

From: Claypool, Rebecca E - AMS
To: [Zuck, Penelope - AMS](#)
Subject: CDA reports
Date: Friday, June 16, 2017 12:18:28 PM
Attachments: [NP7162PZA 2005-4 Witness Audit AOF HP CDA 060717.doc](#)
[NP7162PZA NOP 2005 Checklist 060417.doc](#)

Hi Penny,

I am sending the NOP 2005 Checklist and the Witness Audit Checklist for your review and input. I completed the following areas of NOP 2005 Checklist.

Section I

Tables 1, 2, 3, 4

Tables 8, 9

I'll send the Review Audit Checklist as soon as I am done.

Thanks lots!

Rebecca

Rebecca Claypool

Accreditation Manager

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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):	Rebecca Claypool, Penny Zuck
Inspection date; initial or annual?	June 7-8, 2017
Name of operation:	Aurora Organic Farm – High Plains
Location of operation:	Gill, CO
Scope(s) of certification requested:	Crops; Livestock.
Inspector's name:	(b) (6), (b) (7)(C)
Inspector conflict of interest or confidentiality concerns:	None.
Operation representative (knowledgeable):	Juan Valez, Emily Orr, Craig Edwards
Other inspection attendees:	Brian England
Time inspection started: 8:30am 8:30am	Time inspection completed: 6:30pm 8:00pm
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...	



General: AOF High Plains facility includes (b) (4) acres of land that is managed for grazing. There are (b) (4) milking parlors dispersed over the High Plains facility (b) (4) (b) (4). Each parlor utilizes the fields around it for grazing. Dry cows are grazed at the (b) (4) facility pastures and at the (b) (4) fields (NE side of High Plains facility).

Crops: AOF grazes their livestock on their crop land. In 2016 they harvested some corn, but are not growing corn in 2017. The crop land consists of perennial pasture mixes (b) (4) (b) (4), and annual forage crops (b) (4) (b) (4). AOF is in the process of transitioning more of the annual fields into perennial pastures.

Livestock: counts as of 6/8/2017

Max requested for certification in OSP:

Bulls:	(b) (4)	
Calves (young stock):	(b) (4)	1,800
Adult herd (dry, lactating, springers):	(b) (4)	19,000
Total:	(b) (4)	

Lifecycle of the cows: AOF has cows with a range of ages. Some were reported to be in their 10th lactation. Cull rate ranges from 25%-35% from year to year. Average number of lactations is three before culled.

Livestock graze for five months – May through September. Rations are changed on a daily basis for the lactating cows based on the DMD. The DMD may change throughout the season based on milk production and exercise. AOF analyses the milk (DHIA records) and if the average amount of milk being produced changes then AOF adjusts the ration for the cows as needed.

Documents used to track rations: Feed Records spreadsheet and the Recipe Detail. The Recipe Detail notes the DM% of the TMR recipe fed that day to each group/class of animals. AOF uses a lactating Energy Requirements form to determine the cows DMD. This forms is from the *Nutrient Requirements of Dairy Cattle* 7th Revised Edition, 2001 publication referenced in NOP Guidance 5017-1. As the milk production changes, AOF updates the Energy Requirements form that adjusts the cow’s DMD. This in turn causes AOF to adjust their Recipe Detail that makes the TMR ration. The operator explained that in general milk production goes down when the cows begin to graze and the highest production is in the winter. The Feed Record spreadsheet records amounts fed to each class of animals during the grazing season by month (detailed notes below). A daily grazing log is maintained. It consists of a map of the High Plains pastures/fields and a list of all the animal groups (by pen numbers) that were out grazing on specific pastures/fields.

2016 Pasture Grazing: (2016_HP09_FeedRec_DMIFT)

May:

LACTATING cows DMD = 57.24.

DMI from pasture = 35.14%

Days grazed = 24

Total lbs TMR fed = 27,336.960

Total lbs DM fed = 10,095,743 (includes some extra hay fed occasionally).



Total lbs DM from pasture = 5,423,142

Avg # of cows = (b) (4)

TMR DM% = 48.14%

DRY cows DMD = 27.69

DMI from pasture = 40.04

Days grazed = 25

Total lbs TMR fed = 1,336,360

Total lbs DM fed w/ pasture = 1,232,094

Total lbs DM fed w/o pasture = 741,913

DM lbs from pasture = 490,181

Avg # of cows = (b) (4)

TMR DM% = 49.34

June:

LACTATING cows DMD = 55.72

DMI from pasture = 48.32%

Days grazed = 30

Total lbs TMR fed = 22,105,742

Total DM lbs fed = 11,999,969. (includes some extra hay fed occasionally).

Avg # of cows = (b) (4)

TMR DM% = 48%

DRY cows DMD = 27.69

DMI from pasture = 32.16%

Days grazed = 27

Total lbs TMR fed = 1,553,640

Total lbs DM fed w/ pasture = 1,637,697

Total lbs DM fed w/o pasture = 1115535

DM lbs from pasture = 522,162

Avg # of cows = (b) (4)

TMR DM% = 50.40%

July:

LACTATING cows DMD = 58

DMI from pasture = 31.86%

Days grazed = 15

Total lbs TMR fed =

Total lbs DM fed = 6,548,047 (includes some extra hay fed occasionally).

Avg # of cows = (b) (4)

TMR DM% = 46.74%

DRY cows DMD = 27.69

DMI from pasture = 49.44%

Days grazed = 31



Total lbs TMR fed = 1,320,105
Total lbs DM fed w/ pasture = 2,027,130
Total lbs DM fed w/o pasture = 1025011
DM lbs from pasture = 1,002,119
Avg # of cows = (b) (4)
TMR DM% = 46.85%

Aug:

LACTATING cows DMD = 60.70
DMI from pasture = 33.56%
Days grazed = 31
Total lbs TMR fed = 25,923,000
Total lbs DM fed = 13,714,092 (includes some extra hay fed occasionally).
Avg # of cows = (b) (4)
TMR DM% = 46.27%

DRY cows DMD = 27.69
DMI from pasture = 36.74%
Days grazed = 31
Total lbs TMR fed = 2,255,100
Total lbs DM fed w/ pasture = 2,150,516
Total lbs DM fed w/o pasture = 1,353,155
DM lbs from pasture = 797,361
Avg # of cows = (b) (4)
TMR DM% = 43.36%

Sept:

LACTATING cows DMD = 61.01
DMI from pasture = 30.84%
Days grazed = 23
Total lbs TMR fed = 29,686,125
Total lbs DM fed = 10,763,729 (includes some extra hay fed occasionally).
Avg # of cows = (b) (4)
TMR DM% = 45.60%

DRY cows DMD = 27.69
DMI from pasture = 30.63%
Days grazed = 14
Total lbs TMR fed = 2,678,664
Total lbs DM fed w/ pasture = 1,073,071
Total lbs DM fed w/o pasture = 745011
DM lbs from pasture = 328,060
Avg # of cows = (b) (4)
TMR DM% = 44.57%
Stopped grazing on Sept 14th, 2016.



General information on materials and inputs used and are they in compliance with the National List (NL) and annotations.

Crop inputs: Manure, effluent from the lagoons in irrigation water, silage inoculant, and sulfur are applied to the fields. The sulfur is used to help lower soil pH to free up micronutrients.

Inputs were on the operator's material list. The operator removed some inputs no longer in use at the inspection. Inspectors viewed materials being used in each parlor and storage area.

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)	Yes
Crops	Section N/A
Land requirements (§ 205.202)	Yes
Soil fertility and crop nutrient management practice standard (§ 205.203)	Yes
Seeds and planting stock practice standard (§ 205.204)	The inspectors viewed organic seed searches for nonorganic seeds.



Crop rotation practice standard (§ 205.205)	AOF is moving more to a perennial based system. Occasionally they inter-seed other varieties into the pastures to bolster the forage quality when the alfalfa begins to die back. Some fields are in annual production. A typical rotation for annual fields is winter wheat planted in fall that comes up in the spring followed by sorghum sudan grass late spring/early summer. Another rotation is (b) (4) grass in the fall and reseeded to a grass mix (oats, grasses, peas, etc) in the spring.
Crop pest, weed, and disease management practice standard (§ 205.206)	Yes
Approved temporary variance practices? (§ 205.290)	N/A
Wild Crops	Section N/A X
Wild-crop harvesting practice standard (§ 205.207)	
Livestock	Section N/A
Origin of livestock (§ 205.236)	Yes
Livestock feed (§ 205.237)	Yes
Livestock health care practice standard (§ 205.238)	Inputs were reviewed by the inspectors, and herd health records were audited.
Livestock living conditions (§ 205.239)	Yes
Pasture practice standard (§ 205.240)	Inspectors reviewed the Feed Record Spreadsheet and grazing calendar provided by AOF to verify 30% DMI from pasture was met over the 2016 grazing season, and that livestock grazed for at least 120 days.
Approved temporary variance practices? (§ 205.290)	N/A
Handler	Section N/A X
Organic handling requirements (§ 205.270)	
Facility pest management practice standard (§ 205.271)	
Commingling and contact with prohibited substance prevention practice standard (§ 205.272)	
Did the inspector verify product composition for all products? (§ 205.301)	
Approved temporary variance practices? (§ 205.290)	



Labels (§ 205.403(c))	Section N/A X
Were labels verified during the on-site inspection? (§ 205.403(c)(2))	
Were the labels being used the same as those approved by the certifier?	
How was the inspector made aware of which labels were approved by the certifier?	
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: No issues of concern were noted in the exit interview.	
Was the exit interview conducted with a knowledgeable representative?	Yes.
Did the exit interview address the accuracy and completeness of the inspection observations?	The exit interview discussion reviewed the items noted by the initial reviewer that were addressed throughout the inspection. The inspector verbally communicated a concern about unlabeled containers in the milk houses, new teat brush and cleaner that is not approved for use at the High Ridge Parlor, and requested an OSP update regarding AOF's transfaunation process. However, these items were not included in the



	exit interview of the inspection report. See Finding 1.
Did the exit interview address the need for additional information?	The inspectors discussed with AOF that an OSP update to explain their transfaunation process was needed, but it was not noted in the exit interview.
Did the exit interview address issues of concern identified during the inspection?	No. See Finding 1.

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?	Complete OSP with all attachments, and last year's inspection report.
Does the inspector have a copy of the USDA organic regulations?	Yes
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?	CDA communicates updates to their inspectors.
What is the inspector's background (experience, training, and education) in relation to the operation being inspected?	(b) (6), (b) (7)(C): BS in Animal Science. Inspecting with CDA since 2004. (b) (6), (b) (7)(C) completed IOIA Livestock training, and co-owned a livestock and hay farm. (b) (6), (b) (7)(C)'s previous work experience is in cattle and commodity crops. (b) (6), (b) (7)(C): BS in Wildlife Biology. He has been conducting inspections as an Agricultural Program Specialist for CDA since 1984.

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, Emily has it bookmarked in her computer.
If applicable, how did the operation receive information on temporary variances?	N/A for 2017. In 2014 AOF requested a variance for pasture



	grazing due to a hail storm. It was granted by the NOP.
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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. Some updates were needed and made during the inspection. The inspectors verified the OSP included current practices.
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?	N/A
Was there enough time allocated for the inspection?	The WA inspection days went late. Two days with two inspectors could be enough time. However more time may be needed if questions or issues come up.
Did the inspector verify the corrective actions on previous noncompliances?	N/A. There were none noted in 2016.
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, some updates were made during the inspection, and some updates were requested to have AOF submit to CDA.
Days or months between submission of application (annual update) and date of inspection? If length of time is unreasonable, why?	Yes, the 2017 update was received in March, and the inspection was early June.

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 	No.
If yes for equivalency arrangements and the operation is shipping out, did the inspector verify specific program	N/A



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 	
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)? 	N/A
If yes for Japan export arrangement , did the inspector verify program requirements, including material use?	N/A
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?	CDA trains their inspectors regarding the NOP regulations, including international arrangements.
Does the OSP indicate participation in international agreements (i.e., would the inspector know of international agreement participation before arriving onsite)?	The CDA OSP asks operators if organic product is exported.

Witness Audit – Auditor findings and citations	
Finding 1 NP7162PZA.F6 – 7 C.F.R. §205.403(d) states, “The inspector must conduct an exit interview with an authorized representative of the operation who is knowledgeable about the inspected operation to confirm the accuracy and completeness of inspection observations and information gathered during the on-site inspection. The inspector must also address the need for any additional information as well as any issues of concern.” Comments: During the witness audit the inspectors did not note items of concern and additional information requested of the operation in the exit interview.	
Finding 2	
Finding 3	



Finding 4

Witness Audit – Auditor follow up requests or activities



National Organic Program Accreditation Assessment Checklist	
Date:	June 6 – 9, 2017
Assessment Identifier:	NP162PZA
Assessment Activity: (select one)	<input type="checkbox"/> Documentation Adequacy Review <input type="checkbox"/> Pre-decisional Assessment <input type="checkbox"/> Initial Assessment <input type="checkbox"/> Mid-Term Assessment <input type="checkbox"/> Renewal Assessment <input checked="" type="checkbox"/> Compliance Assessment <input type="checkbox"/> Other
Company Information	
Name of Company:	Colorado Department of Agriculture
Company Address:	305 Interlocken Parkway
City, State, Zip:	Broomfield, CO 80021
Contact Name:	Mitch Yergert
Title:	Division Director
Phone No.:	303-869-9052
Email Address:	Cda.organic@state.co.us
Location(s) of Program Activities:	CDA office (Broomfield); onsite inspection (Gill, CO)
Standards Applied:	7 CFR 205 USDA organic regulations
Scope of Program Activities:	Crops, Wild Crops, Livestock, Handling
Country(ies) of Operation:	USA (limited to the state of Colorado and any contiguous land)
Assessment Team	
Team Leader:	Penny Zuck
Second Auditor:	Rebecca Claypool
Other (Identify Role):	



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§ 205.402(a)(1)		
60. § 205.406(b) (Schedule	61.	62.



Subpart F—Accreditation of Certifying Agents Closing Meeting Findings		
		§ 205.504(c)(1)
120. § 205.504(a)(3)(i)	121. § 205.504(b)(2)	
	§ 205.504(b)(6)	



Subpart G—Administrative Closing Meeting Findings		
§ 205.642		
Compliance		
§ 205.661(a)		
§ 205.663		
158. § 205.670 Inspection and testing of agricultural products to be sold or labeled as “100 percent organic,” “organic,” or “made with organic (specified ingredients or food		
§ 205.672(a)		



Worksheets and Findings	
Table 1	General Certification File Review Information
Table 2	Summary of Certification File Review Information
Table 3	Summary of Full File Reviews
Table 4	Notice of Noncompliance / Adverse Action Worksheet
Table 5	Notice of Noncompliance / Denial of Certification
Table 6a	Label Review Worksheet – “100% Organic” or “Organic”
Table 6b	Label Review Worksheet – “Made with Organic”
Table 6c	Label Review Worksheet – All other labels reviewed
Table 7a	Sample Testing Worksheet – General Information
Table 7b	Sample Testing and Reporting Information
Table 8	Personnel Information Worksheet
Findings	Closing Meeting Findings



1. PLANNING AND SCHEDULING OF THE ASSESSMENT

- Contact the NOP Accreditation and International Activities (AIA) Division Accreditation Manager and determine the scope of the assessment and the onsite assessment plan.
- Send an email using the appropriate template to schedule the onsite assessment. This should be done as early as possible. Planning of foreign assessments should start at least 6 months before the anticipated assessment date. Scheduling of domestic assessments should start no later than 3 months before the anticipated assessment date.
- Once the assessment date is scheduled with the accredited certifying agent (certifier), select the satellite office(s) and witness audit site(s) to be visited during the assessment. Check the AIA database and/or previous audit checklists for operations where witness inspections and review audits took place to avoid visiting the same operations.
- After the assessment sites and onsite schedule have been finalized, complete the audit plan, cost estimate, and appropriate letter regarding the assessment. Send these documents to the NOP Lead Auditor for review and approval.
- Send the above information via email using the appropriate template. *Remember to include attachments in the email and copy all of the personnel listed on the letter.*

2. PRE-ASSESSMENT ACTIVITIES

- Verify that the LPS-109 Application for Service is on file and is the current version. This does not apply to the pre-decisional assessment.
- Verify that form TM-10CG Application for Accreditation is on file and is the current version. This applies to initial and renewal applications only.
- Obtain and review the most recent copy of program documentation from the company.

Title of documentation:	
Date or revision number of documentation:	

- Review the previous audit report.
- Review the previous corrective actions report, as applicable.
- Review previous notices of noncompliance issued to the certifier.
- Receive approval to conduct the assessment activity by obtaining a signed copy of the audit plan and cost estimate from the client.



United States Department of Agriculture
Agricultural Marketing Service
National Organic Program

1400 Independence Avenue SW.
Room 2648 South Building
Washington, DC 20250

NOP 2005
Effective Date: 10/29/2015
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3. ONSITE ASSESSMENT ACTIVITIES

Opening Meeting

The purpose of the opening meeting is to confirm the assessment plan, provide a short summary of how the assessment activities will take place, confirm communication channels, and provide an opportunity for the client to ask questions.

- Introduction of participants and their roles.
- Confirmation of assessment objectives, scope, and criteria. [Compliance assessment of CDA and WA and Review Audit of Aurora Org. Dairy. Goal is to review and evaluate compliance with the Livestock certification.](#)
- Confirmation of assessment timetable and any other relevant arrangement.
- Review the assessment plan. Have there been any changes since it was approved?
 - No
 - Yes - What are the changes?
- Review the program documentation. Have there been any changes since the last assessment?
 - No
 - Yes - What are the changes?
- Have findings from previous assessments been addressed? (if applicable)
 - Yes
 - No
- Methods and procedures to be used to conduct the assessment.
- Confirmation of auditee's representative and formal communication channels.
- Confirmation that auditee will be kept informed of assessment process during the assessment.
- Confirmation that the resources and facilities needed by the assessment team are available.
- Confirmation of confidentiality matters.
- Confirmation of relevant work safety, emergency, and security procedures for the assessment team.



- Confirmation of the availability, roles, and identities of guides.
- Provide the method of reporting, and explain that findings (if any are identified) will not be classified as to severity. Determination of whether a finding is a noncompliance will be made by the NOP reviewer.
- Provide an opportunity for the client to ask questions.
- Explain the conditions under which the audit would be terminated.
- Explain that audit findings and associated information is releasable under the Freedom of Information Act (FOIA).
-

Complete the following Attendance List:

Name	Title or Position	Opening	<u>Closing</u>
Alyssa Mack	Certification Specialist	x	x
Barb Terry	DPI	x	x
(b) (6), (b) (7)(C)	DPI Inspector	x	
	DPI Inspector	x	x
	DPI Inspector	x	x
	DPI Inspector	x	
	DPI Inspector	x	
Don Brooks	Inspector Supervisor	x	x
Mitch Yergert	Division Director	x	x
Barb Rosenbach	Program Assistant, Admin	x	x



SECTION I – Certifier Information			
<u>Table of Contents Closing Meeting Findings</u>			
	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...)	Colorado Department of Agriculture, Organic Program Governmental Entity	
2	List the locations (City, State, and Country) where key activities occur and are performed. Also complete	Broomfield, Colorado, USA	
3	List any names and types (organic and nonorganic) of accreditations obtained.	USDA National Organic Program accreditation, Crop, Livestock, Handling scopes, Wild Crop	CDA will be dropping the Wild Crop scope at their renewal assessment. CDA will notify the one operation that Wild Crop will not be offered as an organic scope anymore.



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4	List the types (organic and nonorganic) of certifications and business services offered.	Organic Certification, Organic Export Documentation under Organic Trade Arrangements	CDA conducts the following types of certification: Nursery, seed register, test seed for germination and purity, hemp registration, phytosanitary inspections, pesticide application and sale. None of the hemp operations are certified organic.
5	List the states (US only) and countries where NOP certification currently occurs.	Colorado	
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.	<p>Total: <u>209</u> NOP certified operations Crop: <u>141</u> Wild-crop: <u>1</u> Livestock: <u>11</u> Handlers: <u>86</u> Grower Groups: <u>0</u> Approximate Handler Types: Processors: <u>79</u> Distributors: <u>7</u> Traders/Brokers: <u>0</u> Retailers: <u>0</u></p> <p>The 214 was at the time of our previous assessment in 2015. So this number is correct.</p>	11 livestock operations, and 7 of which are ruminant operations. Two dairy operations (both are Aurora Organic Farm operations), one heifer operation, and four beef operations.



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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, 2015 ___ 214 ___ Jan 2, 2016 204 ___ Jan 2, 2017 203 ___ Currently 210 operations – there is a discrepancy in the numbers that will be corrected.	210 operations in OID.
Certification Process			
8	What does the certifier provide to applicants on the initial application? § 205.501(a)(8)	Please See Attachment A, Organic Certification Application Packet Documents	CDA has had an 18 month moratorium on accepting new applications for the organic program due to administrative capacity restraints.
9	How are the information, documentation, and/or forms provided to those inquiring about certification? (i.e, hard copy, electronic, etc.)?	Sent upon request electronically, via email (not done at this time due to moratorium on new applicants for program). Will send via USPS if email not available.	Electronically – OSP modules are emailed to operations for review and updating annually.



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10	<p>Who (job title/position description) conducts the initial review for completeness and ability to comply? Table 8</p>	<p>Program Manager (A. Stafford until 5/15/2017; M. Yergert 5/16/2017 forward), Program Assistant (A. Mack); [REDACTED]</p>	<p>Program manger, certification specialist and admin, send out the update emails electionincally.</p> <p>Received applications are placed in a pending folder until payment is recieved. Once payment is received their folder is moved to the review folder. Program manager and certification specialist conduct the initial reviews.</p>
11	<p>What is the certifier’s process for identifying the legal status of clients?</p>	<p>Request legal status as part of OSP and review against Colorado Dept. of State Website (see Attachment B --Organic System Plan Review)</p>	<p>The general information of the OSP module 1 asks cleints for their business information. This module must be updated annually.</p>



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12	Who (job title/position description) reviews labels? Is a checklist used by the reviewer/approver? What records are maintained for approved labels?	Program Manager (A. Stafford until 5/15/2017; M.Yergert 5/16/2017 forward), Program Assistant (A. Mack) review labels. No Checklist is maintained; instructions are included in Organic System Plan Review (Attachment B), status of review maintained in Module 50 for retail products; Module 10, 12, 17 for input labels; copies of all labels are maintained in the operation’s electronic OSP folder.	
13	How are inspectors selected or assigned for inspections? Who assigns inspectors?	Inspectors are selected from staff multiple field inspectors based on training completed, assigned geographical area, and number of consecutive inspections at the same operation. All assigned by Program Manager with information from the inspector supervisor and lead inspector. There are 4 inspectors designated for ruminant livestock inspections.	AOD was inspected by inspectors that are qualified to conduct ruminant livestock inspections since 2015 and 2016.
14	Are inspectors employees or independent contractors?	Employees	



SECTION I – Certifier Information <u>Table of Contents Closing Meeting Findings</u>			
15	Did all certified operations for each calendar year since the prior onsite audit receive inspections?	Yes	
16	Who (job title/position description) reviews the inspection results/report for an initial inspection?	Program Manager, Program Assistant	OSP Review Report is used to conduct final reviews with the inspection report. Certification letters are issued with conditions and/or NCs. Final reviews are conducted by the Program manager and assistant.
17	Who (job title/position description) makes the certification decision for an initial inspection?	Program Manager, Program Assistant	



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18	<p>Provide a brief description of the annual update process. § 205.406 Table 3</p>	<p>Please see Attachment C - - Organic System Plan Update Procedures</p>	<p>Renewals are sent out in Feb/March for crop and livestock operations, and the application is due back May/June. Another wave of renewals are sent out in August for handler operations and are due back by Oct 1.</p> <p>Initial email is sent with a form letter with instructions, the operation’s entire OSP, and fee schedule/worksheet. Operators review and/or update and initial the OSP and then send back to CDA electronically and mail payment.</p> <p>Every OSP module requires signature that shows it was reviewed by the operator. Modules 1, 2, 4, and 7 have info that is required to be completed annually.</p> <p>Applications are initial reviewed and then assigned to an inspector. After inspection the inspector uploads the finished inspection report and emails it when ready for review.</p> <p>Program manager and cert specialist will do final reviews of the files they did not initial review.</p>
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19	Who (job title/position description) reviews the inspection report, results of analysis conducted (as applicable), and information requested from and provided by continuing operation? <u>Table 8</u>	Program Manager, Program Assistant	
20	Explain the process and documents for providing an initial and an annual cost estimate for certification.	The fee schedule is sent out with the OSP for update or application, when application or update is received, a letter with estimated inspection fees is sent.	

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 action? <u>Table 8</u>	Program Manager, Program Assistant	
22	When operations submit corrective actions or a rebuttal, who (job title/position description) reviews the materials and determines whether they are adequate? <u>Table 8</u>	Program Manager, Program Assistant	<u>Cc' NOP adverse action.</u> <u>Send letters via Rpost.</u>
23	How many minor issues have been issued since the last onsite audit?	~300	
24	How many noncompliances have been issued since the last onsite audit?	96	



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25	How many proposed suspensions have been issued since the last onsite audit?	19	<p>Adverse action letter language is compliant.</p> <p>See Findings: A NoPS was resolved by the operator submitting their update paperwork. (b) (4), 2016.</p> <p>Three operators surrendered their certification after being issued NoPS, which CDA accepted.</p> <p>See Findings: (b) (4) had a settlement agreement but there was no request for mediation.</p> <p>(b) (4) – appealed their NoPS and there was a settlement with NOP.</p>
26	How many proposed revocations have been issued since the last onsite audit?	0	
27	How many certification denials have been issued since the last onsite audit?	1 (b) (4)	<p>This operation was operating as a contracted operation with another certified CDA operation. They applied for their own certification and were denied after not responding to a request for additional information post inspection.</p>
28	How many suspensions have been issued since the last onsite audit?	8	



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29	How many revocations have been issued since the last onsite audit?	0	
30	How many certified operations are currently appealing issued proposed adverse actions?	3	
31	How many settlement agreements were established with operations since the prior onsite audit?	2015: 0 2016: 2 2017: 3 so far. All NOP.	
32	Are settlement agreements in accordance with the guidance provided by the NOP training module? http://www.ams.usda.gov/NOPTraining (Click on Appeals Update)	Yes	
Material Input Review			
33	Does your organization offer material input program services (i.e. issue certificates for organic material inputs)?	No	



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34	<p>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 another certifier, the EPA, or an ISO Guide 17065 accredited material evaluation program.)</p>	<p>Please see Attachment D – Input Materials Review Policy</p>	<p>Accept CDFA, WSDA, OMRI lists. If material is not on the list then ask for label and ingredient list and conduct internal review. Their materials are re-reviewed every 5 years.</p> <p>See Findings: The AOF file has a long list of previously approved materials, but CDA doesn’t note on the list if Approved or note when the review was conducted. Therefore, CDA can’t tell when the product is up for re-review in 5 years.</p> <p>CDA reviews ingredients using the OMRI GM book. No internal list of CDA reviewed materials is maintained for reference. Each material requested that is not OMRI or WSDA is reviewed independtly.</p>
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35	Where in your Quality or Program Manual is your material input procedures described?	In the Input Materials Review Policy (Attached)	Page 3.
36	Does your organization approve liquid nitrogen fertilizers (LNF) with a nitrogen content greater than 3%?	Only in conjunction with a particular operation's OSP, and not without verification of inspection by an MRO, per NOP Guidance 5012	WSDA or OMRI listed products only.

