the first subparagraph of Article 12(2) of Regulation (EC) No 1235/2008.

Best regards,

(b) (6), (b) (7)(C)



(b) (6), (b) (7)(C)

[Redacted text block]



From: [Mann, Renee - AMS](#)
To: [McEvoy, Miles - AMS](#); [Yang, RobertH - AMS](#); [Howley, JannaB - AMS](#); [Zuck, Penelope - AMS](#)
Cc: [Courtney, Cheri - AMS](#)
Subject: RE: ETKO
Date: Monday, August 24, 2015 3:02:39 PM

Hello Miles,

I have added Janna and Penny to the ETKO discussion because Janna has been working on the [ETKO project](#) and Penny is reviewing ETKO's [renewal audit report](#). I think we will have Penny work on this project when Janna leaves.

Thanks,

Renee

Renee Mann

Assistant Director, Accreditation and International Activities Division

USDA National Organic Program

(202) 260-8635

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-----Original Appointment-----

From: McEvoy, Miles - AMS

Sent: Friday, August 21, 2015 3:03 PM

To: McEvoy, Miles - AMS; Mann, Renee - AMS; Yang, RobertH - AMS

Subject: ETKO

When: Tuesday, August 25, 2015 9:00 AM-9:30 AM (UTC-05:00) Eastern Time (US & Canada).

Where: Miles office

Review ETKO issues

Develop plan to review ETKO, ETKO certified operations, and ETKO certified organic products.

Ideas-

(b) (5)

[Redacted]

[Redacted]

From: [Gebault King, ReneeA - AMS](#)
To: [Howley, JannaB - AMS](#)
Subject: RE: ETKO
Date: Tuesday, June 30, 2015 3:28:55 PM
Attachments: [image001.png](#)
[image002.png](#)

Wahoo! 😊

From: Howley, JannaB - AMS
Sent: Tuesday, June 30, 2015 3:28 PM
To: Gebault King, ReneeA - AMS
Subject: RE: ETKO

Thank you! This is perfect.

From: Gebault King, ReneeA - AMS
Sent: Tuesday, June 30, 2015 10:48 AM
To: Howley, JannaB - AMS
Subject: FW: ETKO
Importance: High

FYI

From: (b) (6), (b) (7)(C)
Sent: Tuesday, June 30, 2015 10:36 AM
To: Gebault King, ReneeA - AMS
Cc: (b) (6) Courtney, Cheri - AMS
Subject: RE: ETKO

Dear Renée,

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and analyses to the shipments. More details can be made available where necessary.

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Best regards,

(b) (6), (b) (7)(C)

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From: Gebault King, ReneeA - AMS [<mailto:ReneeA.GebaultKing@ams.usda.gov>]
Sent: Friday, June 26, 2015 3:45 PM
To: (b) (6), (b) (7)(C)
Subject: FW: ETKO

Dear (b) (6), (b) (7)(C)

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Kind regards,

Renée

Renée Gebault King, Ph.D.
Accreditation Manager

Office: 202.690.1312 | Mobile: (b) (6)
ReneeA.GebaultKing@ams.usda.gov

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From: Gebault King, ReneeA - AMS
Sent: Friday, June 19, 2015 1:59 PM
To: (b) (6), (b) (7)(C)
Cc: Courtney, Cheri - AMS; (b) (6)
Subject: RE: ETKO

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From: (b) (6), (b) (7)(C)
Sent: Wednesday, June 17, 2015 8:18 AM
To: McEvoy, Miles - AMS
Cc: Courtney, Cheri - AMS; Gebault King, ReneeA - AMS; (b) (6)
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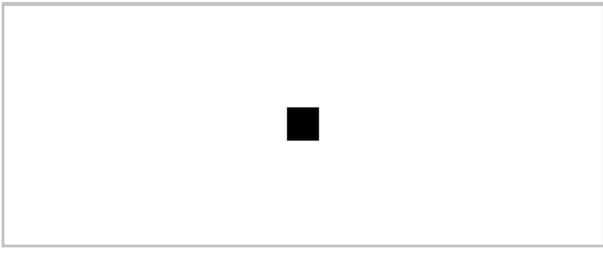
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Best regards,

(b) (6), (b) (7)(C)

A redacted signature block consisting of a small square icon in a box, followed by several lines of blacked-out text.



From: [Howley, JannaB - AMS](#)
To: [Gebault King, ReneeA - AMS](#)
Subject: RE: ETKO
Date: Tuesday, June 30, 2015 3:27:32 PM
Attachments: [image001.png](#)
[image002.png](#)

Thank you! This is perfect.

From: Gebault King, ReneeA - AMS
Sent: Tuesday, June 30, 2015 10:48 AM
To: Howley, JannaB - AMS
Subject: FW: ETKO
Importance: High

FYI

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Cc: (b) (6) ; Courtney, Cheri - AMS
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Subject: FW: ETKO

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Cc: Courtney, Cheri - AMS; (b) (6)

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(b) (6), (b) (7)(C) [Redacted]

[Redacted]

[Redacted]

[Redacted]

From: [Gebault King, ReneeA - AMS](#)
To: (b) (6), (b) (7)(C)
Cc: (b) (6); [Courtney, Cheri - AMS](#)
Subject: RE: ETKO
Date: Tuesday, June 30, 2015 10:52:14 AM
Attachments: [image001.png](#)
[image002.png](#)

Dear (b) (6), (b) (7)(C)

Thank you for providing the detailed summary of the EU's assessment of ETKO. This information is very helpful and we appreciate your assistance.

Kind regards,

Renée

Renée Gebault King, Ph.D.
Accreditation Manager

Office: 202.690.1312 | Mobile: (b) (6)
ReneeA.GebaultKing@ams.usda.gov

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- Sales by sub-contractors
- An inspector payment system in Ukraine that lends itself to conflicting interest

With specific regard to the irregularity cases notified in OFIS, the assessors found that the ETKO investigation was unable to demonstrate full traceability of the product or fully link available samples and analyses to the shipments. More details can be made available where necessary.

These nonconformities together with the recurrence of irregularity cases notified in OFIS indicated a systematic malfunctioning of the control measures applied. It also appeared that ETKO was unable to take adequate corrective measures in respect of the deficiencies reported and in response to the serious infringements observed. In such circumstances the risk existed for the consumer to be misled about the true nature of the products certified by ETKO. Consequently, ETKO was withdrawn from the EU list.

Best regards,

(b) (6), (b) (7)(C)

[Redacted]

[Redacted]

[Redacted]

[Redacted]

From: Gebault King, ReneeA - AMS [<mailto:ReneeA.GebaultKing@ams.usda.gov>]
Sent: Friday, June 26, 2015 3:45 PM
To: (b) (6), (b) (7)(C)
Subject: FW: ETKO

Dear (b) (6), (b) (7)(C)

I hope this e-mail finds you well. The USDA NOP is in need of additional information

regarding ETKO. I would appreciate it if the EU could share information on the specific nonconformities and other deficiencies noted with respect to ETKO.

Kind regards,

Renée

Renée Gebault King, Ph.D.
Accreditation Manager

Office: 202.690.1312 | Mobile: (b) (6)
ReneeA.GebaultKing@ams.usda.gov

USDA National Organic Program | 1400 Independence Ave SW | Room 2649-South, Stop 0268
Washington, D.C. 20250-0268 | Tel: 202.720.3252 | Fax: 202.205.7808 | www.ams.usda.gov/nop
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From: Gebault King, ReneeA - AMS
Sent: Friday, June 19, 2015 1:59 PM

To: (b) (6), (b) (7)(C)

Cc: Courtney, Cheri - AMS; (b) (6)

Subject: RE: ETKO

Dear (b) (6), (b) (7)(C),

Thank you for providing information on the actions the EU has taken with regard to Ekolojik Tarim Kontrol Organizasyonu (ETKO).

The USDA NOP is currently in the process of gathering information on the situation with ETKO. To this end, the USDA NOP would appreciate if the EU could share information on the specific nonconformities and other deficiencies noted with respect to ETKO.

Kind regards,

Renée

Renée Gebault King, Ph.D.
Accreditation Manager

Office: 202.690.1312 | Mobile: (b) (6)
ReneeA.GebaultKing@ams.usda.gov

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From: (b) (6), (b) (7)(C)
Sent: Wednesday, June 17, 2015 8:18 AM
To: McEvoy, Miles - AMS
Cc: Courtney, Cheri - AMS; Gebault King, ReneeA - AMS (b) (6)
Subject: ETKO

Dear Miles,

We would like to inform you about the measures taken against ETKO, a control body listed in Annex IV to Regulation (EC) No 1235/2008. As this control body is NOP accredited, the information below may be useful to you.

In recent months the Commission received several notifications from Member States concerning high volume shipments of organic goods imported from Ukraine into the Union containing residues of plant protection products that are not allowed in organic farming according to Regulation (EC) No 834/2007 and Commission Regulation (EC) No 889/2008. The goods in question had been certified under Regulation (EC) No 834/2007 by "Ekolojik Tarim Kontrol Organizasyonu" (ETKO).

Following information received by the Commission from ETKO and an on-the-spot examination of its activities by its accreditation body, serious deficiencies in the checks carried out and a substantial number of non-conformities were documented, which all together indicated a systematic malfunctioning of the control measures applied. It also appeared that ETKO was unable to take adequate corrective measures in respect of the deficiencies reported and in response to the serious infringements observed.

Consequently, ETKO has been withdrawn from Annex IV in accordance with points (d), (e) and (f) of the first subparagraph of Article 12(2) of Regulation (EC) No 1235/2008.

Best regards,

(b) (6), (b) (7)(C)



[Redacted signature block]

(b) (6), (b) (7)(C)

[Redacted text block]

[Redacted text block]

From: (b) (6), (b) (7)(C)
To: [Gebault King, ReneeA - AMS](#)
Cc: (b) (6)
Subject: RE: ETKO
Date: Tuesday, June 30, 2015 10:35:49 AM
Attachments: [image001.png](#)
[image002.png](#)

Dear Renée,

In terms of nonconformities, relevant information was primarily sourced from the IOAS audit report. In summary the assessors found the ETKO control system deficient in its implementation in a number of important aspects including:

- Insufficient rigour and integrity of inspection
- Acceptance of vague authority declarations on previous land use without checking veracity
- Inability to demonstrate effective controls
- Poor management of sample taking
- Inattention to dates of last use of non-allowed inputs and parallel production
- Lack of on-site input/output balance audits at handlers and processors
- Lack of regulation of non-organic seed use
- Not holding the operator to account for failings by sub-contractors
- Sales by sub-contractors
- An inspector payment system in Ukraine that lends itself to conflicting interest

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Best regards,

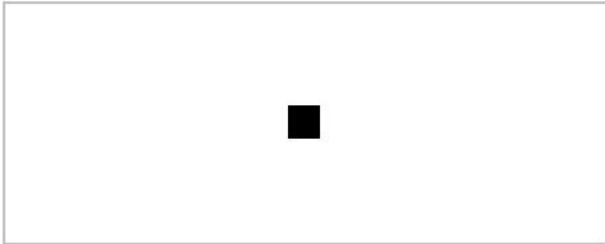
(b) (6), (b) (7)(C)



(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

[Redacted]



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Sent: Friday, June 26, 2015 3:45 PM
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Kind regards,

Renee

Renee Gebault King, Ph.D.
Accreditation Manager

Office: 202.690.1312 | Mobile: (b) (6)
ReneeA.GebaultKing@ams.usda.gov

USDA National Organic Program | 1400 Independence Ave SW | Room 2649-South, Stop 0268
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From: Gebault King, ReneeA - AMS
Sent: Friday, June 19, 2015 1:59 PM
To: (b) (6), (b) (7)(C)
Cc: Courtney, Cheri - AMS; (b) (6)
Subject: RE: ETKO

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Renée

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From: (b) (6), (b) (7)(C)]
Sent: Wednesday, June 17, 2015 8:18 AM
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Cc: Courtney, Cheri - AMS; Gebault King, ReneeA - AMS; (b) (6)
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Best regards,

(b) (6), (b) (7)(C) [Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

From: [Gebault King, ReneeA - AMS](#)
To: (b) (6), (b) (7)(C)
Cc: [Courtney, Cheri - AMS](#); (b) (6)
Subject: RE: ETKO
Date: Friday, June 19, 2015 1:59:22 PM
Attachments: [image001.png](#)
[image002.png](#)

Dear (b) (6), (b) (7)(C)

Thank you for providing information on the actions the EU has taken with regard to Ekolojik Tarim Kontrol Organizasyonu (ETKO).

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Kind regards,

Renée

Renée Gebault King, Ph.D.
Accreditation Manager

Office: 202.690.1312 | Mobile: (b) (6)
ReneeA.GebaultKing@ams.usda.gov

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Best regards,

(b) (6), (b) (7)(C)

■

■

■

■

From: [Howley, JannaB - AMS](#)
To: [Essig, Mario - AMS](#)
Subject: RE: ETKO (Ecological Farming Control Organization)
Date: Tuesday, April 21, 2015 12:10:27 PM
Attachments: [image001.png](#)

It's not in the WTL because the report has not yet been assigned to anyone. Once it's assigned, then that Accreditation Manager adds it to the WTL.

From: Essig, Mario - AMS
Sent: Tuesday, April 21, 2015 11:51 AM
To: Howley, JannaB - AMS
Subject: RE: ETKO (Ecological Farming Control Organization)

Hi Janna,

Yes, it should be in the WTL. If not, then define the reason why it should not be. This will help me understand the process and tailor the database system to fit the process.

Regards,
Mario Essig



Mario Essig | Program Analyst | National Organic Program
USDA AMS | 1400 Independence Ave. SW RM 2648-S Washington, DC 20250

Mario.Essig@ams.usda.gov
[Office #: 202.779.9466](#)
[NOP website](#)

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From: Howley, JannaB - AMS
Sent: Tuesday, April 21, 2015 11:49 AM
To: Essig, Mario - AMS
Subject: ETKO (Ecological Farming Control Organization)

Mario:

I checked the ETKO NP1432LCA audit that is in the Audit Onsite History Datasheet as confirmed, and it is not showing up in the Audit Life Cycle report, as RM had identified. I think it's because there are no associated WTL activities, but I wanted to confirm with you that WTL items had to be happening in order for something to populate in the Audit Life Cycle report.

Thanks!

Janna Howley

Accreditation Manager | USDA National Organic Program

Room 2649-S (Stop 0268) | 1400 Independence Ave SW | Washington, DC 20250-0268

202-692-0047 Direct | www.ams.usda.gov/nop

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From: [Mann, Renee - AMS](#)
To: [Claypool, Rebecca E - AMS](#)
Cc: [Courtney, Cheri - AMS](#)
Subject: RE: ETKO annual report documents for your review
Date: Wednesday, January 25, 2017 1:46:48 PM

Rebecca,
This looks good. I signed the letter and sent it to John to send.
-RM

Renee Mann

Assistant Director, Accreditation and International Activities Division
USDA National Organic Program

From: Claypool, Rebecca E - AMS
Sent: Wednesday, January 25, 2017 10:49 AM
To: Mann, Renee - AMS <Renee.Mann@ams.usda.gov>
Cc: Courtney, Cheri - AMS <Cheri.Courtney@ams.usda.gov>
Subject: ETKO annual report documents for your review

Renee:
Please review the following documents regarding ETKO's annual report:

For your approval:

Letter – [P:\AIA\ACA-Active\ETKO-Turkey\Ann Repts\2017\No Ann Rept ETKO 012517.docx](#)
Report – [P:\AIA\ACA-Active\ETKO-Turkey\Ann Repts\2017\NOP-2024-AnnualReportChecklist.2016_RC.pdf](#)

Thanks,
Rebecca

Rebecca Claypool
Accreditation Manager
USDA National Organic Program
1400 Independence Ave SW
Washington, DC 20250
(202) 350-5706
[Get USDA Organic Insider updates!](#)

From: [Courtney, Cheri - AMS](#)
To: [McEvoy, Miles - AMS](#); [Tucker, Jennifer - AMS](#)
Subject: RE: ETKO appeal - settlement executed
Date: Tuesday, May 17, 2016 8:32:22 AM

I propose we tentatively schedule the ETKO audit for later in the year in hopes that the travel advisory is lifted. Additionally, we should advise ETKO of NOP's policy regarding travel warnings so they are aware of the potential issue.

Cheri

From: McEvoy, Miles - AMS
Sent: Thursday, May 12, 2016 8:47 AM
To: Courtney, Cheri - AMS <Cheri.Courtney@ams.usda.gov>; Tucker, Jennifer - AMS <Jennifer.Tucker@ams.usda.gov>
Subject: RE: ETKO appeal - settlement executed

Please propose next steps.

From: Courtney, Cheri - AMS
Sent: Tuesday, May 03, 2016 9:03 AM
To: McEvoy, Miles - AMS <Miles.McEvoy@ams.usda.gov>; Tucker, Jennifer - AMS <Jennifer.Tucker@ams.usda.gov>
Subject: RE: ETKO appeal - settlement executed

Jenny and Miles,

The State Department has issued a travel warning for Turkey. Because of this we will not be able to perform the audit of ETKO, as required in the settlement agreement. The warning states "restricted official travel to Turkey to "mission-critical" travel only." For more details on the warning see the State Department website. <https://travel.state.gov/content/passports/en/alertswarnings/turkey-travel-warning.html> .

Additionally, NOP 2000 states: NOP accreditation is not available to certifiers that are based only in or conduct key activities in areas where the U.S. Department of State has issued travel warnings, travel alerts, or other restrictions that could affect the health, safety, or security of Federal employees. Applicants for accreditation that are affected by such warnings, alerts, or restrictions will be denied consideration and have their applications and fees returned.

If an audit of a certifier cannot be conducted as required by the regulations due to U.S. Department of State travel warnings, travel alerts, or other restrictions, the NOP may suspend the certifier's accreditation until conditions change and/or restrictions are lifted. The NOP will explore alternative methods for conducting audits but if no viable alternatives exist, accreditation will be suspended.

We need to discuss how to move forward with ETKO in light of the travel warning. As a note, we

suspended a certifier in Egypt because we were unable to conduct an onsite audit due to the travel warning.

Regards,
Cheri

From: [McEvoy, Miles - AMS](#)
To: [Courtney, Cheri - AMS](#); [Tucker, Jennifer - AMS](#)
Subject: RE: ETKO appeal - settlement executed
Date: Thursday, May 12, 2016 8:47:28 AM

Please propose next steps.

From: Courtney, Cheri - AMS
Sent: Tuesday, May 03, 2016 9:03 AM
To: McEvoy, Miles - AMS <Miles.McEvoy@ams.usda.gov>; Tucker, Jennifer - AMS <Jennifer.Tucker@ams.usda.gov>
Subject: RE: ETKO appeal - settlement executed

Jenny and Miles,

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Regards,
Cheri

From: [Mann, Renee - AMS](#)
To: [Zuck, Penelope - AMS](#)
Cc: [Courtney, Cheri - AMS](#)
Subject: RE: ETKO appeal - settlement executed
Date: Friday, May 06, 2016 11:57:27 AM
Attachments: [image001.png](#)

Hi Penny,

Thank you for looking into these steps following ETKO's settlement agreement. I'm following up to make sure you get a response on this, although if Cheri has a different plan, please do follow that.

(b) (5) [Redacted]
[Redacted]
[Redacted]
[Redacted]
[Redacted]

[Redacted] I would still take a look at the Bolicert and NICS files to see if you can find an example there.

Thanks,
Renee

Renee Mann
Assistant Director, Accreditation and International Activities Division
USDA National Organic Program
(202) 260-8635
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From: Zuck, Penelope - AMS
Sent: Thursday, April 28, 2016 10:55 AM
To: Mann, Renee - AMS <Renee.Mann@ams.usda.gov>
Cc: Courtney, Cheri - AMS <Cheri.Courtney@ams.usda.gov>
Subject: RE: ETKO appeal - settlement executed

Hi Renee,

I reviewed the ETKO settlement agreement and basically, NOP needs to do the following:

(b) (5) [Redacted]
[Redacted]
[Redacted]
[Redacted]

(b) (5) [Redacted]
[Redacted] Here is a link to the chrono log I created with the summary:
[P:\AIA\ACA-Active\ETKO-Turkey\Settlement\SA chrono log.docx](#)

Just let me know if you'd like me to proceed with this and how.

Thanks,
Penny



PENNY ZUCK | USDA-NATIONAL ORGANIC PROGRAM | ACCREDITATION MANAGER
USDA - AMS - NOP | 1400 Independence Ave SW | 2649-S | Washington DC 20250
☎ 202.260.9444 | Fax 202.205.7808 | ✉ Penelope.Zuck@ams.usda.gov
[Join the NOP mailing list](#)

From: Mann, Renee - AMS
Sent: Monday, April 25, 2016 12:14 PM
To: Zuck, Penelope - AMS <Penelope.Zuck@ams.usda.gov>
Cc: Courtney, Cheri - AMS <Cheri.Courtney@ams.usda.gov>
Subject: FW: ETKO appeal - settlement executed

Hi Penny,
Can you please follow up on the ETKO appeal settlement, and just make sure that AIA knows what it needs to do? I assume you will find it here: P:\Appeals\1 CLOSED Appeals\FY 2016\16-008 ETKO. If you can't confirm which file it is, definitely ask Meg. I am asking you to do this because Robert is busy with the India report and we are trying to keep things off his plate until that finishes.

Thanks,
Renee

Renee Mann
Assistant Director, Accreditation and International Activities Division
USDA National Organic Program
(202) 260-8635
Sign up for the [USDA Organic Insider](#)

From: Kuhn, Meg - AMS
Sent: Wednesday, April 13, 2016 4:41 PM
To: Courtney, Cheri - AMS <Cheri.Courtney@ams.usda.gov>
Cc: Mann, Renee - AMS <Renee.Mann@ams.usda.gov>; Yang, RobertH - AMS <RobertH.Yang@ams.usda.gov>
Subject: ETKO appeal - settlement executed

Dear Cheri,

The settlement agreement that resolved the appeal between NOP and ETKO has been executed. In the settlement, the NOP agreed to withdraw the Notice of Proposed Suspension and also accepted the corrective and preventive actions ETKO has submitted to address the May 15, 2015 Notice of Noncompliance. This is a reminder to AIA to follow up on those actions, and any other accreditation

actions that may need to occur in order to resolve the 2013 Renewal process.

If you have any questions, please do not hesitate to reach out to me or Jenny.

Thanks,

Meg

Meg Kuhn

Appeals Specialist

Office of the Deputy Administrator

National Organic Program

U.S. Department of Agriculture

Room 2649-So. (Stop 0268)

1400 Independence Ave SW

Washington, DC 20250-0268

Main Office: 202.720.3252

Direct: 202.205.9644

Cell: (b) (6)

meg.kuhn@ams.usda.gov

www.ams.usda.gov/nop

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From: [Courtney, Cheri - AMS](#)
To: [McEvoy, Miles - AMS](#); [Tucker, Jennifer - AMS](#)
Subject: RE: ETKO appeal - settlement executed
Date: Tuesday, May 03, 2016 9:03:04 AM

Jenny and Miles,

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Subject: RE: ETKO appeal - settlement executed
Date: Thursday, April 28, 2016 10:55:14 AM
Attachments: [image001.png](#)

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(b) [REDACTED]
(5) [REDACTED]
) [REDACTED]
[REDACTED]

[REDACTED]

[REDACTED] Here is a link to the chrono log I created with the summary:

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Just let me know if you'd like me to proceed with this and how.

Thanks,
Penny



PENNY ZUCK | USDA-NATIONAL ORGANIC PROGRAM | ACCREDITATION MANAGER |
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Cc: Mann, Renee - AMS <Renee.Mann@ams.usda.gov>; Yang, RobertH - AMS <RobertH.Yang@ams.usda.gov>
Subject: ETKO appeal - settlement executed

Dear Cheri,

The settlement agreement that resolved the appeal between NOP and ETKO has been executed. In the settlement, the NOP agreed to withdraw the Notice of Proposed Suspension and also accepted the corrective and preventive actions ETKO has submitted to address the May 15, 2015 Notice of Noncompliance. This is a reminder to AIA to follow up on those actions, and any other accreditation actions that may need to occur in order to resolve the 2013 Renewal process.

If you have any questions, please do not hesitate to reach out to me or Jenny.

Thanks,


Meg

Meg Kuhn

Appeals Specialist
Office of the Deputy Administrator
National Organic Program
U.S. Department of Agriculture
Room 2649-So. (Stop 0268)
1400 Independence Ave SW
Washington, DC 20250-0268
Main Office: 202.720.3252
Direct: 202.205.9644
Cell: (b) (6)
meg.kuhn@ams.usda.gov
www.ams.usda.gov/nop

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 Please consider sustainability before printing this e-mail or attachments

From: [Mann, Renee - AMS](#)
To: [Kuhn, Meg - AMS](#); [Courtney, Cheri - AMS](#)
Cc: [Yang, RobertH - AMS](#)
Subject: RE: ETKO appeal - settlement executed
Date: Friday, April 22, 2016 9:14:02 AM

Hi Meg,

Thank you for this information. We will follow-up accordingly.

-Renee

From: Kuhn, Meg - AMS
Sent: Wednesday, April 13, 2016 4:41 PM
To: Courtney, Cheri - AMS <Cheri.Courtney@ams.usda.gov>
Cc: Mann, Renee - AMS <Renee.Mann@ams.usda.gov>; Yang, RobertH - AMS <RobertH.Yang@ams.usda.gov>
Subject: ETKO appeal - settlement executed

Dear Cheri,

The settlement agreement that resolved the appeal between NOP and ETKO has been executed. In the settlement, the NOP agreed to withdraw the Notice of Proposed Suspension and also accepted the corrective and preventive actions ETKO has submitted to address the May 15, 2015 Notice of Noncompliance. This is a reminder to AIA to follow up on those actions, and any other accreditation actions that may need to occur in order to resolve the 2013 Renewal process.

If you have any questions, please do not hesitate to reach out to me or Jenny.

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Please consider sustainability before printing this e-mail or attachments

From: [McEvoy, Miles - AMS](#)
To: [Courtney, Cheri - AMS](#); [Tucker, Jennifer - AMS](#)
Cc: [Mann, Renee - AMS](#)
Subject: RE: ETKO appeal - settlement executed
Date: Tuesday, May 17, 2016 5:37:42 PM

Let's contract with IOAS to conduct the audit for us.

Miles

From: Courtney, Cheri - AMS
Sent: Tuesday, May 17, 2016 8:32 AM
To: McEvoy, Miles - AMS <Miles.McEvoy@ams.usda.gov>; Tucker, Jennifer - AMS <Jennifer.Tucker@ams.usda.gov>
Subject: RE: ETKO appeal - settlement executed

I propose we tentatively schedule the ETKO audit for later in the year in hopes that the travel advisory is lifted. Additionally, we should advise ETKO of NOP's policy regarding travel warnings so they are aware of the potential issue.

Cheri

From: McEvoy, Miles - AMS
Sent: Thursday, May 12, 2016 8:47 AM
To: Courtney, Cheri - AMS <Cheri.Courtney@ams.usda.gov>; Tucker, Jennifer - AMS <Jennifer.Tucker@ams.usda.gov>
Subject: RE: ETKO appeal - settlement executed

Please propose next steps.

From: Courtney, Cheri - AMS
Sent: Tuesday, May 03, 2016 9:03 AM
To: McEvoy, Miles - AMS <Miles.McEvoy@ams.usda.gov>; Tucker, Jennifer - AMS <Jennifer.Tucker@ams.usda.gov>
Subject: RE: ETKO appeal - settlement executed

Jenny and Miles,

The State Department has issued a travel warning for Turkey. Because of this we will not be able to perform the audit of ETKO, as required in the settlement agreement. The warning states "restricted official travel to Turkey to "mission-critical" travel only." For more details on the warning see the State Department website. <https://travel.state.gov/content/passports/en/alertswarnings/turkey-travel-warning.html> .

Additionally, NOP 2000 states: **NOP** accreditation is not available to certifiers that are based only in or conduct key activities in areas where the U.S. Department of State has issued travel

warnings, travel alerts, or other restrictions that could affect the health, safety, or security of Federal employees. Applicants for accreditation that are affected by such warnings, alerts, or restrictions will be denied consideration and have their applications and fees returned.

If an audit of a certifier cannot be conducted as required by the regulations due to U.S. Department of State travel warnings, travel alerts, or other restrictions, the NOP may suspend the certifier's accreditation until conditions change and/or restrictions are lifted. The NOP will explore alternative methods for conducting audits but if no viable alternatives exist, accreditation will be suspended.

We need to discuss how to move forward with EKTO in light of the travel warning. As a note, we suspended a certifier in Egypt because we were unable to conduct an onsite audit due to the travel warning.

Regards,
Cheri

From: [Zuck, Penelope - AMS](#)
To: [Crail, Lars - AMS](#)
Cc: [Mann, Renee - AMS](#); [Courtney, Cheri - AMS](#)
Subject: RE: ETKO audit
Date: Wednesday, April 27, 2016 4:22:54 PM
Attachments: [image001.png](#)
[image002.png](#)

Hi Lars,

The settlement agreement does not indicate the audit must take place in addition to regular audits, it just needs to take place within 12 months of the signed agreement. Therefore, I would think (b) (5)

but will defer that to Renee and Cheri to make the final determination.

Thanks,
Penny



PENNY ZUCK | USDA-NATIONAL ORGANIC PROGRAM | ACCREDITATION MANAGER |
USDA • AMS • NOP | 1400 Independence Ave SW | 2649-S | Washington DC 20250
☎ 202.260.9444 | Fax 202.205.7808 | ✉ Penelope.Zuck@ams.usda.gov
[Join the NOP mailing list](#)

From: Crail, Lars - AMS
Sent: Tuesday, April 26, 2016 4:24 PM
To: Zuck, Penelope - AMS <Penelope.Zuck@ams.usda.gov>
Cc: Mann, Renee - AMS <Renee.Mann@ams.usda.gov>; Courtney, Cheri - AMS <Cheri.Courtney@ams.usda.gov>
Subject: RE: ETKO audit

Hi Penny,

ETKO was scheduled for their Mid-term audit in May, but was postponed due to travel restrictions. We do not know when travel restrictions will be lifted.

Does the settlement agreement specify an addition audit, or would the mid-term suffice for the verification of corrective actions? If the settlement agreement specifies an additional audit, I'd like to discuss our strategy before I attempt to propose audit dates.

Lars Crail
USDA NOP
202.205.5536 office
(b) (6) mobile



From: Zuck, Penelope - AMS

Sent: Tuesday, April 26, 2016 3:27 PM

To: Crail, Lars - AMS <Lars.Crail@ams.usda.gov>

Cc: Mann, Renee - AMS <Renee.Mann@ams.usda.gov>; Courtney, Cheri - AMS <Cheri.Courtney@ams.usda.gov>

Subject: ETKO audit

Hi Lars,

As part of a settlement agreement with ETKO, NOP will need to conduct an on-site audit within 12 months of the settlement agreement signing, which is dated April 6, 2016. This audit will focus on verifying implementation of the corrective and preventive action that ETKO submitted in response to the NOP's May 13, 2015 Notice of Noncompliance and will be at ETKO's expense. Could you please add this to the audit schedule to take place before April 6, 2017?

Thanks,

Penny



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☎ 202.260.9444 | Fax 202.205.7808 | ✉ Penelope.Zuck@ams.usda.gov
[Join the NOP mailing list](#)

From: [Crail, Lars - AMS](#)
To: [Zuck, Penelope - AMS](#)
Cc: [Mann, Renee - AMS](#); [Courtney, Cheri - AMS](#)
Subject: RE: ETKO audit
Date: Tuesday, April 26, 2016 4:24:17 PM
Attachments: [image002.png](#)
[image003.png](#)

Hi Penny,

ETKO was scheduled for their Mid-term audit in May, but was postponed due to travel restrictions. We do not know when travel restrictions will be lifted.

Does the settlement agreement specify an addition audit, or would the mid-term suffice for the verification of corrective actions? If the settlement agreement specifies an additional audit, I'd like to discuss our strategy before I attempt to propose audit dates.

Lars Crail
USDA NOP
202.205.5536 office
(b) (6) mobile



From: Zuck, Penelope - AMS
Sent: Tuesday, April 26, 2016 3:27 PM
To: Crail, Lars - AMS <Lars.Crail@ams.usda.gov>
Cc: Mann, Renee - AMS <Renee.Mann@ams.usda.gov>; Courtney, Cheri - AMS <Cheri.Courtney@ams.usda.gov>
Subject: ETKO audit

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From: [Mann, Renee - AMS](#)
To: [Zuck, Penelope - AMS](#); [Crail, Lars - AMS](#)
Cc: [Courtney, Cheri - AMS](#)
Subject: RE: ETKO audit
Date: Thursday, April 28, 2016 8:50:16 AM
Attachments: [image001.png](#)
[image002.png](#)

Hi all –

(b) (5)
[Redacted]

-ReneeM

Renee Mann
Assistant Director, Accreditation and International Activities Division
USDA National Organic Program
(202) 260-8635
Sign up for the [USDA Organic Insider](#)

From: Zuck, Penelope - AMS
Sent: Wednesday, April 27, 2016 4:23 PM
To: Crail, Lars - AMS <Lars.Crail@ams.usda.gov>
Cc: Mann, Renee - AMS <Renee.Mann@ams.usda.gov>; Courtney, Cheri - AMS <Cheri.Courtney@ams.usda.gov>
Subject: RE: ETKO audit

Hi Lars,
The settlement agreement does not indicate the audit must take place in addition to regular audits, it just needs to take place within 12 months of the signed agreement. Therefore, I would think the terms of the settlement agreement could be met along with the mid-term audit, but will defer that to Renee and Cheri to make the final determination.

Thanks,
Penny



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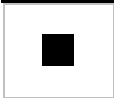
From: Crail, Lars - AMS
Sent: Tuesday, April 26, 2016 4:24 PM
To: Zuck, Penelope - AMS <Penelope.Zuck@ams.usda.gov>
Cc: Mann, Renee - AMS <Renee.Mann@ams.usda.gov>; Courtney, Cheri - AMS <Cheri.Courtney@ams.usda.gov>
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Lars Crail
USDA NOP
202.205.5536 office
(b) (6) mobile



From: Zuck, Penelope - AMS
Sent: Tuesday, April 26, 2016 3:27 PM
To: Crail, Lars - AMS <Lars.Crail@ams.usda.gov>
Cc: Mann, Renee - AMS <Renee.Mann@ams.usda.gov>; Courtney, Cheri - AMS <Cheri.Courtney@ams.usda.gov>
Subject: ETKO audit

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Thanks,
Penny



PENNY ZUCK | USDA-NATIONAL ORGANIC PROGRAM | ACCREDITATION MANAGER
USDA • AMS • NOP | 1400 Independence Ave SW | 2649-S | Washington DC 20250
☎ 202.260.9444 | Fax 202.205.7808 | ✉ Penelope.Zuck@ams.usda.gov
[Join the NOP mailing list](#)

From: [Courtney, Cheri - AMS](#)
To: [Zuck, Penelope - AMS](#)
Cc: [Yang, RobertH - AMS](#)
Subject: RE: ETKO CA Report documents for your review
Date: Wednesday, June 22, 2016 11:54:05 AM
Attachments: [image001.png](#)

Hi Penny – I reviewed the letter and I think we need to structure the letter similar to a Notice of NC resolution. What template to use as a basis for the letter – knowing that may help me better understand the structure of the letter.

Thanks

Cheri

From: Zuck, Penelope - AMS
Sent: Wednesday, June 15, 2016 11:14 AM
To: Courtney, Cheri - AMS <Cheri.Courtney@ams.usda.gov>
Cc: Yang, RobertH - AMS <RobertH.Yang@ams.usda.gov>
Subject: ETKO CA Report documents for your review

Cheri:

Please review the following documents regarding ETKO's Corrective Actions – Accepted according to the Settlement Agreement:

For your approval:

Letter – [P:\AIA\ACA-Active\ETKO-Turkey\Settlement\NP4132LCA ETKO CA letter.docx](#)

Report – [P:\AIA\ACA-Active\ETKO-Turkey\Settlement\NP4132LCA ETKO CA Report Settlement.docx](#)

Reference:

Chronology Log - [P:\AIA\ACA-Active\ETKO-Turkey\Settlement\SA chrono log.docx](#)

File folder (where the letter/report for approval can be found) - [P:\AIA\ACA-Active\ETKO-Turkey\Settlement](#)

Thanks,

Penny



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☎ 202.260.9444 | Fax 202.205.7808 | ✉ Penelope.Zuck@ams.usda.gov
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From: [Zuck, Penelope - AMS](#)
To: [Courtney, Cheri - AMS](#)
Cc: [Yang, RobertH - AMS](#)
Subject: RE: ETKO CA Report documents for your review
Date: Wednesday, June 22, 2016 12:02:20 PM
Attachments: [image001.png](#)

Hi Cheri,

Originally, this was going to be their accreditation renewal so I just adjusted that letter after it was decided that we were not going to renew the accreditation.

Penny



PENNY ZUCK | USDA-NATIONAL ORGANIC PROGRAM | ACCREDITATION MANAGER
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☎ 202.260.9444 | Fax 202.205.7808 | ✉ Penelope.Zuck@ams.usda.gov
[Join the NOP mailing list](#)

From: Courtney, Cheri - AMS
Sent: Wednesday, June 22, 2016 11:54 AM
To: Zuck, Penelope - AMS <Penelope.Zuck@ams.usda.gov>
Cc: Yang, RobertH - AMS <RobertH.Yang@ams.usda.gov>
Subject: RE: ETKO CA Report documents for your review

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Sent: Wednesday, June 15, 2016 11:14 AM
To: Courtney, Cheri - AMS <Cheri.Courtney@ams.usda.gov>
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For your approval:

Letter – <P:\AIA\ACA-Active\ETKO-Turkey\Settlement\NP4132LCA ETKO CA letter.docx>

Report – <P:\AIA\ACA-Active\ETKO-Turkey\Settlement\NP4132LCA ETKO CA Report Settlement.docx>

Reference:

Chronology Log - P:\AIA\ACA-Active\ETKO-Turkey\Settlement\SA_chrono_log.docx
File folder (where the letter/report for approval can be found) - <P:\AIA\ACA-Active\ETKO-Turkey\Settlement>

Thanks,
Penny



PENNY ZUCK | USDA-NATIONAL ORGANIC PROGRAM | ACCREDITATION MANAGER |
USDA • AMS • NOP | 1400 Independence Ave SW | 2649-S | Washington DC 20250
☎ 202.260.9444 | Fax 202.205.7808 | ✉ Penelope.Zuck@ams.usda.gov
[Join the NOP mailing list](#)

From: [Zuck, Penelope - AMS](#)
To: [Howley, JannaB - AMS](#)
Subject: RE: ETKO CAs
Date: Monday, August 24, 2015 3:53:09 PM
Attachments: [image001.png](#)

Hi Janna,

Renee asked me to attend the meeting also. I did complete the CA Report, although, Renee had some follow up questions on the report so I think we will discuss those along with their other issues in order to move forward.

I'll be reviewing everything before the meeting in case there are questions.

You can check out the CA Report, if you'd like here:

<P:\AIA\ACA-Active\ETKO-Turkey\2013 Renewal\Corr Action\NP4132LCA CA Report.docx>

Thanks,
Penny



PENNY ZUCK | USDA-NATIONAL ORGANIC PROGRAM | ACCREDITATION MANAGER |
USDA • AMS • NOP | 1400 Independence Ave SW | 2649-S | Washington DC 20250
☎ 202.260.9444 | Fax 202.205.7808 | ✉ Penelope.Zuck@ams.usda.gov
[Join the NOP mailing list](#)

From: Howley, JannaB - AMS
Sent: Monday, August 24, 2015 3:03 PM
To: Zuck, Penelope - AMS <Penelope.Zuck@ams.usda.gov>
Subject: ETKO CAs

Penny:

I have a meeting with Miles tomorrow morning to discuss a plan to review ETKO, ETKO's operations, and their organic products. Has ETKO provided you, to date, adequate corrective actions to the noncompliances they received during their recent audit? I am sure the question will be asked tomorrow.

Thanks!

Janna Howley

Accreditation Manager | USDA National Organic Program
Room 2649-S (Stop 0268) | 1400 Independence Ave SW | Washington, DC 20250-0268
202-692-0047 Direct | www.ams.usda.gov/nop

[Sign up here](#) for the NOP Organic Insider, the National Organic Program's email notification service.

From: [Crail, Lars - AMS](#)
To: [McEvoy, Miles - AMS](#)
Cc: [Courtney, Cheri - AMS](#); [Yang, RobertH - AMS](#); [Zuck, Penelope - AMS](#)
Subject: RE: ETKO Compliance Audit Options
Date: Wednesday, June 15, 2016 5:20:10 PM
Attachments: [ETKO Compliance Audit Options.docx](#)
[image001.png](#)

Miles,

Please disregard my previous email below. I made a modification to the Proposal Section of the memo. Attached is the revised memo for your review and consideration.

Lars Crail
USDA NOP
202.205.5536 office
(b) (6) mobile

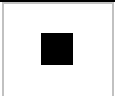


From: Crail, Lars - AMS
Sent: Wednesday, June 15, 2016 4:47 PM
To: McEvoy, Miles <Miles.McEvoy@ams.usda.gov>
Cc: Courtney, Cheri - AMS (Cheri.Courtney@ams.usda.gov) <Cheri.Courtney@ams.usda.gov>; Yang, RobertH - AMS <RobertH.Yang@ams.usda.gov>
Subject: ETKO Compliance Audit Options

Miles,

Attached is a memo for your review and consideration regarding a proposal to conduct the ETKO onsite compliance audit. I will be in the office on Thursday and Friday if you would like to discuss it in person.

Lars Crail
USDA NOP
202.205.5536 office
(b) (6) mobile



ETKO Compliance Audit Options

Discussion Points

June 15, 2016

Background:

ETKO, a USDA accredited certifier based in Izmir, Turkey, entered a settlement agreement with NOP on April 6, 2016. One of the settlement agreement terms requires ETKO to undergo a compliance audit (additional onsite audit) at their expense; however, according to the US State Department website, travel to Turkey is restricted to “mission-critical” for USG personnel.

Options Considered:

1. (b) (5)

[Redacted]

[Redacted]

2. (b) (5)

[Redacted]

Proposal:

Lars and Penny have volunteered to conduct ETKO’s compliance audit. Both auditors are conducting a recognition audit of Israel July 24 – 28 (Sunday – Thursday). An option would be for them to conduct the ETKO compliance audit the week before the Israel audit (July 18 – 22). The compliance audit may be conducted in both Istanbul (Witness/Review Audit) and Izmir (office audit). The auditors would depart Turkey on Friday, July 22, or Saturday, July 23, and travel to Israel.

Safety precautions will be taken as directed by the embassy if the travel request is approved. All audit activity is proposed to take place in the cities of Istanbul and Izmir to minimize travel into rural areas of the country.

US Embassy Turkey Staff and NOP correspondence:

Hi Lars,

Glad we can be of help. We support your visit, especially if in person monitoring is the best way to ensure compliance and quality of NOP certifying bodies. I would recommend you think of these rules not as restrictions, but as additional steps for consideration and approval. With these additional steps, we still have many USDA official travelers coming to Turkey for meetings and speaking at conferences, etc, including in Izmir, so if an in-person trip is important, you should still pursue it.

If you are considering other options and there are in-person monitoring tasks that we can help with from here, let us know. We get around Turkey quite a bit, including to Izmir.

Best regards,

Elizabeth Leonardi
Agricultural Attaché
USDA Foreign Agricultural Service
U.S. Embassy Ankara, Turkey
Tel: +90 312 457 7318
elizabeth.leonardi@fas.usda.gov

This email is UNCLASSIFIED.

From: Leonardi, Elizabeth V [<mailto:LeonardiEV@state.gov>]
Sent: Thursday, June 02, 2016 7:36 AM
To: Crail, Lars - AMS <Lars.Crail@ams.usda.gov>
Cc: Kimberly Sawatzki <SawatzkiKS@state.gov>
Subject: RE: USDA Organic Accreditation Audits

Hi Lars,

Thanks for your email. I am glad to hear you're thinking of coming to Turkey.

Regarding your question, the special rules applying to Izmir travel are not expected to be changed anytime soon. We as USDA's reps in Turkey would consider USDA's audits of NOP Certifying bodies as Mission Critical, and we will try to make the case to the Ambassador for approval for your proposed trip. Because your visit sounds like it would include Izmir as part of the itinerary, it will need to be reviewed by the Embassy and there is process to do that – see below for the full list of steps to travel here.

Updated Turkey Travel Approval Request Process for USDA Travelers

Effective March 29, 2016, the Department of State restricted official travel to Turkey to “mission-critical” travel only. There is a new rigorous approval process for official travel to Turkey (including for USDA travelers), and especially for travel to areas where USG personnel are on authorized departure status due to security concerns (provinces of Izmir, Mugla, and the whole South East of the country). Please follow this process to request approval:

1. Any U.S. government traveler who wishes to travel to Turkey must first **request Department of State Turkey Desk for travel Approval** - EUR-SE-TurkeyTravel-DL@state.gov.
 - a. Please provide travel dates, number of USG employees traveling, and a detailed justification for the request. If approved, employees may then proceed with the eCC process.
2. **Submit ECC.** If a USDA traveler, please request clearance from **FAS Ankara**, and POC as Kim Sawatzki USDA/FAS - even if you are travelling to Istanbul, clearance comes from Ankara.
 - a. Ensure that your cell and email will work in Turkey- include those contact details in ECC
 - b. Put your US-based emergency contact and hotel information in your ECC.
3. **Complete a Missing Person Information Card (MPIC)** and the **consent form** (attached) and send to Ankara-RSO-DL@state.gov
4. FAS Ankara will request Regional Security Office (RSO) and Ambassador approval for your trip through the **US Embassy Turkey Travel Notification System**.
 - You’ll need your IMEI number from your cell phone (See it by pressing *#06# and it should pop right up), so please send that to FAS Ankara or include on your ECC.
5. If your trip receives Ambassador approval and is thus deemed “mission critical” travel, then FAS Ankara can approve your ECC and you can travel.
6. Just before travelling, check latest [Department of State Travel Warnings](#) and enroll in [Smart Traveler Enrollment Program](#).
7. Keep Embassy and FAS contact information with you: U.S. Embassy Ankara: +90 (312) 455-5555, Kim Sawatzki cell: (b) (6), sawatzkiks@state.gov Elizabeth Leonardi cell: (b) (6), leonardiev@state.gov, FAS Office: +90 (312) 457-7383. Be alert, be safe, and enjoy Turkey!

Please Note:

- **Istanbul Travel:** USG travelers to Istanbul on official business must choose hotels located in the neighborhoods where chief of mission personnel are housed, which include: SISLI/HARBIYE, ZINCIRLIKUYU/LEVENT, LEVENT/4LEVENT, TARABYA, or ATAKOY-ATATURK AIRPORT. The closest to downtown is the Sisli neighborhood. The closest to the US Consulate is the Tarabya neighborhood. The Department is taking this step to ensure that emergency accountability can be conducted in the shortest possible time, and to limit the geographic area in which the Regional Security Office could need to coordinate an emergency response in the event of a security incident or a natural disaster.

- **Minimize Delegation Size:** of In light of the heightened threat environment, heads of delegations and all USG agencies are expected to limit the size of delegations to the minimum number necessary to accomplish their policy objectives. This is not only a question of efficient use of USG resources; limiting delegation size would mean fewer official visitors are at risk and would allow Post to better focus its resources in the event of an emergency.

Best regards,

Elizabeth Leonardi

Agricultural Attaché
USDA Foreign Agricultural Service
U.S. Embassy Ankara, Turkey
Tel: +90 312 457 7318
elizabeth.leonardi@fas.usda.gov

From: [McEvoy, Miles - AMS](#)
To: [Crail, Lars - AMS](#)
Cc: [Courtney, Cheri - AMS](#); [Yang, RobertH - AMS](#); [Zuck, Penelope - AMS](#)
Subject: Re: ETKO Compliance Audit Options
Date: Thursday, June 16, 2016 5:52:24 AM
Attachments: [image001.png](#)

Please proceed with having Penny/Lars conduct the ETKO audit next month. In addition, please keep working with IOAS to see if they could be available to conduct NOP audits in travel restricted areas or when we have limited resources (e.g. Available auditors) to conduct audits.

Miles V McEvoy
Deputy Administrator
USDA National Organic Program

On Jun 15, 2016, at 5:20 PM, Crail, Lars - AMS <Lars.Crail@ams.usda.gov> wrote:

Miles,

Please disregard my previous email below. I made a modification to the Proposal Section of the memo. Attached is the revised memo for your review and consideration.

Lars Crail
USDA NOP
202.205.5536 office
(b) (6) mobile
<image001.png>

From: Crail, Lars - AMS
Sent: Wednesday, June 15, 2016 4:47 PM
To: McEvoy, Miles <Miles.McEvoy@ams.usda.gov>
Cc: Courtney, Cheri - AMS (Cheri.Courtney@ams.usda.gov) <Cheri.Courtney@ams.usda.gov>; Yang, RobertH - AMS <RobertH.Yang@ams.usda.gov>
Subject: ETKO Compliance Audit Options

Miles,

Attached is a memo for your review and consideration regarding a proposal to conduct the ETKO onsite compliance audit. I will be in the office on Thursday and Friday if you would like to discuss it in person.

Lars Crail

USDA NOP

202.205.5536 office

(b) (6) mobile

<image001.png>

<ETKO Compliance Audit Options.docx>

From: [Crail, Lars - AMS](#)
To: [Courtney, Cheri - AMS](#)
Subject: RE: ETKO Compliance Audit Optionscc.docx
Date: Wednesday, June 15, 2016 1:58:09 PM
Attachments: [ETKO Compliance Audit Options.docx](#)

I made modifications to the discussion points – see attached. If this is acceptable, either I or you can forward to Miles for review.

Lars

From: Courtney, Cheri - AMS
Sent: Wednesday, June 15, 2016 11:57 AM
To: Crail, Lars - AMS <Lars.Crail@ams.usda.gov>
Subject: ETKO Compliance Audit Optionscc.docx

Please see my comments.

ETKO Compliance Audit Options

Discussion Points

June 15, 2016

Background:

ETKO, a USDA accredited certifier based in Izmir, Turkey, entered a settlement agreement with NOP on April 6, 2016. One of the settlement agreement terms requires ETKO to undergo a compliance audit (additional onsite audit) at their expense; however, according to the US State Department website, travel to Turkey is restricted to “mission-critical” for USG personnel.

Options Considered:

1. (b) (5)

[Redacted]

[Redacted]

2. (b) (5)

[Redacted]

Proposal:

AIA proposes to send Lars and Penny to Izmir to conduct ETKO’s compliance audit. Both auditors are conducting a recognition audit of Israel July 24 – 28 (Sunday – Thursday). An option would be for them to conduct the ETKO compliance audit the week before the Israel audit (July 18 – 22). The compliance audit may be conducted in both Istanbul (Witness/Review Audit) and Izmir (office audit). The auditors would depart Turkey on Friday, July 22, or Saturday, July 23, and travel to Israel.

Both NOP auditors have volunteered to conduct the compliance audit. Safety precautions will be taken as directed by the embassy if the travel request is approved. All audit activity is proposed to take place in the cities of Istanbul and Izmir to minimize travel into rural areas of the country.

US Embassy Turkey Staff and NOP correspondence:

Hi Lars,

Glad we can be of help. We support your visit, especially if in person monitoring is the best way to ensure compliance and quality of NOP certifying bodies. I would recommend you think of these rules not as restrictions, but as additional steps for consideration and approval. With these additional steps, we still have many USDA official travelers coming to Turkey for meetings and speaking at conferences, etc, including in Izmir, so if an in-person trip is important, you should still pursue it.

If you are considering other options and there are in-person monitoring tasks that we can help with from here, let us know. We get around Turkey quite a bit, including to Izmir.

Best regards,

Elizabeth Leonardi
Agricultural Attaché
USDA Foreign Agricultural Service
U.S. Embassy Ankara, Turkey
Tel: +90 312 457 7318
elizabeth.leonardi@fas.usda.gov

This email is UNCLASSIFIED.

From: Leonardi, Elizabeth V [<mailto:LeonardiEV@state.gov>]
Sent: Thursday, June 02, 2016 7:36 AM
To: Crail, Lars - AMS <Lars.Crail@ams.usda.gov>
Cc: Kimberly Sawatzki <SawatzkiKS@state.gov>
Subject: RE: USDA Organic Accreditation Audits

Hi Lars,

Thanks for your email. I am glad to hear you're thinking of coming to Turkey.

Regarding your question, the special rules applying to Izmir travel are not expected to be changed anytime soon. We as USDA's reps in Turkey would consider USDA's audits of NOP Certifying bodies as Mission Critical, and we will try to make the case to the Ambassador for approval for your proposed trip. Because your visit sounds like it would include Izmir as part of the itinerary, it will need to be reviewed by the Embassy and there is process to do that – see below for the full list of steps to travel here.

Updated Turkey Travel Approval Request Process for USDA Travelers

Effective March 29, 2016, the Department of State restricted official travel to Turkey to “mission-critical” travel only. There is a new rigorous approval process for official travel to Turkey (including for USDA travelers), and especially for travel to areas where USG personnel are on authorized departure status due to security concerns (provinces of Izmir, Mugla, and the whole South East of the country). Please follow this process to request approval:

1. Any U.S. government traveler who wishes to travel to Turkey must first **request Department of State Turkey Desk for travel Approval** - EUR-SE-TurkeyTravel-DL@state.gov.
 - a. Please provide travel dates, number of USG employees traveling, and a detailed justification for the request. If approved, employees may then proceed with the eCC process.
2. **Submit ECC.** If a USDA traveler, please request clearance from **FAS Ankara**, and POC as Kim Sawatzki USDA/FAS - even if you are travelling to Istanbul, clearance comes from Ankara.
 - a. Ensure that your cell and email will work in Turkey- include those contact details in ECC
 - b. Put your US-based emergency contact and hotel information in your ECC.
3. **Complete a Missing Person Information Card (MPIC)** and the **consent form** (attached) and send to Ankara-RSO-DL@state.gov
4. FAS Ankara will request Regional Security Office (RSO) and Ambassador approval for your trip through the **US Embassy Turkey Travel Notification System**.
 - You’ll need your IMEI number from your cell phone (See it by pressing *#06# and it should pop right up), so please send that to FAS Ankara or include on your ECC.
5. If your trip receives Ambassador approval and is thus deemed “mission critical” travel, then FAS Ankara can approve your ECC and you can travel.
6. Just before travelling, check latest [Department of State Travel Warnings](#) and enroll in [Smart Traveler Enrollment Program](#).
7. Keep Embassy and FAS contact information with you: U.S. Embassy Ankara: +90 (312) 455-5555, Kim Sawatzki cell: (b) (6), sawatzkiks@state.gov Elizabeth Leonardi cell: (b) (6), leonardiev@state.gov, FAS Office: +90 (312) 457-7383. Be alert, be safe, and enjoy Turkey!

Please Note:

- **Istanbul Travel:** USG travelers to Istanbul on official business must choose hotels located in the neighborhoods where chief of mission personnel are housed, which include: SISLI/HARBIYE, ZINCIRLIKUYU/LEVENT, LEVENT/4LEVENT, TARABYA, or ATAKOY-ATATURK AIRPORT. The closest to downtown is the Sisli neighborhood. The closest to the US Consulate is the Tarabya neighborhood. The Department is taking this step to ensure that emergency accountability can be conducted in the shortest possible time, and to limit the geographic area in which the Regional Security Office could need to coordinate an emergency response in the event of a security incident or a natural disaster.

- **Minimize Delegation Size:** of In light of the heightened threat environment, heads of delegations and all USG agencies are expected to limit the size of delegations to the minimum number necessary to accomplish their policy objectives. This is not only a question of efficient use of USG resources; limiting delegation size would mean fewer official visitors are at risk and would allow Post to better focus its resources in the event of an emergency.

Best regards,

Elizabeth Leonardi

Agricultural Attaché
USDA Foreign Agricultural Service
U.S. Embassy Ankara, Turkey
Tel: +90 312 457 7318
elizabeth.leonardi@fas.usda.gov

From: [Courtney, Cheri - AMS](#)
To: [Crail, Lars - AMS](#)
Subject: RE: ETKO Compliance Audit Optionscc.docx
Date: Wednesday, June 15, 2016 4:08:44 PM

Lars this looks good – please forward to Miles and cc me and Robert.

Cheri

From: Crail, Lars - AMS
Sent: Wednesday, June 15, 2016 1:58 PM
To: Courtney, Cheri - AMS <Cheri.Courtney@ams.usda.gov>
Subject: RE: ETKO Compliance Audit Optionscc.docx

I made modifications to the discussion points – see attached. If this is acceptable, either I or you can forward to Miles for review.

Lars

From: Courtney, Cheri - AMS
Sent: Wednesday, June 15, 2016 11:57 AM
To: Crail, Lars - AMS <Lars.Crail@ams.usda.gov>
Subject: ETKO Compliance Audit Optionscc.docx

Please see my comments.

From: [Mann, Renee - AMS](#)
To: [Davis, Graham - AMS](#)
Cc: [Courtney, Cheri - AMS](#)
Subject: RE: ETKO corrective actions documents for your review
Date: Thursday, December 22, 2016 3:06:50 PM
Attachments: [image001.jpg](#)

Also, I forgot to add that this is the current certificate. It is nearly impossible to access without this link:

<https://www.cloudvault.usda.gov/index.php/s/soCcXCvf6Xdt5Uf>

Renee Mann

Assistant Director, Accreditation and International Activities Division
USDA National Organic Program

From: Davis, Graham - AMS
Sent: Thursday, December 22, 2016 10:34 AM
To: Mann, Renee - AMS <Renee.Mann@ams.usda.gov>
Cc: Courtney, Cheri - AMS <Cheri.Courtney@ams.usda.gov>
Subject: ETKO corrective actions documents for your review

Renee/Cheri:

Please review the following documents regarding ETKO's corrective actions:

For your approval:

Letter – [P:\AIA\ACA-Active\ETKO-Turkey\2016 WA Ukraine\CA\NP6279LCA ETKO NoNC Res 122216.docx](#)

Report – [P:\AIA\ACA-Active\ETKO-Turkey\2016 WA Ukraine\CA\NP6279LCA CA Report ETKO 122116.docx](#)

Reference:

Chronology Log - [P:\AIA\ACA-Active\ETKO-Turkey\2016 WA Ukraine\CA\Chrono Log ETKO.docx](#)

File folder (where the letter/report for approval can be found) - [P:\AIA\ACA-Active\ETKO-Turkey\2016 WA Ukraine\CA](#)

Thanks,

Graham

Graham Davis

Accreditation Manager

USDA | NATIONAL ORGANIC PROGRAM

1400 Independence Ave SW | 2649-S | Washington DC 20250

Desk: 202-692-0047 | Cell: (b) (6)



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From: [Mann, Renee - AMS](#)
To: [Davis, Graham - AMS](#)
Cc: [Courtney, Cheri - AMS](#)
Subject: RE: ETKO corrective actions documents for your review
Date: Thursday, December 22, 2016 3:05:56 PM
Attachments: [image001.jpg](#)

Hi Graham,

Cheri and I have provided our comments. (b) (5)

[REDACTED]

[REDACTED]

[REDACTED] is why it looks fairly different.

