

From: [Reid, John - AMS](#)
To: ma@etko.com.tr; ma@etko.org
Subject: [REMINDER]: Annual Report Due Soon - ETKO
Date: Friday, December 16, 2016 1:19:00 PM
Attachments: [image003.jpg](#)

Dear Ecological Farming Control Organization:

Each year, accredited certifying agents must submit an annual report to the United States Department of Agriculture (USDA), Agricultural Marketing Service (AMS), National Organic Program (NOP) on the anniversary of their accreditation. Since BAC was accredited on [22 JAN 2003], your annual report will be due on **22 JAN 2017**. The requirements for annual reports are described in NOP 2024, *Information Submission Requirements for Certifying Agents*, and NOP 2024-1, *Annual Report Checklist*. Please use the NOP 2024-1 when submitting the annual report. Both documents can be found in the [NOP Program Handbook](#). For your reference, the regulations below further explain the annual report submission requirements.

§ 205.510 Annual report, recordkeeping, and renewal of accreditation.

(a) Annual report and fees. An accredited certifying agent must submit annually to the Administrator, on or before the anniversary date of the issuance of the notification of accreditation, the following reports and fees:

(1) A complete and accurate update of information submitted pursuant to §§ 205.503 and 205.504;

(2) Information supporting any changes being requested in the areas of accreditation described in § 205.500;

(3) A description of the measures implemented in the previous year and any measures to be implemented in the coming year to satisfy any terms and conditions determined by the Administrator to be necessary, as specified in the most recent notification of accreditation or notice of renewal of accreditation;

(4) The results of the most recent performance evaluations and annual program review and a description of adjustments to the certifying agent's operation and procedures implemented or to be implemented in response to the performance evaluations and program review; and

(5) The fees required in § 205.640(a).

Please send copies of annual reports electronically to email: AIInBox@ams.usda.gov

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)

Stay connected with the NOP Organic Insider! [Register here.](#)

From: [Reid, John - AMS](#)
To: ma@etko.com.tr
Cc: [AMS - AIAinbox](#); [Claypool, Rebecca E - AMS](#)
Subject: [REMINDER] Notice of Accreditation Expiration - ETKO
Date: Tuesday, January 24, 2017 2:23:00 PM
Attachments: [Annex 1 - NOP Accreditation Renewal Checklist 04 04 2016.docx](#)
[LPS-109 AppForService 02-2015 electronic PDF.pdf](#)
[NOP 2005 Section 1: Tables 8-9 04 04 16.docx](#)
[OAD Payment Options for Certifiers 11 23 15.pdf](#)
[TM 10CG.pdf](#)
[image001.jpg](#)

Dear Ecological Farming Control Organization:

The United States Department of Agriculture (USDA), Agricultural Marketing Service (AMS), National Organic Program (NOP) is issuing this letter as a Notice of Impending Expiration of Accreditation, according to 7 CFR §§ 205.510(c)(1) and (2).

To avoid a lapse in accreditation, certifying agents must apply for renewal of accreditation at least 6 months prior to the [15th] anniversary of issuance of the Notification of Accreditation and each subsequent renewal of accreditation. The expiration accreditation date for ETKO is **1/22/18**, therefore your Application for Accreditation and all associated materials are due 6 months before this date.

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The attached Annex 1 document provides instructions on what information and materials to submit with your accreditation renewal application.

The accreditation of certifying agents who make timely application for renewal of accreditation will not expire during the renewal process. The accreditation of certifying agents who fail to make timely application for renewal of accreditation will expire as scheduled unless renewed prior to the scheduled expiration date. Certifying agents with an expired accreditation must not perform certification activities under the Act and USDA organic Regulations.

Following ETKO results of its accreditation renewal assessment, the AMS Administrator will determine whether the certifying agent remains in compliance with the Act and USDA organic regulations. Upon a determination that ETKO is in compliance, the AMS Administrator will issue accreditation renewal. If the AMS Administrator determines that ETKO is not in compliance with the Act and USDA organic regulations, the AMS Administrator will issue a denial of accreditation renewal.

We look forward to receiving and reviewing your materials.

If you have any questions regarding this notice or feel you may need in extension, please contact your Accreditation Manager, Jason Lopez at Rebecca.E.Claypool@ams.usda.gov or 202.350.5706

Respectfully,

John A. Reid



Program/Database Analyst

USDA | National Organic Program

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

Main: (202) 260-9452 | **Cell:** (b) (6)



Attachment 1: Payment Options

Operations have four payment options: (1) cashier's check; (2) money order; (3) credit card; and (4) electronic fund transfer. Information about each option is outlined below.

Cashier's Check or Money Order:

Cashier's checks and money orders must be made payable to "USDA, AMS, Livestock and Seed Program." Your FMMI Customer Number **must** be placed on the memo section of the check or money order.

Checks and money orders are mailed to a lock box at the U.S. Bank. Checks and money orders may be sent by overnight mail or regular mail, using the appropriate mailing address below. Please note that checks and money orders sent by regular mail may not be received in a timely manner. Questions may be directed to US Bank Customer Service at (314) 418-6635.

Overnight Mailing Address:

U.S. Bank
Attn: Government Lock Box 790304
1005 Convention Plaza
St. Louis, MO 63101

Regular Mail Address:

USDA, AMS, LPS, QAD
PO Box 790304
St. Louis, MO 63179-0304

Credit Card:

Credit card payments are now being accepted through PAY.GOV. If you need assistance please contact the National Billing Office, (501) 312-2962 or QAD.BusinessOps@ams.usda.gov

- Step 1:** Go to www.pay.gov
- Step 2:** Find Public Forms, Click on by "Agency Name"
- Step 3:** Click on the letter "D"
- Step 4:** Click on "Department of Agriculture"
- Step 5:** Again, click on "Department of Agriculture"
- Step 6:** Click on "USDA, AMS Account Statements"
- Step 7:** Fill-in the required field denoted by an asterisk (*) symbol
- Step 8:** Click on the drop down arrow to choose which program that the payment is for. When a program is chosen, the Billing Document/Account Number fields and Payment amount fields will appear. Five accounts/bills may be paid.
- Step 9:** Enter the Billing Documents or Vendor Account number. Up to five Bill/Account numbers may be entered.
- Step 10:** Enter the payment amount for each corresponding Bill or Account number. The form will total the *Payment Amount* column.
- Step 11:** When all data is entered, click on the *Submit Data* button.
- Step 12:** Once you click on the *Submit Data* button, you will be brought to the Payment Information Screen. You have the option of paying by ACH or credit card. The Billing document/Customer Account number, dollar amount, and Customer address should have carried over from the first screen.
- Step 13:** Enter the payment information. Fields with the asterisk (*) are required fields.

U.S. DEPARTMENT OF AGRICULTURE
 AGRICULTURAL MARKETING SERVICE
 Livestock, Poultry, and Seed Program
 Quality Assessment Division

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0581-0128. The time required to complete this information collection is estimated to average 15 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination, write to USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, or call (800) 795-3272 (voice) or (202) 720-6382 (TDD). USDA is an equal opportunity provider and employer.

APPLICATION FOR SERVICE

Submit Completed Form to: USDA, MRP, AMS, LPS, QAD Business Operations Branch 10809 Executive Center Drive, Suite 318 Little Rock, AR 72211-6022	Email: QAD.BusinessOps@ams.usda.gov Telephone: 501-312-2962 Fax: 501-312-2968	<input type="checkbox"/> New Application <input type="checkbox"/> Change of Address <input type="checkbox"/> Revision
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In accordance with the applicable provisions of the regulation issued by the Agricultural Marketing Service, U.S. Department of Agriculture, application is hereby made for the furnishing of the service(s) checked below to be performed at the plant specified:

COMMODITY	TYPE	SERVICES	AUDIT SERVICES
<input type="checkbox"/> Beef	<input type="checkbox"/> Commitment	<input type="checkbox"/> Grading	<input type="checkbox"/> Export Verification
<input type="checkbox"/> Lamb	<input type="checkbox"/> Non-Commitment	<input type="checkbox"/> Further Processing	<input type="checkbox"/> National Organic Program
<input type="checkbox"/> Pork	<input type="checkbox"/> Resident	<input type="checkbox"/> Processing	<input type="checkbox"/> Non-Hormone Treated Cattle
<input type="checkbox"/> Poultry	<input type="checkbox"/> Non-Resident	<input type="checkbox"/> Product Certification	<input type="checkbox"/> Pork for the European Union
<input type="checkbox"/> Rabbit	<input type="checkbox"/> Temporary	<input type="checkbox"/> Temperature Verification	<input type="checkbox"/> Process Verified Program
<input type="checkbox"/> **Shell Egg	<input type="checkbox"/> Fee	<input type="checkbox"/> Test Weight	<input type="checkbox"/> Seed Accreditation Programs (ASL,AFIP,ASSP)
<input type="checkbox"/> Veal/Calf	<input type="checkbox"/> _____	<input type="checkbox"/> Product Examination	<input type="checkbox"/> Quality System Assessment Program
<input type="checkbox"/> _____		<input type="checkbox"/> _____	<input type="checkbox"/> USDA ISO Guide 65 Program
			<input type="checkbox"/> _____

REGULATIONS APPLICABLE TO REQUESTED SERVICE(S):

<input type="checkbox"/> Grading of Shell Eggs (7 CFR Part 56)	<input type="checkbox"/> Meats, Prepared Meats, and Meat Products (Grading, Certification, and Standards) (7 CFR Part 54)
<input type="checkbox"/> Grading of Poultry Products and Rabbit Products (7 CFR Part 70)	<input type="checkbox"/> Livestock, Meat, and other Agricultural Commodities (Quality Systems Verification Programs) (7 CFR Part 62)

APPLICANT INFORMATION

NAME OF APPLICANT (As shown on your income tax return)

Tax ID Number:

This is the Corporate Tax ID number unless the entity submitting the application is an individual, then the Social Security Number is Required. (Required by IRS).

BILLING ADDRESS OF APPLICANT (Street and No., City, State, and ZIP Code)	<table style="width:100%;"> <tr> <td style="width:50%;">PLANT NUMBER:</td> <td style="width:50%;">FSIS or NFI Est. NUMBER:</td> </tr> <tr> <td colspan="2"> NAME & PHYSICAL ADDRESS WHERE SERVICE(S) WILL BE PERFORMED (Street and No., city, State, and ZIP Code) </td> </tr> </table>	PLANT NUMBER:	FSIS or NFI Est. NUMBER:	NAME & PHYSICAL ADDRESS WHERE SERVICE(S) WILL BE PERFORMED (Street and No., city, State, and ZIP Code)	
PLANT NUMBER:	FSIS or NFI Est. NUMBER:				
NAME & PHYSICAL ADDRESS WHERE SERVICE(S) WILL BE PERFORMED (Street and No., city, State, and ZIP Code)					
E-MAIL ADDRESS:					

****CERTIFICATION:** I agree to comply with the terms and conditions of the regulations applicable to the service(s) requested (including but not limited to such instructions governing such service as may be issued, from time to time, by the Agricultural Marketing Service). I also agree to notify the Agricultural Marketing Service of any contaminated or adulterated (chemical, physical, or biological agents) shell eggs in the processing plant and to assure identification and segregation of such product. This notification includes shell eggs that have tested positive for *Salmonella Enteritidis* (SE) or shell eggs from houses determined positive for the presence of SE, or any shell eggs that have been recalled or subject to any recall. I also agree to provide the AMS grader detailed information pertaining to the method of identification and segregation required of any shell eggs that have been determined to be contaminated, or adulterated, including eggs from an identified layer flock that tests positive for the presence of SE. I hereby acknowledge receipt of a copy of Public Law 84-272 (7 U.S.C. 1622(h)) and the regulations under which this application is made.

- I (We) agree to:
- To comply with all applicable provisions of the Code of Federal Regulations (CFR) identified under "Regulations Applicable to Service(s) Requested," a copy of which has been received and read.
 - To notify the Business Operations Branch immediately when a change occurs in the legal status of the applicant, see contact information above.
 - To notify the Business Operations Branch, in advance and in writing, of cancellation of this application, see contact information above.
 - Any service requested via this application may be denied or withdrawn at any time as provided in the applicable CFR, program policies & procedures.

PRINT NAME & TITLE OF APPLICANT:	
SIGNATURE OF APPLICANT:	DATE:

FOR OFFICIAL USE ONLY

DATE:	APPROVED BY (Signature)	TITLE
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*No member of or delegate to Congress, or Resident Commissioner, shall be admitted to any benefit that may arise from this service unless derived through service rendered a corporation for its general benefit.

**National Organic Program
File Review Worksheets**

Note: Please submit this completed form in MSWord format

SECTION I – Certifier Information Table of Contents Closing Meeting Findings			
	Description	Completed by the Certifier <i>(Include page or section number of quality/program manual as applicable)</i>	Auditor Comments
General			
1	Name and Type of Business Entity (Incorporated, LLC, Partnership, etc...)		
2	List the locations (City, State, and Country) where key activities occur and are performed. Also complete Table 9		
3	List any names and types (organic and nonorganic) of accreditations obtained.		
4	List the types (organic and nonorganic) of certifications and business services offered.		