Pesticide Residue Sampling

37	Number of pesticide residue tests conducted during the calendar years since the last assessment.	2015: 11 2016: 5 2017: 0	2015: 11 = 5% 2016: 10 = 5% See Findings: Residue testing in 2016 was not completed. 2017 plan is to reach 17-18 samples so to fulfill the 5% requirement for each year (2016-2017). CDA plans to focus sampling on alfalfa and hay testing. Focus is to be on the buffers of the fields. Each year testing tends to focus in a specific area. Stone fruit and greens were done in the past.
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SECTION I – Certifier Information <u>Table of Contents Closing Meeting Findings</u>			
38	Was all pesticide sampling conducted by the certifier? If not, explain.	Yes	(b) (4) received a complaint from another certifier regarding residues of a prohibited sprout inhibitor. CDA conducted an unannounced inspection and gathered samples. CDA issued a NoNC for positive test results below the 5% EPA threshold, and sent a No NC resolution upon a response from the operator.
39	Describe your organization’s annual sampling program.	A crop is selected for sampling in discussion with the CDA lab. Operations growing the selected crop are chosen, and inspectors assigned.	
40	Names of labs conducting pesticide residue analysis for your organization? Are all the labs ISO 17025 accredited?	Pacific Agricultural Laboratory (PAL), who is ISO 17025 accredited, and Colorado Department of Agriculture Laboratory, also ISO 17025 accredited	
41	Are all inspectors equipped and trained to collect samples? What equipment and documents are provided to them?	Yes, PAL Chain of Custody or CDA Residue Testing Form, for equipment, please see Attachment L, Sampling Equipment List, taken from CDA Residue Sampling Procedures and Guidelines (Field Services	
Other Accreditation and Certification Information			



SECTION I – Certifier Information <u>Table of Contents Closing Meeting Findings</u>			
42	Describe your organization’s record keeping system. For example, all electronic database, all paper documents, hybrid system, etc...	Electronic document control system housed on shared drive, administered by the program manager	
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 complete Table 9.	No	
44	How many unannounced inspections were conducted since the prior onsite audit? § 205.403(a)(2)(i-iii)	2015: 10 2016: 11 2017: (4 assigned so far in 2017)	
45	Describe how your unannounced inspections are selected.	Selected based on complaint, risk assessment, and random selection	CDA selects operations where issues/concerns were identified by inspectors or reviewers.
46	Number of surrenders since the last onsite audit?	2015: 10 2016: 10 2017: 2	
47	Do you certify Private Label operations that do not physically handle organic products but contract with co-packers?	No operations that are exclusively private label. A few operations certified for processing may have a few items produced by another certified organic facility.	
48	Describe your organization’s external and internal training program for NOP certification staff and contractors (if applicable)?	2 annual in-house trainings with full organic staff, spring generally April, utilizes information from annual NOP training held at ACA meeting.	



SECTION I – Certifier Information
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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 inspectors?	Annual performance evaluation based on state HR criteria. All personnel annually evaluated, all inspectors receive annual field evaluations.	In 2015 all inspectors received a field evaluation. See Findings: In 2016, seven of the 12 inspectors received their field evaluation while 5 inspectors did not. CDA plans to conduct field evaluations for all inspectors going forward.
50	Do any certified operations import or export organic products under established organic trade agreements (equivalency, recognition, or export arrangement)?	Yes	
51	Does your organization have the following:		
	<ul style="list-style-type: none"> • _____ Quality Manual 	Yes (not names as such, CDA Policies and Procedures Manual)	
	<ul style="list-style-type: none"> • _____ Organizational Chart 	Yes	
	<ul style="list-style-type: none"> • _____ Program Manual 	Yes (not names as such, CDA Policies and Procedures Manual)	
	<ul style="list-style-type: none"> • _____ Standard Operating Procedures 	Yes	
	<ul style="list-style-type: none"> • _____ Control List of documents and forms 	Yes	
52	When was the date of the most recent annual review? Who conducted the review?	October 13, 2016, conducted by Don Brooks, Field Services Supervisor, CDA	



CERTIFIER OVERVIEW NARRATIVE:

Organizational Structure:

The Colorado Department of Agriculture (CDA) organic program is a state government certification program based in Broomfield, CO. It was initially accredited to the USDA National Organic Program (NOP) as an authorized certification agent on October 15, 2002. At the time of the audit, CDA provides organic certification for 214 operations in Colorado or contiguous land areas: crops (141), wild crops (1), livestock (10) and handling (86). The CDA is not accepting new clients for certification due to a moratorium imposed by the Colorado legislature (on going since 2015 midterm audit). The moratorium was imposed because the legislature determined that the organic program resources (staffing) was at maximum capacity given its current client numbers and budget. CDA does not certify any grower groups. There are no satellite offices, although staff inspectors (12) are distributed throughout the state and perform inspections for multiple CDA programs. The CDA organic program is currently administered by the Division Director with the assistance of an Organic Certification Specialist/Program Assistant. The Organic Program Manager recently left the program, and CDA plans to post the position by the end of June 2017.

Certification Process:

CDA has an unannounced inspection policy that requires a minimum of 5% unannounced inspections are conducted annually, which was achieved in 2015 and 2016. CDA also has a policy requiring a minimum 5% residue testing annually, which was achieved in 2015 (and in 2013, 2014). Five percent was not met in 2016. Each year, CDA identifies priority items for sample collection; in 2017, the sampling focus is for buffer hay/alfalfa.

Summary of Witness Inspections and Review Audits Conducted:



1. PROGRAM REQUIREMENTS

Exclusions: Sections not included or addressed in checklist
<p>§ 205.502 Applying for Accreditation – Procedural requirements not addressed by auditors.</p> <p>§ 205.505 Statement of Agreement – For reference only. If requirements are not met, cite to the appropriate section(s) of § 205.501.</p> <p>§ 205.510(c) – (e) – AMS Administrator procedural requirements not addressed by auditors.</p>

§§ 205.400, 205.401 and 205.402 General Requirements, Application, and Review				
<p>For audit purposes, § 205.400 or § 205.401 is to be referenced, as applicable. These are requirements for certified operations and not certifiers. If the requirements are not met, cite to the appropriate section—§ 205.402(a)(1) or (3)—and <u>reference</u> this section. The application requirements are reviewed when completing the Certification File Review Worksheets. An overall assessment based on all files reviewed, information gathered during the review of certification process, interviews, and Witness Audit Checklists should be made. Then identify findings under the appropriate requirement.</p>				
CHECKLIST SECTION II	Complies¹			Remarks²
	Yes	No	N/A	
<p>References: NOP 2605 Reinstating Suspended Organic Operations PM 11-4 Evaluation of Materials Used in Organic Crop, Livestock, and Handling Operations NOP 5031 Certification Requirements for Handling Unpackaged Organic Products</p>				
<p>§§ 205.400(c) and 205.670(a) Is there any evidence that a certified operation denied access to a representative of the Administrator, State, or certifier? Table of Contents</p>				<p>This section was not addressed in the Compliance Audit.</p>

¹ For each requirement, use an "X" to identify whether the certifier complies, does not comply, or that a requirement is not applicable.

² Provide explanations and/or comments to present evidence of compliance or noncompliance, as applicable. If a requirement is not applicable include why it does not apply.



§§ 205.400, 205.401 and 205.402 General Requirements, Application, and Review

For audit purposes, § 205.400 or § 205.401 is to be referenced, as applicable. These are requirements for certified operations and not certifiers. If the requirements are not met, cite to the appropriate section—§ 205.402(a)(1) or (3)—and reference this section. The application requirements are reviewed when completing the Certification File Review Worksheets. An overall assessment based on all files reviewed, information gathered during the review of certification process, interviews, and Witness Audit Checklists should be made. Then identify findings under the appropriate requirement.

CHECKLIST SECTION II	Complies ¹			Remarks ²
	Yes	No	N/A	
<p>§ 205.401 Are all applications complete and do the OSPs meet the requirements for an OSP? Table of Contents</p>				<p>Yes – as documented on Table 3, all applications reviewed were complete and met the requirements for an OSP.</p> <p>No – as documented on Table 3, all applications reviewed were not complete and/or did not meet the requirements for an OSP. As appropriate, noncompliances have been identified on Table 3.</p>
<p>§ 205.402(a)(1) Upon accepting applications does the certifier review the application for completeness? Table of Contents</p>				<p>Yes – as documented on Table 3 the certifier reviewed all applications for completeness.</p> <p>No – as documented on Table 3 the certifier</p>



§§ 205.400, 205.401 and 205.402 General Requirements, Application, and Review

For audit purposes, § 205.400 or § 205.401 is to be referenced, as applicable. These are requirements for certified operations and not certifiers. If the requirements are not met, cite to the appropriate section—§ 205.402(a)(1) or (3)—and reference this section. The application requirements are reviewed when completing the Certification File Review Worksheets. An overall assessment based on all files reviewed, information gathered during the review of certification process, interviews, and Witness Audit Checklists should be made. Then identify findings under the appropriate requirement.

CHECKLIST SECTION II	Complies ¹			Remarks ²
	Yes	No	N/A	
				did not review all applications for completeness. As appropriate, NCs have been identified on Table 3.
<p>§ 205.402(a)(2) Does the review include making a determination whether the applicant is in compliance or can comply with the requirements? Table of Contents</p>				<p>Yes – as documented on Table 3 all applications reviewed were reviewed by the certifier for compliance or the ability to comply.</p> <p>No – as documented on Table 3 not all applications were reviewed by the certifier for compliance or the ability to comply. As appropriate, NCs have been identified on Table 3, Tables 6a, 6b, or 6c.</p>



§§ 205.400, 205.401 and 205.402 General Requirements, Application, and Review

For audit purposes, § 205.400 or § 205.401 is to be referenced, as applicable. These are requirements for certified operations and not certifiers. If the requirements are not met, cite to the appropriate section—§ 205.402(a)(1) or (3)—and reference this section. The application requirements are reviewed when completing the Certification File Review Worksheets. An overall assessment based on all files reviewed, information gathered during the review of certification process, interviews, and Witness Audit Checklists should be made. Then identify findings under the appropriate requirement.

CHECKLIST SECTION II	Complies ¹			Remarks ²
	Yes	No	N/A	
<p>§ 205.402(a)(3) Does the certifier verify that an applicant, who previously applied to another certifier and received a notification of noncompliance or denial of certification, has submitted documentation to support the correction of any noncompliances identified in the notification of noncompliance or denial of certification? Table of Contents</p>				<p>Yes – as documented on Table 3 the certifier verified previous certification activities and results.</p> <p>No – as documented on Table 3 the certifier did not verify previous certification activities and the results on all applications received. As appropriate, NCs have been identified on Table 3.</p>
<p>§ 205.402(b)(1) Is the time from receiving the application materials and the review reasonable? Table of Contents</p>				<p>Yes – as documented on Table 1 the time from receiving the application materials and the reviews were reasonable.</p> <p>No – as documented on</p>



§§ 205.400, 205.401 and 205.402 General Requirements, Application, and Review

For audit purposes, § 205.400 or § 205.401 is to be referenced, as applicable. These are requirements for certified operations and not certifiers. If the requirements are not met, cite to the appropriate section—§ 205.402(a)(1) or (3)—and reference this section. The application requirements are reviewed when completing the Certification File Review Worksheets. An overall assessment based on all files reviewed, information gathered during the review of certification process, interviews, and Witness Audit Checklists should be made. Then identify findings under the appropriate requirement.

CHECKLIST SECTION II	Complies ¹			Remarks ²
	Yes	No	N/A	
				Table 1 the time from receiving the application materials and the reviews was not always reasonable.
<p>§ 205.402(b)(1) Is the time between receiving an application and communicating the results of the review to an applicant reasonable? Table of Contents</p>				<p>Yes – as documented on Table 1 the time from receiving the application materials and communicating the results was reasonable.</p> <p>No – as documented on Table 1 the time from receiving the application materials and communicating the results was not always reasonable.</p>
<p>§§ 205.402(b)(2) and 205.403(e)(2) Is a copy of the inspection report as approved by the certifier provided to that operation by the certifier? Table of Contents</p>				



§§ 205.400, 205.401 and 205.402 General Requirements, Application, and Review

For audit purposes, § 205.400 or § 205.401 is to be referenced, as applicable. These are requirements for certified operations and not certifiers. If the requirements are not met, cite to the appropriate section—§ 205.402(a)(1) or (3)—and reference this section. The application requirements are reviewed when completing the Certification File Review Worksheets. An overall assessment based on all files reviewed, information gathered during the review of certification process, interviews, and Witness Audit Checklists should be made. Then identify findings under the appropriate requirement.

CHECKLIST SECTION II	Complies ¹			Remarks ²
	Yes	No	N/A	
<p>§ 205.402(c) Did any clients withdraw their application(s) and if so, was the process in accordance with the requirements? Table of Contents</p>				

§ 205.403 Inspection

Based on a review of the Certification File Review Worksheets, information gathered during the review of the certification process, interviews, and Witness Audit Checklists.

CHECKLIST SECTION III	Complies ³			Remarks ⁴
	Yes	No	N/A	
<p>References: NOP 2609 Unannounced Inspections</p>				
<p>§ 205.403(a)(1) Does the certifier conduct initial onsite inspections of each production unit, facility, and site that produces or handles organic products and that is included in the operation for which certification is requested, on all applicants? Also see Continuing Certification (§ 205.406(b)) Table of Contents</p>				<p>This section was not addressed in the Compliance Audit.</p>
<p>§§ 205.403(a)(2)(i)-(iii) Does the certifier conduct unannounced inspections on 5% of the total certified operations per year, or at least one (1) unannounced inspection per year if the certifier has less than 20 certified operations?</p>				<p>Yes – the certifier conducted unannounced inspections on 5% of the total certified</p>

³ For each requirement, use an "X" to identify whether the certifier complies, does not comply, or that a requirement is not applicable.

⁴ Provide explanations and/or comments to present evidence of compliance or noncompliance, as applicable. If a requirement is not applicable include why it does not apply.



§ 205.403 Inspection

Based on a review of the Certification File Review Worksheets, information gathered during the review of the certification process, interviews, and Witness Audit Checklists.

CHECKLIST SECTION III	Complies ³			Remarks ⁴
	Yes	No	N/A	
Table of Contents § 205.504(b)(2) Unannounced Inspections General Information Section				<p>operations in ____.</p> <p>or</p> <p>Yes – the certifier conducted at least one (1) unannounced inspection of a certified operation. <i>For either statement include objective evidence, including how many unannounced inspections were conducted, total number of certified operations, and the time period/year being discussed.</i></p> <p>No – as identified in § 205.501(a)(21) of this checklist, the certifier did not conduct unannounced inspections on 5% of the total certified operations per year.</p> <p>or</p> <p>No – as identified in § 205.501(a)(21) of this checklist, the certifier had ____ certified operations but did not conduct at least one (1) unannounced</p>



§ 205.403 Inspection

Based on a review of the Certification File Review Worksheets, information gathered during the review of the certification process, interviews, and Witness Audit Checklists.

CHECKLIST SECTION III	Complies ³			Remarks ⁴
	Yes	No	N/A	
				inspection per year. <i>For either statement include objective evidence, including how many unannounced inspections were conducted, total number of certified operations, and the time period/year being discussed.</i>
<p>NOP 2609 Unannounced Inspections Are the certifier's written policies/procedures for conducting unannounced inspections and inspector access to certified facilities provided to all certified operations and inspectors? Table of Contents § 205.501(a)(8) § 205.504(b)(2) Unannounced Inspections</p>				<p>Yes – the certifier's written policies/procedures for conducting unannounced inspections and inspector access to certified facilities was provided to all certified operations and inspectors.</p> <p>No – the certifier's written policies/procedures for conducting unannounced inspections and inspector access to certified facilities was not provided to all certified operations and/or inspectors. <i>For either statement include</i></p>



§ 205.403 Inspection				
Based on a review of the Certification File Review Worksheets, information gathered during the review of the certification process, interviews, and Witness Audit Checklists.				
CHECKLIST SECTION III	Complies³			Remarks⁴
	Yes	No	N/A	
				<i>objective evidence.</i>
<p>NOP 2609 Unannounced Inspections Were unannounced inspections conducted following the guidance of NOP 2609 and the certifier’s policies/procedures; and was the reason the operation was chosen for the unannounced inspection disclosed to the operation? Table of Contents General Information Section</p>				
<p>§ 205.403(b)(1) Are all inspections conducted within a reasonable time after the determination that the applicant appears to comply or can comply with the requirements? Table of Contents</p>				<p>Yes – as documented on Table 1 inspections were conducted within a reasonable time after the determination that the applicant appears to comply or could comply with the requirements.</p> <p>No – as documented on Table 1 inspections were not always conducted within a reasonable time after the determination that the applicant appeared to comply or could comply with the requirements.</p>



§ 205.403 Inspection

Based on a review of the Certification File Review Worksheets, information gathered during the review of the certification process, interviews, and Witness Audit Checklists.

CHECKLIST SECTION III	Complies ³			Remarks ⁴
	Yes	No	N/A	
<p>§ 205.403(b)(2) Are all inspections conducted when an authorized representative of the operation who is <u>knowledgeable</u> about the operation is present <u>and</u> at a time when land, facilities, and activities that demonstrate the operation's compliance with or ability to comply with the applicable provisions of subpart C can be observed? Table of Contents</p>				
<p>§ 205.403(c)(1) Do all inspections verify the operation's compliance or ability to comply with the Act and the regulations? Table of Contents</p>				
<p>§ 205.403(c)(2) Do all inspections verify that the information (including the OSP) provided in accordance with §§ 205.401, 205.406, and 205.200, accurately reflect the practices used or to be used by the applicant or certified operation? Table of Contents</p>				
<p>§ 205.403(c)(3) Do all inspections verify that the operation had not applied and is not applying prohibited substances? Table of Contents Table 3</p>				



§ 205.403 Inspection				
Based on a review of the Certification File Review Worksheets, information gathered during the review of the certification process, interviews, and Witness Audit Checklists.				
CHECKLIST SECTION III	Complies³			Remarks⁴
	Yes	No	N/A	
<p>§ 205.403(d) Do inspectors conduct an exit interview with an authorized representative of the operation who is knowledgeable about the inspected operation <u>to confirm the accuracy and completeness</u> of inspection observations and information gathered during the onsite inspection?</p> <p>Does the exit interview(s) address the need for any <u>additional information</u> as well as any <u>issues of concern</u>?</p> <p>Table of Contents Table 3</p>				

§ 205.404 Granting Certification				
Based on a review of the Certification File Review Worksheets, information gathered during the review of the certification process, interviews, and Witness Audit Checklists.				
CHECKLIST SECTION IV	Complies⁵			Remarks⁶
	Yes	No	N/A	
<p>References: NOP 2603 Organic Certificates NOP 2605 Reinstating Suspended Organic Operations PM 11-4 Evaluation of Materials Used in Organic Crop, Livestock, and Handling Operations</p>				

⁵ For each requirement, use an "X" to identify whether the certifier complies, does not comply, or that a requirement is not applicable.

⁶ Provide explanations and/or comments to present evidence of compliance or noncompliance, as applicable. If a requirement is not applicable include why it does not apply.



§ 205.404 Granting Certification

Based on a review of the Certification File Review Worksheets, information gathered during the review of the certification process, interviews, and Witness Audit Checklists.

CHECKLIST SECTION IV	Complies ⁵			Remarks ⁶
	Yes	No	N/A	
<p>§ 205.404(a) Does the certifier meet the requirements of § 205.404(a) by:</p> <p>reviewing the inspection report, sample results, and any additional information within a <u>reasonable time</u> after the inspection;</p> <p>granting certification in all cases where it is determined that the OSP and the applicant's operation are in compliance and is able to conduct operations in accordance with the plan; and</p> <p>(if the certification is granted and included requirements for the correction of minor noncompliances) <u>indicating</u> they have to be addressed within a specified time period as a condition of continued certification? Table of Contents</p>				<p>Yes – as documented on Table 1 and Table 3 the certifier met the requirements of § 205.404(a) by reviewing the inspection report and additional documents within a reasonable time; granting certification when the applicants were in compliance; and indicating minor NCs had to be addressed within a specified time period.</p> <p>No – as documented on Table 1 and/or Table 3 the certifier did not meet the requirements of § 205.404(a).</p>



§ 205.404 Granting Certification				
Based on a review of the Certification File Review Worksheets, information gathered during the review of the certification process, interviews, and Witness Audit Checklists.				
CHECKLIST SECTION IV	Complies⁵			Remarks⁶
	Yes	No	N/A	
<p>§ 205.404(b) Does the certifier issue a certificate of organic operation in all cases where certification is granted? Table of Contents</p>				<p>Yes – as documented on Table 3 the certifier issued a certificate in all cases where certification was granted.</p> <p>No – as documented on Table 3 the certifier did not issue a certificate in all cases where certification was granted.</p>
<p>§ 205.404(b)(1) – (4) Do certificates issued by the certifier contain the required information? Do certificates issued by the certifier contain the additional information and statements recommended by NOP 2603? Table of Contents</p>				<p>Yes – as documented on Table 3 all certificates reviewed contained the required information.</p> <p>No – as documented on Table 3 not all certificates contained the required information. (b)(1) Name and Address (b)(2) Effective Date (b)(3) Category (b)(4) Certifying Agent Information</p>



§ 205.404 Granting Certification				
Based on a review of the Certification File Review Worksheets, information gathered during the review of the certification process, interviews, and Witness Audit Checklists.				
CHECKLIST SECTION IV	Complies ⁵			Remarks ⁶
	Yes	No	N/A	
				Although not identified as a NC as documented on Table 3 not all certificates contained the additional information and statements as recommended by NOP 2603 .

§ 205.405 Denial of Certification				
Based on a review of the Certification File Review Worksheets (including Table 4 - Notice of Noncompliance/Adverse Action Worksheet). Document on the Certification File Review Worksheet, "Table 5 - Notice of Noncompliance/Denial of Certification."				
CHECKLIST SECTION V	Complies ⁷			Remarks ⁸
	Yes	No	N/A	
References: NOP 2607 Disclosure of Information Concerning Operations Certified Under the NOP NOP 4002 Enforcement of USDA Organic Regulations by Accredited Certifying Agents PM 11-4 Evaluation of Materials Used in Organic Crop, Livestock, and Handling Operations				
§ 205.405(a) Does the certifier <u>provide a written notification of noncompliance</u> to all applicants in cases where there was a reason to believe, based on the review, that the applicant was not able to comply or was not in compliance with the requirements? Table of Contents				Yes – as documented on Table 5 the certifier provided a written notification of noncompliance to all <u>applicants</u> who were not able to comply or were not

⁷ For each requirement, use an "X" to identify whether the certifier complies, does not comply, or that a requirement is not applicable.

⁸ Provide explanations and/or comments to present evidence of compliance or noncompliance, as applicable. If a requirement is not applicable include why it does not apply.



§ 205.405 Denial of Certification

Based on a review of the Certification File Review Worksheets (including Table 4 - Notice of Noncompliance/Adverse Action Worksheet). Document on the Certification File Review Worksheet, "Table 5 - Notice of Noncompliance/Denial of Certification."

CHECKLIST SECTION V	Complies ⁷			Remarks ⁸
	Yes	No	N/A	
				<p>in compliance with the requirements.</p> <p>No – State objective evidence, including NC’s identified on Tables 6a, 6b, or 6c.</p>
<p>§ 205.405(a) If the certifier issued any <u>combined notice</u> of noncompliance and denial of certification, does it meet the requirements for both notifications? Table of Contents</p>				<p>Yes – as documented on Table 5 the combined notice(s) of noncompliance and denial of certification that were issued met the requirements for both notifications.</p> <p>No – as documented on Table 5 the combined notice(s) of noncompliance and denial of certification that were issued did not meet the requirements for both notifications.</p> <p>N/A – no combined notice(s) of noncompliance and denial of certification were issued by the</p>



§ 205.405 Denial of Certification				
Based on a review of the Certification File Review Worksheets (including Table 4 - Notice of Noncompliance/Adverse Action Worksheet). Document on the Certification File Review Worksheet, "Table 5 - Notice of Noncompliance/Denial of Certification."				
CHECKLIST SECTION V	Complies⁷			Remarks⁸
	Yes	No	N/A	
				certifier.
<p>§ 205.405(a)(1) – (3) Do all notices of noncompliance that were issued contain the required information in accordance with §§ 205.405(a)(1) – (3)? Table of Contents</p>				<p>Yes – as documented on Table 5, notices of noncompliance that were issued contained the required information.</p> <p>No – as documented on Table 5, notices of noncompliance that were issued did not contain the required information.</p>
<p>§ 205.405(c)(1) In cases when the applicant provided corrective actions or a rebuttal, does the certifier:</p> <p>evaluate the rebuttal or corrective actions taken and supporting documentation;</p> <p>issue the applicant an approval of certification if the corrective action or rebuttal is sufficient for the applicant to qualify for certification; or</p> <p>issue the applicant a written notice of denial of certification when the corrective action or rebuttal <u>is not</u> sufficient for the applicant to qualify for certification? Table of Contents</p>				<p>Yes – as documented on Table 5, in cases when the <u>applicant</u> provided corrective actions or a rebuttal, the certifier took appropriate action in accordance with § 205.405(c)(1).</p> <p>No – as documented on Table 5, in cases when the <u>applicant</u> provided corrective actions or a rebuttal, the certifier did not</p>



§ 205.405 Denial of Certification

Based on a review of the Certification File Review Worksheets (including Table 4 - Notice of Noncompliance/Adverse Action Worksheet). Document on the Certification File Review Worksheet, "Table 5 - Notice of Noncompliance/Denial of Certification."

CHECKLIST SECTION V	Complies ⁷			Remarks ⁸
	Yes	No	N/A	
				always take appropriate action in accordance with § 205.405(c)(1).
<p>§ 205.405(c)(2) Does the certifier issue a written notice of denial of certification to all applicants that failed to respond to a notification of noncompliance? Table of Contents</p>				<p>Yes – as documented on Table 5, the certifier issued a written notice of denial of certification to applicants that failed to respond to the notification of noncompliance.</p> <p>No – as documented on Table 5, the certifier did not issue a written notice of denial of certification to applicants that failed to respond to the notification of noncompliance.</p>
<p>§ 205.405(c)(3) Does the certifier provide all notices of approval or denials to the Administrator? Table of Contents</p>				<p>Yes – as identified in § 205.501(a)(15)(i), all notices of approval or denials were submitted to the Administrator.</p> <p>No – as identified</p>



§ 205.405 Denial of Certification

Based on a review of the Certification File Review Worksheets (including Table 4 - Notice of Noncompliance/Adverse Action Worksheet). Document on the Certification File Review Worksheet, "Table 5 - Notice of Noncompliance/Denial of Certification."

CHECKLIST SECTION V	Complies ⁷			Remarks ⁸
	Yes	No	N/A	
				in § 205.501(a)(15)(i) not all notices of approval or denials were submitted to the Administrator.
<p>§§ 205.405(d), (d)(1) – (3) Do all issued denials of certification contain the required information in accordance with §§ 205.405(d), (d)(1) – (3)? Table of Contents</p>				<p>Yes – as documented on Table 5, all denials of certification contained the required information.</p> <p>No – as documented on Table 5, not all denials of certification contained the required information.</p> <p>N/A – the certifier did not issue any denials of certification.</p>
<p>§ 205.405(f) If the certifier received new applications for certification, which included a notification of noncompliance or a notice of denial of certification, does the certifier <u>treat the application as a new application</u> and begin a new application process? Table of Contents</p>				



§ 205.406 Continuation of Certification

Based on a review of the Certification File Review Worksheets, information gathered during a review of the certification process, interviews, and Witness Audit Checklists, describe the annual update process under “General information on Certification Process,” Checklist Section I. Document requirement evaluations on the Certification File Review Worksheets and “Table 4 - Notice of Noncompliance/Adverse Action Worksheet” as applicable.

CHECKLIST SECTION VI	Complies ⁹			Remarks ¹⁰
	Yes	No	N/A	
References: NOP 2607 Disclosure of Information Concerning Operations Certified Under the NOP NOP 4002 Enforcement of the USDA Organic Regulations by Accredited Certifying Agents PM 11-4 Evaluation of Materials Used in Organic Crop, Livestock, and Handling Operations NOP 5031 Certification Requirements for Handling Unpackaged Organic Products				
§§ 205.406(a)(1) – (4) Do all certified operations submit an updated OSP and pay the annual certification fees as required by §§ 205.406(a)(1) – (4)? Table of Contents				Yes – as documented on Table 3 , all certified operations submitted an updated OSP and paid their annual certification fees as required. No – as documented on Table 3 , not all certified operations submitted an updated OSP and/or paid their annual certification fees as required.

⁹ For each requirement, use an “X” to identify whether the certifier complies, does not comply, or that a requirement is not applicable.

¹⁰ Provide explanations and/or comments to present evidence of compliance or noncompliance, as applicable. If a requirement is not applicable include why it does not apply.



§ 205.406 Continuation of Certification

Based on a review of the Certification File Review Worksheets, information gathered during a review of the certification process, interviews, and Witness Audit Checklists, describe the annual update process under “General information on Certification Process,” Checklist Section I. Document requirement evaluations on the Certification File Review Worksheets and “Table 4 - Notice of Noncompliance/Adverse Action Worksheet” as applicable.