(b) (5)

[REDACTED]

[REDACTED]

Renee Mann

Assistant Director, Accreditation and International Activities Division
USDA National Organic Program

From: Davis, Graham - AMS
Sent: Thursday, December 22, 2016 10:34 AM
To: Mann, Renee - AMS <Renee.Mann@ams.usda.gov>
Cc: Courtney, Cheri - AMS <Cheri.Courtney@ams.usda.gov>
Subject: ETKO corrective actions documents for your review

Renee/Cheri:

Please review the following documents regarding ETKO's corrective actions:

For your approval:

Letter – [P:\AIA\ACA-Active\ETKO-Turkey\2016 WA Ukraine\CA\NP6279LCA ETKO NoNC Res 122216.docx](#)

Report – [P:\AIA\ACA-Active\ETKO-Turkey\2016 WA Ukraine\CA\NP6279LCA CA Report ETKO 122116.docx](#)

Reference:

Chronology Log - [P:\AIA\ACA-Active\ETKO-Turkey\2016 WA Ukraine\CA\Chrono Log ETKO.docx](#)

File folder (where the letter/report for approval can be found) - [P:\AIA\ACA-Active\ETKO-Turkey\2016 WA Ukraine\CA](#)

Thanks,

Graham

Graham Davis

Accreditation Manager

USDA | NATIONAL ORGANIC PROGRAM

1400 Independence Ave SW | 2649-S | Washington DC 20250

Desk: 202-692-0047 | Cell: (b) (6)



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From: [Mann, Renee - AMS](#)
To: [Davis, Graham - AMS](#)
Cc: [Courtney, Cheri - AMS](#)
Subject: RE: ETKO corrective actions documents for your review
Date: Friday, January 06, 2017 1:56:19 PM
Attachments: [image001.jpg](#)

Hi Graham,
This looks good. Please print for my signature.

Thanks,
Renee

Renee Mann

Assistant Director, Accreditation and International Activities Division
USDA National Organic Program

From: Davis, Graham - AMS
Sent: Tuesday, January 03, 2017 10:21 AM
To: Mann, Renee - AMS <Renee.Mann@ams.usda.gov>
Cc: Courtney, Cheri - AMS <Cheri.Courtney@ams.usda.gov>
Subject: ETKO corrective actions documents for your review

Renee:

Please review the following documents regarding ETKO's corrective actions:

For your approval:

Letter – [P:\AIA\ACA-Active\ETKO-Turkey\2016 WA Ukraine\CA\NP6279LCA ETKO NoNC Res 122216.docx](#)

Report – [P:\AIA\ACA-Active\ETKO-Turkey\2016 WA Ukraine\CA\NP6279LCA CA Report ETKO 010317.docx](#)

Reference:

Chronology Log - [P:\AIA\ACA-Active\ETKO-Turkey\2016 WA Ukraine\CA\Chrono Log ETKO.docx](#)

File folder (where the letter/report for approval can be found) - [P:\AIA\ACA-Active\ETKO-Turkey\2016 WA Ukraine\CA](#)

Thanks,

Graham

Graham Davis

Accreditation Manager

USDA | NATIONAL ORGANIC PROGRAM

1400 Independence Ave SW | 2649-S | Washington DC 20250

Desk: 202-692-0047 | Cell: (b) (6)



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From: [Zuck, Penelope - AMS](#)
To: [Howley, JannaB - AMS](#)
Subject: RE: ETKO Corrective Actions in WTL
Date: Thursday, June 18, 2015 10:30:12 AM

Thanks!

From: Howley, JannaB - AMS
Sent: Thursday, June 18, 2015 10:18 AM
To: Zuck, Penelope - AMS
Subject: ETKO Corrective Actions in WTL

Penny:

I am doing the monthly audit-WTL reconciliation for Renee Mann, and I went ahead and added the ETKO Corrective Action Report to the WTL, assigned to you, because I saw in the file that you'd received the CAs and were working on them. So you don't need to add it in...

Just wanted to give you an FYI in case you went to add it in, saw it already there, and thought you might be losing your mind.

Janna

Janna Howley

Accreditation Manager | USDA National Organic Program
Room 2649-S (Stop 0268) | 1400 Independence Ave SW | Washington, DC 20250-0268
202-692-0047 Direct | www.ams.usda.gov/nop

[Sign up here](#) for the NOP Organic Insider, the National Organic Program's email notification service.

From: [Mann, Renee - AMS](#)
To: [Davis, Graham - AMS](#)
Cc: [Courtney, Cheri - AMS](#)
Subject: RE: ETKO corrective actions
Date: Thursday, December 22, 2016 3:30:21 PM
Attachments: [image002.jpg](#)

Sorry, forgot to reply all...

Renee Mann

Assistant Director, Accreditation and International Activities Division
USDA National Organic Program

From: Mann, Renee - AMS
Sent: Thursday, December 22, 2016 3:30 PM
To: Davis, Graham - AMS <Graham.Davis@ams.usda.gov>
Subject: RE: ETKO corrective actions

That looks fine to me. (b) (5)




Renee Mann

Assistant Director, Accreditation and International Activities Division
USDA National Organic Program

From: Davis, Graham - AMS
Sent: Thursday, December 22, 2016 3:29 PM
To: Mann, Renee - AMS <Renee.Mann@ams.usda.gov>
Cc: Courtney, Cheri - AMS <Cheri.Courtney@ams.usda.gov>
Subject: ETKO corrective actions

Renee- Please edit this email as needed. I wasn't sure if I need to include a brief explanation:

Dear Dr. Akyuz,

Thank you for submitting the corrective actions for the witness audit that occurred on October 6, 2016. ETKO is correct that the certificate should be renewed annually. The statement, "The certificate should be updated at least annually", however, should be removed from ETKO's certificate template. A situation may occur where a client's renewal is delayed past the 12 months so this statement may cause unnecessary confusion. Please remove the statement from your certificate template and provide the NOP with an updated version.

Thank you.

Graham

Graham Davis
Accreditation Manager
USDA | NATIONAL ORGANIC PROGRAM
1400 Independence Ave SW | 2649-S | Washington DC 20250
Desk: 202-692-0047 | Cell (b) (6)



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From: [Courtney, Cheri - AMS](#)
To: [Zuck, Penelope - AMS](#)
Subject: RE: ETKO Noncompliance - Annual Report
Date: Thursday, June 16, 2016 12:15:18 PM
Attachments: [image001.png](#)

Looks good Penny, thanks.

Cheri

From: Zuck, Penelope - AMS
Sent: Wednesday, June 15, 2016 10:06 AM
To: Courtney, Cheri - AMS <Cheri.Courtney@ams.usda.gov>
Cc: Yang, RobertH - AMS <RobertH.Yang@ams.usda.gov>
Subject: ETKO Noncompliance - Annual Report

Cheri,

Please review the following documents regarding ETKO's noncompliance as a result of the 2016 annual report review. I revised the format of the noncompliance to match the Noncompliance Report format as instructed:

For your approval:

Letter – [P:\AIA\ACA-Active\ETKO-Turkey\Ann Repts\2016\ETKO AR NoNC.docx](#)

Reference:

Certificate template – [P:\AIA\ACA-Active\ETKO-Turkey\Ann Repts\2016\GP 13 F 03 NOP certificate.Rev05.doc](#)

Sample certificate issued - [P:\AIA\ACA-Active\ETKO-Turkey\2013 Renewal\Corr Action\TR-BIO-109-2190-2015-r1.NOP.pdf](#)

Chronology Log - [P:\AIA\ACA-Active\ETKO-Turkey\Ann Repts\2016\AR chrono log.docx](#)

File folder (where the letter/report for approval can be found) - [P:\AIA\ACA-Active\ETKO-Turkey\Ann Repts\2016](#)

Thanks,
Penny



PENNY ZUCK | USDA-NATIONAL ORGANIC PROGRAM | ACCREDITATION MANAGER
USDA • AMS • NOP | 1400 Independence Ave SW | 2649-S | Washington DC 20250
☎ 202.260.9444 | Fax 202.205.7808 | ✉ Penelope.Zuck@ams.usda.gov
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From: [Courtney, Cheri - AMS](#)
To: [Mann, Renee - AMS](#)
Cc: [Claypool, Rebecca E - AMS](#)
Subject: RE: ETKO noncompliance documents for your review
Date: Wednesday, November 16, 2016 3:20:52 PM

Hi Rebecca, please go final with the report.

Thanks

Cheri

From: Mann, Renee - AMS
Sent: Wednesday, November 16, 2016 10:20 AM
To: Courtney, Cheri - AMS <Cheri.Courtney@ams.usda.gov>
Cc: Claypool, Rebecca E - AMS <Rebecca.E.Claypool@ams.usda.gov>
Subject: FW: ETKO noncompliance documents for your review

Hi Cheri,

Please review the ETKO witness audit letter/report below. I reviewed this and it looks great!

Thanks,

Renee

Renee Mann

Assistant Director, Accreditation and International Activities Division
USDA National Organic Program

From: Claypool, Rebecca E - AMS
Sent: Tuesday, November 15, 2016 12:20 PM
To: Mann, Renee - AMS <Renee.Mann@ams.usda.gov>
Subject: ETKO noncompliance documents for your review

Renee:

Please review the following documents regarding ETKO's noncompliance docs:

For your approval:

Letter – <P:\AIA\ACA-Active\ETKO-Turkey\2016 WA Ukraine\NC\NP6279LC NoNC ETKO 111516.docx>

Report – <P:\AIA\ACA-Active\ETKO-Turkey\2016 WA Ukraine\NC\NP6279LC NC Report ETKO 111516.docx>

Reference:

Chronology Log – <P:\AIA\ACA-Active\ETKO-Turkey\2016 WA Ukraine\NP6279LCA ChronoLog ETKO WA 111516.docx>

File folder (where the letter/report for approval can be found) - <P:\AIA\ACA-Active\ETKO-Turkey\2016 WA Ukraine>

Thanks,

Rebecca

Rebecca Claypool
Accreditation Manager
USDA National Organic Program
1400 Independence Ave SW
Washington, DC 20250
(202) 350-5706
[Get USDA Organic Insider updates!](#)

From: [Courtney, Cheri - AMS](#)
To: [Zuck, Penelope - AMS](#)
Subject: RE: ETKO NoPS
Date: Wednesday, December 16, 2015 9:27:49 AM
Attachments: [image001.png](#)

Penny,

Great job on making this all flow. I added a few comments, but I think it looks really good. Let's send this to Miles now so he can review it before he leaves for vacation.

Cheri

From: Zuck, Penelope - AMS
Sent: Wednesday, December 16, 2015 8:17 AM
To: Courtney, Cheri - AMS <Cheri.Courtney@ams.usda.gov>
Subject: ETKO NoPS

Hi Cheri,

Here is a very rough draft of the ETKO Notice of Proposed Suspension with some comments within:

<P:\AIA\ACA-Active\ETKO-Turkey\2013 Renewal\NoPS\ETKO NoPS 12 15 15.docx>

Also, I drafted the Settlement Agreement and cover letter:

Agreement – <P:\AIA\ACA-Active\ETKO-Turkey\Settlement\ETKO Settlement.docx>

Letter - <P:\AIA\ACA-Active\ETKO-Turkey\Settlement\Settlement agreement cover letter.docx>

Let me know what you think.

Thanks,

Penny



PENNY ZUCK | USDA-NATIONAL ORGANIC PROGRAM | ACCREDITATION MANAGER |
USDA • AMS • NOP | 1400 Independence Ave SW | 2649-S | Washington DC 20250
☎ 202.260.9444 | Fax 202.205.7808 | ✉ Penelope.Zuck@ams.usda.gov
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From: [Courtney, Cheri - AMS](#)
To: [Mann, Renee - AMS](#)
Subject: RE: ETKO NoPS documents for your review
Date: Wednesday, September 16, 2015 4:48:21 PM
Attachments: [image001.png](#)

Hi Renee –

(b) (5). We do want to do conditions of accreditation.

Thanks

Cheri

From: Mann, Renee - AMS
Sent: Wednesday, September 16, 2015 4:45 PM
To: Courtney, Cheri - AMS
Subject: FW: ETKO NoPS documents for your review

Hi Cheri –

I talked with Penny and she thought we were still issuing a NoPS to ETKO. (b) (5)

Thanks,
Renee

Renee Mann
Assistant Director, Accreditation and International Activities Division
USDA National Organic Program
(202) 260-8635
[Join the NOP mailing list.](#)

From: Zuck, Penelope - AMS
Sent: Wednesday, September 16, 2015 1:28 PM
To: Mann, Renee - AMS
Subject: RE: ETKO NoPS documents for your review

Renee,

(b) (5)

Penny



PENNY ZUCK | USDA-NATIONAL ORGANIC PROGRAM | ACCREDITATION MANAGER
USDA • AMS • NOP | 1400 Independence Ave SW | 2649-S | Washington DC 20250
☎ 202.260.9444 | Fax 202.205.7808 | ✉ Penelope.Zuck@ams.usda.gov
[Join the NOP mailing list](#)

From: Mann, Renee - AMS

Sent: Wednesday, September 16, 2015 12:50 PM
To: Zuck, Penelope - AMS <Penelope.Zuck@ams.usda.gov>
Subject: RE: ETKO NoPS documents for your review

Hi Penny,

Do you still want me to review this? (b) (5)

[REDACTED]

-RM

Renee Mann
Assistant Director, Accreditation and International Activities Division
USDA National Organic Program
(202) 260-8635
[Join the NOP mailing list.](#)

From: Zuck, Penelope - AMS
Sent: Thursday, September 10, 2015 3:46 PM
To: Mann, Renee - AMS
Subject: ETKO NoPS documents for your review

Renee:

Please review the following documents regarding ETKO's Notification of Proposed Suspension. I left some areas highlighted where dates, etc. would need to be inserted. I also left some of the comments and track changes in the CA Report for reference and clarification at this point.

For your review!:

NoPS – <P:\AIA\ACA-Active\ETKO-Turkey\2013 Renewal\NoPS\NoPS.docx>

CA Report – <P:\AIA\ACA-Active\ETKO-Turkey\2013 Renewal\Corr Action\NP4132LCA CA Report edited.docx>

Settlement Agreement - <P:\AIA\ACA-Active\ETKO-Turkey\Settlement\ETKO Settlement.docx>

Reference:

Chronology Log - <P:\AIA\ACA-Active\ETKO-Turkey\2013 Renewal\NoNC\2103 renewal ETKO Chrono log.docx>

File folder (where the letter/report for approval can be found) - <P:\AIA\ACA-Active\ETKO-Turkey\2013 Renewal>

Thanks,
Penny



PENNY ZUCK | USDA-NATIONAL ORGANIC PROGRAM | ACCREDITATION MANAGER |
USDA • AMS • NOP | 1400 Independence Ave SW | 2649-S | Washington DC 20250
☎ 202.260.9444 | Fax 202.205.7808 | ✉ Penelope.Zuck@ams.usda.gov
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From: [Mann, Renee - AMS](#)
To: [Courtney, Cheri - AMS](#)
Subject: RE: ETKO NoPS documents for your review
Date: Wednesday, September 16, 2015 4:49:02 PM
Attachments: [image001.png](#)

Great, thanks. I'll wait for her to re-do the documents.

Renee Mann
Assistant Director, Accreditation and International Activities Division
USDA National Organic Program
(202) 260-8635
[Join the NOP mailing list.](#)

From: Courtney, Cheri - AMS
Sent: Wednesday, September 16, 2015 4:48 PM
To: Mann, Renee - AMS
Subject: RE: ETKO NoPS documents for your review

Hi Renee –

(b) (5). We do want to do conditions of accreditation.

Thanks

Cheri

From: Mann, Renee - AMS
Sent: Wednesday, September 16, 2015 4:45 PM
To: Courtney, Cheri - AMS
Subject: FW: ETKO NoPS documents for your review

Hi Cheri –

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Thanks,
Renee

Renee Mann
Assistant Director, Accreditation and International Activities Division
USDA National Organic Program
(202) 260-8635
[Join the NOP mailing list.](#)

From: Zuck, Penelope - AMS
Sent: Wednesday, September 16, 2015 1:28 PM
To: Mann, Renee - AMS
Subject: RE: ETKO NoPS documents for your review

Renee,

(b) (5)

Penny



PENNY ZUCK | USDA-NATIONAL ORGANIC PROGRAM | ACCREDITATION MANAGER
USDA • AMS • NOP | 1400 Independence Ave SW | 2649-S | Washington DC 20250
☎ 202.260.9444 | Fax 202.205.7808 | ✉ Penelope.Zuck@ams.usda.gov
[Join the NOP mailing list](#)

From: Mann, Renee - AMS
Sent: Wednesday, September 16, 2015 12:50 PM
To: Zuck, Penelope - AMS <Penelope.Zuck@ams.usda.gov>
Subject: RE: ETKO NoPS documents for your review

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Do you still want me to review this? (b) (5)

-RM

Renee Mann
Assistant Director, Accreditation and International Activities Division
USDA National Organic Program
(202) 260-8635
[Join the NOP mailing list.](#)

From: Zuck, Penelope - AMS
Sent: Thursday, September 10, 2015 3:46 PM
To: Mann, Renee - AMS
Subject: ETKO NoPS documents for your review

Renee:

Please review the following documents regarding ETKO's Notification of Proposed Suspension. I left some areas highlighted where dates, etc. would need to be inserted. I also left some of the comments and track changes in the CA Report for reference and clarification at this point.

For your review:

NoPS – <P:\AIA\ACA-Active\ETKO-Turkey\2013 Renewal\NoPS\NoPS.docx>

CA Report – <P:\AIA\ACA-Active\ETKO-Turkey\2013 Renewal\Corr Action\NP4132LCA CA Report edited.docx>

Settlement Agreement - <P:\AIA\ACA-Active\ETKO-Turkey\Settlement\ETKO Settlement.docx>

Reference:

Chronology Log - <P:\AIA\ACA-Active\ETKO-Turkey\2013 Renewal\NoNC\2103 renewal ETKO Chrono>

[log.docx](#)

File folder (where the letter/report for approval can be found) - [P:\AIA\ACA-Active\ETKO-Turkey\2013 Renewal](#)

Thanks,
Penny



PENNY ZUCK | USDA-NATIONAL ORGANIC PROGRAM | ACCREDITATION MANAGER |
USDA • AMS • NOP | 1400 Independence Ave SW | 2649-S | Washington DC 20250
☎ 202.260.9444 | Fax 202.205.7808 | ✉ Penelope.Zuck@ams.usda.gov
[Join the NOP mailing list](#)

From: [Zuck, Penelope - AMS](#)
To: [Courtney, Cheri - AMS](#)
Subject: RE: ETKO NoPS
Date: Wednesday, December 16, 2015 9:46:48 AM
Attachments: [image001.png](#)

Hi Cheri,

I will accept your changes and remove the time period for suspension. Shall I send the documents via email to Miles for his review, or would he prefer to receive a file with the hardcopies?...I could ask Robert to print out the docs for him.

Thanks,
Penny



PENNY ZUCK | USDA-NATIONAL ORGANIC PROGRAM | ACCREDITATION MANAGER
USDA • AMS • NOP | 1400 Independence Ave SW | 2649-S | Washington DC 20250
☎ 202.260.9444 | Fax 202.205.7808 | ✉ Penelope.Zuck@ams.usda.gov
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From: Courtney, Cheri - AMS
Sent: Wednesday, December 16, 2015 9:28 AM
To: Zuck, Penelope - AMS <Penelope.Zuck@ams.usda.gov>
Subject: RE: ETKO NoPS

Penny,

Great job on making this all flow. I added a few comments, but I think it looks really good. Let's send this to Miles now so he can review it before he leaves for vacation.

Cheri

From: Zuck, Penelope - AMS
Sent: Wednesday, December 16, 2015 8:17 AM
To: Courtney, Cheri - AMS <Cheri.Courtney@ams.usda.gov>
Subject: ETKO NoPS

Hi Cheri,

Here is a very rough draft of the ETKO Notice of Proposed Suspension with some comments within:
[P:\AIA\ACA-Active\ETKO-Turkey\2013 Renewal\NoPS\ETKO NoPS 12 15 15.docx](#)

Also, I drafted the Settlement Agreement and cover letter:

Agreement – [P:\AIA\ACA-Active\ETKO-Turkey\Settlement\ETKO Settlement.docx](#)

Letter - [P:\AIA\ACA-Active\ETKO-Turkey\Settlement\Settlement agreement cover letter.docx](#)

Let me know what you think.

Thanks,

Penny



PENNY ZUCK | USDA-NATIONAL ORGANIC PROGRAM | ACCREDITATION MANAGER
USDA • AMS • NOP | 1400 Independence Ave SW | 2649-S | Washington DC 20250
☎ 202.260.9444 | Fax 202.205.7808 | ✉ Penelope.Zuck@ams.usda.gov
[Join the NOP mailing list](#)

From: [Courtney, Cheri - AMS](#)
To: [Zuck, Penelope - AMS](#)
Subject: RE: ETKO Notice of Resolution for your review
Date: Monday, July 11, 2016 12:57:02 PM
Attachments: [image001.png](#)

Hi Penny, this looks good it is ready to go final.

Thanks,

Cheri

From: Zuck, Penelope - AMS
Sent: Thursday, July 07, 2016 8:47 AM
To: Courtney, Cheri - AMS <Cheri.Courtney@ams.usda.gov>
Cc: Yang, RobertH - AMS <RobertH.Yang@ams.usda.gov>
Subject: ETKO Notice of Resolution for your review

Cheri:

Please review the following documents regarding ETKO's notice of resolution for noncompliance AIA6155PZ issued from the result of the annual report review:

For your approval:

Letter – [P:\AIA\ACA-Active\ETKO-Turkey\Compliance\2016\ETKO AR NoRes.docx](#)

Reference:

Chronology Log - [P:\AIA\ACA-Active\ETKO-Turkey\Ann Repts\2016\AR chrono log.docx](#)

File folder (where the letter/report for approval can be found) - [P:\AIA\ACA-Active\ETKO-Turkey\Compliance\2016](#)

Thanks,

Penny



PENNY ZUCK | USDA-NATIONAL ORGANIC PROGRAM | ACCREDITATION MANAGER |
USDA • AMS • NOP | 1400 Independence Ave SW | 2649-S | Washington DC 20250
☎ 202.260.9444 | Fax 202.205.7808 | ✉ Penelope.Zuck@ams.usda.gov
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From: [Yang, RobertH - AMS](#)
To: [Crail, Lars - AMS](#); [Courtney, Cheri - AMS](#)
Subject: Re: ETKO onsite audit - Need to contact IOAS
Date: Wednesday, June 01, 2016 9:42:26 AM

Hello Cheri/ Lars:

Miles has decided to hold off issuing ETKO's Notice of Accreditation Renewal until we have reviewed the results of the compliance audit resulting from the settlement agreement. During our discussion this morning I also informed him that we had not yet conducted their mid-term audit, which was scheduled for this earlier this year.

As a result of the travel restrictions, he is asking that we reach out to IOAS to see whether they would interested in conducting an NOP audit, and have the capacity and are qualified to do so. If they are interested, have the capacity and we can verify their qualifications, we would need to work closely with them to provide them the process, the scope, and specific verification points for this combined mid-term and compliance audit.

Lars, could you take the lead on this? Let me know -- we can discuss this further via phone.

Regards,

Robert Yang

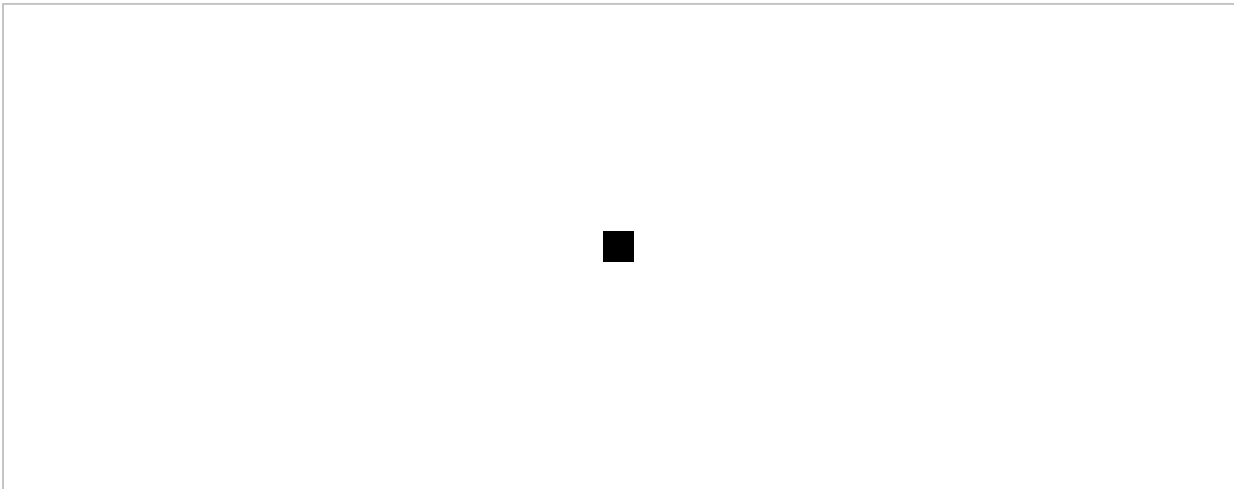
Acting Assistant Director
Accreditation & International Activities Division
USDA National Organic Program
Office: (202) 690-4540

From: [Reid, John - AMS](#)
To: [AMS - AIAinbox; ma@etko.com.tr](#)
Cc: [Swartwood, Stacy - AMS; Courtney, Cheri - AMS](#)
Subject: RE: ETKO website changed (UPDATED)
Date: Friday, November 18, 2016 12:28:29 PM
Attachments: [image001.jpg](#)
[image002.jpg](#)

Good Afternoon, Dr. Akyuz:

Thank you for bringing the inaccurate contact information to our attention. We have made the requested updates to the Public Email and Website. If you have any further questions or concerns, feel free to contact me.

Thank you for your patience!



Respectfully,

John A. Reid



Program/Operations Analyst
USDA | National Organic Program
1400 Independence Avenue SW | 2649-S | Washington DC 20250
Main: (202) 260-9452 | **Cell:** (b) (6)

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From: Courtney, Cheri - AMS **On Behalf Of** AMS - AIAinbox
Sent: Friday, November 18, 2016 9:14 AM
To: Reid, John - AMS <John.Reid@ams.usda.gov>
Cc: Swartwood, Stacy - AMS <stacy.swartwood@ams.usda.gov>
Subject: FW: ETKO website changed

FYI

Cheri

From: ma@etko.com.tr [mailto:ma@etko.com.tr]

Sent: Friday, November 18, 2016 3:18 AM

To: AMS - AIAinbox <AIAinbox@ams.usda.gov>

Cc: (b) (6) < [@etko.com.tr](mailto: @etko.com.tr)>

Subject: ETKO website changed

Dear Madam / Sir

We had an update for website therefore please correct ETKO references for email and website addresses as following:

Website: www.etko.com.tr

Public Email: info@etko.com.tr

Have a nice day

Mustafa Akyuz

ETKO Turkey

T: +90-232-3397606

F: +90-232-3397607

www.etko.com.tr

From: [McEvoy, Miles - AMS](#)
To: [Courtney, Cheri - AMS](#); [Yang, RobertH - AMS](#)
Cc: [Zuck, Penelope - AMS](#); [Mann, Renee - AMS](#)
Subject: RE: ETKO
Date: Wednesday, November 25, 2015 11:56:55 AM

(b) (5) – (b) (5)

Miles

From: Courtney, Cheri - AMS
Sent: Friday, November 13, 2015 11:23 AM
To: McEvoy, Miles - AMS; Yang, RobertH - AMS
Cc: Zuck, Penelope - AMS; Mann, Renee - AMS
Subject: RE: ETKO

Miles, I reviewed IOAS inspection report and found the noncompliance to be quite serious. I suggest you read the exit interview (pages 46-49) for an overview of the report. (b) (5)

We are still working with ETKO on their CAs from their last audit which was their accreditation renewal. We should have the report to you in a couple of weeks.

Cheri

From: (b) (6), (b) (7)(C)
Sent: Friday, November 06, 2015 1:47 PM
To: McEvoy, Miles - AMS
Cc: (b) (6); Courtney, Cheri - AMS
Subject: Re: ETKO

Dear Miles

According to IOAS policy, we need the permission of the CB concerned to circulate any reports. I've been in contact with Mustafa Akyuz and he has agreed that we may send the report to you.

Best regards

(b) (6), (b) (7)(C)

[Redacted signature block]

[Redacted footer line]

From: McEvoy, Miles - AMS <Miles.McEvoy@ams.usda.gov>
Sent: Thursday, October 29, 2015 7:53 AM
To: (b) (6), (b) (7)(C)
Cc: (b) (6) Courtney, Cheri - AMS
Subject: RE: ETKO

Dear (b) (6),

Thanks for this information. Could IOAS share the surveillance visit report or any additional information on ETKO?

Best regards,
Miles

Miles V McEvoy
Deputy Administrator
Agricultural Marketing Service
National Organic Program

From: (b) (6), (b) (7)(C)
Sent: Wednesday, October 28, 2015 5:21 AM
To: McEvoy, Miles
Cc: (b) (6)
Subject: ETKO

Dear Miles

IOAS suspended ISO 65 accreditation of ETKO with scope of an EU equivalent standard for all scopes and all countries in May, 2015. The reason for this was due to serious breaches in the manner in which they carried out organic inspection and certification. Almost immediately afterward the CFIA in Canada also suspended ETKO for the same reason. And in June the European Commission removed their recognition as a 3rd country certification body again for all EU scopes and in all countries.

After a full and enhanced surveillance visit, ETKO remains accredited by the IOAS for COSMOS, GOTS and Textile Exchange accreditation. The IOAS found that different personnel were involved and that the inspection and certification process did not exhibit the same flaws as were found in the certification of organic production and processing.

ETKO is currently working toward re-instatement of their ISO accreditation - although given that ISO Guide 65 has now been replaced by ISO 17065, this will now involve an assessment against the new standard.

I was asked to write to you by the IOAS Board of Directors who have noted that ETKO appears to remain accredited by the NOP and wished to ensure that you were aware of decisions made by other authorities. If I can be of further assistance, please don't hesitate to get in touch.

Best regards

(b) (6), (b) (7)(C)
[Redacted]

[Redacted]

[Redacted]

From: Postmaster@inspection.gc.ca on behalf of [Valeriya Staykova](#)
To: [Howley, JannaB - AMS](#)
Subject: Re: FW: IMPORTANT: NOTICE OF ACCREDITATION SUSPENSION under COR - ETKO (Out of the office)
Date: Wednesday, August 26, 2015 1:53:42 PM

Hello / Bonjour,

I am out of the office and will return on Monday August 31st, 2015. For urgent matters, please contact Benoit Dube at benoit.dube@inspection.gc.ca.

Je suis absent du bureau et serai de retour lundi le 31 aout 2015. Pour une assistance immédiate veuillez communiquer avec Benoit Dube au benoit.dube@inspection.gc.ca.

Thank you/Merci

Valeriya

From: [Gebault King, ReneeA - AMS](#)
To: [Howley, JannaB - AMS](#)
Subject: RE: FW: IMPORTANT: NOTICE OF ACCREDITATION SUSPENSION under COR - ETKO (Out of the office)
Date: Wednesday, August 26, 2015 2:14:39 PM

Merci, Madame Howley! ;)

-----Original Message-----

From: Howley, JannaB - AMS
Sent: Wednesday, August 26, 2015 2:00 PM
To: Zuck, Penelope - AMS; Gebault King, ReneeA - AMS; Mann, Renee - AMS
Subject: FW: FW: IMPORTANT: NOTICE OF ACCREDITATION SUSPENSION under COR - ETKO (Out of the office)

FYI...

-----Original Message-----

From: Postmaster@inspection.gc.ca [<mailto:Postmaster@inspection.gc.ca>] On Behalf Of Valeriya Staykova
Sent: Wednesday, August 26, 2015 1:53 PM
To: Howley, JannaB - AMS
Subject: Re: FW: IMPORTANT: NOTICE OF ACCREDITATION SUSPENSION under COR - ETKO (Out of the office)

Hello / Bonjour,

I am out of the office and will return on Monday August 31st, 2015. For urgent matters, please contact Benoit Dube at benoit.dube@inspection.gc.ca.

Je suis absent du bureau et serai de retour lundi le 31 aout 2015. Pour une assistance immédiate veuillez communiquer avec Benoit Dube au benoit.dube@inspection.gc.ca.

Thank you/Merci

Valeriya

From: [Valeriya Staykova](#)
To: [Howley, JannaB - AMS](#)
Subject: Re: FW: IMPORTANT: NOTICE OF ACCREDITATION SUSPENSION under COR - ETKO
Date: Wednesday, September 02, 2015 11:49:25 AM

Hello Janna,

I am sad to hear that you are leaving the NOP. It was nice working with you.
Good luck with your new endeavour.

Regards,
Valeriya

P.S I will respond to the ETKO request in a separate email.

>>> "Howley, JannaB - AMS" <JannaB.Howley@ams.usda.gov> 2015-08-26 1:52 PM >>>

Good Afternoon, Valeriya:

I hope you are doing well and have had a nice summer. The NOP continues to review information related to our recent audit of ETKO. We were hoping that CFIA would be able to share a copy of their full audit report with the NOP, as well as the names of any operations where CFIA auditing identified the use of prohibited substances. The NOP is also trying to determine whether ETKO certified operations' products are being imported into the United States, so this information would be very helpful.

Additionally, I wanted to let you know that my last day with the National Organic Program will be Friday, September 4th. I have enjoyed working with you, and with the other CFIA staff involved with organic regulations. Renée Gebault King, another Accreditation Manager in our Accreditation and International Activities (AIA) division, will be your USCOEA liaison now. She has been cc:ed on this email and will contact you to introduce herself.

Penny Zuck, Accreditation Manager, AIA, who is also cc:ed on this email, will be handling our ongoing review of the ETKO accreditation issue.

Thank you, and please don't hesitate to contact me with any questions.

Janna Howley

Accreditation Manager | USDA National Organic Program
Room 2649-S (Stop 0268) | 1400 Independence Ave SW | Washington, DC 20250-0268
202-692-0047 Direct | www.ams.usda.gov/nop

[Sign up here](#) for the NOP Organic Insider, the National Organic Program's email notification service.

From: Valeriya Staykova [<mailto:Valeriya.Staykova@inspection.gc.ca>]
Sent: Friday, June 19, 2015 12:25 PM
To: Howley, JannaB - AMS
Cc: Courtney, Cheri - AMS; Rola Yehia
Subject: RE: IMPORTANT : NOTICE OF ACCREDITATION SUSPENSION under COR - ETKO

Hello Hanna ,

As requested please find below a list of the NCs issued during the 2015 Surveillance audit at ETKO . These NCs cover both ISO 17065 and the COR specific requirements.

NC 1 : ETKO are not following their own policy of completing a risk assessment form for each operation on an annual basis

Norm ref: COR C.2.3.10, ETKO procedure

NC 2: ETKO are not conducting input:output audits at on-site inspections of handling and processing units.

Norm ref: COR C.2.3.12

NC 3 : ETKO do not make clear in compliance forms and assessment (inspection) forms (ETKO formats) nor in nonconformity forms (completed by the inspector) the standard reference (or on occasions the standard) against which the operator is being assessed.

Norm ref: CAN 7.4.4,

NC 4: ETKO do not make sure that all relevant forms and contracts are signed and dated.

Norm ref: ISO/CAN 4.2 & 7.2, CAN 2.1.1, .

NC 5: ETKO are not complying with requirements on provision of information in inspection reports.

Norm ref: COR C2.23.2

· Transparency of process – the operator file whether paper or electronic should allow easy traceability of the process from application through to decision. Information on files is not easy to follow and there are frequently no links between statements in the inspection report and evidence.

o Inspection reports do not indicate time and duration of inspection (C2.3.22.1).

o Inspection reports do not indicate names of interviewees (C2.3.22.2).

o Inspection reports indicate which fields of farms were visited but do not refer to which buildings were visited (C2.3.22.3).

o When labels approved.

NC 6 : ETKO inspections are not sufficiently investigative to objectively verify the information provided by the operator and do not provide sufficient evidence of compliance to the standard for the certification body to make a competent decision. Note: this includes contradictory information in inspection reports, copied text from one report to another, zero or minimal issue of nonconformities, retroactive conversion as standard for new projects, inspections that do not visit

important locations on the farm and insufficient provision of evidence by inspectors.

Norm ref: ISO/IEC17065/COR 7.4.4

NC 7: ETKO awarded COR certification without 12 months application of the standard on the farms. Organic certification status was just based upon no use of prohibited inputs.

Norm ref: Canada standard 5.1.1

· Conversion period - The issue of conversion period under the Canada standard is much clearer that there must be a 12 month period of verified implementation of the standard, not just absence of prohibited products.

Although noted in the visit relating to EU equivalence the requirements under Canada are more explicit so is raised here as a separate issue;

NC 8 : ETKO are not regulating the use of non-organic seed in Ukraine and the inspectors appear to be denying what appears to be common knowledge that GMO seed for crops commonly grown in ETKO projects (maize, soybean) are widely available and used, despite the authorities not permitting them.

Norm ref: COR Std 5.3.2

Issue: It is generally accepted that there are no organic seeds available in Ukraine and this has led to ETKO not regulating and recording the use of non-organic seed. Regular purchases of hybrids are wrongly reported as own reproduction from elite seeds on farms. As there are no records it cannot be demonstrated that the bought in

seeds really are untreated nor whether the seeds are not from GM sources.
Evidence: ETKO have no register of approvals of non-organic seed and were only able to show a few examples of information provided by Ukraine operators.

NC 9: ETKO list of approved outsourced services does not include all service providers, agreements are not in place with all providers and annual performance review policy of ETKO is not being met.

Norm reference: ISO 65 4.4, (ISO 17065 6.2.2)

Please note that under the Canada Organic Regime while under suspension ETKO cannot accept new applications, issue certificates of inspection, or certify products as organic however products already certified by ETKO as meeting the Canadian Organic requirements are not affected.

It would be appreciated if you could share with us the NOP findings as well.

In addition, we have received an inquiry from ETKO in regards to the status the NOP certified organic products imported to Canada. We would appreciate your opinion on this matter.

Thank you,
Regards,
Valeriya

Meanwhile I would like to learn the position of NOP certified products coming to Canadian market. Is it possible that NOP certified clients (other than COR certified clients) can export products in to Canada with NOP certificates?

>>> "Howley, JannaB - AMS" <JannaB.Howley@ams.usda.gov> 2015-06-17 9:37 AM >>>

Good Morning, Valeriya:

Would you please let us know the reasons for ETKO's suspension? It would be helpful to know whether the reasons for CFIA's suspension of their accreditation are similar to any noncompliances – and ETKO's proposed corrective actions - identified during their NOP audit.

Thanks so much,

Janna Howley

Accreditation Manager | USDA National Organic Program
Room 2649-S (Stop 0268) | 1400 Independence Ave SW | Washington, DC 20250-0268
202-692-0047 Direct | www.ams.usda.gov/nop

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From: Valeriya Staykova [<mailto:Valeriya.Staykova@inspection.gc.ca>]
Sent: Monday, June 15, 2015 2:27 PM
To: Courtney, Cheri - AMS; Howley, JannaB - AMS
Cc: McEvoy, Miles - AMS; Rola Yehia
Subject: IMPORTANT : NOTICE OF ACCREDITATION SUSPENSION under COR - ETKO

Dear Cheri and Janna,

Please note that subject to subsection 2 of the *Organic Products Regulations 2009*, the CFIA accreditation of **Etko Ekolojyk Tarim Kontrol Organizasyonu Limited (ETKO)** under the Canada Organic Regime is suspended as of June 15, 2015.

As per section 4 of the *Organic Products Regulations 2009* the suspension will remain in effect until the required corrective measures specified in the report are implemented by ETKO and verified by the CFIA. Please note that until such time that ETKO's suspension is lifted, ETKO shall not accept and process applications from operators under the Canada Organic Regime.

Could you please advise on ETKO's accreditation status under the NOP since this might affect the importation of organic products to Canada under the USCOEA.

Should you have any questions or require further clarification please feel free to contact me.

Thank you.

Regards,

Valeriya

Valeriya Staykova
Lead Auditor /Chef-auditeur
Labelling, Organic Regime and Packaging/
Étiquetage, Le Régime Bio et Emballage
Consumer Protection and Market Fairness | Division de la protection des consommateurs et de l'équité des marchés
Canadian Food Inspection Agency | Agence canadienne d'inspection des aliments

1400 Merivale Road, Tower 2
Floor 6, Room 252

Ottawa, Ontario K1A 0Y9
Tel: (613) 773-6222, Fax 613-773 - 5961
valeriya.staykova@inspection.gc.ca

From: [Doherty, Julia](#)
To: [McEvoy, Miles - AMS](#); [Strzelecki, Kelly - FAS](#)
Cc: [Courtney, Cheri - AMS](#)
Subject: Re: Fwd: URGENT: ETKO ACCREDITATION Status under NOP
Date: Tuesday, December 15, 2015 9:57:34 AM

Did Canada or the EU share their reports on why they have pulled their accreditation of ETKO?

From: McEvoy, Miles - AMS [mailto:Miles.McEvoy@ams.usda.gov]
Sent: Tuesday, December 15, 2015 09:10 AM
To: Doherty, Julia; Strzelecki, Kelly - FAS <Kelly.Strzelecki@fas.usda.gov>
Cc: Courtney, Cheri - AMS <Cheri.Courtney@ams.usda.gov>
Subject: Fwd: URGENT: ETKO ACCREDITATION Status under NOP

(b) (5)

Miles V McEvoy
Deputy Administrator
USDA National Organic Program

Begin forwarded message:

From: Valeriya Staykova <Valeriya.Staykova@inspection.gc.ca>
Date: December 14, 2015 at 8:14:14 PM EST
To: Cheri -AMS Courtney <Cheri.Courtney@ams.usda.gov>, Miles - AMS McEvoy <Miles.McEvoy@ams.usda.gov>, ReneeA - AMS Gebault King <ReneeA.GebaultKing@ams.usda.gov>
Cc: Benoit Dube <Benoit.Dube@inspection.gc.ca>, Rola Yehia <Rola.Yehia@inspection.gc.ca>
Subject: RE: URGENT: ETKO ACCREDITATION Status under NOP

Dear Miles, Cheri and Renee,

Thank you for the update.

As you know, US and Canada signed an equivalence arrangement in 2009 and since then organic products certified by the NOP accredited Certification bodies have been imported and marketed in Canada as long as the shipment was accompanied by a valid organic certificate and an attestation.

On June 15, 2015 Canada informed NOP that" the CFIA accreditation of **Etko Ekoloji Tarim Kontrol Organizasyonu Limited (ETKO)** under the Canada Organic Regime is suspended as of June 15, 2015" and requested information on ETKO's accreditation status under the NOP since this might affect the importation of organic products to Canada under the USCOEA.

Canada values the relations with USDA NOP and respects the

decisions made by NOP however Canada is responsible to ensure that all imported organic products meet the requirements of the *Organic Products Regulations, 2009 (OPR)*.

Due to the nature of the non-conformities issued to ETKO, the CFIA has a reason to believe that the organic products that are listed in ETKO's Attestations under the USCOEA may not meet the requirements of the *OPR*. Allowing these products in Canada might jeopardise the integrity of Canada's import controls for organic products.

CFIA would like to inform you that a decision was made not to allow organic products certified by ETKO to the NOP under the US-CANADA Organic equivalency arrangement to be marketed as organic in Canada until such time that ETKO is notified directly by the CFIA.

Thank you.

Regards,
Valeriya

Valeriya Staykova
Lead Auditor /Chef-auditeur
Labelling, Organic Regime and Packaging/
Étiquetage, Le Régime Bio et Emballage
Consumer Protection and Market Fairness | Division de la protection des consommateurs et de l'équité des marchés
Canadian Food Inspection Agency | Agence canadienne d'inspection des aliments

1400 Merivale Road, Tower 2
Floor 6, Room 252
Ottawa, Ontario K1A 0Y9
Tel: (613) 773-6222, Fax 613-773 - 5961
valeriya.staykova@inspection.gc.ca

>>> "Gebault King, ReneeA - AMS"
<ReneeA.GebaultKing@ams.usda.gov> 2015-12-11 12:06 PM >>>

Dear Valeriya,

Thank you for contacting us with your questions about the certifier ETKO. We appreciate the concerns you have expressed.

At this time, ETKO is currently accredited by the USDA NOP. We are continuing to evaluate the situation regarding ETKO's accreditation and will inform you immediately should their status change.

Please contact me if you have additional questions.

Kind regards,

Renée

Renée Gebault King, Ph.D.
Accreditation Manager

Office: 202.690.1312 | Mobile: (b) (6)
ReneeA.GebaultKing@ams.usda.gov

USDA National Organic Program | 1400 Independence Ave SW | Room 2649-South, Stop 0268
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From: Valeriya Staykova [<mailto:Valeriya.Staykova@inspection.gc.ca>]
Sent: Thursday, December 10, 2015 2:05 PM
To: Courtney, Cheri - AMS <Cheri.Courtney@ams.usda.gov>; Gebault King, ReneeA - AMS <ReneeA.GebaultKing@ams.usda.gov>
Cc: McEvoy, Miles - AMS <Miles.McEvoy@ams.usda.gov>; Benoit Dube <Benoit.Dube@inspection.gc.ca>; Rola Yehia <Rola.Yehia@inspection.gc.ca>
Subject: URGENT; ETKO ACCREDITATION Status under NOP

Dear Renee and Cheri,

It has been a while since NOP has communicated any information with regards to the current status of the ETKO accreditation by NOP.

It was brought to the CFIA's attention that certain organic products (wheat, sunflower seeds) currently certified by ETKO under the NOP and the terms of the USCOEA will be imported to Canada from Ukraine tomorrow.

We have concerns with this shipment and feel that this might jeopardise the integrity of the Canada Organic Regime import controls.

We are hesitant to allow this shipments in Canada due to the fact that ETKO's accreditation has already been suspended by EU and Canada.

We would appreciate your assistance in this urgent matter.
Thank you.

Regards,
Valeriya

Valeriya Staykova

Lead Auditor /Chef-auditeur
Labelling, Organic Regime and Packaging/
Étiquetage, Le Régime Bio et Emballage
Consumer Protection and Market Fairness | Division de la protection des consommateurs et
de l'équité des marchés
Canadian Food Inspection Agency | Agence canadienne d'inspection des aliments

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Tel: (613) 773-6222, Fax 613-773 - 5961
valeriya.staykova@inspection.gc.ca

>>> "Howley, JannaB - AMS" <JannaB.Howley@ams.usda.gov> 2015-08-26 1:52 PM >>>

Good Afternoon, Valeriya:

I hope you are doing well and have had a nice summer. The NOP continues to review information related to our recent audit of ETKO. We were hoping that CFIA would be able to share a copy of their full audit report with the NOP, as well as the names of any operations where CFIA auditing identified the use of prohibited substances. The NOP is also trying to determine whether ETKO certified operations' products are being imported into the United States, so this information would be very helpful.

Additionally, I wanted to let you know that my last day with the National Organic Program will be Friday, September 4th. I have enjoyed working with you, and with the other CFIA staff involved with organic regulations. Renée Gebault King, another Accreditation Manager in our Accreditation and International Activities (AIA) division, will be your USCOEA liaison now. She has been cc:ed on this email and will contact you to introduce herself.

Penny Zuck, Accreditation Manager, AIA, who is also cc:ed on this email, will be handling our ongoing review of the ETKO accreditation issue.

Thank you, and please don't hesitate to contact me with any questions.

Janna Howley

Accreditation Manager | USDA National Organic Program
Room 2649-S (Stop 0268) | 1400 Independence Ave SW | Washington, DC 20250-0268
202-692-0047 Direct | www.ams.usda.gov/nop

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From: Valeriya Staykova [<mailto:Valeriya.Staykova@inspection.gc.ca>]
Sent: Friday, June 19, 2015 12:25 PM
To: Howley, JannaB - AMS
Cc: Courtney, Cheri - AMS; Rola Yehia
Subject: RE: IMPORTANT : NOTICE OF ACCREDITATION SUSPENSION under COR - ETKO

Hello Hanna ,

As requested please find below a list of the NCs issued during the 2015 Surveillance audit at ETKO . These NCs cover both ISO 17065 and the COR specific requirements.

NC 1 : ETKO are not following their own policy of completing a risk assessment form for each operation on an annual basis

Norm ref: COR C.2.3.10, ETKO procedure

NC 2: ETKO are not conducting input:output audits at on-site inspections of handling and processing units.

Norm ref: COR C.2.3.12

NC 3 : ETKO do not make clear in compliance forms and assessment (inspection) forms (ETKO formats) nor in nonconformity forms (completed by the inspector) the standard reference (or on occasions the standard) against which the operator is being assessed.

Norm ref: CAN 7.4.4,

NC 4: ETKO do not make sure that all relevant forms and contracts are signed and dated.

Norm ref: ISO/CAN 4.2 & 7.2, CAN 2.1.1, .

NC 5: ETKO are not complying with requirements on provision of information in inspection reports.

Norm ref: COR C2.23.2

· Transparency of process – the operator file whether paper or electronic should allow easy traceability of the process from application through to decision. Information on files is not easy to follow and there are frequently no links between statements in the inspection report and evidence.

o Inspection reports do not indicate time and duration of inspection (C2.3.22.1).

o Inspection reports do not indicate names of interviewees (C2.3.22.2).

o Inspection reports indicate which fields of farms were visited but do not refer to which buildings were visited (C2.3.22.3).

o When labels approved.

NC 6 : ETKO inspections are not sufficiently investigative to objectively verify the information provided by the operator and do not provide sufficient evidence of compliance to the standard for the certification body to make a competent decision. Note: this includes contradictory information in inspection reports, copied text from one report to another, zero or minimal issue of nonconformities, retroactive conversion as standard for new projects, inspections that do not visit

important locations on the farm and insufficient provision of evidence by inspectors.

Norm ref: ISO/IEC17065/COR 7.4.4

NC 7: ETKO awarded COR certification without 12 months application of the standard on the farms. Organic certification status was just based upon no use of prohibited inputs.

Norm ref: Canada standard 5.1.1

· Conversion period - The issue of conversion period under the Canada standard is much clearer that there must be a 12 month period of verified implementation of the standard, not just absence of prohibited products. Although noted in the visit relating to EU equivalence the requirements under Canada are more explicit so is raised here as a separate issue;

NC 8 : ETKO are not regulating the use of non-organic seed in Ukraine and the inspectors appear to be denying what appears to be common knowledge that GMO seed for crops commonly grown in ETKO projects (maize, soybean) are widely available and used, despite the

authorities not permitting them.

Norm ref: COR Std 5.3.2

Issue: It is generally accepted that there are no organic seeds available in Ukraine and this has led to ETKO not regulating and recording the use of non-organic seed. Regular purchases of hybrids are wrongly reported as own reproduction from elite seeds on farms. As there are no records it cannot be demonstrated that the bought in seeds really are untreated nor whether the seeds are not from GM sources.

Evidence: ETKO have no register of approvals of non-organic seed and were only able to show a few examples of information provided by Ukraine operators.

NC 9: ETKO list of approved outsourced services does not include all service providers, agreements are not in place with all providers and annual performance review policy of ETKO is not being met.

Norm reference: ISO 65 4.4, (ISO 17065 6.2.2)

Please note that under the Canada Organic Regime while under suspension ETKO cannot accept new applications, issue certificates of inspection, or certify products as organic however products already certified by ETKO as meeting the Canadian Organic requirements are not affected.

It would be appreciated if you could share with us the NOP findings as well.

In addition, we have received an inquiry from ETKO in regards to the status the NOP certified organic products imported to Canada. We would appreciate your opinion on this matter.

Thank you,
Regards,
Valeriya

Meanwhile I would like to learn the position of NOP certified products coming to Canadian market. Is it possible that NOP certified clients (other than COR certified clients) can export products in to Canada with NOP certificates?

>>> "Howley, JannaB - AMS" <JannaB.Howley@ams.usda.gov> 2015-06-17 9:37 AM >>>

Good Morning, Valeriya:

Would you please let us know the reasons for ETKO's suspension? It would be helpful to know whether the reasons for CFIA's suspension of their accreditation are similar to any noncompliances – and ETKO's proposed corrective actions - identified during their NOP audit.

Thanks so much,

Janna Howley

Accreditation Manager | USDA National Organic Program

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From: [Doherty, Julia](#)
To: [McEvoy, Miles - AMS](#); [Strzelecki, Kelly - FAS](#)
Cc: [Courtney, Cheri - AMS](#)
Subject: Re: Fwd: URGENT: ETKO ACCREDITATION Status under NOP
Date: Tuesday, December 15, 2015 9:57:22 AM

Did Canada or the EU share their reports on why they have pulled their accreditation of ETKO?

From: McEvoy, Miles - AMS [mailto:Miles.McEvoy@ams.usda.gov]
Sent: Tuesday, December 15, 2015 09:10 AM
To: Doherty, Julia; Strzelecki, Kelly - FAS <Kelly.Strzelecki@fas.usda.gov>
Cc: Courtney, Cheri - AMS <Cheri.Courtney@ams.usda.gov>
Subject: Fwd: URGENT: ETKO ACCREDITATION Status under NOP

(b) (5)

Miles V McEvoy
Deputy Administrator
USDA National Organic Program

Begin forwarded message:

From: Valeriya Staykova <Valeriya.Staykova@inspection.gc.ca>
Date: December 14, 2015 at 8:14:14 PM EST
To: Cheri -AMS Courtney <Cheri.Courtney@ams.usda.gov>, Miles - AMS McEvoy <Miles.McEvoy@ams.usda.gov>, ReneeA - AMS Gebault King <ReneeA.GebaultKing@ams.usda.gov>
Cc: Benoit Dube <Benoit.Dube@inspection.gc.ca>, Rola Yehia <Rola.Yehia@inspection.gc.ca>
Subject: RE: URGENT: ETKO ACCREDITATION Status under NOP

Dear Miles, Cheri and Renee,

Thank you for the update.

As you know, US and Canada signed an equivalence arrangement in 2009 and since then organic products certified by the NOP accredited Certification bodies have been imported and marketed in Canada as long as the shipment was accompanied by a valid organic certificate and an attestation.

On June 15, 2015 Canada informed NOP that" the CFIA accreditation of **Etko Ekoloji Tarim Kontrol Organizasyonu Limited (ETKO)** under the Canada Organic Regime is suspended as of June 15, 2015" and requested information on ETKO's accreditation status under the NOP since this might affect the importation of organic products to Canada under the USCOEA.

Canada values the relations with USDA NOP and respects the

decisions made by NOP however Canada is responsible to ensure that all imported organic products meet the requirements of the *Organic Products Regulations, 2009 (OPR)*.

Due to the nature of the non-conformities issued to ETKO, the CFIA has a reason to believe that the organic products that are listed in ETKO's Attestations under the USCOEA may not meet the requirements of the *OPR*. Allowing these products in Canada might jeopardise the integrity of Canada's import controls for organic products.

CFIA would like to inform you that a decision was made not to allow organic products certified by ETKO to the NOP under the US-CANADA Organic equivalency arrangement to be marketed as organic in Canada until such time that ETKO is notified directly by the CFIA.

Thank you.

Regards,
Valeriya

Valeriya Staykova
Lead Auditor /Chef-auditeur
Labelling, Organic Regime and Packaging/
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valeriya.staykova@inspection.gc.ca

>>> "Gebault King, ReneeA - AMS"
<ReneeA.GebaultKing@ams.usda.gov> 2015-12-11 12:06 PM >>>

Dear Valeriya,

Thank you for contacting us with your questions about the certifier ETKO. We appreciate the concerns you have expressed.

At this time, ETKO is currently accredited by the USDA NOP. We are continuing to evaluate the situation regarding ETKO's accreditation and will inform you immediately should their status change.

Please contact me if you have additional questions.

Kind regards,

Renée

Renée Gebault King, Ph.D.
Accreditation Manager

Office: 202.690.1312 | Mobile: (b) (6)
ReneeA.GebaultKing@ams.usda.gov

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From: Valeriya Staykova [<mailto:Valeriya.Staykova@inspection.gc.ca>]
Sent: Thursday, December 10, 2015 2:05 PM
To: Courtney, Cheri - AMS <Cheri.Courtney@ams.usda.gov>; Gebault King, ReneeA - AMS <ReneeA.GebaultKing@ams.usda.gov>
Cc: McEvoy, Miles - AMS <Miles.McEvoy@ams.usda.gov>; Benoit Dube <Benoit.Dube@inspection.gc.ca>; Rola Yehia <Rola.Yehia@inspection.gc.ca>
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We have concerns with this shipment and feel that this might jeopardise the integrity of the Canada Organic Regime import controls.

We are hesitant to allow this shipments in Canada due to the fact that ETKO's accreditation has already been suspended by EU and Canada.

We would appreciate your assistance in this urgent matter.
Thank you.

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Janna Howley

Accreditation Manager | USDA National Organic Program

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From: Valeriya Staykova [<mailto:Valeriya.Staykova@inspection.gc.ca>]
Sent: Monday, June 15, 2015 2:27 PM
To: Courtney, Cheri - AMS; Howley, JannaB - AMS
Cc: McEvoy, Miles - AMS; Rola Yehia
Subject: IMPORTANT : NOTICE OF ACCREDITATION SUSPENSION under COR - ETKO

Dear Cheri and Janna,

Please note that subject to subsection 2 of the *Organic Products Regulations 2009*, the CFIA accreditation of **Etko Ekolojyk Tarim Kontrol Organizasyonu Limited (ETKO)** under the Canada Organic Regime is suspended as of June 15, 2015.

As per section 4 of the *Organic Products Regulations 2009* the suspension will remain in effect until the required corrective measures specified in the report are implemented by ETKO and verified by the CFIA. Please note that until such time that ETKO's suspension is lifted, ETKO shall not accept and process applications from operators under the Canada Organic Regime.

Could you please advise on ETKO's accreditation status under the NOP since this might affect the importation of organic products to Canada under the USCOEA.

Should you have any questions or require further clarification please feel free to contact me.

Thank you.

Regards,

Valeriya

Valeriya Staykova
Lead Auditor /Chef-auditeur
Labelling, Organic Regime and Packaging/
Étiquetage, Le Régime Bio et Emballage
Consumer Protection and Market Fairness | Division de la protection des consommateurs et
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Floor 6, Room 252

Ottawa, Ontario K1A 0Y9

Tel: (613) 773-6222, Fax 613-773 - 5961
valeriya.staykova@inspection.gc.ca

From: [McEvoy, Miles - AMS](#)
To: [Doherty, Julia](#); [Strzelecki, Kelly - FAS](#)
Cc: [Courtney, Cheri - AMS](#)
Subject: RE: Fwd: URGENT: ETKO ACCREDITATION Status under NOP
Date: Tuesday, December 15, 2015 12:53:17 PM

Yes they shared the reports and have valid reasons for suspending accreditation. We are working on suspension but have different procedures.

From: Doherty, Julia [mailto:Julia_Doherty@ustr.eop.gov]
Sent: Tuesday, December 15, 2015 9:57 AM
To: McEvoy, Miles - AMS; Strzelecki, Kelly - FAS
Cc: Courtney, Cheri - AMS
Subject: Re: Fwd: URGENT: ETKO ACCREDITATION Status under NOP

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From: McEvoy, Miles - AMS [mailto:Miles.McEvoy@ams.usda.gov]
Sent: Tuesday, December 15, 2015 09:10 AM
To: Doherty, Julia; Strzelecki, Kelly - FAS <Kelly.Strzelecki@fas.usda.gov>
Cc: Courtney, Cheri - AMS <Cheri.Courtney@ams.usda.gov>
Subject: Fwd: URGENT: ETKO ACCREDITATION Status under NOP

(b) (5)

Miles V McEvoy

Deputy Administrator

USDA National Organic Program

Begin forwarded message:

From: Valeriya Staykova <Valeriya.Staykova@inspection.gc.ca>
Date: December 14, 2015 at 8:14:14 PM EST
To: Cheri -AMS Courtney <Cheri.Courtney@ams.usda.gov>, Miles - AMS McEvoy <Miles.McEvoy@ams.usda.gov>, ReneeA - AMS Gebault King <ReneeA.GebaultKing@ams.usda.gov>
Cc: Benoit Dube <Benoit.Dube@inspection.gc.ca>, Rola Yehia <Rola.Yehia@inspection.gc.ca>
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Regards,

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>>> "Gebault King, ReneeA - AMS"
<ReneeA.GebaultKing@ams.usda.gov> 2015-12-11 12:06 PM >>>

Dear Valeriya,

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Please contact me if you have additional questions.