SECTION I – Certifier Information <u>Table of Contents Closing Meeting Findings</u>		
5	List the states (US only) and countries where NOP certification currently occurs	
6	Note the number of operations certified to the NOP at the time of the assessment. Operations may hold more than one certification scope. Therefore the total number of certified operations might not be the sum of certification scopes issued.	Total: _____ NOP certified operations Crop: _____ Wild-crop: _____ Livestock: _____ Handlers: _____ Grower Groups: _____ Approximate Handler Types: Processors: _____ Distributors: _____ Traders/Brokers: _____ Retailers: _____
7	Indicate the number of certified operations on January 2 for all years since the prior assessment. Also include the year of the prior assessment.	Jan 2, 201_ _____ Jan 2, 201_ _____ Jan 2, 201_ _____
Certification Process		
8	What does the certifier provide to applicants on the initial application? § 205.501(a)(8)	

SECTION I – Certifier Information <u>Table of Contents Closing Meeting Findings</u>		
9	How are the information, documentation, and/or forms provided to those inquiring about certification? (i.e, hard copy, electronic, etc.)?	
10	Who (job title/position description) conducts the initial review for completeness and ability to comply? Table 8	
11	What is the certifier’s process for identifying the legal status of clients?	
12	Who (job title/position description) reviews labels? Is a checklist used by the reviewer/approver? What records are maintained for approved labels?	
13	How are inspectors selected or assigned for inspections? Who assigns inspectors?	
14	Are inspectors employees or independent contractors?	
15	Did all certified operations for each calendar year since the prior onsite audit receive inspections?	
16	Who (job title/position description) reviews the inspection results/report for an initial inspection?	

SECTION I – Certifier Information <u>Table of Contents Closing Meeting Findings</u>		
17	Who (job title/position description) makes the certification decision for an initial inspection ?	
18	Provide a brief description of the annual update process. § 205.406 Table 3	
19	Who (job title/position description) reviews the inspection report, results of analysis conducted (as applicable), and information requested from and provided by continuing	
20	Explain the process and documents for providing an initial and an annual cost estimate for certification.	
Minor Issue, Noncompliance, and Adverse Action Process		
21	Who (job title/position description) makes the determination on whether to issue a minor issue, noncompliance, proposed adverse action, and adverse	
22	When operations submit corrective actions or a rebuttal, who (job title/position description) reviews the materials and determines whether they are adequate? Table 8	

SECTION I – Certifier Information <u>Table of Contents Closing Meeting Findings</u>		
23	How many minor issues have been issued since the last onsite audit?	
24	How many noncompliances have been issued since the last onsite audit?	
25	How many proposed suspensions have been issued since the last onsite audit?	
26	How many proposed revocations have been issued since the last onsite audit?	
27	How many certification denials have been issued since the last onsite audit?	
28	How many suspensions have been issued since the last onsite audit?	
29	How many revocations have been issued since the last onsite audit?	

SECTION I – Certifier Information <u>Table of Contents</u> <u>Closing Meeting Findings</u>			
30	How many certified operations are currently appealing issued proposed adverse actions?		
31	How many settlement agreements were established with operations since the prior onsite audit?	201_ : 201_ : 201_ :	
32	Are settlement agreements in accordance with the guidance provided by the NOP training module? http://www.ams.usda.gov/NOPTraining		
Material Input Review			
33	Does your organization offer material input program services (i.e. issue certificates for organic material inputs)?		
34	What is the certifier’s process for conducting material reviews and making determinations on allowable vs. prohibited substances for those substances that have not been reviewed and approved by another entity? (See Policy Memo 11-4. This includes		
35	Where in your Quality or Program Manual is your material input procedures described?		

SECTION I – Certifier Information <u>Table of Contents</u> <u>Closing Meeting Findings</u>		
36	Does your organization approve liquid nitrogen fertilizers (LNF) with a nitrogen content greater than 3%?	
Pesticide Residue Sampling		
37	Number of pesticide residue tests conducted during the calendar years since the last assessment.	201_ : 201_ : 201_ :
38	Was all pesticide sampling conducted by the certifier? If not, explain.	
39	Describe your organization’s annual sampling program.	
40	Names of labs conducting pesticide residue analysis for your organization? Are all the labs ISO 17025 accredited?	
41	Are all inspectors equipped and trained to collect samples? What equipment and documents are provided to them?	
Other Accreditation and Certification Information		
42	Describe your organization’s record keeping system. For example, all electronic database, all paper documents, hybrid system, etc...	

SECTION I – Certifier Information <u>Table of Contents Closing Meeting Findings</u>		
43	Does your organization contract or partner with any organizations to conduct certification or accreditation services on your behalf (e.g. inspections, inspector evaluations)? If so, briefly summarize here and	
44	How many unannounced inspections were conducted since the prior onsite audit? § 205.403(a)(2)(i-iii)	201 _ : 201 _ : 201 _ :
45	Describe how your unannounced inspections are selected.	
46	Number of surrenders since the last onsite audit?	201 _ : 201 _ : 201 _ :
47	Do you certify Private Label operations that do not physically handle organic products but contract with co-packers?	
48	Describe your organization’s external and internal training program for NOP certification staff and contractors (if applicable)?	

SECTION I – Certifier Information <u>Table of Contents Closing Meeting Findings</u>		
49	Describe your annual certification personnel performance evaluation program? Are annual performance evaluations conducted on all certification personnel? Are annual field evaluations conducted on all	
50	Do any certified operations import or export organic products under established organic trade agreements	
51	Does your organization have the following:	
	• Quality Manual	
	• Organizational Chart	
	• Program Manual	
	• Standard Operating Procedures	
	• Control List of documents and	
52	When was the date of the most recent annual review? Who conducted the review?	

Table 8 - Personnel Information Worksheet

Name	Status – Employee / Contractor / Responsibly connected individuals	Title / Position	Duration in the current position	Duration employed with Certifier	Certification Scopes Approved to inspect or evaluate	Education	Training	Experience	Job Description (or indicate section in Quality Manual)	Conflict of Interest Record Date	Confidentiality Record Date	Date of last Perf Evaluation?

Instructions: (1) Below please provide number of personnel, divided into categories and / or job titles. *EX: Administrative Staff (3), Technical Staff [including inspectors, reviewers] (7), etc.* (2) For the last three columns, i.e. COI, Confidentiality, and Perf Eval, indicate the dates these records were last completed. An employee or contractor resume may be used as a substitute for filling in the other columns (e.g. education, training, job description, etc...). If resumes or CVs are used, state: "See Resume or CV" in the appropriate column. Do not submit the resume or CV; please have those records available for the auditors review at your office.

Remarks and Findings:

Table 9 – Certifier Offices and Locations												
A	B	C	D	E	F	G	H	I	J	K	L	M
Certifier office or location: Organization's name; postal and physical addresses; point of contact; telephone number and email.												Activities Not Covered in Columns C to L (provide a brief description)

Instructions – Table 9

Column A: ACA office or location: Organization's name and postal address; point of contact; telephone number and email. List all offices or locations where NOP accreditation and certification activities occur (do not list certified operation locations where inspections are conducted or home offices where certifier staff or contractors conduct reviews). Also include any partnership or separate entities that are contracted by your organization to conduct activities. Indicate whether the office or location is the principal or auxiliary office.

Column B: Number of Staff Indicate the number of staff or individuals conducting NOP accreditation and certification activities.

Column C - L: Indicate either "Y" (= Yes) or "N" (= No) in each column.

Column C: Policy Formulation Does this office or location formulate policy regarding the certifier's NOP accreditation and certification policies?

Column D: Process and/or Procedural Development Does this office or location create work instructions, standard operating procedures, and/or other guidance for certification staff and contractors when conducting NOP accreditation and certification activities?

Column E: Contract Review Does this office or location issue or sign contracts for accreditation or certification services?

Column F: Application Review Does this office or location conduct a review of certification applications for completeness or for compliance?

Column G: Inspection Reports Review Does this office or location conduct inspection report review?

Column H: Inspections Does this office or location conduct inspections, assign inspectors, provide inspectors, collect inspection reports, etc..?

Column I: Decisions on Certification Does this office or location issue or make decisions of certification for new applicants (e.g. Denials or approvals)? Does this office issue or make decisions on whether to issue continuing certification for existing certified operations?

Column J: Decisions on Non-compliance and Adverse Action Does this office or location issue or make decisions of noncompliance, resolutions, proposed adverse actions, or adverse actions? Does this office issue or make decisions on whether to issue continuing certification for existing certified operations?

Column K: Review of Materials, Ingredients, and Inputs, Review and Approval of Product Labels Does this office or location issue or make decisions regarding the

approval or compliance of inputs or labels?

Column L: Retain Records Does this office or location create, retain, or maintain any accreditation or certification records?

Column M: Activities Not Covered in Columns C to M (provide a brief description) Here are some examples: client outreach, provide certification materials, conduct inspector field evaluations, etc...

Remarks



- Step 14:** Once payment information is entered, click on the Continue with ACH or Continue with Plastic Card payment buttons. You will be brought to the *Authorize Payment* screen. Double check to make sure the payment information you entered is correct. There is an option to enter an email address for payment confirmation. This email address will not carry over from the first screen. Make sure you check the box “*I authorize a charge to my card account (or bank account) for the above amount with my card issuer agreement*”.
- Step 15:** If the payment went through, you will get a Payment Confirmation. This is the Customer’s receipt. Keep a copy of this Confirmation for your records.

Electronic Fund Transfers (EFT):

The USDA has implemented procedures for Electronic Fund Transfers (EFT) through the Federal Reserve Bank. Any fees associated with the transfer are the responsibility of the remitter; please check with your financial institution to make sure there are no surprises.

The following information should be included with your payment. We also request that you send an email or fax of this information to make sure we are able to identify the payment. The information can be sent to fax, (612) 336-3563, or e-mail, ABShelpline@aphis.usda.gov.

1. Organization Name / Company Name
2. FMMI Customer number
3. Purpose of payment
4. Contact name and number

Automated Clearing House (ACH) transactions are processed through Remittance Express by the Federal Reserve Bank of Richmond. The process accepts information in the Cash Concentration and Disbursement (CCD) or the Corporate Trade Exchange (CTX) formats. You will need the following information to remit a payment:

ABA: (b) (4)

Name on Account: USDA, Marketing and Regulatory Programs (MRP),
Agricultural Marketing Service (AMS)

Account Number: (b) (4)

Wire Transfers are processed through the Federal Reserve Bank of New York. You will need the following information to remit a payment.

ABA: (b) (4)

Name on Account: USDA, Agricultural Marketing Service (AMS)

Account Number: (b) (4)

International Wire Transfers, remitters should send through a US bank or a correspondent bank before going to the Federal Reserve.

REPRODUCE LOCALLY. Include form number and edition date on all reproductions.

FORM APPROVED - OMB NO. 0581-0191

U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICEPlease fax to (202) 205-7808 - mail original to:
Associate Deputy Administrator, National Organic Program
USDA, AMS, TM, NOP
1400 Independence Ave., SW, Room 4008 So., Ag Stop 0268
Washington, DC 20250

APPLICATION FOR ACCREDITATION

NOTE: The following statements are made in accordance with the Privacy Act of 1974 (U.S.C. 522a) and the Paperwork Reduction Act of 1995, as amended. The authority for requesting this information to be applied on this form is the Agricultural Marketing Agreement Act of 1937, Secs. 1-19, 48 Stat. 31, as amended, (7 U.S.C. 601-674). Furnishing the requested information is necessary for the administration of this program. Submission of the Tax Identification Number (TIN) or Employer Identification Number (EIN) is mandatory, and will be used to determine affiliation or entity identity. Please note that background statements will not become invalid if a TIN or EIN is not disclosed. According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0581-0191. The time required to complete this information collection is estimated to average 93 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance program (Not all prohibited bases apply to all programs). Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2690 (voice and TDD). To file a complaint of discrimination, write to USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, or call (800) 795-3272 (voice) or (202) 720-6382 (TDD). USDA is an equal opportunity provider and employer.

The undersigned hereby applies for accreditation to the National Organic Program, U.S. Department of Agriculture.

Business Name, Mailing Address, and Primary Office Location (if different)	Name of person responsible for day-to-day operations:
	Title of person responsible for day-to-day operations:
	Tax ID#
Telephone Number: Fax Number:	Email address:

PLEASE ESTIMATE THE ANNUAL ANTICIPATED NUMBER OF CERTIFICATIONS FOR EACH TYPE OF ACCREDITATION

	CROPS	LIVESTOCK	WILD CROP	HANDLING			
LEGAL STATUS (Check one)							
<input type="checkbox"/>	GOVERNMENT	<input type="checkbox"/>	FOR-PROFIT BUSINESS	<input type="checkbox"/>	NOT FOR PROFIT BUSINESS	<input type="checkbox"/>	OTHER (Specify)

I (We), affirm that, if granted accreditation, I (we) will carry out the provisions of 7 CFR Part 205 including:

- Accepting the certification decisions made by another certifying agent accredited or accepted by USDA;
- Refraining from making false or misleading claims about my (our) accreditation status, the USDA accreditation program for certifying agents, or the nature or qualities of products labeled as organically produced;
- Conducting an annual performance evaluation of all persons who review applications for certification, perform on-site inspections, review certification documents, evaluate qualifications for certification, make recommendations concerning certification, or make certification decisions and implement measures to correct any deficiencies in certification services;
- Having an annual internal program review conducted of my (our) certification activities by myself, my (our) staff, an outside auditor, or a consultant who has the expertise to conduct such reviews and implement measures to correct any noncompliance's with the Organic Foods Production Act of 1990 (Act) and the provisions of 7 CFR Part 205;
- Paying and submitting fees to AMS;
- Complying with, implementing, and carrying out any other terms and conditions determined by the Administrator to be necessary;
- (Items 7, 8, and 9 apply only to private entities)
- Holding the Secretary harmless for any failure on my (our) part to carry out the provisions of the Act and 7 CFR Part 205;
- Furnishing reasonable security, in an amount and according to such terms as the Administrator may by regulation prescribe, for the purpose of protecting the rights of production and handling operations that I (we) certify under the Act and 7 CFR Part 205;
- Transferring to USDA and making available to the applicable State organic program's governing State official all records or copies of records concerning my (our) certification activities in the event that I (we) dissolve or lose my (our) accreditation.
Such transfer does not apply to a merger, sale, or other transfer of ownership of a certifying agent.