CHECKLIST SECTION VI	Complies ⁹			Remarks ¹⁰
	Yes	No	N/A	
<p>§ 205.406(b) Following the receipt of an updated OSP does the certifier review it to see if the requirements of § 205.406(a) have been met? Table of Contents</p>				<p>Yes – as documented on Table 1, after receipt the certifier reviewed all updated OSPs to see if they met the requirements.</p> <p>No – as documented on Table 1, the certifier did not review all updated OSPs received to see if they met the requirements.</p>
<p>§§ 205.406(b) and 205.403(a)(1) Following the receipt of an updated OSP does the certifier within a reasonable time arrange and conduct an onsite inspection? Also see Onsite Inspection (§ 205.403(a)(1)) Table of Contents</p>				<p>Yes – as documented on Table 1, after receipt of updated OSPs the certifier conducted an onsite inspection within a reasonable time.</p> <p>No – as documented on Table 1, after receipt of updated OSPs the certifier did not conduct all onsite inspections within a reasonable</p>



§ 205.406 Continuation of Certification

Based on a review of the Certification File Review Worksheets, information gathered during a review of the certification process, interviews, and Witness Audit Checklists, describe the annual update process under “General information on Certification Process,” Checklist Section I. Document requirement evaluations on the Certification File Review Worksheets and “Table 4 - Notice of Noncompliance/Adverse Action Worksheet” as applicable.

CHECKLIST SECTION VI	Complies ⁹			Remarks ¹⁰
	Yes	No	N/A	
				time.
<p>§ 205.406(c) Does the certifier provide a written notification of noncompliance to all operations in accordance with § 205.662 if the certifier had reason to believe, based on the onsite inspection and a review of the information specified in § 205.404, that a certified operation is not complying with the requirements of the Act and the regulations? Table of Contents §205.662(a) Table 3</p>				<p>Yes – as documented on Table 4 and § 205.662(a) of this checklist, after the onsite inspection and a review of the information specified in § 205.404 the certifier issued a notification of noncompliance to operations that did not comply with the requirements.</p> <p>No – as documented on Table 4 or Tables 6a, 6b, or 6c, and § 205.662(a) of this checklist after the onsite inspection and a review of the information specified in § 205.404 the certifier did not issue a notification of noncompliance to all operations that did not comply with the</p>



§ 205.406 Continuation of Certification

Based on a review of the Certification File Review Worksheets, information gathered during a review of the certification process, interviews, and Witness Audit Checklists, describe the annual update process under “General information on Certification Process,” Checklist Section I. Document requirement evaluations on the Certification File Review Worksheets and “Table 4 - Notice of Noncompliance/Adverse Action Worksheet” as applicable.

CHECKLIST SECTION VI	Complies ⁹			Remarks ¹⁰
	Yes	No	N/A	
				requirements.
<p>§ 205.406(d) Does the certifier issue an updated certificate for all certified operations that were in compliance with the Act and the regulations if any information specified on the previous certificate changed? Table of Contents</p>				<p>Yes – as documented on Table 3, the certifier issued updated certificates for all certified operations that were in compliance with the Act when any information specified on the previous certificate changed.</p> <p>No – as documented on Table 3, the certifier did not issue updated certificates for all certified operations that were in compliance with the Act when any information specified on the previous certificate changed.</p>

§ 205.501 General Requirements for Accreditation



CHECKLIST SECTION VII	Complies ¹¹			Remarks ¹²
	Yes	No	N/A	
References: NOP 2000 Accreditation Policies and Procedures NOP 2026 Submitting Annual Lists of Certified Operations NOP 2606 Processing Requests for Temporary Variances NOP Appeals Procedure: Adverse Action Appeal Process – Certified Operation or Applicant for Certification PM 11-8 California State Organic Program, Additional Requirements Granted				
§ 205.501(a)(1) Does the certifier have <u>sufficient expertise</u> in organic production or handling techniques to fully comply with and implement the terms and conditions of the organic certification program? Table of Contents				Yes – as documented on Table 8 and personnel interviews conducted. (<i>Auditor should revise statement as appropriate.</i>) No – as documented on Table 8 and personnel interviews conducted, the certifier does not have sufficient expertise in organic production and handling techniques to fully comply with the terms and conditions of the organic certification program. (<i>Auditor should revise statement as appropriate and be specific to area that is lacking.</i>)

¹¹ For each requirement, use an "X" to identify whether the certifier complies, does not comply, or that a requirement is not applicable.

¹² Provide explanations and/or comments to present evidence of compliance or noncompliance, as applicable. If a requirement is not applicable include why it does not apply.



§ 205.501 General Requirements for Accreditation				
CHECKLIST SECTION VII	Complies¹¹			Remarks¹²
	Yes	No	N/A	
<p>§ 205.501(a)(2) Does the certifier <u>demonstrate the ability</u> to fully comply with the requirements for accreditation? Table of Contents</p>				
<p>§205.501(a)(3) Does the certifier <u>carry out the provisions</u> of the Act and the regulations, including the provisions of §§ 205.402 through 205.406 and 205.670? Table of Contents</p>				
<p>§ 205.501(a)(4) Does the certifier use a <u>sufficient number of adequately trained personnel</u>, including inspectors and certification review personnel, to comply with and implement the organic certification program? Table of Contents</p>				<p>Yes – as documented on Table and/or personnel interviews conducted, the certifier had a sufficient number of adequately trained personnel. <i>(Auditor should revise statement as appropriate.)</i></p> <p>No – as documented on Table 8 and/or personnel interviews conducted, the certifier did not have a sufficient number of adequately trained personnel. <i>(Auditor should revise statement as appropriate and be specific to area that is lacking— inspectors, certification</i></p>



§ 205.501 General Requirements for Accreditation				
CHECKLIST SECTION VII	Complies¹¹			Remarks¹²
	Yes	No	N/A	
				<i>personnel, etc.)</i>
<p>§ 205.501(a)(5) Does the certifier ensure certification personnel <u>have sufficient expertise</u> in organic production or handling techniques to successfully perform the duties assigned? Table of Contents</p>				<p>Yes – as documented on Table 8, the certifier ensured certification personnel had sufficient expertise in organic production or handling techniques.</p> <p>No – as documented on Table 8 and/or personnel interviews conducted, the certifier did not ensure certification personnel had sufficient expertise in organic production or handling techniques. <i>(Auditor should revise statement as appropriate and be specific to area that is lacking— inspectors, certification personnel, etc.)</i></p>



§ 205.501 General Requirements for Accreditation				
CHECKLIST SECTION VII	Complies¹¹			Remarks¹²
	Yes	No	N/A	
<p>§ 205.501(a)(6) Does the certifier conduct <u>annual performance evaluations</u> of all certification personnel in accordance with § 205.501(a)(6)? Table of Contents</p>				<p>Yes – as documented on Table 8, the certifier conducted performance evaluations of all certification personnel as required.</p> <p>No – as documented on Table 8, the certifier did not conduct performance evaluations of all certification personnel as required.</p>
<p>§ 205.501(a)(7) Does the certifier have <u>an annual program review</u> of its certification activities conducted by someone who has expertise to conduct the reviews?</p> <p>Does the certifier <u>implement measures to correct</u> any noncompliances that are identified in the evaluation? Table of Contents</p>				
<p>§ 205.501(a)(8) Does the certifier <u>provide sufficient information</u> to persons seeking certification to enable them to comply with the Act and the regulations? Table of Contents General Information Section</p>				



§ 205.501 General Requirements for Accreditation				
CHECKLIST SECTION VII	Complies¹¹			Remarks¹²
	Yes	No	N/A	
<p>§ 205.501(a)(9) Does the certifier <u>maintain all records</u> pursuant to §205.510(b) and make all such records available for inspection and copying during normal business hours? Table of Contents Table 7b</p>				
<p>§ 205.501(a)(10) Does the certifier <u>maintain strict confidentiality</u> with respect to its clients and not disclose to third parties any business-related information concerning any client obtained while implementing the regulations, except as provided for in § 205.504(b)(5)? Table of Contents § 205.504(b)(4)</p>				
Does the certifier prevent conflicts of interest by:				
<p>§ 205.501(a)(11)(i) Not certifying a production or handling operation if the <u>certifier or a responsibly connected party</u> of such certifier has or has held a commercial interest in the production or handling operation? Table of Contents Table 8 Table 8 Findings</p>				
<p>§ 205.501(a)(11)(ii) <u>Excluding any person, including contractors</u>, with conflicts of interest from work, discussions, and decisions in all stages of the certification process and the monitoring of certified operations for all entities in which such person has or has held a commercial interest. Table of Contents Table 8 Table 8 Findings</p>				
<p>§ 205.501(a)(11)(iii) Not permitting any employee, inspector, contractor, or other personnel <u>to accept payment</u>, gifts, or favors of any kind, other than prescribed fees, from any business inspected. Table of Contents</p>				



§ 205.501 General Requirements for Accreditation				
CHECKLIST SECTION VII	Complies¹¹			Remarks¹²
	Yes	No	N/A	
<p>§ 205.501(a)(11)(iv) Not giving advice or providing consultancy services, to certification applicants or certified operations, for overcoming identified barriers to certification. Table of Contents See NOP 2614 Technical Assistance, for guidance.</p>				
<p>§ 205.501(a)(11)(v) Requiring all certification personnel and responsibly connected parties to complete an <u>annual conflict of interest disclosure report</u>. Table of Contents</p>				<p>Yes – as documented on Table 8, the certifier required all certification personnel and responsibly connected parties to complete an annual conflict of interest disclosure report.</p> <p>No – as documented on Table 8, the certifier did not require all certification personnel and responsibly connected parties to complete an annual conflict of interest disclosure report.</p>



§ 205.501 General Requirements for Accreditation				
CHECKLIST SECTION VII	Complies¹¹			Remarks¹²
	Yes	No	N/A	
<p>§ 205.501(a)(11)(vi) Ensuring that the <u>decision to certify</u> an operation is made by a person different from those who conducted the review of documents and onsite inspection. Table of Contents</p>				<p>Yes – as documented on Table 1, the decision to certify an operation was made by a person different from those who conducted the review of documents and onsite inspection.</p> <p>No – as documented on Table 1, the decision to certify an operation was not always made by a person different from those who conducted the review of documents and onsite inspection.</p>



A private or governmental entity accredited as a certifier under this subpart must:				
<p>§ 205.501(a)(12)(i) <u>Reconsider a certified operation’s application</u> for certification and, if necessary, perform a new onsite inspection when it is determined, within 12 months of certifying the operation that any person participating in the certification process and covered under § 205.501(a)(11)(ii) has or <u>had a conflict of interest</u> involving the applicant. Table of Contents Table 8 Table 8 Findings</p>				
<p>§ 205.501(a)(12)(ii) <u>Refer a certified operation</u> to a different certifier for recertification and reimburse the operation for the cost of the recertification when it is determined that any person covered under § 205.501(a)(11)(i) at the time of certification of the applicant <u>had a conflict of interest</u> involving the applicant. Table of Contents Table 8 Table 8 Findings</p>				
<p>§ 205.501(a)(13) <u>Accept the certification decisions</u> made by another certifier accredited or accepted by USDA. Table of Contents</p>				
<p>§ 205.501(a)(14) <u>Refrain from making false or misleading claims</u> about its accreditation status, the USDA accreditation program for certifiers, or the nature or qualities of products labeled as organically produced. Table of Contents</p>				



<p>§ 205.501(a)(15)(i) <u>Submit to the Administrator</u> a copy of: Any notice of denial of certification (§ 205.405); notification of noncompliance; notification of noncompliance correction; notification of proposed suspension or revocation; and notification of suspension or revocation (§ 205.662) simultaneously with its issuance. Table of Contents § 205.405(c)(3)</p>				<p>Yes – as documented in § 205.405(c)(3) of the checklist and Table 4, the certifier submitted all notifications to the Administrator as required.</p> <p>No – as documented in § 205.405(c)(3) of the checklist and/or Table 4, the certifier did not submit all notifications to the Administrator as required.</p>
<p>§ 205.501(a)(15)(ii) <u>Submit to the Administrator</u> a list, on January 2 of each year, including the name, address, and telephone number of each operation granted certification during the preceding year. Table of Contents</p>				
<p>§ 205.501(a)(16) <u>Charge applicants</u> for certification and certified production and handling operations only those fees and charges for certification activities that it has filed with the Administrator (to include any fees charged for unannounced inspections). Table of Contents Also see Fee Schedule</p>				
<p>§ 205.501(a)(17) <u>Pay and submit fees</u> to AMS in accordance with § 205.640. Table of Contents</p>				



<p>§ 205.501(a)(18) <u>Provide the inspector</u>, prior to each onsite inspection, with previous onsite inspection reports, and <u>notify the inspector</u> of its decision regarding certification of the operation site inspected by the inspector and of any requirements for the correction of minor noncompliances. Table of Contents</p>				
<p>§ 205.501(a)(19) <u>Accept all production or handling applications</u> that fall within its area(s) of accreditation and certify all qualified applicants, to the extent of its administrative capacity to do so without regard to size or membership in any association or group. Table of Contents</p>				
<p>§ 205.501(a)(20) Demonstrate its ability to <u>comply with a State’s organic program</u> to certify organic production or handling operations within the State. Table of Contents</p>				
<p>§ 205.501(a)(21) Comply with, implement, and <u>carry out any other terms and conditions</u> determined by the Administrator to be necessary. Table of Contents</p>				
<p>§ 205.501(b)(1) A private or governmental entity accredited as a certifier under this subpart may establish a seal, logo, or other identifying mark to be used by production and handling operations certified by the certifier to indicate affiliation with the certifier. <i>Provided, That, the certifier:</i> <u>Does not require use of</u> its seal, logo, or other identifying mark on any product sold, labeled, or represented as organically produced as a condition of certification. Table of Contents</p>				



<p>§ 205.501(b)(2) <i>Provided, That, the certifier:</i></p> <p><u>Does not require compliance</u> with any production or handling practices <u>other than those provided</u> for in the Act and the regulations in this part as a condition of using its identifying mark.</p> <p>Table of Contents</p>				
<p>A private entity accredited as a certifier must:</p>				
<p>§ 205.501(c)(1) Hold the Secretary harmless for any failure on the part of the certifier to carry out the provisions of the Act and the regulations in this part.</p> <p>Table of Contents</p>				
<p>§ 205.501(c)(2) Furnish 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 operations certified by the certifier under the Act and the regulations.</p> <p>Table of Contents</p>				
<p>§ 205.501(c)(3) Transfer to the Administrator and make available to any applicable State organic program's governing State official all records or copies of records concerning the person's certification activities in the event that the certifier dissolves or loses its accreditation.</p> <p>Table of Contents</p>				
<p>§ 205.501(d) No private or governmental entity accredited as a certifier under this subpart shall exclude from participation in or deny the benefits of the National Organic Program to any person due to discrimination because of race, color, national origin, gender, religion, age, disability, political beliefs, sexual orientation, or marital or family status.</p> <p>Table of Contents</p>				



§ 205.503 Applicant Information

This section of the checklist should be completed only if conducting an initial assessment, annual update assessment, or renewal assessment. If during any onsite assessment there is objective evidence that required information was not submitted, then cite under the appropriate requirement.

CHECKLIST SECTION VIII	Complies ¹³			Remarks ¹⁴
	Yes	No	N/A	
References: NOP 2000 Accreditation Policies and Procedures NOP Appeals Procedure: Adverse Action Appeal Process – Certified Operation or Applicant for Certification				
A private or governmental entity seeking accreditation as a certifier must submit the following information:				
§ 205.503(a) The business name, primary office location, mailing address, name of the person(s) responsible for the certifier’s day-to-day operations, contact numbers (telephone, facsimile, and Internet address) of the applicant, and, for an applicant who is a private person, the entity’s taxpayer identification number; Table of contents				
§ 205.503(b) The name, office location, mailing address, and contact numbers (telephone, facsimile, and Internet address) for each of its organizational units, such as chapters or subsidiary offices, and the name of a contact person for each unit; Table of contents				
§ 205.503(c) Each area of operation (crops, wild crops, livestock, or handling) for which accreditation is requested and the estimated number of each type of operation anticipated to be certified annually by the applicant along with a copy of the applicant’s schedule of fees for all services to be provided under these regulations by the applicant; Table of contents				

¹³ For each requirement, use an “X” to identify whether the certifier complies, does not comply, or that a requirement is not applicable.

¹⁴ Provide explanations and/or comments to present evidence of compliance or noncompliance, as applicable. If a requirement is not applicable include why it does not apply.



§ 205.503 Applicant Information

This section of the checklist should be completed only if conducting an initial assessment, annual update assessment, or renewal assessment. If during any onsite assessment there is objective evidence that required information was not submitted, then cite under the appropriate requirement.

CHECKLIST SECTION VIII	Complies ¹³			Remarks ¹⁴
	Yes	No	N/A	
<p>§ 205.503(d)(1) The type of entity the applicant is (e.g., government agricultural office, for-profit business, not-for-profit membership association) and for: A governmental entity, a copy of the official's authority to conduct certification activities under the Act and the regulations in this part, Table of contents</p>				
<p>§ 205.503(d)(2) The type of entity the applicant is (e.g., government agricultural office, for-profit business, not-for-profit membership association) and for: A private entity, documentation showing the entity's status and organizational purpose, such as articles of incorporation and bylaws or ownership or membership provisions, and its date of establishment; Table of contents</p>				
<p>§ 205.503(e) 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 or handling operations. Table of contents</p>				



§ 205.504 Evidence of Expertise and Ability

This section of the checklist should be completed only if conducting an initial assessment, annual update assessment, or renewal assessment. If during any onsite assessment there is objective evidence that required information was not submitted then cite under the appropriate requirement.

CHECKLIST SECTION IX	Complies ¹⁵			Remarks ¹⁶
	Yes	No	N/A	
References: NOP 2000 Accreditation Policies and Procedures NOP 2609 Unannounced Inspections NOP Appeals Procedure: Adverse Action Appeal Process – Certified Operation or Applicant for Certification				
Personnel				
§ 205.504(a)(1) A copy of the applicant’s policies and procedures for training, evaluating, and supervising personnel; Table of Contents				
§ 205.504(a)(2) The name and position description of all personnel to be used in the certification operation, including administrative staff, certification inspectors, members of any certification review and evaluation committees, contractors, and all parties responsibly connected to the certifier; Table of Contents Table 8 Table 8 Findings				
§ 205.504(a)(3)(i) A description of the qualifications, including experience, training, and education in agriculture, organic production, and organic handling, for each inspector to be used by the applicant: Table of Contents Table 8 Table 8 Findings				

¹⁵ For each requirement, use an “X” to identify whether the certifier complies, does not comply, or that a requirement is not applicable.

¹⁶ Provide explanations and/or comments to present evidence of compliance or noncompliance, as applicable. If a requirement is not applicable include why it does not apply.



§ 205.504 Evidence of Expertise and Ability

This section of the checklist should be completed only if conducting an initial assessment, annual update assessment, or renewal assessment. If during any onsite assessment there is objective evidence that required information was not submitted then cite under the appropriate requirement.

CHECKLIST SECTION IX	Complies ¹⁵			Remarks ¹⁶
	Yes	No	N/A	
<p>§ 205.504(a)(3)(ii) and for Each person to be designated by the applicant to review or evaluate applications for certification: Table of Contents Table 8 Table 8 Findings</p>				
<p>§ 205.504(a)(4) A description of any training that the applicant has provided or intends to provide to personnel to ensure that they comply with and implement the requirements of the Act and the regulations in this part. Table of Contents</p>				
Administrative Policies and Procedures				
<p>§ 205.504(b)(1) A copy of the procedures to be used to evaluate certification applicants, make certification decisions, and issue certification certificates; Table of Contents</p>				
<p>§ 205.504(b)(2) A copy of the procedures to be used for reviewing and investigating certified operation compliance with the Act and the regulations in this part and the reporting of violations of the Act and the regulations in this part to the Administrator; Table of Contents</p>				



§ 205.504 Evidence of Expertise and Ability

This section of the checklist should be completed only if conducting an initial assessment, annual update assessment, or renewal assessment. If during any onsite assessment there is objective evidence that required information was not submitted then cite under the appropriate requirement.

CHECKLIST SECTION IX	Complies ¹⁵			Remarks ¹⁶
	Yes	No	N/A	
<p>§ 205.504(b)(2) Do the procedures to be used for reviewing and investigating certified operation compliance with the Act and the regulations include conducting unannounced inspections at a rate in accordance with NOP 2609 Unannounced Inspections and inspector access to certified facilities? <i>(This can be a separate policy/procedure.)</i> Table of Contents § 205.403(a)(2)(i)-(iii)</p>				
<p>§ 205.504(b)(3) A copy of the procedures to be used for complying with the recordkeeping requirements set forth in § 205.501(a)(9); Table of Contents § 205.510(b)</p>				
<p>§ 205.504(b)(4) A copy of the procedures to be used for maintaining the confidentiality of any business-related information as set forth in § 205.501(a)(10); Table of Contents</p>				
<p>§ 205.504(b)(5) A copy of the procedures to be used, including any fees to be assessed, for making the information required under this clause available to any member of the public upon request; Table of Contents § 205.501(a)(10)</p>				
<p>§ 205.504(b)(6) A copy of the procedures to be used for sampling and residue testing pursuant to § 205.670. Table of Contents</p>				



Conflicts of Interest				
<p>§ 205.504(c)(1) A copy of procedures intended to be implemented to prevent the occurrence of conflicts of interest, as described in § 205.501(a)(11). Table of Contents</p>				
<p>§ 205.504(c)(2) A conflict of interest disclosure report, identifying any food- or agriculture-related business interests, including business interests of immediate family members, that cause a conflict of interest for all personnel required by this section and § 205.501(a)(11)(v). Table of Contents</p>				
An applicant who currently certifies production or handling operations must submit:				
<p>§ 205.504(d)(1) A list of all production and handling operations currently certified by the applicant. Table of Contents</p>				
<p>§ 205.504(d)(2) Copies of at least three (3) different inspection reports and certification evaluation documents for production or handling operations certified by the applicant during the previous year for each area of operation for which accreditation is requested. Table of Contents</p>				
<p>§ 205.504(d)(3) The results of any accreditation process of the applicant's operation by an accrediting body during the previous year for the purpose of evaluating its certification activities. Table of Contents</p>				
<p>§ 205.504(e) Any other information the applicant believes may assist in the Administrator's evaluation of the applicant's expertise and ability. Table of Contents</p>				



§ 205.510 Annual Report, Recordkeeping, and Renewal of Accreditation				
CHECKLIST SECTION X	Complies¹⁷			Remarks¹⁸
	Yes	No	N/A	
An accredited certifier 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:				
§ 205.510(a)(1) A complete and accurate update of information submitted pursuant to §§ 205.503 and 205.504; Table of Contents				
§ 205.510(a)(2) Information supporting any changes being requested in the areas of accreditation described in § 205.500; Table of Contents				
§ 205.510(a)(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; Table of Contents				
§ 205.510(a)(4) The results of the most recent performance evaluations and annual program review and a description of adjustments to the certifier's operation and procedures implemented or to be implemented in response to the performance evaluations and program review; and Table of Contents				
§ 205.510(a)(5) The fees required in § 205.640(a). Table of Contents				

¹⁷ For each requirement, use an "X" to identify whether the certifier complies, does not comply, or that a requirement is not applicable.

¹⁸ Provide explanations and/or comments to present evidence of compliance or noncompliance, as applicable. If a requirement is not applicable include why it does not apply.



Certifiers must maintain records according to the following schedule:				
<p>§ 205.510(b)(1) Records <u>obtained from</u> applicants for certification and certified operations must be maintained for <u>not less than 5 years</u> beyond their receipt; Table of Contents § 205.501(a)(9)</p>				
<p>§ 205.510(b)(2) Records <u>created by</u> the certifier regarding applicants for certification and certified operations must be maintained for <u>not less than 10 years beyond</u> their creation; and Table of Contents</p>				
<p>§ 205.510(b)(3) Records <u>created or received</u> by the certifier pursuant to the <u>accreditation requirements</u> of subpart F, <u>excluding</u> any records covered by § 205.510(b)(2), must be maintained for <u>not less than 5 years</u> beyond their creation or receipt. Table of Contents</p>				
Amending Accreditation				
<p>§ 205.510(f) Amendment to scope of an accreditation may be requested at any time. The application for amendment shall be sent to the Administrator and shall contain information applicable to the requested change in accreditation, a complete and accurate update of the information submitted pursuant to §§ 205.503 and 205.504, and the applicable fees required in § 205.640. Table of Contents</p>				



§ 205.642 Fee Schedule				
Document on Certification File Review Checklist and Certification File Review Worksheets.				
CHECKLIST SECTION XI	Complies ¹⁹			Remarks ²⁰
	Yes	No	N/A	
§ 205.642 Are the fees charged reasonable?				
§205.642 Is the fee schedule that was submitted to applicants the same as the one provided to the Administrator? Table of contents				<p>Yes – As documented on Table 3, the fee schedule provided to applicants was the same as the one provided to the Administrator.</p> <p>No – As documented on Table 3, the fee schedule provided to applicants was not the same as the one provided to the Administrator.</p>
§§ 205.501(a)(16) and 205.642 Are the fees charged to operations for certification consistent with the fee schedule filed with the Administrator, to include any fees charged for unannounced inspections? Table of contents § 205.501(a)(16) NOP 2609 Unannounced Inspections				<p>Yes – As documented on Table 3, the fees charged to operations for certification were consistent with the fee schedule filed with the Administrator.</p> <p>No – As documented on Table 3, the fees</p>

¹⁹ For each requirement, use an "X" to identify whether the certifier complies, does not comply, or that a requirement is not applicable.

²⁰ Provide explanations and/or comments to present evidence of compliance or noncompliance, as applicable. If a requirement is not applicable include why it does not apply.



§ 205.642 Fee Schedule				
Document on Certification File Review Checklist and Certification File Review Worksheets.				
CHECKLIST SECTION XI	Complies¹⁹			Remarks²⁰
	Yes	No	N/A	
				charged to operations for certification were not consistent with the fee schedule filed with the Administrator.
§ 205.642 Are all applicants provided with an estimate of the total cost of certification and an estimate of the annual cost of updating the certification? Table of contents				Yes – As documented on Table 3 , all operations were provided an estimate. No – As documented on Table 3 , all operations were not provided an estimate.
§ 205.642 Are the nonrefundable portions of certification fees and the stages at which they become nonrefundable explained in the fee schedule submitted to the Administrator? Table of contents				
§ 205.642 Does the certifier provide a copy of the fee schedule to anyone inquiring about the application process? Table of contents				



§ 205.661 Investigation of Certified Operations § 205.662 Noncompliance Procedure for Certified Operations				
Document on Certification File Review Worksheet, "Table 4 - Notice of Noncompliance/ Adverse Action Worksheet."				
CHECKLIST SECTION XII	Complies²¹			Remarks²²
	Yes	No	N/A	
References: NOP 2607 Disclosure of Information Concerning Operations Certified Under the NOP NOP 4001 Complaint Handling Procedure NOP 4002 Enforcement of the USDA Organic Regulations by Accredited Certifying Agents NOP Appeals Procedure: Adverse Action Appeal Process – Certified Operation or Applicant for Certification				
§ 205.661(a) If the certifier conducts any investigations of complaints of noncompliance concerning production and handling operations certified as organic by the certifier, does the certifier notify the Program Manager of all compliance proceedings and actions taken? Table of Contents				

²¹ For each requirement, use an "X" to identify whether the certifier complies, does not comply, or that a requirement is not applicable.

²² Provide explanations and/or comments to present evidence of compliance or noncompliance, as applicable. If a requirement is not applicable include why it does not apply.



§ 205.661 Investigation of Certified Operations
§ 205.662 Noncompliance Procedure for Certified Operations

Document on Certification File Review Worksheet, "Table 4 - Notice of Noncompliance/ Adverse Action Worksheet."