Kind regards,

Renee

Renée Gebault King, Ph.D.
Accreditation Manager

Office: 202.690.1312 | Mobile: (b) (6)
ReneeA.GebaultKing@ams.usda.gov

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Sent: Thursday, December 10, 2015 2:05 PM

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Sent: Friday, June 19, 2015 12:25 PM
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Cc: Courtney, Cheri - AMS; Rola Yehia
Subject: RE: IMPORTANT : NOTICE OF ACCREDITATION SUSPENSION under COR - ETKO

Hello Hanna ,

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>>> "Howley, JannaB - AMS" <JannaB.Howley@ams.usda.gov> 2015-06-17 9:37 AM >>>

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Accreditation Manager | USDA National Organic Program
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Sent: Monday, June 15, 2015 2:27 PM
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Cc: McEvoy, Miles - AMS; Rola Yehia
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Could you please advise on ETKO's accreditation status under the NOP since this might affect the importation of organic products to Canada under the USCOEA.

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Valeriya

Valeriya Staykova

Lead Auditor /Chef-auditeur

Labelling, Organic Regime and Packaging/

Étiquetage, Le Régime Bio et Emballage

Consumer Protection and Market Fairness | Division de la protection des consommateurs et
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Tel: (613) 773-6222, Fax 613-773 - 5961

valeriya.staykova@inspection.gc.ca

From: [Valeriya Staykova](mailto:ma@etko.org)
To: ma@etko.org
Bcc: [Howley, JannaB - AMS](#)
Subject: RE: IMPORTANT : NOTICE OF ACCREDITATION SUSPENSION - ETKO
Date: Thursday, June 25, 2015 1:21:29 PM

Dear Mustafa,

Canada was informed that currently ETKO's accreditation under NOP is not affected so products certified under the US-Canada organic equivalency arrangement can be imported to Canada.

Thank you
Regards,
Valeriya

Valeriya Staykova
Lead Auditor /Chef-auditeur
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valeriya.staykova@inspection.gc.ca

>>> <ma@etko.org> 2015-06-18 3:25 AM >>>

Dear Valeriya

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Meanwhile I would like to learn the position of NOP certified products coming to Canadian market. Is it possible that NOP certified clients (other than COR certified clients) can export products in to Canada with NOP certificates?

Thanks for clarification

Sincerely

Mustafa Akyuz

From: [Howley, JennaB - AMS](#)
To: [Valeriya Staykova](#)
Cc: [Courtney, Cheri - AMS](#); [Rola Yehia](#); [Mann, Renee - AMS](#)
Subject: RE: IMPORTANT : NOTICE OF ACCREDITATION SUSPENSION under COR - ETKO
Date: Friday, June 26, 2015 11:53:31 AM

Valeriya:

Thank you for sending us CFIA's ETKO noncompliances. Below are the noncompliances the NOP issued to ETKO as a result of its 2014 renewal audit. ETKO has submitted proposed corrective actions to the NOP, and we are in the process of reviewing them.

Noncompliances Outstanding from a Previous Assessment

NP9222ZZA.NC21 – Outstanding. 7 CFR §205.501(a)(4) states, “A private or governmental entity accredited as a certifying agent under this subpart must: Use a sufficient number of adequately trained personnel, including inspectors and certification review personnel, to comply with and implement the organic certification program established under the Act and the regulations in subpart E of this part.” *Interviews conducted, records reviewed, and witness inspections observed, verified a general lack of understanding of the NOP standards. While personnel had sufficient experience and education in organic agricultural production and handling practices, there was insufficient understanding on the application of the NOP standards as evidenced by inadequate information in the approved organic compliance (system) plans with no issues of concern or non-compliances being identified over multiple years of certification. The primary Certification Committee (CC) member with expertise in crops was not familiar with basic requirements such as the 90/120 day rule for raw manure application, did not know where to reference in the NOP Rule to determine if an input is permitted, and did not know when commercially available seeds and planting stock could be used. Additionally, while it was stated that the Certification Committee (CC) had received training there were no training records for any of the CC members prior to 2009.*

Corrective Action: ETKO conducted training of inspectors, reviewers, and Certification Committee members on November 21, 2009 and March 12-14, 2010 which covered NOP standards, review, inspection, and certification procedures. ETKO has designed a 2010 training plan to ensure periodic training on the NOP is completed. ETKO submitted records of training for all inspectors, reviewers, and Certification Committee members.

2014 Verification of Corrective Action: The NOP auditor found the following issues of concern that demonstrated an insufficient understanding of the USDA organic regulations and NOP policies:

1. Label review – the label review checklist did not include USDA organic regulation label requirements to be verified.
2. Inspectors during the witness audits used incorrect regulation citations during exit interviews to identify findings.
3. OCP templates state the incorrect USDA organic regulations.
4. Inspectors are using outdated USDA organic regulations (2010).
5. Inspectors and reviewers not readily able to look up regulations.
6. ETKO personnel have an incomplete understanding of the noncompliance and adverse action notification procedures.
7. Several crop operation OCPs reviewed by the NOP auditor indicated “Not Applicable” for

Crop Rotation practice standard (205.205).

8. ETKO personnel did not understand and document buffer zone requirements (205.202(c)).

Noncompliances Identified during the Current Assessment

NP4132LCA.NC1 – 7 CFR §205.501(a)(3) states, “A private or governmental entity accredited as a certifying agent under this subpart must: Carry out the provisions of the Act and the regulations in this part, including the provisions of §§205.402 through 205.406 and §205.670.” Furthermore, NOP 4009, Instruction – Who Needs to be Certified?, states “The OFPA requires that agricultural products sold or labeled as organically produced must be produced only on certified farms and handled only through certified handling operations (see 7 USC § 6506(a)(1)). The USDA organic regulations reiterate these requirements (see 7 CFR 205.100.)”

Comments: *ETKO certifies projects that contain uncertified operations (i.e. contractors) that produce or handle organic products that are not certified entities.*

NP4132LCA.NC2 – 7 CFR §205.404(b)(3) states, “The certifying agent must issue a certificate of organic operation which specifies the: Categories of organic operation, including crops, wild crops, livestock, or processed products produced by the certified operation.”

Comments: *Certificates do not adequately indicate the certification scopes of Crop, Wild Crop, and Handling/Processing.*

NP4132LCA.NC3 – 7 CFR §205.662(c) states, “When rebuttal is unsuccessful or correction of the noncompliance is not completed within the prescribed time period, the certifying agent... shall send the certified operation a written notification of proposed suspension or revocation of certification of the entire operation or a portion of the operation, as applicable to the noncompliance....The notification of proposed suspension or revocation of certification shall state: (1) The reasons for the proposed suspension or revocation; (2) The proposed effective date of such suspension or revocation; (3) The impact of a suspension or revocation on future eligibility for certification; and (4) The right to request mediation pursuant to §205.663 or to file an appeal pursuant to §205.681.”

Comments: *ETKO suspended an operation without issuing a Notice of Proposed Suspension. The same operation after receiving the Notice of Suspension effective for 30 days was issued a Notice of Proposed Revocation and subsequently a Notice of Revocation. The sequence of issued notices and contents of the notifications demonstrate that ETKO does not fully comprehend the process of issuing notifications for noncompliances and adverse actions.*

NP4132LCA.NC4 – 7 CFR §205.403(c) states, “The on-site inspection of an operation must verify: (1) The operation’s compliance or capability to comply with the Act and the regulations of this part; (2) That the information, including the organic production or handling system plan, provided in accordance with §§205.401, 205.406, and 205.200, accurately reflects the practices used or to be used by the applicant for certification or by the certified operation; (3) That prohibited substances have not been and are not being applied to the operation through means which, at the discretion of the certifying agent, may include the collection and testing of soil; water; waste; seeds; plant tissue; and plant, animal, and processed products samples.”

Comments: *The following issues were identified by the NOP auditor during a review of the operation files and witness audits:*

1. *Inspectors did not completely verify the information stated in the Organic Compliance Plans. If observations and interviews at the onsite inspection did not align with the Organic Compliance Plan, the inspector failed to state this finding as an issue of concern.*

2. *ETKO inspectors are responsible for collecting large amounts of information about the operations when the Organic Compliance Plan (OCP) is incomplete or in error. The inspector did not note the finding as an issue of concern, failing to indicate that the OCP is incomplete. The inspector did not record these findings in the inspection report. Minor updates or adjustments to the OCP during the onsite inspection is acceptable and can be noted in the inspector's report.*
3. *The inspection reports did not include a description and the outcome of the reconciliation activities (e.g. mass balance and audit trail audit) conducted by inspectors.*

NP4132LCA.NC5 - 7 CFR § 205.501(a)(2) states, “A private or governmental entity accredited as a certifying agent under this subpart must: Demonstrate the ability to fully comply with the requirements for accreditation set forth in this subpart.”

Comments: *During a crop witness audit observation, the NOP auditor noted that the inspector was not equipped and possibly not adequately trained to conduct sampling for pesticide residues. Product samples were collected during the crop inspection; however, the inspector collected the samples with bare hands potential exposing the samples to contamination and jeopardizing sample integrity.*

NP4132LCA.NC6 - 7 CFR § 205.501(a)(21) states “A private or governmental entity accredited as a certifying agent under this subpart must: Comply with, implement, and carry out any other terms or conditions determined by the Administrator to be necessary.” NOP Policy Memo (PM) 11-10 (dated 01/21/11) states, “Grower group certification...accredited certifying agents should use the National Organic Standards Board (NOSB) recommendations of October 2002 and November 2008 as the current policies.”

Comments: *Grower Groups certified by ETKO do not have documented and functioning Internal Control Systems.*

Thank you, and have a nice weekend,

Janna Howley

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From: Valeriya Staykova [mailto:Valeriya.Staykova@inspection.gc.ca]
Sent: Monday, June 15, 2015 2:27 PM
To: Courtney, Cheri - AMS; Howley, JannaB - AMS
Cc: McEvoy, Miles - AMS; Rola Yehia
Subject: IMPORTANT : NOTICE OF ACCREDITATION SUSPENSION under COR - ETKO

Dear Cheri and Janna,

Please note that subject to subsection 2 of the *Organic Products Regulations 2009*, the CFIA accreditation of **Etko Ekolojyk Tarim Kontrol Organizasyonu Limited (ETKO)** under the Canada Organic Regime is suspended as of June 15, 2015.

As per section 4 of the *Organic Products Regulations 2009* the suspension will remain in effect until the required corrective measures specified in the report are implemented by ETKO and verified by the CFIA. Please note that until such time that ETKO's suspension is lifted, ETKO shall not accept and process applications from operators under the Canada Organic Regime.

Could you please advise on ETKO's accreditation status under the NOP since this might affect the importation of organic products to Canada under the USCOEA.

Should you have any questions or require further clarification please feel free to

contact me.

Thank you.

Regards,

Valeriya

Valeriya Staykova

Lead Auditor /Chef-auditeur

Labelling, Organic Regime and Packaging/

Étiquetage, Le Régime Bio et Emballage

Consumer Protection and Market Fairness | Division de la protection des consommateurs et de l'équité des marchés

Canadian Food Inspection Agency | Agence canadienne d'inspection des aliments

1400 Merivale Road, Tower 2

Floor 6, Room 252

Ottawa, Ontario K1A 0Y9

Tel: (613) 773-6222, Fax 613-773 - 5961

valeriya.staykova@inspection.gc.ca

From: [Howley, JannaB - AMS](#)
To: [McEvoy, Miles - AMS](#)
Cc: [Courtney, Cheri - AMS](#); [Mann, Renee - AMS](#)
Subject: RE: IMPORTANT : NOTICE OF ACCREDITATION SUSPENSION under COR - ETKO
Date: Wednesday, June 17, 2015 7:22:51 AM

Miles:

I will get in touch with Valeriya and find out why they lost their accreditation.

Thanks,

Janna

From: McEvoy, Miles - AMS
Sent: Wednesday, June 17, 2015 6:25 AM
To: Howley, JannaB - AMS
Cc: Courtney, Cheri - AMS; Mann, Renee - AMS
Subject: RE: IMPORTANT : NOTICE OF ACCREDITATION SUSPENSION under COR - ETKO

Please find out why they lost accreditation. The EU also expressed concerns about ETKO in March.

From: Howley, JannaB - AMS
Sent: Monday, June 15, 2015 4:12 PM
To: Valeriya Staykova
Cc: McEvoy, Miles - AMS; Courtney, Cheri - AMS; Rola Yehia; Yang, RobertH - AMS
Subject: RE: IMPORTANT : NOTICE OF ACCREDITATION SUSPENSION under COR - ETKO

Valeriya:

Thank you for letting us know about ETKO's status under COR. ETKO is currently accredited under the NOP, and I've attached their certificate. They underwent a renewal audit last year and are currently in the process of resolving any noncompliances in order to receive their five-year renewal certificate.

Please don't hesitate to contact me with any questions,

Janna Howley

Accreditation Manager | USDA National Organic Program
Room 2649-S (Stop 0268) | 1400 Independence Ave SW | Washington, DC 20250-0268
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Sent: Monday, June 15, 2015 2:27 PM
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Regards,

Valeriya

Valeriya Staykova
Lead Auditor /Chef-auditeur
Labelling, Organic Regime and Packaging/
Étiquetage, Le Régime Bio et Emballage
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valeriya.staykova@inspection.gc.ca

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To: [Howley, JannaB - AMS](#)
Cc: [Courtney, Cheri - AMS](#); [Mann, Renee - AMS](#)
Subject: RE: IMPORTANT : NOTICE OF ACCREDITATION SUSPENSION under COR - ETKO
Date: Wednesday, June 17, 2015 6:24:55 AM

Please find out why they lost accreditation. The EU also expressed concerns about ETKO in March.

From: Howley, JannaB - AMS
Sent: Monday, June 15, 2015 4:12 PM
To: Valeriya Staykova
Cc: McEvoy, Miles - AMS; Courtney, Cheri - AMS; Rola Yehia; Yang, RobertH - AMS
Subject: RE: IMPORTANT : NOTICE OF ACCREDITATION SUSPENSION under COR - ETKO

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From: [Howley, JannaB - AMS](#)
To: [Valeriya Staykova](#)
Cc: [McEvoy, Miles - AMS](#); [Courtney, Cheri - AMS](#); [Rola Yehia](#); [Yang, RobertH - AMS](#)
Subject: RE: IMPORTANT : NOTICE OF ACCREDITATION SUSPENSION under COR - ETKO
Date: Monday, June 15, 2015 4:12:26 PM
Attachments: [ETKO Accred Certificate 092710.pdf](#)

Valeriya:

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Janna Howley

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United States Department of Agriculture

Agricultural Marketing Service

National Organic Program

Ekolojik Tarım Kontrol Organizasyonu

Bornova—Izmir, Turkey

meets all the requirements prescribed in the National Organic Program Regulations

7 CFR Part 205

As an Accredited Certifying Agent

for the scope of

Crops, Wild Crops and Handling

This certificate is receivable by all officers of all courts of the United States as prima facie evidence of the truth of the statements therein contained. This certificate does not excuse failure to comply with any of the regulatory laws enforced by the U.S. Department of Agriculture.

Annual status of this accreditation may be verified at <http://www.ams.usda.gov>

CERTIFICATE OF ACCREDITATION

Certificate No: **NP9222ZZA**

Issue Date: **January 22, 2008**

Renewal Date: **January 22, 2013**

Rayne Pegg
Administrator
Agricultural Marketing Service



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From: [Valeriya Staykova](#)
To: [Howley, JannaB - AMS](#)
Cc: [Courtney, Cheri - AMS](#); [Mann, Renee - AMS](#); [Rola Yehia](#)
Subject: RE: IMPORTANT : NOTICE OF ACCREDITATION SUSPENSION under COR - ETKO
Date: Monday, June 29, 2015 9:02:03 AM

Hello Janna,

Thank you for sharing these with the Canada Organic Office. It seems like some of them are very similar to the NCs issued under COR. Are there established time lines for reviewing and closing NCs under NOP?

Thank you.
Regards,
Valeriya

>>> "Howley, JannaB - AMS" <JannaB.Howley@ams.usda.gov> 2015-06-26 11:53 AM >>>

Valeriya:

Thank you for sending us CFIA's ETKO noncompliances. Below are the noncompliances the NOP issued to ETKO as a result of its 2014 renewal audit. ETKO has submitted proposed corrective actions to the NOP, and we are in the process of reviewing them.

Noncompliances Outstanding from a Previous Assessment

NP9222ZZA.NC21 – Outstanding. 7 CFR §205.501(a)(4) states, “A private or governmental entity accredited as a certifying agent under this subpart must: Use a sufficient number of adequately trained personnel, including inspectors and certification review personnel, to comply with and implement the organic certification program established under the Act and the regulations in subpart E of this part.” *Interviews conducted, records reviewed, and witness inspections observed, verified a general lack of understanding of the NOP standards. While personnel had sufficient experience and education in organic agricultural production and handling practices, there was insufficient understanding on the application of the NOP standards as evidenced by inadequate information in the approved organic compliance (system) plans with no issues of concern or non-compliances being identified over multiple years of certification. The primary Certification Committee (CC) member with expertise in crops was not familiar with basic requirements such as the 90/120 day rule for raw manure application, did not know where to reference in the NOP Rule to determine if an input is permitted, and did not know when commercially available seeds and planting stock could be used. Additionally, while it was stated that the Certification Committee (CC) had received training there were no training records for any of the CC members prior to 2009.*

Corrective Action: ETKO conducted training of inspectors, reviewers, and Certification Committee members on November 21, 2009 and March 12-14, 2010 which covered NOP standards, review, inspection, and certification procedures. ETKO has designed a 2010 training plan to ensure periodic training on the NOP is completed. ETKO submitted records of training for all inspectors, reviewers, and Certification Committee members.

2014 Verification of Corrective Action: The NOP auditor found the following issues of concern that demonstrated an insufficient understanding of the USDA organic regulations and NOP policies:

1. Label review – the label review checklist did not include USDA organic regulation label requirements to be verified.
2. Inspectors during the witness audits used incorrect regulation citations during exit interviews to identify findings.

3. OCP templates state the incorrect USDA organic regulations.
4. Inspectors are using outdated USDA organic regulations (2010).
5. Inspectors and reviewers not readily able to look up regulations.
6. ETKO personnel have an incomplete understanding of the noncompliance and adverse action notification procedures.
7. Several crop operation OCPs reviewed by the NOP auditor indicated “Not Applicable” for Crop Rotation practice standard (205.205).
8. ETKO personnel did not understand and document buffer zone requirements (205.202(c)).

Noncompliances Identified during the Current Assessment

NP4132LCA.NC1 – 7 CFR §205.501(a)(3) states, “A private or governmental entity accredited as a certifying agent under this subpart must: Carry out the provisions of the Act and the regulations in this part, including the provisions of §§205.402 through 205.406 and §205.670.” Furthermore, NOP 4009, Instruction – Who Needs to be Certified?, states “The OFPA requires that agricultural products sold or labeled as organically produced must be produced only on certified farms and handled only through certified handling operations (see 7 USC § 6506(a)(1)). The USDA organic regulations reiterate these requirements (see 7 CFR 205.100.)”

Comments: *ETKO certifies projects that contain uncertified operations (i.e. contractors) that produce or handle organic products that are not certified entities.*

NP4132LCA.NC2 – 7 CFR §205.404(b)(3) states, “The certifying agent must issue a certificate of organic operation which specifies the: Categories of organic operation, including crops, wild crops, livestock, or processed products produced by the certified operation.”

Comments: *Certificates do not adequately indicate the certification scopes of Crop, Wild Crop, and Handling/Processing.*

NP4132LCA.NC3 – 7 CFR §205.662(c) states, “When rebuttal is unsuccessful or correction of the noncompliance is not completed within the prescribed time period, the certifying agent... shall send the certified operation a written notification of proposed suspension or revocation of certification of the entire operation or a portion of the operation, as applicable to the noncompliance....The notification of proposed suspension or revocation of certification shall state: (1) The reasons for the proposed suspension or revocation; (2) The proposed effective date of such suspension or revocation; (3) The impact of a suspension or revocation on future eligibility for certification; and (4) The right to request mediation pursuant to §205.663 or to file an appeal pursuant to §205.681.”

Comments: *ETKO suspended an operation without issuing a Notice of Proposed Suspension. The same operation after receiving the Notice of Suspension effective for 30 days was issued a Notice of Proposed Revocation and subsequently a Notice of Revocation. The sequence of issued notices and contents of the notifications demonstrate that ETKO does not fully comprehend the process of issuing notifications for noncompliances and adverse actions.*

NP4132LCA.NC4 – 7 CFR §205.403(c) states, “The on-site inspection of an operation must verify: (1) The operation’s compliance or capability to comply with the Act and the regulations of this part; (2) That the information, including the organic production or handling system plan, provided in accordance with §§205.401, 205.406, and 205.200, accurately reflects the practices used or to be used by the applicant for certification or by the certified operation; (3) That prohibited substances have not been and are not being applied to the operation through means which, at the discretion of the certifying agent, may include the collection and testing of soil; water; waste; seeds; plant tissue; and

plant, animal, and processed products samples.”

Comments: *The following issues were identified by the NOP auditor during a review of the operation files and witness audits:*

- 1. Inspectors did not completely verify the information stated in the Organic Compliance Plans. If observations and interviews at the onsite inspection did not align with the Organic Compliance Plan, the inspector failed to state this finding as an issue of concern.*
- 2. ETKO inspectors are responsible for collecting large amounts of information about the operations when the Organic Compliance Plan (OCP) is incomplete or in error. The inspector did not note the finding as an issue of concern, failing to indicate that the OCP is incomplete. The inspector did not record these findings in the inspection report. Minor updates or adjustments to the OCP during the onsite inspection is acceptable and can be noted in the inspector’s report.*
- 3. The inspection reports did not include a description and the outcome of the reconciliation activities (e.g. mass balance and audit trail audit) conducted by inspectors.*

NP4132LCA.NC5 - 7 CFR § 205.501(a)(2) states, “A private or governmental entity accredited as a certifying agent under this subpart must: Demonstrate the ability to fully comply with the requirements for accreditation set forth in this subpart.”

Comments: *During a crop witness audit observation, the NOP auditor noted that the inspector was not equipped and possibly not adequately trained to conduct sampling for pesticide residues. Product samples were collected during the crop inspection; however, the inspector collected the samples with bare hands potential exposing the samples to contamination and jeopardizing sample integrity.*

NP4132LCA.NC6 - 7 CFR § 205.501(a)(21) states “A private or governmental entity accredited as a certifying agent under this subpart must: Comply with, implement, and carry out any other terms or conditions determined by the Administrator to be necessary.” NOP Policy Memo (PM) 11-10 (dated 01/21/11) states, “Grower group certification...accredited certifying agents should use the National Organic Standards Board (NOSB) recommendations of October 2002 and November 2008 as the current policies.”

Comments: *Grower Groups certified by ETKO do not have documented and functioning Internal Control Systems.*

Thank you, and have a nice weekend,

Janna Howley

Accreditation Manager | USDA National Organic Program

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From: Valeriya Staykova [mailto:Valeriya.Staykova@inspection.gc.ca]

Sent: Friday, June 19, 2015 12:25 PM

To: Howley, JannaB - AMS

Cc: Courtney, Cheri - AMS; Rola Yehia

Subject: RE: IMPORTANT : NOTICE OF ACCREDITATION SUSPENSION under COR - ETKO

Hello Hanna ,

As requested please find below a list of the NCs issued during the 2015 Surveillance audit at ETKO . These NCs cover both ISO 17065 and the COR specific requirements.

NC 1 : ETKO are not following their own policy of completing a risk assessment form for each operation on an annual basis

Norm ref: COR C.2.3.10, ETKO procedure

NC 2: ETKO are not conducting input:output audits at on-site inspections of handling and processing units.

Norm ref: COR C.2.3.12

NC 3 : ETKO do not make clear in compliance forms and assessment (inspection) forms (ETKO formats) nor in nonconformity forms (completed by the inspector) the standard reference (or on occasions the standard) against which the operator is being assessed.

Norm ref: CAN 7.4.4,

NC 4: ETKO do not make sure that all relevant forms and contracts are signed and dated.

Norm ref: ISO/CAN 4.2 & 7.2, CAN 2.1.1, .

NC 5: ETKO are not complying with requirements on provision of information in inspection reports.

Norm ref: COR C2.23.2

· Transparency of process – the operator file whether paper or electronic should allow easy traceability of the process from application through to decision. Information on files is not easy to follow and there are frequently no links between statements in the inspection report and evidence.

o Inspection reports do not indicate time and duration of inspection (C2.3.22.1).

o Inspection reports do not indicate names of interviewees (C2.3.22.2).

o Inspection reports indicate which fields of farms were visited but do not refer to which buildings were visited (C2.3.22.3).

o When labels approved.

NC 6 : ETKO inspections are not sufficiently investigative to objectively verify the information provided by the operator and do not provide sufficient evidence of compliance to the standard for the certification body to make a competent decision. Note: this includes contradictory information in inspection reports, copied text from one report to another, zero or minimal issue of nonconformities, retroactive conversion as standard for new projects, inspections that do not visit

important locations on the farm and insufficient provision of evidence by inspectors.

Norm ref: ISO/IEC17065/COR 7.4.4

NC 7: ETKO awarded COR certification without 12 months application of the standard on the farms. Organic certification status was just based upon no use of prohibited inputs.

Norm ref: Canada standard 5.1.1

· Conversion period - The issue of conversion period under the Canada standard is much clearer that there must be a 12 month period of verified implementation of the standard, not just absence of prohibited products. Although noted in the visit relating to EU equivalence the requirements under Canada are more explicit so is raised here as a separate issue;

NC 8 : ETKO are not regulating the use of non-organic seed in Ukraine and the inspectors appear to be denying what appears to be common knowledge that GMO seed for crops commonly grown in ETKO projects (maize, soybean) are widely available and used, despite the authorities not permitting them.

Norm ref: COR Std 5.3.2

Issue: It is generally accepted that there are no organic seeds available in Ukraine and this has led to ETKO not

regulating and recording the use of non-organic seed. Regular purchases of hybrids are wrongly reported as own reproduction from elite seeds on farms. As there are no records it cannot be demonstrated that the bought in seeds really are untreated nor whether the seeds are not from GM sources.

Evidence: ETKO have no register of approvals of non-organic seed and were only able to show a few examples of information provided by Ukraine operators.

NC 9: ETKO list of approved outsourced services does not include all service providers, agreements are not in place with all providers and annual performance review policy of ETKO is not being met.

Norm reference: ISO 65 4.4, (ISO 17065 6.2.2)

Please note that under the Canada Organic Regime while under suspension ETKO cannot accept new applications, issue certificates of inspection, or certify products as organic however products already certified by ETKO as meeting the Canadian Organic requirements are not affected.

It would be appreciated if you could share with us the NOP findings as well.

In addition, we have received an inquiry from ETKO in regards to the status the NOP certified organic products imported to Canada. We would appreciate your opinion on this matter.

Thank you,
Regards,
Valeriya

.

Meanwhile I would like to learn the position of NOP certified products coming to Canadian market. Is it possible that NOP certified clients (other than COR certified clients) can export products in to Canada with NOP certificates?

>>> "Howley, JannaB - AMS" <JannaB.Howley@ams.usda.gov> 2015-06-17 9:37 AM >>>

Good Morning, Valeriya:

Would you please let us know the reasons for ETKO's suspension? It would be helpful to know whether the reasons for CFIA's suspension of their accreditation are similar to any noncompliances – and ETKO's proposed corrective actions - identified during their NOP audit.

Thanks so much,

Janna Howley

Accreditation Manager | USDA National Organic Program

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valeriya.staykova@inspection.gc.ca

From: [Mann, Renee - AMS](#)
To: [Courtney, Cheri - AMS](#)
Subject: RE: Items to hand off to Meg
Date: Wednesday, February 05, 2014 5:19:36 PM

Hi Cheri:

The ETKO report is located here –

[N:\AIA\ACA-Active\ETKO-Turkey\Ann Repts\2014](#)

Thank you,

Renee

Ms. Renee Mann

Accreditation Manager

USDA National Organic Program

(202) 690-1312

[NOP website](#)

Sign up for our newsletter, the [USDA Organic Insider](#).

From: Courtney, Cheri - AMS
Sent: Wednesday, February 05, 2014 4:56 PM
To: Mann, Renee - AMS
Subject: RE: Items to hand off to Meg

I will give her ETKO can you send me the link to the file

Cheri

From: Mann, Renee - AMS
Sent: Wednesday, February 05, 2014 4:32 PM
To: Courtney, Cheri - AMS
Subject: Items to hand off to Meg

Hi Cheri:

I have the following new items for Meg to potentially review:

VOF annual report (received 10/4/2013) – I'm not sure if you want to give this to her, because it's not exactly "new."

ETKO annual report (received 1/22/2014)

I don't have any other items.

Thanks,

Renee

From: [Mann, Renee - AMS](#)
To: [Wilburn, Tammie - AMS](#); [Courtney, Cheri - AMS](#)
Cc: [Holmes, Vella - AMS](#)
Subject: RE: List of Certifiers contacted for Turkish Imports
Date: Tuesday, November 29, 2016 3:35:56 PM

Hi Tammie:

To follow-up on our conversation today, here are the certifiers that I found listing handler clients who handle corn, maize, zea maize, or zea mays in one of the 11 countries listed in the AIA letter:

1. BioInspecta
2. Kiwa-BCS (Note their name has changed to "Kiwa-BCS")
3. Control Union
4. EcoCert
5. ETKO
6. IMO Swiss AG (this one wasn't on your list below)

Renee Mann

Assistant Director, Accreditation and International Activities Division
USDA National Organic Program

From: Wilburn, Tammie - AMS
Sent: Tuesday, November 22, 2016 3:16 PM
To: Courtney, Cheri - AMS <Cheri.Courtney@ams.usda.gov>
Cc: Mann, Renee - AMS <Renee.Mann@ams.usda.gov>; Holmes, Vella - AMS <Vella.Holmes@ams.usda.gov>
Subject: List of Certifiers contacted for Turkish Imports

Hi Cheri,

Following is the list of certifiers I've requested information from. I have not heard back from ACO, Etko and BioAgricert. It would be great if AIA would send these three certifiers a reminder to respond to my request as soon as possible.

1. BioInspecta
2. BCS
3. Control Union
4. EcoCert
5. LACON
6. IBD – nothing to report from Eastern Europe or Turkey.
7. ACO
8. ETKO
9. BioAgricert

Per the data we received from Andrew from ACE, the following U.S. Based certifiers are involved so

far. I will more than likely add to this list as I go through and receive more information from certifiers.

1. ProCert
2. QAI
3. CCOF
4. PCO
5. CERES

Tammie Wilburn
Compliance and Enforcement Division
National Organic Program
1400 Independence Avenue, S.W.
Room 2646 (Stop 0268)
Washington, D.C. 20250
(202) 690-2624 (direct line)

Organic Integrity from Farm to Table, Consumers Trust the Organic Label

Register for the NOP Organic Insider, the National Organic Program's email notification service, by visiting <http://bit.ly/NOPOrganicInsiderRegistration> .

From: [Courtney, Cheri - AMS](#)
To: [Crail, Lars - AMS](#)
Cc: [Zuck, Penelope - AMS](#)
Subject: RE: Proposed Schedule Attached - ETKO and Israel Audits
Date: Wednesday, June 22, 2016 8:07:59 AM
Attachments: [image001.png](#)

Good morning Lars,

The proposed schedule looks fine.

Regards,

Cheri

From: Crail, Lars - AMS
Sent: Monday, June 20, 2016 3:29 PM
To: Courtney, Cheri - AMS <Cheri.Courtney@ams.usda.gov>
Cc: Zuck, Penelope - AMS <Penelope.Zuck@ams.usda.gov>
Subject: Proposed Schedule Attached - ETKO and Israel Audits

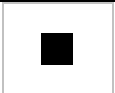
Cheri,

Attached is our current proposed audit schedule for ETKO and Israel. There are details yet to be confirmed and filled in; however, this will give you an idea what the status is. I received initial travel approval from the Department of State Turkey Desk. Our next step is to submit an ECC to FAS Ankara (US Embassy in Turkey). I should have all the forms completed to submit the ECC by Wednesday.

I have a meeting with ETKO on Tuesday at 12:15 pm to confirm more audit details. I am waiting to hear from Israel on audit details regarding their audit of a certifier and a review audit on a certifier that we will conduct.

One question that I have (and we can discuss on Tuesday) is the allocation of Penny's audit costs for the ETKO's audit.

Lars Crail
USDA NOP
202.205.5536 office
(b) (6) mobile



From: [Ross, Steve - AMS](#)
To: [Yang, RobertH - AMS](#); [Courtney, Cheri - AMS](#); [Crail, Lars - AMS](#)
Cc: [Adams, Edith - AMS](#); [Porter, Jennifer - AMS](#)
Subject: RE: Re: ETKO mid-term audit scheduling
Date: Tuesday, April 05, 2016 10:41:31 AM

Lars or Robert,

The following Travel alert was issued for Turkey last week: Effective March 29, 2016, the Department of State ordered the departure of family members of U.S. government personnel posted to U.S. Consulate in Adana and family members of U.S. government civilians in Izmir and Mugla provinces, **and restricted official travel to Turkey to "mission-critical" travel only.** U.S. Consulate in Adana remains open and will provide all routine consular services.

Our position from QAD is that if we do go to Turkey, we are going to require State Department assist with travel and associated needs for protection. The last time we did this state said we had to pay for their personnel to accompany the audit staff. We did this by charging ETKO for that State Departments time at \$108 per hour and then ETKO also picked up the travel expenses also.

Will NOP be requiring an audit of ETKO this year and if so with this new travel warning being issued, 



Let us know if this one is still a "go" as the planning process is going to be very lengthy to just get State Department approval to go in the first place and then with their assistance.

Steve

Steve Ross
Manager of Field Operations
USDA, AMS, LPS, QAD, Audit Services Branch
16974 Longs Peak Road
Greeley, CO 80631
O: 970-346-0567 C: **(b) (6)**

Steve.Ross@ams.usda.gov

From: Adams, Edith - AMS
Sent: Monday, March 28, 2016 12:50 PM
To: Yang, RobertH - AMS <RobertH.Yang@ams.usda.gov>; Courtney, Cheri - AMS <Cheri.Courtney@ams.usda.gov>
Cc: Ross, Steve - AMS <Steve.Ross@ams.usda.gov>
Subject: RE: Re: ETKO mid-term audit scheduling

Hi Cheri & Robert,

I just wanted to check in with you both to see about the status of the suspension appeal from ETKO

in regards to scheduling their audit? The last time I talked to Robert in February, he had indicated it was still in the review stage.

Best Regards,

Edith N. "Nikki" Adams
Edith.adams@ams.usda.gov

USDA, AMS, LPS Program
Quality Assessment Division
Agriculture Marketing Specialist
Stockton, CA
Cell: (b) (6)
Office: 209-466-1062
Fax: 209-939-9483

From: Yang, RobertH - AMS
Sent: Monday, January 25, 2016 2:28 PM
To: Adams, Edith - AMS <Edith.Adams@ams.usda.gov>
Subject: Re: ETKO mid-term audit scheduling

Hello Nikki:

Cheri would like to hold off on scheduling ETKO's audit until we have completed the review of their appeal of NOP's Notice of Proposed Suspension. It should take a couple of weeks. Could you check back with me during the second week of February?

Thanks.

Robert Yang
Accreditation Manager
USDA National Organic Program
Office: (202) 690-4540

From: [Adams, Edith - AMS](#)
To: [Yang, RobertH - AMS](#); [Courtney, Cheri - AMS](#)
Cc: [Ross, Steve - AMS](#)
Subject: RE: Re: ETKO mid-term audit scheduling
Date: Monday, March 28, 2016 2:49:37 PM

Hi Cheri & Robert,

I just wanted to check in with you both to see about the status of the suspension appeal from ETKO in regards to scheduling their audit? The last time I talked to Robert in February, he had indicated it was still in the review stage.

Best Regards,

Edith N. "Nikki" Adams
Edith.adams@ams.usda.gov

USDA, AMS, LPS Program
Quality Assessment Division
Agriculture Marketing Specialist
Stockton, CA
Cell: (b) (6)
Office: 209-466-1062
Fax: 209-939-9483

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Subject: Re: ETKO mid-term audit scheduling

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Accreditation Manager
USDA National Organic Program
Office: (202) 690-4540

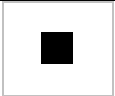
From: [Crail, Lars - AMS](#)
To: [Ross, Steve - AMS](#); [Yang, RobertH - AMS](#); [Courtney, Cheri - AMS](#)
Cc: [Adams, Edith - AMS](#); [Porter, Jennifer - AMS](#)
Subject: RE: Re: ETKO mid-term audit scheduling
Date: Tuesday, April 05, 2016 11:58:35 AM
Attachments: [image001.png](#)

Hi Steve,

Thanks for the update on the travel status in Turkey Steve. ETKO's onsite audit was postponed with no proposed reschedule date. This information may not have been passed on to you or the assigned lead auditor.

I'll provide you an update when we consider proposed rescheduling dates.

Lars Crail
USDA NOP
202.205.5536 office
(b) (6) mobile



From: Ross, Steve - AMS
Sent: Tuesday, April 05, 2016 10:41 AM
To: Yang, RobertH - AMS <RobertH.Yang@ams.usda.gov>; Courtney, Cheri - AMS <Cheri.Courtney@ams.usda.gov>; Crail, Lars - AMS <Lars.Crail@ams.usda.gov>
Cc: Adams, Edith - AMS <Edith.Adams@ams.usda.gov>; Porter, Jennifer - AMS <Jennifer.Porter@ams.usda.gov>
Subject: RE: Re: ETKO mid-term audit scheduling

Lars or Robert,

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Our position from QAD is that if we do go to Turkey, we are going to require State Department assist with travel and associated needs for protection. The last time we did this state said we had to pay for their personnel to accompany the audit staff. We did this by charging ETKO for that State Departments time at \$108 per hour and then ETKO also picked up the travel expenses also.

Will NOP be requiring an audit of ETKO this year and if so with this new travel warning being issued,



(b) (5)

Let us know if this one is still a “go” as the planning process is going to be very lengthy to just get State Department approval to go in the first place and then with their assistance.

Steve

Steve Ross
Manager of Field Operations
USDA, AMS, LPS, QAD, Audit Services Branch
16974 Longs Peak Road
Greeley, CO 80631
O: 970-346-0567 C: (b) (6)

Steve.Ross@ams.usda.gov

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Cc: Ross, Steve - AMS <Steve.Ross@ams.usda.gov>
Subject: RE: Re: ETKO mid-term audit scheduling

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Best Regards,

Edith N. “Nikki” Adams
Edith.adams@ams.usda.gov

USDA, AMS, LPS Program
Quality Assessment Division
Agriculture Marketing Specialist
Stockton, CA
Cell: (b) (6)
Office: 209-466-1062
Fax: 209-939-9483

From: Yang, RobertH - AMS

Sent: Monday, January 25, 2016 2:28 PM

To: Adams, Edith - AMS <Edith.Adams@ams.usda.gov>

Subject: Re: ETKO mid-term audit scheduling

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Cheri would like to hold off on scheduling ETKO's audit until we have completed the review of their appeal of NOP's Notice of Proposed Suspension. It should take a couple of weeks. Could you check back with me during the second week of February?

Thanks.

Robert Yang

Accreditation Manager

USDA National Organic Program

Office: (202) 690-4540

From: [Courtney, Cheri - AMS](#)
To: [Yang, RobertH - AMS](#)
Subject: RE: Re: ETKO mid-term audit?
Date: Monday, January 25, 2016 5:01:42 PM
Attachments: [image001.png](#)

Thanks!

Cheri

From: Yang, RobertH - AMS
Sent: Monday, January 25, 2016 4:43 PM
To: Courtney, Cheri - AMS <Cheri.Courtney@ams.usda.gov>
Subject: RE: Re: ETKO mid-term audit?

Then I will ask Nikki to hold off on scheduling the audit for now. Thanks.

Robert Yang

Accreditation Manager
USDA National Organic Program
Office: (202) 690-4540

From: Courtney, Cheri - AMS
Sent: Monday, January 25, 2016 3:50 PM
To: Yang, RobertH - AMS <RobertH.Yang@ams.usda.gov>
Subject: RE: Re: ETKO mid-term audit?

Hi Robert, I think we should wait on the planning until we review their appeal. We should know more in a couple of weeks.

Cheri

From: Yang, RobertH - AMS
Sent: Monday, January 25, 2016 1:42 PM
To: Courtney, Cheri - AMS <Cheri.Courtney@ams.usda.gov>
Subject: FW: Re: ETKO mid-term audit?

Hello Cheri:

I'm checking back with you regarding ETKO's mid-term audit. Should Nikki move forward with scheduling their May audit regardless of their appeal status?

Regards,

Robert Yang

Accreditation Manager
USDA National Organic Program
Office: (202) 690-4540

From: Yang, RobertH - AMS
Sent: Thursday, January 21, 2016 9:55 AM
To: Courtney, Cheri - AMS <Cheri.Courtney@ams.usda.gov>
Cc: Crail, Lars - AMS <Lars.Crail@ams.usda.gov>
Subject: Re: ETKO mid-term audit?

Hello Cheri:

Nikki contacted me this morning regarding ETKO's mid-term audit, which is currently slated for May. Should she move forward with scheduling the audit?

Regards,

Robert Yang

Accreditation Manager
USDA National Organic Program
1400 Independence Ave, SW
Room 2649-South, Stop 0268
Washington, DC 20250-0268
Office: (202) 690-4540



From: [Yang, RobertH - AMS](#)
To: [Courtney, Cheri - AMS](#)
Subject: RE: Re: ETKO mid-term audit?
Date: Monday, January 25, 2016 4:42:55 PM
Attachments: [image001.png](#)

Then I will ask Nikki to hold off on scheduling the audit for now. Thanks.

Robert Yang

Accreditation Manager
USDA National Organic Program
Office: (202) 690-4540

From: Courtney, Cheri - AMS
Sent: Monday, January 25, 2016 3:50 PM
To: Yang, RobertH - AMS <RobertH.Yang@ams.usda.gov>
Subject: RE: Re: ETKO mid-term audit?

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Robert Yang

Accreditation Manager
USDA National Organic Program
1400 Independence Ave, SW
Room 2649-South, Stop 0268
Washington, DC 20250-0268
Office: (202) 690-4540



From: [Courtney, Cheri - AMS](#)
To: [Yang, RobertH - AMS](#)
Subject: RE: Re: ETKO mid-term audit?
Date: Monday, January 25, 2016 3:50:00 PM
Attachments: [image001.png](#)

Hi Robert, I think we should wait on the planning until we review their appeal. We should know more in a couple of weeks.

Cheri

From: Yang, RobertH - AMS
Sent: Monday, January 25, 2016 1:42 PM
To: Courtney, Cheri - AMS <Cheri.Courtney@ams.usda.gov>
Subject: FW: Re: ETKO mid-term audit?

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Regards,

Robert Yang
Accreditation Manager
USDA National Organic Program
Office: (202) 690-4540

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Sent: Thursday, January 21, 2016 9:55 AM
To: Courtney, Cheri - AMS <Cheri.Courtney@ams.usda.gov>
Cc: Crail, Lars - AMS <Lars.Crail@ams.usda.gov>
Subject: Re: ETKO mid-term audit?

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Regards,

Robert Yang
Accreditation Manager
USDA National Organic Program
1400 Independence Ave, SW

Room 2649-South, Stop 0268
Washington, DC 20250-0268
Office: (202) 690-4540



From: [Crail, Lars - AMS](#)
To: [Yang, RobertH - AMS](#); [Courtney, Cheri - AMS](#)
Subject: RE: Re: ETKO onsite audit - Need to contact IOAS
Date: Thursday, June 02, 2016 9:35:30 AM

I will contact IOAS to see if it possible for them to conduct the audit.

Lars

From: Yang, RobertH - AMS
Sent: Wednesday, June 01, 2016 9:42 AM
To: Crail, Lars - AMS <Lars.Crail@ams.usda.gov>; Courtney, Cheri - AMS <Cheri.Courtney@ams.usda.gov>
Subject: Re: ETKO onsite audit - Need to contact IOAS

Hello Cheri/ Lars:

Miles has decided to hold off issuing ETKO's Notice of Accreditation Renewal until we have reviewed the results of the compliance audit resulting from the settlement agreement. During our discussion this morning I also informed him that we had not yet conducted their mid-term audit, which was scheduled for this earlier this year.

As a result of the travel restrictions, he is asking that we reach out to IOAS to see whether they would interested in conducting an NOP audit, and have the capacity and are qualified to do so. If they are interested, have the capacity and we can verify their qualifications, we would need to work closely with them to provide them the process, the scope, and specific verification points for this combined mid-term and compliance audit.

Lars, could you take the lead on this? Let me know -- we can discuss this further via phone.

Regards,

Robert Yang

Acting Assistant Director
Accreditation & International Activities Division
USDA National Organic Program
Office: (202) 690-4540

From: [Richard Siegel](#)
To: [Kuhn Meg - AMS](#)
Cc: ma@etko.org; [Courtney Cheri - AMS](#)
Subject: Re: Registered: Appeal Acknowledgement - ETKO
Date: Friday, January 22, 2016 3:01:46 PM

Dear Meg,

Thank you for sending me the acknowledgment of the appeal.

If there is any further information that we believe should be submitted in support of the appeal, we will submit it within 10 days.

Best regards,
Richard Siegel

On Fri, Jan 22, 2016 at 2:30 PM, Kuhn, Meg - AMS <Meg.Kuhn@ams.usda.gov> wrote:


This is a Registered Email® message from **Kuhn Meg - AMS**.

Hello Mr. Siegel,

Please find attached an appeal acknowledgement letter for your client's (ETKO) appeal of the National Organic Program's December 22, 2015 Notice of Proposed Suspension of Accreditation. Should you have any questions or concerns, please do not hesitate to contact me.

Thank you,

Meg

Meg Kuhn

Appeals Specialist

USDA-NOP-ODA

(202) 205-9644

From: Richard Siegel [mailto:rsiegel@rdslaw.net]
Sent: Friday, January 15, 2016 6:41 PM
To: AMS - NOPAppeals
Cc: Mustafa Akyuz; Kuhn, Meg - AMS; Schurkamp, Lynnea - AMS; Tucker, Jennifer - AMS; McEvoy, Miles - AMS; Courtney, Cheri - AMS
Subject: Appeal of Notice of Proposed Suspension Issued December 18, 2015, to ETKO

To NOP Appeals Team:

Attached is an appeal on behalf of ETKO, an accredited certifying agent. ETKO is based in Izmir, Turkey. ETKO is a Turkish acronym that stands for "Ecological Farming Control Organization."

ETKO received a Notice of Proposed Suspension of its accreditation dated December 18, 2015. Today is January 15 and this is a timely appeal.

Attached is the appeal letter (22 pages), and two PDFs containing attachments.

The letter says that this appeal is delivered by Registered Email. I intended to send this appeal that way, but I have not been able to open a Registered Email account this evening and send this to you that way because of technical problems installing the necessary software. Please notify me that you have received this email, so that the delivery requirement will be satisfied.

Meanwhile, if I am successful in opening a Registered Email account over the weekend, I will resend the documents that way. I appreciate your cooperation.

Many thanks, and enjoy your weekend.

Richard D. Siegel

Richard D. Siegel Law Offices
The Watergate

600 New Hampshire Avenue NW, Suite 500
Washington, DC 20037
Telephone: [202-518-6364](tel:202-518-6364)
Facsimile: [202-234-3550](tel:202-234-3550)
Email: rsiegel@rdslaw.net

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[Click here](#) to send a Registered Email[®] message to anyone.



--

Richard D. Siegel Law Offices
The Watergate
600 New Hampshire Avenue NW, Suite 500
Washington, DC 20037

Telephone: 202-518-6364

Facsimile: 202-234-3550

Email: rsiegel@rdsllaw.net

This message is intended for the use of the individual or entity to which it was addressed and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of the communication is strictly prohibited. If you have received the communication in error, please notify us immediately by reply or by telephone (202-518-6364) and immediately delete the message and all its attachments.

From: ma@etko.org
To: [Kuhn_Meg - AMS](mailto:Kuhn_Meg_-_AMS)
Cc: rsiegel@rdslaw.net; [Courtney_Cheri - AMS](mailto:Courtney_Cheri_-_AMS)
Subject: RE: Registered: Executed Settlement Agreement, ETKO - APL-008-16
Date: Thursday, April 14, 2016 3:02:38 AM
Attachments: [-WRD188.jpg](#)

Dear Meg

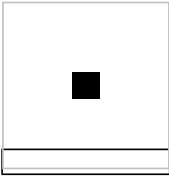
Thank you for settlement agreement,

Sincerely

Mustafa Akyuz

ETKO Turkey
T:+90-232-3397606
F:+90-232-3397607
www.etko.org

From: Meg.Kuhn@ams.usda.gov [mailto:Meg.Kuhn@ams.usda.gov]
Sent: Wednesday, April 13, 2016 11:25 PM
To: ma@etko.org
Cc: rsiegel@rdslaw.net; Cheri.Courtney@ams.usda.gov
Subject: Registered: Executed Settlement Agreement, ETKO - APL-008-16
Importance: High



This is a Registered Email[®] message from **Kuhn Meg - AMS**.

Dear Dr. Akyuz,

Thank you for your signed settlement. It has now been counter-signed and is attached for your records. Additional follow-up regarding your accreditation status will come to you directly from the NOP's Accreditation & International Activities Division. Should you have any questions, please do not hesitate to contact me.

Thank you,
Meg

Meg Kuhn
Appeals Specialist
USDA-NOP-ODA
(202) 205-9644

From: ma@etko.org [mailto:ma@etko.org]
Sent: Friday, April 01, 2016 12:19 PM
To: Kuhn, Meg - AMS
Cc: 'Richard Siegel'
Subject: RE: Registered: Proposed Settlement Agreement - ETKO, APL-008-16

Dear Meg

Thank you very much for proposal of Settlement Agreement which we signed it. You can find it attached.

I will send original letter by Express courier to your address following:

USDA
1400 Independence Ave. SW
Room 2642 – South STOP 0268
Washington, D.C. 20250
USA

Sincerely

Mustafa Akyuz

ETKO Turkey
+90-232-3397606
+90-232-3397607
www.etko.org

From: Kuhn, Meg - AMS [<mailto:Meg.Kuhn@ams.usda.gov>]
Sent: Friday, March 25, 2016 5:20 PM
To: Richard Siegel
Cc: Mustafa Akyuz PhD
Subject: RE: Registered: Proposed Settlement Agreement - ETKO, APL-008-16

Hi Richard – my apologies for the oversight. Here is the cover letter.
Thank you,
Meg

Meg Kuhn
Appeals Specialist
USDA-NOP-ODA
(202) 205-9644

From: Richard Siegel [<mailto:rsiegel@rdslaw.net>]
Sent: Friday, March 25, 2016 9:26 AM
To: Kuhn, Meg - AMS
Cc: Mustafa Akyuz PhD
Subject: Re: Registered: Proposed Settlement Agreement - ETKO, APL-008-16

Dear Meg,

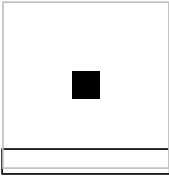
Thank you for advising me of the NOP's decision to offer ETKO a proposed settlement. The settlement agreement (2 pages) was attached to your email message, but there was no cover letter attached. Please send the cover letter, so that I can begin discussing this with my client ETKO.

Many thanks,

Richard Siegel

----- Forwarded message -----
From: "Kuhn, Meg - AMS" <Meg.Kuhn@ams.usda.gov>

Date: Mar 25, 2016 1:23 AM
Subject: Registered: Proposed Settlement Agreement - ETKO, APL-008-16
To: "rsiegel@rdslaw.net" <rsiegel@rdslaw.net>
Cc:



This is a Registered Email[®] message from **Kuhn Meg - AMS**.

Dear Mr. Siegel,

Thank you for your patience as the National Organic Program's Appeals Team has reviewed your client's, ETKO, appeal request of a December 22, 2015 Notice of Proposed Suspension of Accreditation from the NOP.

Attached to this email is a proposed settlement agreement for you to review. Also attached is a letter ("SettlementCover" attachment) explaining the proposed settlement and providing options to you for moving forward with organic certification. Please take a moment to read through the documents; if you have any questions or concerns, I can be reached via email (meg.kuhn@ams.usda.gov) or phone [202-205-9644](tel:202-205-9644). I will give you a call tomorrow (Friday, March 25) to touch base with you and answer any questions you may have.

Thank you,
Meg

Meg Kuhn

Appeals Specialist
Office of the Deputy Administrator
National Organic Program
U.S. Department of Agriculture
Room 2649-So. (Stop 0268)
1400 Independence Ave SW
Washington, DC 20250-0268
Main Office: [202.720.3252](tel:202.720.3252)
Direct: [202.205.9644](tel:202.205.9644)
Cell: (b) (6)
meg.kuhn@ams.usda.gov
www.ams.usda.gov/nop

Organic Integrity from Farm to Table, Consumers Trust the Organic Label

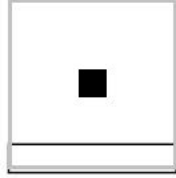
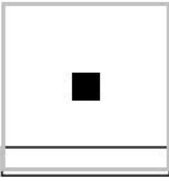
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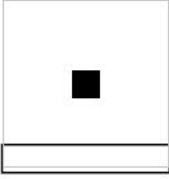
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From: [Mann, Renee - AMS](#)
To: [AMS - AIAInbox](#); [Zuck, Penelope - AMS](#)
Cc: [Courtney, Cheri - AMS](#)
Subject: RE: Registered: Notice of Non-compliance - Onsite Assessment
Date: Tuesday, June 16, 2015 10:10:34 AM
Attachments: [image002.png](#)
[image003.jpg](#)
[image004.png](#)

Hi Penny,
Could you please process this CA report for ETKO?

Thanks,
Renee

Renee Mann
Assistant Director, Accreditation and International Activities Division
USDA National Organic Program
(202) 260-8635
[Join the NOP mailing list.](#)

From: Essig, Mario - AMS **On Behalf Of** AMS - AIAInbox
Sent: Monday, June 15, 2015 3:09 PM
To: Courtney, Cheri - AMS; Mann, Renee - AMS
Subject: FW: Registered: Notice of Non-compliance - Onsite Assessment

Hi Cheri and Renee,

Here is a letter and CA plan that need to be assigned.

Regards,
Mario Essig



Mario Essig | Program Analyst | National Organic Program
USDA AMS | 1400 Independence Ave. SW RM 2648-S Washington, DC 20250
Mario.Essig@ams.usda.gov
[Office #: 202.779.9466](#)
[NOP website](#)

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From: ma@etko.org [<mailto:ma@etko.org>]
Sent: Friday, June 12, 2015 5:50 PM
To: Zuck, Penelope - AMS; Yang, RobertH - AMS
Cc: AIAInbox@usda.gov; 'Fatih AKSOY'
Subject: RE: Registered: Notice of Non-compliance - Onsite Assessment

Mrs Zuck

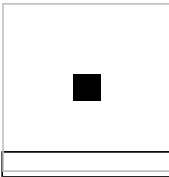
You can find attached ETKO Letter and Corrective Action Plan. For any remaining questions I am at your disposal.

Sincerely

Mustafa Akyuz

ETKO Turkey
160 Sokak No: 13/3 35100 Bornova
Izmir – Turkey.
www.etko.org

From: Penelope.Zuck@ams.usda.gov [<mailto:Penelope.Zuck@ams.usda.gov>]
Sent: Wednesday, May 13, 2015 9:22 PM
To: ma@etko.org
Cc: AlAinbox@ams.usda.gov; Renee.Mann@ams.usda.gov; RobertH.Yang@ams.usda.gov
Subject: Registered: Notice of Non-compliance - Onsite Assessment



This is a Registered Email[®] message from **Zuck Penelope - AMS**.

Dear Dr. Mustafa Akyuz,

Attached to this email is the NOP Notice of Noncompliance including the findings of the Ecological Farming Control Organization audit conducted on May 12-16, 2014. Corrective actions are due within 30 days of receipt of this notice.

A copy of the assessment report, NP4132LCA, is attached for your reference.

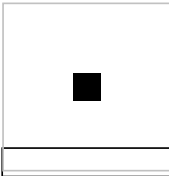
If you have questions on this notice, please do not hesitate to contact your Accreditation Manager, Robert Yang, at 202-690-4540 or RobertH.Yang@ams.usda.gov.

Best regards,
Penny



PENNY ZUCK | USDA-NATIONAL ORGANIC PROGRAM | ACCREDITATION MANAGER |
USDA • AMS • NOP | 1400 Independence Ave SW| 2649-S | Washington DC 20250
☎ 202.260.9444 | Fax 202.205.7808 | ✉ Penelope.Zuck@ams.usda.gov
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From: [Courtney, Cheri - AMS](#)
To: [Crail, Lars - AMS](#)
Cc: [McEvoy, Miles - AMS](#)
Subject: RE: Reinstating Accreditation to the EU Organic Standard
Date: Tuesday, November 29, 2016 8:33:21 AM
Attachments: [image001.png](#)

Lars,

Thank you for following up with ETKO – it appears the information we received was not correct.

Cheri

From: Crail, Lars - AMS
Sent: Thursday, November 24, 2016 3:28 PM
To: Courtney, Cheri - AMS <Cheri.Courtney@ams.usda.gov>
Subject: Fwd: Reinstating Accreditation to the EU Organic Standard

FYI

Lars Crail
USDA National Organic Program
(b) (6) mobile

Begin forwarded message:

From: <ma@etko.com.tr>
Date: November 24, 2016 at 11:00:51 AM EST
To: "Crail, Lars - AMS" <Lars.Crail@ams.usda.gov>
Subject: RE: Reinstating Accreditation to the EU Organic Standard

Dear Lars

We are in the process of accreditation with IOAS for the purpose of “European Union Recognition Programme”. As I mentioned in October we received a site audit in Ukraine in August and IOAS was planning to continue with Office-site audit in Turkey in early 2017. There might be a delay for some time due to late submission of etko QMS documents for screening to IOAS. I am expecting the audit Schedule from IOAS and will provide you the exact information when IOAS is coming for Office-site audit. This might be the reason of the information you have.

The best source of information could be IOAS therefore incase clarifications needed, please communicate with (b) (6) from IAOS.

(b) (6)

Best regards

Mustafa

From: Crail, Lars - AMS [<mailto:Lars.Crail@ams.usda.gov>]
Sent: Wednesday, November 23, 2016 7:30 PM
To: MUSTAFA AKYUZ; ma@etko.com.tr
Subject: Reinstating Accreditation to the EU Organic Standard

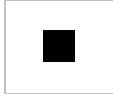
Greetings Mustafa,

My supervisor heard that ETKO will not pursue a request to reinstate their accreditation with the European Union? I am surprised to hear this since we spoke about your plan to receive IOAS early next year for an audit that would result in ETKO regaining their accreditation to the EU Organic Standard.

Can you confirm that the information my supervisor heard is true or false?