SIGNATURE OF APPLICANT OR REPRESENTATIVE	PRINT OR TYPE NAME OF SIGNEE
TITLE OF APPLICANT OR REPRESENTATIVE	DATE

PLEASE ATTACH:

- A list of each organizational unit, such as chapters or a subsidiary office including the name, office location, mailing address, and contact numbers (telephone, facsimile, and Internet address), and the name of a contact person for each unit;
- A copy of the fee schedule for all services to be provided under these regulations by the applicant;
- For a government entity, a copy of the official's authority to conduct certification services under 7 CFR Part 205;
- For a private entity, documentation showing the entity's status and organizational purpose, such as articles of incorporation and by-laws or ownership or membership provisions, and its date of establishment;
- A list of each State or foreign country in which the applicant currently certifies production and handling operations and a list of each State or foreign country in which the applicant intends to certify production and handling operations;
- The requirements of 7 CFR Part 205, § 205.504. Evidence of expertise and ability.

FOR USE BY USDA

DATE OF RECEIPT	NAME OF RECIPIENT	SIGNATURE OF RECIPIENT

TM-10CG (12-07) Replaces 08/08/01 version. Form designed by AMS using Microsoft Word.

Clear Form

Print Form

Submit & Close

From: [Reid, John - AMS](#)
To: ma@etko.com.tr
Cc: [AMS - AIAinbox](#); [Claypool, Rebecca E - AMS](#)
Subject: Notice of Annual Report - ETKO (Sent Registered)
Date: Wednesday, January 25, 2017 2:48:24 PM
Attachments: [image001.jpg](#)
[No Ann Rept ETKO 012517.pdf](#)
[image002.jpg](#)

Dear Dr. Akyuz:

Thank you for the submission of your annual report. The USDA National Organic Program has reviewed your report and found it to be in compliance with the regulations.

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.

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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1400 Independence Avenue, SW.
Room 2648-S, STOP 0268
Washington, DC 20250-0268

NOTICE OF ANNUAL REPORT

JAN 25 2017

Mustafa Akyuz
Ecological Farming Control Organization
160 Sokak 13/3
Bornova – Izmir, 35100
Turkey

Dear Dr. Akyuz:

On January 23, 2017, the United States Department of Agriculture (USDA), Agricultural Marketing Service (AMS), National Organic Program (NOP) received the 2017 annual report from Ecological Farming Control Organization. The NOP reviewed the report materials submitted and determined that Ecological Farming Control Organization has adequately complied with the annual reporting requirement (§205.510(a)). The report information will be verified during your next onsite audit.

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, appearing to read "R. Mann".

Renee Mann
Assistant Director, Accreditation and International Activities Division
National Organic Program

cc: AIA Inbox

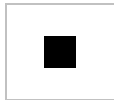
From: [Reid, John - AMS](#)
To: ma@etko.org
Cc: [Zuck, Penelope - AMS](#); [AMS - AIAinbox](#)
Subject: Notice of Non-compliance - ETKO (Sent Registered)
Date: Wednesday, July 13, 2016 11:10:43 AM
Attachments: [ETKO AR NoRes.pdf](#)
[image001.jpg](#)

Dear Dr. Akyuz,

Please see the attached Notice of Noncompliance to the USDA organic regulations. Corrective actions are due within 30 days of receipt of this notice. If you have questions on this notice, please do not hesitate to contact me.

Respectfully,

John A. Reid



Program/Database 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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JUL 13 2016 NOTICE OF NONCOMPLIANCE RESOLUTION

Mustafa Akyuz
ETKO EKOLOJIC TARIM KONTROL ORG LTD STI
160 Sk. No. 13/7, 35040
Bornova – Izmir
Turkey

Dear Dr. Akyuz:

On June 21, 2016, the United States Department of Agriculture (USDA), National Organic Program (NOP) issued a Notice of Noncompliance to Ecological Farming Control Organization (ETKO) as a result of the review of the 2016 annual report. It was determined that ETKO was noncompliant with the USDA organic regulations, as described below.

AIA6155PZ.NC1– Accepted. 7 C.F.R §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 and conditions determined by the Administrator to be necessary.” NOP 2603 Instruction Organic Certificates section 3.1 states, “Organic certificates should be issued in English and include the following (* identifies elements required by 7 CFR § 205.404 of the USDA organic regulations): ...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);...”

Comments: *ETKO’s USDA-NOP organic certificates include the category title “100-95% organic” for products in the “organic” category of certification. “100-95% organic” is not a category of USDA organic certification. The categories are “100% organic”, “organic”, and “made with organic (specified ingredients or food group(s)).”*

2016 Corrective Actions: ETKO submitted copies of the corrected NOP certificate template with the product categories listed “100% organic”, “organic”, and “made with organic”; the revised NOP Certification Procedure section 7.5.2, which includes the certificate elements as listed in NOP 2603; Use of Logo and Licenses section 5.2 Labeling Requirements According to NOP indicating the USDA organic regulation product categories; and Assessment Label NOP section Subpart D labeling review checklist.

In response to the noncompliance, you submitted the corrective action plan described above to the NOP on July 3, 2016. This plan demonstrated how you corrected the noncompliance which occurred, and it also showed how you will modify your policies and procedures to prevent this issue from recurring in the future. The NOP reviewed your submission and found that you adequately addressed the concern we identified. During your next onsite assessment, we will

Page 2

verify that you have successfully implemented these changes and that the problem has not recurred.

If you have questions regarding this notice, please contact Penny Zuck, Accreditation Manager, at (202) 260-9444 or Penelope.Zuck@ams.usda.gov.

Sincerely,



Cheri Courtney
Director, Accreditation and International Activities Division
National Organic Program

cc: AIA Inbox

From: [Reid, John - AMS](#)
To: ma@etko.org
Cc: [Zuck, Penelope - AMS](#); [AMS - AIAinbox](#)
Subject: Notice of Non-compliance - Resolution (updated) (Sent Registered)
Date: Wednesday, July 13, 2016 11:35:21 AM
Attachments: [image001.jpg](#)

*** Please disregard previous NoNC email sent out today 7/13/16***

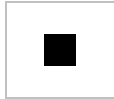
Dear Dr. Akyuz,

Please see the attached Notice of Noncompliance Resolution in response to the corrective actions plan described to the NOP on July 3, 2016.

If you have questions on this notice, please do not hesitate to contact Penny Zuck, Accreditation Manager, at Penelope.Zuck@ams.usda.gov or (202)260-9444.

Respectfully,

John A. Reid



Program/Database Analyst
USDA | National Organic Program
1400 Independence Avenue SW | 2649-S | Washington DC 20250
Main: (202) 260-9452 | **Cell:** (b) (6)

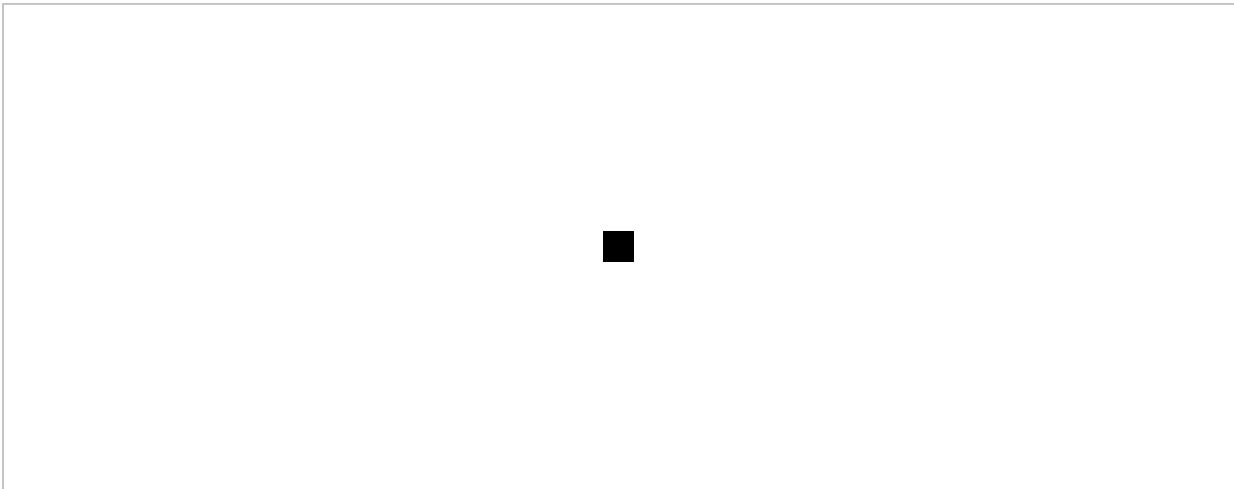
Stay connected with the NOP Organic Insider! [Register here.](#)

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 12:28:00 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: 'Ümit Gafur' <ug@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: [Reid, John - AMS](#)
To: ma@etko.com.tr
Cc: [Swartwood, Stacy - AMS](#)
Subject: RE: TESTING
Date: Thursday, October 20, 2016 5:03:00 PM
Attachments: [image001.jpg](#)
[image002.jpg](#)

Mr. Akyuz,

Thank you for your response. You are appreciated.

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: ma@etko.com.tr [mailto:ma@etko.com.tr]
Sent: Thursday, October 20, 2016 4:49 PM
To: Reid, John - AMS <John.Reid@ams.usda.gov>
Subject: RE: TESTING

Yes I recieved your email.

Mustafa Akyuz
ETKO Turkey.

From: Reid, John - AMS [<mailto:John.Reid@ams.usda.gov>]
Sent: Thursday, October 20, 2016 11:32 PM
To: ma@etko.com.tr
Subject: TESTING

Good Day, ETKO

If you have received this message, please send us back an acknowledgement. This is only a test. Our apologies for the inconvenience.

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: [Claypool, Rebecca E - AMS](#)
To: [Mann, Renee - AMS](#)
Cc: [Courtney, Cheri - AMS](#)
Subject: ETKO annual report documents for your review
Date: Wednesday, January 25, 2017 10:49:31 AM

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

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From: [Zuck, Penelope - AMS](#)
To: [Mann, Renee - AMS](#)
Subject: ETKO CA report and renewal of accreditation documents for your review
Date: Thursday, November 05, 2015 9:45:46 AM
Attachments: [image001.png](#)

Renee:

Please review the following documents regarding ETKO's CA Report and Renewal of Accreditation:
For your approval:

Renewal Letter – [P:\AIA\ACA-Active\ETKO-Turkey\Accred Approv\2013\ETKO Accred Renewal.docx](#)

CA Report – [P:\AIA\ACA-Active\ETKO-Turkey\2013 Renewal\Corr Action\NP4132LCA CA Report edited.docx](#)

Accred Terms - [P:\AIA\ACA-Active\ETKO-Turkey\Accred Approv\2013\ETKO Accred terms.docx](#)

Reference:

Chronology Log - [P:\AIA\ACA-Active\ETKO-Turkey\2013 Renewal\NoNC\2013 renewal ETKO Chrono log.docx](#)

File folder (where the report and supporting documentation can be found) - [P:\AIA\ACA-Active\ETKO-Turkey\2013 Renewal\Corr Action](#)

REMINDER: THIS WILL NEED TO BE REVIEWED BY THE ACCREDITATION COMMITTEE.

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: [Howley, JannaB - AMS](#)
To: [Courtney, Cheri - AMS](#); [Michael, Matthew - AMS](#); [Mann, Renee - AMS](#)
Subject: ETKO Certified Operations Spreadsheet
Date: Tuesday, July 07, 2015 4:32:30 PM
Attachments: [ETKO Operations List w Scopes.xls](#)

All:

Attached is the spreadsheet ETKO submitted at the beginning of the year, identifying all of their certified operations. The majority are in Turkey and Ukraine; they certify 29 grower groups (yikes!), ranging in size from 2 to 360 sub-units. Anything highlighted in yellow is a grower group. They have no US operations.

I will look up their previous NCs – cleared during their last audit – to see if I can identify commonalities between the old NCs, outstanding NCs and the new NCs. I will let everyone know what I find.

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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NOP 2024-2, 2014 Lists of Certified Operations - Located outside the U.S.

All information must be submitted in Excel format and in English. PDF submissions will not be accepted.

Please provide the following information for all certified organic operations by close of business on January 2, 2015. Begin data entry on row 7 and use the format specified. Thank you.