CHECKLIST SECTION XII	Complies ²¹			Remarks ²²
	Yes	No	N/A	
<p>§ 205.662(a) In all cases when an inspection, review, or investigation of a certified operation by the certifier or a State organic program reveals any noncompliance with the Act or regulations, is a written notification of noncompliance sent to the certified operation? Table of Contents § 205.406(c)</p>				<p>Yes – As documented on Table 4, written notifications of NCs were sent to certified operations as appropriate.</p> <p>No – As documented on Table 4, written notifications of NCs were not sent to certified operations as appropriate.</p>
<p>§ 205.662(a)(1) – (3) Do all Notifications of Noncompliance include: a description of each noncompliance; the facts upon which the notification of noncompliance is based; and the date by which the certified operation must rebut or correct each noncompliance and submit supporting documentation? Table of Contents</p>				<p>Yes – As documented on Table 4 (Continuing) or Table 5 (Denial), written notifications of NCs included the required information.</p> <p>No – As documented on Table 4 (Continuing) or Table 5 (Denial), written notifications of NCs did not include all required information.</p>
§ 205.662(b)				Yes – As



§ 205.661 Investigation of Certified Operations
§ 205.662 Noncompliance Procedure for Certified Operations

Document on Certification File Review Worksheet, "Table 4 - Notice of Noncompliance/ Adverse Action Worksheet."

CHECKLIST SECTION XII	Complies ²¹			Remarks ²²
	Yes	No	N/A	
Does the certifier send the certified operation a written notification of noncompliance resolution after the certified operation demonstrates that each noncompliance is resolved? Table of Contents				documented on Table 4 , a written notification of NC resolution was sent to certified operations after they demonstrated that each NC was resolved. No – As documented on Table 4 , a written notification of NC resolution was not sent to all certified operations after they demonstrated that each NC was resolved.



§ 205.661 Investigation of Certified Operations
§ 205.662 Noncompliance Procedure for Certified Operations

Document on Certification File Review Worksheet, “Table 4 - Notice of Noncompliance/ Adverse Action Worksheet.”

CHECKLIST SECTION XII	Complies ²¹			Remarks ²²
	Yes	No	N/A	
<p>§ 205.662(c) If rebuttal is unsuccessful or the correction of the noncompliance is not completed in the prescribed time period, does the certifier send the certified operation a written notice of proposed suspension or revocation of certification of the entire operation or a portion of the operation, as applicable to the noncompliance? Table of Contents</p>				<p>Yes – As documented on Table 4, a written notice of proposed suspension or revocation was sent to certified operations as appropriate.</p> <p>No – As documented on Table 4, a written notice of proposed suspension or revocation was not sent to all certified operations as appropriate.</p>
<p>§§ 205.662(c)(1) – (4) Do all Notifications of Proposed Suspension / Proposed Revocations include: the reasons for the proposed suspension or revocation; the proposed effective date of such suspension or revocation; the impact of a suspension or revocation on future eligibility for certification; and the right to request mediation pursuant to § 205.663 or to file an appeal pursuant to § 205.681? Table of Contents</p>				<p>Yes – As documented on Table 4, all notifications of proposed suspension or revocation issued to certified operations contained the required information.</p> <p>No – As documented on Table 4, not all notifications of proposed</p>



§ 205.661 Investigation of Certified Operations
§ 205.662 Noncompliance Procedure for Certified Operations

Document on Certification File Review Worksheet, “Table 4 - Notice of Noncompliance/ Adverse Action Worksheet.”

CHECKLIST SECTION XII	Complies ²¹			Remarks ²²
	Yes	No	N/A	
				suspension or revocation issued to certified operations contained the required information.
<p>§ 205.662(d) If the certifier or State organic program has reason to believe that a certified operation willfully violated the Act or regulations, the certifier or State organic program 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. Table of Contents</p>				<p>Yes – As documented on Table 4, notification of proposed suspension or revocation was sent when the certifier had a reason to believe the certified operation willfully violated the Act or regulations.</p> <p>No – As documented on Table 4 the certifier had reason to believe a certified operation willfully violated the Act or regulations but did not send a notification of proposed suspension or revocation as required.</p> <p>N/A – there were no willful</p>



§ 205.661 Investigation of Certified Operations
§ 205.662 Noncompliance Procedure for Certified Operations

Document on Certification File Review Worksheet, “Table 4 - Notice of Noncompliance/ Adverse Action Worksheet.”

CHECKLIST SECTION XII	Complies ²¹			Remarks ²²
	Yes	No	N/A	
				violations identified by the certifier.
<p>§ 205.662(e)(1) Does the certifier or State program send the certified operation a written notification of suspension or revocation in all cases that a certified operation failed 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? Table of Contents</p>				<p>Yes – As documented on Table 4, a notification of suspension or revocation was sent to all certified operations which failed to: correct the NC; resolve the NC through rebuttal or mediation; or file an appeal.</p> <p>No – As documented on Table 4, a notification of suspension or revocation was not sent to all certified operations which failed to: correct the NC; resolve the NC through rebuttal or mediation; or file an appeal.</p>
<p>§ 205.662(e)(2) Has the certifier or State program sent a notice of Suspension / Revocation during the time a final resolution of either mediation or appeal is pending for a certified operation which requested either one? Table of Contents</p>				<p>Yes (certifier does not comply) – As documented on Table 4, a notification of suspension or revocation was sent to a certified</p>



§ 205.661 Investigation of Certified Operations
§ 205.662 Noncompliance Procedure for Certified Operations

Document on Certification File Review Worksheet, “Table 4 - Notice of Noncompliance/ Adverse Action Worksheet.”

CHECKLIST SECTION XII	Complies ²¹			Remarks ²²
	Yes	No	N/A	
				<p>operation during the time mediation and/or an appeal was pending.</p> <p>No (certifier complies) – As documented on Table 4, a notification of suspension or revocation was not sent to any certified operation during the time mediation and/or an appeal was pending.</p> <p>N/A – there were no requests for mediation or appeals filed.</p>
<p>§ 205.662(g) Violations of Act Has the certifier fined operations as a result of any noncompliance issues? Table of Contents</p>				



§ 205.661 Investigation of Certified Operations
§ 205.662 Noncompliance Procedure for Certified Operations

Document on Certification File Review Worksheet, “Table 4 - Notice of Noncompliance/ Adverse Action Worksheet.”

CHECKLIST SECTION XII	Complies ²¹			Remarks ²²
	Yes	No	N/A	
<p>§ 205.660(d) Are all notifications of noncompliance, rejections of mediation, noncompliance resolutions, proposed suspensions or revocations, and suspensions or revocations issued and each response to such notification sent to the recipient’s place of business via a delivery service which provides dated return receipts? Table of Contents</p>				<p>Yes – As documented on Table 4, all notifications were sent to the recipient’s place of business via a delivery service which provided dated return receipts.</p> <p>No – As documented on Table 4, not all notifications were sent to the recipient’s place of business via a delivery service which provided dated return receipts.</p>

§ 205.663 Mediation

Mediation procedures are applicable to certified operations that have received a denial of certification, a notification of proposed suspension, a notification of proposed revocation, or a notification of noncompliance that is combined with a denial, proposed suspension, or proposed revocation. Mediation procedures do not apply to operations that have received a notification of noncompliance with no adverse action.



CHECKLIST SECTION XIII	Complies ²³			Remarks ²⁴
	Yes	No	N/A	
<p>§ 205.663 In all instances where mediation is requested, is the request from the applicant or certified operation in writing? Table of Contents</p>				
<p>§ 205.663 If the certifier rejects the request, is the notification to reject the request of mediation sent to the operation in writing? Table of Contents</p>				
<p>§ 205.663 Does the notification to reject the request of mediation advise the operation of their right to request an appeal pursuant to § 205.681? Table of Contents</p>				
<p>§ 205.663 Does the notification to reject the request of mediation advise the operation that an appeal must be requested within 30 days of the date of the written rejection of mediation? Table of Contents</p>				
<p>§ 205.663 If the certifier accepted the mediation request, did the certifier send a settlement agreement to the operator for consideration with its mediation acceptance letter (informal mediation)? Table of Contents <i>(When a certifier accepts mediation, the certifier can send a settlement agreement to the operator for consideration with its mediation acceptance letter.)</i></p>				

²³ For each requirement, use an "X" to identify whether the certifier complies, does not comply, or that a requirement is not applicable.

²⁴ Provide explanations and/or comments to present evidence of compliance or noncompliance, as applicable. If a requirement is not applicable include why it does not apply.



§ 205.663 Mediation

Mediation procedures are applicable to certified operations that have received a denial of certification, a notification of proposed suspension, a notification of proposed revocation, or a notification of noncompliance that is combined with a denial, proposed suspension, or proposed revocation. Mediation procedures do not apply to operations that have received a notification of noncompliance with no adverse action.

CHECKLIST SECTION XIII	Complies ²³			Remarks ²⁴
	Yes	No	N/A	
<p>§ 205.663 If the certifier accepted the mediation request and sent a settlement agreement to the operator for consideration with its mediation acceptance letter, was it clear that the operator was free to: accept or reject the settlement agreement; come back to the certifier for continued informal discussion; or request a more formal mediation process, to discuss terms that are agreeable to both parties (informal mediation)? Table of Contents <i>(The proposed settlement may be included as an alternative to an adverse action, but <u>cannot</u> be included in the adverse action notices.)</i></p>				
<p>§ 205.663 If the certifier accepted the mediation request, was the mediation conducted by a qualified mediator mutually agreed upon by the parties to the mediation? Table of Contents</p>				
<p>§ 205.663 Is an agreement reached no more than 30 days following the mediation session? Table of Contents</p>				
<p>§ 205.663 Any agreement reached during or as a result of the mediation process shall be in compliance with the Act and the regulations in this part: If a settlement agreement is reached, does it comply with the Act and the regulations in this part and include the NOP best practices for the agreement to include: the parties involved in the agreement (Name of certifier, operator, operation and</p>				



§ 205.663 Mediation

Mediation procedures are applicable to certified operations that have received a denial of certification, a notification of proposed suspension, a notification of proposed revocation, or a notification of noncompliance that is combined with a denial, proposed suspension, or proposed revocation. Mediation procedures do not apply to operations that have received a notification of noncompliance with no adverse action.

CHECKLIST SECTION XIII	Complies ²³			Remarks ²⁴
	Yes	No	N/A	
responsibly connected party); corrective actions agreed to by the operator; the outcome; the timeframe by which the corrective actions will be completed; effective date the agreement will take effect; and signatures by the authorized representatives of the certifier <u>and</u> the certified operation ? Table of Contents				
§ 205.663 If mediation is unsuccessful, is the operation informed they have 30 days from termination of mediation to appeal the certifier’s decision pursuant to § 205.681? Table of Contents				

§ 205.670 Inspection and Testing
§ 205.671 Exclusion from Organic Sale

§ 205.504(b)(6) requires that the certifier have procedures for sampling and residue testing. Procedures should address the requirements of § 205.670. Evaluate procedures under [§ 205.504\(b\)\(6\)](#); Checklist Section IX.

CHECKLIST SECTION XIV	Complies ²⁵			Remarks ²⁶
	Yes	No	N/A	
References: NOP 2610 Sampling Procedures for Residue Testing NOP 2611 Laboratory Selection Criteria For Pesticide Residue Testing NOP 2611-1 Prohibited Pesticides for NOP Residue Testing NOP 2613 Responding to Results from Pesticide Residue Testing				

²⁵ For each requirement, use an “X” to identify whether the certifier complies, does not comply, or that a requirement is not applicable.

²⁶ Provide explanations and/or comments to present evidence of compliance or noncompliance, as applicable. If a requirement is not applicable include why it does not apply.



§ 205.670 Inspection and Testing
§ 205.671 Exclusion from Organic Sale

§ 205.504(b)(6) requires that the certifier have procedures for sampling and residue testing. Procedures should address the requirements of § 205.670. Evaluate procedures under [§ 205.504\(b\)\(6\)](#); Checklist Section IX.

CHECKLIST SECTION XIV	Complies ²⁵			Remarks ²⁶
	Yes	No	N/A	
<p>§ 205.403(e)(1) Does the inspector provide the operation with a receipt for the samples taken at the time of the inspection? Table 7b B Table of Contents</p>				<p>Yes – as documented on Table 7b, operations were provided receipts for samples taken.</p> <p>No – as documented on Table 7b, not all operations were provided receipts for samples taken.</p>
<p>§ 205.403(e)(1) Is there any objective evidence that inspectors were charged for the samples taken?</p>				
<p>§§ 205.670(b) and (c) Was the testing paid for by the requesting official (Administrator or State) or the certifier? Table 7b H Table of contents</p>				<p>Yes – as documented on Table 7b, testing was paid for by the requesting official and not the charged to the operations.</p> <p>No – as documented on Table 7b, not all testing was paid for by the requesting official and was charged to the operation(s).</p>



<p>§ 205.670(d) Were at least 5% of certified operations sampled and tested on an annual basis (or at least one operation annually if certifier has fewer than thirty operations)? Table 7a Table of contents</p>			<p>Yes – as documented on Table 7a, at least 5% of the certified operations were sampled and tested on an annual basis. or Yes – as documented on Table 7a, at least one certified operation was sampled and tested annually because the certifier has fewer than thirty operations.</p> <p>No – as documented on Table 7a, at least 5% of the certified operations were not sampled and tested on an annual basis. or No – as documented on Table 7a, the certifier has fewer than thirty operations and did not sample and test from at least one certified operation annually.</p>
<p>§ 205.670(e) Are samples collected by an inspector representing the certifier, State, or Administrator as applicable? Table 7b A Table of contents</p>			<p>Yes – as documented on Table 7b, samples were collected by an inspector representing the certifier, State, or Administrator as</p>



			<p>applicable.</p> <p>No – as documented on Table 7b, not all samples were collected by an inspector representing the certifier, State, or Administrator as applicable.</p>
<p>§ 205.670(e) Is chain of custody maintained? Table 7b C Table of contents</p>			<p>Yes – as documented on Table 7b, chain of custody was maintained.</p> <p>No – as documented on Table 7b, chain of custody was not maintained for all samples.</p>
<p>§ 205.670(e) Is the sample submitted to an ISO 17025 accredited lab? Table 7b D Table of contents</p> <p>Or an alternate standard approved by the NOP? NOP 2611 – Table 7b D</p>			<p>Yes – as documented on Table 7b, samples were submitted to an accredited or NOP-approved lab.</p> <p>No – as documented on Table 7b, not all samples were submitted to an accredited or NOP-approved lab.</p>
<p>§ 205.670(e) Is the sample tested in accordance with the methods described in the most current edition of the <i>Official Methods of Analysis of the AOAC International</i> or other current applicable validated methodology? Table 7b E</p>			<p>Yes – as documented on Table 7b, samples were tested in accordance with an approved <i>AOAC</i> or other validated</p>



<p>Table of contents</p>			<p>methodology.</p> <p>No – as documented on Table 7b, not all samples were tested in accordance with an approved AOAC or other validated methodology.</p>
<p>§§ 205.670(f) Are test results available for public access, unless the testing is part of an ongoing compliance investigation? Table of contents</p>			
<p>§§ 205.402(b)(3) and 205.403(e)(2) Is a copy of the test results provided to the applicant or certified operation? Table 7b F Table of Contents (§ 205.402) or Table of Contents (§ 205.403)</p>			<p>Yes – as documented on Table 7b, a copy of the test results was provided to the applicants and/or certified operations.</p> <p>No – as documented on Table 7b, copies of test results were not provided to all applicants and/or certified operations.</p>
<p>§ 205.670(g) If test results indicate a specific agricultural product contains pesticide residues or environmental contaminants that exceed the FDA’s or EPA’s regulatory tolerance, did the certifier promptly report such data to the applicable agency whose regulatory tolerance or action level was exceeded? <i>(Test results that exceed federal regulatory tolerances must also be reported to the appropriate State health agency or foreign equivalent.)</i> Table 7b I and J Table of contents</p>			<p>Yes – as documented on Table 7b, test results that exceeded the FDA’s or EPA’s regulatory tolerance were promptly reported to the applicable agency and the appropriate State health agency whose regulatory tolerance or action level was exceeded.</p>



			<p>No – as documented on Table 7b, not all test results that exceeded the FDA’s or EPA’s regulatory tolerance were promptly reported to the applicable agency or appropriate State health agency whose regulatory tolerance or action level was exceeded.</p> <p>N/A – as documented on Table 7b, there were no test results that exceeded the FDA’s or EPA’s regulatory tolerance.</p>
<p>§ 205.671 Is there a prohibited substance detected that is greater than 5% of the EPA tolerance for the residue or greater than the unavoidable residual environmental contamination (UREC) level and is the product allowed to be represented as organic? Table 7b K Table of Contents</p>			<p>Yes (ACA does not comply) – as documented on Table 7b, when test results verified there was a prohibited substance detected that was greater than 5% of the EPA tolerance or greater than the UREC level, the product was allowed to be represented as organic.</p> <p>No (ACA Complies) – as documented on Table 7b, when test</p>



				<p>results verified there was a prohibited substance detected that was greater than 5% of the EPA tolerance or greater than the UREC level, the product was not allowed to be represented as organic.</p> <p>N/A – as documented on Table 7b, there were no test results where a prohibited substance was detected that was greater than 5% of the EPA tolerance or greater than the UREC level.</p>
<p>§ 205.671 Are investigations conducted to determine the cause of the prohibited substance? Table 7b P</p>				



§ 205.672 Emergency Pest or Disease Treatment

If there is no instance of a prohibited substance applied due to a Federal or State emergency pest or disease treatment program identify with an “X” in the N/A column, and include a statement in Remarks column. These requirements only apply in the United States and not in other countries.

CHECKLIST SECTION XV	Complies ²⁷			Remarks ²⁸
	Yes	No	N/A	
§ 205.672 Is there any instance where a prohibited substance was applied to a certified operation due to a Federal or State emergency pest or disease treatment program? Table of Contents				
If a prohibited substance is applied to a certified operation due to a Federal or State emergency pest or disease treatment program and the certified operation otherwise meets the requirements of this part, the certification status of the operation shall not be affected as a result of the application of the prohibited substance: Provided, That:				
§ 205.672(a) Any harvested crop or plant part to be harvested that has contact with a prohibited substance cannot be sold, labeled, or represented as organically produced. Table of Contents				
§ 205.672(b) Any livestock that are treated with a prohibited substance or product derived from treated livestock, cannot be sold, labeled, or represented as organically produced. Table of Contents				
Except that:				
§ 205.672(b)(1) Milk or milk products may be sold, labeled, or represented as organically produced beginning 12 months following the last date that the dairy animal was treated with the prohibited substance; and Table of Contents				

²⁷ For each requirement, use an “X” to identify whether the certifier complies, does not comply, or that a requirement is not applicable.

²⁸ Provide explanations and/or comments to present evidence of compliance or noncompliance, as applicable. If a requirement is not applicable include why it does not apply.



§ 205.672 Emergency Pest or Disease Treatment

If there is no instance of a prohibited substance applied due to a Federal or State emergency pest or disease treatment program identify with an “X” in the N/A column, and include a statement in Remarks column. These requirements only apply in the United States and not in other countries.

CHECKLIST SECTION XV	Complies ²⁷			Remarks ²⁸
	Yes	No	N/A	
<p>§ 205.672(b)(2) The offspring of gestating mammalian breeder stock treated with a prohibited substance may be considered organic: <i>Provided that</i>, the breeder stock was not in the last third of gestation on the date that the breeder stock was treated with the prohibited substance. Table of Contents</p>				

§ 205.500(c)(2) International Agreements

For certifiers involved in any of the international agreements, please provide details of the review process in place and include a summary of the certifier’s participation in the arrangements in the body of the audit report, under the heading “International Agreements.”

CHECKLIST SECTION XVI	Complies ²⁹			Remarks ³⁰
	Yes	No	N/A	
<p>References: NOP 2403 Certifying Agents Approved to Issue TM-11 Export Certificates under an Export Arrangement between the USDA and a Foreign Government</p>				
<p>EU – U.S. Organic Equivalency Arrangement Please mark “N/A” if the certifier does not have any current clients shipping to the EU or receiving product from the EU.</p>				
<p>Are the certifier and applicable staff aware of the requirements for exporting to the EU? Program requirements can be accessed on the NOP Web site. Table of Contents</p>				

²⁹ For each requirement, use an “X” to identify whether the certifier complies, does not comply, or that a requirement is not applicable.

³⁰ Provide explanations and/or comments to present evidence of compliance or noncompliance, as applicable. If a requirement is not applicable include why it does not apply.



§ 205.500(c)(2) International Agreements

For certifiers involved in any of the international agreements, please provide details of the review process in place and include a summary of the certifier’s participation in the arrangements in the body of the audit report, under the heading “International Agreements.”

CHECKLIST SECTION XVI	Complies ²⁹			Remarks ³⁰
	Yes	No	N/A	
Does the certifier have a system in place to review and verify the terms of the arrangement? Table of Contents				
Is the arrangement limited to organic products certified under the NOP which were produced or had final processing or packaging within the U.S.? Table of Contents				
Does the certifier provide an EU Certificate of Inspection (EU Import Certificate) to certified operations wishing to export to the EU so that it is transferred with the product(s)? Table of Contents				
If applicable did the certifier verify that organic apples, pears, and organic ingredients from organic apples and pears were produced without the use of antibiotics (<i>streptomycin for fire blight control</i>) for at least three (3) years prior to the harvest of the organic apples and pears? Table of Contents				
If applicable did the certifier verify that wine exported to the EU was: 1) produced using organic varieties of grapes and organic ingredients; 2) contained only nonorganic substances allowed under § 205.605; and 3) produced only using the wine-making practices and substances detailed in the EU organic regulations ? Table of Contents				
For retail products did the certifier verify general EU labeling requirements and that the labels contained the code assigned to them by the EU? EU Certifier Codes EU Labeling Requirements Table of Contents				



§ 205.500(c)(2) International Agreements

For certifiers involved in any of the international agreements, please provide details of the review process in place and include a summary of the certifier’s participation in the arrangements in the body of the audit report, under the heading “International Agreements.”

CHECKLIST SECTION XVI	Complies ²⁹			Remarks ³⁰
	Yes	No	N/A	
For bulk products did the certifier verify general EU labeling requirements and that there was a lot number present to allow for a complete audit trail and to verify the product’s integrity? EU Labeling Requirements Table of Contents				
For certified operations that receive product(s) from the EU, did the certifier verify (either through file review and/or onsite inspection) that the NOP Import Certificate was received with the product(s) to provide verification that incoming product meets the terms of the arrangement and is, therefore, eligible for use as an ingredient or a product to repack or to be sold as is in the U.S.? Table of Contents				
Switzerland – U.S. Organic Equivalency Arrangement				
Please mark “N/A” if the certifier does not have any current clients shipping to Switzerland or receiving product from the Switzerland.				
Are the certifier and applicable staff aware of the requirements for exporting to the Switzerland? Program requirements can be accessed on the NOP Web site . Table of Contents				
Does the certifier have a system in place to review and verify the terms of the arrangement? Table of Contents				
Is the arrangement limited to organic products certified under the NOP which were produced or had final processing or packaging within the U.S.? Table of Contents				
Does the certifier provide a Swiss Certificate of Inspection (Swiss Import Certificate) to certified operations wishing to export to Switzerland so that it is transferred with the product(s)? Table of Contents				



§ 205.500(c)(2) International Agreements

For certifiers involved in any of the international agreements, please provide details of the review process in place and include a summary of the certifier’s participation in the arrangements in the body of the audit report, under the heading “International Agreements.”

CHECKLIST SECTION XVI	Complies ²⁹			Remarks ³⁰
	Yes	No	N/A	
<p>If applicable did the certifier verify that wine exported to Switzerland was produced only using the wine-making practices and substances detailed in the Swiss organic ordinances? Table of Contents</p>				
<p>For retail products did the certifier verify general Swiss labeling requirements and that the labels contained the code assigned to them by the Swiss authority? Swiss Certifier Codes Swiss Labeling Requirements</p>				
<p>For bulk products did the certifier verify general Swiss labeling requirements and that there was a lot number present to allow for a complete audit trail and to verify the product’s integrity? Swiss Labeling Requirements Table of Contents</p>				
<p>For certified operations that receive product(s) from Switzerland, did the certifier verify (either through file review and/or onsite inspection) that the NOP Import Certificate was received with the product(s) to provide verification that incoming product meets the terms of the arrangement and is, therefore, eligible for use as an ingredient or a product to repack or to be sold as is in the U.S.? Table of Contents</p>				
<p>U.S. – Canada Organic Equivalency Arrangement (USCOEA)</p> <p>Please mark “N/A” if the certifier does not have any current clients shipping to Canada or receiving product from Canada.</p>				
<p>Are the certifier and applicable staff aware of the requirements for exporting to Canada? Program requirements can be accessed on the NOP website. Table of Contents</p>				



§ 205.500(c)(2) International Agreements

For certifiers involved in any of the international agreements, please provide details of the review process in place and include a summary of the certifier’s participation in the arrangements in the body of the audit report, under the heading “International Agreements.”

CHECKLIST SECTION XVI	Complies ²⁹			Remarks ³⁰
	Yes	No	N/A	
Does the certifier have a system in place to review and verify the terms of the arrangement? Table of Contents				
Did the certifier verify agricultural products exported to Canada were not produced with the use of sodium nitrate? Table of Contents				
Did the certifier verify agricultural products exported to Canada were not produced by hydroponic or aeroponic production methods? Table of Contents				
Did the certifier verify agricultural products derived from animals (<u>with the exception of ruminants</u>) were produced according to livestock stocking rates as set out in CAN /CGSB32.310-2006 ? Table of Contents				
Did the certifier verify agricultural products being sold or shipped to Canada and received from Canada under the arrangement are accompanied by an attestation statement (<i>Certified in compliance with the terms of the U.S.-Canada Organic Equivalency Arrangement</i>) per NOP PM 10-3? Include how the requirement is met. Did the certifier include “USCOEA compliant” or some variation on the certified operation’s certificate, or did the certifier provide attestation statements to the operation rather than allowing the operation to do so themselves. Table of Contents				



§ 205.500(c)(2) International Agreements

For certifiers involved in any of the international agreements, please provide details of the review process in place and include a summary of the certifier’s participation in the arrangements in the body of the audit report, under the heading “International Agreements.”