Regards,

Lars Crail
USDA NOP
202.205.5536 office
(b) (6) mobile



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From: [Courtney, Cheri - AMS](#)
To: [Gebault King, ReneeA - AMS](#)
Subject: RE: URGENT; ETKO ACCREDITATION Status under NOP
Date: Friday, December 11, 2015 11:46:52 AM

Thanks Renee your response is good.

Cheri

From: Gebault King, ReneeA - AMS
Sent: Friday, December 11, 2015 10:59 AM
To: Courtney, Cheri - AMS <Cheri.Courtney@ams.usda.gov>
Subject: RE: URGENT; ETKO ACCREDITATION Status under NOP

Hello, Cheri—Below is my draft response to Valeriya about ETKO’s accreditation. Is it acceptable based on our conversation yesterday or in need of edits? Thanks! RGK

Dear Valeriya,

Thank you for contacting us with your questions about the certifier ETKO. We appreciate the concerns you have expressed.

At this time, ETKO is currently accredited by the USDA NOP. We are continuing to evaluate the situation regarding ETKO’s accreditation and will inform you immediately should their status change.

Please contact me if you have additional questions.

Kind regards,

Renée

Renée Gebault King, Ph.D.
Accreditation Manager

Office: 202.690.1312 | Mobile: (b) (6)
ReneeA.GebaultKing@ams.usda.gov

USDA National Organic Program | 1400 Independence Ave SW | Room 2649-South, Stop 0268
Washington, D.C. 20250-0268 | Tel: 202.720.3252 | Fax: 202.205.7808 | www.ams.usda.gov/nop
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From: Valeriya Staykova [<mailto:Valeriya.Staykova@inspection.gc.ca>]
Sent: Thursday, December 10, 2015 2:05 PM
To: Courtney, Cheri - AMS <Cheri.Courtney@ams.usda.gov>; Gebault King, ReneeA - AMS <ReneeA.GebaultKing@ams.usda.gov>
Cc: McEvoy, Miles - AMS <Miles.McEvoy@ams.usda.gov>; Benoit Dube <Benoit.Dube@inspection.gc.ca>; Rola Yehia <Rola.Yehia@inspection.gc.ca>
Subject: URGENT; ETKO ACCREDITATION Status under NOP

Dear Renee and Cheri,

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We would appreciate your assistance in this urgent matter.
Thank you.

Regards,
Valeriya

Valeriya Staykova
Lead Auditor /Chef-auditeur
Labelling, Organic Regime and Packaging/
Étiquetage, Le Régime Bio et Emballage
Consumer Protection and Market Fairness | Division de la protection des consommateurs et de l'équité des marchés
Canadian Food Inspection Agency | Agence canadienne d'inspection des aliments

1400 Merivale Road, Tower 2
Floor 6, Room 252

Ottawa, Ontario K1A 0Y9
Tel: (613) 773-6222, Fax 613-773 - 5961
valeriya.staykova@inspection.gc.ca

>>> "Howley, JannaB - AMS" <JannaB.Howley@ams.usda.gov> 2015-08-26 1:52 PM >>>

Good Afternoon, Valeriya:

I hope you are doing well and have had a nice summer. The NOP continues to review information related to our recent audit of ETKO. We were hoping that CFIA would be able to share a copy of their full audit report with the NOP, as well as the names of any operations where CFIA auditing identified the use of prohibited substances. The NOP is also trying to determine whether ETKO certified operations' products are being imported into the United States, so this information would be very helpful.

Additionally, I wanted to let you know that my last day with the National Organic Program will be Friday, September 4th. I have enjoyed working with you, and with the other CFIA staff involved with organic regulations. Renée Gebault King, another Accreditation Manager in our Accreditation and International Activities (AIA) division, will be your USCOEA liaison now. She has been cc:ed on this email and will contact you to introduce herself.

Penny Zuck, Accreditation Manager, AIA, who is also cc:ed on this email, will be handling our ongoing review of the ETKO accreditation issue.

Thank you, and please don't hesitate to contact me with any questions.

Janna Howley

Accreditation Manager | USDA National Organic Program

Room 2649-S (Stop 0268) | 1400 Independence Ave SW | Washington, DC 20250-0268

202-692-0047 Direct | www.ams.usda.gov/nop

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From: Valeriya Staykova [<mailto:Valeriya.Staykova@inspection.gc.ca>]

Sent: Friday, June 19, 2015 12:25 PM

To: Howley, JannaB - AMS

Cc: Courtney, Cheri - AMS; Rola Yehia

Subject: RE: IMPORTANT : NOTICE OF ACCREDITATION SUSPENSION under COR - ETKO

Hello Hanna ,

As requested please find below a list of the NCs issued during the 2015 Surveillance audit at ETKO . These NCs cover both ISO 17065 and the COR specific requirements.

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Norm ref: COR C.2.3.10, ETKO procedure

NC 2: ETKO are not conducting input:output audits at on-site inspections of handling and processing units.

Norm ref: COR C.2.3.12

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Norm ref: CAN 7.4.4,

NC 4: ETKO do not make sure that all relevant forms and contracts are signed and dated.

Norm ref: ISO/CAN 4.2 & 7.2, CAN 2.1.1, .

NC 5: ETKO are not complying with requirements on provision of information in inspection reports.

Norm ref: COR C2.23.2

· Transparency of process – the operator file whether paper or electronic should allow easy traceability of the process from application through to decision. Information on files is not easy to follow and there are frequently no links between statements in the inspection report and evidence.

o Inspection reports do not indicate time and duration of inspection (C2.3.22.1).

o Inspection reports do not indicate names of interviewees (C2.3.22.2).

o Inspection reports indicate which fields of farms were visited but do not refer to which buildings were visited (C2.3.22.3).

o When labels approved.

NC 6 : ETKO inspections are not sufficiently investigative to objectively verify the information provided by the operator and do not provide sufficient evidence of compliance to the standard for the certification body to make a competent decision. Note: this includes contradictory information in inspection reports, copied text from one report to another, zero or minimal issue of nonconformities, retroactive conversion as standard for new projects, inspections that do not visit

important locations on the farm and insufficient provision of evidence by inspectors.

Norm ref: ISO/IEC17065/COR 7.4.4

NC 7: ETKO awarded COR certification without 12 months application of the standard on the farms. Organic certification status was just based upon no use of prohibited inputs.

Norm ref: Canada standard 5.1.1

· Conversion period - The issue of conversion period under the Canada standard is much clearer that there must be a 12 month period of verified implementation of the standard, not just absence of prohibited products.

Although noted in the visit relating to EU equivalence the requirements under Canada are more explicit so is raised here as a separate issue;

NC 8 : ETKO are not regulating the use of non-organic seed in Ukraine and the inspectors appear to be denying what appears to be common knowledge that GMO seed for crops commonly grown in ETKO projects (maize, soybean) are widely available and used, despite the authorities not permitting them.

Norm ref: COR Std 5.3.2

Issue: It is generally accepted that there are no organic seeds available in Ukraine and this has led to ETKO not regulating and recording the use of non-organic seed. Regular purchases of hybrids are wrongly reported as own reproduction from elite seeds on farms. As there are no records it cannot be demonstrated that the bought in seeds really are untreated nor whether the seeds are not from GM sources.

Evidence: ETKO have no register of approvals of non-organic seed and were only able to show a few examples of information provided by Ukraine operators.

NC 9: ETKO list of approved outsourced services does not include all service providers, agreements are not in place with all providers and annual performance review policy of ETKO is not being met.

Norm reference: ISO 65 4.4, (ISO 17065 6.2.2)

Please note that under the Canada Organic Regime while under suspension ETKO cannot accept new applications, issue certificates of inspection, or certify products as organic however products already certified by ETKO as meeting the Canadian Organic requirements are not affected.

It would be appreciated if you could share with us the NOP findings as well.

In addition, we have received an inquiry from ETKO in regards to the status the NOP certified organic products imported to Canada. We would appreciate your opinion on this matter.

Thank you,
Regards,
Valeriya

Meanwhile I would like to learn the position of NOP certified products coming to Canadian market. Is it possible that NOP certified clients (other than COR certified clients) can export products in to Canada with NOP certificates?

>>> "Howley, JannaB - AMS" <JannaB.Howley@ams.usda.gov> 2015-06-17 9:37 AM >>>

Good Morning, Valeriya:

Would you please let us know the reasons for ETKO's suspension? It would be helpful to know whether the reasons for CFIA's suspension of their accreditation are similar to any noncompliances – and ETKO's proposed corrective actions - identified during their NOP audit.

Thanks so much,

Janna Howley

Accreditation Manager | USDA National Organic Program

Room 2649-S (Stop 0268) | 1400 Independence Ave SW | Washington, DC 20250-0268

202-692-0047 Direct | www.ams.usda.gov/nop

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From: Valeriya Staykova [<mailto:Valeriya.Staykova@inspection.gc.ca>]

Sent: Monday, June 15, 2015 2:27 PM

To: Courtney, Cheri - AMS; Howley, JannaB - AMS

Cc: McEvoy, Miles - AMS; Rola Yehia

Subject: IMPORTANT : NOTICE OF ACCREDITATION SUSPENSION under COR - ETKO

Dear Cheri and Janna,

Please note that subject to subsection 2 of the *Organic Products Regulations 2009*, the CFIA accreditation of **Etko Ekolojyk Tarim Kontrol Organizasyonu Limited (ETKO)** under the Canada Organic Regime is suspended as of June 15, 2015.

As per section 4 of the *Organic Products Regulations 2009* the suspension will remain in effect until the required corrective measures specified in the report are implemented by ETKO and verified by the CFIA. Please note that until such time that ETKO's suspension is lifted, ETKO shall not accept and process applications from operators under the Canada Organic Regime.

Could you please advise on ETKO's accreditation status under the NOP since this might affect the importation of organic products to Canada under the USCOEA.

Should you have any questions or require further clarification please feel free to contact me.

Thank you.

Regards,

Valeriya

Valeriya Staykova
Lead Auditor /Chef-auditeur
Labelling, Organic Regime and Packaging/
Étiquetage, Le Régime Bio et Emballage
Consumer Protection and Market Fairness | Division de la protection des consommateurs et de l'équité des marchés
Canadian Food Inspection Agency | Agence canadienne d'inspection des aliments

1400 Merivale Road, Tower 2
Floor 6, Room 252

Ottawa, Ontario K1A 0Y9
Tel: (613) 773-6222, Fax 613-773 - 5961
valeriya.staykova@inspection.gc.ca

From: [Courtney, Cheri - AMS](#)
To: [Gebault King, ReneeA - AMS](#)
Subject: RE: URGENT; ETKO ACCREDITATION Status under NOP
Date: Thursday, December 10, 2015 2:12:16 PM

Yes please stop over.

Cheri

From: Gebault King, ReneeA - AMS
Sent: Thursday, December 10, 2015 2:09 PM
To: Courtney, Cheri - AMS <Cheri.Courtney@ams.usda.gov>
Subject: RE: URGENT; ETKO ACCREDITATION Status under NOP

Hi, Cheri-

I am unclear about the current status of ETKO. May we meet to discuss a response or would you like to respond directly?

Thanks!

RGK

From: Valeriya Staykova [<mailto:Valeriya.Staykova@inspection.gc.ca>]
Sent: Thursday, December 10, 2015 2:05 PM
To: Courtney, Cheri - AMS <Cheri.Courtney@ams.usda.gov>; Gebault King, ReneeA - AMS <ReneeA.GebaultKing@ams.usda.gov>
Cc: McEvoy, Miles - AMS <Miles.McEvoy@ams.usda.gov>; Benoit Dube <Benoit.Dube@inspection.gc.ca>; Rola Yehia <Rola.Yehia@inspection.gc.ca>
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Janna Howley

Accreditation Manager | USDA National Organic Program
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202-692-0047 Direct | www.ams.usda.gov/nop

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Accreditation Manager | USDA National Organic Program

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Cc: McEvoy, Miles - AMS; Rola Yehia
Subject: IMPORTANT : NOTICE OF ACCREDITATION SUSPENSION under COR - ETKO

Dear Cheri and Janna,

Please note that subject to subsection 2 of the *Organic Products Regulations 2009*, the CFIA accreditation of **Etko Ekolojyk Tarim Kontrol Organizasyonu Limited (ETKO)** under the Canada Organic Regime is suspended as of June 15, 2015.

As per section 4 of the *Organic Products Regulations 2009* the suspension will remain in effect until the required corrective measures specified in the report are implemented by ETKO and verified by the CFIA. Please note that until such time that ETKO's suspension is lifted, ETKO shall not accept and process applications from operators under the Canada Organic Regime.

Could you please advise on ETKO's accreditation status under the NOP since this might affect the importation of organic products to Canada under the USCOEA.

Should you have any questions or require further clarification please feel free to contact me.

Thank you.
Regards,
Valeriya

Valeriya Staykova
Lead Auditor /Chef-auditeur
Labelling, Organic Regime and Packaging/
Étiquetage, Le Régime Bio et Emballage
Consumer Protection and Market Fairness | Division de la protection des consommateurs et de l'équité des marchés
Canadian Food Inspection Agency | Agence canadienne d'inspection des aliments

1400 Merivale Road, Tower 2
Floor 6, Room 252

Ottawa, Ontario K1A 0Y9
Tel: (613) 773-6222, Fax 613-773 - 5961
valeriya.staykova@inspection.gc.ca

From: [Gebault King, ReneeA - AMS](#)
To: [Valeriya Staykova](#); [Courtney, Cheri - AMS](#)
Cc: [McEvoy, Miles - AMS](#); [Benoit Dube](#); [Rola Yehia](#)
Subject: RE: URGENT; ETKO ACCREDITATION Status under NOP
Date: Friday, December 11, 2015 12:06:08 PM

Dear Valeriya,

Thank you for contacting us with your questions about the certifier ETKO. We appreciate the concerns you have expressed.

At this time, ETKO is currently accredited by the USDA NOP. We are continuing to evaluate the situation regarding ETKO's accreditation and will inform you immediately should their status change.

Please contact me if you have additional questions.

Kind regards,

Renée

Renée Gebault King, Ph.D.
Accreditation Manager

Office: 202.690.1312 | Mobile: (b) (6)
ReneeA.GebaultKing@ams.usda.gov

USDA National Organic Program | 1400 Independence Ave SW | Room 2649-South, Stop 0268
Washington, D.C. 20250-0268 | Tel: 202.720.3252 | Fax: 202.205.7808 | www.ams.usda.gov/nop
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From: Valeriya Staykova [mailto:Valeriya.Staykova@inspection.gc.ca]
Sent: Thursday, December 10, 2015 2:05 PM
To: Courtney, Cheri - AMS <Cheri.Courtney@ams.usda.gov>; Gebault King, ReneeA - AMS <ReneeA.GebaultKing@ams.usda.gov>
Cc: McEvoy, Miles - AMS <Miles.McEvoy@ams.usda.gov>; Benoit Dube <Benoit.Dube@inspection.gc.ca>; Rola Yehia <Rola.Yehia@inspection.gc.ca>
Subject: URGENT; ETKO ACCREDITATION Status under NOP

Dear Renee and Cheri,

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accreditation by NOP.

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We would appreciate your assistance in this urgent matter.
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valeriya.staykova@inspection.gc.ca

>>> "Howley, JannaB - AMS" <JannaB.Howley@ams.usda.gov> 2015-08-26 1:52 PM >>>

Good Afternoon, Valeriya:

I hope you are doing well and have had a nice summer. The NOP continues to review information related to our recent audit of ETKO. We were hoping that CFIA would be able to share a copy of their full audit report with the NOP, as well as the names of any operations where CFIA auditing identified the use of prohibited substances. The NOP is also trying to determine whether ETKO certified operations' products are being imported into the United States, so this information would be very helpful.

Additionally, I wanted to let you know that my last day with the National Organic Program will be Friday, September 4th. I have enjoyed working with you, and with the other CFIA staff involved with organic regulations. Renée Gebault King, another Accreditation Manager in our Accreditation and International Activities (AIA) division, will be your USCOEA liaison now. She has been cc:ed on this email and will contact you to introduce herself.

Penny Zuck, Accreditation Manager, AIA, who is also cc:ed on this email, will be handling our ongoing review of the ETKO accreditation issue.

Thank you, and please don't hesitate to contact me with any questions.

Janna Howley

Accreditation Manager | USDA National Organic Program
Room 2649-S (Stop 0268) | 1400 Independence Ave SW | Washington, DC 20250-0268
202-692-0047 Direct | www.ams.usda.gov/nop

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From: Valeriya Staykova [<mailto:Valeriya.Staykova@inspection.gc.ca>]
Sent: Friday, June 19, 2015 12:25 PM
To: Howley, JannaB - AMS
Cc: Courtney, Cheri - AMS; Rola Yehia
Subject: RE: IMPORTANT : NOTICE OF ACCREDITATION SUSPENSION under COR - ETKO

Hello Hanna ,

As requested please find below a list of the NCs issued during the 2015 Surveillance audit at ETKO . These NCs cover both ISO 17065 and the COR specific requirements.

NC 1 : ETKO are not following their own policy of completing a risk assessment form for each operation on an annual basis
Norm ref: COR C.2.3.10, ETKO procedure

NC 2: ETKO are not conducting input:output audits at on-site inspections of handling and processing units.
Norm ref: COR C.2.3.12

NC 3 : ETKO do not make clear in compliance forms and assessment (inspection) forms (ETKO formats) nor in nonconformity forms (completed by the inspector) the standard reference (or on occasions the standard) against which the operator is being assessed.
Norm ref: CAN 7.4.4,

NC 4: ETKO do not make sure that all relevant forms and contracts are signed and dated.
Norm ref: ISO/CAN 4.2 & 7.2, CAN 2.1.1, .

NC 5: ETKO are not complying with requirements on provision of information in inspection reports.
Norm ref: COR C2.23.2

· Transparency of process – the operator file whether paper or electronic should allow easy traceability of the process from application through to decision. Information on files is not easy to follow and there are frequently no links between statements in the inspection report and evidence.

- o Inspection reports do not indicate time and duration of inspection (C2.3.22.1).
- o Inspection reports do not indicate names of interviewees (C2.3.22.2).
- o Inspection reports indicate which fields of farms were visited but do not refer to which buildings were visited (C2.3.22.3).
- o When labels approved.

NC 6 : ETKO inspections are not sufficiently investigative to objectively verify the information provided by the operator and do not provide sufficient evidence of compliance to the standard for the certification body to make a competent decision. Note: this includes contradictory information in inspection reports, copied text from one report to another, zero or minimal issue of nonconformities, retroactive conversion as standard for new projects, inspections that do not visit important locations on the farm and insufficient provision of evidence by inspectors.
Norm ref: ISO/IEC17065/COR 7.4.4

NC 7: ETKO awarded COR certification without 12 months application of the standard on the farms. Organic certification status was just based upon no use of prohibited inputs.

Norm ref: Canada standard 5.1.1

· Conversion period - The issue of conversion period under the Canada standard is much clearer that there must be a 12 month period of verified implementation of the standard, not just absence of prohibited products. Although noted in the visit relating to EU equivalence the requirements under Canada are more explicit so is raised here as a separate issue;

NC 8 : ETKO are not regulating the use of non-organic seed in Ukraine and the inspectors appear to be denying what appears to be common knowledge that GMO seed for crops commonly grown in ETKO projects (maize, soybean) are widely available and used, despite the authorities not permitting them.

Norm ref: COR Std 5.3.2

Issue: It is generally accepted that there are no organic seeds available in Ukraine and this has led to ETKO not regulating and recording the use of non-organic seed. Regular purchases of hybrids are wrongly reported as own reproduction from elite seeds on farms. As there are no records it cannot be demonstrated that the bought in seeds really are untreated nor whether the seeds are not from GM sources.

Evidence: ETKO have no register of approvals of non-organic seed and were only able to show a few examples of information provided by Ukraine operators.

NC 9: ETKO list of approved outsourced services does not include all service providers, agreements are not in place with all providers and annual performance review policy of ETKO is not being met.

Norm reference: ISO 65 4.4, (ISO 17065 6.2.2)

Please note that under the Canada Organic Regime while under suspension ETKO cannot accept new applications, issue certificates of inspection, or certify products as organic however products already certified by ETKO as meeting the Canadian Organic requirements are not affected.

It would be appreciated if you could share with us the NOP findings as well.

In addition, we have received an inquiry from ETKO in regards to the status the NOP certified organic products imported to Canada. We would appreciate your opinion on this matter.

Thank you,
Regards,
Valeriya

Meanwhile I would like to learn the position of NOP certified products coming to Canadian market. Is it possible that NOP certified clients (other than COR certified clients) can export products in to Canada with NOP certificates?

>>> "Howley, JannaB - AMS" <JannaB.Howley@ams.usda.gov> 2015-06-17 9:37 AM >>>

Good Morning, Valeriya:

Would you please let us know the reasons for ETKO's suspension? It would be helpful to know whether the reasons for CFIA's suspension of their accreditation are similar to any noncompliances – and ETKO's proposed corrective actions - identified during their NOP audit.

Thanks so much,

Janna Howley

Accreditation Manager | USDA National Organic Program
Room 2649-S (Stop 0268) | 1400 Independence Ave SW | Washington, DC 20250-0268
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From: Valeriya Staykova [<mailto:Valeriya.Staykova@inspection.gc.ca>]
Sent: Monday, June 15, 2015 2:27 PM
To: Courtney, Cheri - AMS; Howley, JannaB - AMS
Cc: McEvoy, Miles - AMS; Rola Yehia
Subject: IMPORTANT : NOTICE OF ACCREDITATION SUSPENSION under COR - ETKO

Dear Cheri and Janna,

Please note that subject to subsection 2 of the *Organic Products Regulations 2009*, the CFIA accreditation of **Etko Ekolojyk Tarim Kontrol Organizasyonu Limited (ETKO)** under the Canada Organic Regime is suspended as of June 15, 2015.

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Could you please advise on ETKO's accreditation status under the NOP since this might affect the importation of organic products to Canada under the USCOEA.

Should you have any questions or require further clarification please feel free to contact me.

Thank you.

Regards,

Valeriya

Valeriya Staykova
Lead Auditor /Chef-auditeur
Labelling, Organic Regime and Packaging/
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Ottawa, Ontario K1A 0Y9
Tel: (613) 773-6222, Fax 613-773 - 5961
valeriya.staykova@inspection.gc.ca

From: [Valeriya Staykova](#)
To: [Courtney Cheri - AMS](#); [McEvoy Miles - AMS](#); [Gebault King, ReneeA - AMS](#)
Cc: [Benoit Dube](#); [Rola Yehia](#)
Subject: RE: URGENT: ETKO ACCREDITATION Status under NOP
Date: Monday, December 14, 2015 8:14:36 PM

Dear Miles, Cheri and Renee,

Thank you for the update.

As you know, US and Canada signed an equivalence arrangement in 2009 and since then organic products certified by the NOP accredited Certification bodies have been imported and marketed in Canada as long as the shipment was accompanied by a valid organic certificate and an attestation.

On June 15, 2015 Canada informed NOP that" the CFIA accreditation of **Etko Ekolojyk Tarim Kontrol Organizasyonu Limited (ETKO)** under the Canada Organic Regime is suspended as of June 15, 2015" and requested information on ETKO's accreditation status under the NOP since this might affect the importation of organic products to Canada under the USCOEA.

Canada values the relations with USDA NOP and respects the decisions made by NOP however Canada is responsible to ensure that all imported organic products meet the requirements of the *Organic Products Regulations, 2009 (OPR)*.

Due to the nature of the non-conformities issued to ETKO, the CFIA has a reason to believe that the organic products that are listed in ETKO's Attestations under the USCOEA may not meet the requirements of the *OPR*. Allowing these products in Canada might jeopardise the integrity of Canada's import controls for organic products.

CFIA would like to inform you that a decision was made not to allow organic products certified by ETKO to the NOP under the US-CANADA Organic equivalency arrangement to be marketed as organic in Canada until such time that ETKO is notified directly by the CFIA.

Thank you.

Regards,
Valeriya

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valeriya.staykova@inspection.gc.ca

>>> "Gebault King, ReneeA - AMS" <ReneeA.GebaultKing@ams.usda.gov> 2015-12-11 12:06 PM >>>

Dear Valeriya,

Thank you for contacting us with your questions about the certifier ETKO. We appreciate the concerns you have expressed.

At this time, ETKO is currently accredited by the USDA NOP. We are continuing to evaluate the situation regarding ETKO's accreditation and will inform you immediately should their status change.

Please contact me if you have additional questions.

Kind regards,

Renee

Renée Gebault King, Ph.D.
Accreditation Manager

Office: 202.690.1312 | Mobile: (b) (6)

ReneeA.GebaultKing@ams.usda.gov

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From: Valeriya Staykova [mailto:Valeriya.Staykova@inspection.gc.ca]

Sent: Thursday, December 10, 2015 2:05 PM

To: Courtney, Cheri - AMS <Cheri.Courtney@ams.usda.gov>; Gebault King, ReneeA - AMS <ReneeA.GebaultKing@ams.usda.gov>

Cc: McEvoy, Miles - AMS <Miles.McEvoy@ams.usda.gov>; Benoit Dube <Benoit.Dube@inspection.gc.ca>; Rola Yehia <Rola.Yehia@inspection.gc.ca>

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To: Howley, JannaB - AMS
Cc: Courtney, Cheri - AMS; Rola Yehia
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Accreditation Manager | USDA National Organic Program

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From: [McEvoy, Miles - AMS](#)
To: [Doherty, Julia](#)
Cc: [Strzelecki, Kelly - FAS](#); [Courtney, Cheri - AMS](#)
Subject: Re: URGENT: ETKO ACCREDITATION Status under NOP
Date: Tuesday, December 15, 2015 10:09:34 AM

Yes and for good reasons.

Miles V McEvoy
Deputy Administrator
USDA National Organic Program

On Dec 15, 2015, at 9:57 AM, "Doherty, Julia" <Julia_Doherty@ustr.eop.gov> wrote:

Did Canada or the EU share their reports on why they have pulled their accreditation of ETKO?

From: McEvoy, Miles - AMS [<mailto:Miles.McEvoy@ams.usda.gov>]
Sent: Tuesday, December 15, 2015 09:10 AM
To: Doherty, Julia; Strzelecki, Kelly - FAS <Kelly.Strzelecki@fas.usda.gov>
Cc: Courtney, Cheri - AMS <Cheri.Courtney@ams.usda.gov>
Subject: Fwd: URGENT: ETKO ACCREDITATION Status under NOP

(b) (5)

Miles V McEvoy
Deputy Administrator
USDA National Organic Program

Begin forwarded message:

From: Valeriya Staykova <Valeriya.Staykova@inspection.gc.ca>
Date: December 14, 2015 at 8:14:14 PM EST
To: Cheri -AMS Courtney <Cheri.Courtney@ams.usda.gov>, Miles - AMS McEvoy <Miles.McEvoy@ams.usda.gov>, ReneeA - AMS Gebault King <ReneeA.GebaultKing@ams.usda.gov>
Cc: Benoit Dube <Benoit.Dube@inspection.gc.ca>, Rola Yehia <Rola.Yehia@inspection.gc.ca>
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>>> "Gebault King, ReneeA - AMS"
<ReneeA.GebaultKing@ams.usda.gov> 2015-12-11 12:06 PM
>>>

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Kind regards,

Renée

Renée Gebault King, Ph.D.
Accreditation Manager

Office: 202.690.1312 | Mobile: (b) (6)
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Sent: Thursday, December 10, 2015 2:05 PM
To: Courtney, Cheri - AMS <Cheri.Courtney@ams.usda.gov>; Gebault King, ReneeA - AMS <ReneeA.GebaultKing@ams.usda.gov>
Cc: McEvoy, Miles - AMS <Miles.McEvoy@ams.usda.gov>; Benoit Dube <Benoit.Dube@inspection.gc.ca>; Rola Yehia <Rola.Yehia@inspection.gc.ca>
Subject: URGENT; ETKO ACCREDITATION Status under NOP

Dear Renee and Cheri,

It has been a while since NOP has communicated any information with regards to the current status of the ETKO accreditation by NOP.

It was brought to the CFIA's attention that certain organic products (wheat, sunflower seeds) currently certified by ETKO under the NOP and the terms of the USCOEA will be imported to Canada from Ukraine tomorrow.

We have concerns with this shipment and feel that this might jeopardise the integrity of the Canada Organic Regime import controls.

We are hesitant to allow this shipments in Canada due to the fact that ETKO's accreditation has already been suspended by EU and Canada.

We would appreciate your assistance in this urgent matter.

Thank you.

Regards,
Valeriya

Valeriya Staykova
Lead Auditor /Chef-auditeur
Labelling, Organic Regime and Packaging/
Étiquetage, Le Régime Bio et Emballage
Consumer Protection and Market Fairness | Division de la protection des
consommateurs et de l'équité des marchés
Canadian Food Inspection Agency | Agence canadienne d'inspection des
aliments

1400 Merivale Road, Tower 2
Floor 6, Room 252

Ottawa, Ontario K1A 0Y9
Tel: (613) 773-6222, Fax 613-773 - 5961
valeriya.staykova@inspection.gc.ca

>>> "Howley, JannaB - AMS" <JannaB.Howley@ams.usda.gov> 2015-08-26 1:52
PM >>>

Good Afternoon, Valeriya:

I hope you are doing well and have had a nice summer. The NOP continues to review information related to our recent audit of ETKO. We were hoping that CFIA would be able to share a copy of their full audit report with the NOP, as well as the names of any operations where CFIA auditing identified the use of prohibited substances. The NOP is also trying to determine whether ETKO certified operations' products are being imported into the United States, so this information would be very helpful.

Additionally, I wanted to let you know that my last day with the National Organic Program will be Friday, September 4th. I have enjoyed working

with you, and with the other CFIA staff involved with organic regulations. Renée Gebault King, another Accreditation Manager in our Accreditation and International Activities (AIA) division, will be your USCOEA liaison now. She has been cc:ed on this email and will contact you to introduce herself.

Penny Zuck, Accreditation Manager, AIA, who is also cc:ed on this email, will be handling our ongoing review of the ETKO accreditation issue.

Thank you, and please don't hesitate to contact me with any questions.

Janna Howley

Accreditation Manager | USDA National Organic Program
Room 2649-S (Stop 0268) | 1400 Independence Ave SW | Washington, DC
20250-0268
202-692-0047 Direct | www.ams.usda.gov/nop

[Sign up here](#) for the NOP Organic Insider, the National Organic Program's email notification service.

From: Valeriya Staykova [<mailto:Valeriya.Staykova@inspection.gc.ca>]
Sent: Friday, June 19, 2015 12:25 PM
To: Howley, JannaB - AMS
Cc: Courtney, Cheri - AMS; Rola Yehia
Subject: RE: IMPORTANT : NOTICE OF ACCREDITATION SUSPENSION under COR - ETKO

Hello Hanna ,

As requested please find below a list of the NCs issued during the 2015 Surveillance audit at ETKO . These NCs cover both ISO 17065 and the COR specific requirements.

NC 1 : ETKO are not following their own policy of completing a risk assessment form for each operation on an annual basis
Norm ref: COR C.2.3.10, ETKO procedure

NC 2: ETKO are not conducting input:output audits at on-site inspections of handling and processing units.
Norm ref: COR C.2.3.12

NC 3 : ETKO do not make clear in compliance forms and assessment (inspection) forms (ETKO formats) nor in nonconformity forms (completed by the inspector) the standard reference (or on occasions the standard) against which the operator is being assessed.
Norm ref: CAN 7.4.4,

NC 4: ETKO do not make sure that all relevant forms and contracts are signed and dated.
Norm ref: ISO/CAN 4.2 & 7.2, CAN 2.1.1, .

NC 5: ETKO are not complying with requirements on provision of information in inspection reports.

Norm ref: COR C2.23.2

- Transparency of process – the operator file whether paper or electronic should allow easy traceability of the process from application through to decision. Information on files is not easy to follow and there are frequently no links between statements in the inspection report and evidence.
- o Inspection reports do not indicate time and duration of inspection (C2.3.22.1).
- o Inspection reports do not indicate names of interviewees (C2.3.22.2).
- o Inspection reports indicate which fields of farms were visited but do not refer to which buildings were visited (C2.3.22.3).
- o When labels approved.

NC 6 : ETKO inspections are not sufficiently investigative to objectively verify the information provided by the operator and do not provide sufficient evidence of compliance to the standard for the certification body to make a competent decision. Note: this includes contradictory information in inspection reports, copied text from one report to another, zero or minimal issue of nonconformities, retroactive conversion as standard for new projects, inspections that do not visit important locations on the farm and insufficient provision of evidence by inspectors.

Norm ref: ISO/IEC17065/COR 7.4.4

NC 7: ETKO awarded COR certification without 12 months application of the standard on the farms. Organic certification status was just based upon no use of prohibited inputs.

Norm ref: Canada standard 5.1.1

- Conversion period - The issue of conversion period under the Canada standard is much clearer that there must be a 12 month period of verified implementation of the standard, not just absence of prohibited products. Although noted in the visit relating to EU equivalence the requirements under Canada are more explicit so is raised here as a separate issue;

NC 8 : ETKO are not regulating the use of non-organic seed in Ukraine and the inspectors appear to be denying what appears to be common knowledge that GMO seed for crops commonly grown in ETKO projects (maize, soybean) are widely available and used, despite the authorities not permitting them.

Norm ref: COR Std 5.3.2

Issue: It is generally accepted that there are no organic seeds available in Ukraine and this has led to ETKO not regulating and recording the use of non-organic seed. Regular purchases of hybrids are wrongly reported as own reproduction from elite seeds on farms. As there are no records it cannot be demonstrated that the bought in seeds really are untreated nor whether the seeds are not from GM sources.

Evidence: ETKO have no register of approvals of non-organic seed and were only able to show a few examples of information provided by Ukraine operators.

NC 9: ETKO list of approved outsourced services does not include all service providers, agreements are not in place with all providers and annual performance review policy of ETKO is not being met.

Norm reference: ISO 65 4.4, (ISO 17065 6.2.2)

Please note that under the Canada Organic Regime while under suspension ETKO cannot accept new applications, issue certificates of inspection, or certify products as organic however products already certified by ETKO as meeting the Canadian Organic requirements are not affected.

It would be appreciated if you could share with us the NOP findings as well.

In addition, we have received an inquiry from ETKO in regards to the status the NOP certified organic products imported to Canada. We would appreciate your opinion on this matter.

Thank you,
Regards,
Valeriya

Meanwhile I would like to learn the position of NOP certified products coming to Canadian market. Is it possible that NOP certified clients (other than COR certified clients) can export products in to Canada with NOP certificates?

>>> "Howley, JannaB - AMS" <JannaB.Howley@ams.usda.gov> 2015-06-17 9:37 AM >>>

Good Morning, Valeriya:

Would you please let us know the reasons for ETKO's suspension? It would be helpful to know whether the reasons for CFIA's suspension of their accreditation are similar to any noncompliances – and ETKO's proposed corrective actions - identified during their NOP audit.

Thanks so much,

Janna Howley

Accreditation Manager | USDA National Organic Program
Room 2649-S (Stop 0268) | 1400 Independence Ave SW | Washington, DC
20250-0268
202-692-0047 Direct | www.ams.usda.gov/nop

[Sign up here](#) for the NOP Organic Insider, the National Organic Program's email notification service.

From: Valeriya Staykova [<mailto:Valeriya.Staykova@inspection.gc.ca>]
Sent: Monday, June 15, 2015 2:27 PM
To: Courtney, Cheri - AMS; Howley, JannaB - AMS
Cc: McEvoy, Miles - AMS; Rola Yehia
Subject: IMPORTANT : NOTICE OF ACCREDITATION SUSPENSION under COR - ETKO

Dear Cheri and Janna,

Please note that subject to subsection 2 of the *Organic*

Products Regulations 2009, the CFIA accreditation of **Etko Ekolojyk Tarim Kontrol Organizasyonu Limited (ETKO)** under the Canada Organic Regime is suspended as of June 15, 2015.

As per section 4 of the *Organic Products Regulations 2009* the suspension will remain in effect until the required corrective measures specified in the report are implemented by ETKO and verified by the CFIA. Please note that until such time that ETKO's suspension is lifted, ETKO shall not accept and process applications from operators under the Canada Organic Regime.

Could you please advise on ETKO's accreditation status under the NOP since this might affect the importation of organic products to Canada under the USCOEA.

Should you have any questions or require further clarification please feel free to contact me.

Thank you.

Regards,

Valeriya

Valeriya Staykova
Lead Auditor /Chef-auditeur
Labelling, Organic Regime and Packaging/
Étiquetage, Le Régime Bio et Emballage
Consumer Protection and Market Fairness | Division de la protection des
consommateurs et de l'équité des marchés
Canadian Food Inspection Agency | Agence canadienne d'inspection des
aliments

1400 Merivale Road, Tower 2
Floor 6, Room 252

Ottawa, Ontario K1A 0Y9
Tel: (613) 773-6222, Fax 613-773 - 5961
valeriya.staykova@inspection.gc.ca

From: Kuhn_Meg - AMS
To: rsiegel@rdslaw.net
Cc: ma@etko.org; Courtney_Cheri - AMS
Subject: Registered: Appeal Acknowledgement - ETKO
Date: Friday, January 22, 2016 2:48:41 PM
Attachments: [Ack.ETKO.APL-008-16.pdf](#)
Importance: High


This is a Registered Email® message from **Kuhn Meg - AMS**.

Hello Mr. Siegel,

Please find attached an appeal acknowledgement letter for your client's (ETKO) appeal of the National Organic Program's December 22, 2015 Notice of Proposed Suspension of Accreditation. Should you have any questions or concerns, please do not hesitate to contact me.

Thank you,
Meg

Meg Kuhn
Appeals Specialist
USDA-NOP-ODA
(202) 205-9644

From: Richard Siegel [mailto:rsiegel@rdslaw.net]
Sent: Friday, January 15, 2016 6:41 PM
To: AMS - NOPAppeals
Cc: Mustafa Akyuz; Kuhn, Meg - AMS; Schurkamp, Lynnea - AMS; Tucker, Jennifer - AMS; McEvoy, Miles - AMS; Courtney, Cheri - AMS
Subject: Appeal of Notice of Proposed Suspension Issued December 18, 2015, to ETKO

To NOP Appeals Team:

Attached is an appeal on behalf of ETKO, an accredited certifying agent. ETKO is based in Izmir, Turkey. ETKO is a Turkish acronym that stands for "Ecological Farming Control Organization."

ETKO received a Notice of Proposed Suspension of its accreditation dated December 18, 2015. Today is January 15 and this is a timely appeal.

Attached is the appeal letter (22 pages), and two PDFs containing attachments.

The letter says that this appeal is delivered by Registered Email. I intended to send this appeal that way, but I have not been able to open a Registered Email account this evening and send this to you that way because of technical problems installing the necessary software. Please notify me that you have received this email, so that the delivery requirement will be satisfied.

Meanwhile, if I am successful in opening a Registered Email account over the weekend, I will resend the documents that way. I appreciate your cooperation.

Many thanks, and enjoy your weekend.

Richard D. Siegel

Richard D. Siegel Law Offices
The Watergate
600 New Hampshire Avenue NW, Suite 500
Washington, DC 20037
Telephone: 202-518-6364

Facsimile: 202-234-3550
Email: rsiegel@rdslaw.net

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1400 Independence Ave. SW
Room 2642-S, STOP 0268
Washington, D.C. 20250

January 22, 2016

Richard D. Siegel
Suite 500, The Watergate
600 New Hampshire Avenue, N.W.
Washington, D.C. 20037-2403
Transmitted via email: rsiegel@rdsllaw.net

Re: Appeal Acknowledgement, APL-008-16

Dear Mr. Siegel:

This letter acknowledges your client, Ecological Farming Control Organization's (ETKO), appeal of the December 22, 2015 Notice of Proposed Suspension of Accreditation received from the National Organic Program. Your appeal was received by the Agricultural Marketing Service on January 15, 2016, and will be expeditiously reviewed and decided by persons not involved with the action being appealed.

We invite you to provide the Appeals Team with any additional information you believe would support your case **within 10 days of receipt of this letter**. Control Number APL-008-16 has been assigned to this appeal. Please use this number on all correspondence regarding this appeal.

All written communications related to this appeal must be sent to the address above by a delivery service which provides dated receipts. You may also use email; the Appeals Inbox is: NOPAppeals@ams.usda.gov.

During the appeals process, ETKO's accreditation remains valid. As such, ETKO must remain in full compliance with the USDA organic regulations, and will continue to operate under the oversight of the National Organic Program. Please note that ETKO may file additional appeals if it receives any additional adverse action notices.

Sincerely,

A handwritten signature in black ink, appearing to read "Meg Kuhn".

Meg Kuhn, Appeals Specialist
National Organic Program Appeals Team
(202) 720-3252
NOPAppeals@ams.usda.gov

Cc: National Organic Program, Accreditation & International Activities Division
ETKO, Mustafa Akyuz, ma@etko.org

From: [Kuhn, Meg - AMS](#)
To: ma@etko.org
Cc: rsiegel@rdslaw.net; Courtney Cheri - AMS
Subject: Registered: Executed Settlement Agreement, ETKO - APL-008-16
Date: Wednesday, April 13, 2016 4:25:49 PM
Attachments: [image001.jpg](#)
[Exec Settlement Cover.ETKO.APL-008-16.pdf](#)
[Exec Settlement.ETKO.APL-008-16.pdf](#)
Importance: High


This is a Registered Email® message from **Kuhn Meg - AMS**.

Dear Dr. Akyuz,

Thank you for your signed settlement. It has now been counter-signed and is attached for your records. Additional follow-up regarding your accreditation status will come to you directly from the NOP's Accreditation & International Activities Division. Should you have any questions, please do not hesitate to contact me.

Thank you,
Meg

Meg Kuhn
Appeals Specialist
USDA-NOP-ODA
(202) 205-9644

From: ma@etko.org [mailto:ma@etko.org]
Sent: Friday, April 01, 2016 12:19 PM
To: Kuhn, Meg - AMS
Cc: 'Richard Siegel'
Subject: RE: Registered: Proposed Settlement Agreement - ETKO, APL-008-16

Dear Meg

Thank you very much for proposal of Settlement Agreement which we signed it. You can find it attached.

I will send original letter by Express courier to your address following:

USDA
1400 Independence Ave. SW
Room 2642 – South STOP 0268
Washington, D.C. 20250
USA

Sincerely

Mustafa Akyuz

ETKO Turkey
+90-232-3397606
+90-232-3397607
www.etko.org

From: Kuhn, Meg - AMS [mailto:Meg.Kuhn@ams.usda.gov]
Sent: Friday, March 25, 2016 5:20 PM
To: Richard Siegel
Cc: Mustafa Akyuz PhD
Subject: RE: Registered: Proposed Settlement Agreement - ETKO, APL-008-16

Hi Richard – my apologies for the oversight. Here is the cover letter.
Thank you,
Meg

Meg Kuhn
Appeals Specialist
USDA-NOP-ODA
(202) 205-9644

From: Richard Siegel [<mailto:rsiegel@rdslaw.net>]
Sent: Friday, March 25, 2016 9:26 AM
To: Kuhn, Meg - AMS
Cc: Mustafa Akyuz PhD
Subject: Re: Registered: Proposed Settlement Agreement - ETKO, APL-008-16

Dear Meg,

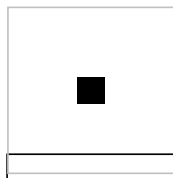
Thank you for advising me of the NOP's decision to offer ETKO a proposed settlement. The settlement agreement (2 pages) was attached to your email message, but there was no cover letter attached. Please send the cover letter, so that I can begin discussing this with my client ETKO.

Many thanks,

Richard Siegel

----- Forwarded message -----

From: "Kuhn, Meg - AMS" <Meg.Kuhn@ams.usda.gov>
Date: Mar 25, 2016 1:23 AM
Subject: Registered: Proposed Settlement Agreement - ETKO, APL-008-16
To: "rsiegel@rdslaw.net" <rsiegel@rdslaw.net>
Cc:



This is a Registered Email® message from **Kuhn Meg - AMS**.

Dear Mr. Siegel,

Thank you for your patience as the National Organic Program's Appeals Team has reviewed your client's, ETKO, appeal request of a December 22, 2015 Notice of Proposed Suspension of Accreditation from the NOP.

Attached to this email is a proposed settlement agreement for you to review. Also attached is a letter ("SettlementCover" attachment) explaining the proposed settlement and providing options to you for moving forward with organic certification. Please take a moment to read through the documents; if you have any questions or concerns, I can be reached via email (meg.kuhn@ams.usda.gov) or phone [202-205-9644](tel:202-205-9644). I will give you a call tomorrow (Friday, March 25) to touch base with you and answer any questions you may have.

Thank you,
Meg

Meg Kuhn

Appeals Specialist
Office of the Deputy Administrator
National Organic Program
U.S. Department of Agriculture
Room 2649-So. (Stop 0268)
1400 Independence Ave SW
Washington, DC 20250-0268
Main Office: [202.720.3252](tel:202.720.3252)
Direct: [202.205.9644](tel:202.205.9644)
Cell: (b) (6)
meg.kuhn@ams.usda.gov
www.ams.usda.gov/nop

Organic Integrity from Farm to Table, Consumers Trust the Organic Label

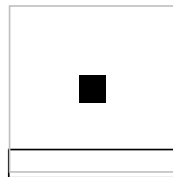
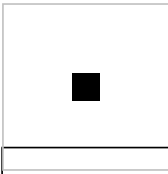
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1400 Independence Ave. SW
Room 2648 - South, STOP 0268
Washington, D.C. 20250

April 13, 2016

Dr. Mustafa Akyuz
160 Sokak 13/3 Bornova
Izmir, 35100
TURKEY
Transmitted via email: ma@etko.org
CC: rsiegel@rdsllaw.net

RE: Executed Settlement Agreement for APL-008-16

Dear Mr. Siegel and Mr. Akyuz:

The USDA Agricultural Marketing Service received your signed settlement agreement, and has counter-signed the April 2016 settlement agreement related to APL-008-16. This executed settlement is attached for your records. Your accreditor, the National Organic Program's Accreditation & International Activities Division, is being copied on this transmittal, and will be responsible for overseeing the remaining terms in the agreement.

Please let me know if you have any questions; you can reach me at 202-205-9644 or by email at meg.kuhn@ams.usda.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Meg Kuhn". The signature is fluid and cursive, with a long horizontal stroke at the end.

Meg Kuhn
Appeals Specialist
National Organic Program

cc: National Organic Program Accreditation & International Activities Division

Enclosure: Executed Settlement – April 6, 2016



1400 Independence Ave. SW
Room 2642 - South, STOP 0268
Washington, D.C. 20250

Settlement Agreement

THIS SETTLEMENT AGREEMENT is entered into by the United States Department of Agriculture (USDA) Agricultural Marketing Service (AMS), and Ecological Farming Control Organization (ETKO).

USDA, AMS, the National Organic Program (NOP), and ETKO have decided to compromise and settle the issues among them related to alleged violations of the Organic Foods Production Act of 1990 (7 U.S.C. §§ 6501 et seq.) (OFPA) and the USDA organic regulations (7 CFR Section 205).

Accordingly, the parties agree to the following:

1. The Secretary of Agriculture has jurisdiction in this matter.
2. USDA, AMS agrees not to issue a formal Administrator's Decision charging ETKO with alleged violations of the OFPA and the USDA organic regulations for any actions disclosed by the investigation which gave rise to this agreement.
3. USDA, AMS and ETKO admit to the following:
 - A. NOP issued a December 22, 2015 Notice of Proposed Suspension of Accreditation to ETKO in Bornova, Izmir, Turkey. ETKO was given the opportunity to appeal the Notice, and this Settlement addresses this Notice.
 - B. ETKO has been given the opportunity to consult with legal counsel regarding this Settlement, is executing this agreement of its own free will, and understands and accepts the terms of this Settlement.
 - C. No alteration or variation of the terms of this Settlement shall be valid unless made in writing and signed by both parties.
4. USDA, AMS, NOP agrees to the following actions:
 - A. NOP agrees to withdraw its Notice of Proposed Suspension of Accreditation.
 - B. Upon execution of this settlement, the NOP agrees to accept ETKO's corrective and preventive actions submitted in response to the NOP's May 13, 2015 Notice of Noncompliance.
5. ETKO agrees to the following actions:
 - A. ETKO agrees to a site-evaluation at ETKO's expense, in accordance with 7 CFR Parts 205.508(b) and 205.640(a), within twelve (12) months of signing this settlement agreement.

From: rsiegel@rdslaw.net on behalf of [Richard Siegel](#)
To: [Kuhn Meg - AMS](#); ma@etko.org
Cc: [Courtney Cheri - AMS](#)
Subject: Registered: RE: Registered: Executed Settlement Agreement, ETKO - APL-008-16
Date: Wednesday, April 13, 2016 6:27:58 PM
Attachments: [image001.jpg](#)
[RPostDigitalSeal.htm](#)


This is a Registered Email® message signed by **Richard Siegel**.
Your reply to this message will be returned as a Registered Email® message.

You may verify the authorship and authenticity of this message by forwarding a copy to 'verify@rpost.net'

Dear Meg,

I was pleased to receive your confirmation that the settlement agreement has now been signed by Miles McEvoy on behalf of the NOP.

Thank you for all your help with this matter, both in processing the appeal and in providing the settlement agreement.

I look forward to working with you in the future.

Best regards,

Richard

Richard D. Siegel Law Offices
The Watergate
600 New Hampshire Avenue NW, Suite 500
Washington, DC 20037
Telephone: 202-518-6364
Facsimile: 202-234-3550
Email: rsiegel@rdslaw.net

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Sent: Wednesday, April 13, 2016 4:25 PM
To: ma@etko.org
Cc: rsiegel@rdslaw.net; Cheri.Courtney@ams.usda.gov
Subject: Registered: Executed Settlement Agreement, ETKO - APL-008-16
Importance: High


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Meg Kuhn
Appeals Specialist
USDA-NOP-ODA
(202) 205-9644

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Room 2642 – South STOP 0268
Washington, D.C. 20250
USA

Sincerely

Mustafa Akyuz

ETKO Turkey
+90-232-3397606
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www.etko.org

From: Kuhn, Meg - AMS [<mailto:Meg.Kuhn@ams.usda.gov>]
Sent: Friday, March 25, 2016 5:20 PM
To: Richard Siegel
Cc: Mustafa Akyuz PhD
Subject: RE: Registered: Proposed Settlement Agreement - ETKO, APL-008-16

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Thank you,
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Meg Kuhn
Appeals Specialist
USDA-NOP-ODA
(202) 205-9644

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Sent: Friday, March 25, 2016 9:26 AM
To: Kuhn, Meg - AMS
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Subject: Re: Registered: Proposed Settlement Agreement - ETKO, APL-008-16

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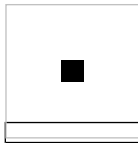
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Many thanks,

Richard Siegel

----- Forwarded message -----

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Date: Mar 25, 2016 1:23 AM
Subject: Registered: Proposed Settlement Agreement - ETKO, APL-008-16
To: "rsiegel@rdslaw.net" <rsiegel@rdslaw.net>
Cc:



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Thank you,
Meg

Meg Kuhn

Appeals Specialist
Office of the Deputy Administrator
National Organic Program
U.S. Department of Agriculture
Room 2649-So. (Stop 0268)
1400 Independence Ave SW
Washington, DC 20250-0268
Main Office: [202-720-3252](tel:202-720-3252)
Direct: [202-205-9644](tel:202-205-9644)
Cell: (b) (6)
meg.kuhn@ams.usda.gov
www.ams.usda.gov/nop

Organic Integrity from Farm to Table, Consumers Trust the Organic Label

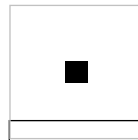
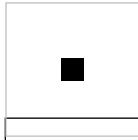
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From: [Lusby, MaryLou - AMS](#)
To: [Courtney, Cheri - AMS](#)
Cc: [Mann, Renee - AMS](#)
Subject: Review of ETKO Annual Report
Date: Friday, February 19, 2016 11:01:34 AM

Hello Renee,

I have finished reviewing the Annual report for [ETKO](#). The documents have been saved in their folder.

If you have any questions please let me know.

Also according to their Annual report submitted ETKO has made changes to their list of Foreign countries in which they certify in.

The countries that need to be added on the NOP website for ETKO are [Belarus, Bengladesh, Kirgizia, Tachjkistan, and Turkey.](#)

If you have any questions please let me know.

Thank you,
Mary Lou Croisetiere

From: [Davis, Graham - AMS](#)
To: ma@etko.com.tr
Cc: [AMS - AIAinbox](#)
Subject: Corrective Action Report- ETKO (Sent Registered)
Date: Tuesday, January 10, 2017 7:22:12 AM
Attachments: [NP6279LCA CA Report ETKO 010317.pdf](#)
[NP6279LCA ETKO NoNC Res 122216.pdf](#)
[image001.jpg](#)
[image003.jpg](#)

Dear Dr. Akyuz,

Thank you for the submission of the corrective action plan on July 3, 2014. The USDA National Organic Program has reviewed your corrective action plan and found it to adequately address the concerns identified. During the next onsite assessment, we will verify that you have successfully implemented these changes and that the problem has not recurred.

Please contact me with any questions you may have.

Sincerely,

Graham

Graham Davis
Accreditation Manager
USDA | NATIONAL ORGANIC PROGRAM
1400 Independence Ave SW | 2649-S | Washington DC 20250
Desk: 202-692-0047 | Cell: (b) (6)
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NATIONAL ORGANIC PROGRAM: CORRECTIVE ACTION REPORT

AUDIT AND REVIEW PROCESS

The National Organic Program (NOP) conducted witness audits of Ecological Farming Control Organization's (ETKO) certified operations. Onsite witness audits were conducted, and the audit reports reviewed to determine ETKO's capability to continue operating as a USDA accredited certifier.

GENERAL INFORMATION

Applicant Name	Ecological Farming Control Organization (ETKO)
Physical Address	160 Sokak 13/3, Bornova – Izmir, 35100, Turkey
Mailing Address	160 Sokak 13/3, Bornova – Izmir, 35100, Turkey
Contact & Title	Dr. Mustafa Akyuz, General and QMS Manager
E-mail Address	ma@etko.com.tr
Phone Number	90 542 640 5944
Reviewer(s) & Auditor(s)	Graham Davis, NOP Reviewer; Lars Crail, Onsite Auditor.
Program	USDA National Organic Program (NOP)
Review & Audit Date(s)	Corrective actions review: December 21, 2016 NOP assessment review: November 15, 2016 Onsite audit: October 6-7, 2016
Audit Identifier	NP6279LCA
Action Required	No
Audit & Review Type	Witness Assessment
Audit Objective	To evaluate the conformance to the audit criteria; and to verify the implementation and effectiveness of ETKO's certification system.
Audit & Determination Criteria	<i>7 CFR Part 205, National Organic Program as amended</i>
Audit & Review Scope	ETKO's certification services in carrying out the audit criteria.

ORGANIZATIONAL STRUCTURE:

The Ecological Farming Controlling Organization is abbreviated as ETKO from their Turkish name (Ekolojik Tarım Kontrol Organizasyonu). ETKO is a for-profit, limited liability company with two shareholders. The main office for USDA organic certification is located in Bornova – Izmir, Turkey. All certification activities for the NOP are conducted at the Izmir office; there are no satellite offices that conduct USDA organic key activities. ETKO was initially accredited as a certifying agent on January 22, 2003 for crops, wild crops, and handling. ETKO currently certifies operations to the USDA organic regulations in the following countries: Turkey, Russia, Serbia, Korea, Kazakhstan, and the Ukraine.

SUMMARY OF WITNESS AND REVIEW AUDITS CONDUCTED:

The NOP auditor conducted a one-day witness audit of an annual announced inspection of an ETKO handler/trader/exporter located in Kiev, Ukraine. The operation trades organic grain and seed products and does not physically handle the products. The trading operation was first certified in December 1, 2014.

The NOP auditor conducted a half-day witness audit of an annual announced inspection of an ETKO handler/trader/exporter with an office in Kiev, Ukraine. This trader does not physically handle organic products. There are 18 grain products traded (or intended to be traded) as raw, processed, and as livestock feed. This trading operation was first certified on November 7, 2014.

NOP DETERMINATION:

NOP reviewed corrective actions submitted as a result of noncompliances issued from Findings identified during the onsite audit. Any noncompliance labeled as “**Accepted**” indicates acceptance of the corrective actions and verification of corrective action implementation will be conducted during the next onsite audit.

Non-compliances Identified during the Current Assessment

NP6279LCA.NC1 – Accepted. 7 C.F.R. §205.501(a)(21) states, “Comply with, implement, and carry out any other terms and conditions determined by the Administrator to be necessary.” NOP 2603, Organic Certificates, Section 3.1, indicates the elements of an organic certificate.

Comments: *The following organic certificate elements are incorrect or missing on the certificates issued to operations:*

1. *The certificate does not list an anniversary date.*
2. *There are two labeling categories (100% Organic, Organic, Made With Organic....) stated on the certificate when only one category should be listed.*
3. *The certificate states “Certification renewal must be done annually before the anniversary date;” however, there is no anniversary date on the certificate and “certification renewal” is not defined in the USDA organic regulations nor the NOP Handbook.*
4. *The certificate states, “NOP regulation Final Rule 7 CFR Part 205,” rather than “Certified to the USDA organic regulations, 7 CFR Part 205.”*

2016 Corrective Action: ETKO revised and submitted their certificate template. The certificate template lists an anniversary date, only one labelling category per product (i.e, 100% Organic, Organic, or Made with Organic), and “Certified to the USDA organic regulations, 7 CFR Part 205”. ETKO revised and submitted their NOP Certification Procedure (Section 7.5.2). Their procedure requires their certificates to have an anniversary date, one labelling category for each product certified under the handling/processing scope, and state, “Certified to the USDA organic regulations, 7 CFR Part 205.”



1400 Independence Avenue, SW.
Room 2648-S, STOP 0268
Washington, DC 20250-0268

NOTICE OF NONCOMPLIANCE RESOLUTION

JAN 09 2017

Mustafa Akyuz
Ecological Farming Control Organization
160 Sk. No. 13/7
Bornova – Izmir, 35100
Turkey

Dear Dr. Akyuz:

On October 6, 2016, a representative of the United States Department of Agriculture (USDA), Agricultural Marketing Service (AMS), National Organic Program (NOP), completed an onsite witness audit of the Ecological Farming Control Organization (ETKO) organic certification program. The objective of the audit was to determine ETKO's compliance to the USDA organic regulations as an accredited certifying agent. A copy of the auditor's report, NP6279LCA, is enclosed for your reference. As the report indicates, one noncompliance (NP6279LCA.NC1) was identified during the onsite audit.

ETKO submitted corrective actions to the NOP on December 9, 2016. The proposed corrective actions demonstrated how the existing noncompliance was remedied and also indicated how ETKO's quality management system will be modified to prevent future noncompliances. The corrective actions adequately address the noncompliance, as described in the attached Corrective Action Report. The corrective actions will be verified during your next site evaluation assessment.

If you have questions regarding this notice, please contact Graham Davis, Accreditation Manager, at (202) 692-0047 or Graham.Davis@ams.usda.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Cheri Courtney".