Scope

Certifying Agent	Certification #	Status	Crops	Livestock	Handling	Wild Crops	Grower Group	Grower Group Size	Country
Etiko - Ecological Farming Controlling Organization	2009	Certified	No	No	Yes	No	Yes	231	Turkey
Etiko - Ecological Farming Controlling Organization	2014	Certified	Yes	No	Yes	Yes	Yes	15	Turkey
Etiko - Ecological Farming Controlling Organization	2044	Certified	Yes	No	No	No	No		Turkey
Etiko - Ecological Farming Controlling Organization	2058	Certified	No	No	Yes	No	No		Turkey
Etiko - Ecological Farming Controlling Organization	2070	Certified	Yes	No	Yes	No	No		Turkey
Etiko - Ecological Farming Controlling Organization	2120	Certified	Yes	No	Yes	No	Yes	360	Turkey
Etiko - Ecological Farming Controlling Organization	2158	Certified	Yes	No	Yes	Yes	No		Turkey
Etiko - Ecological Farming Controlling Organization	2190	Certified	No	No	Yes	No	No		Turkey
Etiko - Ecological Farming Controlling Organization	2203	Certified	Yes	No	Yes	No	Yes	129	Turkey
Etiko - Ecological Farming Controlling Organization	2314	Certified	Yes	No	Yes	No	No		Turkey
Etiko - Ecological Farming Controlling Organization	2328	Certified	Yes	No	Yes	No	Yes	14	Turkey
Etiko - Ecological Farming Controlling Organization	2387	Certified	No	No	Yes	Yes	No		Turkey
Etiko - Ecological Farming Controlling Organization	2391	Certified	Yes	No	Yes	No	No		Turkey
Etiko - Ecological Farming Controlling Organization	2453	Certified	Yes	No	Yes	No	No		Turkey
Etiko - Ecological Farming Controlling Organization	2475	Certified	Yes	No	Yes	No	Yes	47	Turkey
Etiko - Ecological Farming Controlling Organization	2484	Certified	Yes	No	Yes	No	No		Turkey
Etiko - Ecological Farming Controlling Organization	2508	Certified	No	No	Yes	No	Yes	36	Turkey
Etiko - Ecological Farming Controlling Organization	2516	Certified	Yes	No	No	No	No		Turkey
Etiko - Ecological Farming Controlling Organization	2527	Certified	No	No	Yes	No	No		Turkey
Etiko - Ecological Farming Controlling Organization	2534	Certified	No	No	Yes	No	No		Turkey
Etiko - Ecological Farming Controlling Organization	2542	Certified	Yes	No	Yes	No	Yes	21	Turkey
Etiko - Ecological Farming Controlling Organization	2573	Certified	Yes	No	Yes	No	No		Turkey
Etiko - Ecological Farming Controlling Organization	2629	Certified	Yes	No	Yes	No	Yes	101	Turkey
Etiko - Ecological Farming Controlling Organization	2633	Certified	Yes	No	No	No	No		Turkey
Etiko - Ecological Farming Controlling Organization	3077	Certified	Yes	No	Yes	No	Yes	2	Kazakhstan
Etiko - Ecological Farming Controlling Organization	3180	Certified	Yes	No	Yes	No	Yes	4	Kazakhstan
Etiko - Ecological Farming Controlling Organization	3138	Surrendered							Korea, Republic of (South Korea)
Etiko - Ecological Farming Controlling Organization	3142	Certified	Yes	No	Yes	No	No		Korea, Republic of (South Korea)
Etiko - Ecological Farming Controlling Organization	3149	Certified	Yes	No	Yes	No	No		Korea, Republic of (South Korea)
Etiko - Ecological Farming Controlling Organization	3026	Certified	No	No	Yes	Yes	Yes	15	Russia
Etiko - Ecological Farming Controlling Organization	2650	Certified	Yes	No	Yes	No	No		Turkey
Etiko - Ecological Farming Controlling Organization	2654	Certified	Yes	No	Yes	No	No		Turkey
Etiko - Ecological Farming Controlling Organization	2669	Certified	No	No	Yes	No	No		Turkey
Etiko - Ecological Farming Controlling Organization	3114	Certified	Yes	No	Yes	No	Yes	19	Turkey
Etiko - Ecological Farming Controlling Organization	3121	Certified	Yes	No	Yes	No	Yes	17	Turkey
Etiko - Ecological Farming Controlling Organization	3126	Certified	Yes	No	Yes	No	Yes	2	Turkey
Etiko - Ecological Farming Controlling Organization	3127	Certified	Yes	No	Yes	No	Yes	5	Turkey
Etiko - Ecological Farming Controlling Organization	3128	Certified	Yes	No	Yes	No	Yes	5	Turkey
Etiko - Ecological Farming Controlling Organization	3076	Certified	Yes	No	Yes	No	Yes	5	Ukraine
Etiko - Ecological Farming Controlling Organization	3087	Certified	Yes	No	Yes	No	Yes	11	Ukraine
Etiko - Ecological Farming Controlling Organization	3090	Certified	Yes	No	Yes	No	Yes	9	Ukraine
Etiko - Ecological Farming Controlling Organization	3092	Certified	Yes	No	Yes	No	Yes	8	Ukraine
Etiko - Ecological Farming Controlling Organization	3093	Certified	Yes	No	Yes	No	Yes	12	Ukraine
Etiko - Ecological Farming Controlling Organization	3094	Certified	Yes	No	Yes	No	Yes	4	Ukraine
Etiko - Ecological Farming Controlling Organization	3132	Surrendered							Ukraine
Etiko - Ecological Farming Controlling Organization	3141	Certified	No	No	Yes	No	No		Ukraine
Etiko - Ecological Farming Controlling Organization	3170	Certified	Yes	No	Yes	No	Yes	6	Ukraine
Etiko - Ecological Farming Controlling Organization	3172	Certified	Yes	No	Yes	No	Yes	4	Ukraine
Etiko - Ecological Farming Controlling Organization	3193	Certified	No	No	Yes	No	No		Ukraine
Etiko - Ecological Farming Controlling Organization	3194	Certified	No	No	Yes	No	No		Ukraine
Etiko - Ecological Farming Controlling Organization	3195	Certified	No	No	Yes	No	No		Ukraine
Etiko - Ecological Farming Controlling Organization	3006	Certified	Yes	No	Yes	No	Yes	5	Ukraine
Etiko - Ecological Farming Controlling Organization	3013	Certified	Yes	No	Yes	No	Yes	10	Ukraine
Etiko - Ecological Farming Controlling Organization	3020	Certified	Yes	No	Yes	No	No		Ukraine
Etiko - Ecological Farming Controlling Organization	3096	Certified	No	No	Yes	No	No		Ukraine
Etiko - Ecological Farming Controlling Organization	3120	Certified	Yes	No	Yes	No	No	5	Ukraine
Etiko - Ecological Farming Controlling Organization	3140	Certified	Yes	No	Yes	No	Yes	7	Ukraine



s Aroma



From: [Davis, Graham - AMS](#)
To: [Mann, Renee - AMS](#)
Cc: [Courtney, Cheri - AMS](#)
Subject: ETKO corrective actions documents for your review
Date: Thursday, December 22, 2016 10:34:11 AM
Attachments: [image003.jpg](#)

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

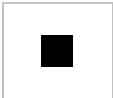
Graham Davis

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: [Davis, Graham - AMS](#)
To: [Mann, Renee - AMS](#)
Cc: [Courtney, Cheri - AMS](#)
Subject: ETKO corrective actions documents for your review
Date: Tuesday, January 03, 2017 10:21:31 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

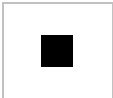
Graham Davis

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: ETKO corrective actions
Date: Thursday, December 22, 2016 3:28:35 PM
Attachments: [GP 18 F 21 NOP Certificate 20161118.pdf](#)
[image003.jpg](#)

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: [Howley, JannaB - AMS](#)
To: [Mann, Renee - AMS](#)
Subject: ETKO NC Matrix
Date: Thursday, June 25, 2015 12:46:38 PM

Renee:

Here is a [link to the matrix](#) I've developed to categorize the NCs they received from the US, Canada and EU. RGK is following up with the EU today to have them send their NCs on to me.

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: [Claypool, Rebecca E - AMS](#)
To: [Mann, Renee - AMS](#)
Subject: ETKO noncompliance documents for your review
Date: Tuesday, November 15, 2016 12:20:14 PM

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

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From: [Zuck, Penelope - AMS](#)
To: [Mann, Renee - AMS](#)
Subject: ETKO Noncompliances
Date: Friday, August 28, 2015 9:05:51 AM
Attachments: [image001.png](#)
Importance: High

Hi Renee,

It has taken me some time to re-review all of the CA submissions from ETKO and to answer your questions in the CA Report. Please review my responses in the CA Report:

CA Report - [P:\AIA\ACA-Active\ETKO-Turkey\2013 Renewal\Corr Action\NP4132LCA CA Report.docx](#)

And my draft email to ETKO from the follow-up to our meeting earlier this week:

Dear Mustafa,

There are still a number of items that need to be addressed in reference to the noncompliance report issued for ETKO's NOP renewal assessment as follows:

1. **NP9222ZZA.NC21 - #4.** - I understand an updated version of the NOP regulations was provided to all staff. Who will be in charge of making sure ETKO monitors the NOP's updates to the NOP regulations? And how will staff and inspectors be informed of the updates?
2. **NP4132LCA.NC2** – Copy of a corrected certificate was submitted to NOP, but a description and documented evidence of how you will prevent a reoccurrence of this noncompliance was not submitted. What is ETKO's preventative action that will prevent this from occurring in the future?
3. **NP4132LCA.NC3** – ETKO translated the following documents into Turkish and conducted training of staff: NOP 4002 Instruction Enforcement of the USDA Organic Regulations: Penalty Matrix, NOP Penalty Matrix 2612, and NOP 4011 Adverse Action Appeal Process for the NOP. This raises an additional concern that ETKO is not translating all NOP instruction and guidance (NOP Program Handbook), which indicates the staff is not well informed and knowledgeable of the NOP Regulations. How will you address this concern and prevent this from occurring in the future?

In addition, it has come to our attention that the European Union and Canada have suspended ETKO's accreditations to provide organic certification to their standards. Please address these concerns by submitting the following to the NOP:

1. Responses to nonconformances identified by IOAS according to EU Regulations and ISO Guide 65.
2. Responses to nonconformances identified by CFIA according to the Canadian Organic Regulations.
3. Copies of OCPs and Inspection Reports for the operations fraudulently representing product as organic.

Please submit the above information/documentation directly to me by **September 10, 2015**. Let me know if you have any questions or need any clarification.

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: [Zuck, Penelope - AMS](#)
To: [Mann, Renee - AMS](#)
Subject: ETKO NoPS documents for your review
Date: Thursday, September 10, 2015 3:45:59 PM
Attachments: [image001.png](#)

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



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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: [Mann, Renee - AMS](#)
Subject: ETKO NoPS
Date: Friday, December 18, 2015 9:46:08 AM
Attachments: [image001.png](#)
Importance: High

Hi Renee,

Could you please look over the NoPS and CA Report for ETKO?

NoPS – [P:\AIA\ACA-Active\ETKO-Turkey\2013 Renewal\NoPS\ETKO NoPS 12 16 15.docx](#)

CA Report – [P:\AIA\ACA-Active\ETKO-Turkey\2013 Renewal\Corr Action\NP4132LCA CA Report 12 18 15.docx](#)

(b) (5)

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: [Mann, Renee - AMS](#)
Subject: ETKO Notice of Noncompliance documents for your review
Date: Wednesday, April 29, 2015 12:16:32 PM
Attachments: [image001.png](#)

Renee:

Please review the following documents regarding ETKO's Notice of Noncompliance from their renewal assessment.

For your approval:

Letter – [P:\AIA\ACA-Active\ETKO-Turkey\2013 Renewal\NoNC\NP4132LCA ETKO NoNC.docx](#)

Report – [P:\AIA\ACA-Active\ETKO-Turkey\2013 Renewal\NoNC\NP4132LCA ETKO NoNC Report.docx](#)

Reference:

Chronology Log - [P:\AIA\ACA-Active\ETKO-Turkey\2013 Renewal\NoNC\Chrono log.docx](#)

File folder (where the letter/report for approval can be found) - [P:\AIA\ACA-Active\ETKO-Turkey\2013 Renewal\NoNC](#)

Thanks,

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

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From: [Zuck, Penelope - AMS](#)
To: [Mann, Renee - AMS](#)
Subject: ETKO renewal documents for your review
Date: Wednesday, August 19, 2015 11:47:19 AM
Attachments: [image001.png](#)

Renee:

Please review the following documents regarding ETKO's renewal accreditation:

For your approval:

Renewal Letter – [P:\AIA\ACA-Active\ETKO-Turkey\Accred Approv\2013\ETKO Accred Renewal.docx](#)

CA Report – [P:\AIA\ACA-Active\ETKO-Turkey\2013 Renewal\Corr Action\NP4132LCA CA Report.docx](#)

Terms – [P:\AIA\ACA-Active\ETKO-Turkey\Accred Approv\2013\ETKO Accred terms.docx](#)

Certificate - [P:\AIA\ACA-Active\ETKO-Turkey\Accred Approv\2013\NOP AccCert.pub](#)

Reference:

Chronology Log - [P:\AIA\ACA-Active\ETKO-Turkey\2013 Renewal\NoNC\2103 renewal ETKO Chrono log.docx](#)

File folder (where the CA report and corrective actions can be found) - [P:\AIA\ACA-Active\ETKO-Turkey\2013 Renewal\Corr Action](#)

REMINDER: This renewal will need to go to the Accreditation Committee and there is an outstanding investigation into EU and COR noncompliances that led to suspension of ETKO's accreditations. Here is the chrono log for the investigation: [P:\AIA\ACA-Active\ETKO-Turkey\Compliance\2015\ETKO EU COO NOP NC Chrono Log.docx](#)

Thanks,

Penny



PENNY ZUCK | USDA-NATIONAL ORGANIC PROGRAM | ACCREDITATION MANAGER |

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From: [Lusby, MaryLou - AMS](#)
To: [Crail, Lars - AMS](#)
Cc: [Courtney, Cheri - AMS](#); [Mann, Renee - AMS](#)
Subject: ETKO report posed to the 01 Report folder on the NOP P drive
Date: Tuesday, February 24, 2015 2:15:22 PM

Lars,

I have saved the following NOP checklists in word and pdf file to the 01 Report Folder on the NOP: P drive

- NP4132LCA ETKO Izmir Turkey (checklists 2005 & 3 - 2005-4)

According to our conversation on February 4, 2015 I am sending this to you first before the Accreditation Manager who would handle this.

Also just to let you know there are several reports for Food Safety as well in the 01 Report folder.