CHECKLIST SECTION XVI	Complies ²⁹			Remarks ³⁰
	Yes	No	N/A	
Did the certifier verify that labels meet the requirements of the destination country, to include that for retail products? Labels or stickers must state the name of the U.S. or Canadian certifier (may use the USDA organic seal or the Canada Organic Biologique logo), and all product labels must be in English and French? U.S.-Canada Agreement labeling requirements Table of Contents				
Did the certifier verify that labels meet the requirements of the destination country, to include a lot number for wholesale products? U.S.-Canada Agreement labeling requirements Table of Contents				



U.S. - Korea Organic Equivalency Arrangement				
Please mark "N/A" if the certifier does not have any current clients shipping to Korea.				
Are the certifier and applicable staff aware of the requirements for exporting to Korea? Program requirements can be accessed on the NOP Web site . Table of Contents				
Does the certifier have a system in place to review and verify the terms of the arrangement? Table of Contents				
Were all NAQS Import Certificates issued only for USDA organic products that were produced within the U.S. or had their final processing or packaging occur within the U.S.? Table of Contents				
Were all NAQS Import Certificates issued only for processed products as defined by the Korean Food Code? Table of Contents				
Were all NAQS Import Certificates issued only for products that contain at least 95% organic ingredients? Table of Contents				
Did all NAQS Import Certificates issued include the statement, "Certified in compliance with the terms of the US-Korea Organic Equivalency Arrangement"?				
Did the certifier verify that processed products exported to Korea did not contain apples or pears produced with the use of antibiotics? Table of Contents				
Did the certifier verify that labels on products exported to Korea meet MAFRA's organic labeling requirements? (product may display the USDA organic seal and/or Korean organic logo) Table of Contents				



<p>For certified operations that receive product(s) from Korea imported under the equivalency arrangement, did the certifier verify (either through file review and/or onsite inspection) that the NOP Import Certificate issued by MAFRA-accredited certification body was received with the product(s) to provide verification that incoming product meets the terms of the arrangement and is, therefore, eligible for use as an ingredient or a product to repack or to be sold as is in the U.S.? Table of Contents</p>				
<p>U.S. - Japan Organic Equivalency Arrangement Please mark "N/A" if the certifier does not have any current clients shipping to Japan.</p>				
<p>Were all TM-11 Export Certificates issued for Japan only for USDA organic products that were produced within the U.S. or had their final processing or packaging occur within the U.S.? Table of Contents <i>All USDA-accredited certifiers may issue TM-11 certificates to Japan.</i> Table of Contents</p>				
<p>Are the certifier and applicable staff aware of the requirements for exporting to Japan? Program requirements can be accessed on the NOP Web site. Table of Contents</p>				
<p>Does the certifier have a system in place to review and verify the terms of the arrangement? Table of Contents</p>				
<p>Did the certifier assign a unique identification number to each export certificate? The unique identification number must begin with an acronym designating the certifier and the country code for the specific export arrangement. Table of Contents</p>				
<p>Does the certifier keep a paper-based or electronic control log that records and tracks the disposition of each export certificate? Table of Contents</p>				



<p>Did the certifier designate a staff person to authorize the issuance of the export certificate and attest to its authenticity by affixing his/her signature to the certificate, as well as who is responsible for all aspects of the issuance of the export certificate, including ensuring security of blank export certificates and oversight of the control log?</p> <p>Table of Contents</p>				
<p>Were export certificates issued for all organic plants, including fungi, and plant-based processed products that were exported to Japan?</p> <p><i>Export certificates aren't required for products not regulated by the JAS law, such as meat, dairy products, honey, or alcoholic beverages. However, alcoholic beverages labeled with the word "organic" in Japanese must be accompanied by an export certificate that includes:</i></p> <ul style="list-style-type: none"> • <i>the name of the certified alcoholic beverage;</i> • <i>the name and address of the certified farm or brewery;</i> • <i>the number and date of certification;</i> • <i>the address and name of the operator;</i> • <i>the country of origin; and</i> • <i>the name and address of the certifying body.</i> <p>Table of Contents</p>				
<p>Did all organic plants, including fungi, and plant-based processed products (such as grape juice or cornmeal) that were exported to Japan labeled with the JAS organic seal?</p> <p><i>Products not regulated by the JAS law—such as meat, dairy products, or alcoholic beverages, <u>cannot</u> be labeled with the JAS organic seal under the terms of the arrangement.</i></p>				
<p>Did the U.S.-based farm or business who applied the JAS organic seal to its products in the U.S. have a contract with a JAS certified importer, or in cases where the U.S. operation did not have a contract with a JAS certified importer, was the seal applied by the JAS certified importer once the product arrived in Japan?</p> <p>List of JAS Certified Importers</p> <p>Table of Contents</p>				
<p>Export Arrangement with Taiwan Please mark "N/A" if the certifier does not have any current clients shipping to Taiwan.</p>				



<p>If the certifier has issued any TM-11 Export Certificates, are they on the NOP's list of certifiers approved to issue a certificate under an export arrangement? § 205.501(a)(21) Table of Contents</p>				
<p>Were all TM-11 Export Certificates issued only to U.S. certified operations selling and/or shipping to Taiwan? Table of Contents</p>				
<p>Are the certifier and applicable staff aware of the requirements for exporting to Taiwan? Program requirements can be accessed on the NOP Web site. Table of Contents</p>				
<p>Does the certifier have a system in place to review and verify the terms of the arrangement? Table of Contents</p>				
<p>Did the certifier incorporate the compliance requirements of the applicable export arrangement into its quality manual under the heading "Requirements for export of U.S. organic raw and processed agricultural products to (insert country name)?" Table of Contents</p>				
<p>Did the certifier assign a unique identification number to each export certificate? The unique identification number must begin with an acronym designating the certifier and the country code for the specific export arrangement. List of certifiers Table of Contents</p>				
<p>Does the certifier keep a paper-based or electronic control log that records and tracks the disposition of each export certificate including those issued, voided, or destroyed? Table of Contents</p>				
<p>Did the certifier designate a staff person to authorize the issuance of the export certificate and attest to its authenticity by affixing his/her signature to the Certificate, as well as who is responsible for all aspects of the issuance of the export certificate, including ensuring security of blank export certificates and oversight of the control log? Table of Contents</p>				



<p>Did all export certificates that were issued under the <u>Taiwan</u> arrangement for processed products and crops have the required statement, “<i>Organic agricultural products and organic processed products, accompanied by this certificate, were produced or processed using zero prohibited substances</i>”? Table of Contents</p>				
<p>Did all export certificates that were issued under the <u>Taiwan</u> arrangement for livestock and meat products have the required statement, “<i>Organic livestock products accompanied by this certificate, were managed and produced without the use of systemic pain killers or analgesics, including the use of Lidocaine or Procaine</i>”? Table of Contents</p>				



1. CLOSING MEETING

The purpose of the closing meeting is to present the assessment findings and conclusions in such a manner that the client can understand and acknowledge them.

- Sign out on the attendance list ([see beginning of checklist](#)).
- Present positive aspects of the certification program.
 - Positive Aspect (1) – *Very welcoming and understanding staff. Made our job of handling a short notice compliance audit very smooth. Thank you for being responsive and accomidating.*
 - Positive Aspect (2) – *CDA’s inspection audit forms are excellent resources for inspectors.*
 - Positive Aspect (3) –
- Present any items that require further guidance and consideration by the NOP.
 - Pending Item (1) – *CDA’s corrective actions to previous NCs will be reviewed at the Renewal Audit later this year – 2017, when a complete audit will also be preformed.*
 - Pending Item (2) –
- Present the assessment findings and conclusions in a manner so they are understood and acknowledged by the auditee. For each finding, cite the specific requirement of the assessment criteria and allow the auditee to ask questions on any findings.
- Discuss the next steps in the process:
 - 1) The report is written and sent to the NOP for review.
 - 2) The NOP reviews the report and determines the compliance / noncompliance of the program and makes all decisions concerning the accreditation. The NOP has the discretion to modify the assessment findings.
 - 3) The report is issued to the client by the NOP.
- Provide information about the NOP appeals process (§ 205.681(b)).
- Encourage feedback. Clients can submit feedback to AIAInBox@ams.usda.gov.
Provide the certifier with the NOP Auditor Evaluation form to complete.

2. FINDINGS: Findings must be in NC report format prior to the auditor submitting the checklist to the NOP.

[Table of Contents](#) [Table 1](#) [Table 2](#) [Table 3](#) [Table 4](#) [Table 5](#) [Table 6a](#) [Table 6b](#) [Table 6c](#) [Table 7a](#) [Table 7b](#) [Table 8](#)

a. Noncompliances issued prior to this audit – Cleared (or remain Outstanding)

Corrective actions for previous noncompliances were not verified during the Compliance Audit.



b. Findings identified during current audit

NP7162PZA.F1 - 7 C.F.R. §205.670(d) states, “A certifying agent must, on an annual basis, sample and test from a minimum of five percent of the operations it certifies, rounded to the nearest whole number. A certifying agent that certifies fewer than thirty operations on an annual basis must sample and test from at least one operation annually...”

Comments: CDA did not conduct residue sample testing of at least 5% of the total operations in 2016.

Auditor Observations: CDA did not conduct residue sampling from the Witness Audit conducted during the Compliance Audit.

NP7162PZA.F2 – 7 C.F.R. §205.662 (e)(1) states, “If the operation fails to correct the noncompliance, to resolve the issue through rebuttal or mediation, or to file an appeal of the proposed suspension ..., the certifying agent ... shall send the certified operation a written notification of suspension”

Comments: CDA accepted corrective actions from one operation it had issued a Notice of Proposed Suspension to in 2016. CDA also allowed three operations to voluntarily surrender after being issued a Notice of Proposed Suspension.

NP7162PZA.F3 – 7 C.F.R. §205.663 states, “Any dispute with respect to denial of certification or proposed suspension or revocation of certification under this part may be mediated at the request of the applicant for certification or certified operation and with acceptance by the certifying agent. Mediation shall be requested in writing to the applicable certifying agent.”

Comments: CDA issued a settlement agreement with an operation they had sent a Notice of Proposed Suspension, without the operation first requesting mediation in writing, or conducting mediation.

NP7162PZA.F4 – 7 C.F.R. §205.402(a)(2) states, “Determine by a review of the application materials whether the applicant appears to comply or may be able to comply with the applicable requirements of subpart C of this part;...” §205.206(e) states that an Organic System Plan must include, “Additional information deemed necessary by the certifying agent to evaluate compliance with the regulations.”

Comments: The witness audit file reviewed by the auditors, contains a list of previously approved materials. CDA does not note if the material is approved or note when the review was conducted. Therefore, CDA cannot determine when a product is up for re-review.

Auditor Observations: While reviewing the C&C file, a new electrolyte was asked for at IR and inspector said it was submitted, and it was added to the material list. There was no indication it was evaluated by CDA. The pending material review was not communicated to the operation at final review. The electrolyte currently being used was not on the current 2016 materials list, but was found in the 2015 file. No issues were listed in the exit interview.



NP7162PZA.F5 – 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 2027, “Personnel Performance Evaluation,” Section 3.2b states, “Inspectors should be evaluated during an onsite inspection by a supervisor or peer (another inspector) at least annually.”

Comments: CDA did not conduct field evaluations of all inspectors in 2016. Seven of the twelve inspectors received field evaluations.

NP7162PZA.F6 – 7 C.F.R. §205.403(d) states, “The inspector must conduct an exit interview with an authorized representative of the operation who is knowledgeable about the inspected operation to confirm the accuracy and completeness of inspection observations and information gathered during the on-site inspection. The inspector must also address the need for any additional information as well as any issues of concern.”

Comments: During the witness audit the inspectors did not note items of concern and additional information requested of the operation in the exit interview.

NP7162PZA.F7 – 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 2601 states, “Operations must also notify its certifier of any ongoing changes that may affect its compliance with the regulations. If an operation plans to add new products, fields, operations, or labels to its OSP, then the certifier must first approve these changes and issue an updated certificate. A request to add new fields, animal species, or facilities would require an additional onsite inspection.”

Comments: A CDA inspector conducted the inspection of a new facility to be added to a certified operation’s certification, however, an inspection report was not processed or reviewed by CDA and a decision was not issued to the certified operation.

NP7162PZA.F8 – 7 C.F.R. §205.403(b)(2) states, “All on-site inspections must be conducted when an authorized representative of the operation who is knowledgeable about the operation is present and at a time when land, facilities, and activities that demonstrate the operation's compliance with or capability to comply with the applicable provisions of subpart C of this part can be observed, except that this requirement does not apply to unannounced on-site inspections.

Comments: CDA conducted the annual inspection of a dairy operation during the non-grazing season.

3. OBSERVATIONS

In this section, the auditor may insert comments and/or remarks on any part of the audit that will assist the reviewers in determining certifier compliance. The auditor may also use this section to ask for clarification on specific issues identified during the audit.



REMINDER: This completed NOP 2005 checklist must be submitted to AIA within 30 days of the audit completion.

[Back to Closing Meeting process](#)



National Organic Program File Review Worksheets

Table 1: General Certification File Review Information
[Table of Contents](#) [Table 2](#) [Table 3](#) [Table 6a](#) [Table 6b](#) [Table 6c](#)

File No.	Name of applicant/certified operation sampled	A Date application received	B Date of review § 205.402(b)(1) § 205.406(b)	C Review conducted by	D Inspection date § 205.403(b)(1) § 205.406(b)	E Inspection conducted by	F Date of final review (for applicants § 205.404(a))	G Final review conducted by	H Date certification decision made	I Certification decision made by	J Date findings sent to operation § 205.402(b)(1)
1	Aurora Organic Farm – High Plains. (2017 certification cycle)		5/31/2017	Alyssa Mack	6/7/2017, 6/8/2017 (dates of the WA – compliance audit)	Frank Bradford, Cara Meyers	Later in 2017	N/A	N/A	N/A	N/A
2	Aurora Organic Farm – High Plains. (2016 certification cycle)		10/19/2016	Alyssa Mack	11/10/2016	Gary McElroy, Frank Bradford	12/20/2016	Amy Stafford	12/20/2016	Amy Stafford	None
3											
4											
5											

Instructions: Enter dates in the mm/dd/yy format.

Remarks and Findings: [Closing Meeting Findings § 205.501\(a\)\(11\)\(vi\)](#)



Table 1: General Certification File Review Information

[Table of Contents](#) [Table 2](#) [Table 3](#) [Table 6a](#) [Table 6b](#) [Table 6c](#)

File No.	Name of applicant/certified operation sampled	A Date application received	B Date of review § 205.402(b)(1) § 205.406(b)	C Review conducted by	D Inspection date § 205.403(b)(1) § 205.406(b)	E Inspection conducted by	F Date of final review (for applicants § 205.404(a))	G Final review conducted by	H Date certification decision made	I Certification decision made by	J Date findings sent to operation § 205.402(b)(1)



Table 2: Summary of Certification File Review Information
[Table of Contents](#) [Table 1](#) [Table 3](#) [Table 6a](#) [Table 6b](#) [Table 6c](#) [Table 7b](#)

File No.	A Scope requested	B Scope granted (L, C, WC, H)	C IA/AU	D Sample (Y/N)	E Labels (Y/N)
1	L, C	L, C	AU	N	N
2	L, C	L, C	AU	N	N
3					
4					
5					
6					
7					
8					
9					
10					
11					
12					
13					
14					
15					



Table 2: Summary of Certification File Review Information
[Table of Contents](#) [Table 1](#) [Table 3](#) [Table 6a](#) [Table 6b](#) [Table 6c](#) [Table 7b](#)

File No.	A Scope requested	B Scope granted (L, C, WC, H)	C IA/AU	D Sample (Y/N)	E Labels (Y/N)
<p>Instructions: For each requirement (A-E), enter the appropriate information into Table 2. Make sure the information provided in Table 2 is entered into the corresponding File No. in Table 1.</p> <p>A. Scope requested (L, C, WC, H)</p> <p>B. Scope granted (L, C, WC, H): <i>For crop operations, include a description about the type of crop and operation such as single crop, parallel production, split production, etc. For livestock operations, include a description about the type of livestock and operation. For handling operations, include a description of the type of products and operation such as single ingredient product, multi ingredient products, trader, distributor, etc. For wild crop operations, include a description of the type of products and operation such as single products, organic and nonorganic of the same product in the collection area, single harvester or multiple harvesters, collection areas, staging areas, production areas, and management and oversight of harvester.</i></p> <p>C. Initial Application (IA) or Annual Update (AU)</p> <p>D. Was a sample pulled during the inspection? (Y/N) <i>If samples were pulled, include information in Table 7b. Sampling Worksheet - Sample and Reporting Information.</i></p> <p>E. Are any labels used by the operation? (Y/N) <i>If there are labels, include information in Table 6a, 6b, or 6c Label Review Worksheet.</i></p>					
<p>Remarks and Findings: Closing Meeting Findings</p>					



Table 3 – Full File Review

Table 3: Summary of Full File Reviews Table of Contents			
<p>Instructions: This Checklist is used in conjunction with Table 1 and Table 2. This Checklist is used only to record the overall evaluation of files where a <u>full file review</u> was conducted.</p> <p>Use the certification file number as recorded in the Certification File Review Worksheet to identify the certification file(s). If a requirement is not applicable, include relevant information in the “Remarks” for that section.</p> <p>This Checklist is not used to record the overall evaluation of full file reviews for Grower Groups. Instead, the Certification File Review Checklist—Supplement for Grower Groups must be used.</p>			
Fees and other charges for certification § 205.642			
	Yes	No	Certification File Number(s)
Is the operation provided with an estimate? § 205.642	X		1, 2
Are the fees charged consistent with the Fee Schedule submitted to the Administrator? § 205.642 – same; § 205.642 – consistent; § 205.501(a)(16)	X		1, 2
Certificate § 205.404(b)			
Does the certificate include:	Yes	No	Certification File Number(s)
Name and address of the certified operation? § 205.404(b)(1)	X		1, 2
“Effective date of certification”? § 205.404(b)(2) (Date the operation was initially certified to the USDA organic regulations.)	X		1, 2
Scope – Categories of organic operation, including crops, wild crops, livestock, or processed products produced by the certified operation? § 205.404(b)(3)	X		1, 2
Name, address, internet address, and telephone number of the certifier? § 205.404(b)(4)	X		1, 2
Issue date of the certificate? NOP 2603	X		1, 2
Anniversary date? NOP 2603 (Date when the certified operation is required to submit its next annual update.)	X		1, 2



Label classification for processed organic products? (100% Organic, Organic, or Made with Organic (specified ingredients or food groups)) NOP 2603	NA		1, 2
The statement “Certified Organic under the U.S. National Organic Program 7 CFR Part 205”? NOP 2603	X		1, 2
The statement “Once certified, a production or handling operation’s organic certification continues in effect until surrendered, suspended or revoked”? §205.404(c); NOP 2603	X		1, 2
Are certificates issued in English? NOP 2603	X		1, 2
Do certificates include more than one certified operation or an uncertified operation on them?		X	1, 2
Remarks and Findings: Closing Meeting Findings			

Application § 205.401 Table of Contents Table 1 Table 2			
Does the application include:	Yes	No	Certification File Number(s)
The name of person completing the application; The applicant’s business name; The applicant’s address; The applicant’s telephone number; and If a corporation, the name, address, and telephone number of the person authorized to act on the applicant’s behalf? § 205.401 – Application Requirement § 205.402(a)(1) – Review for completeness § 205.402(a)(2) – Review for compliance	X		1, 2
Information on previous certifications? §205.401(c) § 205.402(a)(3) – ACA review for compliance	X		1, 2
Other information deemed necessary by the ACA to determine compliance with the ACT? § 205.401(d)	X		1, 2
Remarks and Findings: Closing Meeting Findings			



Organic System Plan (OSP) § 205.401(a) and § 205.406(a)			
Does the OSP include (§§ 205.201(a)(1)-(6)):	Yes	No	Certification File Number(s)
A description of practices and procedures to be performed and maintained, including the frequency with which they will be performed? §§ 205.200; 205.202 - 205.207; 205.236 – 205.240; and 205.270 – 205.272	X		1, 2
A list of each substance to be used as a production input, indicating its composition, source, location(s) where it will be used, and documentation of commercial availability, as applicable?	X		1, 2
A description of the monitoring practices and procedures to be performed and maintained, including the frequency with which they will be performed, to verify that the plan is effectively implemented?			1, 2
A description of the recordkeeping system implemented to comply with the requirements established in § 205.103?	X		1, 2
Does the OSP include a description of the management practices and physical barriers established to prevent commingling of organic and nonorganic products on a split operation and to prevent contact of organic production and products with prohibited substances?	X		1, 2
Additional information deemed necessary by the certifier to evaluate compliance with the regulations?	X		1, 2
Allowing an uncertified operation to produce or handle agricultural products, under contract or other arrangement, on the uncertified operation's land or premises (i.e., at units, facilities, or sites not explicitly subject to inspection or compliance action by the NOP or a certifier)? NOP 4009 Instruction Who Needs to be Certified		X	1, 2
NOP 5031 –Certification Requirements for Handling Unpackaged Organic Products			
Does the OSP contain information on how organic product is transported to and from the organic operation as applicable?	X		1, 2
Does the company bringing in or shipping the product handle <u>unpackaged</u> organic product?	X		1, 2
If the company handles unpackaged organic product and they take ownership of the product, are they certified?	X		1, 2
If the company handles unpackaged organic product and they <u>do not</u> take ownership are they: 1) a certified operation; or 2) part of the OSP of the certified seller or buyer?	N/A		1, 2



If the company is part of the OSP of the seller or buyer, does the seller/buyer have adequate records to document compliance with the organic regulations?	N/A		1, 2
Remarks and Findings: Closing Meeting Findings			

Continuing Certification: Did the certified operation submit an updated OSP that includes: §§ 205.406(a)(1)-(4) Table of Contents General Information Section	Yes	No	Certification File Number(s)
A summary statement, supported by documentation detailing any deviations from, changes to, modifications to, or other amendments made to the previous year's organic system plan during the previous year?	X		1, 2
Any additions or deletions to the previous year's organic system plan, intended to be undertaken in the coming year, detailed pursuant to § 205.200?	X		1, 2
Any additions to or deletions from the information required pursuant to § 205.401(b)?	X		1, 2
An update on the correction of minor noncompliances previously identified by the certifier as requiring correction for continued certification?	N/A		1, 2
Other information as deemed necessary by the certifier to determine compliance with the Act and the regulations.	X		1, 2
Remarks and Findings: Closing Meeting Findings			
General Assessments:	Yes	No	Certification File Number(s)
Are the materials and inputs used in compliance with the NL and annotations? §§ 205.403(c)(3), 205.402(a)(2), 205.406(c)	X		1, 2
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, i.e., certifier, EPA, ISO Guide			OMRI, CDFR, or WSDA lists. Other materials are



65 accredited material evaluation program? §§ 205.402(a)(2) , 205.406(c) Policy Memo 11-4			reviewed using OMRI GM and National List.
Does the staff conducting the material reviews have the appropriate training, experience, and/or education to conduct the reviews along with appropriate resources? §§ 205.501(a)(1) , 205.501(a)(4) , 205.501(a)(5)	X		1, 2
Is the application and OSP complete? §§ 205.402(a)(1) , 205.406(c)	X		1, 2
Is there evidence that an exit interview was conducted? § 205.403(d)	X		1, 2
Was information or issues of concern identified by the inspector in the exit interview, as evidenced in the inspection report? § 205.403(d)		X	See Findings: Issues not noted in the Exit Interview
Were there any notices of noncompliance or adverse actions by the certifier, and was the correct process followed? Table 4 , Table 5		X	1, 2
If this was a continuation of certification review and any information on the certificate changed, did the certifier provide the operation with an updated certificate? § 205.406 (d)	X		1, 2
Remarks and Findings: Closing Meeting Findings			

Overall Determination Statement:

Include a statement based on an overall determination on whether the operation meets the following as applicable: the crop production standards (§§ 205.200 through 205.206); wild crop production standards (§ 205.207); livestock production standards (§§ 205.236 through 205.240); handling production standards (§§ 205.270 through 205.272); and applicable guidance documents in the NOP Program Handbook.

Include a statement on whether the initial review, inspection, and final decisions were in compliance with the requirements.



United States Department of Agriculture
Agricultural Marketing Service
National Organic Program

1400 Independence Avenue SW.
Room 2648 South Building
Washington, DC 20250

NOP 2005
Effective Date: 10/29/15
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Table 4: Notice of Noncompliance/Adverse Action Worksheet

[Table of Contents](#) [§ 205.406\(c\)](#) [§ 205.662\(a\)](#) [Table 3](#)

Name of Client and Scope	Notification of Minor Issues (Enter Yes, No, or N/A as applicable)	Notification of Noncompliance (Enter Yes, No, or N/A as applicable)				Type of Proposed Adverse Action (Enter PS, PR, or N/A as applicable)	Notification of Proposed Adverse Action				Adverse Action Taken	Request for Mediation or Appeal, and Remarks
		Description of NC § 205.662(a)(1)	Facts of Each NC § 205.662(a)(2)	Date to Rebut or Correct § 205.662(a)(3)	Resolution Notice Sent § 205.662(b)		Reasons for proposed action § 205.662(c)(1)	Proposed Eff. Date § 205.662(c)(2)	Impact of proposed action § 205.662(c)(3)	Right of mediation or appeal § 205.662(c)(4)		
	<ul style="list-style-type: none"> • Description of Minor Issue • Facts of Each Minor Issue • Date to Rebut or Correct • Resolution 					<ul style="list-style-type: none"> • Proposed Suspension (PS) • Proposed Revocation (PR) • N/A – none sent § 205.662(c)					Suspension (Susp) Revocation (Rev) § 205.662(e)(1) Enter Revocation or suspension if applicable	Did the certified operation request mediation or file an appeal? If so did the certifier or State send the notice of Suspension / Revocation while final resolution of either mediation or appeal was pending? § 205.662(e)(2) Enter remarks as appropriate. <u>Document:</u> 1) when Notices were submitted to the client and the method used (§ 205.660(d)); and 2) when and if the notices were sent to the Administrator (§205.501(a)(15(i))).
(b) (4)	na	yes	yes	yes	no	NoPS	yes	yes	yes	yes	Resolved	<i>See Findings: Operator resolved the NoSP by submitting update paper work.</i>
(b) (4)	na	yes	yes	yes	no	NoPS	yes	yes	yes	yes	Settlement Agreement	<i>See Findings: A settlement agreement was reached without a request for mediation.</i>
3 other NoPS files	na	yes	yes	yes	no	NoPS	yes	yes	yes	yes	Surrendered	<i>See Findings: Three operators surrendered their certification after being issued NoPS, which CDA accepted.</i>
(b) (4)	na	yes	yes	yes	no	NoPS	yes	yes	yes	yes	Settlement Agreement	<i>Operator appealed their NoPS and there was a settlement with NOP.</i>



Table 4: Notice of Noncompliance/Adverse Action Worksheet

[Table of Contents](#) [§ 205.406\(c\)](#) [§ 205.662\(a\)](#) [Table 3](#)

Name of Client and Scope	Notification of Minor Issues (Enter Yes, No, or N/A as applicable)	Notification of Noncompliance (Enter Yes, No, or N/A as applicable)				Type of Proposed Adverse Action (Enter PS, PR, or N/A as applicable)	Notification of Proposed Adverse Action				Adverse Action Taken	Request for Mediation or Appeal, and Remarks
		Description of NC § 205.662(a)(1)	Facts of Each NC § 205.662(a)(2)	Date to Rebut or Correct § 205.662(a)(3)	Resolution Notice Sent § 205.662(b)		Reasons for proposed action § 205.662(c)(1)	Proposed Eff. Date § 205.662(c)(2)	Impact of proposed action § 205.662(c)(3)	Right of mediation or appeal § 205.662(c)(4)		
	<ul style="list-style-type: none"> • Description of Minor Issue • Facts of Each Minor Issue • Date to Rebut or Correct • Resolution 					<ul style="list-style-type: none"> • Proposed Suspension (PS) • Proposed Revocation (PR) • N/A – none sent § 205.662(c)					Suspension (Susp) Revocation (Rev) § 205.662(e)(1) Enter Revocation or suspension if applicable	Did the certified operation request mediation or file an appeal? If so did the certifier or State send the notice of Suspension / Revocation while final resolution of either mediation or appeal was pending? § 205.662(e)(2) Enter remarks as appropriate. <u>Document:</u> 1) when Notices were submitted to the client and the method used (§ 205.660(d)); and 2) when and if the notices were sent to the Administrator (§205.501(a)(15(i))).

Instructions:

- For livestock clients, identify the type of livestock (poultry, dairy, beef cattle, sheep, etc.).
- Start with Notifications of Noncompliance (NC) and then move on to Adverse Actions (proposed suspension or revocation, and actual suspension or revocation).
- Notifications of NC *without* Adverse Actions would have “N/A” in the “Type of Proposed Adverse Action” column; all other columns after could remain blank if N/A.
- For Notifications of NC the response *must* be “Yes” for the first 3 columns. If the certified operation demonstrates that each NC has been resolved, the response for the 4th column must also be “Yes.”
- For Notifications of Proposed Adverse Actions the response *must* be “Yes” for all 4 columns.
- Also See §§ [205.662\(d\)](#) and [205.662\(g\)](#).

Remarks and Findings: [Closing Meeting Findings](#)



Table 4: Notice of Noncompliance/Adverse Action Worksheet

[Table of Contents](#) [§ 205.406\(c\)](#) [§ 205.662\(a\)](#) [Table 3](#)

Name of Client and Scope	Notification of Minor Issues (Enter Yes, No, or N/A as applicable)	Notification of Noncompliance (Enter Yes, No, or N/A as applicable)				Type of Proposed Adverse Action (Enter PS, PR, or N/A as applicable)	Notification of Proposed Adverse Action				Adverse Action Taken	Request for Mediation or Appeal, and Remarks
	<ul style="list-style-type: none"> • Description of Minor Issue • Facts of Each Minor Issue • Date to Rebut or Correct • Resolution 	Description of NC § 205.662(a)(1)	Facts of Each NC § 205.662(a)(2)	Date to Rebut or Correct § 205.662(a)(3)	Resolution Notice Sent § 205.662(b)	<ul style="list-style-type: none"> • Proposed Suspension (PS) • Proposed Revocation (PR) • N/A – none sent § 205.662(c)	Reasons for proposed action § 205.662(c)(1)	Proposed Eff. Date § 205.662(c)(2)	Impact of proposed action § 205.662(c)(3)	Right of mediation or appeal § 205.662(c)(4)	Suspension (Susp) Revocation (Rev) § 205.662(e)(1) Enter Revocation or suspension if applicable	Did the certified operation request mediation or file an appeal? If so did the certifier or State send the notice of Suspension / Revocation while final resolution of either mediation or appeal was pending? § 205.662(e)(2) Enter remarks as appropriate. <u>Document:</u> 1) when Notices were submitted to the client and the method used (§ 205.660(d)); and 2) when and if the notices were sent to the Administrator (§205.501(a)(15(i))).