Cheri Courtney
Director, Accreditation and International Activities Division
National Organic Program

Enclosure: Corrective Action Report NP6279LCA

cc: AIA Inbox

ETKO
Ecological Farming Control Organization

160 Sok 13/3 35100 Bornova - IZMIR – TURKEY
T:+902323397606, F:+902323397607
E-mail: : info@etko.com.tr , www.etko.com.tr

certifies that

XXXX

T+XX-XX-XXX-XXXX / F+XX-XX-XXX-XXXX/ xyz@xxxmail.xxx
XX

XX

is certified to the USDA organic regulations, 7 CFR Part 205, for the category of:

CROPS/WILD CROPS/HANDLING

Rise - 100% Organic

The certificate should be updated at least annually. Once certified, a production or handling operation's organic certification continues effect until surrendered, suspended or revoked. Status of this certification and specific certified organic products covered may be verified at <http://apps.ams.usda.gov/Integrity/CP/OPP.aspx?cid=27&nopid=9963083101&ret=%252fIntegrity%252fDefault.aspx&retName=Home>

Certifiers ID: 996
Certificate Nrs: No: XX-XXXX-XX.201X.NOP
NOP Operation ID: XXXXXXXXXX
Effective date of certification: Month XX, 2XXX
Anniversary date: Month XX, 2XXX
Issue Date: Month XX, 2XXX

On Behalf of ETKO :
XXXXXXXXXXXX

ORGANIC CERTIFICATE



From: Davis, Graham - AMS
To: ["ma@etko.com.tr"](mailto:ma@etko.com.tr)
Cc: [Mann, Renee - AMS](#); [Courtney, Cheri - AMS](#)
Subject: Corrective actions
Date: Friday, December 30, 2016 11:50:00 AM
Attachments: [GP 18 F 21 NOP Certificate 20161118.pdf](#)
[image001.jpg](#)

Dear Dr. Akyuz,

Thank you for submitting the corrective actions for the witness audit that occurred on October 6, 2016. ETKO is correct that the certificate should be renewed annually. The statement, "The certificate should be updated at least annually", however, should be removed from ETKO's certificate template. A situation may occur where a client's renewal is delayed past the 12 months so this statement may cause unnecessary confusion. Please remove the statement from your certificate template and provide the NOP with an updated version.

Thank you.

Graham

Graham Davis
Accreditation Manager
USDA | NATIONAL ORGANIC PROGRAM
1400 Independence Ave SW | 2649-S | Washington DC 20250
Desk: 202-692-0047 | Cell: (b) (6)



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From: Davis, Graham - AMS
To: [Courtney, Cheri - AMS](#)
Subject: ETKO CA Report
Date: Thursday, December 22, 2016 1:35:00 PM
Attachments: [image001.jpg](#)

Cheri- ETKO added the statement “The certificate should be updated at least annually” which I am assuming came from [Section 3.4 of NOP 2603](#). My question is (b) (5)

[REDACTED]

[REDACTED]

Thanks.

Graham

Graham Davis
Accreditation Manager
USDA | NATIONAL ORGANIC PROGRAM
1400 Independence Ave SW | 2649-S | Washington DC 20250
Desk: 202-692-0047 | Cell: (b) (6)



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From: Davis, Graham - AMS
To: [Mann, Renee - AMS](#)
Cc: [Courtney, Cheri - AMS](#)
Subject: ETKO corrective actions documents for your review
Date: Tuesday, January 03, 2017 10:21:00 AM
Attachments: [image003.jpg](#)

Renee:

Please review the following documents regarding ETKO's corrective actions:

For your approval:

Letter – <P:\AIA\ACA-Active\ETKO-Turkey\2016 WA Ukraine\CA\NP6279LCA ETKO NoNC Res 122216.docx>

Report – <P:\AIA\ACA-Active\ETKO-Turkey\2016 WA Ukraine\CA\NP6279LCA CA Report ETKO 010317.docx>

Reference:

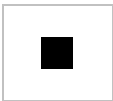
Chronology Log - <P:\AIA\ACA-Active\ETKO-Turkey\2016 WA Ukraine\CA\Chrono Log ETKO.docx>

File folder (where the letter/report for approval can be found) - <P:\AIA\ACA-Active\ETKO-Turkey\2016 WA Ukraine\CA>

Thanks,

Graham

Graham Davis
Accreditation Manager
USDA | NATIONAL ORGANIC PROGRAM
1400 Independence Ave SW | 2649-S | Washington DC 20250
Desk: 202-692-0047 | Cell: (b) (6)



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From: Davis, Graham - AMS
To: [Mann Renee - AMS](#)
Cc: [Courtney Cheri - AMS](#)
Subject: FW: Registered: Notice of Noncompliance - On site Assessment ETKO
Date: Wednesday, December 07, 2016 9:14:00 AM
Attachments: [-WRD000.jpg](#)
[image003.jpg](#)
[GP 18 F 21 NOP Certificate 20161118.pdf](#)
[GP 18 NOP Certification Procedure Rev04.pdf](#)
[20161207 Corrective Action Letter NP6279LCA.pdf](#)
[image002.jpg](#)

FYI... I have moved these files to ETKO's folder.

Graham

Graham Davis
Accreditation Manager
USDA | NATIONAL ORGANIC PROGRAM
1400 Independence Ave SW | 2649-S | Washington DC 20250
Desk: 202-692-0047 | Cell: (b) (6)



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From: ma@etko.com.tr [mailto:ma@etko.com.tr]
Sent: Wednesday, December 07, 2016 7:17 AM
To: Davis, Graham - AMS <Graham.Davis@ams.usda.gov>
Cc: AMS - AIAinbox <AIAinbox@ams.usda.gov>; Reid, John - AMS <John.Reid@ams.usda.gov>; Claypool, Rebecca E - AMS <Rebecca.E.Claypool@ams.usda.gov>
Subject: RE: Registered: Notice of Noncompliance - On site Assessment ETKO

Mr. Davis

Please find attached ETKO Corrective Actions.

Sincerely

Mustafa Akyuz

Man: Dir.

ETKO Turkey
T:+90-232-3397606
F:+90-232-3397607
Web: www.etko.com.tr

From: Graham.Davis@ams.usda.gov [mailto:Graham.Davis@ams.usda.gov]
Sent: Wednesday, November 23, 2016 8:57 PM
To: ma@etko.com.tr
Cc: AIAinbox@ams.usda.gov; John.Reid@ams.usda.gov
Subject: Registered: Notice of Noncompliance - On site Assessment ETKO



This is a Registered Email[®] message from **Davis Graham - AMS**.

Good Afternoon Dr. Akyuz,

Please see the attached NOP Notice of Noncompliance from the findings of the Ecological Farming Control Organization (ETKO) onsite witness audit. Corrective actions are due within 30 days from the date of this notice.

A copy of the assessment report, , is attached for your reference.

If you have any questions regarding this notice please contact, Rebecca Claypool, Accreditation Manager, at Rebecca.E.Claypool@ams.usda.gov or (202) 350-5706.

Regards,

Graham

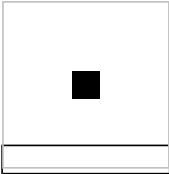
Graham Davis
Accreditation Manager
USDA | NATIONAL ORGANIC PROGRAM
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Ref No: 2016070401
Subject: NONC NP6279LCA.NC1

Date: December 07, 2016

Mr. Davis, Ms. Claypool

To avoid reoccurrence of violation of the certification requirements of NOP we updated NOP procedure and the certificate template.

Corrective actions explained as follows;

1-Corrected NOP organic certificate template:

Nr	Issues	Correction	Evidence
1	The certificate does not list an anniversary date	Organic Certificate updated	Organic certificate
2	There are two labelling categories (100% Organic, Organic, Made with Organic...) stated on the certificate when only one category should be listed	According to the labelling category only one category mentioned for each product.	Organic certificate
3	The certificate states "Certification renewal must be done annually before the anniversary date;" however, there is no anniversary date on the certificate and "certification renewal" is not defined in the USDA organic regulations nor the NOP Handbook.	To avoid confusion the statement cancelled and only "Anniversary Date" included	Organic certificate
4	The certificate states, "NOP Regulation Final Rule 7 CFR Part 205," rather than "Certified to the USDA organic regulations, 7 CFR Part 205."	Old statement replaced with the new statement than "Certified to the USDA organic regulations, 7 CFR Part 205."	Organic certificate

2-GP 18 NOP Certification Procedure Point 7.5.2, indicated green

Sincerely,
Dr. Mustafa AKYÜZ
Gn Md.

ETKO
Ekolojik Tarım Kontrol Organizasyonu
160 Sk.No:13/7 35040 Bornova
Tel:0232.339 76 06 Fax:339 76 07

(b) (6)

Tel: 0232-3397606

Fax: 0232-3397607

Email: info@etko.com.tr

<http://www.etko.com.tr>

Tax office: Bornova
Tax No: 381 023 6931

Chamber of commerce
No: 92592.1

Bank
Türkiye İşbankası
Bornova Şubesi

Account
Euro: 3403 0535 690
T.lira: 3403 1122 346

ETKO
Ecological Farming Control Organization

160 Sok 13/3 35100 Bornova - IZMIR – TURKEY
T:+902323397606, F:+902323397607
E-mail: : info@etko.com.tr , www.etko.com.tr

certifies that

XXXX

T+XX-XX-XXX-XXXX / F+XX-XX-XXX-XXXX/ xyz@xxxmail.xxx
XX

XX

is certified to the USDA organic regulations, 7 CFR Part 205, for the category of:

CROPS/WILD CROPS/HANDLING

Rise - 100% Organic

The certificate should be updated at least annually. Once certified, a production or handling operation's organic certification continues effect until surrendered, suspended or revoked. Status of this certification and specific certified organic products covered may be verified at <http://apps.ams.usda.gov/Integrity/CP/OPP.aspx?cid=27&nopid=9963083101&ret=%252fIntegrity%252fDefault.aspx&retName=Home>

Certifiers ID: 996
Certificate Nrs: No: XX-XXXX-XX.201X.NOP
NOP Operation ID: XXXXXXXXXXXX
Effective date of certification: Month XX, 2XXX
Anniversary date: Month XX, 2XXX
Issue Date: Month XX, 2XXX

On Behalf of ETKO :
XXXXXXXXXXXX

ORGANIC CERTIFICATE





ETKO Ekolojik Tarım Kontrol Organizasyonu Ltd Şti.

ISO 17065
INSPECTION & CERTIFICATION PROCEDURE FOR ORGANIC
PRODUCTS

Prepared by
ETKO Ekolojik Tarım Kontrol Organizasyonu Ltd Şti
160 Sokak No 13/3 Bornova
35100 İzmir
0232-3397606
www.etko.org

PREPARED	APPROVED
QUALITY MANAGEMENT RESPONSIBLE	MANAGING DIRECTOR

NOP CERTIFICATION PROCEDURE
-SUPPORT PROCEDURE FOR ORGANIC
CERTIFICATION-

DOC.NR	GP 18
DATE	07.07.2016
REV. NR	04
SAYFA	2/40

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QUALITY MANAGEMENT RESPONSIBLE	MANAGING DIRECTOR

NOP CERTIFICATION PROCEDURE
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1. Introduction

ETKO Ekolojik Tarım Kontrol Organizasyonu Ltd Sti prepared the certification procedure as a part of the Quality Management System in order to overcome the expectations and needs of the clients. The purpose of this procedure is to determine the methods for the certification scopes requested by the applicants for their products, starting from the first contact up to the certification decision taken.

After clients application is received an offer is made, after acceptance of the offer a contract is signed, following contracting phase evaluation is realized before certification decision is taken. In order to keep compliance with the certification rules subsequent surveillance Inspection are realized.

This procedure is updated in case of changes in the regulations of certification to keep compliance. The procedure could be updated incase program changes realized within the ETKO management system.

ETKO quality management system complying International Standard "EN ISO 17065" was prepared in order verifying compliance for the products applicants willing to apply for a specific standard or regulation. This procedure applies within the framework of the certification standard(s) applied for. EN ISO 17065 describes the requirements for the certification bodies for conformity assessment of the products.

ETKO prepares guides to inform applicants willing to apply for their products evaluation complying a certain standard within the accreditation scope.

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NOP CERTIFICATION PROCEDURE
 -SUPPORT PROCEDURE FOR ORGANIC
 CERTIFICATION-

DOC.NR	GP 18
DATE	07.07.2016
REV. NR	04
SAYFA	4/40

2. Approval and Quality Management:

ETKO top management undertakes full responsibility of the quality management system, therefor appoints a QMR Quality System Responsible who irrespective of other responsibilities, have responsibility and authority to ensure that processes and procedures needed for the management system are established, implemented and maintained.

ETKO Managing Director and Quality Management Responsible declares that the content of the Quality Manual is reviewed and it complies with the requirements of legal regulations.

3. Distribution List

Controlled copies of this QM are distributed to

1. Managing Director MD
2. Certifier
3. Quality Manager QM
4. Quality Manager Assistant QMA
5. Accreditation body AB

The original of Quality Manuel is kept by QM.

The QM and QMA keep their QM copies in a safe place, enabling the access of inspectors or any other personnel, in need.


4. Purpose

This procedure defines the administrative aspects of application, evaluation and certification process for NOP National Organic Program.

5. Responsibilities

Managing Director, Quality manager, Certifier and Inspectors are responsible for the proper implementation of this procedure

PREPARED	APPROVED
QUALITY MANAGEMENT RESPONSIBLE	MANAGING DIRECTOR

	NOP CERTIFICATION PROCEDURE -SUPPORT PROCEDURE FOR ORGANIC CERTIFICATION-	DOC.NR	GP 18
		DATE	07.07.2016
		REV. NR	04
		SAYFA	5/40

6. Records and Reference Procedure:

Records related to Certification Procedure is listed in Document Master List "SP 01 F 03" section "FORMS"

Procedures implemented for application, evaluation, review, certification, surveillance and sanctions are listed in Document Master List "SP 01 F 03" section "PROCEDURES"

- GP 18 F 01 Organic Compliance Plan – process
- GP 18 F 02 Organic Compliance Plan – agricultural
- GP 18 F 05 Organic Compliance Plan - wild collection
- GP 18 F 06 Organic Compliance Plan – Feed Stuff Process
- GP 18 F 10 Notification of Noncompliance form (NONC)
- GP 18 F 11 Notification of Noncompliance Resolution (NONCR)
- GP 18 F 12A Notification of Denial of Certification Application Review (NODC)
- GP 18 F 12B Notification of Denial of Certification before Certification (NODC)
- GP 18 F 13 Notification of Proposed Suspension (NOPS)
- GP 18 F 14 Notification of Suspension (NOS)
- GP 18 F 15 Notification of Proposed Revocation (NOPR)
- GP 18 F 16 Notification of Revocation (NOR)
- GP 18 F 17 Reinstatement Request Letter From Suspended Operation to USDA
- GP 18 F 18 ETKO Reinstatement Request Letter for Suspended Operation to USDA
- GP 18 F 20 Surrender NOP Certification Letter

- GP 07 Fees procedure
- GP 11 Use of Logo and License,
- OP 03 Testing
- OP 10 OCP processing guidance
- OP 11 OCP agriculture guidance
- TI 05 Sampling Method
- TI 40 NOP Guide Testing & Enforcement Actions


7. Certification Requirements

7.1. General

ETKO operates under USDA Accreditation for NOP Regulation. The requirements against which the products of a client are evaluated according to NOP regulation.

The explanations required as to the application of these documents for NOP certification, are formulated by ETKO technical persons, possessing the necessary technical competence, and they are available to ETKO website www.etko.org.

PREPARED	APPROVED
QUALITY MANAGEMENT RESPONSIBLE	MANAGING DIRECTOR

	NOP CERTIFICATION PROCEDURE -SUPPORT PROCEDURE FOR ORGANIC CERTIFICATION-	DOC.NR	GP 18
		DATE	07.07.2016
		REV. NR	04
		SAYFA	6/40

Applicants can download ETKO documents from the ETKO website www.etko.org and the NOP regulations from USDA website section National Organic Program: www.ams.usda.gov.

The designed objective of this certification process is to assure compliance to NOP requirements by developing a thorough understanding of the applicant and its operation. ETKO requires its clients to:

- Comply with all applicable NOP standards and requirements
- Establish, implement, and update annually an organic production or handling system plan;
- Permit on-site inspections with complete access to the production or handling operation, including no certified production and handling areas, structures, and offices;
- Maintain all records applicable to the organic operation for not less than 5 years beyond their creation and allow authorized representatives of the Secretary, the applicable State official, and the certifying agent access to such records during normal business hours for review and copying to determine compliance with the regulations;
- Submit the applicable fees charged by the certifying agent; and
- Immediately notify the certifying agent concerning any:
 - application, including drift, of a prohibited substance to any field, production unit, site, facility, livestock, or product that is part of an operation; and
 - change in a certified operation or any portion of a certified operation that may affect its compliance with the regulations.
- All applicants, upon request for certification, will receive an application packet, which includes fee structures, a copy of the NOP Final Rules, required documentation and other information deemed pertinent to certification.


Applicant is required to provide all the documents, plan, records and information to ETKO to complete the application processes.

NOP regulation shall be used as standard in the inspection, in the application of accept/reject criteria, record keeping requirement. The inspector shall carry his/her own controlled copy of NOP regulation.

ETKO is responsible to provide NOP Regulation to its clients. In case, demanded NOP Regulation may be downloaded from the website. www.etko.org

Once the operator is certified the certificate stays valid unless it is cancelled, withdrawal or suspended by ETKO or AMS or surrendered by the operator.

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7.2. Application

Application process begins with the applicant providing all the information requested by the inspection information form (GP 01 F01) which must be initially completed by all those seeking certification. While this process is designed to be sufficiently thorough to secure the documentation necessary to verify the applicant's organic status, it is also designed to be relatively straightforward.

The primary purposes of the initial application are (1) to establish the applicant's eligibility, (2) define specific certification procedures, (3) estimate certification fees and (4) provide a reference for the independent ETKO inspector.

All applicants are required to complete the initial application process. Applicants are required to provide sufficient additional information to substantiate the baseline history of their organic status; including previous certification information where available.

The legal and statutory documents, related standards together with the certification procedures are sent to applicant by ETKO following the initial application of the client.

Applicants are encouraged to ask pertinent questions, which will enhance the ease, speed and accuracy of their application process

Upon receipt of the inspection information form (GP 01 F01), ETKO's staff performs a thorough review. The submitted information is initially screened to determine whether it meets the basic requirements for certification. Involved in this process is a comparison of the application information with applicable organic standards.

Under normal circumstances, the applicant will receive notification of its application status within 10 working days.

However, additional information, or correction of minor deficiencies may be required at this time. In such a circumstance, the application process is detained until sufficient information and documents are provided to develop an adequate level of confidence that proceeding with the certification is in the best mutual interest.

If the initial application is not accepted, the applicant is so notified with an explanation of those major deficiencies, which resulted in the rejection. In this case, the applicant is encouraged to correct the noted deficiencies and re-apply by submitting a new application

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7.2.1. Contract

If the initial application is accepted, ETKO offer containing a complete itemization of estimated fees is prepared for certification. Offer is to be approved by the applicant before the applicant is issued an application number, and a Contract (GP 01 F02). After the mutual approval of this contract the applicant is scheduled for the initial third party inspection.

Contract signed is valid until voluntary withdrawal, suspension or cancellation of the contract by ETKO or ministry of agriculture responsible bodies.

When the contract is signed, client is requested to submit the application package.

In case the initial application is under contract, then the applicant is requested to proceed to further phases, as instructed by ETKO.

7.2.2. Application Package

Clients must meet all applicable requirements of the National Organic Program when applying for certification. Each production or handling operation or portion of an operation that produces or handles crops, livestock, livestock products, or other agricultural products that are intended to be sold as “organic” **must** be certified and **must** meet all other applicable requirements of the National Organic Program.

7.2.2.1 Content of Application Package

Client together with the below mentioned documents submits to ETKO appropriate GP 18 F01 to GP 18 F 07 forms, duly filling.

- (a) An organic production or handling system plan, as required in §205.200;
- (b) The name of the person completing the application; the applicant's business name, address, and telephone number; and, when the applicant is a corporation, the name, address, and telephone number of the person authorized to act on the applicant's behalf;
- (c) The name(s) of any organic certifying agent(s) to which application has previously been made; the year(s) of application; the outcome of the application(s) submission, including, when available, a copy of any notification of noncompliance or denial of certification issued to the applicant for certification; and a description of the actions taken by the applicant to correct the noncompliance noted in the notification of noncompliance, including evidence of such correction; and
- (d) Other information necessary to determine compliance with the Act and the regulations

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- Applicant must have documented policies and procedures for excluding agricultural products from organic sale, if tests results are more than 5% of the EPA tolerance.

(Not: Applicant and ETKO will allow the applicable State official, or the AMS Administrator to conduct investigations to determine the cause of prohibited substances.)

7.2.2.2 Farming operations:

- production records from the three prior years for both the producer and for the hectare producing the crop seeking certification;
- detailed soil improvement plan as providing minimum soil tillage without leaving the fields unattended,
- pest management strategies for the crops being produced;
- A production plan including all details used to calculate estimated yields and production.

7.2.2.3 Processing and Handling Facilities:

Regardless of whether they are continuations from a specific farming operation or they are independent production processing, storage or handling facilities are also required to undergo inspection and certification this package includes

- chain of custody documentation to verify inputs as being organically grown;
- details on the mechanics of the processing operation;
- Details on process management controls, including contamination prevention, pest management and sanitation's controls.

The application process is completed with the above mentioned information and documents supplied to the certification body.

Facilities dealing with processing activities described by NOP to be certified separately which cannot be certified as subcontractor under the umbrella organization. However there are operations involved with only storage and transport could be subcontracted and inspected under the certified operators. In this case organic system plan of the operator should include these operations activities. See more details TI 48 NOP Certification of Subcontracted Operations

7.3 Application Package Review

Application review is conducted by a competent person assigned by ETKO, who has the adequate technical knowledge and experience on general agriculture and organic agriculture.

Application review consists following:

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- A review to ensure that the application is complete as per ETKO procedures and other legal or statutory requirement.
- A determination of whether the applicant appears to comply or may be able to comply with the relevant applicable requirements of the production and handling standards;
- Verification that an applicant who previously applied to another certifying agent and received a notification of noncompliance or denial of certification has submitted documentation to support the correction of any noncompliance's identified in the notification of noncompliance or denial of certification; and
- The scheduling of an on-site inspection of the operation to determine whether the applicant qualifies for certification if the review of application materials reveals that the production or handling operation may be in compliance with the applicable requirements.

Result of application package review is recorded on the application package review form (GP 02 F 01) and is sent to the client to take the remedial actions, if any. Any noncompliance observed is informed to the applicant, recorded on NONC (GP 18 F10)

Within a reasonable time, ETKO

- (1) Reviews the application materials received and communicate its findings to the applicant;
- (2) Provides the applicant with a copy of the on-site inspection report, as approved by the certifying agent, for any on-site inspection performed; and
- (3) Provides the applicant with a copy of the test results for any samples taken by an inspector.

Notes:

1. The applicant may withdraw its application at any time.
2. An applicant who withdraws its application is liable for the costs of services provided up to the time of withdrawal of its application.
3. An applicant that voluntarily withdrew its application prior to the issuance of a Notice of Noncompliance (NONC) (GP 18 F10) will not be issued a notice of noncompliance. Similarly, an applicant that voluntarily withdrew its application prior to the issuance of a Notification of Denial of Certification will not be issued a Notification of Denial of Certification

The client who completed the application phase is included on the inspection plan, and at all proceeding activities ETKO certification requirements and procedures are implemented.

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7.3.1 Organization of APPLICANT for Inspection

Prior to the scheduled inspection, the applicant is expected to have organized all of the records, which documents that, the commodities and / or processes under review are certifiable as organic. The applicant's co-operation in completing all of the forms, providing thorough and proper documentation, and being prepared, will greatly contribute to the timely and cost effective completion of the entire certification process. Delays to this process could lead, as a matter of course, to an increased cost (which would be borne by the applicant) of the overall certification.

While laws at the national level require the maintenance of these records, good business practice demands them. The applicant is reminded that documentation must be clear, complete and concise. Otherwise, an inspector may be unable to complete the inspection, as instructed, if sufficient information to verify the requisite status is not clearly provided. Unannounced inspections may be organized during the production and processing period to the applicant's agricultural production and processing units.

7.3.2 Ongoing Audit Monitoring of Records:

The program's comprehensive record keeping requirements, which direct a certified entity to maintain production input, and commodity tracking records on a current and continuing basis, provide Audit monitoring compliance.

Production inputs consist of anything that is instructed to, added to, or done in the process of creating a product. Commodity tracking consists of the mechanism by which anything that moves from the certified entity's operation into the distribution chain is quantitatively followed.

All of this information shall be maintained in an "auditable" form so that, should a full audit be required, information will be sufficiently presentable so as not to jeopardize the existing certification status which could result from un-audit ability of the record.

Applicants shall maintain records concerning the production, harvesting, and handling of agricultural products that are or that are intended to be sold as "organic", or "made with organic (specified ingredients)."

The client shall keep records according to the following procedure:

- Clients' records are adapted to the particular business that the certified operation is conducting;
- Clients' records fully disclose all activities and transactions of the certified operation in sufficient detail as to be readily understood and audited;

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- Clients' records are maintained for not less than 5 years beyond their creation; and
- Clients' records are sufficient to demonstrate compliance with the regulations
- The client shall make its records available for inspection and copying during normal business hours by authorized representatives of the Secretary, State official, and ETKO.
- As well as applicants, ETKO maintains all records required by §205.510(b) and makes all such records available for inspection and copying during normal business hours by authorized representatives of the Secretary and the applicable State official;

During the independent third party inspection, a thorough review of this record keeping system is performed to verify that they are being maintained in accordance with the terms and conditions of the program.

To facilitate the compliance with this requirement, the program's monitoring structure has the designed flexibility to accommodate a variety of independent reporting formats. Upon approval by ETKO, the applicant's existing record keeping system may be utilized. In this manner, the applicant is able to produce the required information in a familiar format while eliminating additional, redundant and unfamiliar form-filling efforts.

These record keeping requirements are fundamental to the overall certification process. For this reason, failure to maintain this necessary documentation can result in temporary suspension, or outright cancellation of certification until compliance is re-established.

If, in the judgment of ETKO, a full audit is deemed necessary, such would be performed by an ETKO designated accounting firm under terms and conditions specified in the Certification Agreement. Every effort would be made to schedule the audit as quickly as possible, and at a time of mutual convenience, to minimize delays in proceeding with full certification.

7.3.3 Time of the Essence

Both the applicant and ETKO have obligations to each other to assure that the certification process advances quickly and efficiently. The applicant is obliged to have its records in sufficient order to allow the preparation of a clear and concise application package, which, in turn, will enable the inspector to complete the inspection in a timely manner. Conversely, upon receipt of a properly prepared application, ETKO has an obligation to schedule, and subsequently complete, the certification process as quickly as practical.

7.3.4. Functions

Functions of the on site inspection are performed by ETKO qualified inspectors. Because these functions constitute a major source of information used in the development of a certification profile, only those individuals with extensive experience and requisite background are entrusted to perform these functions.

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Typical profile of an ETKO Inspector is explained in GP 16 Requirements for inspector qualification and necessary trainings in SP 05 Recruitment and Training procedures:

Inspectors use the formats as outlined in ETKO quality system, for recording and reporting. Inspectors are further instructed to follow specific instructions, answer all appropriate questions and provide a final report.

7.4. Evaluation

7.4.1 Aim of the Evaluation

Upon acceptance of the application, an onsite inspection is scheduled. ETKO inspectors perform a thorough evaluation of the application, and of the applicant's capacity to produce and/or process those commodities seeking certification.

The primary purpose of this inspection is to verify the accuracy and authenticity of the submitted application material. In addition, the inspection provides a two-way exchange of information, which is valuable to both the inspector and the applicant.

The inspector and the client need to be prepared to discuss the applicant's operating practices as they have been described in the application questionnaires.

The applicant shall provide to the inspector all of the farming and/or processing facilities which are contributory to the product(s) being certified. The inspector reviews all pertinent documentation, collects specified samples, records notes and takes photographs where appropriate. Unannounced inspections should be accepted.

ETKO conducts an initial on-site inspection of each production unit, facility, and site that is included in an operation for which certification is requested.

ETKO conducts an on-site inspection annually for each certified operation to determine whether to approve the request for certification or whether the certification of the operation should continue.

7.4.2. On Site Inspection

Inspections are conducted for NOP program with this procedure. Before performing an actual on site inspection, the inspector reviews

1. Technical instructions;
2. Related OPs and GPs

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3. Additional specific instructions and requirements of ETKO;
4. Legal and statutory documents and standards.
5. The application file
6. NOP Regulation.

Initial on-site inspection is conducted within a reasonable time following a determination that the applicant appears to comply or may be able to comply with the production and handling requirements. Initial inspection may be delayed for up to 6 months in order to comply with the requirement that the inspection be conducted when the land, facilities, and activities that demonstrate compliance or capacity to comply can be observed.

All on-site inspections are conducted when an authorized representative of the operation who is knowledgeable about the operation is present and at a time when land, facilities, and activities that demonstrate the operation's compliance with or capability to comply with the production and handling requirements can be observed.

This requirement does not apply to unannounced on-site inspections.

Inspection starts with the opening meeting in which the management team of the client attends. The scope of the certification (products, processes, standards, legal requirements...) are reviewed, information about the inspection method, inspection plan and reporting is provided.

The inspection involves recording observations of the entire operation in writing and on film when applicable. During the inspection, the inspector verifies the effectiveness and compliance of the operations, effecting the certification, to the certification requirements utilizing the relevant forms and questions as per relevant documents of ETKO:

- The operation's compliance or capability to comply with the appropriate relevant regulations;
- That the information, including the organic production or handling system plan, accurately reflects the practices used or to be used by the applicant or by the certified operation; and
- That prohibited substances have not been and are not being applied to the operation through means on which ETKO has the right to collect samples of soil, water, waste, seeds, plant tissue, and plant, animal, and processed products and test them at ETKO's expense.
- The projects containing several small farm holders may have an internal control system operating internal check of the producers to prepare them for certification. ICS operation needs to be checked by the inspector according to OP 01 Inspection Procedure art. 22 and OP 02 Grower Groups Procedure.

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For on-site inspections of farming operations, the inspector is required to walk through the applicant's operation to evaluate the farming practices. The farm applicant is required to make available to the inspector all of the farming records and facilities, which are contributory to the commodity being certified. This would include the farm itself, adjacent areas, ancillary facilities and equipment such as storage areas, tractors and other farming implements.

For on-site inspections of processing facilities, the inspector is required to evaluate the process flow as described on the applicant's flow chart. This is accomplished by observing the equipment being used, major process control points, all ingredients added to the processed product, pest control management systems, and all ingredients used in the maintenance and/or cleaning of the process equipment; and disposal of waste and other production process by-products.

The inspector will conduct an exit interview with an authorized representative of the operation who is knowledgeable about the inspected operation to confirm the accuracy and completeness of inspection observations and information gathered during the on-site inspection. The inspector addresses the need for any additional information as well as any issues of concern.

Outdated documents are withdrawn from the service after 10 years. ETKO guarantees that all valid documents are at hand to all respective users during this period.

ETKO may conduct additional on-site inspections of applicants for certification and certified operations to determine compliance with the regulations...

The additional inspections may be announced or unannounced at the discretion of ETKO or as required by the AMS Administrator or State official.


7.4.3. Laboratory Testing

ETKO requires operators realize testing at a minimum is required annually. At the discretion of ETKO, additional testing may be performed by ETKO on a regular basis throughout the certification period. For the compliance of NOP regulation 205.670-672 ETKO procedures TI 05 Sampling Method and TI 40 NOP Guide Testing & Enforcement Actions are implemented.

Samples taken at the time of the initial inspection, or annual renewal, provide the initial basis for analytical enforcement. Unannounced sampling and testing may be also performed on both random surveillance bases as well as on a compliance basis.

Both routine and unannounced additional sampling and testing are at ETKO's expense when ETKO decide to make analyses.

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7.4.4. Production Inputs and Commodity Tracking System

Every certified entity, be it a grower, shipper, processor, handler or distributor, is required to collect and maintain records on all activities, materials and changes that take place within its operation. Information regarding all inputs and all physical production is required. In addition, information regarding the movement of finished product is required.

ETKO retains the option review all input and production records at any time.

The inspector must be sure that:

- the record keeping system is continuously maintained in an “auditable” format, and
- it is sufficiently comprehensive to provide all of the required information, and yet
- it is concise enough to provide unambiguous audit trail.

ETKO endeavors to utilize the applicant’s established record keeping systems. All such systems must receive ETKO approval, and must be reviewed by inspector before certification may be granted.

7.4.5. Audit Report

All the observations and findings during audit are recorded on inspection reports and other related records as appropriate as required by certification process. The observations and findings in relation to the deviation from the rules, regulations are to be recorded under “Evaluation Results”

The inspectors have no authority to define a noncompliance either in inspection report or in any other record, or inform the client with such an information stating indicating a noncompliance.

At the time of the inspection, the inspector shall provide the operation's authorized representative with a receipt for any samples taken by the inspector.


A copy of the Inspection Report and any test results are sent to the client .

Note: providing advice for corrective actions is strictly prohibited by accreditation rules.

7.4.6. Surveillance

ETKO performs periodical inspections (surveillance visits) on the client’s premises/processes in order to see and verify if the products and or processes in the certification scope,

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maintains conformance to the relevant standards, statutory and legal requirements. The period for surveillance is determined during the initial inspection, if possible and included in the contract.

The scope of surveillance visits is determined during the inspection by the inspectors.

During the overall process of certification and during maintenance of the certificate, the inspector ensures that the applicant is always reminded to keep and maintain relevant records of its activities properly, in an auditable manner.

The applicant may continue to use its existing record and record keeping system, if it is found to be satisfactory by ETKO. Otherwise it is requested to improve recording and filing system.

The applicant is required to keep and maintain production input, and commodity tracking records on a continuing basis to provide as an evidence of compliance of certification requirements.

Production inputs consist of anything that is instructed to, added to, or done in the process of creating a product. Commodity tracking consists of the mechanism by which anything that moves from the certified entity's operation into the distribution chain is quantitatively followed.


All of this information must be maintained in an "auditable" form so that, should a full audit be required, information will be sufficiently presentable so as not to jeopardize the existing certification status which could result from un-audit ability of the record.

Applicants maintain records concerning the production, harvesting, and handling of agricultural products that are or that are intended to be sold as "organic", or "made with organic (specified ingredients).

7.4.7. Records:

- fully disclose all activities and transactions of the certified operation in sufficient detail as to be readily understood and audited;
- are maintained for not less than 5 years beyond their creation;
- must be sufficient to demonstrate compliance with the regulations
- Regular reporting of specific information, as dictated by the nature of the certified operation, is required from certified clients on an individualized basis.
- When required; at the discretion of ETKO additional testing may be performed on a regular basis throughout the certification period.

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Samples collected in the initial inspection or during surveillance provide fundamental information for the decision on certification. During the certification period sampling and testes may be done without informing the client. During the inspection, a thorough review of this record keeping system is performed to verify that they are being maintained in accordance with the terms and conditions of the program.

The record keeping requirements are fundamental to the overall certification process. For this reason, failure to maintain this necessary documentation can result in temporary suspension, or outright cancellation of certification until compliance is re-established.

If, in the judgment of ETKO, a financial audit is deemed necessary, such would be performed by an ETKO designated accounting firm under terms and conditions specified in the Certification Agreement. Every effort would be made to schedule the audit as quickly as possible, and at a time of mutual convenience, to minimize delays in proceeding with full certification.

Customer complaints records and actions taken for complaints by the client are also subject to inspection to verify that the client takes proper and effective action.

7.4.8. Continuing Support

ETKO, in providing certification, is making a commitment to support the organic integrity of its clients on an on going basis. ETKO is responsible to provide NOP Regulation and the amendments in the original language of the rule.

The changes of the certification system especially in case of changes of the certification requirements will be forwarded to the licensees.


ETKO has the right to insight the necessary documents regarding the application of new requirements.

ETKO provides relevant regulations and standards and the amendments to its clients in their language.

The clients are informed on a timely manner, about the amendments in the certification system and the changes in the certification requirements formally in written form or by publishing in website. The amendments are valid on the date as informed to the client. The client is responsible to implement the changes in the requirements as soon as received. ETKO controls the effective implementation of the changes in requirements by the client.

The clients are responsible to inform ETKO about the planned changes in their processes, on time. ETKO shall not be responsible of the results due to the late notification of the client

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about the changes. The changes in the client's system have to be inspected and approved prior to the implementation. The inspection is done on site and on the related documents

The changes to be made by the client have to be not affecting the organic status of the current production. The planned changes are strictly required to be in accordance with relevant legal requirements and standards. Otherwise, ETKO may deny the change and its consequences, and may postpone or cancel the certification of the product (ion) effected by the change.

7.4.9. Ongoing Compliance

For NOP, the ongoing compliance is enforced by a series of different check systems applied in surveillances.

- **Production input records**

Required by the program, they shall be maintained on a current and continuous basis. These records must be available for inspection; and they also may be required as part of regular reporting requirements.

- **Commodity-tracking systems**

They are routinely monitored in the market place by random checking. This mechanism enables ETKO to audit the flow of certified product through the channels of distribution on a real time basis.

- **Audits of record keeping systems**

It is routinely performed during an inspection, also can be required at any time during the certification period. In addition, routine auditing of regularly reported information is performed.

- **Regular reporting of specific information**

As dictated by the nature of the certified operation, it is required from certified clients on an individualized basis.

7.4.10. Temporary variances

Clients are allowed to receive temporary variances from the requirements in production and handling standards as established by the regulations for the following reasons:

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- Natural disaster declared by the Secretary.
- Damage caused by drought, wind, flood, excessive moisture, hail, tornado, earthquake, fire, or other business interruption.
- Practices used for the purpose of conducting research or trials of techniques, varieties, or ingredients used in organic production or handling.

ETKO will notify USDA to recommend a temporary variance from a production or handling standard, provided that the variance is based on one or more of the reasons listed above.

ETKO will notify each applicant of the establishment of a temporary variance for each production and handling operation it certifies to which that temporary variance applies.

7.4.11. Acceptable and Prohibited Materials

The general criteria used by ETKO for determining the acceptability of a material is specified by the USDA National Organic Program's National List of Approved and Prohibited Substances.

Basic policy maintains that non-synthetically compounded materials, a group generally referred to as biological agricultural products, tend to be acceptable. Conversely, the use of synthetically compounded materials, genetically modified propagation materials, processing aids and plant protection materials, such as genetically modified parasites, predator and other organisms almost without exception, are prohibited.


In addition, those materials, which, while may not be synthetically compounded, but continue to be either highly toxic or environmentally hazardous, are similarly prohibited.

The agricultural products sold by certified clients as organic are produced and handled:

- In compliance with the National List;
- Without the use of excluded methods, except for vaccines, provided that the vaccines are approved;
- Without the use of ionizing radiation; and
- Without the use of sewage sludge.

Clients are required to verify the acceptability of inputs with ETKO prior to their use in order to avoid inadvertently jeopardizing an organic status through the use of a prohibited material.

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7.4.12. Transition Period

The setting of a fixed transitional time period may be considered arbitrary; however, benchmarks are necessary. To enter into the ETKO certification program, the minimum amount of time that an applicant's crop and cropping areas must be operated under conditions which have had no unacceptable materials applied is dictated by those regulations, which prevail over its certification.

The organic foods industry has been developing a consensus of three years as the recognized minimum acceptable period by the USDA National Legislation; NOP Regulation .

Measurement of the minimum period is determined as follows:

- Annual crops: period prior to seed planting or transplanting.
- Perennial crops: period prior to the appearance of flower buds.

7.4.13. Packaging and Post-Harvest Handling

No commodity can be considered legitimately organic unless it is organic from its field origin to the marketplace. For this reason, the importance of proper packaging and post harvest handling is equal to that of the actual field production.

7.4.14. Processing

No unacceptable materials may be used in the cleaning, packaging or storing of a certifiable product once it has been harvested. This condition applies equally regardless of whether the applicant handles all of the post harvest, or subcontracts it to another entity.

The responsible authority for these activities will be required to complete an application and affidavit regarding post-harvesting operations. Failure to properly complete this portion of the certification process could be cause for denial of certification. Special forms to complete this portion of the process are available from ETKO upon request.

7.4.15. Setting the Fee

The fee structure is generically designed to be applicable to a large number of different agricultural and processing operations. However, because these operations are so diverse, it is virtually impossible to structure a schedule, which anticipates every variation.

Therefore, prior to the acceptance of an application, ETKO will determine what, if any, additional changes will be required to the basic fee structure. These changes will be

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presented, in detail, to the applicant who will have the opportunity to approve the changes, modify the application, or withdraw it entirely.

The applicant's decision is then formalized in writing and incorporated as part of the Certification Agreement, which is included with the transmittal accepting the application.

7.4.16 Propagation Material Non-commercially Available

Operators or producers certified by ETKO must apply with the "Propagation Material Approval Form" to ETKO for approval of a non-commercially available organic propagation material before use in organic production.

Applicant should prove that there is no source available by documents. ETKO checks possible sources which can provide the propagation material through National List from the statistics of the origin country Ministry of Agriculture.

ETKO Certified operations and producers are obliged to follow the NOP Regulation 205.204 Seeds and Planting Stocks Practice Standard and ETKO procedures mentioned on 5.17 of this procedure.

7.4.17 Ingredients Non-commercially Available

ETKO Certified operations and producers are obliged to follow the NOP Regulation 205.105 "Allowed and prohibited substances, methods, and ingredients in organic production and handling",
 205.270 Organic Handling Requirements,
 205.301 Product Composition,
 205.606 Non-organically produced agricultural products allowed as ingredients in or on processed products labeled as organic or made with organic ingredients.


7.5. Granting Certification

7.5.1. Certification Decision

The Organic Certifier is responsible for all the decisions in relation to certification (granting, suspension, revoking...) The OC is independent of the application review and or certification process.

Granting the certificate depends on the appropriate planning or, planning and implementation of the corrective actions in a timely manner for the Notification of

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Noncompliance “GP 18 F 10” reported by the OC to client, based on the inspection reports and all other supporting documents and evidences.

Once certified, a production or handling operation's organic certification continues in effect until surrendered by the organic operation or suspended or revoked by ETKO or the State organic program's governing State official, or the Administrator.

ETKO Organic Certifier grants certification based on the determination that:

- The applicant is in compliance with its organic system plan and all procedures;
- The activities of the applicant’s operation are in compliance with the appropriate regulations; and
- The applicant is able to conduct operations in accordance with the plan

7.5.2. Certification Certificate

Within a reasonable time after completion of the initial on-site inspection, the Organic Certifier (OC) reviews the on-site inspection report, the results of any analyses for substances conducted, and any additional information requested from or supplied by the applicant. If the organic system plan and all procedures and activities of the applicant's operation are in compliance with the certification requirements and that the applicant is able to conduct operations in accordance with the plan, the OC grants certification. (GP 13 F 03 NOP certificate)

The certification may include requirements for the correction of minor non compliances within a specified time period as a condition of continued certification. (See art.5.24)

The certificate of organic operation specifies the:

- (1) Name and address of the certified operation; including a physical address if the mailing or legal address is not the physical location of the operation
- (2) Name, address, Website, and telephone number of ETKO
- (3) Effective date of certification; (when ETKO or initial certifying agent first certified the operation to the USDA organic regulations)
- (4) Issue date (when ETKO issued the organic certificate);
- (5) Anniversary date (when the certified operation must submit its annual update).
Organic certificates cannot include expiration dates;
- (6) Categories of organic operation, including crops, wild crops, livestock, and handling/processing)

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(7) Specific certified organic products covered by the organic certificate, allowing auditors and buyers to verify whether the operation is certified to produce or handle the product for sale (e.g., “hay” or “Uncle Perry’s Berry Organic Granola”);

(8) Labeling category for each product certified under the handling/processing certification category (not required for products in the crops, wild crops, or livestock certification categories). Labeling categories: 100% Organic, Organic, Made with Organic (specified ingredients or food groups), and Livestock Feed (Organic or 100% Organic);

(9) The statement, “Certified to the USDA organic regulations, 7 CFR Part 205.” This differentiates USDA organic products from those certified to other organic standards; and

(10) The statement, “Once certified, a production or handling operation’s organic certification continues in effect until surrendered, suspended or revoked.”

A list of all issued certificates shall be maintained, containing the following information:

- Certificate number
- Client/company name
- Address-country
- Applicable standards, regulations
- Scope of certification
- Accreditation status
- Certification date
- Validity date
- Status of certification (suspended, withdrawn...)

7.5.3. Denial of Certification

ETKO provides a Notification of Noncompliance (NONC) (GP 18 F10) to the applicant when ETKO has reason to believe that the applicant for certification is not able to comply or is not in compliance with the requirements

- during the application review, based on a review of the information submitted by the applicant (as specified in NOP rule §205.402) or
- during the initial inspection (as specified in NOP rule §205.404)

When correction of a noncompliance is not possible, a Notification of Noncompliance and a Notification of Denial of Certification may be combined in one notification. The Notification of Noncompliance (NONC) (GP 18 F 10) provides:

1. A description of each noncompliance;
2. The facts upon which the Notification of Noncompliance (NONC) GP 18 F 10 is based; and

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3. The date by which the applicant must rebut or correct each noncompliance and submit supporting documentation of each such correction when correction is possible.

Upon receipt of such notification of noncompliance, the applicant may:

1. Correct noncompliance and submit a description of the corrective actions taken with supporting documentation to ETKO; or
2. Correct noncompliance and submit a new application to another certifying agent. (NOTE: If such an applicant applies to ETKO for certification, the applicant must include a complete application, the notification of noncompliance received from the first certifying agent, and a description of the corrective actions taken with supporting documentation) or
3. Submit written information to ETKO to rebut the noncompliance described in the notification of noncompliance.

After issuance of a Notification of Noncompliance (GP 18 F 10), ETKO:

1. Evaluates the applicant's corrective actions taken and supporting documentation submitted or the written rebuttal, conduct an on-site inspection if necessary, and
 - When the corrective action or rebuttal is sufficient for the applicant to qualify for certification, issues the NOP Certificate (GP 13 F 03) to the applicant pursuant to §205.404; or
 - When the corrective action or rebuttal is not sufficient for the applicant to qualify for certification, issues the applicant a Notification of Denial of Certification (NODC) "GP 18 F 12A or GP 18 F 12B"
2. If applicant fails to respond to the Notification of Noncompliance (GP 18 F10), issues a Notification of Denial of Certification.(NODC) (GP 18 F 12 A in application review phase, GP 18 F 12 B in initial inspection phase)

Copies of NONC, NODC, NONCR are submitted to the Administrator, pursuant to §205.501(a)(15).

The Notification of Denial of Certification (NODC) (GP 18 F 12 A&B) states the reason(s) for denial and the applicant's right to:

- Reapply for certification
- Request mediation to Administrator or, if applicable, pursuant to a State organic program; or

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- File an appeal of the denial of certification pursuant to §205.681 or, if applicable, pursuant to a State organic program.

The applicant for certification who has received the NONC (GP 18 F 10) or the Notification of Denial of Certification NODC (GP 18 F 12 A or B) may apply for certification again at any time to any certifying agent, in accordance with §§205.401 and 205.405(e).

When such applicant submits an application to ETKO instead of the certifying agent who issued the notification of noncompliance or notice of denial of certification, the applicant for certification must include a copy of the Notification of Noncompliance “NONC” or Notice of Denial of Certification “NODC” and a description of the actions taken, with supporting documentation, to correct the noncompliance noted in the notification of noncompliance.

When ETKO receives a new application for certification, which includes a notification of noncompliance or a notice of denial of certification issued by another CB, the application is treated as a new application and a new application process is started pursuant to §205.402.

- **False statements or mis-presentations**

If ETKO has reason to believe that an applicant for certification has willfully made a false statement or otherwise purposefully misrepresented its operation or its compliance with the certification requirements, the certification may be denied certification without first issuing a Notification of Noncompliance (GP 18 F10)

7.5.4. Continuation of Certification.

Each year, before the date indicated by ETKO, the producer must notify ETKO of its schedule of production of crop products, giving a breakdown by parcel. This schedule can be shown on the organic compliance plan. Plan needs to be revised each year by the operator and review will be made by a competent staff of ETKO. The operators that do not annually submit the information required as follows will be issued Notification of Non compliance.

To continue certification, a certified operation must annually pay the certification fees and submit the following information, as applicable, to ETKO:

1. An updated organic production or handling system plan which includes:
 - a. A summary statement, supported by documentation, detailing any deviations from, changes to, modifications to, or other amendments made to the previous year's organic system plan during the previous year; and
 - b. Any additions or deletions to the previous year's organic system plan, intended to be undertaken in the coming year, related to production practices

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2. Any additions to or deletions from the information related to address, responsible person, name of the company, telephone number given to ETKO for certification.
3. An update on the correction of minor noncompliance previously identified by ETKO as requiring correction for continued certification; and
4. Other information as deemed necessary by ETKO to determine compliance with the Act and the regulations in this part.

Following the receipt of the a/m information, ETKO, within a reasonable time arranges and conducts an on-site inspection of the certified operation as per OP 01 (pursuant to §205.403) Note: When it is impossible to conduct the annual on-site inspection following receipt of the client's annual update of information, ETKO may allow continuation of certification and issue an updated certificate of organic operation on the basis of the information submitted and the most recent on-site inspection conducted during the previous 12 months: *Provided*, That, the annual on-site inspection is conducted within the first 6 months following the client's scheduled date of annual update.

If ETKO has reason to believe, based on the on-site inspection and a review of the information specified by client, that the client is not complying with the requirements of the Act and the regulations in this part, then ETKO Organic Certifier provides the Notification of Noncompliance (GP 18 F 10) to the operation in accordance.

In case ETKO determines that the client is complying with the Act and the regulations and that any of the information specified on the certificate of organic operation has changed, then, an updated certificate of organic operation is provided.

In case annual update is not provided before the annual inspection a written notification of noncompliance (GP 18 F 10) is provided to client by the OC.

7.5.6. Conditional Certification

When a product is qualified as being organic, but deficiencies in its producing operation remains, conditional certification may yet be granted. The applicant is notified of the non compliances determined by ETKO, which are necessary to be remedied within a specified timeframe. Upon the applicant's corrective action plans for the non compliances, certification can be conditionally granted – with a concurrent verification of actions taken for compliance.

- **Exempt handlers**

Operations that are exempt from certification and submission of an organic system plan are subject to the following requirements:

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- Any production or handling operation with gross agricultural income from organic sales that total less than \$5,000.00 annually.
- A handling operation that is a retail food establishment or portion of retail food establishment that handles but does not process organically produced agricultural products.
- A handling operation or portion of handling operation that handles agricultural products that contain less than 70 percent organic ingredients (by total weight of the finished product, excluding water and salt).
- A handling operation or portion of handling operation that only identifies organic ingredients on the information panel.

Exempt handlers who only handle products containing less than 70 percent organic ingredients or only list organic ingredients on the information panel must comply with the following:

- Provisions for the prevention of organic products commingled with non-organic and prevention of contact with prohibited substances;
- Labeling provisions; and
- Recordkeeping provisions in §205.101 (c)

Products from an exempt production operation cannot be used as ingredients identified as organic in processed products produced by a certified handling operation

The following operations are excluded from the NOP regulatory requirements

- A handling operation or portion of a handling operation and the operation or portion of the operation only sells organic agricultural products labeled as “organic” provided such products are packaged or otherwise enclosed in a container prior to being received or acquired by the operation; and remain in the same package or container and are not otherwise processed while in the control of the handling operation.
- A retail food establishment or portion of a retail food establishment that processes, on the premises of the retail food establishment, raw and ready-to-eat food from agricultural products that were previously labeled as “organic.”

Excluded handling operations shall comply with the requirements to prevent commingling and contact with prohibited substances and the requirements for labeling in §205.310

Exempt handling operations, as identified by §205.101(a) (3-4), shall maintain for 3 years records sufficient to:

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- Prove that ingredients identified as organic were organically grown, and
- Verify quantities produced from organic ingredients

Records shall be available to representatives of the Secretary and State officials.

7.5.7. Compliance and Handling of Noncompliance

ETKO will handle noncompliance's according to:

- NOP 4002 Instruction Enforcement of the USDA Organic Regulations Penalty Matrix and
- NOP Instruction 2612 Recommended Penalties for Violations of Specific Regulatory Requirements and NOP 2612-1 Penalty Matrix for violations of the USDA Organic Regulations

NOP 4002 provides instructions for taking enforcement action against certified operations that violate the U.S. Department of Agriculture (USDA) organic regulations.

NOP 2612-1 Penalty Matrix for violations of the USDA Organic Regulations, provides guidance about recommended penalties for violation classes and categories.

7.5.8. Review and Investigations

NOP Program Manager, on behalf of the Secretary, may inspect and review certified production and handling operations and accredited certifying agents for compliance with the Act or regulations.

The Program Manager may initiate suspension or revocation proceedings against a certified operation when the Program Manager has reason to believe that a certified operation has violated or is not in compliance with the Act or regulations or when a certifying agent or a State organic program's governing State official fails to take appropriate action to enforce the Act or regulations.

ETKO may investigate complaints of noncompliance with the Act or regulations concerning production and handling operations certified as organic. Program Manager is informed of all compliance proceedings and actions taken.

A State organic program's governing State official may investigate complaints of noncompliance with the Act or regulations, concerning organic production or handling operations operating in the State.

7.5.9. Noncompliance

ETKO provides the Notification of Noncompliance (NONC) (GP 18 F 10) to the applicant/certified operation in cases where and when:

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- ETKO has reason to believe that, based on the information specified in application package DURING APPLICATION PACKAGE REVIEW, the applicant for certification is not able to comply or is not in compliance with the requirements of NOP rule. and
- ETKO has reason to believe that, BASED ON THE ON-SITE INSPECTION and the results of any analyses for substances conducted, and any additional information requested from or supplied by the applicant, the organic system plan and all procedures and activities of the applicant's operation, a certified operation is not complying with the requirements of NOP.

All the observations made during initial inspection, surveillance and special inspections are recorded on the Inspection Report Section Evaluation Results

The inspectors have no authority to define a noncompliance either in inspection report or in any other record, or inform the client with such an information stating indicating a noncompliance.

The Organic Certifier provides the Notification of Noncompliance (GP 18 F 10) to the client, upon the evaluation of the application file or inspection reports and all other related documents and information obtained during inspection.


While grading non-conformances the following conditions shall be considered:

- One of the requirements of standard or regulation related to the process or product are not complied
- Production process plan not applied
- Product is under risk

Non-conformances are graded as major and minor.

- **Major non-conformances**
 - Factors affecting the organic integrity of the product or land.
 - Factors causing risk on the product.
 - Use of inputs which are not allowed by the regulations.
 - Non-Organic product sales as organic.
 - Requirements of regulation or standard not applied
 - Frequent minor non-conformances on the same requirement of regulation.
 - Customer complaints not handled, failure on taking remedial actions, or complaints and action records not available.
 - Misuse of the licenses and certificates
 - Production process plan not implemented.

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- o Annual updates not provided
- o Several minor interrelated noncompliance can lead to a major noncompliance.

- **Minor non-conformances**

- o Failure to fully satisfy a requirement of a standard or regulation.
- o Factors causing no risk on the condition of the product.

Notification of noncompliance (GP 18 F 10) clearly indicates

- A description of the noncompliance,
- The facts upon which the notification of noncompliance is based; and
- The date by which the applicant/certified operation must rebut or correct each noncompliance and submit supporting documentation of each such correction when correction is possible.

By a Notification of Noncompliance (GP 18 F 10), ETKO requires the certified operation to determine corrective action plan(s) related to the major and minor non-compliances defined in the Notification of Noncompliance.

- To be recommended for certification all major non-conformances must be closed and corrective action plans for minor non-conformances must be determined by the client
- Non-conformances graded as **Major** in Notification of Noncompliance: corrective actions must be taken in maximum 30 days. To close out the major non-conformances a follow up inspection may be decided by ETKO.
- Non-conformances graded as **Minor** in Notification of Noncompliance: action plans within 30 must be provided to ETKO by the client.

Corrective action plans and or any other evidence indicating the actions taken are submitted to ETKO to be reviewed by Organic Certifier.

7.5.9.1. Resolving the Non-Compliances

Upon receipt of Notification of Noncompliance, the client may:

1. Correct the non-compliances and submit a description of the corrective actions taken with supporting documentation to ETKO;
2. Submit written information to ETKO to rebut the noncompliance, described in the Notification of Noncompliance (GP 18 F 10)

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After sending a Notification of Noncompliance (GP 18 F 10), ETKO evaluates the client's corrective actions and supporting documentation submitted or the written rebuttal, conduct an on-site inspection if necessary.

7.5.9.1.1. Resolution of Noncompliance: When a client demonstrates that each noncompliance has been resolved, the OC sends to client a Notification of Noncompliance Resolution (GP 18 F 11)

7.5.9.1.2. Proposed suspension or revocation: When rebuttal is unsuccessful or correction of the noncompliance is not completed within 30 days, ETKO will send the certified operation a written notification of proposed suspension (GP 18 F 13) or revocation (GP 18 F 15) of certification of the entire operation or a portion of the operation, as applicable to the noncompliance.

After receipt of the Notification of Proposed Suspension or Revocation the certified operator may:

1. File an appeal to this Proposed Suspension or Revocation in 30 calendar days of the receipt of the notice. The appeal must be in writing and submitted to ETKO Managing Director and to the Administrator.
2. Request mediation within 30 days of this notice, in writing to ETKO. If the request for mediation is accepted and the mediation is unsuccessful, upon written notification, the certified operator then will have 30 calendar days, from receipt of notice, to appeal the Proposed Suspension or Revocation. If the request for mediation is rejected, a written notification is sent to the operator and in 30 days from the date of the notice, the operator may appeal the Proposed Suspension or Revocation.

When correction of a noncompliance is not possible, the Notification of Noncompliance and the Proposed Suspension or Revocation of certification may be combined in one notification. The Notification of Proposed Suspension or Revocation of certification states:

1. The reasons for the proposed suspension or revocation;
2. The proposed effective date of such suspension or revocation;
3. The impact of a suspension or revocation on future eligibility for certification; and
4. The right to request mediation pursuant to §205.663 or to file an appeal pursuant to §205.681.

7.5.9.1.3. Suspension or revocation:

(1) If the certified operation fails to correct the noncompliance, to resolve the issue through rebuttal or mediation, or to file an appeal of the proposed suspension or revocation of certification, ETKO will send the certified operation a written notification of suspension (GP 18 F 14) or revocation (GP 18 F 16)

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(2) ETKO will not send a notification of suspension or revocation to a certified operation that has requested mediation pursuant to §205.663 or filed an appeal pursuant to §205.681, while final resolution of either is pending.

In case of suspension, the certified operation is no longer certified and must go through the reinstatement process. Therefore certified operation is not able to sell, label, and represent the product as organic for the suspension period. Once suspended, reinstatement for certification may only be requested from the Administrator and will only be considered for certification if the Notification of Noncompliance (GP 18 F 10) is corrected and the operation has been inspected by ETKO to verify that the operation complies with the requirements.

7.5.10. Willful violations

- If there is reason to believe that a certified operation has willfully violated the Act or regulations, ETKO sends the certified operation a **Notification of Proposed Suspension or Revocation** GP 18 F 13 or GP 18 F 15 of certification of the entire operation or a portion of the operation, as applicable to the noncompliance.

7.5.11. Violations of Act.

In addition to suspension or revocation, any certified operation that:

1. knowingly sells or labels a product as organic, except in accordance with the Act, shall be subject to a civil penalty of not more than the amount specified in §3.91(b)(1) of this title” per violation.
2. makes a false statement under the Act to the Secretary, a State organic program's governing State official, or a certifying agent shall be subject to the provisions of section 1001 of title 18, United States Code.

7.5.12. Eligibility.


1-A certified operation whose certification has been suspended, may at any time, unless otherwise stated in the Notification of Suspension, submit a request to the Secretary for reinstatement of its certification. The request must be accompanied by evidence demonstrating correction of each noncompliance and corrective actions taken to comply with and remain in compliance with the Act and the regulations.