Sincerely,
Mary Lou

From: [Reid, John - AMS](#)
To: [Mann, Renee - AMS](#); [Claypool, Rebecca E - AMS](#)
Subject: ETKO Settlement?
Date: Wednesday, October 19, 2016 5:16:14 PM
Attachments: [image001.jpg](#)

Hey,

While updating the AMS Website for Accredited Certificates and CA Reports, I noticed is very out of date....2013 Accredited Certificate. Are they in a Settlement?

Just for awareness. Thanks

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: [Crail, Lars - AMS](#)
To: [Mann, Renee - AMS](#)
Cc: [AMS - AIAinbox](#); [Gebel, Kelley - AMS](#)
Subject: ETKO Witness Audit Documents attached
Date: Monday, October 31, 2016 5:22:56 PM
Attachments: [NP6279LCA Checklist-4 \(Handling\)\(Bel-Agro\) ETKO Kiev Ukraine 10.06.16.doc](#)
[NP6279LCA Checklist-4 \(Handling\)\(Ekolium\) ETKO Kiev Ukraine 10.07.16.doc](#)
[NP6279LCA ETKO Engagement Ltr 08.25.16.pdf](#)
[NP6279LCA 1415 ETKO Izmir, Turkey 08.25.16 signed.pdf](#)
[image001.png](#)

Renee,

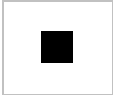
I do not have access to the Share Drive. Attached are the final audit documents for the ETKO Witness Audits conducted in Ukraine. You may assigned the processing to AIA staff.

Lars Crail

USDA NOP

202.205.5536 office

(b) (6) mobile





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

Company Name: ETKO - Ecological Farming Controlling Organization

Audit Team and Responsibilities		
<i>Auditor:</i>	<i>Title:</i>	<i>Responsibility:</i>
Lars Crail	Team Leader	Conduct witness audit.
	Team Member	
	Technical Expert	
	Observer	

Audit Schedule				
<i>Date:</i>	<i>Time:</i>	<i>Activity:</i>	<i>Location:</i>	<i>Auditor</i>
10/6 - 7/2016		See Attached Audit Schedule	Kiev, Ukraine	Crail



**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	\$ -
<i>Per Diem:</i>	<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
<i>Associated Costs:</i>	<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 ACYU	(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**





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: (b) (4) 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. (b) (6)

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
---	-----

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)(C), 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 ETKO 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)	
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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



Days or months between submission of application (annual update) and date of inspection? If length of time is unreasonable, why?	Less than one 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.
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
---	-----

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 31, 2016. No Anniversary date.
Last Inspection date: December 24, 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



August 26, 2016

Mustafa Akyuz
Ecological Farming Controlling Organization (ETKO)
160 Sk. No. 13/3
35100 Bornova-Izmir
Turkey

Dear Dr. Mustafa Akyuz:

The Quality Assessment Division (QAD) has received notification from the National Organic Program (NOP) to conduct a witness audit of the Ecological Farming Controlling Organization (ETKO) organic certification program in accordance with the USDA organic regulations (7 CFR Part 205).

If ETKO agrees to this assessment, the attached document, *GVD 1415A Form, Estimate of Audit Service*, needs your immediate attention. Costs incurred to conduct the assessment are the responsibility of ETKO. The attached estimate outlines the projected cost for the assessment.

The QAD must receive full payment for the amount indicated in the estimate prior to the assessment. Payment may be made by cashier's check, money order, credit card, or electronic fund transfer. Specific information about the payment options is included as an attachment to this letter. **Please be sure to include your FMMI Customer Number (b) (4) with your payment.**

To assist the QAD in scheduling the assessment in a timely and cost effective manner, the completed and signed copy must be received by **Friday, September 9, 2016**:

1. Estimate of Audit Services, QAD 1415

If this document is not received by the indicated date, then the assessment cannot proceed, and the QAD will notify the NOP. Please submit the signed copies to the AIAInBox@ams.usda.gov , Lars.Crail@ams.usda.gov , and QAD.AuditService@ams.usda.gov).

We request the following items prior to arrival at the grower group location. Please submit the following items electronically by **Friday, September 9, 2016** to the Lars.Crail@ams.usda.gov .

1. The following certification file:
 - a. 3141D-01 – Ekolium, Kiev, Ukraine (Handler)
 - b. 3188D-01 – VIP Group LLC, Kiev, Ukraine (Handler)
 - c. 3214D-01 – Bel-Agro LLC, Kiev, Ukraine (Handler)

NOTE: For the purpose of the audit, the files should contain at a minimum the following items (limited to the most recent 1-2 years):



- a. Complete OSP (including labels, material/input lists, product(s) composition, etc...)
- b. Current Organic Certificate.
- c. Most recent inspection report(s)
- d. Notices issued during the last certification cycle (e.g. Minor Issues, Noncompliances, Proposed Adverse Actions, etc...)
- e. Review Checklist(s) and certification decision for the last certification cycle (e.g. initial review, certification decision documentation, label reviews, materials reviews, etc...)
- f. Initial application (if applicable)
- g. Internal Control System (ICS) quality manual(s) or document(s) (only for grower groups)
- h. Inspector's resume or CV (for Witness Audits only)
- i. Inspector's current contact information (for Witness Audits only)
- j. Inspector instructions.

Requested documents must be in English. If you have questions or concerns regarding this request, please contact me at Lars.Crail@ams.usda.gov .

Sincerely,

Lars Crail
Auditor
USDA, AMS, LPS, QAD Attached

Enclosure: QAD 1415A Form "Estimate of Audit Services"

CC: AIAInbox
Quality Assessment Division (QAD)
Rebecca Claypool, NOP AIA Accreditation Manager



Payment Options

Clients have four payment options: (1) check; (2) money order; (3) credit card; and (4) electronic funds transfer. Information about each option is outlined below.

Check or Money Order: Checks and money orders must be made payable to "USDA, AMS, LPS, QAD." Your FMMI Customer Number **must** be placed on the memo section of the check or money order.

Checks and money orders are mailed to a lock box at the U.S. Bank. Checks and money orders may be sent by overnight mail or regular mail, using the appropriate mailing address below. Please note that checks and money orders sent by regular mail may not be received in a timely manner. Questions may be directed to US Bank Customer Service at (314) 418-6635.

Overnight Mailing Address:

U.S. Bank
Attn: Government Lock Box 790304
1005 Convention Plaza
St. Louis, MO 63101

Regular Mail Address:

USDA, AMS, LPS, QAD
PO Box 790304
St. Louis, MO 63179-0304

Please note: Effective October 1, 2012 the lockbox bank (U.S. Bank in St. Louis) no longer processes checks drawn from foreign banks with no identifiable U.S. affiliated bank or those with the words "Payable in U. S. Dollars" or "U.S. Dollars" imprinted on them. When the lockbox bank receives these checks, they are sent to the Billings and Collections Team (BCT) in Minneapolis, MN. BCT bundles these checks together and sends them to CITI Bank for processing. CITI Bank will not confirm the deposit of any such check until all of the checks in the bundle have fully cleared. This process may take anywhere from 3 to 21 business days.

Payments that are not cleared in a timely manner may result in the issuance of dunning notices, demand letters, and/or the assessment of interest fees. Clients that make payments by checks drawn from foreign banks are encouraged to make future payments using other options such as issuing checks from U.S. banks (or foreign banks with U.S. affiliates), paying via credit card, or using the Pay.Gov system.

Credit Card:

Credit card, debit card and bank account payments are now being accepted through PAY.GOV. If you need assistance please contact the National Billing Office, (501)312-2962 or QAD.BusinessOps@ams.usda.gov

Be advised of the following Pay.Gov payment limits:

Credit Cards



- Up to a total of \$24,999.99 for all transactions with one or more U.S. Government agencies conducted on the same day using the same credit card.

Debit Cards

- No limit except for the funds available in your account.

Bank Accounts

- Up to \$99,999.999.99 per transaction, limited by the funds available in the account.

To submit payment, follow these steps:

Step 1: Go to www.pay.gov

Step 2: Click on “Make a Payment”

Step 3: Enter “AMS” in the search box under #2 at the bottom of the screen

Step 4: Select “continue to the form” under USDA AMS Account Statements

Step 5: On Accepted Payment Methods screen, click on “continue to the Form”.

Step 6: Fill out the AMS form

Step 7: Select payment method

Step 8: Enter payment information.

Step 9: Review and submit payment

Step 10: Check box to receive email confirmation

Step 11: Enter all email addresses to receive payment confirmation

Step 12: Check the payment authorization box.

Step 13: Click “Submit”

Please enter this address for payment confirmation to AMS, LPS, QAD:
QAD.BusinessOps@ams.usda.gov

Electronic Fund Transfers (EFT):

The USDA has implemented procedures for Electronic Fund Transfers (EFT) through the Federal Reserve Bank. Any fees associated with the transfer are the responsibility of the remitter; please check with your financial institution to make sure there are no surprises.

The following information should be included with your payment. We also request that you send an email of this information to make sure we are able to identify the payment. The information can be sent to ABShelpline@aphis.usda.gov:



1. Organization Name / Company Name
2. **FMMI Customer number**
3. Purpose of payment
4. Contact name and number

Automated Clearing House (ACH) transactions are processed through Remittance Express by the Federal Reserve Bank of Richmond. The process accepts information in the Cash Concentration and Disbursement (CCD) or the Corporate Trade Exchange (CTX) formats. You will need the following information to remit a payment:

ABA: (b) (4)
Name on Account: USDA, Marketing and Regulatory Programs (MRP),
Agricultural Marketing Service (AMS)
Account Number: (b) (4)

Wire transfers are processed through the Federal Reserve Bank of New York. You will need the following information to remit a payment.

ABA: (b) (4)
Name on Account: USDA, Agricultural Marketing Service (AMS)
Account Number: (b) (4)

International wire transfers, remitters should send through a US bank or a correspondent bank before going to the Federal Reserve.

From: [Zuck, Penelope - AMS](#)
To: [McEvoy, Miles - AMS](#)
Cc: [Courtney, Cheri - AMS](#); [Mann, Renee - AMS](#)
Subject: ETKO
Date: Tuesday, September 08, 2015 4:33:49 PM
Attachments: [image001.png](#)

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:

(b) (5)

[Redacted content]

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:

NP922ZZA.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: [Zuck, Penelope - AMS](#)
To: [Courtney, Cheri - AMS](#)
Cc: [Mann, Renee - AMS](#)
Subject: FW: ETKO
Date: Friday, September 04, 2015 10:14:35 AM
Attachments: [image001.png](#)

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
[Join the NOP mailing list](#)

From: Mann, Renee - AMS
Sent: Thursday, September 03, 2015 5:38 PM
To: Zuck, Penelope - AMS
Subject: RE: ETKO

Hi Penny,

This is beautiful! I would make a tiny change (in green). The (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:

(b) (5)

(b) (5)

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.

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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

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From: [McEvoy, Miles - AMS](#)
To: [Mann, Renee - AMS](#)
Subject: FW: ETKO
Date: Tuesday, June 23, 2015 7:46:08 PM
Attachments: [image001.png](#)
[image002.png](#)

Any intel on ETKO. (b) (5)

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)

From: [Zuck, Penelope - AMS](#)
To: [Mann, Renee - AMS](#)
Subject: FW: ETKO Noncompliances / CA report
Date: Saturday, October 03, 2015 3:40:00 PM
Attachments: [image001.png](#)
Importance: High

Hi Renee,

So, (b) (5)

therefore, can you please review the CA Report (link is below) and the draft email for me to go forward with this? I will of course change the due date listed below for the information (2 weeks).

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
Sent: Friday, August 28, 2015 9:06 AM
To: Mann, Renee - AMS
Subject: ETKO Noncompliances
Importance: High

Hi Renee,

It has taken me some time to re-review all of the CA submissions from ETKO and to answer your questions in the CA Report. Please review my responses in the CA Report:

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

And my draft email to ETKO from the follow-up to our meeting earlier this week:

[Dear Mustafa,](#)

There are still a number of items that need to be addressed in reference to the noncompliance report issued for ETKO's NOP renewal assessment as follows:

1. **NP9222ZZA.NC21 - #4.** - I understand an updated version of the NOP regulations was provided to all staff. Who will be in charge of making sure ETKO monitors the NOP's updates to the NOP regulations? And how will staff and inspectors be informed of the updates?
2. **NP4132LCA.NC2** – Copy of a corrected certificate was submitted to NOP, but a description and documented evidence of how you will prevent a reoccurrence of this noncompliance was not submitted. What is ETKO's preventative action that will prevent this from occurring in the future?
3. **NP4132LCA.NC3** – ETKO translated the following documents into Turkish and conducted training of staff: NOP 4002 Instruction Enforcement of the USDA Organic Regulations: Penalty Matrix, NOP Penalty Matrix 2612, and NOP 4011 Adverse Action Appeal Process for the NOP. This raises an additional concern that ETKO is not translating all NOP instruction and guidance (NOP Program Handbook), which indicates the staff is not well informed and knowledgeable of the NOP Regulations. How will you address this concern and prevent this from occurring in the future?

In addition, it has come to our attention that the European Union and Canada have suspended ETKO's accreditations to provide organic certification to their standards. Please address these concerns by submitting the following to the NOP:

1. Responses to nonconformances identified by IOAS according to EU Regulations and ISO Guide 65.
2. Responses to nonconformances identified by CFIA according to the Canadian Organic Regulations.
3. Copies of OCPs and Inspection Reports for the operations fraudulently representing product as organic.

Please submit the above information/documentation directly to me by **September 10, 2015**. Let me know if you have any questions or need any clarification.

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

[Join the NOP mailing list](#)

From: [Mann, Renee - AMS](#)
To: [Zuck, Penelope - AMS](#)
Cc: [Courtney, Cheri - AMS](#)
Subject: FW: ETKO report posed to the 01 Report folder on the NOP P drive
Date: Friday, April 10, 2015 6:25:00 PM

Hello Penny,

Could you please process this audit report (you will be writing a NC report and NC letter) for ETKO?