Table 5: Notice of Noncompliance/Denial of Certification

[Table of Contents](#) § 205.405 [Table 3](#)

A.	B.	C.	D.	E.	F.	G.
Name of Client	Scope	Notification of Noncompliance Included § 205.405(a)	Applicant Response § 205.405(b)	Certifier Action Taken § 205.405(c)(1) § 205.405(c)(2)	Denial of Certification Included § 205.405(d)	Identify whether either of the two denial methods were used and whether they were appropriate.
<p>Instructions:</p> <p>C. Enter Yes if <u>all 3 requirements are met</u>: (1) a description of each NC; (2) facts upon which the notification of NC is based; and (3) date for rebuttal or CA for each NC with supporting documentation.</p> <p>D. Enter the applicant's response: (1) corrected NC – submitted CA; (2) corrected NC – applied to another certifier; (3) rebutted NC; (4) no Response provided.</p> <p>E. Enter action taken by the certifier: (1) reviewed CA/rebuttal and conducted inspection if necessary; (2) CA/rebuttal accepted, issued certificate; (3) CA/rebuttal not accepted, issued denial of certification; (4) no response by applicant – issued denial of certification.</p> <p>F. Enter Yes if <u>all 4 requirements are met</u>. If any is missing, indicate which one and identify NC on the main checklist. The reason(s) for denial § 205.405(d): (1) right to reapply for certification § 205.405(d)(1); (2) right to request mediation § 205.405(d)(2); (3) right to file an appeal § 205.405(d)(3).</p> <p>G. See the main checklist for guidance notes Section V. (1) The certifier issued combined notice of NC and denial of certification § 205.405(a) if correction of NC is not possible. Combined notice <u>must</u> include requirements of §§ 205.405(a) and 205.405(d). (2) The certifier denied certification without issuing a notification of noncompliance § 205.405(g) if the certifier had reason to believe the applicant willfully made a false statement or <u>purposefully</u> misrepresented the applicant's operation.</p>						
<p>Remarks and Findings: Closing Meeting Findings</p>						
Empty space for remarks and findings						



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Table 6b: Label Review Worksheet: “Made with Organic” (specified ingredients or food group(s)) § 205.303

[Table of Contents](#) [Table 1](#) [Table 2](#) [Table 4](#) [Table 5](#)

Client File	Product	1	2	3	4	5	6	7	8	9	10	11	12 Complies	
													Yes	No

Instructions: For products labeled as “Made with organic (specified ingredients or food groups)” review against the requirements and record on the table using “Y,” “N,” or “N/A” as applicable (Y = Yes; N = No). Indicate for each label if it complied with the requirements. Insert more rows as needed.

1. Does the “Made with organic (specified ingredients or food groups)” statement list more than three organically produced ingredients? § 205.304(a)(1)(i)
2. Does the “Made with organic (specified ingredients or food groups)” statement list more than three of the following food groups: beans, fish, fruits, grains, herbs, meats, nuts, oils, poultry, seeds, spices, sweeteners, and vegetables or processed milk products? § 205.304(a)(1)(ii)
3. Does the “Made with organic (specified ingredients or food groups)” statement appear in letters that do not exceed one half the size of the largest type size on the panel of which it appears and does it appear in its entirety in the same type size, style, and color without highlighting? § 205.304(a)(1)(iii)
4. Does the percentage of organic ingredients statement exceed one half the size of the largest type size on the panel on which the statement is displayed? § 205.304(a)(2)
5. Does the percentage of organic ingredients statement appear in its entirety in the same type size, style, and color without highlighting? § 205.304(a)(2)
6. Does the label identify each organic ingredient in the ingredient statement? § 205.304(b)(1)
7. Does it identify water or salt as organic? § 205.304(b)(1)
8. Does the label (on the information panel) identify the name of the certifier that certified the handler of the finished product, preceded by the statement, “Certified organic by * * *,” or a similar phrase? § 205.304(b)(2)
9. Is the certifier identifying statement (no. 7 above) on the information panel and below the information identifying the handler or distributor of the product? § 205.304(b)(2)
10. Does the label display the certifier’s seal or logo? § 205.304(a)(3)
11. Does it display the USDA organic seal? § 205.304(c)
12. Are the labels compliant? If ‘No’ and a NC was not issued, then see [§ 205.402\(a\)\(2\)](#) or [§ 205.405\(a\)](#) for applicants, or [§ 205.406\(c\)](#) for certified operations.

Remarks and Findings: [Closing Meeting Findings](#)



Table 7a: Sample Testing Worksheet: General Information

[Table of Contents](#) [Table 1](#) [Table 2](#) [Table 3](#) [Table 4](#) [Table 5](#)

Provide information on sampling conducted by the certifier since the previous assessment, i.e., number of certified operations; number of operations with samples pulled; number of samples pulled overall; types of samples (soil, tissue, product, water, etc.). Were 5% of the certified operations sampled and tested on an annual basis (or at least one operation annually if the certifier has fewer than thirty operations)?
[§ 205.670\(d\)](#)

Remarks and Findings: [Closing Meeting Findings](#)



Table 7b – Sample Testing and Reporting Information

[Table of Contents](#) [Table 2](#)

File No.	Name of applicant / certified operation sampled	A	B	C	D	E	F	G	H	I	J	K	L Type of sample pulled	M What was the sample tested for?	N Why was the sample pulled?	O Provide info on the test results	P Provide info on the certifier decision and outcome	Complies	
																		Yes	No
1																			
2																			
3																			
4																			
5																			
6																			
7																			
8																			
9																			
10																			

Instructions: Review the procedures and processes that describe how the sample was pulled and the reporting requirements. For requirements A – K, enter “Y” for “Yes” or “N” for “No,” as appropriate. Make an assessment on whether or not the requirements were met by entering an “X” under the appropriate response of the “Complies” column. If any requirement is not met, identify on Checklist Section XIV (§§ 205.670 and 205.671). For requirements L – P, enter the appropriate response.

- A. Was the sample collected by an inspector representing the certifier, Administrator, or State? [§ 205.670\(e\)](#)
- B. Did the inspector provide the operation with a receipt? [§ 205.403\(e\)\(1\)](#)
- C. Was the chain of custody maintained? [§ 205.670\(e\)](#)
- D. Was an ISO 17025 accredited lab used, or an alternate standard approved by the NOP? [§ 205.670\(e\)](#) and [NOP 2611](#)
- E. Was an approved AOAC or Validated Method used? [§ 205.670\(e\)](#)
- F. Were results sent to the operation? §§ [205.402\(b\)\(3\)](#) and [205.403\(e\)\(2\)](#)
- G. Were test results available for review during the assessment? *If results are not available, assess why and if appropriate, identify a NC to [§ 205.501\(a\)\(9\)](#). Availability of test results for review during assessments is also identified in NOP 2613.*
- H. Was the operation charged for testing? [§ 205.670\(b\)\(c\)](#)
- I. Did the results exceed FDA or EPA tolerances? [§ 205.670\(g\)](#)
- J. Was the applicable agency notified if “I” above is “Yes”? [§ 205.670\(g\)](#); see NOP 2613 for further guidance



Table 7b – Sample Testing and Reporting Information

[Table of Contents Table 2](#)

File No.	Name of applicant / certified operation sampled	A	B	C	D	E	F	G	H	I	J	K	L Type of sample pulled	M What was the sample tested for?	N Why was the sample pulled?	O Provide info on the test results	P Provide info on the certifier decision and outcome	Complies	
																		Yes	No
<p>K. Were any prohibited substances greater than 5% of the EPA tolerance or higher than UREC? § 205.671</p> <p>L. What type of sample was pulled, i.e., soil, tissue, product, water, etc.?</p> <p>M. What was the sample tested for? (Specific pesticide name or classification.)</p> <p>N. Why was the sample pulled? (Directed by the certifier or NOP? Inspector decision?)</p> <p>O. Provide information on test results. (Positive, negative, etc.) NOP 2613</p> <p>P. Provide information on the certifier decision and outcome. (Was there an investigation?) § 205.671; see NOP 2613 for further guidance</p>																			
<p>Remarks and Findings: Closing Meeting Findings</p>																			



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 Performance Evaluation?
Duane Sinning	Employee	Assistant Division Director	3 yrs	3 yrs	None	See Resume	See Resume	See Resume	See Resume	4/3/2017	4/3/2017	4/26/2017
Amy Stafford	Employee – until 5/15/2017	Program Manager (Organic)	4 yrs	4 yrs	Crop, Livestock, Handling	See Resume	See Resume	See Resume	See Resume	4/3/2017	4/3/2017	4/28/2017
Mitch Yergert	Employee	Division Director	12 yrs	3- yrs	Crop, Livestock, Handling	See Resume	See Resume	See Resume	See Resume	4/3/2017	4/3/2017	4/25/2017
Alyssa Mack	Employee	Agriculture Program Assistant (Organic)	2 yrs 4 mos	2 yrs 4 mos	Crop, Handling	See Resume	See Resume	See Resume	See Resume	4/3/2017	4/3/2017	4/24/2017
Barb Terry	Employee	Administrative Assistant II	1 yr 6 mos	1 yr 6 mos	None	See Resume	See Resume	See Resume	See Resume	4/3/2017	4/3/2017	4/28/2017
Barb Rosenbach	Employee	Program Assistant	21 yrs	12 yrs	None	See Resume	See Resume	See Resume	See Resume	4/3/2017	4/3/2017	4/19/2017
Don Brooks	Employee	Field Staff Supervisor	17 yrs	17 yrs	None	See Resume	See Resume	See Resume	See Resume	4/3/2017	4/3/2017	4/20/2017
(b) (6), (b) (7)(C)	Employee	Lead Inspector	5 yrs	29 yrs	Crop, Livestock, Handling	See Resume	See Resume	See Resume	See Resume	4/5/2017	4/5/2017	4/24/2017
(b) (6), (b) (7)(C)	Employee	Lead Inspector	5 yrs	12 yrs, 6 mos	Crop, Livestock, Handling	See Resume	See Resume	See Resume	See Resume	4/5/2017	4/5/2017	4/28/2017
(b) (6), (b) (7)(C)	Employee	Plant Industry Inspector	9 yrs	9 yrs 9 mos	Crop,	See	See	See Resume	See Resume	4/5/2017	4/5/2017	4/13/2017



(b) (6), (b) (7)(C)	III	9 mos	mos	Livestock, Handling	Resume	Resume			017	17	17	
	Employee	Plant Industry Inspector III	17 yrs 4 mos	17 yrs 4 mos	Crop, Handling	See Resume	See Resume	See Resume	See Resume	4/5/2017	4/5/2017	4/21/2017
	Employee	Plant Industry Inspector III	12 yrs 10 mos	12 yrs 10 mos	Crop, Livestock, Handling	See Resume	See Resume	See Resume	See Resume	4/5/2017	4/5/2017	4/6/2017
	Employee	Plant Industry Inspector III	9 yrs	9 yrs	Crop, Handling	See Resume	See Resume	See Resume	See Resume	4/5/2017	4/5/2017	4/6/2017
	Employee	Plant Industry Inspector III	19 Yrs	19 yrs	Crop, Handling	See Resume	See Resume	See Resume	See Resume	4/5/2017	4/5/2017	4/6/2017
	Employee	Plant Industry Inspector III	4 yrs 5 mos	6 mos	Crop	See Resume	See Resume	See Resume	See Resume	4/5/2017	4/5/2017	4/17/2017
	Employee	Plant Industry Inspector III	15 yrs 5 mos	5 yrs 1 month	Crop, Handling	See Resume	See Resume	See Resume	See Resume	4/5/2017	4/5/2017	4/20/2017
	Employee	Plant Industry Inspector III	4 yrs 10 mos	4 yrs 10 mos	Crop, Handling	See Resume	See Resume	See Resume	See Resume	4/5/2017	4/5/2017	4/17/2017
	Employee	Plant Industry Inspector III	27 yrs	27 yrs	Crop, Handling	See Resume	See Resume	See Resume	See Resume	4/5/2017	4/5/2017	4/18/2017
	Employee	Plant Industry Inspector III	5 yrs	5 yrs	Crop, Livestock, Handling	See Resume	See Resume	See Resume	See Resume	4/5/2017	4/5/2017	4/17/2017

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.

Administrative Staff (.3), Technical Staff (14), Management oversight (2)

Remarks and Findings:



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 of 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

From: Zuck, Penelope - AMS
To: [Claypool, Rebecca E - AMS](#)
Subject: RE: CDA reports
Date: Friday, June 16, 2017 2:56:56 PM
Attachments: [image002.png](#)
[NP7162PZA NOP 2005-6 Audit Review AOF HP CDA 061617.pz.docx](#)

Hi Rebecca,

The checklist refers to attached Grazing Season Ration Workbooks, but I did not review them.

(b) (5)

If you plug your iphone into your computer, you can save the photos directly to the “photos” folder on your computer. Just go to your ‘computer’ and you will be able to choose the iphone. It should prompt you through the process, but let me know if you need more instructions.

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 | Cell (b) (6) | ✉ Penelope.Zuck@ams.usda.gov

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From: Claypool, Rebecca E - AMS
Sent: Friday, June 16, 2017 2:01 PM
To: Zuck, Penelope - AMS <Penelope.Zuck@ams.usda.gov>
Subject: RE: CDA reports

Hi Penny,

Here is the Review Audit report. I added the grazing season ration workbooks to the folder too for reference. I have photos to include, but can't seem to figure out how to email them from my iPhone (I'm not an iUser person).

<P:\AIA\ACA-Active\CDA-CO\Compliance\2017\Aurora Dairy\2017 Compliance Audit\Checklists\NP7162PZA NOP 2005-6 Audit Review AOF HP CDA 061617.docx>

Thanks lots for your input.

Rebecca

From: Claypool, Rebecca E - AMS
Sent: Friday, June 16, 2017 9:18 AM
To: Zuck, Penelope - AMS <Penelope.Zuck@ams.usda.gov>
Subject: CDA reports

Hi Penny,

I am sending the NOP 2005 Checklist and the Witness Audit Checklist for your review and input. I completed the following areas of NOP 2005 Checklist.

Section I

Tables 1, 2, 3, 4

Tables 8, 9

I'll send the Review Audit Checklist as soon as I am done.

Thanks lots!

Rebecca

Rebecca Claypool

Accreditation Manager

USDA | NATIONAL ORGANIC PROGRAM

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

Desk: 202-350-5706 | Cell: (b) (6)



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National Organic Program Audit Checklist – Review Audit (RA)

Review Audit - General Information	
This Checklist is used in conjunction with Tables 1 through 3 of NOP 2005 NOP Accreditation Assessment Checklist. A full file review shall be completed for the Review Audit. Include relevant documents or photographs as attachments to this report.	
Name of operation: Aurora Organic Farm (AOF) – High Plains	Operation’s representative (name and title/organization): Emily Orr, Juan Vealez, Craig Edwards
USDA Auditor(s) (name and title/organization): Rebecca Claypool, NOP; Penny Zuck, NOP.	
Other individuals attending the Review Audit (name and title/organization): Duane Sinning, (b) (6), (b) (7)(C) – CDA representatives	
Location of Review Audit: Gill, CO	
Scope(s) of NOP certification: Crops; Livestock	
Other certifications: Animal Welfare Third Party Validus, Worker Care Third Party Validus, CDPHE - registered CAFO with Dept. of Health, Grade Milk inspection, CDPHE - State Ag Dept. Animal Division TB tested, NRCS conservation plans.	
Certifying agent: Colorado Department of Agriculture (CDA)	
Date(s) and time(s) of Review Audit: June 9, 2017 9:00am– 12:00pm	



General description of operation: Is the operation all organic, mixed, or a parallel production operation? Type of **crops** grown, acreage, fields and field location(s) (one site or multiple sites); **Wild-Crops:** products collected, harvest site locations, collector training; **Livestock:** type of operation, number of animals, identification methods, products; **Handling** operation: products processed, services provided, facilities, marketing of products.

General: Aurora Organic Dairy/Farms maintains organic certification for several sites. CDA certifies three Aurora operations in Colorado, while QAI certifies the processing facility in the Colorado.

AOF operations certified by CDA:

Aurora Farm Co., LLC – Weld: Eaton, CO: CROPS

Aurora Organic Farms – High Plains: Gill, CO: CROPS; LIVESTOCK (*site of WA*)

Aurora Organic Farms – Platteville: Platteville, CO: CROPS; LIVESTOCK

AOF operations certified by QAI:

Aurora Organic Dairy – Platteville: Platteville, CO: HANDLER

AOF operations certified by QAI & OTCO:

Aurora Organic Farms – Pepper: Pepper, TX: CROPS; LIVESTOCK

Aurora Organic Farms – Coldwater: Coldwater, TX: CROPS; LIVESTOCK

AOF High Plains facility includes (b) (4) acres of land that is managed for grazing. There are (b) (4) milking parlors dispersed over the High Plains facility (b) (4) (b) (4). Each parlor utilizes the fields around it for grazing. Dry cows are grazed at the (b) (4) facility pastures and at the (b) (4) fields (NE side of the High Plains site). All of the land and livestock at High Plains is organic except for the bulls and two fistulated cows used for transfaunation. AOF has plans to open a new processing facility in Columbia, Missouri in the near future.

Crops: AOF grazes their livestock on their crop land. In 2016 they harvested some corn, but are not growing corn in 2017. The crop land consists of perennial pasture mixes (alfalfa and grasses), and annual forage crops (wheat, oats, Sorghum Sudan grass, etc.). AOF is in the process of transitioning more of the annual fields into perennial pastures.

Livestock: AOF currently has a total of (b) (4) certified organic livestock at the High Plains site. There are an additional (b) (4) nonorganic bulls on site for breeding. AOF calves year round, so animals are entering the leaving the lactating group and dry cow group on a weekly basis. Calves are raised at the (b) (4) facility and are sold at 120-150 days old.



General information on materials and inputs used by the operation and their compliance with the National List and annotations:

Crop inputs: Manure, effluent from the lagoons in irrigation water, silage inoculant, and sulfur are applied. The sulfur is used to help lower soil pH to free up micronutrients. Silage inoculant is applied at the time of harvest.

Livestock inputs: AOF maintains a list of livestock health inputs with CDA. The materials list on file for AOF does not indicate CDA’s evaluation and approval of each product. CDA re-reviews materials every five years if they are not OMRI or WSDA listed. Without CDA’s evaluation it is not clear when products are up for re-review or when a new product is added that needs review. **See Findings.**

AOF installed a new pre-milking teat and udder wash system at the (b) (4). The new system utilizes brushes to clean the teats and stimulate the udder, however the cleaner required to be used with the brush system is (b) (4). The NOSB passed a recommendation at the Spring 2015 meeting to list (b) (4) (CAS #s 13898-47-0 (b) (4), 7758-19-2 (b) (4)) at §205.603(a) and 205.603(b) of the National List with the following annotation: (b) (4), allowed for use on organic livestock as a pre and post teat dip treatment. AOF is aware that the change/addition is not official and has delayed the use of the new system.

Review Audit - Audit Information

In this section of the checklist, the auditor details audit planning, records collected and reviewed, significant observations, interviews, and audit activities conducted.

Review Audit scope, purpose and methodology:

This was a compliance audit of CDA to evaluate their certification of ruminant livestock operations in response to a complaint and the Washington Post article featuring Aurora Organic Farm – High Plains published May 1, 2016. The audit also consisted of an inspection of the Aurora Organic Farm – High Plains site to evaluate compliance with the pasture rule. The audit was four days.

Day 1: Auditors reviewed CDA’s organic program at their office in Broomfield, CO.

Day 2 & 3: Witness audit at Aurora Organic Farm – High Plains in Gill, CO.

Day 4: Review audit at Aurora Organic Farm – High Plains in AM. Closing meeting at CDA office in PM.

Auditor requested and reviewed documents (indicate where obtained):

Winter rations

Winter DMD

Feed Records Spreadsheet - Grazing season record by month

Daily grazing season maps – with justification codes if not grazing.

Operation Map

Field acres

The sections below cover the auditor’s review of the operation’s Organic System Plan (OSP) and specific practice standards, if applicable, related to onsite observations. “No” answers require explanations.

Organic System Plan (7 CFR § 205.201)



Is the OSP completed on a certifier-provided template? yes no AOF completes some of CDA's OSP, but provides most of their OSP in a narrative attached to the OSP.

Does the OSP have an adequate and complete description of practices and procedures to be performed and maintained, including the frequency with which they will be performed? yes no

Does the OSP have a list of each substance used in the production system, including composition, source, storage, and use, including supportive documentation? yes no

Does the OSP have a description of the monitoring practices and procedures to be used for ensuring the plan is implemented? yes no

Does the OSP include a description of the recordkeeping system? yes no

Does the OSP have a description of management practices or physical barriers to prevent commingling? yes no

Does the OSP have additional information required by the certifier? yes no

When was the last annual update provided to the certifier pursuant to 7 CFR § 205.406(a)? AOF sends their updated application to CDA in March.

Crops

Section N/A

Land requirements (7 CFR § 205.202)

All of AOF land at High Plains is certified organic. There are no transitional fields at this site. Field inputs were submitted to CDA on their materials list and were approved by CDA.

Soil fertility and crop nutrient management practice standard (7 CFR § 205.203)

Sulfur and manure are the primary field inputs. AOF conducts crop tissue sampling to assess nutrient needs.

Seeds and planting stock practice standard (7 CFR § 205.204)

Organic and nonorganic seeds are used. AOF documents their organic seed search. Letters from seed suppliers for untreated and nonGMO verification were kept and made available for viewing.

Crop rotation practice standard (7 CFR § 205.205)

AOF is moving more to a perennial based system. Occasionally they inter-seed other seed varieties into the pastures to bolster the forage quality when the alfalfa begins to die back. Some fields are in annual production. A typical rotation for annual fields is winter wheat planted in fall that comes up in the spring followed by (b) (4) grass late spring/early summer. Another rotation is (b) (4) grass in the fall and reseeded to a grass mix (oats, grasses, peas, etc) in the spring.



<p>Crop pest, weed, and disease management practice standard (7 CFR § 205.206) AOF has some weed and disease inputs listed on their materials list for use in case they are needed. AOF reported that none have been used. They clip fields with weeds (mostly thistle) before seed set.</p>	
Wild-Crops (7 CFR § 205.207)	Section N/A X
<p>Livestock</p>	
<p>Section N/A</p>	
<p>Origin of livestock (7 CFR § 205.236) AOF High Plains transitioned their dairy herd in 2006 on 100% organic feed for one year. AOF does not raise dairy replacements at the High Plains facility. Calves are sold before six months of age and bought back by AOF when ready to enter the milking herd. AOF purchases certified organic replacements from a couple sources, but mostly from the AOF (b) (4) facility in TX. There is a local operation called (b) (4) that AOF sells their calves to and then buys back as heifers. CDA also certifies (b) (4)</p>	
<p>Livestock feed (7 CFR § 205.237) AOF purchases organic feed from various suppliers as well as from the AOF (b) (4) operation certified for crops in Weld, CO. CDA verified organic certificates for the feed ingredients at initial review. Crop fields are generally grazed at the High Plains facility. However the (b) (4) field, which is to the far north end of the property, was harvest for haylage and dry hay in 2016. AOF makes a total mixed ration (TMR) for their livestock from their purchased feed ingredients. Ingredients may include cotton seed, haylage, silage, corn grain, grass hay, alfalfa hay, and premix.</p>	
<p>Livestock health care practice standard (7 CFR § 205.238) AOF maintains health care records for each individual animal. Animals are ear tagged at birth and their number is used to track their health records. Vaccines, treatments, hoof trimming, breeding records, and pregnancy checks are entered as they are administered. Each of the (b) (4) parlors has a hospital area for treating sick animals. A maternity barn located at the (b) (4) (b) (4) facility is where all calves are born and cows are cared for.</p>	



Livestock living conditions (7 CFR § 205.239)

Each of the (b) (4) parlors has connecting free stall barns that include a covered area for feeding and loafing which is bedded with sand. The barns also have uncovered areas with access to direct sun and dirt. The lactating cows are brought in from the fields for milking, and are fed their TMR in the free stall barn area before being sent back out to the pasture. All pastures have water tanks. On hot days AOF will bring the herd back into the barns by 10-11 am and let them back out on pasture around 4-5pm to graze overnight.

Calves are housed in individual calf hutches, and are moved to a group pen when older. AOF is experimenting with connecting ~~ngen~~ two hutches so the calves can socialize at an earlier age.



Pasture Practice Standard (7 CFR § 205.240)

Livestock graze for five months May through September. AOF may change the rations on a daily basis for the lactating cows based on the DMD. The DMD may change throughout the season based on milk production and exercise. AOF analyses the milk (DHIA records) and if the average amount of milk being produced changes then AOF adjusts the ration for the cows as needed.

During the witness audit the inspectors and auditors collected feed data for the 2016 grazing season. This data was used in the attached Grazing Season Ration Workbooks to calculate the weighted DMI from pasture for the lactating group and the dry cow group by month.

Example of monthly DMI from pasture calculation:

July 2016

DMD = 58 [ZP-A1]

Days grazed = 15

Avg. # of cows = (b) (4)

Total lbs of DM fed = 6,548,047

6,548,047 lbs DM / (b) (4) cows = 564.68 lbs DM/cow

564.68 lbs DM/cow / 15 days = 37.65 lbs DM/cow/day

58 DMD – 37.65 lbs DM fed/cow/day = 20.35 lbs DM from pasture/cow/day

20.35 lbs DM from pasture/cow/day / 58 DMD = 0.35 X 100 = **35% DMI from pasture**

The attached Grazing Season Ration Workbooks calculate the DMI from pasture for each month and provide a weighted DMI from pasture over the grazing season for each group.

In 2016 the lactating cows had a DMI from pasture of 34.54% and were grazed for 123 days.

In 2016 the dry cows had a DMI from pasture of 39.86% and were grazed for 128 days.

According to these records both groups of animals met the minimum pasture rule requirements in 2016.

AOF logs daily grazing on maps and provides an annual summary sheet to CDA noting the number of days grazed each month and the average DMI from pasture for each month for each group of livestock.

Lactating Cows days grazed in 2016:

May – 24

June – 30

July – 15

August – 31

September – 23

Grazing began May 5, 2016. Three other days were not grazed in May because it was determined to be too wet on May 8, 17, and 18 (allowance via §205.239(b)(4)). All of June was grazed. July 9-24th the dairy cows were off pasture for regrowth and reseeding due to the spring cool season grasses tapering off as the warm season grasses were coming on (allowance via NOP Guidance 5017-1 Section 4.1). All of August was grazed. The cows were removed from pasture September 23, 2016 for fall seeding purposes.



Dry Cows days grazed in 2016:

May – 25

June – 27

July – 31

August – 31

September – 14

Grazing began May 5, 2016. The dry cows did not graze May 8th because it was determined to be too wet (allowance via §205.239(b)(4)). Three days were not grazed in June due to it being too wet (allowance via §205.239(b)(4)). All of July and August the dry cows grazed. In September the dry cows were pulled off of the pasture on September 14th for reseeding pastures.

During the interview about grazing practices with AOF, it was noted that if the pastures remain in good quality they will continue to put specific pens of cows out on pasture. However they do not track these days towards the pasture rule requirements because the entire herd may not be out grazing.

The auditors requested information about how many dairy cows service each parlor and which fields/pastures are grazed by those cows. There are on average (b) (4) cows at (b) (4) parlor, (b) (4) cows at the (b) (4) parlor, (b) (4) cows at the (b) (4) parlor, (b) (4) cows at the (b) (4) parlor, and (b) (4) cows at the (b) (4) parlor. The (b) (4) parlor was selected to determine the acres of pasture available to the (b) (4) cows milked at this facility. Adding up the acres of the pastures grazed by the cows at (b) (4) equaled (b) (4) acres. With an average of (b) (4) cows this provides (b) (4) ac/cow for grazing.

AOF notes that they practice intensive rotational grazing. On the irrigated fields, the circle is fenced off in pie pieces where cows are grazed in every other section, and rotated around the field. As the field recovers and regrows the animals continue the rotation, and/or are moved to another field ready for grazing.