2-A certified operation or a person responsibly connected with an operation whose certification has been revoked will be ineligible to receive certification for a period of 5 years following the date of such revocation, *Except*, That, the Secretary may, when in the best interest of the certification program, reduce or eliminate the period of ineligibility.

7.5.13. Reinstatement of the Suspended Certificate

7.5.13.1 Requirements for Suspended organic producers or handlers

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In order to achieve reinstatement, organic producers and handlers who have had their organic certification suspended must:

1. Correct all noncompliances to the USDA organic regulations. This includes not only the reasons stated in the notice of suspension issued by ETKO, but any outstanding noncompliance's that have been subsequently identified ETKO.
2. Ensure that their organic systems plan (OSP) is complete, that the OSP is in compliance with the USDA organic regulations, and that the OSP is being implemented.
3. Contact ETKO and submit all documents required by ETKO for reinstatement. If the suspension has been issued by a CB other than ETKO, the producer or handler must inform ETKO of their suspended status and the reasons for the suspension.
4. Pay all fees required by ETKO
5. Successfully complete a full onsite inspection. The inspection should be conducted pursuant to § 403 (a)(1) and this procedure.
6. Prepare a letter (GP 18 F 17 Reinstatement Request Letter from Suspended Operation to USDA) addressed to the Secretary of Agriculture, care of the NOP, requesting reinstatement of certification. The operator sends the letter to:

USDA, AMS, National Organic Program
 1400 Independence Avenue, SW
 Room 2648, STOP 0268
 Washington, DC 20250
 Or, AIInBox@ams.usda.gov

Shipping services that require a telephone number may use (202) 720-3252. As an alternative, producers or handlers who have had their organic certification suspended may submit the letter addressed to the Secretary, care of the NOP, through ETKO. ETKO forwards the request to the NOP, along with the required reinstatement documents described in section 5.26.2

7. Retain all documents related to the request for reinstatement for future audit by the certifying agent and the NOP.

7.5.13.2 Requirements for ETKO

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It is ETKO's responsibility to officially inform the suspended producer or handler about the requirements stated in 5.26.1. ETKO communicates with the suspended producer or handler and send an official letter providing the operator with all the information required by the operator to apply to USDA for reinstatement.

Upon receipt of the operation's request for reinstatement or notification that such a request has been sent to NOP, ETKO:

1. Conducts a compliance review of the OSP to ensure that all provisions of the USDA organic regulations are met.
2. Notify the producer or handler who has had their organic certification suspended of any noncompliances according to procedures described in the USDA organic regulations, §205.662(a) and in this procedure by sending NONC letter.
3. Schedules a full onsite inspection to verify the operation's compliance with the USDA organic regulations, provided that the OSP is considered to be complete and in compliance with the USDA organic regulations. On site inspections is done within a three month period prior to the NOP receiving the reinstatement request. Deviations from this procedure must be justified and approved by the NOP.
4. Prepare a signed letter (GP 18 F 18 ETKO Reinstatement Request Letter for Suspended Operation to USDA) to the Secretary, care of the NOP, stating that the operation requesting reinstatement has met all requirements of the USDA organic regulations. The letter affirmatively states that:
 - a. ETKO has conducted an NOP compliance review of the client's OSP.
 - b. The review found that the client's OSP adequately addressed the noncompliance(s) which led to the suspension and is in compliance with the USDA organic regulations.
 - c. ETKO has conducted an onsite inspection of operation and found the operation to be in full compliance and capable of remaining in compliance with the USDA organic regulations, or, noncompliance were issued to the operation as a result of the onsite inspection findings and the operation has submitted corrective measures that are approved and determined by the certifying agent to demonstrate compliance with the USDA organic regulations.
5. Submits the letter (along with the operation's request for reinstatement, if appropriate), as well as the initial Notice of Noncompliance, Notice of Proposed Suspension, Notice of Suspension, and a copy of the inspection report that found the operation in full

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compliance. If the inspection report includes findings that may be noncompliant, then ETKO's request for reinstatement includes documented objective evidence to demonstrate the operation's full compliance with the USDA organic regulations.


6. Retains all documents related to the request for reinstatement for future audit by the NOP.

7.5.13.3. National Organic Program

Upon receipt of the required documentation, the NOP Accreditation and International Activities Division completes the following steps within 30 days of receipt of the request for reinstatement:

1. Review the request for reinstatement along with the supporting documentation. Contact the certifying agent if questions remain regarding the request.
2. Approve the request if:
 - All required documents have been submitted,
 - The documentation clearly demonstrates that the operation is in compliance with the USDA organic regulations and is capable of remaining in compliance, and;
 - The review of documents related to the operation does not indicate that the client has an ongoing history of noncompliance which would indicate an inability or unwillingness to remain in compliance.
3. If the request is approved, the NOP removes the operation from the public list of suspended operations. The NOP issues a letter to the operation, with a copy to ETKO , stating that:
 - a. The operation is eligible for reinstatement by the certifying agent referenced in the request, and
 - b. ETKO retains all documents related to the reinstatement for future audit by the NOP.
 - c.
4. If the request is denied, issues a letter to the operation, with a copy to ETKO, stating the reasons for denying reinstatement.
5. Review all documentation related to the reinstatement at ETKO's next onsite audit.

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7.5.14. Adverse Action Appeal Process

Appeals to be implemented according to the procedure “NOP 4011 Agricultural Marketing Service Office of the Administrator Adverse Action Appeal Process for the National Organic Program” which

- 1) explains the adverse action appeal process;
- 2) clarifies the roles and responsibilities of those involved in the adverse action appeal process; and
- 3) describes possible appeal outcomes

To proceed for an appeal:

7.5.14.1. Objections, Complaints and Legal Cases

Licensee is requested to prepare a file to handle the objections, complaints, and legal cases from its own clients.

This file includes:

- The nature of the received objections, complaints, and legal cases
- The identity of the involved persons/groups
- The causes of the problem
- The action taken
- verification and documentation of the effectiveness of the initiated measures


A specific file is maintained for handling of objections, complaints, and legal cases which at least includes followings:

- Records of the received objections, complaints, and legal cases
- Names of the involved persons/groups
- Records of the subsequently action chosen
- Verification and documentation of the effectiveness of the measures taken

An applicant may appeal ETKO’s Notification of Denial of Certification (NODC), and a certified operation may appeal ETKO’s Notification of Proposed Suspension (NOPS) or revocation of certification (NOPR), to the AMS Administrator.

Exception: When the applicant or ETKO is subject to an approved State organic program, the appeal must be made to the State organic program which will carry out the appeal pursuant to the State organic program’s appeal procedures approved by the Secretary.

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If the Administrator or State organic program sustains a certification applicant's or certified operation's appeal of ETKO's decision, the applicant will be issued organic certification, or a certified operation will continue its certification, as applicable to the operation. The act of sustaining the appeal shall not be an adverse action subject to appeal by ETKO.

If the AMS Administrator or State organic program denies an appeal, a formal administrative proceeding will be initiated to deny, suspend, or revoke the certification. Such proceeding shall be conducted pursuant to the U.S. Department of Agriculture's Uniform Rules of Practice or the State organic program's rules of procedure.

7.5.14.2. Filing

An appeal of a noncompliance decision is filed within the time period provided in the letter of notification or within 30 days from receipt of the notification, whichever occurs later. The appeal will be considered "filed" on the date received by the AMS Administrator or by the State organic program. A decision to deny, suspends, or revoke certification or accreditation will become final and no appealable unless the decision is appealed in a timely manner.

Appeals to the AMS Administrator is filed in writing and addressed to Administrator, USDA-AMS, Room 2095-S, and 1400 Independence Ave, SW, Washington, DC 20250.

Appeals to the State organic program are filed in writing to the address and person identified in the letter of notification.

All appeals shall include a copy of the adverse decision and a statement of the appellant's reasons for believing that the decision was not proper or made in accordance with applicable program regulations, policies, or procedures.

7.5.15. Mediation.


Any dispute with respect to denial of certification or proposed suspension or revocation of certification may be mediated at the request of the applicant for certification or client.

Mediation shall be requested in writing to ETKO.

If ETKO rejects the request for mediation, a written notification is provided to the applicant for certification or client. The written notification shall advise the applicant for certification or client of the right to request an appeal within 30 days of the date of the written notification of rejection of the request for mediation.

If mediation is accepted by ETKO, a qualified mediator mutually agreed upon by the parties to the mediation shall conduct such mediation. The parties to the mediation shall have no more than 30 days to reach an agreement following a mediation session. If mediation is

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unsuccessful, the applicant for certification or client shall have 30 days from termination of mediation to appeal the ETKO's decision.

Any agreement reached during or as a result of the mediation process shall be in compliance with the Act and NOP regulations. The Secretary may review any mediated agreement for conformity to the Act and NOP regulations and may reject any agreement or provision not in conformance with the Act or NOP regulations.

7.5.16. Use Of Logo, Licenses, Mark Of Conformity

See procedure GP 11 Use Of Logo, Licenses, Mark Of Conformity

7.5.17. Criteria for Certification File Review

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-SUPPORT PROCEDURE FOR ORGANIC
CERTIFICATION-

DOC.NR	GP 18
DATE	07.07.2016
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DEFECTS	DEFECT CODE	DECISION
GROUP A- CERTIFICATION RECOMMENDATION		
Company/Client name is clearly recorded	A2	NO GO
The licensee number is recorded	A3	NO GO
The address of client/site is recorded	A4	NO GO
Type of certification is specified	A5	NO GO
The related standards and regulations are clearly specified	A6	NO GO
The scope is clearly recorded	A7	NO GO
GROUP B		
The info provided about identity and regulations are correct	B2	NO GO
Inspection dates	B3	PREPARE
Inspection type is specified	B4	NG
Scope is specified clearly	B5	NG
Inspected sites are specified	B6	NG
Findings and observations	B8	NG
GROUP BB		
The info related to the client matches	BB1	NG
Approval of HI	BB2	NG
Signature of the inspector.	BB3	NG
Stamp applied	BB4	NG
GROUP C – INSP. REPORT		
Ensure information duly recorded	C1	NG
Ensure info for change of scope is provided for agricultural units, processes, product as appropriate	C2	NG
Info about field and yield	C3	NG
Info about marketing results	C4	P
Sampling info	C5	P
Ensure inspection findings are summarized with inspection report	C6	NG
Ensure applicable forms are checked and used	C8	NG

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QUALITY MANAGEMENT RESPONSIBLE	MANAGING DIRECTOR

From: [Davis, Graham - AMS](#)
To: ma@etko.com.tr
Cc: [AMS - AIAinbox](#); [Reid, John - AMS](#)
Subject: Notice of Noncompliance - On site Assessment ETKO (Sent Registered)
Date: Wednesday, November 23, 2016 12:56:47 PM
Attachments: [NP6279LCA NC Report ETKO 111516.pdf](#)
[NP6279LCA NoNC ETKO 111516.pdf](#)
[image001.jpg](#)
[image002.jpg](#)

Good Afternoon Dr. Akyuz,

Please see the attached NOP Notice of Noncompliance from the findings of the Ecological Farming Control Organization (ETKO) onsite witness audit. Corrective actions are due within 30 days from the date of this notice.

A copy of the assessment report, , is attached for your reference.

If you have any questions regarding this notice please contact, Rebecca Claypool, Accreditation Manager, at Rebecca.E.Claypool@ams.usda.gov or (202) 350-5706.

Regards,

Graham

Graham Davis
Accreditation Manager
USDA | NATIONAL ORGANIC PROGRAM
1400 Independence Ave SW | 2649-S | Washington DC 20250
Desk: 202-692-0047 | Cell (b) (6)
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NATIONAL ORGANIC PROGRAM: NONCOMPLIANCE REPORT

AUDIT AND REVIEW PROCESS

The National Organic Program (NOP) conducted witness audits of Ecological Farming Control Organization's (ETKO) certified operations. Onsite witness audits were conducted, and the audit reports reviewed to determine ETKO's capability to continue operating as a USDA accredited certifier.

GENERAL INFORMATION

Applicant Name	Ecological Farming Control Organization (ETKO)
Physical Address	160 Sokak 13/3, Bornova – Izmir, 35100, Turkey
Mailing Address	160 Sokak 13/3, Bornova – Izmir, 35100, Turkey
Contact & Title	Dr. Mustafa Akyuz
E-mail Address	ma@etko.com.tr
Phone Number	90 542 640 5944
Reviewer & Auditor	Rebecca Claypool, NOP Reviewer; Lars Crail, On-site Auditor(s).
Program	USDA National Organic Program (NOP)
Review & Audit Dates	NOP assessment review: November 15, 2016 Onsite audit: October 6-7, 2016
Audit Identifier	NP6279LCA
Action Required	Yes
Audit & Review Type	Witness Audits
Audit Objective	To evaluate the conformance to the audit criteria; and to verify the implementation and effectiveness of ETKO's certification
Audit & Determination Criteria	<i>7 CFR Part 205, National Organic Program as amended</i>
Audit & Review Scope	ETKO's certification services in carrying out the audit criteria.

ORGANIZATIONAL STRUCTURE:

The Ecological Farming Controlling Organization is abbreviated as ETKO from their Turkish name (Ekolojik Tarım Kontrol Organizasyonu). ETKO is a for-profit, limited liability company with two shareholders. The main office for USDA organic certification is located in Bornova – Izmir, Turkey. All certification activities for the NOP are conducted at the Izmir office; there are no satellite offices that conduct USDA organic key activities. ETKO was initially accredited as a certifying agent on January 22, 2003 for crops, wild crops, and handling. ETKO currently certifies operations to the USDA organic regulations in the following countries: Turkey, Russia, Serbia, Korea, Kazakhstan, and the Ukraine.

SUMMARY OF WITNESS AND REVIEW AUDITS CONDUCTED:

The NOP auditor conducted a one-day witness audit of an annual announced inspection of an ETKO handler/trader/exporter located in Kiev, Ukraine. The operation trades organic products and does not physically handle the products. The products traded (or intended for trade) are: corn, flax, mustard, peas, rapeseeds, soybean, sunflower (seeds), sunflower (oil), and sunflower (cake/expeller). The oil products are processed at a separate certified facility. The trading operation was first certified in December 1, 2014. The inspection was conducted in English with the company's consultant present. There was one sale and shipment of sunflower oil during 2016.

The NOP auditor conducted a half-day witness audit of an annual announced inspection of an ETKO handler/trader/exporter with an office in Kiev, Ukraine. Again this trader does not physically handle organic products. There are 18 grain products traded (or intended to be traded) as raw, processed, and as livestock feed. This trading operation was first certified on November 7, 2014. The inspection was conducted in English with the operation's owner.

NOP DETERMINATION

Noncompliances Identified during the Current Assessment

NP6279LCA.NC1 – 7 C.F.R. §205.501(a)(21) states, “Comply with, implement, and carry out any other terms and conditions determined by the Administrator to be necessary.” NOP 2603, Organic Certificates, Section 3.1, indicates the elements of an organic certificate.

Comments: *The following organic certificate elements are incorrect or missing on the certificates issued to operations:*

- 1. The certificate does not list an anniversary date.*
- 2. There are two labeling categories (100% Organic, Organic, Made With Organic....) stated on the certificate when only one category should be listed.*
- 3. The certificate states “Certification renewal must be done annually before the anniversary date;” however, there is no anniversary date on the certificate and “certification renewal” is not defined in the USDA organic regulations nor the NOP Handbook.*
- 4. The certificate states, “NOP regulation Final Rule 7 CFR Part 205,” rather than “Certified to the USDA organic regulations, 7 CFR Part 205.”*



1400 Independence Avenue, SW.
Room 2648-S, STOP 0268
Washington, DC 20250-0268

NOV 23 2016

NOTICE OF NONCOMPLIANCE

Mustafa Akyuz
Ecological Farming Control Organization
160 Sk. No. 13/7
Bornova – Izmir, 35100
Turkey

Dear Dr. Akyuz:

On October 6, 2016, a representative of the United States Department of Agriculture (USDA), Agricultural Marketing Service (AMS), National Organic Program (NOP), completed an onsite witness audit of the Ecological Farming Control Organization (ETKO) organic certification program as part of its USDA Witness Audit Accreditation Assessment. On November 15, 2016, the NOP reviewed the results of the onsite audit to determine ETKO's compliance to the USDA organic regulations. A copy of the assessment report, NP6279LCA, is enclosed for your reference.

As the report indicates, one new noncompliance (NP6279LCA.NC1) was identified during the onsite audit. Please submit corrective actions for the noncompliance to the AIAInbox@ams.usda.gov within 30 days from the date of this Notice. All corrective actions must indicate how the noncompliance will be corrected and how the ETKO management system will be modified to prevent a recurrence of the noncompliance. If you wish to rebut the noncompliance, please submit objective evidence that supports your argument to the AIAInbox@ams.usda.gov within 30 days from the date of this Notice.

Please refer to [NOP 2608 Responding to Noncompliances](#) for further instructions on how to respond to noncompliances. Failure to promptly resolve the noncompliance may result in proposed suspension or revocation of ETKO's USDA accreditation.

If you have questions regarding this notice, please contact, Rebecca Claypool, Accreditation Manager, at Rebecca.E.Claypool@ams.usda.gov or (202) 350-5706.

Sincerely,

A handwritten signature in blue ink that reads "Cheri Courtney".

Cheri Courtney
Director, Accreditation and International Activities Division
National Organic Program

Enclosure: Noncompliance Report

cc: AIA Inbox

From: ma@etko.com.tr
To: [Davis, Graham - AMS](#)
Cc: "[Ceren BAYAZIT](#)"; "[FATIH BEY](#)"
Subject: RE: Corrective actions
Date: Friday, December 30, 2016 4:06:30 PM
Attachments: [image002.jpg](#)
[GP 18 F 21 NOP Certificate.Rev01.20161230.pdf](#)

Dear Graham

Thank you for information, we updated the Certificate accordingly.

By this chance ETKO team wishes you a Happy New Year.

Best regards

Mustafa

ETKO Turkey

T+90-232-3397606

F+90-232-3397607

www.etko.com.tr

From: Davis, Graham - AMS [mailto:Graham.Davis@ams.usda.gov]
Sent: Friday, December 30, 2016 7:50 PM
To: ma@etko.com.tr
Cc: Mann, Renee - AMS; Courtney, Cheri - AMS
Subject: Corrective actions

Dear Dr. Akyuz,

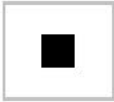
Thank you for submitting the corrective actions for the witness audit that occurred on October 6, 2016. ETKO is correct that the certificate should be renewed annually. The statement, "The certificate should be updated at least annually", however, should be removed from ETKO's certificate template. A situation may occur where a client's renewal is delayed past the 12 months so this statement may cause unnecessary confusion. Please remove the statement from your certificate template and provide the NOP with an updated version.

Thank you.

Graham

Graham Davis
Accreditation Manager
USDA | NATIONAL ORGANIC PROGRAM
1400 Independence Ave SW | 2649-S | Washington DC 20250

Desk: 202-692-0047 | Cell: (b) (6)



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ETKO
Ecological Farming Control Organization

160 Sok 13/3 35100 Bornova - IZMIR – TURKEY
T:+902323397606, F:+902323397607
E-mail: : info@etko.com.tr , www.etko.com.tr

certifies that

XXXX

T+XX-XX-XXX-XXXX / F+XX-XX-XXX-XXXX/ xyz@xxxmail.xxx
XX

XX

is certified to the USDA organic regulations, 7 CFR Part 205, for the category of:

CROPS/WILD CROPS/HANDLING

Rise - 100% Organic

Once certified, a production or handling operation's organic certification continues in effect until surrendered, suspended or revoked. Status of this certification and specific certified organic products covered may be verified at <http://apps.ams.usda.gov/Integrity/CP/OPP.aspx?cid=27&nopid=9963083101&ret=%252fIntegrity%252fDefault.aspx&retName=Home>

Certifiers ID: 996
Certificate Nrs: No: XX-XXXX-XX.201X.NOP
NOP Operation ID: XXXXXXXXXX
Effective date of certification: Month XX, 2XXX
Anniversary date: Month XX, 2XXX
Issue Date: Month XX, 2XXX

On Behalf of ETKO :
XXXXXXXXXXXX

ORGANIC CERTIFICATE



From: [Mann, Renee - AMS](#)
To: [Davis, Graham - AMS](#)
Cc: [Courtney, Cheri - AMS](#)
Subject: RE: ETKO corrective actions documents for your review
Date: Thursday, December 22, 2016 3:06:53 PM
Attachments: [image001.jpg](#)

Also, I forgot to add that this is the current certificate. It is nearly impossible to access without this link:

<https://www.cloudvault.usda.gov/index.php/s/soCcXCvf6Xdt5Uf>

Renee Mann

Assistant Director, Accreditation and International Activities Division
USDA National Organic Program

From: Davis, Graham - AMS
Sent: Thursday, December 22, 2016 10:34 AM
To: Mann, Renee - AMS <Renee.Mann@ams.usda.gov>
Cc: Courtney, Cheri - AMS <Cheri.Courtney@ams.usda.gov>
Subject: ETKO corrective actions documents for your review

Renee/Cheri:

Please review the following documents regarding ETKO's corrective actions:

For your approval:

Letter – [P:\AIA\ACA-Active\ETKO-Turkey\2016 WA Ukraine\CA\NP6279LCA ETKO NoNC Res 122216.docx](#)

Report – [P:\AIA\ACA-Active\ETKO-Turkey\2016 WA Ukraine\CA\NP6279LCA CA Report ETKO 122116.docx](#)

Reference:

Chronology Log - [P:\AIA\ACA-Active\ETKO-Turkey\2016 WA Ukraine\CA\Chrono Log ETKO.docx](#)

File folder (where the letter/report for approval can be found) - [P:\AIA\ACA-Active\ETKO-Turkey\2016 WA Ukraine\CA](#)

Thanks,

Graham

Graham Davis

Accreditation Manager

USDA | NATIONAL ORGANIC PROGRAM

1400 Independence Ave SW | 2649-S | Washington DC 20250

Desk: 202-692-0047 | Cell: (b) (6)



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From: ma@etko.com.tr
To: [Davis Graham - AMS](#)
Cc: [AMS - AIAinbox](#); [Reid John - AMS](#); [Claypool Rebecca E - AMS](#)
Subject: RE: Registered: Notice of Noncompliance - On site Assessment ETKO
Date: Wednesday, December 07, 2016 7:27:48 AM
Attachments: [-WRD000.jpg](#)
[image003.jpg](#)
[GP 18 F 21 NOP Certificate 20161118.pdf](#)
[GP 18 NOP Certification Procedure.Rev04.pdf](#)
[20161207 Corrective Action Letter NP6279LCA.pdf](#)

Mr. Davis

Please find attached ETKO Corrective Actions.

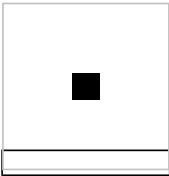
Sincerely

Mustafa Akyuz

Man: Dir.

ETKO Turkey
T:+90-232-3397606
F:+90-232-3397607
Web: www.etko.com.tr

From: Graham.Davis@ams.usda.gov [mailto:Graham.Davis@ams.usda.gov]
Sent: Wednesday, November 23, 2016 8:57 PM
To: ma@etko.com.tr
Cc: AIAinbox@ams.usda.gov; John.Reid@ams.usda.gov
Subject: Registered: Notice of Noncompliance - On site Assessment ETKO



This is a Registered Email[®] message from **Davis Graham - AMS**.

Good Afternoon Dr. Akyuz,

Please see the attached NOP Notice of Noncompliance from the findings of the Ecological Farming Control Organization (ETKO) onsite witness audit. Corrective actions are due within 30 days from the date of this notice.

A copy of the assessment report, , is attached for your reference.

If you have any questions regarding this notice please contact, Rebecca Claypool, Accreditation Manager, at Rebecca.E.Claypool@ams.usda.gov or (202) 350-5706.

Regards,

Graham

Graham Davis
Accreditation Manager
USDA | NATIONAL ORGANIC PROGRAM

1400 Independence Ave SW | 2649-S | Washington DC 20250

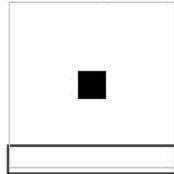
Desk: 202-692-0047 | Cell: (b) (6)



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Ref No: 2016070401
Subject: NONC NP6279LCA.NC1

Date: December 07, 2016

Mr. Davis, Ms. Claypool

To avoid reoccurrence of violation of the certification requirements of NOP we updated NOP procedure and the certificate template.

Corrective actions explained as follows;

1-Corrected NOP organic certificate template:

Nr	Issues	Correction	Evidence
1	The certificate does not list an anniversary date	Organic Certificate updated	Organic certificate
2	There are two labelling categories (100% Organic, Organic, Made with Organic...) stated on the certificate when only one category should be listed	According to the labelling category only one category mentioned for each product.	Organic certificate
3	The certificate states "Certification renewal must be done annually before the anniversary date;" however, there is no anniversary date on the certificate and "certification renewal" is not defined in the USDA organic regulations nor the NOP Handbook.	To avoid confusion the statement cancelled and only "Anniversary Date" included	Organic certificate
4	The certificate states, "NOP Regulation Final Rule 7 CFR Part 205," rather than "Certified to the USDA organic regulations, 7 CFR Part 205."	Old statement replaced with the new statement than "Certified to the USDA organic regulations, 7 CFR Part 205."	Organic certificate

2-GP 18 NOP Certification Procedure Point 7.5.2, indicated green

Sincerely,
Dr. Mustafa AKYÜZ
Gn Md.

ETKO
Ekolojik Tarım Kontrol Organizasyonu
160 Sk.No:13/7 35040 Bornova
Tel:0232-339 76 06 Fax:339 76 07

(b) (6)

Tel: 0232-3397606

Fax: 0232-3397607

Email: info@etko.com.tr

<http://www.etko.com.tr>

Tax office: Bornova
Tax No: 381 023 6931

Chamber of commerce
No: 92592.1

Bank
Türkiye İşbankası
Bornova Şubesi

Account
Euro: 3403 0535 690
T.lira: 3403 1122 346

ETKO
Ecological Farming Control Organization

160 Sok 13/3 35100 Bornova - IZMIR – TURKEY
T:+902323397606, F:+902323397607
E-mail: : info@etko.com.tr , www.etko.com.tr

certifies that

XXXX

T+XX-XX-XXX-XXXX / F+XX-XX-XXX-XXXX/ xyz@xxxmail.xxx
XX

XX

is certified to the USDA organic regulations, 7 CFR Part 205, for the category of:

CROPS/WILD CROPS/HANDLING

Rise - 100% Organic

The certificate should be updated at least annually. Once certified, a production or handling operation's organic certification continues effect until surrendered, suspended or revoked. Status of this certification and specific certified organic products covered may be verified at <http://apps.ams.usda.gov/Integrity/CP/OPP.aspx?cid=27&nopid=9963083101&ret=%252fIntegrity%252fDefault.aspx&retName=Home>

Certifiers ID: 996
Certificate Nrs: No: XX-XXXX-XX.201X.NOP
NOP Operation ID: XXXXXXXXXX
Effective date of certification: Month XX, 2XXX
Anniversary date: Month XX, 2XXX
Issue Date: Month XX, 2XXX

On Behalf of ETKO :
XXXXXXXXXXXX

ORGANIC CERTIFICATE





ETKO Ekolojik Tarım Kontrol Organizasyonu Ltd Şti.

ISO 17065
INSPECTION & CERTIFICATION PROCEDURE FOR ORGANIC
PRODUCTS

Prepared by
ETKO Ekolojik Tarım Kontrol Organizasyonu Ltd Şti
160 Sokak No 13/3 Bornova
35100 İzmir
0232-3397606
www.etko.org

PREPARED	APPROVED
QUALITY MANAGEMENT RESPONSIBLE	MANAGING DIRECTOR

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1. Introduction

ETKO Ekolojik Tarım Kontrol Organizasyonu Ltd Sti prepared the certification procedure as a part of the Quality Management System in order to overcome the expectations and needs of the clients. The purpose of this procedure is to determine the methods for the certification scopes requested by the applicants for their products, starting from the first contact up to the certification decision taken.

After clients application is received an offer is made, after acceptance of the offer a contract is signed, following contracting phase evaluation is realized before certification decision is taken. In order to keep compliance with the certification rules subsequent surveillance Inspection are realized.

This procedure is updated in case of changes in the regulations of certification to keep compliance. The procedure could be updated incase program changes realized within the ETKO management system.

ETKO quality management system complying International Standard "EN ISO 17065" was prepared in order verifying compliance for the products applicants willing to apply for a specific standard or regulation. This procedure applies within the framework of the certification standard(s) applied for. EN ISO 17065 describes the requirements for the certification bodies for conformity assessment of the products.

ETKO prepares guides to inform applicants willing to apply for their products evaluation complying a certain standard within the accreditation scope.

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2. Approval and Quality Management:

ETKO top management undertakes full responsibility of the quality management system, therefor appoints a QMR Quality System Responsible who irrespective of other responsibilities, have responsibility and authority to ensure that processes and procedures needed for the management system are established, implemented and maintained.

ETKO Managing Director and Quality Management Responsible declares that the content of the Quality Manual is reviewed and it complies with the requirements of legal regulations.

3. Distribution List

Controlled copies of this QM are distributed to

1. Managing Director MD
2. Certifier
3. Quality Manager QM
4. Quality Manager Assistant QMA
5. Accreditation body AB

The original of Quality Manuel is kept by QM.

The QM and QMA keep their QM copies in a safe place, enabling the access of inspectors or any other personnel, in need.


4. Purpose

This procedure defines the administrative aspects of application, evaluation and certification process for NOP National Organic Program.

5. Responsibilities

Managing Director, Quality manager, Certifier and Inspectors are responsible for the proper implementation of this procedure

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6. Records and Reference Procedure:

Records related to Certification Procedure is listed in Document Master List "SP 01 F 03" section "FORMS"

Procedures implemented for application, evaluation, review, certification, surveillance and sanctions are listed in Document Master List "SP 01 F 03" section "PROCEDURES"

- GP 18 F 01 Organic Compliance Plan – process
- GP 18 F 02 Organic Compliance Plan – agricultural
- GP 18 F 05 Organic Compliance Plan - wild collection
- GP 18 F 06 Organic Compliance Plan – Feed Stuff Process
- GP 18 F 10 Notification of Noncompliance form (NONC)
- GP 18 F 11 Notification of Noncompliance Resolution (NONCR)
- GP 18 F 12A Notification of Denial of Certification Application Review (NODC)
- GP 18 F 12B Notification of Denial of Certification before Certification (NODC)
- GP 18 F 13 Notification of Proposed Suspension (NOPS)
- GP 18 F 14 Notification of Suspension (NOS)
- GP 18 F 15 Notification of Proposed Revocation (NOPR)
- GP 18 F 16 Notification of Revocation (NOR)
- GP 18 F 17 Reinstatement Request Letter From Suspended Operation to USDA
- GP 18 F 18 ETKO Reinstatement Request Letter for Suspended Operation to USDA
- GP 18 F 20 Surrender NOP Certification Letter

- GP 07 Fees procedure
- GP 11 Use of Logo and License,
- OP 03 Testing
- OP 10 OCP processing guidance
- OP 11 OCP agriculture guidance
- TI 05 Sampling Method
- TI 40 NOP Guide Testing & Enforcement Actions


7. Certification Requirements

7.1. General

ETKO operates under USDA Accreditation for NOP Regulation. The requirements against which the products of a client are evaluated according to NOP regulation.

The explanations required as to the application of these documents for NOP certification, are formulated by ETKO technical persons, possessing the necessary technical competence, and they are available to ETKO website www.etko.org.

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Applicants can download ETKO documents from the ETKO website www.etko.org and the NOP regulations from USDA website section National Organic Program: www.ams.usda.gov.

The designed objective of this certification process is to assure compliance to NOP requirements by developing a thorough understanding of the applicant and its operation. ETKO requires its clients to:

- Comply with all applicable NOP standards and requirements
- Establish, implement, and update annually an organic production or handling system plan;
- Permit on-site inspections with complete access to the production or handling operation, including no certified production and handling areas, structures, and offices;
- Maintain all records applicable to the organic operation for not less than 5 years beyond their creation and allow authorized representatives of the Secretary, the applicable State official, and the certifying agent access to such records during normal business hours for review and copying to determine compliance with the regulations;
- Submit the applicable fees charged by the certifying agent; and
- Immediately notify the certifying agent concerning any:
 - application, including drift, of a prohibited substance to any field, production unit, site, facility, livestock, or product that is part of an operation; and
 - change in a certified operation or any portion of a certified operation that may affect its compliance with the regulations.
- All applicants, upon request for certification, will receive an application packet, which includes fee structures, a copy of the NOP Final Rules, required documentation and other information deemed pertinent to certification.


Applicant is required to provide all the documents, plan, records and information to ETKO to complete the application processes.

NOP regulation shall be used as standard in the inspection, in the application of accept/reject criteria, record keeping requirement. The inspector shall carry his/her own controlled copy of NOP regulation.

ETKO is responsible to provide NOP Regulation to its clients. In case, demanded NOP Regulation may be downloaded from the website. www.etko.org

Once the operator is certified the certificate stays valid unless it is cancelled, withdrawal or suspended by ETKO or AMS or surrendered by the operator.

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7.2. Application

Application process begins with the applicant providing all the information requested by the inspection information form (GP 01 F01) which must be initially completed by all those seeking certification. While this process is designed to be sufficiently thorough to secure the documentation necessary to verify the applicant's organic status, it is also designed to be relatively straightforward.

The primary purposes of the initial application are (1) to establish the applicant's eligibility, (2) define specific certification procedures, (3) estimate certification fees and (4) provide a reference for the independent ETKO inspector.

All applicants are required to complete the initial application process. Applicants are required to provide sufficient additional information to substantiate the baseline history of their organic status; including previous certification information where available.

The legal and statutory documents, related standards together with the certification procedures are sent to applicant by ETKO following the initial application of the client.

Applicants are encouraged to ask pertinent questions, which will enhance the ease, speed and accuracy of their application process

Upon receipt of the inspection information form (GP 01 F01), ETKO's staff performs a thorough review. The submitted information is initially screened to determine whether it meets the basic requirements for certification. Involved in this process is a comparison of the application information with applicable organic standards.

Under normal circumstances, the applicant will receive notification of its application status within 10 working days.

However, additional information, or correction of minor deficiencies may be required at this time. In such a circumstance, the application process is detained until sufficient information and documents are provided to develop an adequate level of confidence that proceeding with the certification is in the best mutual interest.

If the initial application is not accepted, the applicant is so notified with an explanation of those major deficiencies, which resulted in the rejection. In this case, the applicant is encouraged to correct the noted deficiencies and re-apply by submitting a new application

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7.2.1. Contract

If the initial application is accepted, ETKO offer containing a complete itemization of estimated fees is prepared for certification. Offer is to be approved by the applicant before the applicant is issued an application number, and a Contract (GP 01 F02). After the mutual approval of this contract the applicant is scheduled for the initial third party inspection.

Contract signed is valid until voluntary withdrawal, suspension or cancellation of the contract by ETKO or ministry of agriculture responsible bodies.

When the contract is signed, client is requested to submit the application package.

In case the initial application is under contract, then the applicant is requested to proceed to further phases, as instructed by ETKO.

7.2.2. Application Package

Clients must meet all applicable requirements of the National Organic Program when applying for certification. Each production or handling operation or portion of an operation that produces or handles crops, livestock, livestock products, or other agricultural products that are intended to be sold as “organic” **must** be certified and **must** meet all other applicable requirements of the National Organic Program.

7.2.2.1 Content of Application Package

Client together with the below mentioned documents submits to ETKO appropriate GP 18 F01 to GP 18 F 07 forms, duly filling.

- (a) An organic production or handling system plan, as required in §205.200;
- (b) The name of the person completing the application; the applicant's business name, address, and telephone number; and, when the applicant is a corporation, the name, address, and telephone number of the person authorized to act on the applicant's behalf;
- (c) The name(s) of any organic certifying agent(s) to which application has previously been made; the year(s) of application; the outcome of the application(s) submission, including, when available, a copy of any notification of noncompliance or denial of certification issued to the applicant for certification; and a description of the actions taken by the applicant to correct the noncompliance noted in the notification of noncompliance, including evidence of such correction; and
- (d) Other information necessary to determine compliance with the Act and the regulations

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- Applicant must have documented policies and procedures for excluding agricultural products from organic sale, if tests results are more than 5% of the EPA tolerance.

(Not: Applicant and ETKO will allow the applicable State official, or the AMS Administrator to conduct investigations to determine the cause of prohibited substances.)

7.2.2.2 Farming operations:

- production records from the three prior years for both the producer and for the hectare producing the crop seeking certification;
- detailed soil improvement plan as providing minimum soil tillage without leaving the fields unattended,
- pest management strategies for the crops being produced;
- A production plan including all details used to calculate estimated yields and production.

7.2.2.3 Processing and Handling Facilities:

Regardless of whether they are continuations from a specific farming operation or they are independent production processing, storage or handling facilities are also required to undergo inspection and certification this package includes

- chain of custody documentation to verify inputs as being organically grown;
- details on the mechanics of the processing operation;
- Details on process management controls, including contamination prevention, pest management and sanitation's controls.

The application process is completed with the above mentioned information and documents supplied to the certification body.

Facilities dealing with processing activities described by NOP to be certified separately which cannot be certified as subcontractor under the umbrella organization. However there are operations involved with only storage and transport could be subcontracted and inspected under the certified operators. In this case organic system plan of the operator should include these operations activities. See more details TI 48 NOP Certification of Subcontracted Operations

7.3 Application Package Review

Application review is conducted by a competent person assigned by ETKO, who has the adequate technical knowledge and experience on general agriculture and organic agriculture.

Application review consists following:

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- A review to ensure that the application is complete as per ETKO procedures and other legal or statutory requirement.
- A determination of whether the applicant appears to comply or may be able to comply with the relevant applicable requirements of the production and handling standards;
- Verification that an applicant who previously applied to another certifying agent and received a notification of noncompliance or denial of certification has submitted documentation to support the correction of any noncompliance's identified in the notification of noncompliance or denial of certification; and
- The scheduling of an on-site inspection of the operation to determine whether the applicant qualifies for certification if the review of application materials reveals that the production or handling operation may be in compliance with the applicable requirements.

Result of application package review is recorded on the application package review form (GP 02 F 01) and is sent to the client to take the remedial actions, if any. Any noncompliance observed is informed to the applicant, recorded on NONC (GP 18 F10)

Within a reasonable time, ETKO

- (1) Reviews the application materials received and communicate its findings to the applicant;
- (2) Provides the applicant with a copy of the on-site inspection report, as approved by the certifying agent, for any on-site inspection performed; and
- (3) Provides the applicant with a copy of the test results for any samples taken by an inspector.

Notes:

1. The applicant may withdraw its application at any time.
2. An applicant who withdraws its application is liable for the costs of services provided up to the time of withdrawal of its application.
3. An applicant that voluntarily withdrew its application prior to the issuance of a Notice of Noncompliance (NONC) (GP 18 F10) will not be issued a notice of noncompliance. Similarly, an applicant that voluntarily withdrew its application prior to the issuance of a Notification of Denial of Certification will not be issued a Notification of Denial of Certification

The client who completed the application phase is included on the inspection plan, and at all proceeding activities ETKO certification requirements and procedures are implemented.

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7.3.1 Organization of APPLICANT for Inspection

Prior to the scheduled inspection, the applicant is expected to have organized all of the records, which documents that, the commodities and / or processes under review are certifiable as organic. The applicant's co-operation in completing all of the forms, providing thorough and proper documentation, and being prepared, will greatly contribute to the timely and cost effective completion of the entire certification process. Delays to this process could lead, as a matter of course, to an increased cost (which would be borne by the applicant) of the overall certification.

While laws at the national level require the maintenance of these records, good business practice demands them. The applicant is reminded that documentation must be clear, complete and concise. Otherwise, an inspector may be unable to complete the inspection, as instructed, if sufficient information to verify the requisite status is not clearly provided. Unannounced inspections may be organized during the production and processing period to the applicant's agricultural production and processing units.

7.3.2 Ongoing Audit Monitoring of Records:

The program's comprehensive record keeping requirements, which direct a certified entity to maintain production input, and commodity tracking records on a current and continuing basis, provide Audit monitoring compliance.

Production inputs consist of anything that is instructed to, added to, or done in the process of creating a product. Commodity tracking consists of the mechanism by which anything that moves from the certified entity's operation into the distribution chain is quantitatively followed.

All of this information shall be maintained in an "auditable" form so that, should a full audit be required, information will be sufficiently presentable so as not to jeopardize the existing certification status which could result from un-audit ability of the record.

Applicants shall maintain records concerning the production, harvesting, and handling of agricultural products that are or that are intended to be sold as "organic", or "made with organic (specified ingredients)."

The client shall keep records according to the following procedure:

- Clients' records are adapted to the particular business that the certified operation is conducting;
- Clients' records fully disclose all activities and transactions of the certified operation in sufficient detail as to be readily understood and audited;

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- Clients' records are maintained for not less than 5 years beyond their creation; and
- Clients' records are sufficient to demonstrate compliance with the regulations
- The client shall make its records available for inspection and copying during normal business hours by authorized representatives of the Secretary, State official, and ETKO.
- As well as applicants, ETKO maintains all records required by §205.510(b) and makes all such records available for inspection and copying during normal business hours by authorized representatives of the Secretary and the applicable State official;

During the independent third party inspection, a thorough review of this record keeping system is performed to verify that they are being maintained in accordance with the terms and conditions of the program.

To facilitate the compliance with this requirement, the program's monitoring structure has the designed flexibility to accommodate a variety of independent reporting formats. Upon approval by ETKO, the applicant's existing record keeping system may be utilized. In this manner, the applicant is able to produce the required information in a familiar format while eliminating additional, redundant and unfamiliar form-filling efforts.

These record keeping requirements are fundamental to the overall certification process. For this reason, failure to maintain this necessary documentation can result in temporary suspension, or outright cancellation of certification until compliance is re-established.

If, in the judgment of ETKO, a full audit is deemed necessary, such would be performed by an ETKO designated accounting firm under terms and conditions specified in the Certification Agreement. Every effort would be made to schedule the audit as quickly as possible, and at a time of mutual convenience, to minimize delays in proceeding with full certification.


7.3.3 Time of the Essence

Both the applicant and ETKO have obligations to each other to assure that the certification process advances quickly and efficiently. The applicant is obliged to have its records in sufficient order to allow the preparation of a clear and concise application package, which, in turn, will enable the inspector to complete the inspection in a timely manner. Conversely, upon receipt of a properly prepared application, ETKO has an obligation to schedule, and subsequently complete, the certification process as quickly as practical.

7.3.4. Functions

Functions of the on site inspection are performed by ETKO qualified inspectors. Because these functions constitute a major source of information used in the development of a certification profile, only those individuals with extensive experience and requisite background are entrusted to perform these functions.

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Typical profile of an ETKO Inspector is explained in GP 16 Requirements for inspector qualification and necessary trainings in SP 05 Recruitment and Training procedures:

Inspectors use the formats as outlined in ETKO quality system, for recording and reporting. Inspectors are further instructed to follow specific instructions, answer all appropriate questions and provide a final report.

7.4. Evaluation

7.4.1 Aim of the Evaluation

Upon acceptance of the application, an onsite inspection is scheduled. ETKO inspectors perform a thorough evaluation of the application, and of the applicant's capacity to produce and/or process those commodities seeking certification.

The primary purpose of this inspection is to verify the accuracy and authenticity of the submitted application material. In addition, the inspection provides a two-way exchange of information, which is valuable to both the inspector and the applicant.

The inspector and the client need to be prepared to discuss the applicant's operating practices as they have been described in the application questionnaires.

The applicant shall provide to the inspector all of the farming and/or processing facilities which are contributory to the product(s) being certified. The inspector reviews all pertinent documentation, collects specified samples, records notes and takes photographs where appropriate. Unannounced inspections should be accepted.

ETKO conducts an initial on-site inspection of each production unit, facility, and site that is included in an operation for which certification is requested.

ETKO conducts an on-site inspection annually for each certified operation to determine whether to approve the request for certification or whether the certification of the operation should continue.

7.4.2. On Site Inspection

Inspections are conducted for NOP program with this procedure. Before performing an actual on site inspection, the inspector reviews

1. Technical instructions;
2. Related OPs and GPs

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3. Additional specific instructions and requirements of ETKO;
4. Legal and statutory documents and standards.
5. The application file
6. NOP Regulation.

Initial on-site inspection is conducted within a reasonable time following a determination that the applicant appears to comply or may be able to comply with the production and handling requirements. Initial inspection may be delayed for up to 6 months in order to comply with the requirement that the inspection be conducted when the land, facilities, and activities that demonstrate compliance or capacity to comply can be observed.

All on-site inspections are conducted when an authorized representative of the operation who is knowledgeable about the operation is present and at a time when land, facilities, and activities that demonstrate the operation's compliance with or capability to comply with the production and handling requirements can be observed.

This requirement does not apply to unannounced on-site inspections.

Inspection starts with the opening meeting in which the management team of the client attends. The scope of the certification (products, processes, standards, legal requirements...) are reviewed, information about the inspection method, inspection plan and reporting is provided.

The inspection involves recording observations of the entire operation in writing and on film when applicable. During the inspection, the inspector verifies the effectiveness and compliance of the operations, effecting the certification, to the certification requirements utilizing the relevant forms and questions as per relevant documents of ETKO:

- The operation's compliance or capability to comply with the appropriate relevant regulations;
- That the information, including the organic production or handling system plan, accurately reflects the practices used or to be used by the applicant or by the certified operation; and
- That prohibited substances have not been and are not being applied to the operation through means on which ETKO has the right to collect samples of soil, water, waste, seeds, plant tissue, and plant, animal, and processed products and test them at ETKO's expense.
- The projects containing several small farm holders may have an internal control system operating internal check of the producers to prepare them for certification. ICS operation needs to be checked by the inspector according to OP 01 Inspection Procedure art. 22 and OP 02 Grower Groups Procedure.

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For on-site inspections of farming operations, the inspector is required to walk through the applicant's operation to evaluate the farming practices. The farm applicant is required to make available to the inspector all of the farming records and facilities, which are contributory to the commodity being certified. This would include the farm itself, adjacent areas, ancillary facilities and equipment such as storage areas, tractors and other farming implements.

For on-site inspections of processing facilities, the inspector is required to evaluate the process flow as described on the applicant's flow chart. This is accomplished by observing the equipment being used, major process control points, all ingredients added to the processed product, pest control management systems, and all ingredients used in the maintenance and/or cleaning of the process equipment; and disposal of waste and other production process by-products.

The inspector will conduct an exit interview with an authorized representative of the operation who is knowledgeable about the inspected operation to confirm the accuracy and completeness of inspection observations and information gathered during the on-site inspection. The inspector addresses the need for any additional information as well as any issues of concern.

Outdated documents are withdrawn from the service after 10 years. ETKO guarantees that all valid documents are at hand to all respective users during this period.

ETKO may conduct additional on-site inspections of applicants for certification and certified operations to determine compliance with the regulations...

The additional inspections may be announced or unannounced at the discretion of ETKO or as required by the AMS Administrator or State official.


7.4.3. Laboratory Testing

ETKO requires operators realize testing at a minimum is required annually. At the discretion of ETKO, additional testing may be performed by ETKO on a regular basis throughout the certification period. For the compliance of NOP regulation 205.670-672 ETKO procedures TI 05 Sampling Method and TI 40 NOP Guide Testing & Enforcement Actions are implemented.

Samples taken at the time of the initial inspection, or annual renewal, provide the initial basis for analytical enforcement. Unannounced sampling and testing may be also performed on both random surveillance bases as well as on a compliance basis.

Both routine and unannounced additional sampling and testing are at ETKO's expense when ETKO decide to make analyses.

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7.4.4. Production Inputs and Commodity Tracking System

Every certified entity, be it a grower, shipper, processor, handler or distributor, is required to collect and maintain records on all activities, materials and changes that take place within its operation. Information regarding all inputs and all physical production is required. In addition, information regarding the movement of finished product is required.

ETKO retains the option review all input and production records at any time.

The inspector must be sure that:

- the record keeping system is continuously maintained in an “auditable” format, and
- it is sufficiently comprehensive to provide all of the required information, and yet
- it is concise enough to provide unambiguous audit trail.

ETKO endeavors to utilize the applicant’s established record keeping systems. All such systems must receive ETKO approval, and must be reviewed by inspector before certification may be granted.

7.4.5. Audit Report

All the observations and findings during audit are recorded on inspection reports and other related records as appropriate as required by certification process. The observations and findings in relation to the deviation from the rules, regulations are to be recorded under “Evaluation Results”

The inspectors have no authority to define a noncompliance either in inspection report or in any other record, or inform the client with such an information stating indicating a noncompliance.

At the time of the inspection, the inspector shall provide the operation's authorized representative with a receipt for any samples taken by the inspector.

A copy of the Inspection Report and any test results are sent to the client .

Note: providing advice for corrective actions is strictly prohibited by accreditation rules.

7.4.6. Surveillance

ETKO performs periodical inspections (surveillance visits) on the client’s premises/processes in order to see and verify if the products and or processes in the certification scope,

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maintains conformance to the relevant standards, statutory and legal requirements. The period for surveillance is determined during the initial inspection, if possible and included in the contract.

The scope of surveillance visits is determined during the inspection by the inspectors.

During the overall process of certification and during maintenance of the certificate, the inspector ensures that the applicant is always reminded to keep and maintain relevant records of its activities properly, in an auditable manner.

The applicant may continue to use its existing record and record keeping system, if it is found to be satisfactory by ETKO. Otherwise it is requested to improve recording and filing system.

The applicant is required to keep and maintain production input, and commodity tracking records on a continuing basis to provide as an evidence of compliance of certification requirements.

Production inputs consist of anything that is instructed to, added to, or done in the process of creating a product. Commodity tracking consists of the mechanism by which anything that moves from the certified entity's operation into the distribution chain is quantitatively followed.


All of this information must be maintained in an "auditable" form so that, should a full audit be required, information will be sufficiently presentable so as not to jeopardize the existing certification status which could result from un-audit ability of the record.

Applicants maintain records concerning the production, harvesting, and handling of agricultural products that are or that are intended to be sold as "organic", or "made with organic (specified ingredients).

7.4.7. Records:

- fully disclose all activities and transactions of the certified operation in sufficient detail as to be readily understood and audited;
- are maintained for not less than 5 years beyond their creation;
- must be sufficient to demonstrate compliance with the regulations
- Regular reporting of specific information, as dictated by the nature of the certified operation, is required from certified clients on an individualized basis.
- When required; at the discretion of ETKO additional testing may be performed on a regular basis throughout the certification period.

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Samples collected in the initial inspection or during surveillance provide fundamental information for the decision on certification. During the certification period sampling and testes may be done without informing the client. During the inspection, a thorough review of this record keeping system is performed to verify that they are being maintained in accordance with the terms and conditions of the program.

The record keeping requirements are fundamental to the overall certification process. For this reason, failure to maintain this necessary documentation can result in temporary suspension, or outright cancellation of certification until compliance is re-established.

If, in the judgment of ETKO, a financial audit is deemed necessary, such would be performed by an ETKO designated accounting firm under terms and conditions specified in the Certification Agreement. Every effort would be made to schedule the audit as quickly as possible, and at a time of mutual convenience, to minimize delays in proceeding with full certification.

Customer complaints records and actions taken for complaints by the client are also subject to inspection to verify that the client takes proper and effective action.

7.4.8. Continuing Support

ETKO, in providing certification, is making a commitment to support the organic integrity of its clients on an on going basis. ETKO is responsible to provide NOP Regulation and the amendments in the original language of the rule.

The changes of the certification system especially in case of changes of the certification requirements will be forwarded to the licensees.


ETKO has the right to insight the necessary documents regarding the application of new requirements.

ETKO provides relevant regulations and standards and the amendments to its clients in their language.

The clients are informed on a timely manner, about the amendments in the certification system and the changes in the certification requirements formally in written form or by publishing in website. The amendments are valid on the date as informed to the client. The client is responsible to implement the changes in the requirements as soon as received. ETKO controls the effective implementation of the changes in requirements by the client.

The clients are responsible to inform ETKO about the planned changes in their processes, on time. ETKO shall not be responsible of the results due to the late notification of the client

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about the changes. The changes in the client's system have to be inspected and approved prior to the implementation. The inspection is done on site and on the related documents

The changes to be made by the client have to be not affecting the organic status of the current production. The planned changes are strictly required to be in accordance with relevant legal requirements and standards. Otherwise, ETKO may deny the change and its consequences, and may postpone or cancel the certification of the product (ion) effected by the change.

7.4.9. Ongoing Compliance

For NOP, the ongoing compliance is enforced by a series of different check systems applied in surveillances.

- **Production input records**

Required by the program, they shall be maintained on a current and continuous basis. These records must be available for inspection; and they also may be required as part of regular reporting requirements.

- **Commodity-tracking systems**

They are routinely monitored in the market place by random checking. This mechanism enables ETKO to audit the flow of certified product through the channels of distribution on a real time basis.

- **Audits of record keeping systems**

It is routinely performed during an inspection, also can be required at any time during the certification period. In addition, routine auditing of regularly reported information is performed.


- **Regular reporting of specific information**

As dictated by the nature of the certified operation, it is required from certified clients on an individualized basis.

7.4.10. Temporary variances

Clients are allowed to receive temporary variances from the requirements in production and handling standards as established by the regulations for the following reasons:

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- Natural disaster declared by the Secretary.
- Damage caused by drought, wind, flood, excessive moisture, hail, tornado, earthquake, fire, or other business interruption.
- Practices used for the purpose of conducting research or trials of techniques, varieties, or ingredients used in organic production or handling.

ETKO will notify USDA to recommend a temporary variance from a production or handling standard, provided that the variance is based on one or more of the reasons listed above.

ETKO will notify each applicant of the establishment of a temporary variance for each production and handling operation it certifies to which that temporary variance applies.

7.4.11. Acceptable and Prohibited Materials

The general criteria used by ETKO for determining the acceptability of a material is specified by the USDA National Organic Program's National List of Approved and Prohibited Substances.

Basic policy maintains that non-synthetically compounded materials, a group generally referred to as biological agricultural products, tend to be acceptable. Conversely, the use of synthetically compounded materials, genetically modified propagation materials, processing aids and plant protection materials, such as genetically modified parasites, predator and other organisms almost without exception, are prohibited.

In addition, those materials, which, while may not be synthetically compounded, but continue to be either highly toxic or environmentally hazardous, are similarly prohibited.

The agricultural products sold by certified clients as organic are produced and handled:

- In compliance with the National List;
- Without the use of excluded methods, except for vaccines, provided that the vaccines are approved;
- Without the use of ionizing radiation; and
- Without the use of sewage sludge.

Clients are required to verify the acceptability of inputs with ETKO prior to their use in order to avoid inadvertently jeopardizing an organic status through the use of a prohibited material.

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7.4.12. Transition Period

The setting of a fixed transitional time period may be considered arbitrary; however, benchmarks are necessary. To enter into the ETKO certification program, the minimum amount of time that an applicant's crop and cropping areas must be operated under conditions which have had no unacceptable materials applied is dictated by those regulations, which prevail over its certification.

The organic foods industry has been developing a consensus of three years as the recognized minimum acceptable period by the USDA National Legislation; NOP Regulation .

Measurement of the minimum period is determined as follows:

- Annual crops: period prior to seed planting or transplanting.
- Perennial crops: period prior to the appearance of flower buds.

7.4.13. Packaging and Post-Harvest Handling

No commodity can be considered legitimately organic unless it is organic from its field origin to the marketplace. For this reason, the importance of proper packaging and post harvest handling is equal to that of the actual field production.

7.4.14. Processing

No unacceptable materials may be used in the cleaning, packaging or storing of a certifiable product once it has been harvested. This condition applies equally regardless of whether the applicant handles all of the post harvest, or subcontracts it to another entity.

The responsible authority for these activities will be required to complete an application and affidavit regarding post-harvesting operations. Failure to properly complete this portion of the certification process could be cause for denial of certification. Special forms to complete this portion of the process are available from ETKO upon request.

7.4.15. Setting the Fee

The fee structure is generically designed to be applicable to a large number of different agricultural and processing operations. However, because these operations are so diverse, it is virtually impossible to structure a schedule, which anticipates every variation.

Therefore, prior to the acceptance of an application, ETKO will determine what, if any, additional changes will be required to the basic fee structure. These changes will be

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presented, in detail, to the applicant who will have the opportunity to approve the changes, modify the application, or withdraw it entirely.

The applicant's decision is then formalized in writing and incorporated as part of the Certification Agreement, which is included with the transmittal accepting the application.

7.4.16 Propagation Material Non-commercially Available

Operators or producers certified by ETKO must apply with the "Propagation Material Approval Form" to ETKO for approval of a non-commercially available organic propagation material before use in organic production.

Applicant should prove that there is no source available by documents. ETKO checks possible sources which can provide the propagation material through National List from the statistics of the origin country Ministry of Agriculture.

ETKO Certified operations and producers are obliged to follow the NOP Regulation 205.204 Seeds and Planting Stocks Practice Standard and ETKO procedures mentioned on 5.17 of this procedure.

7.4.17 Ingredients Non-commercially Available

ETKO Certified operations and producers are obliged to follow the NOP Regulation 205.105 "Allowed and prohibited substances, methods, and ingredients in organic production and handling",
 205.270 Organic Handling Requirements,
 205.301 Product Composition,
 205.606 Non-organically produced agricultural products allowed as ingredients in or on processed products labeled as organic or made with organic ingredients.


7.5. Granting Certification

7.5.1. Certification Decision

The Organic Certifier is responsible for all the decisions in relation to certification (granting, suspension, revoking...) The OC is independent of the application review and or certification process.

Granting the certificate depends on the appropriate planning or, planning and implementation of the corrective actions in a timely manner for the Notification of

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Noncompliance “GP 18 F 10” reported by the OC to client, based on the inspection reports and all other supporting documents and evidences.

Once certified, a production or handling operation's organic certification continues in effect until surrendered by the organic operation or suspended or revoked by ETKO or the State organic program's governing State official, or the Administrator.

ETKO Organic Certifier grants certification based on the determination that:

- The applicant is in compliance with its organic system plan and all procedures;
- The activities of the applicant’s operation are in compliance with the appropriate regulations; and
- The applicant is able to conduct operations in accordance with the plan

7.5.2. Certification Certificate

Within a reasonable time after completion of the initial on-site inspection, the Organic Certifier (OC) reviews the on-site inspection report, the results of any analyses for substances conducted, and any additional information requested from or supplied by the applicant. If the organic system plan and all procedures and activities of the applicant's operation are in compliance with the certification requirements and that the applicant is able to conduct operations in accordance with the plan, the OC grants certification. (GP 13 F 03 NOP certificate)

The certification may include requirements for the correction of minor non compliances within a specified time period as a condition of continued certification. (See art.5.24)

The certificate of organic operation specifies the:

- (1) Name and address of the certified operation; including a physical address if the mailing or legal address is not the physical location of the operation
- (2) Name, address, Website, and telephone number of ETKO
- (3) Effective date of certification; (when ETKO or initial certifying agent first certified the operation to the USDA organic regulations)
- (4) Issue date (when ETKO issued the organic certificate);
- (5) Anniversary date (when the certified operation must submit its annual update).
Organic certificates cannot include expiration dates;
- (6) Categories of organic operation, including crops, wild crops, livestock, and handling/processing)

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(7) Specific certified organic products covered by the organic certificate, allowing auditors and buyers to verify whether the operation is certified to produce or handle the product for sale (e.g., “hay” or “Uncle Perry’s Berry Organic Granola”);

(8) Labeling category for each product certified under the handling/processing certification category (not required for products in the crops, wild crops, or livestock certification categories). Labeling categories: 100% Organic, Organic, Made with Organic (specified ingredients or food groups), and Livestock Feed (Organic or 100% Organic);

(9) The statement, “Certified to the USDA organic regulations, 7 CFR Part 205.” This differentiates USDA organic products from those certified to other organic standards; and

(10) The statement, “Once certified, a production or handling operation’s organic certification continues in effect until surrendered, suspended or revoked.”