Thank you,

Renee M

Renee Mann

Assistant Director, Accreditation and International Activities Division

USDA National Organic Program

(202) 260-8635

[Join the NOP mailing list.](#)

From: Crail, Lars - AMS
Sent: Friday, April 03, 2015 12:12 PM
To: Mann, Renee - AMS
Subject: RE: ETKO report posed to the 01 Report folder on the NOP P drive
That's strange. I must have misread her email. I conducted the ETKO and the FS audits; therefore, both can be assigned. Lars

From: Mann, Renee - AMS
Sent: Friday, April 03, 2015 12:09 PM
To: Crail, Lars - AMS
Subject: RE: ETKO report posed to the 01 Report folder on the NOP P drive
Hi Lars –

Have you reviewed the ETKO report yet? Maybe I missed an email here.

Thanks,

Renee

Renee Mann

Assistant Director, Accreditation and International Activities Division

USDA National Organic Program

(202) 260-8635

[Join the NOP mailing list.](#)

From: Crail, Lars - AMS
Sent: Wednesday, February 25, 2015 6:04 AM
To: Lusby, MaryLou - AMS
Cc: Courtney, Cheri - AMS; Mann, Renee - AMS
Subject: Re: ETKO report posed to the 01 Report folder on the NOP P drive
Thanks Marylou. I will review the report within the next day or two. I conducted the Food Safety audit, so you can move that report forward for assignment.

Lars Crail

USDA AMS NOP

(b) (6) mobile

On Feb 24, 2015, at 4:15 PM, Lusby, MaryLou - AMS <MaryLou.Lusby@ams.usda.gov> wrote:

Lars,

I have saved the following NOP checklists in word and pdf file to the 01 Report Folder on the NOP: P drive

- NP4132LCA ETKO Izmir Turkey (checklists 2005 & 3 - 2005-4)

According to our conversation on February 4, 2015 I am sending this to you first before the Accreditation Manager who would handle this.

Also just to let you know there are several reports for Food Safety as well in the 01 Report folder.

Sincerely,

Mary Lou

From: [Howley, JannaB - AMS](#)
To: [Mann, Renee - AMS](#)
Subject: FW: IMPORTANT : NOTICE OF ACCREDITATION SUSPENSION under COR - ETKO
Date: Friday, June 19, 2015 1:38:59 PM

Renee:

CFIA's noncompliances from their recent ETKO audit.

Janna

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).

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o When labels approved.

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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: [Howley, JannaB - AMS](#)
To: [Mann, Renee - AMS](#)
Cc: [Courtney, Cheri - AMS](#)
Subject: FW: IMPORTANT : NOTICE OF ACCREDITATION SUSPENSION under COR - ETKO
Date: Monday, June 15, 2015 4:21:25 PM
Attachments: [ETKO Accred Certificate 092710.pdf](#)

Renee:

This is what I just sent to Valeriya in Canada, because she'd inquired as to ETKO's current status.

Janna

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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valeriya.staykova@inspection.gc.ca



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



The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance program.

From: [Howley, JannaB - AMS](#)
To: [Mann, Renee - AMS](#)
Subject: FW: IMPORTANT : NOTICE OF ACCREDITATION SUSPENSION under COR - ETKO
Date: Friday, June 26, 2015 9:57:50 AM

Renee:

I am assuming there is no reason that we cannot share ETKO's current NOP NCs with CFIA, is there?
I'll send them to CFIA today if you confirm that it's ok.

Thanks!

Janna

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
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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

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Regards,

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Valeriya Staykova

Lead Auditor /Chef-auditeur

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Ottawa, Ontario K1A 0Y9

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

valeriya.staykova@inspection.gc.ca

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 3:08:53 PM
Attachments: --WSD000.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](#)

.....
This electronic mail transmission may contain confidential or privileged information. Any unauthorized review, forwarding, printing, copying, use, disclosure or distribution may be unlawful. If you believe you have received this message in error, please notify the sender and delete the message without copying or disclosing the message.
.....

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@ams.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

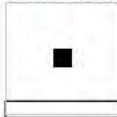
From: Penelope.Zuck@ams.usda.gov [mailto:Penelope.Zuck@ams.usda.gov]

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
[Join the NOP mailing list](#)

[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
0232 339 76 07 İZMİR

(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 Staff (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 Staff 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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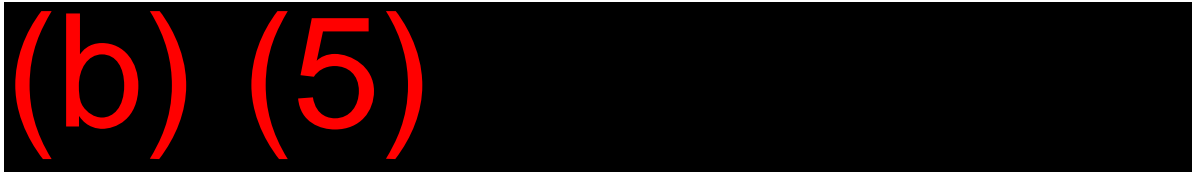
ON SITE AUDIT CORRECTIVE ACTION PLAN

		<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: [Zuck, Penelope - AMS](#)
To: [Mann, Renee - AMS](#)
Subject: FW: Registered: Notice of Proposed Suspension of Accreditation
Date: Tuesday, December 22, 2015 11:53:35 AM
Attachments: -WRD134.jpg
image001.png
Importance: High

Hi Renee,

I spoke with Robert and told him I'd send the response email to him to send to ETKO. Please review and let me know what you think:



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.

Best Regards,

Robert



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: ma@etko.org [mailto:ma@etko.org]

Sent: Monday, December 21, 2015 9:06 AM

To: Zuck, Penelope - AMS

Cc: Yang, RobertH - AMS

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.

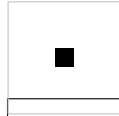
Regards,

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
[Join the NOP mailing list](#)

[Click here](#) to send a Registered Email[®] message to anyone.



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 12:15:00 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: [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 12:41:40 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
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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.

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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
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Noncompliance:

Noncompliance No	1	Major <input checked="" type="checkbox"/> Minor <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: [Zuck, Penelope - AMS](#)
To: [Mann, Renee - AMS](#)
Subject: FW: Revocation of Certification
Date: Monday, May 04, 2015 8:58:42 AM
Attachments: [20150420103 UFC GP 18 F 19 Notification of Immediate Revocation NOP.docx](#)
[20150420102 NT NOVA GP 18 F 19 Notification of Immediate Revocation NOP.docx](#)
[image001.png](#)

Hi Renee,

Here is my draft response to ETKO in regards to the combined NoNC and proposed revocation they are planning to send to operations.

Dear Mustafa,



§205.662 Noncompliance procedure for certified operations.

(a) Notification. When an inspection, review, or investigation of a certified operation by a certifying agent or a State organic program's governing State official reveals any noncompliance with the Act or regulations in this part, a written notification of noncompliance shall be sent to the certified operation. Such notification shall provide:

- (1) A description of each noncompliance;*
- (2) The facts upon which the notification of noncompliance is based; and*
- (3) The date by which the certified operation must rebut or correct each noncompliance and submit supporting documentation of each such correction when correction is possible.*

(b) Resolution. When a certified operation demonstrates that each noncompliance has been resolved, the certifying agent or the State organic program's governing State official, as applicable, shall send the certified operation a written notification of noncompliance resolution.

(c) Proposed suspension or revocation. When rebuttal is unsuccessful or correction of the noncompliance is not completed within the prescribed time period, the certifying agent or State organic program's governing State official 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. 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 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.*

(d) Willful violations. Notwithstanding paragraph (a) of this section, if a certifying agent or State organic program's governing State official has reason to believe that a certified operation has willfully violated the Act or regulations in this part, the certifying agent or State organic program's

governing State official shall send the certified operation a notification of proposed suspension or revocation of certification of the entire operation or a portion of the operation, as applicable to the noncompliance.

(e) 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, the certifying agent or State organic program's governing State official shall send the certified operation a written notification of suspension or revocation.

The documents you emailed are titled as Notice of Immediate Revocation, which is not covered in the NOP regulations. You can issue a combined "Notice of Noncompliance" and "Notice of Proposed Revocation", as the above regulation explains.

Please let me know if you have any further questions or need clarification regarding the notices.

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: ma@etko.org [mailto:ma@etko.org]

Sent: Monday, April 27, 2015 10:56 AM

To: AMS - NOPACAAverseActions

Cc: Zuck, Penelope - AMS

Subject: Revocation of Certification

Dear Madam / Sir

We are intending to revoke NOP certification of 3 companies involved with Sunflower Cake issues raised by the EU authorities this winter. You can see attached our notification prepared but not send out yet.

Two sister companies **UFC and Prodexim** exported by two shipments to Tradin company in the Netherlands were subject to high level of contaminants following:

A-The first shipment of SFC showed up following results.

Substance	Sample Taken By					
	mg/kg	Ministry DE 2 samples	SGS-Surveyor	UFC exporter	ETKO	Shutter surveyor
Carbendazim	0.024 - 0.060	-	-	-	-	-
Fludioxonil	0.012 - 0.011	-	-	-	-	-
Metalaxyl	0.124 - 0.134	-	-	-	0.014	-
Thiamethoxam	0.025 - 0.011	-	-	0.012	-	-
Imidacloprit	-	-	-	0.051	-	-
Glyphosate	-	-	-	-	-	0.016 - 0.02

B-Second shipment done by UFC indicated Metalaxyl with a level of 0.02 mg/kg Metalaxyl.

C-The third company was **NT Nova**. NT Nova exported Sunflower Cake supplied by another sister company "Yugagrotrade" which was certified only for EU, not for NOP. SFC was exported to Thegra Tracomex company in the Netherlands. There were transport documents of the SFC prepared by NT Nova which were doubtful and ETKO could not receive clear explanation on these documents proving they are original. The product exported was contaminated also with Glyphosate 0.12 mg/kg.

FYI: We revoked the EU Certifications of these three (NOP Certified) operators and cancelled their contracts already.

We wanted to communicate and ask your opinion about our decision, maybe you could

help us weather we are on the correct procedure.
Have a nice day and best regards from Turkey.

Mustafa Akyuz

ETKO Turkey

T: +90-232-3397606

F: +90-232-3397607

www.etko.org

	Notification of Immediate Revocation	Nr	GP 18 F 19
		Date	20.04.2015
		Rev	00
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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.

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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 – İzmir/TURKEY

Sincerely
Enclosure: Non compliances

Cc : NOPACAAverseActions@ams.usda.gov

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		Date	20.04.2015
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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>				

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		Date	20.04.2015
		Rev	00
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Ref Nr: 2015042701
Subject: Notification

Date: April 27, 2015

UFC Ukrainian Food Corporation – TOV PRODEXIM LTD

5, Port-Elevator, Kherson, 73000, Ukraine

Dear Igor NOZHENKO

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

The objective of the audit was to investigate the residue cases recently with big amount of SFC exported by UFC Company which the seeds were sourced from Prodexim farms and processed in Prodexim Oil Factory.

As a result of the investigation audits below mentioned nonconformities raised:

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.

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		Date	20.04.2015
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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 – İzmir/TURKEY

Sincerely
Enclosure: Non compliances

Cc : NOPACAAverseActions@ams.usda.gov

	Notification of Immediate Revocation	Nr	GP 18 F 19
		Date	20.04.2015
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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 : Traceability and integrity of organic status is not guaranteed for the organic sunflower cake exported as organic and following questions appeared during the investigation audit.</p> <p>§205.103 Recordkeeping by certified operations. (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)).” (2) Fully disclose all activities and transactions of the certified operation in sufficient detail as to be readily understood and audited;</p> <p>§205.105 Allowed and prohibited substances, methods, and ingredients in organic production and handling. To be sold or labeled as “100 percent organic,” “organic,” or “made with organic (specified ingredients or food group(s)),” the product must be produced and handled without the use of: (a) Synthetic substances and ingredients, except as provided in §205.601 or §205.603; §205.601 Synthetic substances allowed for use in organic crop production.</p> <p>Question 1: The delivery amounts differs from the supplied and received to Prodexim oil factory. Difference is about approximately 130 tons: There is also inconsistencies between the amounts of individual trucks loads and Prodexim Oil Factory registers. See Attached List Nr 16 PE Crops Delivery List and Annex 18 Prodexim Oil Factory Register Book</p> <p>Question 2: Another point is that previous deliveries between the dates 26.5.14-08.7.14 to Prodexim oil factory there are differences of nearly every truck between 10 kg up to 400-500 kg even 18000 kgs. But with remaining lot deliveries from PE Crops perfectly done no single kg difference can be seen. See Annex 9 and 18</p> <p>Question 3: Annex 9 Act of Process indicates starting date of SFS delivery 1.8.14-20.8.14. But in the Annex 18 Prodexim oil factory incoming SFS register book continuing on the date 10.07.14. Truck numbers, quantities TTN numbers the same. There are different dates between the Act of process list Annex 9 and Annex 18?</p> <p>Also related Delivery List of SFC from Prodexim Oil Factory to Dneprovsky Terminal, there are two different list Annex 10 and Annex 27. Annex 27 was send to ETKO office for COI “Certificate of Inspection” application in January 09, 2015. Annex 9 was send in April 8th 2015.</p> <p>Problem with the lists is same quantity of SFC was transported with same trucks, same TTNs, to Dniprovsky Terminal for Doens Food. There can be only ONE time transport, not TWO times!!</p> <p>Question 4: If SFS from PE Crops were kept in store in Prodexim Oil Factory and other supplies were processed until 01.08.14; which SFS were processed between these days 9.7.14 up to 1.8.14 and belongs to which shipment?</p> <p>Question 5: When we ask you by email dated 26.03.15 what happened with the remaining lot of SFC and you answered same day the remaining lot was processed in Prodexim Oil Factory and sold as conventional. You provided 4 annexes see email correspondence Attached. See Annex 25 Re Questions</p>				

	Notification of Immediate Revocation	Nr	GP 18 F 19
		Date	20.04.2015
		Rev	00
		Page	4/5

-The list you provided with this email does not correspond the list you provided in Kiev Conference. See both lists **Annex 9 Act of Processing and Annex 26 Act of Processing**: Everything same but date of processing is different!!