Handling	Section N/A <u> X </u>
Organic handling requirements (7 CFR § 205.270)	
Facility pest management practice standard (7 CFR § 205.271); pest management practices; pest control practices; substances used to control pests:	
Commingling and contact with prohibited substance prevention practice standard (7 CFR § 205.272)	
Labeling, Labels and Market Information	Section N/A <u> X </u>
Product Composition (ingredients compliant for products represented as 100%, 95%, 70%, <70%, and livestock feed) (7 CFR § 205.301)	
Percentage calculations (7 CFR § 205.302)	
Labeling requirements (7 CFR §§ 205.303-311)	
Pesticide Residue Sampling	Section N/A <u> X </u>
Has the certifier ever collected a sample for testing during any inspection? (7 CFR § 205.670) (pre- or post-harvest?) (periodic residue testing?) <input type="checkbox"/> yes <input type="checkbox"/> no	
Did the inspector provide the applicant with a receipt for any samples taken? (7 CFR § 205.403(e)) <input type="checkbox"/> yes <input type="checkbox"/> no	
Did the operation pay for the testing? (7 CFR § 205.670(b)) <input type="checkbox"/> yes <input type="checkbox"/> no	
Auditor comments – Practice Standards	
The sections below record the auditor’s interviews or observations onsite and how the information obtained is consistent with the certifier’s records. Note any compliancy issues.	
Review Audit – Certification History	
When was the operation first certified? Certified by whom? <u>AOF HP – 2006, with CDA. Livestock transition: 1 year transition on 100% organic feed.</u>	
Has the operation or its responsible parties’ certification ever been suspended or revoked? <input type="checkbox"/> yes <input checked="" type="checkbox"/> no <u>Not to AOF’s knowledge.</u>	
Has the operation ever been granted reinstatement? <input type="checkbox"/> yes <input checked="" type="checkbox"/> no If yes, when?	
Was the operation granted or has it operated under a temporary variance? <input checked="" type="checkbox"/> yes <input type="checkbox"/> no <ul style="list-style-type: none"> <u>In 2014 a temporary variance was granted by the NOP.</u> 	



- Auditor Comments: The temporary variance states “This temporary variance applies from May 1 – July 31. During this time period, Aurora Organic Farms – High Plains does not have to provide grazing from pasture to its organic ruminant livestock.”

Review Audit – Certification Process

Have the operation explain the certification application or annual update process:

Emily Orr explained their annual update process. In the spring they receive a notice from CDA to submit a renewal application. AOF submits their update application to CDA in March, and the inspection occurs before the end of the year. AOF then receives their certificate at the end of the calendar year or early the next calendar year (depending on the timing of the inspection and final review).

Does the operation have a copy or have access to a copy of the regulations? yes no

How does the operation stay current on changes to the regulations, procedures, and polices that might affect the operation?

Emily Orr has signed up for notifications through USDA. Emily attends some NOSB meetings, and CDA will send emails to them if their forms have changed in response to the regulations.

How frequently are certificates provided to the operation?

Annually.

When was the last certificate issued to the operation?

January, 4 2017 for the 2016 certification cycle.

What does the certifier require of the operation when adding new products, inputs, locations, facilities and/or labels?

Emily Orr stated that they submit the following types of forms for their annual update application: Updated maps and facility diagrams, buffers, waterways, and update to SOP if they are different from the other parlors.

Auditor Comments: In 2016, AOF also submitted an updated field history to remove some of the land where the new parlor (b) (4) was built. In December of 2016 AOF submitted documents to add the (b) (4) parlor to their certification. On December 20, 2016 CDA inspected the facility at the end of construction before it was in use. (b) (6), (b) (7)(C) was the inspector, and he toured the barn, parlor, feed bunks and feed storage areas. An inspection report was not processed by CDA and sent to AOF, and a certification letter from CDA approving the new facility was not issued to AOF. See Findings.

(Possible that in 2010 CDA may have conducted an unannounced inspection – Juan couldn’t remember if it was CDA or NOP itself.)

Review Audit – Certifier Inspections

When was the most recent inspection conducted?

Annual - November 9-10, 2016. Facility addition – December 20, 2016.



<p>What type of inspection was conducted? <input type="checkbox"/> Unannounced <input type="checkbox"/> Announced <input checked="" type="checkbox"/> Annual <input type="checkbox"/> Investigative</p>
<p>Was the operation provided with a copy of the inspection report? <input checked="" type="checkbox"/> yes <input type="checkbox"/> no</p>
<p>Did the operator indicate that the inspection report was accurate? <input checked="" type="checkbox"/> yes <input type="checkbox"/> no</p>
<p>Auditor Comments: AOF received a copy of their annual inspection that occurred in November of 2016. However they did not receive a copy of their inspection report for the (b) (4) facility addition.</p>
<p>Review Audit – Minor Issue/Noncompliance/Adverse Action notifications received and outcomes</p>
<p>Has the operation ever received a minor issue notification? <input checked="" type="checkbox"/> yes <input type="checkbox"/> no If so, when and how was it resolved? Emily searched through the AOF certification letters and found that the last minor issue they received was March 31, 2012. The letter noted a request for additional information about specifics in the OSP and payment for fees. AOF resolved this by paying fees and updating the OSP.</p>
<p>Has the operation ever received a notification of noncompliance? <input checked="" type="checkbox"/> yes <input type="checkbox"/> no If so, when? On January 2, 2008 AOF received a Notice of Noncompliance Letter about treated posts that were present and a request for information about how treated fence posts would be handled on the property.</p>
<p>How did the operation respond to the noncompliance(s)? AOF resolved this noncompliance by removing the posts, or creating a set back fence around the posts. AOF attached photos in their response and submitted them to CDA.</p>
<p>Did the certifier send a resolution notification? <input type="checkbox"/> yes <input type="checkbox"/> no If not, how was the noncompliance resolved? An electronic version was not available to confirm that a resolution letter was sent. Emily was not able to find a resolution letter in her records because documents from that time, 2008, may not have all been scanned into their computer records system.</p>
<p>Has the operation ever received an adverse action notification? <input type="checkbox"/> yes <input checked="" type="checkbox"/> no If yes, when?</p>
<p>How was the adverse action resolved? N/A</p>
<p>Auditor Comments:</p>



Review Audit – Auditor findings and citation

Finding 1

NP7162PZA.F7 – 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 2601 states, “Operations must also notify its certifier of any ongoing changes that may affect its compliance with the regulations. If an operation plans to add new products, fields, operations, or labels to its OSP, then the certifier must first approve these changes and issue an updated certificate. A request to add new fields, animal species, or facilities would require an additional onsite inspection.”

Comments: A CDA inspector conducted the inspection of a new facility to be added to a certified operation’s certification, however, an inspection report was not processed or reviewed by CDA and a decision was not issued to the certified operation.

Finding 2

NP7162PZA.F4 – 7 C.F.R. §205.402(a)(2) states, “Determine by a review of the application materials whether the applicant appears to comply or may be able to comply with the applicable requirements of subpart C of this part;…” §205.206(e) states that an Organic System Plan must include, “Additional information deemed necessary by the certifying agent to evaluate compliance with the regulations.”

Comments: The witness audit file reviewed by the auditors, contains a list of previously approved materials. CDA does not note if the material is approved or note when the review was conducted. Therefore, CDA cannot determine when a product is up for re-review.

Finding 3

Finding 4

Review Audit – Auditor follow up requests or activities

Empty box for follow up requests or activities.

From: McEvoy, Miles - AMS
To: [Bradley, Mark - AMS](#)
Cc: [Tucker, Jennifer - AMS](#); [Gebault King, ReneeA - AMS](#); [Claypool, Rebecca E - AMS](#)
Subject: FW: CDA Audit reports
Date: Saturday, June 17, 2017 6:35:48 AM
Attachments: [Pasture and grazing requirements.docx](#)

Mark –

As we discussed yesterday, please start development of a pasture and grazing webinar. A draft outline is attached. Please provide a first draft by the end of June. Work with Jenny and Renee to story board the webinar. Rebecca can provide additional details about the Aurora and CDA audit. Thanks.

Miles

From: Claypool, Rebecca E - AMS
Sent: Friday, June 16, 2017 3:36 PM
To: McEvoy, Miles - AMS <Miles.McEvoy@ams.usda.gov>; Courtney, Cheri - AMS <Cheri.Courtney@ams.usda.gov>; Crail, Lars - AMS <Lars.Crail@ams.usda.gov>
Cc: Zuck, Penelope - AMS <Penelope.Zuck@ams.usda.gov>
Subject: CDA Audit reports

Hello Miles, Cheri and Lars,

I saved the CDA compliance audit reports to the P drive. There are additional grazing season ration workbooks saved there too. I am working on saving some pictures to the folder as well. The transfer is taking a while but I will keep working on it.

In the 2017 Compliance Folder the following documents are available: <P:\AIA\ACA-Active\CDA-CO\Compliance\2017\Aurora Dairy\2017 Compliance Audit\Checklists>

- NP7162PZA 2005-4 Witness Audit AOF HP CDA 061617
- NP7162PZA NOP 2005-6 Audit Review AOF HP CDA 061617
- NP7162PZA NOP 2005 Checklist 061617
- Grazing Season Ration Workbook 2016 Lactating cows
- Grazing Season Ration Workbook 2016 Dry cows

Please let me know if you have any question.
Safe travels to you all this weekend.

Thanks,

Rebecca

Rebecca Claypool
Accreditation Manager
USDA | NATIONAL ORGANIC PROGRAM
1400 Independence Ave SW | 2649-S | Washington DC 20250

Desk: 202-350-5706 | Cell: (b) (6)



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From: Claypool, Rebecca E - AMS
To: [Bradley, Mark - AMS](#)
Subject: maps Aurora HP
Date: Friday, June 23, 2017 6:39:37 PM
Attachments: [IMG_0131.JPG](#)
[IMG_0132.JPG](#)
[IMG_0133.JPG](#)
[IMG_0134.JPG](#)
[IMG_0135.JPG](#)
[IMG_0136.JPG](#)
[IMG_0137.JPG](#)
[IMG_0138.JPG](#)
[IMG_0139.JPG](#)
[IMG_0140.JPG](#)
[IMG_0141.JPG](#)
[IMG_0142.JPG](#)

Rebecca

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From: Claypool, Rebecca E - AMS
To: [Bradley, Mark - AMS](#)
Subject: AOF OSP
Date: Thursday, June 29, 2017 11:34:09 AM

Mark,

Here is the link to the AOF High Plains OSP. The Platteville OSP is in this folder too, but the High Plains files begin with HP.

<P:\AIA\ACA-Active\CDA-CO\Compliance\2017\Aurora Dairy\Renewal>

Link to the feed/pasture docs collected at AOF. I scanned them rather than take pictures.

<P:\AIA\ACA-Active\CDA-CO\Compliance\2017\Aurora Dairy\2017 Compliance Audit\Docs collected at AOF>

Rebecca

Rebecca Claypool

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From: Courtney, Cheri - AMS
To: [Claypool, Rebecca E - AMS](#)
Subject: RE: update and re-cap
Date: Friday, June 30, 2017 8:18:35 PM

Hi Rebecca,

Thank you for the update and being acting for 2 weeks, I know it is a lot of work in addition to completing you own work.

(b) (6) and we can touch base when I return.

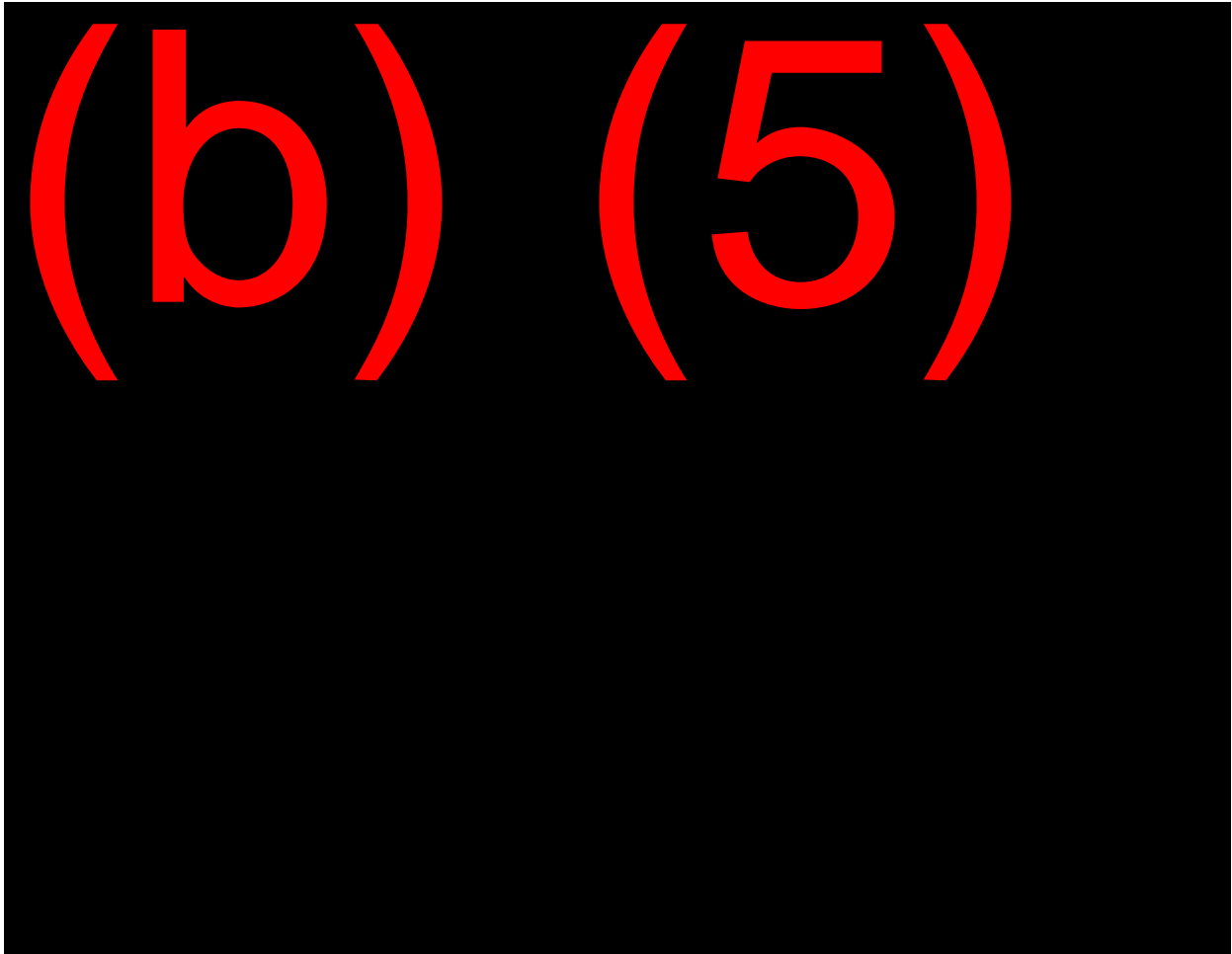
Thanks again,

Cheri

From: Claypool, Rebecca E - AMS
Sent: Friday, June 30, 2017 6:17 PM
To: Courtney, Cheri - AMS <Cheri.Courtney@ams.usda.gov>
Subject: update and re-cap

Hi Cheri,

I hope the trip has gone well. It has been a busy 2 weeks here, as I'm sure you already know. I just wanted to give you a heads up on where some things are. I will also forward you some emails for back ground.



(b) (5)

The rest of my work was general AM stuff, meetings, audit planning, audit clean up, answering email questions and such. Let me know if you want to discuss anything further. The AC meeting process may be good to touch base on when you return. Please let me know if there is anything else I can do or if you have any questions.

Have a terrific holiday!

Rebecca

Rebecca Claypool

Accreditation Manager

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From: Nally Yanessa, Shannon - AMS
To: [Courtney, Cheri - AMS](#)
Subject: AOD OSP/audit report
Date: Wednesday, July 12, 2017 4:34:43 PM

Hi Cheri,

When you have a chance, can you send the Aurora OSP and audit report(s)? Also, who is the lead on this, in case we have questions.

Thanks!
Shannon

Shannon Nally Yanessa

Assistant Director, Standards Division
National Organic Program
U.S. Department of Agriculture
(202) 260-9285 (direct)

From: Claypool, Rebecca E - AMS
To: [McEvoy, Miles - AMS](#); [Bradley, Mark - AMS](#)
Cc: [Davis, Graham - AMS](#)
Subject: RE: Aurora High Plains NONC
Date: Monday, July 3, 2017 12:55:36 PM

Hi Mark,

I made some edits to the AOF NoNC. Feel free to take them or leave them. I did not change the format to match AIA notices of noncompliance, but if that is needed just let me know. Happy to chat about any of the comments too.

Nice work!
Thanks lots,
Rebecca

From: McEvoy, Miles - AMS
Sent: Friday, June 30, 2017 12:40 PM
To: Bradley, Mark - AMS <Mark.Bradley@ams.usda.gov>
Cc: Claypool, Rebecca E - AMS <Rebecca.E.Claypool@ams.usda.gov>; Davis, Graham - AMS <Graham.Davis@ams.usda.gov>
Subject: RE: Aurora High Plains NONC

Thanks Mark. We'll take it from here.

From: Bradley, Mark - AMS
Sent: Friday, June 30, 2017 3:19 PM
To: McEvoy, Miles - AMS <Miles.McEvoy@ams.usda.gov>
Cc: Claypool, Rebecca E - AMS <Rebecca.E.Claypool@ams.usda.gov>; Davis, Graham - AMS <Graham.Davis@ams.usda.gov>
Subject: Aurora High Plains NONC

Miles/Rebecca –

As discussed, here is a link to the draft notice of noncompliance for Aurora High Plains. Letter is addressed to (b) (6) as their notified contact in (b) (4). That may need to change. Graham is their NOP point of contact for the response. Response is to be sent to NOP office or to the NOPACAADVERSEACTIONS inbox.

<P:\AIA\ACA-Active\CDA-CO\Compliance\2017\Aurora Dairy\2017 Compliance Audit\NONC Aurora High Plains 063017.docx>

There were 4 noncompliances identified to 3 sections of the regulations.

- Incorrectly calculating dry matter because they didn't include all of the days in the grazing season calculation.
- Not grazing all ruminant livestock during the entire grazing season for the geographic region.

- Failing to provide pasture of sufficient quality and quantity of pasture throughout the grazing season., and
- Failing to manage all ruminant livestock on pasture and provide daily grazing throughout the grazing season.

I wrote the narrative descriptions based on the onsite reports. Rebecca, if you can read this through closely to make sure I got it right, that would be very helpful.

[REDACTED] (b) (6), (b) (7)(C). This may be out the door before I get back

Thanks, and have a great weekend!

Mark



Mark A. Bradley | Assistant to the Deputy Administrator | 202.690.0725 | FAX 202.205.7808 | Cell
(b) (6)

USDA – AMS – NATIONAL ORGANIC PROGRAM | 1400 Independence Ave. SW | Washington, DC
20250

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From: McEvoy, Miles - AMS
To: [Scott McGinty](#)
Cc: [Claypool, Rebecca E - AMS](#)
Subject: AOD findings
Date: Wednesday, July 5, 2017 10:31:17 AM

Dear Mr. McGinty,

There are findings that were identified based on the June 7-8, 2017 organic compliance audit. These findings will be provided to you tomorrow in the form of an exit interview. Please share with others attending the meeting.

Miles McEvoy
Deputy Administrator
National Organic Program

Gorsage, JoAnna (CTR) - AMS

From: McEvoy, Miles - AMS </O=MMS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=MCEVOY, MILES19F09CBD-BE7F-4909-8DAA-6F3FA5E2BC08>
Sent: Wednesday, July 5, 2017 12:53 PM
To: Claypool, Rebecca E - AMS; Rakola, Betsy - AMS
Subject: FW: Aurora dairy
Attachments: Aurora dairy.msg

From: Crail, Lars - AMS
To: [Davis, Graham - AMS](#)
Cc: [Zuck, Penelope - AMS](#)
Subject: RE: upcoming CDA audit
Date: Saturday, July 8, 2017 8:57:18 AM

Graham, See my responses below.

Lars

From: Davis, Graham - AMS
Sent: Friday, July 7, 2017 1:55 PM
To: Crail, Lars - AMS <Lars.Crail@ams.usda.gov>
Cc: Zuck, Penelope - AMS <Penelope.Zuck@ams.usda.gov>
Subject: upcoming CDA audit

Lars,

I have two questions regarding the upcoming CDA renewal audit?



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: Atkins, Patricia - AMS
To: [Davis, Graham - AMS](#)
Subject: RE: On going complaints
Date: Monday, July 10, 2017 4:10:42 PM

C&E has one open case against Aurora High Plains Dairy (NOPC-253-17), submitted by Cornucopia Institute on May12, 2017.

From: Davis, Graham - AMS
Sent: Monday, July 10, 2017 3:14 PM
To: Atkins, Patricia - AMS <Patricia.Atkins@ams.usda.gov>
Subject: On going complaints

Good afternoon Patricia,

I am gathering information for an upcoming audit. Could you tell me if there are any ongoing complaints in progress with operations certified by Colorado Department of Agriculture?

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: Bradley, Mark - AMS
To: [McEvoy, Miles - AMS](#)
Subject: NONC for Aurora
Date: Wednesday, July 12, 2017 2:12:16 PM

Miles –

(b) (5)



We document it, they fix it, and the regulations have been met.

Thanks,

Mark

From: Zuck, Penelope - AMS
To: [Davis, Graham - AMS](#)
Subject: CDA audit
Date: Tuesday, August 1, 2017 10:37:17 AM
Attachments: [NP7219PZA Checklist CDA Broomfield CO.doc](#)
[image001.png](#)

Hi Graham,

Attached is the checklist for the CDA audit next week. I listed your assigned tasks in the checklist following the Findings Section. Let me know if you have any questions. I downloaded all the files submitted from CDA on the p drive for now:

<P:\AIA\ACA-Active\CDA-CO\2017 Renewal\Submitted Docs>

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 | Cell (b) (6) | ✉ Penelope.Zuck@ams.usda.gov

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National Organic Program Accreditation Assessment Checklist	
Date:	August 7-11, 2017
Assessment Identifier:	NP7219PZA
Assessment Activity: (select one)	<input type="checkbox"/> Documentation Adequacy Review <input type="checkbox"/> Pre-decisional Assessment <input type="checkbox"/> Initial Assessment <input type="checkbox"/> Mid-Term Assessment <input checked="" type="checkbox"/> Renewal Assessment <input type="checkbox"/> Compliance Assessment <input type="checkbox"/> Other
Company Information	
Name of Company:	Colorado Department of Agriculture
Company Address:	305 Interlocken Parkwy
City, State, Zip:	Broomfield, CO 80021
Contact Name:	Mitch Yergert
Title:	Director, Division of Plant Industry
Phone No.:	303.869.9074
Email Address:	Mitchell.yergert@state.co.us
Location(s) of Program Activities:	Broomfield, CO
Standards Applied:	7 CFR Part 205 National Organic Program, Final Rule, dated December 21, 2000; as amended.
Scope of Program Activities:	Crops; Handling; Livestock; Wild Crops. Since the prior on site assessment: June 8-12, 2015



Country(ies) of Operation:	USA
Assessment Team	
Team Leader:	Penny Zuck
Second Auditor:	Graham Davis
Other (Identify Role):	NA



		§ 205.504(c)(1)
120. § 205.504(a)(3)(i)	121. § 205.504(b)(2)	
	§ 205.504(b)(6)	



Subpart G—Administrative Closing Meeting Findings		
§ 205.642		
Compliance		
§ 205.661(a)		
§ 205.663		
158. § 205.670 Inspection and testing of agricultural products to be sold or labeled as “100 percent organic,” “organic,” or “made with organic (specified ingredients or food		
§ 205.672(a)		



Worksheets and Findings	
Table 1	General Certification File Review Information
Table 2	Summary of Certification File Review Information
Table 3	Summary of Full File Reviews
Table 4	Notice of Noncompliance / Adverse Action Worksheet
Table 5	Notice of Noncompliance / Denial of Certification
Table 6a	Label Review Worksheet – “100% Organic” or “Organic”
Table 6b	Label Review Worksheet – “Made with Organic”
Table 6c	Label Review Worksheet – All other labels reviewed
Table 7a	Sample Testing Worksheet – General Information
Table 7b	Sample Testing and Reporting Information
Table 8	Personnel Information Worksheet
Findings	Closing Meeting Findings



1. PLANNING AND SCHEDULING OF THE ASSESSMENT

- Contact the NOP Accreditation and International Activities (AIA) Division Accreditation Manager and determine the scope of the assessment and the onsite assessment plan.
- Send an email using the appropriate template to schedule the onsite assessment. This should be done as early as possible. Planning of foreign assessments should start at least 6 months before the anticipated assessment date. Scheduling of domestic assessments should start no later than 3 months before the anticipated assessment date.
- Once the assessment date is scheduled with the accredited certifying agent (certifier), select the satellite office(s) and witness audit site(s) to be visited during the assessment. Check the AIA database and/or previous audit checklists for operations where witness inspections and review audits took place to avoid visiting the same operations.
- After the assessment sites and onsite schedule have been finalized, complete the audit plan, cost estimate, and appropriate letter regarding the assessment. Send these documents to the NOP Lead Auditor for review and approval.
- Send the above information via email using the appropriate template. *Remember to include attachments in the email and copy all of the personnel listed on the letter.*

2. PRE-ASSESSMENT ACTIVITIES

- Verify that the LPS-109 Application for Service is on file and is the current version. This does not apply to the pre-decisional assessment.
- Verify that form TM-10CG Application for Accreditation is on file and is the current version. This applies to initial and renewal applications only.
- Obtain and review the most recent copy of program documentation from the company.



Title of documentation:	
Date or revision number of documentation:	

- Review the previous audit report.
- Review the previous corrective actions report, as applicable.
- Review previous notices of noncompliance issued to the certifier.
- Receive approval to conduct the assessment activity by obtaining a signed copy of the audit plan and cost estimate from the client.

Audit Schedule:

Date	Day	Location	Hours	Review Activity	Participants	Lodging
Aug 7, 2017	Mon	<ul style="list-style-type: none"> • Depart Washington • Broomfield, CO 	20	<ul style="list-style-type: none"> • Travel from DC to CO – UA403(IAD →DEN) Depart: 08:33, Arrive: 10:24 • Drive to Broomfield, CO • Opening Meeting – 1:00 PM 	NOP: Graham Davis / Penny Zuck	Aloft Broomfield/Denver 8300 Arista Place Broomfield, Co 80021 303.635.2000 \$178/\$69
Aug 8, 2017	Tues	<ul style="list-style-type: none"> • Broomfield, CO • Greeley, CO 	16	<ul style="list-style-type: none"> • Conduct Office Audit • Witness Audit Crops/Handling – Hungenberg Produce, Inc. – 8 AM 	NOP: Graham Davis / Penny Zuck	Aloft Broomfield/Denver 8300 Arista Place Broomfield, Co 80021 303.635.2000
Aug 9, 2017	Wed	<ul style="list-style-type: none"> • Fort Lupton, CO • Longmont, CO 	16	<ul style="list-style-type: none"> • Witness Audit Livestock/Handling - Colorado Egg • Witness Audit Processing – Madhava Honey 	NOP: Graham Davis / Penny Zuck	Aloft Broomfield/Denver 8300 Arista Place Broomfield, Co 80021 303.635.2000
Aug 10, 2017	Thurs	<ul style="list-style-type: none"> • CDA Office Broomfield, CO 	16	<ul style="list-style-type: none"> • Continue Office Audit • Closing Meeting - PM 	NOP: Graham Davis / Penny Zuck	Aloft Broomfield/Denver 8300 Arista Place Broomfield, Co 80021



						303.635.2000
Aug 11, 2017	Fri	• Travel from CO to DC	12	• Travel from CO to DC – UA712 (IAD →DEN) Depart: 11:05, Arrive: 16:25	NOP: Graham Davis / Penny Zuck	NA



3. ONSITE ASSESSMENT ACTIVITIES

Opening Meeting

The purpose of the opening meeting is to confirm the assessment plan, provide a short summary of how the assessment activities will take place, confirm communication channels, and provide an opportunity for the client to ask questions.

- Introduction of participants and their roles.
- Confirmation of assessment objectives, scope, and criteria.
- Confirmation of assessment timetable and any other relevant arrangement.
- Review the assessment plan. Have there been any changes since it was approved?
 - No
 - Yes - What are the changes?
- Review the program documentation. Have there been any changes since the last assessment?
 - No
 - Yes - What are the changes?
- Have findings from previous assessments been addressed? (if applicable)
 - Yes
 - No
- Methods and procedures to be used to conduct the assessment.
- Confirmation of auditee's representative and formal communication channels.
- Confirmation that auditee will be kept informed of assessment process during the assessment.