A list of all issued certificates shall be maintained, containing the following information:

- Certificate number
- Client/company name
- Address-country
- Applicable standards, regulations
- Scope of certification
- Accreditation status
- Certification date
- Validity date
- Status of certification (suspended, withdrawn...)

7.5.3. Denial of Certification

ETKO provides a Notification of Noncompliance (NONC) (GP 18 F10) to the applicant when ETKO has reason to believe that the applicant for certification is not able to comply or is not in compliance with the requirements

- during the application review, based on a review of the information submitted by the applicant (as specified in NOP rule §205.402) or
- during the initial inspection (as specified in NOP rule §205.404)

When correction of a noncompliance is not possible, a Notification of Noncompliance and a Notification of Denial of Certification may be combined in one notification. The Notification of Noncompliance (NONC) (GP 18 F 10) provides:

1. A description of each noncompliance;
2. The facts upon which the Notification of Noncompliance (NONC) GP 18 F 10 is based; and

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3. The date by which the applicant must rebut or correct each noncompliance and submit supporting documentation of each such correction when correction is possible.

Upon receipt of such notification of noncompliance, the applicant may:

1. Correct noncompliance and submit a description of the corrective actions taken with supporting documentation to ETKO; or
2. Correct noncompliance and submit a new application to another certifying agent. (NOTE: If such an applicant applies to ETKO for certification, the applicant must include a complete application, the notification of noncompliance received from the first certifying agent, and a description of the corrective actions taken with supporting documentation) or
3. Submit written information to ETKO to rebut the noncompliance described in the notification of noncompliance.

After issuance of a Notification of Noncompliance (GP 18 F 10), ETKO:

1. Evaluates the applicant's corrective actions taken and supporting documentation submitted or the written rebuttal, conduct an on-site inspection if necessary, and
 - When the corrective action or rebuttal is sufficient for the applicant to qualify for certification, issues the NOP Certificate (GP 13 F 03) to the applicant pursuant to §205.404; or
 - When the corrective action or rebuttal is not sufficient for the applicant to qualify for certification, issues the applicant a Notification of Denial of Certification (NODC) "GP 18 F 12A or GP 18 F 12B"
2. If applicant fails to respond to the Notification of Noncompliance (GP 18 F10), issues a Notification of Denial of Certification.(NODC) (GP 18 F 12 A in application review phase, GP 18 F 12 B in initial inspection phase)

Copies of NONC, NODC, NONCR are submitted to the Administrator, pursuant to §205.501(a)(15).

The Notification of Denial of Certification (NODC) (GP 18 F 12 A&B) states the reason(s) for denial and the applicant's right to:

- Reapply for certification
- Request mediation to Administrator or, if applicable, pursuant to a State organic program; or

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- File an appeal of the denial of certification pursuant to §205.681 or, if applicable, pursuant to a State organic program.

The applicant for certification who has received the NONC (GP 18 F 10) or the Notification of Denial of Certification NODC (GP 18 F 12 A or B) may apply for certification again at any time to any certifying agent, in accordance with §§205.401 and 205.405(e).

When such applicant submits an application to ETKO instead of the certifying agent who issued the notification of noncompliance or notice of denial of certification, the applicant for certification must include a copy of the Notification of Noncompliance “NONC” or Notice of Denial of Certification “NODC” and a description of the actions taken, with supporting documentation, to correct the noncompliance noted in the notification of noncompliance.

When ETKO receives a new application for certification, which includes a notification of noncompliance or a notice of denial of certification issued by another CB, the application is treated as a new application and a new application process is started pursuant to §205.402.

- **False statements or mis-presentations**

If ETKO has reason to believe that an applicant for certification has willfully made a false statement or otherwise purposefully misrepresented its operation or its compliance with the certification requirements, the certification may be denied certification without first issuing a Notification of Noncompliance (GP 18 F10)

7.5.4. Continuation of Certification.

Each year, before the date indicated by ETKO, the producer must notify ETKO of its schedule of production of crop products, giving a breakdown by parcel. This schedule can be shown on the organic compliance plan. Plan needs to be revised each year by the operator and review will be made by a competent staff of ETKO. The operators that do not annually submit the information required as follows will be issued Notification of Non compliance.

To continue certification, a certified operation must annually pay the certification fees and submit the following information, as applicable, to ETKO:

1. An updated organic production or handling system plan which includes:
 - a. A summary statement, supported by documentation, detailing any deviations from, changes to, modifications to, or other amendments made to the previous year's organic system plan during the previous year; and
 - b. Any additions or deletions to the previous year's organic system plan, intended to be undertaken in the coming year, related to production practices

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2. Any additions to or deletions from the information related to address, responsible person, name of the company, telephone number given to ETKO for certification.
3. An update on the correction of minor noncompliance previously identified by ETKO as requiring correction for continued certification; and
4. Other information as deemed necessary by ETKO to determine compliance with the Act and the regulations in this part.

Following the receipt of the a/m information, ETKO, within a reasonable time arranges and conducts an on-site inspection of the certified operation as per OP 01 (pursuant to §205.403) Note: When it is impossible to conduct the annual on-site inspection following receipt of the client's annual update of information, ETKO may allow continuation of certification and issue an updated certificate of organic operation on the basis of the information submitted and the most recent on-site inspection conducted during the previous 12 months: *Provided*, That, the annual on-site inspection is conducted within the first 6 months following the client's scheduled date of annual update.

If ETKO has reason to believe, based on the on-site inspection and a review of the information specified by client, that the client is not complying with the requirements of the Act and the regulations in this part, then ETKO Organic Certifier provides the Notification of Noncompliance (GP 18 F 10) to the operation in accordance.

In case ETKO determines that the client is complying with the Act and the regulations and that any of the information specified on the certificate of organic operation has changed, then, an updated certificate of organic operation is provided.

In case annual update is not provided before the annual inspection a written notification of noncompliance (GP 18 F 10) is provided to client by the OC.

7.5.6. Conditional Certification

When a product is qualified as being organic, but deficiencies in its producing operation remains, conditional certification may yet be granted. The applicant is notified of the non compliances determined by ETKO, which are necessary to be remedied within a specified timeframe. Upon the applicant's corrective action plans for the non compliances, certification can be conditionally granted – with a concurrent verification of actions taken for compliance.

- **Exempt handlers**

Operations that are exempt from certification and submission of an organic system plan are subject to the following requirements:

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- Any production or handling operation with gross agricultural income from organic sales that total less than \$5,000.00 annually.
- A handling operation that is a retail food establishment or portion of retail food establishment that handles but does not process organically produced agricultural products.
- A handling operation or portion of handling operation that handles agricultural products that contain less than 70 percent organic ingredients (by total weight of the finished product, excluding water and salt).
- A handling operation or portion of handling operation that only identifies organic ingredients on the information panel.

Exempt handlers who only handle products containing less than 70 percent organic ingredients or only list organic ingredients on the information panel must comply with the following:

- Provisions for the prevention of organic products commingled with non-organic and prevention of contact with prohibited substances;
- Labeling provisions; and
- Recordkeeping provisions in §205.101 (c)

Products from an exempt production operation cannot be used as ingredients identified as organic in processed products produced by a certified handling operation

The following operations are excluded from the NOP regulatory requirements

- A handling operation or portion of a handling operation and the operation or portion of the operation only sells organic agricultural products labeled as “organic” provided such products are packaged or otherwise enclosed in a container prior to being received or acquired by the operation; and remain in the same package or container and are not otherwise processed while in the control of the handling operation.
- A retail food establishment or portion of a retail food establishment that processes, on the premises of the retail food establishment, raw and ready-to-eat food from agricultural products that were previously labeled as “organic.”

Excluded handling operations shall comply with the requirements to prevent commingling and contact with prohibited substances and the requirements for labeling in §205.310

Exempt handling operations, as identified by §205.101(a) (3-4), shall maintain for 3 years records sufficient to:

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- Prove that ingredients identified as organic were organically grown, and
- Verify quantities produced from organic ingredients

Records shall be available to representatives of the Secretary and State officials.

7.5.7. Compliance and Handling of Noncompliance

ETKO will handle noncompliance's according to:

- NOP 4002 Instruction Enforcement of the USDA Organic Regulations Penalty Matrix and
- NOP Instruction 2612 Recommended Penalties for Violations of Specific Regulatory Requirements and NOP 2612-1 Penalty Matrix for violations of the USDA Organic Regulations

NOP 4002 provides instructions for taking enforcement action against certified operations that violate the U.S. Department of Agriculture (USDA) organic regulations.

NOP 2612-1 Penalty Matrix for violations of the USDA Organic Regulations, provides guidance about recommended penalties for violation classes and categories.

7.5.8. Review and Investigations

NOP Program Manager, on behalf of the Secretary, may inspect and review certified production and handling operations and accredited certifying agents for compliance with the Act or regulations.

The Program Manager may initiate suspension or revocation proceedings against a certified operation when the Program Manager has reason to believe that a certified operation has violated or is not in compliance with the Act or regulations or when a certifying agent or a State organic program's governing State official fails to take appropriate action to enforce the Act or regulations.

ETKO may investigate complaints of noncompliance with the Act or regulations concerning production and handling operations certified as organic. Program Manager is informed of all compliance proceedings and actions taken.

A State organic program's governing State official may investigate complaints of noncompliance with the Act or regulations, concerning organic production or handling operations operating in the State.

7.5.9. Noncompliance

ETKO provides the Notification of Noncompliance (NONC) (GP 18 F 10) to the applicant/certified operation in cases where and when:

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- ETKO has reason to believe that, based on the information specified in application package DURING APPLICATION PACKAGE REVIEW, the applicant for certification is not able to comply or is not in compliance with the requirements of NOP rule. and
- ETKO has reason to believe that, BASED ON THE ON-SITE INSPECTION and the results of any analyses for substances conducted, and any additional information requested from or supplied by the applicant, the organic system plan and all procedures and activities of the applicant's operation, a certified operation is not complying with the requirements of NOP.

All the observations made during initial inspection, surveillance and special inspections are recorded on the Inspection Report Section Evaluation Results

The inspectors have no authority to define a noncompliance either in inspection report or in any other record, or inform the client with such an information stating indicating a noncompliance.

The Organic Certifier provides the Notification of Noncompliance (GP 18 F 10) to the client, upon the evaluation of the application file or inspection reports and all other related documents and information obtained during inspection.


While grading non-conformances the following conditions shall be considered:

- One of the requirements of standard or regulation related to the process or product are not complied
- Production process plan not applied
- Product is under risk

Non-conformances are graded as major and minor.

- **Major non-conformances**
 - Factors affecting the organic integrity of the product or land.
 - Factors causing risk on the product.
 - Use of inputs which are not allowed by the regulations.
 - Non-Organic product sales as organic.
 - Requirements of regulation or standard not applied
 - Frequent minor non-conformances on the same requirement of regulation.
 - Customer complaints not handled, failure on taking remedial actions, or complaints and action records not available.
 - Misuse of the licenses and certificates
 - Production process plan not implemented.

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- o Annual updates not provided
- o Several minor interrelated noncompliance can lead to a major noncompliance.

- **Minor non-conformances**

- o Failure to fully satisfy a requirement of a standard or regulation.
- o Factors causing no risk on the condition of the product.

Notification of noncompliance (GP 18 F 10) clearly indicates

- A description of the noncompliance,
- The facts upon which the notification of noncompliance is based; and
- The date by which the applicant/certified operation must rebut or correct each noncompliance and submit supporting documentation of each such correction when correction is possible.

By a Notification of Noncompliance (GP 18 F 10), ETKO requires the certified operation to determine corrective action plan(s) related to the major and minor non-compliances defined in the Notification of Noncompliance.

- To be recommended for certification all major non-conformances must be closed and corrective action plans for minor non-conformances must be determined by the client
- Non-conformances graded as **Major** in Notification of Noncompliance: corrective actions must be taken in maximum 30 days. To close out the major non-conformances a follow up inspection may be decided by ETKO.
- Non-conformances graded as **Minor** in Notification of Noncompliance: action plans within 30 must be provided to ETKO by the client.

Corrective action plans and or any other evidence indicating the actions taken are submitted to ETKO to be reviewed by Organic Certifier.

7.5.9.1. Resolving the Non-Compliances

Upon receipt of Notification of Noncompliance, the client may:

1. Correct the non-compliances and submit a description of the corrective actions taken with supporting documentation to ETKO;
2. Submit written information to ETKO to rebut the noncompliance, described in the Notification of Noncompliance (GP 18 F 10)

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After sending a Notification of Noncompliance (GP 18 F 10), ETKO evaluates the client's corrective actions and supporting documentation submitted or the written rebuttal, conduct an on-site inspection if necessary.

7.5.9.1.1. Resolution of Noncompliance: When a client demonstrates that each noncompliance has been resolved, the OC sends to client a Notification of Noncompliance Resolution (GP 18 F 11)

7.5.9.1.2. Proposed suspension or revocation: When rebuttal is unsuccessful or correction of the noncompliance is not completed within 30 days, ETKO will send the certified operation a written notification of proposed suspension (GP 18 F 13) or revocation (GP 18 F 15) of certification of the entire operation or a portion of the operation, as applicable to the noncompliance.

After receipt of the Notification of Proposed Suspension or Revocation the certified operator may:

1. File an appeal to this Proposed Suspension or Revocation in 30 calendar days of the receipt of the notice. The appeal must be in writing and submitted to ETKO Managing Director and to the Administrator.
2. Request mediation within 30 days of this notice, in writing to ETKO. If the request for mediation is accepted and the mediation is unsuccessful, upon written notification, the certified operator then will have 30 calendar days, from receipt of notice, to appeal the Proposed Suspension or Revocation. If the request for mediation is rejected, a written notification is sent to the operator and in 30 days from the date of the notice, the operator may appeal the Proposed Suspension or Revocation.

When correction of a noncompliance is not possible, the Notification of Noncompliance and the Proposed Suspension or Revocation of certification may be combined in one notification. The Notification of Proposed Suspension or Revocation of certification states:

1. The reasons for the proposed suspension or revocation;
2. The proposed effective date of such suspension or revocation;
3. The impact of a suspension or revocation on future eligibility for certification; and
4. The right to request mediation pursuant to §205.663 or to file an appeal pursuant to §205.681.

7.5.9.1.3. Suspension or revocation:

(1) If the certified operation fails to correct the noncompliance, to resolve the issue through rebuttal or mediation, or to file an appeal of the proposed suspension or revocation of certification, ETKO will send the certified operation a written notification of suspension (GP 18 F 14) or revocation (GP 18 F 16)

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(2) ETKO will not send a notification of suspension or revocation to a certified operation that has requested mediation pursuant to §205.663 or filed an appeal pursuant to §205.681, while final resolution of either is pending.

In case of suspension, the certified operation is no longer certified and must go through the reinstatement process. Therefore certified operation is not able to sell, label, and represent the product as organic for the suspension period. Once suspended, reinstatement for certification may only be requested from the Administrator and will only be considered for certification if the Notification of Noncompliance (GP 18 F 10) is corrected and the operation has been inspected by ETKO to verify that the operation complies with the requirements.

7.5.10. Willful violations

- If there is reason to believe that a certified operation has willfully violated the Act or regulations, ETKO sends the certified operation a **Notification of Proposed Suspension or Revocation** GP 18 F 13 or GP 18 F 15 of certification of the entire operation or a portion of the operation, as applicable to the noncompliance.

7.5.11. Violations of Act.

In addition to suspension or revocation, any certified operation that:

1. knowingly sells or labels a product as organic, except in accordance with the Act, shall be subject to a civil penalty of not more than the amount specified in §3.91(b)(1) of this title” per violation.
2. makes a false statement under the Act to the Secretary, a State organic program's governing State official, or a certifying agent shall be subject to the provisions of section 1001 of title 18, United States Code.

7.5.12. Eligibility.


1-A certified operation whose certification has been suspended, may at any time, unless otherwise stated in the Notification of Suspension, submit a request to the Secretary for reinstatement of its certification. The request must be accompanied by evidence demonstrating correction of each noncompliance and corrective actions taken to comply with and remain in compliance with the Act and the regulations.

2-A certified operation or a person responsibly connected with an operation whose certification has been revoked will be ineligible to receive certification for a period of 5 years following the date of such revocation, *Except*, That, the Secretary may, when in the best interest of the certification program, reduce or eliminate the period of ineligibility.

7.5.13. Reinstatement of the Suspended Certificate

7.5.13.1 Requirements for Suspended organic producers or handlers

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In order to achieve reinstatement, organic producers and handlers who have had their organic certification suspended must:

1. Correct all noncompliances to the USDA organic regulations. This includes not only the reasons stated in the notice of suspension issued by ETKO, but any outstanding noncompliance's that have been subsequently identified ETKO.
2. Ensure that their organic systems plan (OSP) is complete, that the OSP is in compliance with the USDA organic regulations, and that the OSP is being implemented.
3. Contact ETKO and submit all documents required by ETKO for reinstatement. If the suspension has been issued by a CB other than ETKO, the producer or handler must inform ETKO of their suspended status and the reasons for the suspension.
4. Pay all fees required by ETKO
5. Successfully complete a full onsite inspection. The inspection should be conducted pursuant to § 403 (a)(1) and this procedure.
6. Prepare a letter (GP 18 F 17 Reinstatement Request Letter from Suspended Operation to USDA) addressed to the Secretary of Agriculture, care of the NOP, requesting reinstatement of certification. The operator sends the letter to:

USDA, AMS, National Organic Program
 1400 Independence Avenue, SW
 Room 2648, STOP 0268
 Washington, DC 20250
 Or, AIInBox@ams.usda.gov

Shipping services that require a telephone number may use (202) 720-3252. As an alternative, producers or handlers who have had their organic certification suspended may submit the letter addressed to the Secretary, care of the NOP, through ETKO. ETKO forwards the request to the NOP, along with the required reinstatement documents described in section 5.26.2

7. Retain all documents related to the request for reinstatement for future audit by the certifying agent and the NOP.

7.5.13.2 Requirements for ETKO

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It is ETKO's responsibility to officially inform the suspended producer or handler about the requirements stated in 5.26.1. ETKO communicates with the suspended producer or handler and send an official letter providing the operator with all the information required by the operator to apply to USDA for reinstatement.

Upon receipt of the operation's request for reinstatement or notification that such a request has been sent to NOP, ETKO:

1. Conducts a compliance review of the OSP to ensure that all provisions of the USDA organic regulations are met.
2. Notify the producer or handler who has had their organic certification suspended of any noncompliances according to procedures described in the USDA organic regulations, §205.662(a) and in this procedure by sending NONC letter.
3. Schedules a full onsite inspection to verify the operation's compliance with the USDA organic regulations, provided that the OSP is considered to be complete and in compliance with the USDA organic regulations. On site inspections is done within a three month period prior to the NOP receiving the reinstatement request. Deviations from this procedure must be justified and approved by the NOP.
4. Prepare a signed letter (GP 18 F 18 ETKO Reinstatement Request Letter for Suspended Operation to USDA) to the Secretary, care of the NOP, stating that the operation requesting reinstatement has met all requirements of the USDA organic regulations. The letter affirmatively states that:
 - a. ETKO has conducted an NOP compliance review of the client's OSP.
 - b. The review found that the client's OSP adequately addressed the noncompliance(s) which led to the suspension and is in compliance with the USDA organic regulations.
 - c. ETKO has conducted an onsite inspection of operation and found the operation to be in full compliance and capable of remaining in compliance with the USDA organic regulations, or, noncompliance were issued to the operation as a result of the onsite inspection findings and the operation has submitted corrective measures that are approved and determined by the certifying agent to demonstrate compliance with the USDA organic regulations.
5. Submits the letter (along with the operation's request for reinstatement, if appropriate), as well as the initial Notice of Noncompliance, Notice of Proposed Suspension, Notice of Suspension, and a copy of the inspection report that found the operation in full

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compliance. If the inspection report includes findings that may be noncompliant, then ETKO's request for reinstatement includes documented objective evidence to demonstrate the operation's full compliance with the USDA organic regulations.


- Retains all documents related to the request for reinstatement for future audit by the NOP.

7.5.13.3. National Organic Program

Upon receipt of the required documentation, the NOP Accreditation and International Activities Division completes the following steps within 30 days of receipt of the request for reinstatement:

- Review the request for reinstatement along with the supporting documentation. Contact the certifying agent if questions remain regarding the request.
- Approve the request if:
 - All required documents have been submitted,
 - The documentation clearly demonstrates that the operation is in compliance with the USDA organic regulations and is capable of remaining in compliance, and;
 - The review of documents related to the operation does not indicate that the client has an ongoing history of noncompliance which would indicate an inability or unwillingness to remain in compliance.
- If the request is approved, the NOP removes the operation from the public list of suspended operations. The NOP issues a letter to the operation, with a copy to ETKO, stating that:
 - The operation is eligible for reinstatement by the certifying agent referenced in the request, and
 - ETKO retains all documents related to the reinstatement for future audit by the NOP.
 -
- If the request is denied, issues a letter to the operation, with a copy to ETKO, stating the reasons for denying reinstatement.
- Review all documentation related to the reinstatement at ETKO's next onsite audit.

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7.5.14. Adverse Action Appeal Process

Appeals to be implemented according to the procedure “NOP 4011 Agricultural Marketing Service Office of the Administrator Adverse Action Appeal Process for the National Organic Program” which

- 1) explains the adverse action appeal process;
- 2) clarifies the roles and responsibilities of those involved in the adverse action appeal process; and
- 3) describes possible appeal outcomes

To proceed for an appeal:

7.5.14.1. Objections, Complaints and Legal Cases

Licensee is requested to prepare a file to handle the objections, complaints, and legal cases from its own clients.

This file includes:

- The nature of the received objections, complaints, and legal cases
- The identity of the involved persons/groups
- The causes of the problem
- The action taken
- verification and documentation of the effectiveness of the initiated measures


A specific file is maintained for handling of objections, complaints, and legal cases which at least includes followings:

- Records of the received objections, complaints, and legal cases
- Names of the involved persons/groups
- Records of the subsequently action chosen
- Verification and documentation of the effectiveness of the measures taken

An applicant may appeal ETKO’s Notification of Denial of Certification (NODC), and a certified operation may appeal ETKO’s Notification of Proposed Suspension (NOPS) or revocation of certification (NOPR), to the AMS Administrator.

Exception: When the applicant or ETKO is subject to an approved State organic program, the appeal must be made to the State organic program which will carry out the appeal pursuant to the State organic program’s appeal procedures approved by the Secretary.

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If the Administrator or State organic program sustains a certification applicant's or certified operation's appeal of ETKO's decision, the applicant will be issued organic certification, or a certified operation will continue its certification, as applicable to the operation. The act of sustaining the appeal shall not be an adverse action subject to appeal by ETKO.

If the AMS Administrator or State organic program denies an appeal, a formal administrative proceeding will be initiated to deny, suspend, or revoke the certification. Such proceeding shall be conducted pursuant to the U.S. Department of Agriculture's Uniform Rules of Practice or the State organic program's rules of procedure.

7.5.14.2. Filing

An appeal of a noncompliance decision is filed within the time period provided in the letter of notification or within 30 days from receipt of the notification, whichever occurs later. The appeal will be considered "filed" on the date received by the AMS Administrator or by the State organic program. A decision to deny, suspends, or revoke certification or accreditation will become final and no appealable unless the decision is appealed in a timely manner.

Appeals to the AMS Administrator is filed in writing and addressed to Administrator, USDA-AMS, Room 2095-S, and 1400 Independence Ave, SW, Washington, DC 20250.

Appeals to the State organic program are filed in writing to the address and person identified in the letter of notification.

All appeals shall include a copy of the adverse decision and a statement of the appellant's reasons for believing that the decision was not proper or made in accordance with applicable program regulations, policies, or procedures.

7.5.15. Mediation.


Any dispute with respect to denial of certification or proposed suspension or revocation of certification may be mediated at the request of the applicant for certification or client.

Mediation shall be requested in writing to ETKO.

If ETKO rejects the request for mediation, a written notification is provided to the applicant for certification or client. The written notification shall advise the applicant for certification or client of the right to request an appeal within 30 days of the date of the written notification of rejection of the request for mediation.

If mediation is accepted by ETKO, a qualified mediator mutually agreed upon by the parties to the mediation shall conduct such mediation. The parties to the mediation shall have no more than 30 days to reach an agreement following a mediation session. If mediation is

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unsuccessful, the applicant for certification or client shall have 30 days from termination of mediation to appeal the ETKO's decision.

Any agreement reached during or as a result of the mediation process shall be in compliance with the Act and NOP regulations. The Secretary may review any mediated agreement for conformity to the Act and NOP regulations and may reject any agreement or provision not in conformance with the Act or NOP regulations.

7.5.16. Use Of Logo, Licenses, Mark Of Conformity

See procedure GP 11 Use Of Logo, Licenses, Mark Of Conformity

7.5.17. Criteria for Certification File Review

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DEFECTS	DEFECT CODE	DECISION
GROUP A- CERTIFICATION RECOMMENDATION		
Company/Client name is clearly recorded	A2	NO GO
The licensee number is recorded	A3	NO GO
The address of client/site is recorded	A4	NO GO
Type of certification is specified	A5	NO GO
The related standards and regulations are clearly specified	A6	NO GO
The scope is clearly recorded	A7	NO GO
GROUP B		
The info provided about identity and regulations are correct	B2	NO GO
Inspection dates	B3	PREPARE
Inspection type is specified	B4	NG
Scope is specified clearly	B5	NG
Inspected sites are specified	B6	NG
Findings and observations	B8	NG
GROUP BB		
The info related to the client matches	BB1	NG
Approval of HI	BB2	NG
Signature of the inspector.	BB3	NG
Stamp applied	BB4	NG
GROUP C – INSP. REPORT		
Ensure information duly recorded	C1	NG
Ensure info for change of scope is provided for agricultural units, processes, product as appropriate	C2	NG
Info about field and yield	C3	NG
Info about marketing results	C4	P
Sampling info	C5	P
Ensure inspection findings are summarized with inspection report	C6	NG
Ensure applicable forms are checked and used	C8	NG

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Ref No: 2016070401
Subject: NONC NP6279LCA.NC1

Date: December 07, 2016

Mr. Davis, Ms. Claypool

To avoid reoccurrence of violation of the certification requirements of NOP we updated NOP procedure and the certificate template.

Corrective actions explained as follows;

1-Corrected NOP organic certificate template:

Nr	Issues	Correction	Evidence
1	The certificate does not list an anniversary date	Organic Certificate updated	Organic certificate
2	There are two labelling categories (100% Organic, Organic, Made with Organic...) stated on the certificate when only one category should be listed	According to the labelling category only one category mentioned for each product.	Organic certificate
3	The certificate states "Certification renewal must be done annually before the anniversary date;" however, there is no anniversary date on the certificate and "certification renewal" is not defined in the USDA organic regulations nor the NOP Handbook.	To avoid confusion the statement cancelled and only "Anniversary Date" included	Organic certificate
4	The certificate states, "NOP Regulation Final Rule 7 CFR Part 205," rather than "Certified to the USDA organic regulations, 7 CFR Part 205."	Old statement replaced with the new statement than "Certified to the USDA organic regulations, 7 CFR Part 205."	Organic certificate

2-GP 18 NOP Certification Procedure Point 7.5.2, indicated green

Sincerely,
Dr. Mustafa AKYÜZ
Gn Md.

ETKO
Ekolojik Tarım Kontrol Organizasyonu
160 Sk.No:13/7 35040 Bornova
Tel:0232-339 76 06 Fax:339 76 07

(b) (6)

Tel: 0232-3397606

Fax: 0232-3397607

Email: info@etko.com.tr

<http://www.etko.com.tr>

Tax office: Bornova
Tax No: 381 023 6931

Chamber of commerce
No: 92592.1

Bank
Türkiye İşbankası
Bornova Şubesi

Account
Euro: 3403 0535 690
T.lira: 3403 1122 346

Witness Audit Chronology Log

Audit Identifier (if any): NP6279LCA

Audit Type: Witness Audit

Accredited Certifying Agent Name: Ecological Farming Control Organization (ETKO)

Accreditation Manager (who is working on the project): Graham Davis

Date	Activity
12/9/2016	GD was assigned the CA Report by RM
12/21/2016	GD reviewed the corrective actions submitted by ETKO. GD created a NC Report draft
12/22/2016	GD created a NoNC draft and submitted it with the NC Report draft to RM for review.
12/29/2016	GD emailed ETKO to revise their template by removing the statement, "The certificate should be updated at least annually".
12/30/2016	GD received a revised template from ETKO.
1/03/2017	GD submitted NoNC and NC Report to RM for approval.
1/09/2016	GD made the necessary edits printed documents for approval.

AIA Document Router

Certifier: ETKO

Author: Graham Davis

Date: 1/9/2016

File Path(s) and Document Name(s): [P:\AIA\ACA-Active\ETKO-Turkey\2016 WA Ukraine\CA](#)

Assignment has been entered in the AIA workload tracking log: Yes No

AIA Assistant Director: **Renee Mann**

Further Editing Required
Initials
Date

Approved
Initials
Date

Remarks:

AIA Director: **Cheri Courtney**

Further Editing Required
Initials
Date

Approved
Initials
Date

Remarks:

STOP: Should this go to Accreditation Committee (AC) or Appeals? Pre-decisional and renewal audits, scope reduction or expansion, proposed suspension or proposed revocation (of certifier) go to AC.

This action needs to go to the AC before Deputy Administrator: Yes No
Date went to AC

This action may be appealed and must go to Jenny Tucker: Yes No
Jenny's initials

Deputy Administrator: **Miles V. McEvoy**

Further Editing Required
Initials
Date

Approved
Initials
Date

Remarks:

Return to: **Director Cheri Courtney**

ETKO
Ecological Farming Control Organization

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T:+902323397606, F:+902323397607
E-mail: : info@etko.com.tr , www.etko.com.tr

certifies that

XXXX

T+XX-XX-XXX-XXXX / F+XX-XX-XXX-XXXX/ xyz@xxxmail.xxx
XX

XX

is certified to the USDA organic regulations, 7 CFR Part 205, for the category of:

CROPS/WILD CROPS/HANDLING

Rise - 100% Organic

The certificate should be updated at least annually. Once certified, a production or handling operation's organic certification continues effect until surrendered, suspended or revoked. Status of this certification and specific certified organic products covered may be verified at <http://apps.ams.usda.gov/Integrity/CP/OPP.aspx?cid=27&nopid=9963083101&ret=%252fIntegrity%252fDefault.aspx&retName=Home>

Certifiers ID: 996
Certificate Nrs: No: **XX-XXXXX-XX.201X.NOP**
NOP Operation ID: **XXXXXXXXXX**
Effective date of certification: **Month XX, 2XXX**
Anniversary date: **Month XX, 2XXX**
Issue Date: **Month XX, 2XXX**

On Behalf of ETKO :
XXXXXXXXXX

ORGANIC CERTIFICATE



ETKO
Ecological Farming Control Organization

160 Sok 13/3 35100 Bornova - IZMIR – TURKEY
T:+902323397606, F:+902323397607
E-mail: : info@etko.com.tr , www.etko.com.tr

certifies that

XXXX

T+XX-XX-XXX-XXXX / F+XX-XX-XXX-XXXX/ xyz@xxxmail.xxx
XX

XX

is certified to the USDA organic regulations, 7 CFR Part 205, for the category of:

CROPS/WILD CROPS/HANDLING

Rise - 100% Organic

Once certified, a production or handling operation's organic certification continues in effect until surrendered, suspended or revoked. Status of this certification and specific certified organic products covered may be verified at <http://apps.ams.usda.gov/Integrity/CP/OPP.aspx?cid=27&nopid=9963083101&ret=%252fIntegrity%252fDefault.aspx&retName=Home>

Certifiers ID: 996
Certificate Nrs: No: **XX-XXXXX-XX.201X.NOP**
NOP Operation ID: **XXXXXXXXXX**
Effective date of certification: **Month XX, 2XXX**
Anniversary date: **Month XX, 2XXX**
Issue Date: **Month XX, 2XXX**

On Behalf of ETKO :
XXXXXXXXXX

ORGANIC CERTIFICATE





ETKO Ekolojik Tarım Kontrol Organizasyonu Ltd Şti.

ISO 17065
INSPECTION & CERTIFICATION PROCEDURE FOR ORGANIC
PRODUCTS

Prepared by
ETKO Ekolojik Tarım Kontrol Organizasyonu Ltd Şti
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0232-3397606
www.etko.org

PREPARED	APPROVED
QUALITY MANAGEMENT RESPONSIBLE	MANAGING DIRECTOR

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1. Introduction

ETKO Ekolojik Tarım Kontrol Organizasyonu Ltd Sti prepared the certification procedure as a part of the Quality Management System in order to overcome the expectations and needs of the clients. The purpose of this procedure is to determine the methods for the certification scopes requested by the applicants for their products, starting from the first contact up to the certification decision taken.

After clients application is received an offer is made, after acceptance of the offer a contract is signed, following contracting phase evaluation is realized before certification decision is taken. In order to keep compliance with the certification rules subsequent surveillance Inspection are realized.

This procedure is updated in case of changes in the regulations of certification to keep compliance. The procedure could be updated incase program changes realized within the ETKO management system.

ETKO quality management system complying International Standard "EN ISO 17065" was prepared in order verifying compliance for the products applicants willing to apply for a specific standard or regulation. This procedure applies within the framework of the certification standard(s) applied for. EN ISO 17065 describes the requirements for the certification bodies for conformity assessment of the products.

ETKO prepares guides to inform applicants willing to apply for their products evaluation complying a certain standard within the accreditation scope.

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2. Approval and Quality Management:

ETKO top management undertakes full responsibility of the quality management system, therefor appoints a QMR Quality System Responsible who irrespective of other responsibilities, have responsibility and authority to ensure that processes and procedures needed for the management system are established, implemented and maintained.

ETKO Managing Director and Quality Management Responsible declares that the content of the Quality Manual is reviewed and it complies with the requirements of legal regulations.

3. Distribution List

Controlled copies of this QM are distributed to

1. Managing Director MD
2. Certifier
3. Quality Manager QM
4. Quality Manager Assistant QMA
5. Accreditation body AB

The original of Quality Manuel is kept by QM.

The QM and QMA keep their QM copies in a safe place, enabling the access of inspectors or any other personnel, in need.


4. Purpose

This procedure defines the administrative aspects of application, evaluation and certification process for NOP National Organic Program.

5. Responsibilities

Managing Director, Quality manager, Certifier and Inspectors are responsible for the proper implementation of this procedure

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6. Records and Reference Procedure:

Records related to Certification Procedure is listed in Document Master List “SP 01 F 03” section “FORMS”

Procedures implemented for application, evaluation, review, certification, surveillance and sanctions are listed in Document Master List “SP 01 F 03” section “PROCEDURES”

- GP 18 F 01 Organic Compliance Plan – process
- GP 18 F 02 Organic Compliance Plan – agricultural
- GP 18 F 05 Organic Compliance Plan - wild collection
- GP 18 F 06 Organic Compliance Plan – Feed Stuff Process
- GP 18 F 10 Notification of Noncompliance form (NONC)
- GP 18 F 11 Notification of Noncompliance Resolution (NONCR)
- GP 18 F 12A Notification of Denial of Certification Application Review (NODC)
- GP 18 F 12B Notification of Denial of Certification before Certification (NODC)
- GP 18 F 13 Notification of Proposed Suspension (NOPS)
- GP 18 F 14 Notification of Suspension (NOS)
- GP 18 F 15 Notification of Proposed Revocation (NOPR)
- GP 18 F 16 Notification of Revocation (NOR)
- GP 18 F 17 Reinstatement Request Letter From Suspended Operation to USDA
- GP 18 F 18 ETKO Reinstatement Request Letter for Suspended Operation to USDA
- GP 18 F 20 Surrender NOP Certification Letter

- GP 07 Fees procedure
- GP 11 Use of Logo and License,
- OP 03 Testing
- OP 10 OCP processing guidance
- OP 11 OCP agriculture guidance
- TI 05 Sampling Method
- TI 40 NOP Guide Testing & Enforcement Actions

7. Certification Requirements

7.1. General

ETKO operates under USDA Accreditation for NOP Regulation. The requirements against which the products of a client are evaluated according to NOP regulation.

The explanations required as to the application of these documents for NOP certification, are formulated by ETKO technical persons, possessing the necessary technical competence, and they are available to ETKO website www.etko.org.

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Applicants can download ETKO documents from the ETKO website www.etko.org and the NOP regulations from USDA website section National Organic Program: www.ams.usda.gov.

The designed objective of this certification process is to assure compliance to NOP requirements by developing a thorough understanding of the applicant and its operation. ETKO requires its clients to:

- Comply with all applicable NOP standards and requirements
- Establish, implement, and update annually an organic production or handling system plan;
- Permit on-site inspections with complete access to the production or handling operation, including no certified production and handling areas, structures, and offices;
- Maintain all records applicable to the organic operation for not less than 5 years beyond their creation and allow authorized representatives of the Secretary, the applicable State official, and the certifying agent access to such records during normal business hours for review and copying to determine compliance with the regulations;
- Submit the applicable fees charged by the certifying agent; and
- Immediately notify the certifying agent concerning any:
 - application, including drift, of a prohibited substance to any field, production unit, site, facility, livestock, or product that is part of an operation; and
 - change in a certified operation or any portion of a certified operation that may affect its compliance with the regulations.
- All applicants, upon request for certification, will receive an application packet, which includes fee structures, a copy of the NOP Final Rules, required documentation and other information deemed pertinent to certification.

Applicant is required to provide all the documents, plan, records and information to ETKO to complete the application processes.

NOP regulation shall be used as standard in the inspection, in the application of accept/reject criteria, record keeping requirement. The inspector shall carry his/her own controlled copy of NOP regulation.

ETKO is responsible to provide NOP Regulation to its clients. In case, demanded NOP Regulation may be downloaded from the website. www.etko.org

Once the operator is certified the certificate stays valid unless it is cancelled, withdrawal or suspended by ETKO or AMS or surrendered by the operator.

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7.2. Application

Application process begins with the applicant providing all the information requested by the inspection information form (GP 01 F01) which must be initially completed by all those seeking certification. While this process is designed to be sufficiently thorough to secure the documentation necessary to verify the applicant's organic status, it is also designed to be relatively straightforward.

The primary purposes of the initial application are (1) to establish the applicant's eligibility, (2) define specific certification procedures, (3) estimate certification fees and (4) provide a reference for the independent ETKO inspector.

All applicants are required to complete the initial application process. Applicants are required to provide sufficient additional information to substantiate the baseline history of their organic status; including previous certification information where available.

The legal and statutory documents, related standards together with the certification procedures are sent to applicant by ETKO following the initial application of the client.

Applicants are encouraged to ask pertinent questions, which will enhance the ease, speed and accuracy of their application process

Upon receipt of the inspection information form (GP 01 F01), ETKO's staff performs a thorough review. The submitted information is initially screened to determine whether it meets the basic requirements for certification. Involved in this process is a comparison of the application information with applicable organic standards.

Under normal circumstances, the applicant will receive notification of its application status within 10 working days.

However, additional information, or correction of minor deficiencies may be required at this time. In such a circumstance, the application process is detained until sufficient information and documents are provided to develop an adequate level of confidence that proceeding with the certification is in the best mutual interest.

If the initial application is not accepted, the applicant is so notified with an explanation of those major deficiencies, which resulted in the rejection. In this case, the applicant is encouraged to correct the noted deficiencies and re-apply by submitting a new application

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7.2.1. Contract

If the initial application is accepted, ETKO offer containing a complete itemization of estimated fees is prepared for certification. Offer is to be approved by the applicant before the applicant is issued an application number, and a Contract (GP 01 F02). After the mutual approval of this contract the applicant is scheduled for the initial third party inspection.

Contract signed is valid until voluntary withdrawal, suspension or cancellation of the contract by ETKO or ministry of agriculture responsible bodies.

When the contract is signed, client is requested to submit the application package.

In case the initial application is under contract, then the applicant is requested to proceed to further phases, as instructed by ETKO.

7.2.2. Application Package

Clients must meet all applicable requirements of the National Organic Program when applying for certification. Each production or handling operation or portion of an operation that produces or handles crops, livestock, livestock products, or other agricultural products that are intended to be sold as “organic” **must** be certified and **must** meet all other applicable requirements of the National Organic Program.

7.2.2.1 Content of Application Package

Client together with the below mentioned documents submits to ETKO appropriate GP 18 F01 to GP 18 F 07 forms, duly filling.

- (a) An organic production or handling system plan, as required in §205.200;
- (b) The name of the person completing the application; the applicant's business name, address, and telephone number; and, when the applicant is a corporation, the name, address, and telephone number of the person authorized to act on the applicant's behalf;
- (c) The name(s) of any organic certifying agent(s) to which application has previously been made; the year(s) of application; the outcome of the application(s) submission, including, when available, a copy of any notification of noncompliance or denial of certification issued to the applicant for certification; and a description of the actions taken by the applicant to correct the noncompliance noted in the notification of noncompliance, including evidence of such correction; and
- (d) Other information necessary to determine compliance with the Act and the regulations

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- Applicant must have documented policies and procedures for excluding agricultural products from organic sale, if tests results are more than 5% of the EPA tolerance.

(Not: Applicant and ETKO will allow the applicable State official, or the AMS Administrator to conduct investigations to determine the cause of prohibited substances.)

7.2.2.2 Farming operations:

- production records from the three prior years for both the producer and for the hectare producing the crop seeking certification;
- detailed soil improvement plan as providing minimum soil tillage without leaving the fields unattended,
- pest management strategies for the crops being produced;
- A production plan including all details used to calculate estimated yields and production.

7.2.2.3 Processing and Handling Facilities:

Regardless of whether they are continuations from a specific farming operation or they are independent production processing, storage or handling facilities are also required to undergo inspection and certification this package includes

- chain of custody documentation to verify inputs as being organically grown;
- details on the mechanics of the processing operation;
- Details on process management controls, including contamination prevention, pest management and sanitation's controls.

The application process is completed with the above mentioned information and documents supplied to the certification body.

Facilities dealing with processing activities described by NOP to be certified separately which cannot be certified as subcontractor under the umbrella organization. However there are operations involved with only storage and transport could be subcontracted and inspected under the certified operators. In this case organic system plan of the operator should include these operations activities. See more details TI 48 NOP Certification of Subcontracted Operations

7.3 Application Package Review

Application review is conducted by a competent person assigned by ETKO, who has the adequate technical knowledge and experience on general agriculture and organic agriculture.

Application review consists following:

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- A review to ensure that the application is complete as per ETKO procedures and other legal or statutory requirement.
- A determination of whether the applicant appears to comply or may be able to comply with the relevant applicable requirements of the production and handling standards;
- Verification that an applicant who previously applied to another certifying agent and received a notification of noncompliance or denial of certification has submitted documentation to support the correction of any noncompliance's identified in the notification of noncompliance or denial of certification; and
- The scheduling of an on-site inspection of the operation to determine whether the applicant qualifies for certification if the review of application materials reveals that the production or handling operation may be in compliance with the applicable requirements.

Result of application package review is recorded on the application package review form (GP 02 F 01) and is sent to the client to take the remedial actions, if any. Any noncompliance observed is informed to the applicant, recorded on NONC (GP 18 F10)

Within a reasonable time, ETKO

- (1) Reviews the application materials received and communicate its findings to the applicant;
- (2) Provides the applicant with a copy of the on-site inspection report, as approved by the certifying agent, for any on-site inspection performed; and
- (3) Provides the applicant with a copy of the test results for any samples taken by an inspector.

Notes:

1. The applicant may withdraw its application at any time.
2. An applicant who withdraws its application is liable for the costs of services provided up to the time of withdrawal of its application.
3. An applicant that voluntarily withdrew its application prior to the issuance of a Notice of Noncompliance (NONC) (GP 18 F10) will not be issued a notice of noncompliance. Similarly, an applicant that voluntarily withdrew its application prior to the issuance of a Notification of Denial of Certification will not be issued a Notification of Denial of Certification

The client who completed the application phase is included on the inspection plan, and at all proceeding activities ETKO certification requirements and procedures are implemented.

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7.3.1 Organization of APPLICANT for Inspection

Prior to the scheduled inspection, the applicant is expected to have organized all of the records, which documents that, the commodities and / or processes under review are certifiable as organic. The applicant's co-operation in completing all of the forms, providing thorough and proper documentation, and being prepared, will greatly contribute to the timely and cost effective completion of the entire certification process. Delays to this process could lead, as a matter of course, to an increased cost (which would be borne by the applicant) of the overall certification.

While laws at the national level require the maintenance of these records, good business practice demands them. The applicant is reminded that documentation must be clear, complete and concise. Otherwise, an inspector may be unable to complete the inspection, as instructed, if sufficient information to verify the requisite status is not clearly provided. Unannounced inspections may be organized during the production and processing period to the applicant's agricultural production and processing units.

7.3.2 Ongoing Audit Monitoring of Records:

The program's comprehensive record keeping requirements, which direct a certified entity to maintain production input, and commodity tracking records on a current and continuing basis, provide Audit monitoring compliance.

Production inputs consist of anything that is instructed to, added to, or done in the process of creating a product. Commodity tracking consists of the mechanism by which anything that moves from the certified entity's operation into the distribution chain is quantitatively followed.

All of this information shall be maintained in an "auditable" form so that, should a full audit be required, information will be sufficiently presentable so as not to jeopardize the existing certification status which could result from un-audit ability of the record.

Applicants shall maintain records concerning the production, harvesting, and handling of agricultural products that are or that are intended to be sold as "organic", or "made with organic (specified ingredients)."

The client shall keep records according to the following procedure:

- Clients' records are adapted to the particular business that the certified operation is conducting;
- Clients' records fully disclose all activities and transactions of the certified operation in sufficient detail as to be readily understood and audited;

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- Clients' records are maintained for not less than 5 years beyond their creation; and
- Clients' records are sufficient to demonstrate compliance with the regulations
- The client shall make its records available for inspection and copying during normal business hours by authorized representatives of the Secretary, State official, and ETKO.
- As well as applicants, ETKO maintains all records required by §205.510(b) and makes all such records available for inspection and copying during normal business hours by authorized representatives of the Secretary and the applicable State official;

During the independent third party inspection, a thorough review of this record keeping system is performed to verify that they are being maintained in accordance with the terms and conditions of the program.

To facilitate the compliance with this requirement, the program's monitoring structure has the designed flexibility to accommodate a variety of independent reporting formats. Upon approval by ETKO, the applicant's existing record keeping system may be utilized. In this manner, the applicant is able to produce the required information in a familiar format while eliminating additional, redundant and unfamiliar form-filling efforts.

These record keeping requirements are fundamental to the overall certification process. For this reason, failure to maintain this necessary documentation can result in temporary suspension, or outright cancellation of certification until compliance is re-established.

If, in the judgment of ETKO, a full audit is deemed necessary, such would be performed by an ETKO designated accounting firm under terms and conditions specified in the Certification Agreement. Every effort would be made to schedule the audit as quickly as possible, and at a time of mutual convenience, to minimize delays in proceeding with full certification.

7.3.3 Time of the Essence

Both the applicant and ETKO have obligations to each other to assure that the certification process advances quickly and efficiently. The applicant is obliged to have its records in sufficient order to allow the preparation of a clear and concise application package, which, in turn, will enable the inspector to complete the inspection in a timely manner. Conversely, upon receipt of a properly prepared application, ETKO has an obligation to schedule, and subsequently complete, the certification process as quickly as practical.

7.3.4. Functions

Functions of the on site inspection are performed by ETKO qualified inspectors. Because these functions constitute a major source of information used in the development of a certification profile, only those individuals with extensive experience and requisite background are entrusted to perform these functions.

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Typical profile of an ETKO Inspector is explained in GP 16 Requirements for inspector qualification and necessary trainings in SP 05 Recruitment and Training procedures:

Inspectors use the formats as outlined in ETKO quality system, for recording and reporting. Inspectors are further instructed to follow specific instructions, answer all appropriate questions and provide a final report.

7.4. Evaluation

7.4.1 Aim of the Evaluation

Upon acceptance of the application, an onsite inspection is scheduled. ETKO inspectors perform a thorough evaluation of the application, and of the applicant's capacity to produce and/or process those commodities seeking certification.

The primary purpose of this inspection is to verify the accuracy and authenticity of the submitted application material. In addition, the inspection provides a two-way exchange of information, which is valuable to both the inspector and the applicant.

The inspector and the client need to be prepared to discuss the applicant's operating practices as they have been described in the application questionnaires.

The applicant shall provide to the inspector all of the farming and/or processing facilities which are contributory to the product(s) being certified. The inspector reviews all pertinent documentation, collects specified samples, records notes and takes photographs where appropriate. Unannounced inspections should be accepted.

ETKO conducts an initial on-site inspection of each production unit, facility, and site that is included in an operation for which certification is requested.

ETKO conducts an on-site inspection annually for each certified operation to determine whether to approve the request for certification or whether the certification of the operation should continue.

7.4.2. On Site Inspection

Inspections are conducted for NOP program with this procedure. Before performing an actual on site inspection, the inspector reviews

1. Technical instructions;
2. Related OPs and GPs

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3. Additional specific instructions and requirements of ETKO;
4. Legal and statutory documents and standards.
5. The application file
6. NOP Regulation.

Initial on-site inspection is conducted within a reasonable time following a determination that the applicant appears to comply or may be able to comply with the production and handling requirements. Initial inspection may be delayed for up to 6 months in order to comply with the requirement that the inspection be conducted when the land, facilities, and activities that demonstrate compliance or capacity to comply can be observed.

All on-site inspections are conducted when an authorized representative of the operation who is knowledgeable about the operation is present and at a time when land, facilities, and activities that demonstrate the operation's compliance with or capability to comply with the production and handling requirements can be observed.

This requirement does not apply to unannounced on-site inspections.

Inspection starts with the opening meeting in which the management team of the client attends. The scope of the certification (products, processes, standards, legal requirements...) are reviewed, information about the inspection method, inspection plan and reporting is provided.

The inspection involves recording observations of the entire operation in writing and on film when applicable. During the inspection, the inspector verifies the effectiveness and compliance of the operations, effecting the certification, to the certification requirements utilizing the relevant forms and questions as per relevant documents of ETKO:

- The operation's compliance or capability to comply with the appropriate relevant regulations;
- That the information, including the organic production or handling system plan, accurately reflects the practices used or to be used by the applicant or by the certified operation; and
- That prohibited substances have not been and are not being applied to the operation through means on which ETKO has the right to collect samples of soil, water, waste, seeds, plant tissue, and plant, animal, and processed products and test them at ETKO's expense.
- The projects containing several small farm holders may have an internal control system operating internal check of the producers to prepare them for certification. ICS operation needs to be checked by the inspector according to OP 01 Inspection Procedure art. 22 and OP 02 Grower Groups Procedure.

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For on-site inspections of farming operations, the inspector is required to walk through the applicant's operation to evaluate the farming practices. The farm applicant is required to make available to the inspector all of the farming records and facilities, which are contributory to the commodity being certified. This would include the farm itself, adjacent areas, ancillary facilities and equipment such as storage areas, tractors and other farming implements.

For on-site inspections of processing facilities, the inspector is required to evaluate the process flow as described on the applicant's flow chart. This is accomplished by observing the equipment being used, major process control points, all ingredients added to the processed product, pest control management systems, and all ingredients used in the maintenance and/or cleaning of the process equipment; and disposal of waste and other production process by-products.

The inspector will conduct an exit interview with an authorized representative of the operation who is knowledgeable about the inspected operation to confirm the accuracy and completeness of inspection observations and information gathered during the on-site inspection. The inspector addresses the need for any additional information as well as any issues of concern.

Outdated documents are withdrawn from the service after 10 years. ETKO guarantees that all valid documents are at hand to all respective users during this period.

ETKO may conduct additional on-site inspections of applicants for certification and certified operations to determine compliance with the regulations...

The additional inspections may be announced or unannounced at the discretion of ETKO or as required by the AMS Administrator or State official.


7.4.3. Laboratory Testing

ETKO requires operators realize testing at a minimum is required annually. At the discretion of ETKO, additional testing may be performed by ETKO on a regular basis throughout the certification period. For the compliance of NOP regulation 205.670-672 ETKO procedures TI 05 Sampling Method and TI 40 NOP Guide Testing & Enforcement Actions are implemented.

Samples taken at the time of the initial inspection, or annual renewal, provide the initial basis for analytical enforcement. Unannounced sampling and testing may be also performed on both random surveillance bases as well as on a compliance basis.

Both routine and unannounced additional sampling and testing are at ETKO's expense when ETKO decide to make analyses.

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7.4.4. Production Inputs and Commodity Tracking System

Every certified entity, be it a grower, shipper, processor, handler or distributor, is required to collect and maintain records on all activities, materials and changes that take place within its operation. Information regarding all inputs and all physical production is required. In addition, information regarding the movement of finished product is required.

ETKO retains the option review all input and production records at any time.

The inspector must be sure that:

- the record keeping system is continuously maintained in an “auditable” format, and
- it is sufficiently comprehensive to provide all of the required information, and yet
- it is concise enough to provide unambiguous audit trail.

ETKO endeavors to utilize the applicant’s established record keeping systems. All such systems must receive ETKO approval, and must be reviewed by inspector before certification may be granted.

7.4.5. Audit Report

All the observations and findings during audit are recorded on inspection reports and other related records as appropriate as required by certification process. The observations and findings in relation to the deviation from the rules, regulations are to be recorded under “Evaluation Results”

The inspectors have no authority to define a noncompliance either in inspection report or in any other record, or inform the client with such an information stating indicating a noncompliance.

At the time of the inspection, the inspector shall provide the operation's authorized representative with a receipt for any samples taken by the inspector.

A copy of the Inspection Report and any test results are sent to the client .

Note: providing advice for corrective actions is strictly prohibited by accreditation rules.

7.4.6. Surveillance

ETKO performs periodical inspections (surveillance visits) on the client’s premises/processes in order to see and verify if the products and or processes in the certification scope,

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maintains conformance to the relevant standards, statutory and legal requirements. The period for surveillance is determined during the initial inspection, if possible and included in the contract.

The scope of surveillance visits is determined during the inspection by the inspectors.

During the overall process of certification and during maintenance of the certificate, the inspector ensures that the applicant is always reminded to keep and maintain relevant records of its activities properly, in an auditable manner.

The applicant may continue to use its existing record and record keeping system, if it is found to be satisfactory by ETKO. Otherwise it is requested to improve recording and filing system.

The applicant is required to keep and maintain production input, and commodity tracking records on a continuing basis to provide as an evidence of compliance of certification requirements.

Production inputs consist of anything that is instructed to, added to, or done in the process of creating a product. Commodity tracking consists of the mechanism by which anything that moves from the certified entity's operation into the distribution chain is quantitatively followed.

All of this information must be maintained in an "auditable" form so that, should a full audit be required, information will be sufficiently presentable so as not to jeopardize the existing certification status which could result from un-audit ability of the record.

Applicants maintain records concerning the production, harvesting, and handling of agricultural products that are or that are intended to be sold as "organic", or "made with organic (specified ingredients).

7.4.7. Records:

- fully disclose all activities and transactions of the certified operation in sufficient detail as to be readily understood and audited;
- are maintained for not less than 5 years beyond their creation;
- must be sufficient to demonstrate compliance with the regulations
- Regular reporting of specific information, as dictated by the nature of the certified operation, is required from certified clients on an individualized basis.
- When required; at the discretion of ETKO additional testing may be performed on a regular basis throughout the certification period.

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Samples collected in the initial inspection or during surveillance provide fundamental information for the decision on certification. During the certification period sampling and testes may be done without informing the client. During the inspection, a thorough review of this record keeping system is performed to verify that they are being maintained in accordance with the terms and conditions of the program.

The record keeping requirements are fundamental to the overall certification process. For this reason, failure to maintain this necessary documentation can result in temporary suspension, or outright cancellation of certification until compliance is re-established.

If, in the judgment of ETKO, a financial audit is deemed necessary, such would be performed by an ETKO designated accounting firm under terms and conditions specified in the Certification Agreement. Every effort would be made to schedule the audit as quickly as possible, and at a time of mutual convenience, to minimize delays in proceeding with full certification.

Customer complaints records and actions taken for complaints by the client are also subject to inspection to verify that the client takes proper and effective action.

7.4.8. Continuing Support

ETKO, in providing certification, is making a commitment to support the organic integrity of its clients on an on going basis. ETKO is responsible to provide NOP Regulation and the amendments in the original language of the rule.

The changes of the certification system especially in case of changes of the certification requirements will be forwarded to the licensees.


ETKO has the right to insight the necessary documents regarding the application of new requirements.

ETKO provides relevant regulations and standards and the amendments to its clients in their language.

The clients are informed on a timely manner, about the amendments in the certification system and the changes in the certification requirements formally in written form or by publishing in website. The amendments are valid on the date as informed to the client. The client is responsible to implement the changes in the requirements as soon as received. ETKO controls the effective implementation of the changes in requirements by the client.

The clients are responsible to inform ETKO about the planned changes in their processes, on time. ETKO shall not be responsible of the results due to the late notification of the client

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about the changes. The changes in the client's system have to be inspected and approved prior to the implementation. The inspection is done on site and on the related documents

The changes to be made by the client have to be not affecting the organic status of the current production. The planned changes are strictly required to be in accordance with relevant legal requirements and standards. Otherwise, ETKO may deny the change and its consequences, and may postpone or cancel the certification of the product (ion) effected by the change.

7.4.9. Ongoing Compliance

For NOP, the ongoing compliance is enforced by a series of different check systems applied in surveillances.

- **Production input records**

Required by the program, they shall be maintained on a current and continuous basis. These records must be available for inspection; and they also may be required as part of regular reporting requirements.

- **Commodity-tracking systems**

They are routinely monitored in the market place by random checking. This mechanism enables ETKO to audit the flow of certified product through the channels of distribution on a real time basis.

- **Audits of record keeping systems**

It is routinely performed during an inspection, also can be required at any time during the certification period. In addition, routine auditing of regularly reported information is performed.


- **Regular reporting of specific information**

As dictated by the nature of the certified operation, it is required from certified clients on an individualized basis.

7.4.10. Temporary variances

Clients are allowed to receive temporary variances from the requirements in production and handling standards as established by the regulations for the following reasons:

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- Natural disaster declared by the Secretary.
- Damage caused by drought, wind, flood, excessive moisture, hail, tornado, earthquake, fire, or other business interruption.
- Practices used for the purpose of conducting research or trials of techniques, varieties, or ingredients used in organic production or handling.

ETKO will notify USDA to recommend a temporary variance from a production or handling standard, provided that the variance is based on one or more of the reasons listed above.

ETKO will notify each applicant of the establishment of a temporary variance for each production and handling operation it certifies to which that temporary variance applies.

7.4.11. Acceptable and Prohibited Materials

The general criteria used by ETKO for determining the acceptability of a material is specified by the USDA National Organic Program's National List of Approved and Prohibited Substances.

Basic policy maintains that non-synthetically compounded materials, a group generally referred to as biological agricultural products, tend to be acceptable. Conversely, the use of synthetically compounded materials, genetically modified propagation materials, processing aids and plant protection materials, such as genetically modified parasites, predator and other organisms almost without exception, are prohibited.


In addition, those materials, which, while may not be synthetically compounded, but continue to be either highly toxic or environmentally hazardous, are similarly prohibited.