-In Kiev you said the remaining lot was processed together with Regional Grain Trading SFS supply with a quantity 886140 kg and received 436930 kg SFC and were transported and stored in Dniprovsky Terminal separately than the other PE Crops related SFC 563200 kg. These two lots with a total amount of 1000000 kg SFC was exported to DFI. **See Annex 14 B/L Aslan.**

The export was realized with the Certificate Nr: TK.14-3076-045-C. **See Annex 28 Application form UPK-DFI.** With this certificate application you mentioned following quantities

SGS AT BIO-902 7500119-14-0004- 865 tn

SGS AT BIO-902 7500021-14-0001-**1077 tn.**

Question 6: In fact you had 1055860 kg remaining from PE Crops delivery (See your statement above point 1), so there is approximately difference of 21000 kgs you mention here where was the difference coming from?

Question 7: You confirmed SFC was sold as Conventional to Consol Company by email 26th of March 2015 (**See Annex 25 Re Question**) and later by your reply 08.04.2015 you said SFC was sold as organic to DFI-NL? Which one is correct? For a transaction made in December 2014 there are two different answers in April 2015?

Question 8: You mentioned the truck list was prepared by Dniprovsky Terminal due to another supplier was transporting goods in the same period? Interestingly two different suppliers for the same product, exactly same kg is there. Both lists mention the same buyer Tradin. **See Annex 19 and 20**

Question 9: Dniprovsky terminal prepared list was send to ETKO to get Certificate of Inspection and the list was not correct but it was signed and stamped by UFC. This is a serious infringement, correct list must have been send to ETKO for certificate application. Truck list was stamped by UFC which means that UFC approved the list in August, also the second list in January 2015 was approved and stamped by UFC. There are two transport lists approved by UFC for one shipment. **See Annex 19 and 20**

Question 10: Contamination is possible from PE Crops origin products to the last export with Damsterdijk?

There is no other source of Metalaxyl in any export of UFC/Prodexim with 2013 and 2014 crop SFS!! What is your explanation of the residue Metalaxyl in your product?

Inspection criteria	NOP Regulation. ref	§205.103, 205.105	ETKO rules ref.	
Action taken				
Please identify the supporting documents, if any:				
Name, Surname and Signature of Appl. Resp.	IGOR NOZHENKO		Date	27.04.2015
Review Date				Resolved <input type="checkbox"/> Unresolved <input type="checkbox"/>

	Notification of Immediate Revocation	Nr	GP 18 F 19
		Date	20.04.2015
		Rev	00
		Page	5/5

Review Comment:

Reviewer name & signature:

From: [McEvoy, Miles - AMS](#)
To: [Courtney, Cheri - AMS](#); [Mann, Renee - AMS](#); [Zuck, Penelope - AMS](#)
Subject: Fwd: ETKO
Date: Wednesday, October 28, 2015 7:15:58 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)

From: [McEvoy, Miles - AMS](#)
To: [Mann, Renee - AMS](#)
Subject: Fwd: IMPORTANT : NOTICE OF ACCREDITATION SUSPENSION under COR - ETKO
Date: Monday, June 15, 2015 5:36:59 PM
Attachments: [ETKO Accred Certificate 092710.pdf](#)
[ATT00001.htm](#)

Miles V McEvoy
Deputy Administrator
USDA National Organic Program

Begin forwarded message:

From: "Howley, JannaB - AMS" <JannaB.Howley@ams.usda.gov>
Date: June 15, 2015 at 4:12:26 PM EDT
To: Valeriya Staykova <Valeriya.Staykova@inspection.gc.ca>
Cc: "McEvoy, Miles - AMS" <Miles.McEvoy@ams.usda.gov>, "Courtney, Cheri - AMS" <Cheri.Courtney@ams.usda.gov>, Rola Yehia <Rola.Yehia@inspection.gc.ca>, "Yang, RobertH - AMS" <RobertH.Yang@ams.usda.gov>
Subject: RE: IMPORTANT : NOTICE OF ACCREDITATION SUSPENSION under COR - ETKO

<!--[if mso 9]--> <!--[endif]-->

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 I USDA National Organic Program
Room 2649-S (Stop 0268) I 1400 Independence Ave SW I Washington, DC 20250-0268

202-692-0047 Direct I 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



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: [Essig, Mario - AMS](#)
To: [Lusby, MaryLou - AMS](#)
Cc: [Mann, Renee - AMS](#)
Subject: RE: Changes to ETKO address, State or Foreign countries in which they certify, and List of Certified Operations
Date: Monday, February 23, 2015 2:59:15 PM
Attachments: [image001.png](#)

Mary Lou,

Thanks for the notification of the change. The database is now updated for ETKO with the data given in the thread below.

Regards,

Mario Essig



Mario Essig | Program Support Assistant | 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: Lusby, MaryLou - AMS
Sent: Friday, February 06, 2015 2:23 PM
To: Essig, Mario - AMS
Cc: Mann, Renee - AMS
Subject: Changes to ETKO address, State or Foreign countries in which they certify, and List of Certified Operations

Mario,

Changes below came from ETKO Annual Report that they submitted for 2015. Not sure how the changes are handed but they are below.

ETKO moved to a different location (Door number changed) but there are in the same building that they were in. (See Below)

This might require changes on the website

Any updates to the list of State or foreign countries in which the certifying agent certifies production and handling operations and a list of each State or foreign country in which the certifying agent intends to certify production or handling operations.

§205.504 Evidence of expertise and ability

Azerbaijan, Belarus, Bangladesh, Cote D'Ivoire, Cyprus, Egypt, Ethiopia, Georgia, India, Kazakhstan, Kirgizia, Korea, Pakistan, Romania, Russia, Serbia, Singapur, Tacikistan, Thailand, Turkey, Ukraine and Uzbekistan

Also have enclosed there List of Certified Operations the one highlighted belongs on the list (See below)

If you have any questions please let me know.

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: ma@etko.org [<mailto:ma@etko.org>]

Sent: Friday, February 06, 2015 1:52 PM

To: Lusby, MaryLou - AMS

Subject: RE: ETKO Annual Report 2014-5

Ms Lusby

The address was changed as following: 160 Sokak 13/3, 35100 Bornova – Izmir.

The door number changed, we moved in the same building to another flat.

Yellow indication was simply forgotton, the client is certified. Yellow color shuld have been cleaned, but forgotton

Have a nice weekend,

Mustafa Akyuz

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 11:23:23 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

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)

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](#)

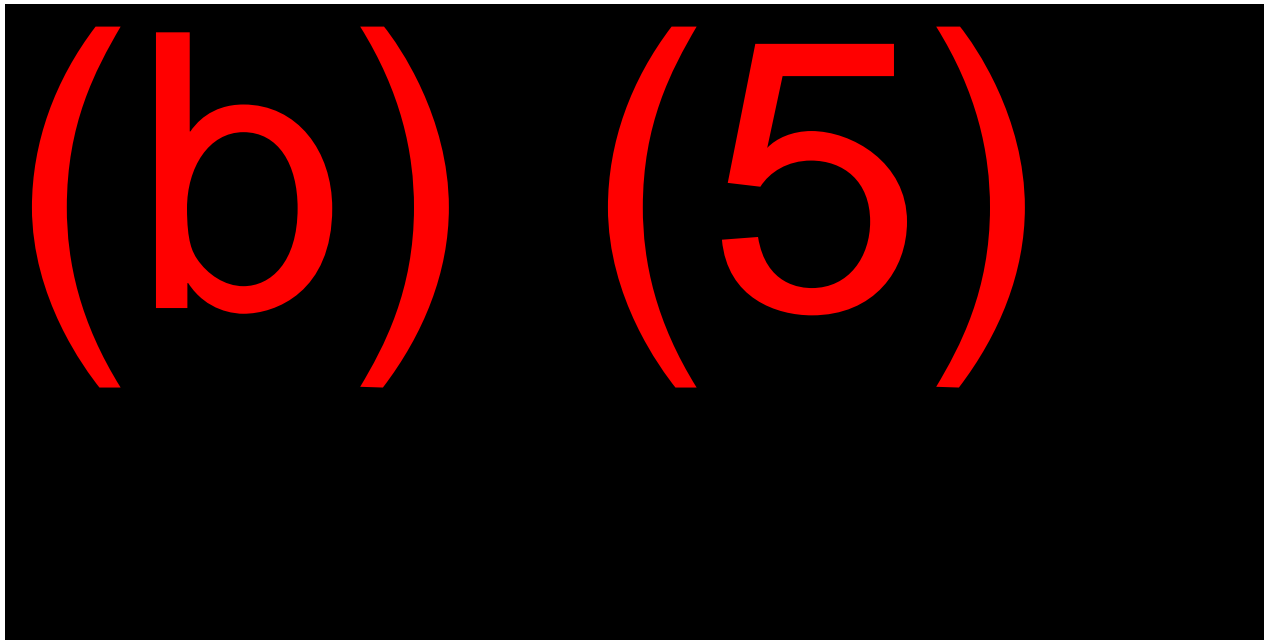
Please pursue option 1. Thanks for your prompt review and analysis.

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:



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

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From: [Michael, Matthew - AMS](#)
To: [Howley, JannaB - AMS](#)
Cc: [Mann, Renee - AMS](#); [Courtney, Cheri - AMS](#)
Subject: RE: ETKO
Date: Thursday, August 27, 2015 11:15:51 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

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From: [REDACTED]
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

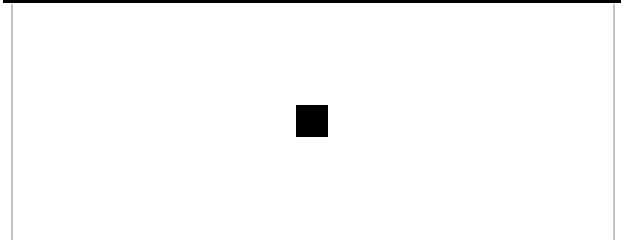
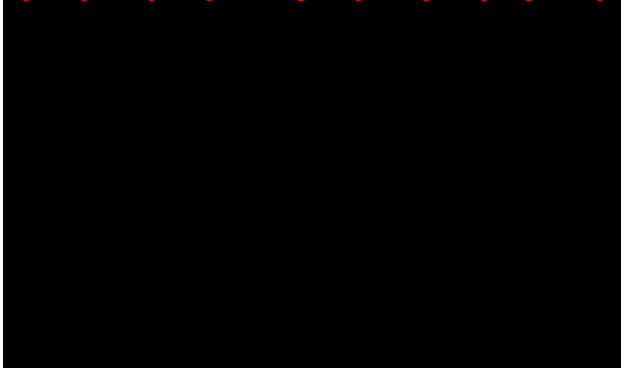
information of the USDA certifiers into the system. I have found the information in your website in PDF: <http://www.ams.usda.gov/sites/default/files/media/OrganicCertifyingAgents.pdf>

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

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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)

(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

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)



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 1:49:45 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: [Zuck, Penelope - AMS](#)
To: [Mann, Renee - AMS](#)
Cc: [Courtney, Cheri - AMS](#)
Subject: RE: ETKO appeal - settlement executed
Date: Thursday, April 28, 2016 10:55:17 AM
Attachments: [image001.png](#)

Hi Renee,

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

(b) (5)

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



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☎ 202.260.9444 | Fax 202.205.7808 | ✉ Penelope.Zuck@ams.usda.gov
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From: Mann, Renee - AMS
Sent: Monday, April 25, 2016 12:14 PM
To: Zuck, Penelope - AMS
Cc: Courtney, Cheri - AMS
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

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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

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meg.kuhn@ams.usda.gov

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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 5:37:45 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 ; Tucker, Jennifer - AMS
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 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: [Crail, Lars - AMS](#)
To: [Zuck, Penelope - AMS](#)
Cc: [Mann, Renee - AMS](#); [Courtney, Cheri - AMS](#)
Subject: RE: ETKO audit
Date: Tuesday, April 26, 2016 4:24:19 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
Cc: Mann, Renee - AMS ; Courtney, Cheri - AMS
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
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From: [Zuck, Penelope - AMS](#)
To: [Crail, Lars - AMS](#)
Cc: [Mann, Renee - AMS](#); [Courtney, Cheri - AMS](#)
Subject: RE: ETKO audit
Date: Wednesday, April 27, 2016 4:22:57 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 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
Cc: Mann, Renee - AMS ; Courtney, Cheri - AMS
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.

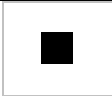
Does the settlement agreement specify an addition audit, or would the mid-term suffice for the verification of corrective actions? If the settlement agreement specifies an additional audit, I'd like to discuss our strategy before I attempt to propose audit dates.

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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From: [Zuck, Penelope - AMS](#)
To: [Mann, Renee - AMS](#)
Subject: RE: ETKO CA report and renewal of accreditation documents for your review
Date: Friday, November 13, 2015 3:43:22 PM
Attachments: [image001.png](#)

Renee,

Please see revised CA Report for ETKO. I also accepted the changes you made to the letter and terms. The links are in the email below.