- Confirmation that the resources and facilities needed by the assessment team are available.
- Confirmation of confidentiality matters.
- Confirmation of relevant work safety, emergency, and security procedures for the assessment team.
- Confirmation of the availability, roles, and identities of guides.
- Provide the method of reporting, and explain that findings (if any are identified) will not be classified as to severity. Determination of whether a finding is a noncompliance will be made by the NOP reviewer.
- Provide an opportunity for the client to ask questions.
- Explain the conditions under which the audit would be terminated.
- Explain that audit findings and associated information is releasable under the Freedom of Information Act (FOIA).
-

Complete the following Attendance List:

Name	Title or Position	Opening	<u>Closing</u>



From Engagement Letter:

In order to be properly prepared for the assessment, please ensure that the following documents are available for review when we arrive to the CDA office:

1. Procedures and checklist or form (if one is used) for how labels are reviewed and approved.
2. Procedures and checklist or form (if one is used) for how inputs, processing aids, and materials are reviewed and approved.
3. A list and the files of operations that surrendered their USDA organic certification.
4. A list of all samples that were collected to verify compliance to the standards since the previous assessment. The list should indicate: sample date; operation; item(s) sampled; reason for sampling; test results; and actions taken by STEL and the operations.
5. A list and the files where the operations were denied certification since the previous onsite assessment.
6. Files where the operations were issued a notice of proposed suspension and a list of the operations (if any) that were issued a notice of proposed suspension since the previous onsite assessment.
7. Files where the operations were issued a notice of proposed revocation and a list of the operations (if any) that were issued a notice of proposed revocation since the previous onsite assessment.
8. Files where operations were issued a notice of suspension or revocation and a list of operations (if any) that were issued a notice of suspension or revocation since the previous onsite assessment.
9. A list of complaints received about certified operations and their files. Include in the list how many investigations have been conducted since the previous onsite assessment and the outcome.
10. A list and information on any willful violations of the USDA organic regulations (if any) and the actions taken by CDA.
11. A list of operations and their files where the operations rebutted a notice of noncompliance and the follow-up actions taken by CDA.
12. A list of operations and their files where the operations requested mediation or appealed a certification decision and the results.



13. A list of operations that export products under any US organic trade agreements (e.g. Canada, Japan, EU, Korea, Taiwan) to include the countries they export to and how many import certificates or attestation statements were provided to those operations since the previous onsite assessment.
14. A list of certification personnel training since the previous onsite assessment.
15. Conflict of Interest and Confidentiality statements for certification personnel.
16. Certification personnel performance evaluations.
17. Certification personnel resumes or curriculum vitae (CVs).
18. CDA's most current Annual Program Review and information on correction of any identified noncompliances.

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...)	Colorado Department of Agriculture, Organic Program Governmental Entity	
2	List the locations (City, State, and Country) where key activities occur and are performed. Also complete Table 9	Broomfield, Colorado, USA	



SECTION I – Certifier Information
[Table of Contents](#) [Closing Meeting Findings](#)

3	List any names and types (organic and nonorganic) of accreditations obtained.	USDA National Organic Program accreditation, Crop, Livestock, Handling scopes, Wild Crop – we are going to discontinue wild crop certification at the end of 2017.	
4	List the types (organic and nonorganic) of certifications and business services offered.	Organic Certification, Organic Export Documentation under Organic Trade Arrangements	
5	List the states (US only) and countries where NOP certification currently occurs.	Colorado	



SECTION I – Certifier Information
[Table of Contents](#) [Closing Meeting Findings](#)

6	<p>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.</p>	<p>Total: 214 NOP certified operations Crop: <u>141</u> Wild-crop: <u>1</u> Livestock: <u>10</u> Handlers: <u>86</u> Grower Groups: <u>0</u> Approximate Handler Types: Processors: <u>79</u> Distributors: <u>7</u> Traders/Brokers: <u>0</u> Retailers: <u>0</u></p> <p>The 214 was at the time of our previous assessment in 2015.</p>	
7	<p>Indicate the number of certified operations on January 2 for all years since the prior assessment. Also include the year of the prior assessment.</p>	<p>Jan 2, 2015 <u>214</u> Jan 2, 2016 <u>204</u> Jan 2, 2017 <u>203</u></p>	

Certification Process



SECTION I – Certifier Information
[Table of Contents](#) [Closing Meeting Findings](#)

8	What does the certifier provide to applicants on the initial application? § 205.501(a)(8)	Please See Attachment A, Organic Certification Application Packet Documents	
9	How are the information, documentation, and/or forms provided to those inquiring about certification? (i.e, hard copy, electronic, etc.)?	Sent upon request electronically, via email (not done at this time due to moratorium on new applicants for program). Will send via USPS if email not available.	
10	Who (job title/position description) conducts the initial review for completeness and ability to comply? Table 8	Program Manager (M. Yergert), Program Assistant (A. Mack), Janis Kieft – is the new program manager as of August 7th.	
11	What is the certifier’s process for identifying the legal status of clients?	Request legal status as part of OSP and review against Colorado Dept. of State Website (see Attachment B --Organic System Plan Review)	
12	Who (job title/position description) reviews labels? Is a checklist used by the reviewer/approver? What records are maintained for approved labels?	Program Manager (M. Yergert), Program Assistant (A. Mack) review labels. No Checklist is maintained; instructions are included in Organic System Plan Review (Attachment B), status of review maintained in Module 50, copies of all labels are maintained in the operation’s electronic OSP folder.	



SECTION I – Certifier Information
[Table of Contents Closing Meeting Findings](#)

13	How are inspectors selected or assigned for inspections? Who assigns inspectors?	Inspectors are selected from staff multiple field inspectors based on training completed, assigned geographical area, and number of consecutive inspections at the same operation. All assigned by Program Manager.	
14	Are inspectors employees or independent contractors?	Employees	
15	Did all certified operations for each calendar year since the prior onsite audit receive inspections?	Yes	
16	Who (job title/position description) reviews the inspection results/report for an initial inspection?	Program Manager, Program Assistant	
17	Who (job title/position description) makes the certification decision for an initial inspection?	Program Manager, Program Assistant	
18	Provide a brief description of the annual update process. § 205.406 Table 3	Please see Attachment C -- Organic System Plan Update Procedures	



SECTION I – Certifier Information
[Table of Contents](#) [Closing Meeting Findings](#)

19	Who (job title/position description) reviews the inspection report, results of analysis conducted (as applicable), and information requested from and provided by continuing operation? Table 8	Program Manager, Program Assistant	
20	Explain the process and documents for providing an initial and an annual cost estimate for certification.	The fee schedule is sent out with the OSP for update or application, when application or update is received, a letter with estimated inspection fees is sent.	
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 action? Table 8	Program Manager, Program Assistant	
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	Program Manager, Program Assistant	
23	How many minor issues have been issued since the last onsite audit?	~300	



SECTION I – Certifier Information
[Table of Contents](#) [Closing Meeting Findings](#)

24	How many noncompliances have been issued since the last onsite audit?	107	
25	How many proposed suspensions have been issued since the last onsite audit?	22	
26	How many proposed revocations have been issued since the last onsite audit?	0	
27	How many certification denials have been issued since the last onsite audit?	1	
28	How many suspensions have been issued since the last onsite audit?	13	
29	How many revocations have been issued since the last onsite audit?	0	
30	How many certified operations are currently appealing issued proposed adverse actions?	1	



SECTION I – Certifier Information			
<u>Table of Contents</u> <u>Closing Meeting Findings</u>			
31	How many settlement agreements were established with operations since the prior onsite audit?	2015: 0 2016: 2 2017: 2	
32	Are settlement agreements in accordance with the guidance provided by the NOP training module? http://www.ams.usda.gov/NOPTraining (Click here)	Yes	
Material Input Review			
33	Does your organization offer material input program services (i.e. issue certificates for organic material inputs)?	No	
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 another certifier, the EPA, or	Please see Attachment D – Input Materials Review Policy	
35	Where in your Quality or Program Manual is your material input procedures described?	In the Input Materials Review Policy (Attached)	
36	Does your organization approve liquid nitrogen fertilizers (LNF) with a nitrogen content greater than 3%?	Only in conjunction with a particular operation’s OSP, and not without verification of inspection by an MRO, per NOP Guidance 5012	



SECTION I – Certifier Information
[Table of Contents](#) [Closing Meeting Findings](#)

Pesticide Residue Sampling

37	Number of pesticide residue tests conducted during the calendar years since the last assessment.	2015: 11 2016: 5 2017: 18 + 1 pending	
38	Was all pesticide sampling conducted by the certifier? If not, explain.	Yes	
39	Describe your organization’s annual sampling program.	A crop is selected for sampling in discussion with the CDA lab. Operations growing the selected crop are chosen, and inspectors assigned	
40	Names of labs conducting pesticide residue analysis for your organization? Are all the labs ISO 17025 accredited?	Pacific Agricultural Laboratory (PAL), who is ISO 17025 accredited, and Colorado Department of Agriculture Laboratory, also ISO 17025 accredited	
41	Are all inspectors equipped and trained to collect samples? What equipment and documents are provided to them?	Yes, PAL Chain of Custody or CDA Residue Testing Form, for equipment, please see Attachment L, Sampling Equipment List, taken from CDA Residue Sampling Procedures and Guidelines (Field Services document)	

Other Accreditation and Certification Information



SECTION I – Certifier Information
Table of Contents Closing Meeting Findings

42	Describe your organization’s record keeping system. For example, all electronic database, all paper documents, hybrid system, etc...	Electronic document control system housed on shared drive, administered by the program manager	
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 complete Table 9.	No	
44	How many unannounced inspections were conducted since the prior onsite audit? § 205.403(a)(2)(i-iii)	2015: 10 2016: 11 2017: 2 (at least 9 more will be conducted prior to Dec. 31 st 2017)	
45	Describe how your unannounced inspections are selected.	Selected based on complaint, risk assessment, and random selection	
46	Number of surrenders since the last onsite audit?	2015: 10 2016: 10 2017: 4	
47	Do you certify Private Label operations that do not physically handle organic products but contract with co-packers?	No operations that are exclusively private label. A few operations certified for processing may have a few items toll produced by another certified organic facility.	



SECTION I – Certifier Information
[Table of Contents](#) [Closing Meeting Findings](#)

48	Describe your organization’s external and internal training program for NOP certification staff and contractors (if applicable)?	2 annual in-house trainings with full organic staff, spring generally April, utilizes information from annual NOP training held at ACA meeting.	
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 inspectors?	Annual performance evaluation based on state HR criteria. All personnel annually evaluated, all inspectors receive annual field evaluations.	
50	Do any certified operations import or export organic products under established organic trade agreements (equivalency, recognition, or export arrangement)?	Yes	
51	Does your organization have the following: If so, please indicate the document name and version.		
	Quality Manual	Yes (not names as such, CDA Policies and Procedures Manual)	
	Organizational Chart	Yes	
	Program Manual	Yes (not names as such, CDA Policies and Procedures Manual)	



SECTION I – Certifier Information
[Table of Contents](#) [Closing Meeting Findings](#)

	Standard Operating Procedures	Yes	
	Control List of documents and forms	Yes	
52	When was the date of the most recent annual review? Who conducted the review?	October 13, 2016, conducted by Don Brooks, Field Services Supervisor, CDA	



CERTIFIER OVERVIEW NARRATIVE:

The Colorado Department of Agriculture (CDA) organic program is a state government certification program based in Broomfield, CO. It was initially accredited as a certifying agent by the USDA National Organic Program (NOP) on October 15, 2002. At the time of the audit, CDA provided organic certification for 287 operations in Colorado or contiguous land areas: crops (159), wild crops (1), livestock (16) and handling (111). The CDA is not currently accepting new clients for certification due to a moratorium imposed by the Colorado legislature. The moratorium was imposed because the legislature determined that the organic program resources (staffing) was at maximum capacity given its current client numbers and budget. There are no satellite offices, although staff inspectors (12) are distributed throughout the state and perform inspections for multiple CDA programs. The CDA organic program is administered by the Organic Program Manager with the assistance of an Organic Certification Specialist. The program is overseen by the Division Director of the CDA.

Current Accreditation –
Type of Audit -
Witness Audits -



1. PROGRAM REQUIREMENTS

Exclusions: Sections not included or addressed in checklist

§ 205.502 **Applying for Accreditation** – Procedural requirements not addressed by auditors.
 § 205.505 **Statement of Agreement** – For reference only. If requirements are not met, cite to the appropriate section(s) of § 205.501.
 § 205.510(c) – (e) – AMS Administrator procedural requirements not addressed by auditors.

§§ 205.400, 205.401 and 205.402 General Requirements, Application, and Review

For audit purposes, § 205.400 or § 205.401 is to be referenced, as applicable. These are requirements for certified operations and not certifiers. If the requirements are not met, cite to the appropriate section—§ 205.402(a)(1) or (3)—and reference this section. The application requirements are reviewed when completing the Certification File Review Worksheets. An overall assessment based on all files reviewed, information gathered during the review of certification process, interviews, and Witness Audit Checklists should be made. Then identify findings under the appropriate requirement.

CHECKLIST SECTION II	Complies ¹			Remarks ²
	Yes	No	N/A	
References: NOP 2605 Reinstating Suspended Organic Operations PM 11-4 Evaluation of Materials Used in Organic Crop, Livestock, and Handling Operations NOP 5031 Certification Requirements for Handling Unpackaged Organic Products				

¹ For each requirement, use an "X" to identify whether the certifier complies, does not comply, or that a requirement is not applicable.

² Provide explanations and/or comments to present evidence of compliance or noncompliance, as applicable. If a requirement is not applicable include why it does not apply.



§§ 205.400, 205.401 and 205.402 General Requirements, Application, and Review

For audit purposes, § 205.400 or § 205.401 is to be referenced, as applicable. These are requirements for certified operations and not certifiers. If the requirements are not met, cite to the appropriate section—§ 205.402(a)(1) or (3)—and reference this section. The application requirements are reviewed when completing the Certification File Review Worksheets. An overall assessment based on all files reviewed, information gathered during the review of certification process, interviews, and Witness Audit Checklists should be made. Then identify findings under the appropriate requirement.

CHECKLIST SECTION II	Complies ¹			Remarks ²
	Yes	No	N/A	
§§ 205.400(c) and 205.670(a) Is there any evidence that a certified operation denied access to a representative of the Administrator, State, or certifier? Table of Contents				



§§ 205.400, 205.401 and 205.402 General Requirements, Application, and Review

For audit purposes, § 205.400 or § 205.401 is to be referenced, as applicable. These are requirements for certified operations and not certifiers. If the requirements are not met, cite to the appropriate section—§ 205.402(a)(1) or (3)—and reference this section. The application requirements are reviewed when completing the Certification File Review Worksheets. An overall assessment based on all files reviewed, information gathered during the review of certification process, interviews, and Witness Audit Checklists should be made. Then identify findings under the appropriate requirement.

CHECKLIST SECTION II	Complies ¹			Remarks ²
	Yes	No	N/A	
<p>§ 205.401 Are all applications complete and do the OSPs meet the requirements for an OSP? Table of Contents</p>				<p>Yes – as documented on Table 3, all applications reviewed were complete and met the requirements for an OSP.</p> <p>No – as documented on Table 3, all applications reviewed were not complete and/or did not meet the requirements for an OSP. As appropriate, noncompliances have been identified on Table 3.</p>
NOP 2005 NOP Accreditation Assessment Checklist Rev08				<p>Approved for Public Release</p>



§§ 205.400, 205.401 and 205.402 General Requirements, Application, and Review

For audit purposes, § 205.400 or § 205.401 is to be referenced, as applicable. These are requirements for certified operations and not certifiers. If the requirements are not met, cite to the appropriate section—§ 205.402(a)(1) or (3)—and reference this section. The application requirements are reviewed when completing the Certification File Review Worksheets. An overall assessment based on all files reviewed, information gathered during the review of certification process, interviews, and Witness Audit Checklists should be made. Then identify findings under the appropriate requirement.

CHECKLIST SECTION II	Complies ¹			Remarks ²
	Yes	No	N/A	
<p>§ 205.402(a)(1) Upon accepting applications does the certifier review the application for completeness? Table of Contents</p>				<p>Yes – as documented on Table 3 the certifier reviewed all applications for completeness.</p> <p>No – as documented on Table 3 the certifier did not review all applications for completeness. As appropriate, NCs have been identified on Table 3.</p>
<p>§ 205.402(a)(2) Does the review include making a determination</p>				<p>Yes – as documented on</p>



§§ 205.400, 205.401 and 205.402 General Requirements, Application, and Review

For audit purposes, § 205.400 or § 205.401 is to be referenced, as applicable. These are requirements for certified operations and not certifiers. If the requirements are not met, cite to the appropriate section—§ 205.402(a)(1) or (3)—and reference this section. The application requirements are reviewed when completing the Certification File Review Worksheets. An overall assessment based on all files reviewed, information gathered during the review of certification process, interviews, and Witness Audit Checklists should be made. Then identify findings under the appropriate requirement.

CHECKLIST SECTION II	Complies ¹			Remarks ²
	Yes	No	N/A	
whether the applicant is in compliance or can comply with the requirements? Table of Contents				Table 3 all applications reviewed were reviewed by the certifier for compliance or the ability to comply. No – as documented on Table 3 not all applications were reviewed by the certifier for compliance or the ability to comply. As appropriate, NCs have been identified on Table



§§ 205.400, 205.401 and 205.402 General Requirements, Application, and Review

For audit purposes, § 205.400 or § 205.401 is to be referenced, as applicable. These are requirements for certified operations and not certifiers. If the requirements are not met, cite to the appropriate section—§ 205.402(a)(1) or (3)—and reference this section. The application requirements are reviewed when completing the Certification File Review Worksheets. An overall assessment based on all files reviewed, information gathered during the review of certification process, interviews, and Witness Audit Checklists should be made. Then identify findings under the appropriate requirement.

CHECKLIST SECTION II	Complies ¹			Remarks ²
	Yes	No	N/A	
				3, Tables 6a , 6b , or 6c .



§§ 205.400, 205.401 and 205.402 General Requirements, Application, and Review

For audit purposes, § 205.400 or § 205.401 is to be referenced, as applicable. These are requirements for certified operations and not certifiers. If the requirements are not met, cite to the appropriate section—§ 205.402(a)(1) or (3)—and reference this section. The application requirements are reviewed when completing the Certification File Review Worksheets. An overall assessment based on all files reviewed, information gathered during the review of certification process, interviews, and Witness Audit Checklists should be made. Then identify findings under the appropriate requirement.

CHECKLIST SECTION II	Complies ¹			Remarks ²
	Yes	No	N/A	
<p>§ 205.402(a)(3) Does the certifier verify that an applicant, who previously applied to another certifier and received a notification of noncompliance or denial of certification, has submitted documentation to support the correction of any noncompliances identified in the notification of noncompliance or denial of certification? Table of Contents</p>				<p>Yes – as documented on Table 3 the certifier verified previous certification activities and results.</p> <p>No – as documented on Table 3 the certifier did not verify previous certification activities and the results on all applications received. As appropriate, NCs have been identified on Table</p>



§§ 205.400, 205.401 and 205.402 General Requirements, Application, and Review

For audit purposes, § 205.400 or § 205.401 is to be referenced, as applicable. These are requirements for certified operations and not certifiers. If the requirements are not met, cite to the appropriate section—§ 205.402(a)(1) or (3)—and reference this section. The application requirements are reviewed when completing the Certification File Review Worksheets. An overall assessment based on all files reviewed, information gathered during the review of certification process, interviews, and Witness Audit Checklists should be made. Then identify findings under the appropriate requirement.

CHECKLIST SECTION II	Complies ¹			Remarks ²
	Yes	No	N/A	
<p>§ 205.402(b)(1) Is the time from receiving the application materials and the review reasonable? Table of Contents</p>				<p>Yes – as documented on Table 1 the time from receiving the application materials and the reviews were reasonable.</p> <p>No – as documented on Table 1 the time from receiving the application materials and the reviews was not always reasonable.</p>
<p>§ 205.402(b)(1) Is the time between receiving an application and</p>				<p>Yes – as documented on</p>



§§ 205.400, 205.401 and 205.402 General Requirements, Application, and Review

For audit purposes, § 205.400 or § 205.401 is to be referenced, as applicable. These are requirements for certified operations and not certifiers. If the requirements are not met, cite to the appropriate section—§ 205.402(a)(1) or (3)—and reference this section. The application requirements are reviewed when completing the Certification File Review Worksheets. An overall assessment based on all files reviewed, information gathered during the review of certification process, interviews, and Witness Audit Checklists should be made. Then identify findings under the appropriate requirement.

CHECKLIST SECTION II	Complies ¹			Remarks ²
	Yes	No	N/A	
communicating the results of the review to an applicant reasonable? Table of Contents				<p>Table 1 the time from receiving the application materials and communicating the results was reasonable.</p> <p>No – as documented on Table 1 the time from receiving the application materials and communicating the results was not always reasonable.</p>



§§ 205.400, 205.401 and 205.402 General Requirements, Application, and Review

For audit purposes, § 205.400 or § 205.401 is to be referenced, as applicable. These are requirements for certified operations and not certifiers. If the requirements are not met, cite to the appropriate section—§ 205.402(a)(1) or (3)—and reference this section. The application requirements are reviewed when completing the Certification File Review Worksheets. An overall assessment based on all files reviewed, information gathered during the review of certification process, interviews, and Witness Audit Checklists should be made. Then identify findings under the appropriate requirement.

CHECKLIST SECTION II	Complies ¹			Remarks ²
	Yes	No	N/A	
§§ 205.402(b)(2) and 205.403(e)(2) Is a copy of the inspection report as approved by the certifier provided to that operation by the certifier? Table of Contents				
§ 205.402(c) Did any clients withdraw their application(s) and if so, was the process in accordance with the requirements? Table of Contents				

§ 205.403 Inspection

Based on a review of the Certification File Review Worksheets, information gathered during the review of the certification process, interviews, and Witness Audit Checklists.



CHECKLIST SECTION III	Complies ³			Remarks ⁴
	Yes	No	N/A	
References: NOP 2609 Unannounced Inspections				
§ 205.403(a)(1) Does the certifier conduct initial onsite inspections of each production unit, facility, and site that produces or handles organic products and that is included in the operation for which certification is requested, on all applicants? Also see Continuing Certification (§ 205.406(b)) Table of Contents				
§§ 205.403(a)(2)(i)-(iii) Does the certifier conduct unannounced inspections on 5% of the total certified operations per year, or at least one (1) unannounced inspection per year if the certifier has less than 20 certified operations? Table of Contents § 205.504(b)(2) Unannounced Inspections General Information Section				Yes – the certifier conducted unannounced inspections on 5% of the total certified operations in ____. or Yes – the certifier conducted at least one (1) unannounced inspection of a certified operation. <i>For either statement include objective evidence,</i>

³ For each requirement, use an "X" to identify whether the certifier complies, does not comply, or that a requirement is not applicable.

⁴ Provide explanations and/or comments to present evidence of compliance or noncompliance, as applicable. If a requirement is not applicable include why it does not apply.



§ 205.403 Inspection

Based on a review of the Certification File Review Worksheets, information gathered during the review of the certification process, interviews, and Witness Audit Checklists.

CHECKLIST SECTION III	Complies ³			Remarks ⁴
	Yes	No	N/A	
				<p><i>including how many unannounced inspections were conducted, total number of certified operations, and the time period/year being discussed.</i></p> <p>No – as identified in § 205.501(a)(21) of this checklist, the certifier did not conduct unannounced inspections on 5% of the total certified operations per year.</p> <p>or</p> <p>No – as identified in § 205.501(a)(21) of this checklist, the certifier had ___ certified operations</p>



§ 205.403 Inspection

Based on a review of the Certification File Review Worksheets, information gathered during the review of the certification process, interviews, and Witness Audit Checklists.

CHECKLIST SECTION III	Complies ³			Remarks ⁴
	Yes	No	N/A	
				but did not conduct at least one (1) unannounced inspection per year. <i>For either statement include objective evidence, including how many unannounced inspections were conducted, total number of certified operations, and the time period/year being discussed.</i>
NOP 2609 Unannounced Inspections Are the certifier's written policies/procedures for conducting unannounced inspections and inspector access to certified facilities provided to all certified operations and inspectors? Table of Contents § 205.501(a)(8) § 205.504(b)(2) Unannounced Inspections				Yes – the certifier's written policies/procedures for conducting unannounced inspections and inspector access to certified facilities was provided to all



§ 205.403 Inspection

Based on a review of the Certification File Review Worksheets, information gathered during the review of the certification process, interviews, and Witness Audit Checklists.

CHECKLIST SECTION III	Complies ³			Remarks ⁴
	Yes	No	N/A	
				certified operations and inspectors. No – the certifier’s written policies/ procedures for conducting unannounced inspections and inspector access to certified facilities was not provided to all certified operations and/or inspectors. <i>For either statement include objective evidence.</i>



§ 205.403 Inspection

Based on a review of the Certification File Review Worksheets, information gathered during the review of the certification process, interviews, and Witness Audit Checklists.

CHECKLIST SECTION III	Complies ³			Remarks ⁴
	Yes	No	N/A	
<p>NOP 2609 Unannounced Inspections Were unannounced inspections conducted following the guidance of NOP 2609 and the certifier's policies/procedures; and was the reason the operation was chosen for the unannounced inspection disclosed to the operation? Table of Contents General Information Section</p>				
<p>§ 205.403(b)(1) Are all inspections conducted within a reasonable time after the determination that the applicant appears to comply or can comply with the requirements? Table of Contents</p>				<p>Yes – as documented on Table 1 inspections were conducted within a reasonable time after the determination that the applicant appears to comply or could comply with the requirements.</p> <p>No – as documented on Table 1 inspections</p>



§ 205.403 Inspection

Based on a review of the Certification File Review Worksheets, information gathered during the review of the certification process, interviews, and Witness Audit Checklists.

CHECKLIST SECTION III	Complies ³			Remarks ⁴
	Yes	No	N/A	
				were not always conducted within a reasonable time after the determination that the applicant appeared to comply or could comply with the requirements.
<p>§ 205.403(b)(2) Are all inspections conducted when an authorized representative of the operation who is <u>knowledgeable</u> about the operation is present <u>and</u> at a time when land, facilities, and activities that demonstrate the operation's compliance with or ability to comply with the applicable provisions of subpart C can be observed? Table of Contents</p>				
<p>§ 205.403(c)(1) Do all inspections verify the operation's compliance or ability to comply with the Act and the regulations? Table of Contents</p>				



§ 205.403 Inspection

Based on a review of the Certification File Review Worksheets, information gathered during the review of the certification process, interviews, and Witness Audit Checklists.

CHECKLIST SECTION III	Complies ³			Remarks ⁴
	Yes	No	N/A	
<p>§ 205.403(c)(2) Do all inspections verify that the information (including the OSP) provided in accordance with §§ 205.401, 205.406, and 205.200, accurately reflect the practices used or to be used by the applicant or certified operation? Table of Contents</p>				
<p>§ 205.403(c)(3) Do all inspections verify that the operation had not applied and is not applying prohibited substances? Table of Contents Table 3</p>				



§ 205.403 Inspection

Based on a review of the Certification File Review Worksheets, information gathered during the review of the certification process, interviews, and Witness Audit Checklists.

CHECKLIST SECTION III	Complies ³			Remarks ⁴
	Yes	No	N/A	
<p>§ 205.403(d) Do inspectors conduct an exit interview with an authorized representative of the operation who is knowledgeable about the inspected operation <u>to confirm the accuracy and completeness</u> of inspection observations and information gathered during the onsite inspection?</p> <p>Does the exit interview(s) address the need for any <u>additional information</u> as well as any <u>issues of concern</u>?</p> <p>Table of Contents Table 3</p>				

§ 205.404 Granting Certification

Based on a review of the Certification File Review Worksheets, information gathered during the review of the certification process, interviews, and Witness Audit Checklists.

CHECKLIST SECTION IV	Complies ⁵	Remarks ⁶

³ For each requirement, use an "X" to identify whether the certifier complies, does not comply, or that a requirement is not applicable.

⁶ Provide explanations and/or comments to present evidence of compliance or noncompliance, as applicable. If a requirement is not applicable include why it does not apply.



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National Organic Program

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	Yes	No	N/A	
References: NOP 2603 Organic Certificates NOP 2605 Reinstating Suspended Organic Operations PM 11-4 Evaluation of Materials Used in Organic Crop, Livestock, and Handling Operations				