The agricultural products sold by certified clients as organic are produced and handled:

- In compliance with the National List;
- Without the use of excluded methods, except for vaccines, provided that the vaccines are approved;
- Without the use of ionizing radiation; and
- Without the use of sewage sludge.

Clients are required to verify the acceptability of inputs with ETKO prior to their use in order to avoid inadvertently jeopardizing an organic status through the use of a prohibited material.

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7.4.12. Transition Period

The setting of a fixed transitional time period may be considered arbitrary; however, benchmarks are necessary. To enter into the ETKO certification program, the minimum amount of time that an applicant's crop and cropping areas must be operated under conditions which have had no unacceptable materials applied is dictated by those regulations, which prevail over its certification.

The organic foods industry has been developing a consensus of three years as the recognized minimum acceptable period by the USDA National Legislation; NOP Regulation .

Measurement of the minimum period is determined as follows:

- Annual crops: period prior to seed planting or transplanting.
- Perennial crops: period prior to the appearance of flower buds.

7.4.13. Packaging and Post-Harvest Handling

No commodity can be considered legitimately organic unless it is organic from its field origin to the marketplace. For this reason, the importance of proper packaging and post harvest handling is equal to that of the actual field production.

7.4.14. Processing

No unacceptable materials may be used in the cleaning, packaging or storing of a certifiable product once it has been harvested. This condition applies equally regardless of whether the applicant handles all of the post harvest, or subcontracts it to another entity.

The responsible authority for these activities will be required to complete an application and affidavit regarding post-harvesting operations. Failure to properly complete this portion of the certification process could be cause for denial of certification. Special forms to complete this portion of the process are available from ETKO upon request.

7.4.15. Setting the Fee

The fee structure is generically designed to be applicable to a large number of different agricultural and processing operations. However, because these operations are so diverse, it is virtually impossible to structure a schedule, which anticipates every variation.

Therefore, prior to the acceptance of an application, ETKO will determine what, if any, additional changes will be required to the basic fee structure. These changes will be

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presented, in detail, to the applicant who will have the opportunity to approve the changes, modify the application, or withdraw it entirely.

The applicant's decision is then formalized in writing and incorporated as part of the Certification Agreement, which is included with the transmittal accepting the application.

7.4.16 Propagation Material Non-commercially Available

Operators or producers certified by ETKO must apply with the "Propagation Material Approval Form" to ETKO for approval of a non-commercially available organic propagation material before use in organic production.

Applicant should prove that there is no source available by documents. ETKO checks possible sources which can provide the propagation material through National List from the statistics of the origin country Ministry of Agriculture.

ETKO Certified operations and producers are obliged to follow the NOP Regulation 205.204 Seeds and Planting Stocks Practice Standard and ETKO procedures mentioned on 5.17 of this procedure.

7.4.17 Ingredients Non-commercially Available

ETKO Certified operations and producers are obliged to follow the NOP Regulation 205.105 "Allowed and prohibited substances, methods, and ingredients in organic production and handling",
 205.270 Organic Handling Requirements,
 205.301 Product Composition,
 205.606 Non-organically produced agricultural products allowed as ingredients in or on processed products labeled as organic or made with organic ingredients.


7.5. Granting Certification

7.5.1. Certification Decision

The Organic Certifier is responsible for all the decisions in relation to certification (granting, suspension, revoking...) The OC is independent of the application review and or certification process.

Granting the certificate depends on the appropriate planning or, planning and implementation of the corrective actions in a timely manner for the Notification of

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Noncompliance “GP 18 F 10” reported by the OC to client, based on the inspection reports and all other supporting documents and evidences.

Once certified, a production or handling operation's organic certification continues in effect until surrendered by the organic operation or suspended or revoked by ETKO or the State organic program's governing State official, or the Administrator.

ETKO Organic Certifier grants certification based on the determination that:

- The applicant is in compliance with its organic system plan and all procedures;
- The activities of the applicant’s operation are in compliance with the appropriate regulations; and
- The applicant is able to conduct operations in accordance with the plan

7.5.2. Certification Certificate

Within a reasonable time after completion of the initial on-site inspection, the Organic Certifier (OC) reviews the on-site inspection report, the results of any analyses for substances conducted, and any additional information requested from or supplied by the applicant. If the organic system plan and all procedures and activities of the applicant's operation are in compliance with the certification requirements and that the applicant is able to conduct operations in accordance with the plan, the OC grants certification. (GP 13 F 03 NOP certificate)

The certification may include requirements for the correction of minor non compliances within a specified time period as a condition of continued certification. (See art.5.24)

The certificate of organic operation specifies the:

- (1) Name and address of the certified operation; including a physical address if the mailing or legal address is not the physical location of the operation
- (2) Name, address, Website, and telephone number of ETKO
- (3) Effective date of certification; (when ETKO or initial certifying agent first certified the operation to the USDA organic regulations)
- (4) Issue date (when ETKO issued the organic certificate);
- (5) Anniversary date (when the certified operation must submit its annual update).
Organic certificates cannot include expiration dates;
- (6) Categories of organic operation, including crops, wild crops, livestock, and handling/processing)

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(7) Specific certified organic products covered by the organic certificate, allowing auditors and buyers to verify whether the operation is certified to produce or handle the product for sale (e.g., “hay” or “Uncle Perry’s Berry Organic Granola”);

(8) Labeling category for each product certified under the handling/processing certification category (not required for products in the crops, wild crops, or livestock certification categories). Labeling categories: 100% Organic, Organic, Made with Organic (specified ingredients or food groups), and Livestock Feed (Organic or 100% Organic);

(9) The statement, “Certified to the USDA organic regulations, 7 CFR Part 205.” This differentiates USDA organic products from those certified to other organic standards; and

(10) The statement, “Once certified, a production or handling operation’s organic certification continues in effect until surrendered, suspended or revoked.”

A list of all issued certificates shall be maintained, containing the following information:

- Certificate number
- Client/company name
- Address-country
- Applicable standards, regulations
- Scope of certification
- Accreditation status
- Certification date
- Validity date
- Status of certification (suspended, withdrawn...)

7.5.3. Denial of Certification

ETKO provides a Notification of Noncompliance (NONC) (GP 18 F10) to the applicant when ETKO has reason to believe that the applicant for certification is not able to comply or is not in compliance with the requirements

- during the application review, based on a review of the information submitted by the applicant (as specified in NOP rule §205.402) or
- during the initial inspection (as specified in NOP rule §205.404)

When correction of a noncompliance is not possible, a Notification of Noncompliance and a Notification of Denial of Certification may be combined in one notification. The Notification of Noncompliance (NONC) (GP 18 F 10) provides:

1. A description of each noncompliance;
2. The facts upon which the Notification of Noncompliance (NONC) GP 18 F 10 is based; and

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3. The date by which the applicant must rebut or correct each noncompliance and submit supporting documentation of each such correction when correction is possible.

Upon receipt of such notification of noncompliance, the applicant may:

1. Correct noncompliance and submit a description of the corrective actions taken with supporting documentation to ETKO; or
2. Correct noncompliance and submit a new application to another certifying agent. (NOTE: If such an applicant applies to ETKO for certification, the applicant must include a complete application, the notification of noncompliance received from the first certifying agent, and a description of the corrective actions taken with supporting documentation) or
3. Submit written information to ETKO to rebut the noncompliance described in the notification of noncompliance.

After issuance of a Notification of Noncompliance (GP 18 F 10), ETKO:

1. Evaluates the applicant's corrective actions taken and supporting documentation submitted or the written rebuttal, conduct an on-site inspection if necessary, and
 - When the corrective action or rebuttal is sufficient for the applicant to qualify for certification, issues the NOP Certificate (GP 13 F 03) to the applicant pursuant to §205.404; or
 - When the corrective action or rebuttal is not sufficient for the applicant to qualify for certification, issues the applicant a Notification of Denial of Certification (NODC) "GP 18 F 12A or GP 18 F 12B"
2. If applicant fails to respond to the Notification of Noncompliance (GP 18 F10), issues a Notification of Denial of Certification.(NODC) (GP 18 F 12 A in application review phase, GP 18 F 12 B in initial inspection phase)

Copies of NONC, NODC, NONCR are submitted to the Administrator, pursuant to §205.501(a)(15).

The Notification of Denial of Certification (NODC) (GP 18 F 12 A&B) states the reason(s) for denial and the applicant's right to:

- Reapply for certification
- Request mediation to Administrator or, if applicable, pursuant to a State organic program; or

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- File an appeal of the denial of certification pursuant to §205.681 or, if applicable, pursuant to a State organic program.

The applicant for certification who has received the NONC (GP 18 F 10) or the Notification of Denial of Certification NODC (GP 18 F 12 A or B) may apply for certification again at any time to any certifying agent, in accordance with §§205.401 and 205.405(e).

When such applicant submits an application to ETKO instead of the certifying agent who issued the notification of noncompliance or notice of denial of certification, the applicant for certification must include a copy of the Notification of Noncompliance “NONC” or Notice of Denial of Certification “NODC” and a description of the actions taken, with supporting documentation, to correct the noncompliance noted in the notification of noncompliance.

When ETKO receives a new application for certification, which includes a notification of noncompliance or a notice of denial of certification issued by another CB, the application is treated as a new application and a new application process is started pursuant to §205.402.

- **False statements or mis-presentations**

If ETKO has reason to believe that an applicant for certification has willfully made a false statement or otherwise purposefully misrepresented its operation or its compliance with the certification requirements, the certification may be denied certification without first issuing a Notification of Noncompliance (GP 18 F10)

7.5.4. Continuation of Certification.

Each year, before the date indicated by ETKO, the producer must notify ETKO of its schedule of production of crop products, giving a breakdown by parcel. This schedule can be shown on the organic compliance plan. Plan needs to be revised each year by the operator and review will be made by a competent staff of ETKO. The operators that do not annually submit the information required as follows will be issued Notification of Non compliance.

To continue certification, a certified operation must annually pay the certification fees and submit the following information, as applicable, to ETKO:

1. An updated organic production or handling system plan which includes:
 - a. A summary statement, supported by documentation, detailing any deviations from, changes to, modifications to, or other amendments made to the previous year's organic system plan during the previous year; and
 - b. Any additions or deletions to the previous year's organic system plan, intended to be undertaken in the coming year, related to production practices

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2. Any additions to or deletions from the information related to address, responsible person, name of the company, telephone number given to ETKO for certification.
3. An update on the correction of minor noncompliance previously identified by ETKO as requiring correction for continued certification; and
4. Other information as deemed necessary by ETKO to determine compliance with the Act and the regulations in this part.

Following the receipt of the a/m information, ETKO, within a reasonable time arranges and conducts an on-site inspection of the certified operation as per OP 01 (pursuant to §205.403) Note: When it is impossible to conduct the annual on-site inspection following receipt of the client's annual update of information, ETKO may allow continuation of certification and issue an updated certificate of organic operation on the basis of the information submitted and the most recent on-site inspection conducted during the previous 12 months: *Provided*, That, the annual on-site inspection is conducted within the first 6 months following the client's scheduled date of annual update.

If ETKO has reason to believe, based on the on-site inspection and a review of the information specified by client, that the client is not complying with the requirements of the Act and the regulations in this part, then ETKO Organic Certifier provides the Notification of Noncompliance (GP 18 F 10) to the operation in accordance.

In case ETKO determines that the client is complying with the Act and the regulations and that any of the information specified on the certificate of organic operation has changed, then, an updated certificate of organic operation is provided.

In case annual update is not provided before the annual inspection a written notification of noncompliance (GP 18 F 10) is provided to client by the OC.

7.5.6. Conditional Certification

When a product is qualified as being organic, but deficiencies in its producing operation remains, conditional certification may yet be granted. The applicant is notified of the non compliances determined by ETKO, which are necessary to be remedied within a specified timeframe. Upon the applicant's corrective action plans for the non compliances, certification can be conditionally granted – with a concurrent verification of actions taken for compliance.

- **Exempt handlers**

Operations that are exempt from certification and submission of an organic system plan are subject to the following requirements:

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- Any production or handling operation with gross agricultural income from organic sales that total less than \$5,000.00 annually.
- A handling operation that is a retail food establishment or portion of retail food establishment that handles but does not process organically produced agricultural products.
- A handling operation or portion of handling operation that handles agricultural products that contain less than 70 percent organic ingredients (by total weight of the finished product, excluding water and salt).
- A handling operation or portion of handling operation that only identifies organic ingredients on the information panel.

Exempt handlers who only handle products containing less than 70 percent organic ingredients or only list organic ingredients on the information panel must comply with the following:

- Provisions for the prevention of organic products commingled with non-organic and prevention of contact with prohibited substances;
- Labeling provisions; and
- Recordkeeping provisions in §205.101 (c)

Products from an exempt production operation cannot be used as ingredients identified as organic in processed products produced by a certified handling operation

The following operations are excluded from the NOP regulatory requirements

- A handling operation or portion of a handling operation and the operation or portion of the operation only sells organic agricultural products labeled as “organic” provided such products are packaged or otherwise enclosed in a container prior to being received or acquired by the operation; and remain in the same package or container and are not otherwise processed while in the control of the handling operation.
- A retail food establishment or portion of a retail food establishment that processes, on the premises of the retail food establishment, raw and ready-to-eat food from agricultural products that were previously labeled as “organic.”

Excluded handling operations shall comply with the requirements to prevent commingling and contact with prohibited substances and the requirements for labeling in §205.310

Exempt handling operations, as identified by §205.101(a) (3-4), shall maintain for 3 years records sufficient to:

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- Prove that ingredients identified as organic were organically grown, and
- Verify quantities produced from organic ingredients

Records shall be available to representatives of the Secretary and State officials.

7.5.7. Compliance and Handling of Noncompliance

ETKO will handle noncompliance's according to:

- NOP 4002 Instruction Enforcement of the USDA Organic Regulations Penalty Matrix and
- NOP Instruction 2612 Recommended Penalties for Violations of Specific Regulatory Requirements and NOP 2612-1 Penalty Matrix for violations of the USDA Organic Regulations

NOP 4002 provides instructions for taking enforcement action against certified operations that violate the U.S. Department of Agriculture (USDA) organic regulations.

NOP 2612-1 Penalty Matrix for violations of the USDA Organic Regulations, provides guidance about recommended penalties for violation classes and categories.

7.5.8. Review and Investigations

NOP Program Manager, on behalf of the Secretary, may inspect and review certified production and handling operations and accredited certifying agents for compliance with the Act or regulations.

The Program Manager may initiate suspension or revocation proceedings against a certified operation when the Program Manager has reason to believe that a certified operation has violated or is not in compliance with the Act or regulations or when a certifying agent or a State organic program's governing State official fails to take appropriate action to enforce the Act or regulations.

ETKO may investigate complaints of noncompliance with the Act or regulations concerning production and handling operations certified as organic. Program Manager is informed of all compliance proceedings and actions taken.

A State organic program's governing State official may investigate complaints of noncompliance with the Act or regulations, concerning organic production or handling operations operating in the State.

7.5.9. Noncompliance

ETKO provides the Notification of Noncompliance (NONC) (GP 18 F 10) to the applicant/certified operation in cases where and when:

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- ETKO has reason to believe that, based on the information specified in application package DURING APPLICATION PACKAGE REVIEW, the applicant for certification is not able to comply or is not in compliance with the requirements of NOP rule. and
- ETKO has reason to believe that, BASED ON THE ON-SITE INSPECTION and the results of any analyses for substances conducted, and any additional information requested from or supplied by the applicant, the organic system plan and all procedures and activities of the applicant's operation, a certified operation is not complying with the requirements of NOP.

All the observations made during initial inspection, surveillance and special inspections are recorded on the Inspection Report Section Evaluation Results

The inspectors have no authority to define a noncompliance either in inspection report or in any other record, or inform the client with such an information stating indicating a noncompliance.

The Organic Certifier provides the Notification of Noncompliance (GP 18 F 10) to the client, upon the evaluation of the application file or inspection reports and all other related documents and information obtained during inspection.

While grading non-conformances the following conditions shall be considered:

- One of the requirements of standard or regulation related to the process or product are not complied
- Production process plan not applied
- Product is under risk

Non-conformances are graded as major and minor.

- **Major non-conformances**
 - Factors affecting the organic integrity of the product or land.
 - Factors causing risk on the product.
 - Use of inputs which are not allowed by the regulations.
 - Non-Organic product sales as organic.
 - Requirements of regulation or standard not applied
 - Frequent minor non-conformances on the same requirement of regulation.
 - Customer complaints not handled, failure on taking remedial actions, or complaints and action records not available.
 - Misuse of the licenses and certificates
 - Production process plan not implemented.

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- o Annual updates not provided
- o Several minor interrelated noncompliance can lead to a major noncompliance.

- **Minor non-conformances**

- o Failure to fully satisfy a requirement of a standard or regulation.
- o Factors causing no risk on the condition of the product.

Notification of noncompliance (GP 18 F 10) clearly indicates

- A description of the noncompliance,
- The facts upon which the notification of noncompliance is based; and
- The date by which the applicant/certified operation must rebut or correct each noncompliance and submit supporting documentation of each such correction when correction is possible.

By a Notification of Noncompliance (GP 18 F 10), ETKO requires the certified operation to determine corrective action plan(s) related to the major and minor non-compliances defined in the Notification of Noncompliance.

- To be recommended for certification all major non-conformances must be closed and corrective action plans for minor non-conformances must be determined by the client
- Non-conformances graded as **Major** in Notification of Noncompliance: corrective actions must be taken in maximum 30 days. To close out the major non-conformances a follow up inspection may be decided by ETKO.
- Non-conformances graded as **Minor** in Notification of Noncompliance: action plans within 30 must be provided to ETKO by the client.

Corrective action plans and or any other evidence indicating the actions taken are submitted to ETKO to be reviewed by Organic Certifier.

7.5.9.1. Resolving the Non-Compliances

Upon receipt of Notification of Noncompliance, the client may:

1. Correct the non-compliances and submit a description of the corrective actions taken with supporting documentation to ETKO;
2. Submit written information to ETKO to rebut the noncompliance, described in the Notification of Noncompliance (GP 18 F 10)

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After sending a Notification of Noncompliance (GP 18 F 10), ETKO evaluates the client's corrective actions and supporting documentation submitted or the written rebuttal, conduct an on-site inspection if necessary.

7.5.9.1.1. Resolution of Noncompliance: When a client demonstrates that each noncompliance has been resolved, the OC sends to client a Notification of Noncompliance Resolution (GP 18 F 11)

7.5.9.1.2. Proposed suspension or revocation: When rebuttal is unsuccessful or correction of the noncompliance is not completed within 30 days, ETKO will send the certified operation a written notification of proposed suspension (GP 18 F 13) or revocation (GP 18 F 15) of certification of the entire operation or a portion of the operation, as applicable to the noncompliance.

After receipt of the Notification of Proposed Suspension or Revocation the certified operator may:

1. File an appeal to this Proposed Suspension or Revocation in 30 calendar days of the receipt of the notice. The appeal must be in writing and submitted to ETKO Managing Director and to the Administrator.
2. Request mediation within 30 days of this notice, in writing to ETKO. If the request for mediation is accepted and the mediation is unsuccessful, upon written notification, the certified operator then will have 30 calendar days, from receipt of notice, to appeal the Proposed Suspension or Revocation. If the request for mediation is rejected, a written notification is sent to the operator and in 30 days from the date of the notice, the operator may appeal the Proposed Suspension or Revocation.

When correction of a noncompliance is not possible, the Notification of Noncompliance and the Proposed Suspension or Revocation of certification may be combined in one notification. The Notification of Proposed Suspension or Revocation of certification states:

1. The reasons for the proposed suspension or revocation;
2. The proposed effective date of such suspension or revocation;
3. The impact of a suspension or revocation on future eligibility for certification; and
4. The right to request mediation pursuant to §205.663 or to file an appeal pursuant to §205.681.

7.5.9.1.3. Suspension or revocation:

(1) If the certified operation fails to correct the noncompliance, to resolve the issue through rebuttal or mediation, or to file an appeal of the proposed suspension or revocation of certification, ETKO will send the certified operation a written notification of suspension (GP 18 F 14) or revocation (GP 18 F 16)

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(2) ETKO will not send a notification of suspension or revocation to a certified operation that has requested mediation pursuant to §205.663 or filed an appeal pursuant to §205.681, while final resolution of either is pending.

In case of suspension, the certified operation is no longer certified and must go through the reinstatement process. Therefore certified operation is not able to sell, label, and represent the product as organic for the suspension period. Once suspended, reinstatement for certification may only be requested from the Administrator and will only be considered for certification if the Notification of Noncompliance (GP 18 F 10) is corrected and the operation has been inspected by ETKO to verify that the operation complies with the requirements.

7.5.10. Willful violations

- If there is reason to believe that a certified operation has willfully violated the Act or regulations, ETKO sends the certified operation a **Notification of Proposed Suspension or Revocation** GP 18 F 13 or GP 18 F 15 of certification of the entire operation or a portion of the operation, as applicable to the noncompliance.

7.5.11. Violations of Act.

In addition to suspension or revocation, any certified operation that:

1. knowingly sells or labels a product as organic, except in accordance with the Act, shall be subject to a civil penalty of not more than the amount specified in §3.91(b)(1) of this title” per violation.
2. makes a false statement under the Act to the Secretary, a State organic program's governing State official, or a certifying agent shall be subject to the provisions of section 1001 of title 18, United States Code.

7.5.12. Eligibility.


1-A certified operation whose certification has been suspended, may at any time, unless otherwise stated in the Notification of Suspension, submit a request to the Secretary for reinstatement of its certification. The request must be accompanied by evidence demonstrating correction of each noncompliance and corrective actions taken to comply with and remain in compliance with the Act and the regulations.

2-A certified operation or a person responsibly connected with an operation whose certification has been revoked will be ineligible to receive certification for a period of 5 years following the date of such revocation, *Except*, That, the Secretary may, when in the best interest of the certification program, reduce or eliminate the period of ineligibility.

7.5.13. Reinstatement of the Suspended Certificate

7.5.13.1 Requirements for Suspended organic producers or handlers

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In order to achieve reinstatement, organic producers and handlers who have had their organic certification suspended must:

1. Correct all noncompliances to the USDA organic regulations. This includes not only the reasons stated in the notice of suspension issued by ETKO, but any outstanding noncompliance's that have been subsequently identified ETKO.
2. Ensure that their organic systems plan (OSP) is complete, that the OSP is in compliance with the USDA organic regulations, and that the OSP is being implemented.
3. Contact ETKO and submit all documents required by ETKO for reinstatement. If the suspension has been issued by a CB other than ETKO, the producer or handler must inform ETKO of their suspended status and the reasons for the suspension.
4. Pay all fees required by ETKO
5. Successfully complete a full onsite inspection. The inspection should be conducted pursuant to § 403 (a)(1) and this procedure.
6. Prepare a letter (GP 18 F 17 Reinstatement Request Letter from Suspended Operation to USDA) addressed to the Secretary of Agriculture, care of the NOP, requesting reinstatement of certification. The operator sends the letter to:

USDA, AMS, National Organic Program
 1400 Independence Avenue, SW
 Room 2648, STOP 0268
 Washington, DC 20250
 Or, AIInBox@ams.usda.gov

Shipping services that require a telephone number may use (202) 720-3252. As an alternative, producers or handlers who have had their organic certification suspended may submit the letter addressed to the Secretary, care of the NOP, through ETKO. ETKO forwards the request to the NOP, along with the required reinstatement documents described in section 5.26.2

7. Retain all documents related to the request for reinstatement for future audit by the certifying agent and the NOP.

7.5.13.2 Requirements for ETKO

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It is ETKO's responsibility to officially inform the suspended producer or handler about the requirements stated in 5.26.1. ETKO communicates with the suspended producer or handler and send an official letter providing the operator with all the information required by the operator to apply to USDA for reinstatement.

Upon receipt of the operation's request for reinstatement or notification that such a request has been sent to NOP, ETKO:

1. Conducts a compliance review of the OSP to ensure that all provisions of the USDA organic regulations are met.
2. Notify the producer or handler who has had their organic certification suspended of any noncompliances according to procedures described in the USDA organic regulations, §205.662(a) and in this procedure by sending NONC letter.
3. Schedules a full onsite inspection to verify the operation's compliance with the USDA organic regulations, provided that the OSP is considered to be complete and in compliance with the USDA organic regulations. On site inspections is done within a three month period prior to the NOP receiving the reinstatement request. Deviations from this procedure must be justified and approved by the NOP.
4. Prepare a signed letter (GP 18 F 18 ETKO Reinstatement Request Letter for Suspended Operation to USDA) to the Secretary, care of the NOP, stating that the operation requesting reinstatement has met all requirements of the USDA organic regulations. The letter affirmatively states that:
 - a. ETKO has conducted an NOP compliance review of the client's OSP.
 - b. The review found that the client's OSP adequately addressed the noncompliance(s) which led to the suspension and is in compliance with the USDA organic regulations.
 - c. ETKO has conducted an onsite inspection of operation and found the operation to be in full compliance and capable of remaining in compliance with the USDA organic regulations, or, noncompliance were issued to the operation as a result of the onsite inspection findings and the operation has submitted corrective measures that are approved and determined by the certifying agent to demonstrate compliance with the USDA organic regulations.
5. Submits the letter (along with the operation's request for reinstatement, if appropriate), as well as the initial Notice of Noncompliance, Notice of Proposed Suspension, Notice of Suspension, and a copy of the inspection report that found the operation in full

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compliance. If the inspection report includes findings that may be noncompliant, then ETKO's request for reinstatement includes documented objective evidence to demonstrate the operation's full compliance with the USDA organic regulations.


- Retains all documents related to the request for reinstatement for future audit by the NOP.

7.5.13.3. National Organic Program

Upon receipt of the required documentation, the NOP Accreditation and International Activities Division completes the following steps within 30 days of receipt of the request for reinstatement:

- Review the request for reinstatement along with the supporting documentation. Contact the certifying agent if questions remain regarding the request.
- Approve the request if:
 - All required documents have been submitted,
 - The documentation clearly demonstrates that the operation is in compliance with the USDA organic regulations and is capable of remaining in compliance, and;
 - The review of documents related to the operation does not indicate that the client has an ongoing history of noncompliance which would indicate an inability or unwillingness to remain in compliance.
- If the request is approved, the NOP removes the operation from the public list of suspended operations. The NOP issues a letter to the operation, with a copy to ETKO, stating that:
 - The operation is eligible for reinstatement by the certifying agent referenced in the request, and
 - ETKO retains all documents related to the reinstatement for future audit by the NOP.
 -
- If the request is denied, issues a letter to the operation, with a copy to ETKO, stating the reasons for denying reinstatement.
- Review all documentation related to the reinstatement at ETKO's next onsite audit.

PREPARED	APPROVED
QUALITY MANAGEMENT RESPONSIBLE	MANAGING DIRECTOR

	NOP CERTIFICATION PROCEDURE -SUPPORT PROCEDURE FOR ORGANIC CERTIFICATION-	DOC.NR	GP 18
		DATE	07.07.2016
		REV. NR	04
		SAYFA	37/40

7.5.14. Adverse Action Appeal Process

Appeals to be implemented according to the procedure “NOP 4011 Agricultural Marketing Service Office of the Administrator Adverse Action Appeal Process for the National Organic Program” which

- 1) explains the adverse action appeal process;
- 2) clarifies the roles and responsibilities of those involved in the adverse action appeal process; and
- 3) describes possible appeal outcomes

To proceed for an appeal:

7.5.14.1. Objections, Complaints and Legal Cases

Licensee is requested to prepare a file to handle the objections, complaints, and legal cases from its own clients.

This file includes:

- The nature of the received objections, complaints, and legal cases
- The identity of the involved persons/groups
- The causes of the problem
- The action taken
- verification and documentation of the effectiveness of the initiated measures


A specific file is maintained for handling of objections, complaints, and legal cases which at least includes followings:

- Records of the received objections, complaints, and legal cases
- Names of the involved persons/groups
- Records of the subsequently action chosen
- Verification and documentation of the effectiveness of the measures taken

An applicant may appeal ETKO’s Notification of Denial of Certification (NODC), and a certified operation may appeal ETKO’s Notification of Proposed Suspension (NOPS) or revocation of certification (NOPR), to the AMS Administrator.

Exception: When the applicant or ETKO is subject to an approved State organic program, the appeal must be made to the State organic program which will carry out the appeal pursuant to the State organic program’s appeal procedures approved by the Secretary.

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QUALITY MANAGEMENT RESPONSIBLE	MANAGING DIRECTOR

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If the Administrator or State organic program sustains a certification applicant's or certified operation's appeal of ETKO's decision, the applicant will be issued organic certification, or a certified operation will continue its certification, as applicable to the operation. The act of sustaining the appeal shall not be an adverse action subject to appeal by ETKO.

If the AMS Administrator or State organic program denies an appeal, a formal administrative proceeding will be initiated to deny, suspend, or revoke the certification. Such proceeding shall be conducted pursuant to the U.S. Department of Agriculture's Uniform Rules of Practice or the State organic program's rules of procedure.

7.5.14.2. Filing

An appeal of a noncompliance decision is filed within the time period provided in the letter of notification or within 30 days from receipt of the notification, whichever occurs later. The appeal will be considered "filed" on the date received by the AMS Administrator or by the State organic program. A decision to deny, suspends, or revoke certification or accreditation will become final and no appealable unless the decision is appealed in a timely manner.

Appeals to the AMS Administrator is filed in writing and addressed to Administrator, USDA-AMS, Room 2095-S, and 1400 Independence Ave, SW, Washington, DC 20250.

Appeals to the State organic program are filed in writing to the address and person identified in the letter of notification.

All appeals shall include a copy of the adverse decision and a statement of the appellant's reasons for believing that the decision was not proper or made in accordance with applicable program regulations, policies, or procedures.

7.5.15. Mediation.


Any dispute with respect to denial of certification or proposed suspension or revocation of certification may be mediated at the request of the applicant for certification or client.

Mediation shall be requested in writing to ETKO.

If ETKO rejects the request for mediation, a written notification is provided to the applicant for certification or client. The written notification shall advise the applicant for certification or client of the right to request an appeal within 30 days of the date of the written notification of rejection of the request for mediation.

If mediation is accepted by ETKO, a qualified mediator mutually agreed upon by the parties to the mediation shall conduct such mediation. The parties to the mediation shall have no more than 30 days to reach an agreement following a mediation session. If mediation is

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		REV. NR	04
		SAYFA	39/40

unsuccessful, the applicant for certification or client shall have 30 days from termination of mediation to appeal the ETKO's decision.

Any agreement reached during or as a result of the mediation process shall be in compliance with the Act and NOP regulations. The Secretary may review any mediated agreement for conformity to the Act and NOP regulations and may reject any agreement or provision not in conformance with the Act or NOP regulations.

7.5.16. Use Of Logo, Licenses, Mark Of Conformity

See procedure GP 11 Use Of Logo, Licenses, Mark Of Conformity

7.5.17. Criteria for Certification File Review

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QUALITY MANAGEMENT RESPONSIBLE	MANAGING DIRECTOR

NOP CERTIFICATION PROCEDURE
-SUPPORT PROCEDURE FOR ORGANIC
CERTIFICATION-

DOC.NR	GP 18
DATE	07.07.2016
REV. NR	04
SAYFA	40/40

DEFECTS	DEFECT CODE	DECISION
GROUP A- CERTIFICATION RECOMMENDATION		
Company/Client name is clearly recorded	A2	NO GO
The licensee number is recorded	A3	NO GO
The address of client/site is recorded	A4	NO GO
Type of certification is specified	A5	NO GO
The related standards and regulations are clearly specified	A6	NO GO
The scope is clearly recorded	A7	NO GO
GROUP B		
The info provided about identity and regulations are correct	B2	NO GO
Inspection dates	B3	PREPARE
Inspection type is specified	B4	NG
Scope is specified clearly	B5	NG
Inspected sites are specified	B6	NG
Findings and observations	B8	NG
GROUP BB		
The info related to the client matches	BB1	NG
Approval of HI	BB2	NG
Signature of the inspector.	BB3	NG
Stamp applied	BB4	NG
GROUP C – INSP. REPORT		
Ensure information duly recorded	C1	NG
Ensure info for change of scope is provided for agricultural units, processes, product as appropriate	C2	NG
Info about field and yield	C3	NG
Info about marketing results	C4	P
Sampling info	C5	P
Ensure inspection findings are summarized with inspection report	C6	NG
Ensure applicable forms are checked and used	C8	NG

PREPARED	APPROVED
QUALITY MANAGEMENT RESPONSIBLE	MANAGING DIRECTOR



Agricultural Marketing Service
Livestock, Poultry and Seed Program
Quality Assessment Division

QAD 1415 Form
Page 1 of 4

Company Information:	
Company Name:	ETKO - Ecological Farming Controlling Organization
Est. No.:	NP6279LCA
Street Address:	160 Sk. No. 13/3
City, State, Zip:	35100 Bornova-Izmir, Turkey
Contact:	Dr. Mustafa Akyuz
Phone:	90 232 339 76 06
Email:	ma@etko.org
Program:	National Organic Program (NOP)
Comments:	Witness Audit

Audit Objectives:
To verify ongoing compliance to the audit criteria.

Audit Scope:
ETKO's Organic Certification Program (NOP) and their inspection activities of a certified operation located in Ukraine.

Audit Criteria & Reference Documents:
1) 7 CFR Part 205 National Organic Program, Final Rule, dated December 21, 2000; As amended; and, 2) NOP 2005 Auditor Checklist series 3) NOP 2000 General Accreditation Policies and Procedures



**Agricultural Marketing Service
Livestock, Poultry and Seed Program
Quality Assessment Division**


QAD 1415 Form
Page 3 of 4

Company Name: ETKO - Ecological Farming Controlling Organization

Cost Estimate				
<i>Audit Time:</i>	<i>Auditor 1:</i>	<i>Auditor 2:</i>	<i>Rate:</i>	<i>Amount:</i>
Onsite Audit				
Travel	15.20		\$ 108.00	\$ 1,641.60
Pre-Audit	1.60		\$ 108.00	\$ 172.80
Audit	16.00		\$ 108.00	\$ 1,728.00
Post-Audit	1.60		\$ 108.00	\$ 172.80
Desk Audit Only			\$ 108.00	\$ -
Per Diem:	<i>Auditor 1:</i>	<i>Auditor 2:</i>	<i>Rate:</i>	<i>Amount:</i>
Per Diem Days			n/a	
Lodging	512.00			\$ 512.00
M&IE	389.00			\$ 389.00
Associated Costs:	<i>Auditor 1:</i>	<i>Auditor 2:</i>	<i>Cost:</i>	<i>Amount:</i>
Airfare	440.00		\$ 440.00	\$ 440.00
Local Transportation			\$ -	\$ -
Room Tax			\$ -	\$ -
Rental Car	260.00		\$ 260.00	\$ 260.00
Parking			\$ -	\$ -
POV Miles	17.00		\$ 0.560	\$ 9.52
Administrative	1.00		\$ 108.000	\$ 108.00
Miscellaneous	50.00		\$ 50.00	\$ 50.00
Credit	n/a			\$ (13,965.67)
GRAND TOTAL				\$ (8,481.95)

I have reviewed the audit plan and cost estimate; and agree to them. I realize that the actual audit and cost may differ from this document. Additionally, I realize that audit costs associated with a corrective action audit are not included in this estimate.

Client (Auditee) Name:	Client (Auditor) Name:	Date:
ETKO Turkey. Mustafa ACYUZ	(b) (6)	08 Sept 2016
Lead Auditor Signature:	Date:	
	25-Aug-16	



*The QA Division meets the requirements outlined in 5 CFR 2635.703, Use of nonpublic information.



**Agricultural Marketing Service
Livestock, Poultry and Seed Program
Quality Assessment Division**

**QAD 1415 Form
Page 4 of 4**



NP6279LCA 1415 ETKO Izmir, Turkey 08 25 16

Approved by SER SR
Date Approved: 03 05 14

NATIONAL ORGANIC PROGRAM: CORRECTIVE ACTION REPORT

AUDIT AND REVIEW PROCESS

The National Organic Program (NOP) conducted witness audits of Ecological Farming Control Organization's (ETKO) certified operations. Onsite witness audits were conducted, and the audit reports reviewed to determine ETKO's capability to continue operating as a USDA accredited certifier.

GENERAL INFORMATION

Applicant Name	Ecological Farming Control Organization (ETKO)
Physical Address	160 Sokak 13/3, Bornova – Izmir, 35100, Turkey
Mailing Address	160 Sokak 13/3, Bornova – Izmir, 35100, Turkey
Contact & Title	Dr. Mustafa Akyuz, General and QMS Manager
E-mail Address	ma@etko.com.tr
Phone Number	90 542 640 5944
Reviewer(s) & Auditor(s)	Graham Davis, NOP Reviewer; Lars Crail, Onsite Auditor.
Program	USDA National Organic Program (NOP)
Review & Audit Date(s)	Corrective actions review: December 21, 2016 NOP assessment review: November 15, 2016 Onsite audit: October 6-7, 2016
Audit Identifier	NP6279LCA
Action Required	No
Audit & Review Type	Witness Assessment
Audit Objective	To evaluate the conformance to the audit criteria; and to verify the implementation and effectiveness of ETKO's certification system.
Audit & Determination Criteria	<i>7 CFR Part 205, National Organic Program as amended</i>
Audit & Review Scope	ETKO's certification services in carrying out the audit criteria.

ORGANIZATIONAL STRUCTURE:

The Ecological Farming Controlling Organization is abbreviated as ETKO from their Turkish name (Ekolojik Tarım Kontrol Organizasyonu). ETKO is a for-profit, limited liability company with two shareholders. The main office for USDA organic certification is located in Bornova – Izmir, Turkey. All certification activities for the NOP are conducted at the Izmir office; there are no satellite offices that conduct USDA organic key activities. ETKO was initially accredited as a certifying agent on January 22, 2003 for crops, wild crops, and handling. ETKO currently certifies operations to the USDA organic regulations in the following countries: Turkey, Russia, Serbia, Korea, Kazakhstan, and the Ukraine.

SUMMARY OF WITNESS AND REVIEW AUDITS CONDUCTED:

The NOP auditor conducted a one-day witness audit of an annual announced inspection of an ETKO handler/trader/exporter located in Kiev, Ukraine. The operation trades organic grain and seed products and does not physically handle the products. The trading operation was first certified in December 1, 2014.

The NOP auditor conducted a half-day witness audit of an annual announced inspection of an ETKO handler/trader/exporter with an office in Kiev, Ukraine. This trader does not physically handle organic products. There are 18 grain products traded (or intended to be traded) as raw, processed, and as livestock feed. This trading operation was first certified on November 7, 2014.

NOP DETERMINATION:

NOP reviewed corrective actions submitted as a result of noncompliances issued from Findings identified during the onsite audit. Any noncompliance labeled as “**Accepted**” indicates acceptance of the corrective actions and verification of corrective action implementation will be conducted during the next onsite audit.

Non-compliances Identified during the Current Assessment

NP6279LCA.NC1 – Accepted. 7 C.F.R. §205.501(a)(21) states, “Comply with, implement, and carry out any other terms and conditions determined by the Administrator to be necessary.” NOP 2603, Organic Certificates, Section 3.1, indicates the elements of an organic certificate.

Comments: *The following organic certificate elements are incorrect or missing on the certificates issued to operations:*

1. *The certificate does not list an anniversary date.*
2. *There are two labeling categories (100% Organic, Organic, Made With Organic....) stated on the certificate when only one category should be listed.*
3. *The certificate states “Certification renewal must be done annually before the anniversary date;” however, there is no anniversary date on the certificate and “certification renewal” is not defined in the USDA organic regulations nor the NOP Handbook.*
4. *The certificate states, “NOP regulation Final Rule 7 CFR Part 205,” rather than “Certified to the USDA organic regulations, 7 CFR Part 205.”*

2016 Corrective Action: ETKO revised and submitted their certificate template. The certificate template lists an anniversary date, only one labelling category per product (i.e, 100% Organic, Organic, or Made with Organic), and “Certified to the USDA organic regulations, 7 CFR Part 205”. ETKO revised and submitted their NOP Certification Procedure (Section 7.5.2). Their procedure requires their certificates to have an anniversary date, one labelling category for each product certified under the handling/processing scope, and state, “Certified to the USDA organic regulations, 7 CFR Part 205.”

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Washington, DC 20250-0201

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Phone Number	90 542 640 5944
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SUMMARY OF WITNESS AND REVIEW AUDITS CONDUCTED:

The NOP auditor conducted a one-day witness audit of an annual announced inspection of an ETKO handler/trader/exporter located in Kiev, Ukraine. The operation trades organic grain and seed products and does not physically handle the products. ~~The products traded (or intended for trade) are: corn, flax, mustard, peas, rapeseeds, soybean, sunflower (seeds), sunflower (oil), and sunflower (cake/expeller). The oil products are processed at a separate certified facility.~~ The trading operation was first certified in December 1, 2014. ~~The inspection was conducted in English with the company's consultant present. There was one sale and shipment of sunflower oil during 2016.~~

The NOP auditor conducted a half-day witness audit of an annual announced inspection of an ETKO handler/trader/exporter with an office in Kiev, Ukraine. ~~Again,~~ This trader does not physically handle organic products. There are 18 grain products traded (or intended to be traded) as raw, processed, and as livestock feed. This trading operation was first certified on November 7, 2014. ~~The inspection was conducted in English with the operation's owner.~~

NOP DETERMINATION:

NOP reviewed corrective actions submitted as a result of noncompliances issued from Findings identified during the onsite audit. Any noncompliance labeled as “**Accepted**” indicates acceptance of the corrective actions and verification of corrective action implementation will be conducted during the next onsite audit.

Non-compliances Identified during the Current Assessment

NP6279LCA.NC1 – **Accepted.** 7 C.F.R. §205.501(a)(21) states, “Comply with, implement, and carry out any other terms and conditions determined by the Administrator to be necessary.” NOP 2603, Organic Certificates, Section 3.1, indicates the elements of an organic certificate.

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(b) (5)

(b) (5)

Field Code Changed

(b) (5) ETKO revised and submitted their NOP Certification Procedure (Section 7.5.2). Their procedure requires their certificates to have an anniversary date, one labelling category for each product certified under the handling/processing scope, and state, "Certified to the USDA organic regulations, 7 CFR Part 205."

(b) (5)



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2016 Corrective Action: ETKO revised and submitted their certificate template. The certificate template lists an anniversary date, only one labelling category per product (i.e. 100% Organic, Organic, or Made with Organic). “Certified to the USDA organic regulations, 7 CFR Part 205”.

(b) (5)

ETKO revised and submitted their NOP Certification Procedure (Section 7.5.2). Their procedure requires their certificates to have an anniversary date, one labelling category for each product certified under the handling/processing scope, and state, “Certified to the USDA organic regulations, 7 CFR Part 205.”

(b) (5)



National Organic Program Witness Audit Checklist

Witness Audit - General Information	
This checklist is used in conjunction with Tables 1, 2, 3, 6a, 6b, 6c, and 7b of NOP 2005 Accreditation Assessment Checklist. This checklist is used to record evaluation information for each witness audit with the exception of grower groups. NOP 2005-5 Witness Audit Checklist for Grower Groups shall be used for witness audits of grower groups.	
Name of auditor(s):	Lars Crail
Inspection date; initial or annual?	October 6, 2016, Annual announced inspection.
Name of operation:	Bel-Agro, LLC
Location of operation:	2, Lisova str., Brovary City, Kiev region 07400, Ukraine.
Scope(s) of certification requested:	Handler/Trader.
Inspector's name:	(b) (6), (b) (7)(C) ETKO Inspector.
Inspector conflict of interest or confidentiality concerns:	Not verified. No apparent conflict of interest.
Operation representative (knowledgeable):	Vyacheslav Belov, Owner
Other inspection attendees:	Alexey Kackhovsky, Bel-Agro Consultant; Lyudmila Moros, Bel-Agro office administrator.
Time inspection started: 2:00 pm	Time inspection completed: 5:30 pm
General information: Crops grown, acreage, fields and field location(s) (1 site or 2 or more); Wild Crops : products collected, harvest site locations, collector training; Livestock operation type, number of animals, identification methods, products; Handling operation, products processed, facilities, etc...	



Report Narrative:

The NOP auditor conducted a one-day witness audit of an ETKO annual announced inspection of Bel-Agro, LLC (Bel- Agro). Bel-Agro is a handler/trader/exporter with an office in Kiev, Ukraine. Bel-Agro trades organic products and does not physically handle products. The products traded (or intended to traded) are: corn, flax, mustard, peas, rapeseeds, soybean, and sunflower (seeds); rapeseeds, soybean, and sunflower (oil); and sunflower (cake/expeller). The oil products are processed at a separate certified facility: Melitopol Oil Factory. There was one shipment of sunflower oil during 2016.

Bel-Agro was first certified in December 1, 2014. The inspection was conducted in English with the company's consultant present. There was one sale of sunflower oil during 2016.

Auditor Comments – Do not include as part of the NC Report:

Certificate:

Effective Date: December 1, 2014

Issue: December 17, 2015

Next renewal date: December 17, 2016. **There is no Anniversary date indicated.**

Last Inspection date: September 26, 2015

Under “Scopes” the certificate states “100%” organic, but in the status box, it lists products as “org.”

The certificate states, “NOP regulation Final Rule 7 CFR Part 205,” not ““Certified to the USDA organic regulations, 7 CFR Part 205.”

“Certification renewal must be done annually before the anniversary date.”

See F1.

There was only one transaction of sunflower oil in 2016 which consisted of eight container loads of product.

ETKO's review of OSP (update) occurred on August 1, 2016.

The auditor conducted the closing meeting with ETKO personnel on October 31, 2016.



General information on materials and inputs used and are they in compliance with the National List (NL) and annotations.

None. Not applicable.

Did the inspector and the on-site inspection verify that the organic system plan (OSP) complies with the USDA organic regulations for: (§ 205.403(c))

General	
Maintain or improve natural resources (§ 205.200)	NA
Crops	Section N/A X
Land requirements (§ 205.202)	
Soil fertility and crop nutrient management practice standard (§ 205.203)	
Seeds and planting stock practice standard (§ 205.204)	
Crop rotation practice standard (§ 205.205)	
Crop pest, weed, and disease management practice standard (§ 205.206)	
Approved temporary variance practices? (§ 205.290)	
Wild Crops	Section N/A X
Wild-crop harvesting practice standard (§ 205.207)	
Livestock	Section N/A X
Origin of livestock (§ 205.236)	
Livestock feed (§ 205.237)	
Livestock health care practice standard (§ 205.238)	
Livestock living conditions (§ 205.239)	
Pasture practice standard (§ 205.240)	
Approved temporary variance practices? (§ 205.290)	
Handler	Section N/A
Organic handling requirements (§ 205.270)	Yes
Facility pest management practice standard (§ 205.271)	Na
Commingling and contact with prohibited substance prevention practice standard (§ 205.272)	Yes
Did the inspector verify product composition for all products? (§ 205.301)	NA
Approved temporary variance practices? (§ 205.290)	NA.

Labels (§ 205.403(c))	Section N/A
Were labels verified during the on-site inspection? (§ 205.403(c)(2))	Labels are wholesale with lot numbers.
Were the labels being used the same as those approved	No. The container that was shipped



by the certifier?	did not have a label. Identified as an issue by the inspector.
How was the inspector made aware of which labels were approved by the certifier?	Inspector was aware that no labels had been approved by ETKO.
Sampling	Section N/A X
Did the operation provide access to all products?	
Was a sample collected during the inspection? (§ 205.670) (pre- or post-harvest?) (periodic residue testing?)	
Why was sample pulled? (Directed by the certifier or NOP, or inspector decision?)	
For what was sample to be tested?	
Verify sampling procedures, chain of control, etc. (§ 205.670(e))	
Did the inspector provide the applicant with a receipt for any samples taken? (§ 205.403(e)(1))	
Did the sampling process follow the certifier's sampling procedure?	
Was the inspector charged for the samples? (§ 205.403(e))	
Did the certifier pay for the testing? (§ 205.670(b), (c))	

Exit Interview (§ 205.403(d))	
Document information addressed or requested by the inspector during the exit interview: 1. Bel-Agro shipped a container without affixing a label.	
Was the exit interview conducted with a knowledgeable representative?	Yes
Did the exit interview address the accuracy and completeness of the inspection observations?	Yes
Did the exit interview address the need for additional information?	No
Did the exit interview address issues of concern identified during the inspection?	Yes

Questions for the inspector: As the inspection progresses insert additional questions to ask the inspector on areas of the inspection/operation that need clarification.	
What did the inspector receive from the certifier in order to conduct the inspection?	Reviewed document of the OSP (update), OSP (update), annual application, prior inspection reports, and current certificate.
Does the inspector have a copy of the USDA organic regulations?	Yes. Inspector has access to regulations and the NOP Handbook.



If applicable, was the inspector knowledgeable of recent updates to the regulations or policy clarifications?	Yes
How is the inspector informed of the certifier's policies and procedures and changes to them?	Yes
What is the inspector's background (experience, training, and education) in relation to the operation being inspected?	See CV. The inspector is very experienced in the organic industry. He is also the program manager.

Questions for the Applicant/Certified Operation:	
As the inspection progresses insert additional questions to ask the operation's representative on areas of the operation that need clarification.	
Did the certified operation receive a copy of the previous inspection report, if applicable?	Yes
Did the operation receive a certificate from the certifier?	Yes.
Does the client have a current copy of the USDA organic regulations?	Yes. The owner/operator knows how to access the website.
If applicable, how did the operation receive information on temporary variances?	NA

Overall did the inspection verify:	
That the operation was in compliance or was able to comply with the Organic Foods Production Act and the regulations? (§ 205.403(c)(1))	Yes.
That the OSP accurately reflected the practices used by the operation? (§ 205.403(c)(2))	Yes
That prohibited substances had not been and were not being applied to the operation? (§ 205.403(c)(3))	Yes
Does the inspector provide consulting services of any kind? (§ 205.501(a)(11)(iv))	No
If so, how is this information provided to the certifier?	NA
Was there enough time allocated for the inspection?	Yes
Did the inspector verify the corrective actions on previous noncompliances?	Yes.
Was the inspection scheduled when land, facilities, and production practices demonstrate compliance with NOP requirements?	Yes
Did the inspector collect new or revised OSP information?	Yes



Days or months between submission of application (annual update) and date of inspection? If length of time is unreasonable, why?	Less than a month.
International Agreements	
Does the operation participate in any international agreements, such as: <ul style="list-style-type: none"> • EU equivalency • Canada equivalency • Japan or Taiwan export arrangement 	None yet, but may ship to Canada in the future.
If yes for equivalency arrangements and the operation is shipping out , did the inspector verify specific program requirements, including: <ul style="list-style-type: none"> • Critical variances • Labeling requirements of the destination country • Documentation requirements, including compliance of incoming ingredients, as applicable 	NA
If yes for equivalency arrangements and the operation has received EU or Canada product in , did the inspector verify incoming product was accompanied by: <ul style="list-style-type: none"> • NOP Import Certificate (EU) • Attestation statement (Canada)? 	NA
If yes for Japan export arrangement , did the inspector verify program requirements, including material use?	NA
Was the inspector aware of international agreement requirements?	Yes.
How is the inspector informed of the international agreements? What information or training is provided by the certifier?	Training with certifier. NOP website.



Does the OSP indicate participation in international agreements (i.e., would the inspector know of international agreement participation before arriving onsite)?	Yes
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Witness Audit – Auditor findings and citations

Finding 1
NP6279LCA.F1 -- 7 C.F.R. §205.501(a)(21) states, “Comply with, implement, and carry out any other terms and conditions determined by the Administrator to be necessary.” NOP 2603, Organic Certificates, Section 3.1, indicates the elements of an organic certificate.

Comments: *The following organic certificate elements are incorrect or missing on the certificates issued to operations:*

- 1. The certificate does not list an anniversary date.*
- 2. There are two labeling categories (100% Organic, Organic, Made With Organic....) stated on the certificate when only one category should be listed.*
- 3. The certificate states “Certification renewal must be done annually before the anniversary date;” however, there is no anniversary date on the certificate and “certification renewal” is not defined in the USDA organic regulations nor the NOP Handbook.*
- 4. The certificate states, “NOP regulation Final Rule 7 CFR Part 205,” rather than “Certified to the USDA organic regulations, 7 CFR Part 205.”*

Auditor Note: Statements made on the certificate:
Next renewal date: December 17, 2016. No Anniversary date.
Last Inspection date: September 26, 2015
Under Scopes it states “100%” organic, but in status box, it lists products as “org.”
“Certification renewal must be done annually before the anniversary date.”



Finding 2

Witness Audit – Auditor follow up requests or activities



National Organic Program Witness Audit Checklist

Witness Audit - General Information	
This checklist is used in conjunction with Tables 1, 2, 3, 6a, 6b, 6c, and 7b of NOP 2005 Accreditation Assessment Checklist. This checklist is used to record evaluation information for each witness audit with the exception of grower groups. NOP 2005-5 Witness Audit Checklist for Grower Groups shall be used for witness audits of grower groups.	
Name of auditor(s):	Lars Crail
Inspection date; initial or annual?	October 7, 2016, Annual announced inspection.
Name of operation:	Ekolium, LLC
Location of operation:	9, Boryspilska Str, Kiev, 02099, Ukraine.
Scope(s) of certification requested:	Handler/Trader/Exporter.
Inspector's name:	(b) (6), (b) (7) ETKO Inspector.
Inspector conflict of interest or confidentiality concerns:	Not verified. No apparent conflict of interest.
Operation representative (knowledgeable):	Alexey Kackhovsky, Owner (15%).
Other inspection attendees:	ETKO staff: Mustafa Akyuz and Artem Chernysh
Time inspection started: 2:30 pm	Time inspection completed: 5:00 pm
General information: Crops grown, acreage, fields and field location(s) (1 site or 2 or more); Wild Crops : products collected, harvest site locations, collector training; Livestock operation type, number of animals, identification methods, products; Handling operation, products processed, facilities, etc...	



Report Narrative:

The NOP auditor conducted a half-day witness audit of an ETKO annual announced inspection of Ekolium, LLC (Ekolium). Ekolium is a handler/trader/exporter with an office in Kiev, Ukraine and does not physically handle organic products. There are 18 grain products traded (or intended to be traded) as raw, processed, and as livestock feed.

Ekolium was first certified in November 7, 2014. The inspection was conducted in English with the operation's owner.

Auditor Comments – Do not include as part of the NC Report:

Certificate:

Effective Date: November 7, 2013

Issue: December 31, 2015

Next renewal date: December 31, 2016. **No Anniversary date stated on certificate.**

Last Inspection date: December 24, 2015

Under Scopes it states "100%" organic, but in status box, it lists products as "org."

The certificate states, "NOP regulation Final Rule 7 CFR Part 205," not "Certified to the USDA organic regulations, 7 CFR Part 205."

"Certification renewal must be done annually before the anniversary date."

See F1.

Certified to the NOP standards only.

Crops to be purchased directly from certified producers and processing plants.

Review of OSP on August 1, 2016.

The auditor conducted the closing meeting on October 31, 2016 with EKTO personnel.



General information on materials and inputs used and are they in compliance with the National List (NL) and annotations.

None. Not applicable.

Did the inspector and the on-site inspection verify that the organic system plan (OSP) complies with the USDA organic regulations for: (§ 205.403(c))

General	
Maintain or improve natural resources (§ 205.200)	NA
Crops	Section N/A X
Land requirements (§ 205.202)	
Soil fertility and crop nutrient management practice standard (§ 205.203)	
Seeds and planting stock practice standard (§ 205.204)	
Crop rotation practice standard (§ 205.205)	
Crop pest, weed, and disease management practice standard (§ 205.206)	
Approved temporary variance practices? (§ 205.290)	
Wild Crops	Section N/A X
Wild-crop harvesting practice standard (§ 205.207)	
Livestock	Section N/A X
Origin of livestock (§ 205.236)	
Livestock feed (§ 205.237)	
Livestock health care practice standard (§ 205.238)	
Livestock living conditions (§ 205.239)	
Pasture practice standard (§ 205.240)	
Approved temporary variance practices? (§ 205.290)	
Handler	Section N/A
Organic handling requirements (§ 205.270)	Yes
Facility pest management practice standard (§ 205.271)	Na
Commingling and contact with prohibited substance prevention practice standard (§ 205.272)	Yes
Did the inspector verify product composition for all products? (§ 205.301)	NA
Approved temporary variance practices? (§ 205.290)	NA.

Labels (§ 205.403(c))	Section N/A
Were labels verified during the on-site inspection? (§ 205.403(c)(2))	Labels are wholesale with lot number.
Were the labels being used the same as those approved	There is one approved label.



by the certifier?	
How was the inspector made aware of which labels were approved by the certifier?	Yes.
Sampling	Section N/A <u>X</u>
Did the operation provide access to all products?	
Was a sample collected during the inspection? (§ 205.670) (pre- or post-harvest?) (periodic residue testing?)	
Why was sample pulled? (Directed by the certifier or NOP, or inspector decision?)	
For what was sample to be tested?	
Verify sampling procedures, chain of control, etc. (§ 205.670(e))	
Did the inspector provide the applicant with a receipt for any samples taken? (§ 205.403(e)(1))	
Did the sampling process follow the certifier's sampling procedure?	
Was the inspector charged for the samples? (§ 205.403(e))	
Did the certifier pay for the testing? (§ 205.670(b), (c))	

Exit Interview (§ 205.403(d))	
Document information addressed or requested by the inspector during the exit interview: 1. There is no status of organic on the BL loading documents and invoices of last shipment 2. Ekolium did not use any label on the products or containers. There is no status of organic on the BL loading documents of last shipment (same TC number). 3. Complaint Register document and complaint form provided during the inspection, but there is no any indication about informing to ETKO and the other authorities	
Was the exit interview conducted with a knowledgeable representative?	Yes
Did the exit interview address the accuracy and completeness of the inspection observations?	Yes
Did the exit interview address the need for additional information?	No
Did the exit interview address issues of concern identified during the inspection?	Yes

Questions for the inspector:	
As the inspection progresses insert additional questions to ask the inspector on areas of the inspection/operation that need clarification.	
What did the inspector receive from the certifier in order to conduct the inspection?	Review document of the OSP, OSP, prior inspection reports, and current certificates.
Does the inspector have a copy of the USDA organic	Yes. Inspector has access to



regulations?	regulations and the NOP Handbook.
If applicable, was the inspector knowledgeable of recent updates to the regulations or policy clarifications?	Yes
How is the inspector informed of the certifier's policies and procedures and changes to them?	Yes
What is the inspector's background (experience, training, and education) in relation to the operation being inspected?	See CV. The inspector is very experienced in the organic industry.

Questions for the Applicant/Certified Operation:	
As the inspection progresses insert additional questions to ask the operation's representative on areas of the operation that need clarification.	
Did the certified operation receive a copy of the previous inspection report, if applicable?	Yes
Did the operation receive a certificate from the certifier?	Yes.
Does the client have a current copy of the USDA organic regulations?	Yes. The owner/operator knows how to access the website.
If applicable, how did the operation receive information on temporary variances?	NA

Overall did the inspection verify:	
That the operation was in compliance or was able to comply with the Organic Foods Production Act and the regulations? (§ 205.403(c)(1))	Yes.
That the OSP accurately reflected the practices used by the operation? (§ 205.403(c)(2))	Yes
That prohibited substances had not been and were not being applied to the operation? (§ 205.403(c)(3))	Yes
Does the inspector provide consulting services of any kind? (§ 205.501(a)(11)(iv))	No
If so, how is this information provided to the certifier?	NA
Was there enough time allocated for the inspection?	Yes
Did the inspector verify the corrective actions on previous noncompliances?	Yes.
Was the inspection scheduled when land, facilities, and production practices demonstrate compliance with NOP requirements?	Yes
Did the inspector collect new or revised OSP information?	Yes