Thanks,

Penny



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From: Mann, Renee - AMS
Sent: Friday, November 06, 2015 3:58 PM
To: Zuck, Penelope - AMS
Subject: RE: ETKO CA report and renewal of accreditation documents for your review

Hi Penny,

Excellent work on this tough report. I think I have one lingering question in there about preventive actions but everything else looks really good. I made a few changes to the letter/Terms. See what you think.

Have a great weekend!

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, November 05, 2015 9:46 AM
To: Mann, Renee - AMS <Renee.Mann@ams.usda.gov>
Subject: ETKO CA report and renewal of accreditation documents for your review

Renee:

Please review the following documents regarding ETKO's CA Report and Renewal of Accreditation:

For your approval:

Renewal Letter – [P:\AIA\ACA-Active\ETKO-Turkey\Accred Approv\2013\ETKO Accred Renewal.docx](#)

CA Report – [P:\AIA\ACA-Active\ETKO-Turkey\2013 Renewal\Corr Action\NP4132LCA CA Report 11 13 15.docx](#)

Accred Terms - [P:\AIA\ACA-Active\ETKO-Turkey\Accred Approv\2013\ETKO Accred terms.docx](#)

Reference:

Chronology Log - [P:\AIA\ACA-Active\ETKO-Turkey\2013 Renewal\NoNC\2013 renewal ETKO Chrono](#)

[log.docx](#)

File folder (where the report and supporting documentation can be found) - [P:\AIA\ACA-Active\ETKO-Turkey\2013 Renewal\Corr Action](#)

REMINDER: THIS WILL NEED TO BE REVIEWED BY THE ACCREDITATION COMMITTEE.

Thanks,

Penny



PENNY ZUCK | USDA-NATIONAL ORGANIC PROGRAM | ACCREDITATION MANAGER |

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From: [Zuck, Penelope - AMS](#)
To: [Mann, Renee - AMS](#)
Subject: RE: ETKO NoPS documents for your review
Date: Wednesday, September 16, 2015 1:28:04 PM
Attachments: [image001.png](#)

Renee,

(b) (5)

Penny



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From: Mann, Renee - AMS
Sent: Wednesday, September 16, 2015 12:50 PM
To: Zuck, Penelope - AMS
Subject: RE: ETKO NoPS documents for your review

Hi Penny,

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



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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 4:48:22 PM
Attachments: [image001.png](#)

Hi Renee –

(b) (5)

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. I told her that perhaps

(b)
(5)

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: Wednesday, September 16, 2015 1:28 PM
To: Mann, Renee - AMS
Subject: RE: ETKO NoPS documents for your review

Renee,

(b) (5)

Penny



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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)

-RM

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, 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 |

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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: [Mann, Renee - AMS](#)
Subject: RE: ETKO Notice of Noncompliance documents for your review
Date: Tuesday, May 05, 2015 7:29:47 AM
Attachments: [image001.png](#)

Hi Renee:

I revised the ETKO NoNC and report. Please review:

For your approval:

Letter – [P:\AIA\ACA-Active\ETKO-Turkey\2013 Renewal\NoNC\NP4132LCA ETKO NoNC.docx](#)

Report – [P:\AIA\ACA-Active\ETKO-Turkey\2013 Renewal\NoNC\NP4132LCA ETKO NoNC Report.docx](#)

Reference:

Chronology Log - [P:\AIA\ACA-Active\ETKO-Turkey\2013 Renewal\NoNC\Chrono log.docx](#)

File folder (where the letter/report for approval can be found) - [P:\AIA\ACA-Active\ETKO-Turkey\2013 Renewal\NoNC](#)

Thanks,

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

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From: Mann, Renee - AMS

Sent: Monday, May 04, 2015 5:15 PM

To: Zuck, Penelope - AMS

Subject: RE: ETKO Notice of Noncompliance documents for your review

Hi Penny,

Excellent report. I made a few edits here and there, but it looked very good overall. Please revise the documents and re-submit them to me for review.

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: Wednesday, April 29, 2015 12:17 PM

To: Mann, Renee - AMS

Subject: ETKO Notice of Noncompliance documents for your review

Renee:

Please review the following documents regarding ETKO's Notice of Noncompliance from their renewal assessment.

For your approval:

Letter – [P:\AIA\ACA-Active\ETKO-Turkey\2013 Renewal\NoNC\NP4132LCA ETKO NoNC.docx](#)

Report – [P:\AIA\ACA-Active\ETKO-Turkey\2013 Renewal\NoNC\NP4132LCA ETKO NoNC Report.docx](#)

Reference:

Chronology Log - <P:\AIA\ACA-Active\ETKO-Turkey\2013 Renewal\NoNC\Chrono log.docx>

File folder (where the letter/report for approval can be found) - <P:\AIA\ACA-Active\ETKO-Turkey\2013 Renewal\NoNC>

Thanks,

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

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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 11:53:32 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

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.

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: [Howley, JannaB - AMS](#); [Mann, Renee - AMS](#)
Subject: RE: Proposition de communication USDA concernant la lettre de la Commission Européenne
Date: Wednesday, August 12, 2015 8:14:32 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.jpg](#)

Hi Janna – it is possible for us to ask the EU which operations have shipped the products that contained the residues. However, if our goal is to find operation that ship to the US it may be easier to check with the ACA's.

Cheri

From: Howley, JannaB - AMS
Sent: Tuesday, August 11, 2015 4:13 PM
To: Mann, Renee - AMS; Courtney, Cheri - AMS
Subject: RE: Proposition de communication USDA concernant la lettre de la Commission Européenne
Renee & Cheri:

Aude's question to Robert below: **[This email is sent to you to know if USDA intends to request increased control measures as well for certified operations in this area?](#)** is a good one, because Val in C&E has identified potential products being imported into the US from Ukraine, but she would really like to know which Ukrainian operations the EU might already be aware of that have had high pesticide residue amounts, or were using GE seed.

Val has sent her list to Matthew, but nothing can be done until he gets back from vacation. Is the NOP able to get in touch with our EU liaisons to find out if specific operations have violated their organic standards? That might narrow down Val's search of operations importing into the United States.

Thanks,
Janna

From: Mann, Renee - AMS
Sent: Tuesday, August 04, 2015 2:23 PM
To: Howley, JannaB - AMS
Subject: FW: Proposition de communication USDA concernant la lettre de la Commission Européenne
FYI

From: Yang, RobertH - AMS
Sent: Monday, August 03, 2015 8:10 AM
To: Mann, Renee - AMS
Cc: Courtney, Cheri - AMS; McEvoy, Miles - AMS
Subject: FW: Proposition de communication USDA concernant la lettre de la Commission Européenne
Hello Renee:

Could we discuss this during today's weekly check-in?

Thanks.

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
www.ams.usda.gov/nop



From: BONNET Aude [<mailto:aude.bonnet@ecocert.com>]

Sent: Monday, August 03, 2015 5:08 AM

To: Yang, RobertH - AMS <RobertH.Yang@ams.usda.gov>

Subject: TR: Proposition de communication USDA concernant la lettre de la Commission Européenne
Dear Robert,

I hope this email finds you well?

I would like to inform you about the attached letter from the European Commission received on the 05/29/2015 about certification of operators in **Ukraine and neighboring countries (Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Tajikistan and Uzbekistan)**.

In recent months, high volume shipments of organic products imported from Ukraine into the European Union contained residues of pesticides not allowed by the organic production rules set out in Regulation (EC) No 834/2007.

Due to irregularities found and the high volumes of products imported, the European Commission considered that the risk of occurrence of new irregularities leads to the necessity to **apply increased control measures for products imported from Ukraine and neighboring countries.**

1 – The control body should take a sample of each consignment of organic food or feed originating from Ukraine and neighboring countries. No certificate of inspection can be signed before receiving and assessing the analysis results.

2 – The control body should do 2 physical inspections per year of each operator it intends to certify. One of these inspections shall be unannounced.

3 – The control body should take at least one field crop sample at each operator each year at the most appropriate moment to detect potential use of pesticides. For operators not growing crops, a relevant sample of incoming raw material, intermediate product or processed product should be taken.

4 – The control body should spend utmost attention to the verification of the product flows and traceability of each operator

5 – The control body should analyze the bookkeeping and financial documentation of each operator
European commission also requested certifiers to pay deep attention to **operations changing certifiers** within this area.

These increased control measures will be taken for all our EOS (Ec equivalent) clients in this area.

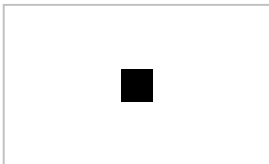
However, some operations are also NOP certified. For the moment we have no increased measure for products going to USA (especially regarding sampling).

This email is sent to you to know if USDA intends to request increased control measures as well for certified operations in this area?

I remain at your disposal for any further information.

Bien cordialement,

Kind regards,



Aude BONNET

EOS and NOP Scheme Manager

[Ecocert SA - BP 47 - 32600 - L'Isle-Jourdain - France]

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aude.bonnet@ecocert.com

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From: [Yang, RobertH - AMS](mailto:Yang_RobertH@AMS)
To: [Mann, Renee - AMS](mailto:Mann_Renee@AMS)
Subject: RE: Registered: Notice of Proposed Suspension of Accreditation
Date: Wednesday, December 23, 2015 12:28:52 PM
Attachments: [image001.jpg](#)
[image002.png](#)

Hello Renee:
Please see below my draft response to ETKO's follow up 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
Cc: Zuck, Penelope - AMS
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 (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

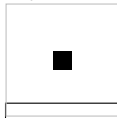
Dear Penny

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?
- 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- NCI-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 your 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: [Yang, RobertH - AMS](#)
To: [Mann, Renee - AMS](#)
Cc: [Courtney, Cheri - AMS](#)
Subject: RE: Revocation
Date: Tuesday, May 19, 2015 12:53:21 PM

Renee,

The first attached email includes a Notification of Immediate Revocation addressed to UFC Ukrainian Food Corporation – TOV Prodexim LTD. The other attachments appear to be supporting documentation.

Regards,

Robert Yang

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

From: Mann, Renee - AMS
Sent: Tuesday, May 19, 2015 12:21 PM
To: Yang, RobertH - AMS
Cc: Courtney, Cheri - AMS
Subject: FW: Revocation

Hi Robert:

Can you figure out what this is? It might be related to the other email from ETKO, but I can't easily piece it together.

Thanks,

Renee

Renee Mann

Assistant Director, Accreditation and International Activities Division

USDA National Organic Program

(202) 260-8635

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From: Essig, Mario - AMS
Sent: Monday, May 11, 2015 12:41 PM
To: Courtney, Cheri - AMS; Mann, Renee - AMS
Subject: Revocation

Hi Cheri and Renee,

Here is a revocation to be assigned.

Regards,

Mario

From: [Courtney, Cheri - AMS](#)
To: [AMS - AIAinbox](#); [Mann, Renee - AMS](#)
Subject: RE: Revocation of Certification NT NOVA
Date: Tuesday, May 12, 2015 9:26:30 AM
Attachments: [image001.png](#)

Mario it appears this revocation was sent to the AIA inbox in error it should have been sent to NOPPACAAdverseActions@ams.usda.gov.

FYI -A revocation is similar to a suspension in that, if a certified operation is revoked it cannot sell product as organic. The major difference is if a certified operation is revoked it is ineligible for certification 5 years per the 205.662 (f)(2) - the regulations do not specify a timeframe for a suspension.

Regards,

Cheri

From: Essig, Mario - AMS **On Behalf Of** AMS - AIAinbox
Sent: Monday, May 11, 2015 12:42 PM
To: Courtney, Cheri - AMS; Mann, Renee - AMS
Subject: FW: Revocation of Certification NT NOVA

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

From: [Yang, RobertH - AMS](#)
To: [Mann, Renee - AMS](#)
Cc: [Courtney, Cheri - AMS](#)
Subject: RE: Revocation
Date: Tuesday, May 19, 2015 2:26:05 PM

Renee,

I don't believe so ... unless you would like me to review their notification/submission and see whether it complies.

Robert Yang

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

From: Mann, Renee - AMS
Sent: Tuesday, May 19, 2015 2:12 PM
To: Yang, RobertH - AMS
Cc: Courtney, Cheri - AMS
Subject: RE: Revocation

Thanks, so no action is necessary, correct?

Renee Mann

Assistant Director, Accreditation and International Activities Division
USDA National Organic Program
(202) 260-8635

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From: Yang, RobertH - AMS
Sent: Tuesday, May 19, 2015 12:53 PM
To: Mann, Renee - AMS
Cc: Courtney, Cheri - AMS
Subject: RE: Revocation

Renee,

The first attached email includes a Notification of Immediate Revocation addressed to UFC Ukrainian Food Corporation – TOV Prodexim LTD. The other attachments appear to be supporting documentation.

Regards,

Robert Yang

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

From: Mann, Renee - AMS
Sent: Tuesday, May 19, 2015 12:21 PM
To: Yang, RobertH - AMS
Cc: Courtney, Cheri - AMS
Subject: FW: Revocation

Hi Robert:

Can you figure out what this is? It might be related to the other email from ETKO, but I can't easily

piece it together.

Thanks,

Renee

Renee Mann

Assistant Director, Accreditation and International Activities Division

USDA National Organic Program

(202) 260-8635

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From: Essig, Mario - AMS

Sent: Monday, May 11, 2015 12:41 PM

To: Courtney, Cheri - AMS; Mann, Renee - AMS

Subject: Revocation

Hi Cheri and Renee,

Here is a revocation to be assigned.

Regards,

Mario

From: [Lusby, MaryLou - AMS](#)
To: [Courtney, Cheri - AMS](#)
Cc: [Mann, Renee - AMS](#)
Subject: Review of ETKO Annual Report
Date: Friday, February 19, 2016 11:01:35 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