§ 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**	
§ 205.404(a) Does the certifier meet the requirements of § 205.404(a) by: reviewing the inspection report, sample results, and any additional information within a reasonable time after the inspection; 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 (if the certification is granted and included requirements for the correction of minor noncompliances) indicating they have to be addressed within a specified time period as a condition of continued certification? Table of Contents				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. No – as documented on Table 1 and/or Table 3 the certifier did not meet the requirements of § 205.404(a).

§ 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**	
§ 205.404(b) Does the certifier issue a certificate of organic operation in all cases where certification is granted? Table of Contents				Yes – as documented on Table 3 the certifier issued a certificate in all cases where certification was granted. No – as documented on Table 3 the certifier did not issue a certificate in all cases where certification was granted.
§ 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				Yes – as documented on Table 3 all certificates reviewed contained the required information.

§ 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**	
				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 Although not identified as a NC as documented on Table 3 not all certificates contained the additional information and statements as

§ 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**	
				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 provide a written notification of noncompliance 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				Yes – as documented on Table 5 the certifier provided a written notification of

[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**	
compliance with the requirements? Table of Contents				noncompliance to all applicants who were not able to comply or were not in compliance with the requirements. No – State objective evidence, including NC's identified on Tables 6a, 6b, or 6c.
§ 205.405(a) If the certifier issued any combined notice of noncompliance and denial of certification, does it meet the requirements for both notifications? Table of Contents				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.

§ 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**	
				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. N/A – no combined notice(s) of noncompliance and denial of certification were issued by the certifier.

§ 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**	
§ 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				Yes – as documented on Table 5, notices of noncompliance that were issued contained the required information. No – as documented on Table 5, notices of noncompliance that were issued did not contain the required information.
§ 205.405(c)(1) In cases when the applicant provided corrective actions or a rebuttal, does the certifier: evaluate the rebuttal or corrective actions taken and supporting documentation;				Yes – as documented on Table 5, in cases when the applicant provided corrective actions or a rebuttal, the

§ 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**	
issue the applicant an approval of certification if the corrective action or rebuttal is sufficient for the applicant to qualify for certification; or issue the applicant a written notice of denial of certification when the corrective action or rebuttal is not sufficient for the applicant to qualify for certification? Table of Contents				certifier took appropriate action in accordance with § 205.405(c)(1). No – as documented on Table 5, in cases when the applicant provided corrective actions or a rebuttal, the certifier did not always take appropriate action in accordance with § 205.405(c)(1).

§ 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**	
§ 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				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. 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.

§ 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**	
§ 205.405(c)(3) Does the certifier provide all notices of approval or denials to the Administrator? Table of Contents				Yes – as identified in § 205.501(a)(15)(i), all notices of approval or denials were submitted to the Administrator. No – as identified in § 205.501(a)(15)(i) not all notices of approval or denials were submitted to the Administrator.

§ 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**	
§§ 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				Yes – as documented on Table 5, all denials of certification contained the required information. No – as documented on Table 5, not all denials of certification contained the required information. N/A – the certifier did not issue any denials of certification.

§ 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**	
§ 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 treat the application as a new application and begin a new application process? Table of Contents				

§ 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**	

[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**	
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

§ 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**	
				paid their annual certification fees as required.
§ 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				Yes – as documented on Table 1, after receipt the certifier reviewed all updated OSPs to see if they met the requirements. No – as documented on Table 1, the certifier did not review all updated OSPs received to see if they met the requirements.

§ 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**	
§§ 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				Yes – as documented on Table 1, after receipt of updated OSPs the certifier conducted an onsite inspection within a reasonable time. No – as documented on Table 1, after receipt of updated OSPs the certifier did not conduct all onsite inspections within a reasonable time.
§ 205.406(c) Does the certifier provide a written notification of noncompliance to all operations in accordance with				Yes – as documented on Table 4 and

§ 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**	
§ 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				§ 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. No – as documented on Table 4 or Tables 6a, 6b, or 6c, and § 205.662(a) of this checklist after the onsite inspection

§ 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**	
				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 requirements.
§ 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				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

§ 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**	
				specified on the previous certificate changed. 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.

§ 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 sufficient expertise 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. *(Auditor should revise statement as appropriate.)* No – as documented on Table 8 and personnel interviews

[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	**Complies[11]**			**Remarks[12]**
	Yes	**No**	**N/A**	
				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. *(Auditor should revise statement as appropriate and be specific to area that is lacking.)*
§ 205.501(a)(2) Does the certifier demonstrate the ability to fully comply with the requirements for accreditation? Table of Contents				
§205.501(a)(3) Does the certifier carry out the provisions of the Act and the regulations, including the provisions of §§ 205.402 through 205.406 and 205.670? Table of Contents				
§ 205.501(a)(4) Does the certifier use a sufficient number of				Yes – as documented on

§ 205.501 General Requirements for Accreditation				
CHECKLIST SECTION VII	**Complies[11]**			**Remarks[12]**
	Yes	**No**	**N/A**	
adequately trained personnel, including inspectors and certification review personnel, to comply with and implement the organic certification program? Table of Contents				Table and/or personnel interviews conducted, the certifier had a sufficient number of adequately trained personnel. *(Auditor should revise statement as appropriate.)* No – as documented on Table 8 and/or personnel interviews conducted, the certifier did not have a sufficient number of adequately trained personnel. *(Auditor should revise statement as appropriate and be specific to area that*

§ 205.501 General Requirements for Accreditation				
CHECKLIST SECTION VII	**Complies[11]**			**Remarks[12]**
	Yes	**No**	**N/A**	
				is lacking—inspectors, certification personnel, etc.)
§ 205.501(a)(5) Does the certifier ensure certification personnel have sufficient expertise in organic production or handling techniques to successfully perform the duties assigned? Table of Contents				Yes – as documented on Table 8, the certifier ensured certification personnel had sufficient expertise in organic production or handling techniques. No – as documented on Table 8 and/or personnel interviews conducted, the certifier did not ensure certification personnel had sufficient expertise in organic

§ 205.501 General Requirements for Accreditation				
CHECKLIST SECTION VII	**Complies[11]**			**Remarks[12]**
	Yes	**No**	**N/A**	
				production or handling techniques. *(Auditor should revise statement as appropriate and be specific to area that is lacking—inspectors, certification personnel, etc.)*

§ 205.501 General Requirements for Accreditation				
CHECKLIST SECTION VII	**Complies[11]**			**Remarks[12]**
	Yes	**No**	**N/A**	
§ 205.501(a)(6) Does the certifier conduct annual performance evaluations of all certification personnel in accordance with § 205.501(a)(6)? Table of Contents				Yes – as documented on Table 8, the certifier conducted performance evaluations of all certification personnel as required. No – as documented on Table 8, the certifier did not conduct performance evaluations of all certification personnel as required.

§ 205.501 General Requirements for Accreditation				
CHECKLIST SECTION VII	**Complies[11]**			**Remarks[12]**
	Yes	**No**	**N/A**	
§ 205.501(a)(7) Does the certifier have an annual program review of its certification activities conducted by someone who has expertise to conduct the reviews? Does the certifier implement measures to correct any noncompliances that are identified in the evaluation? Table of Contents				
§ 205.501(a)(8) Does the certifier provide sufficient information to persons seeking certification to enable them to comply with the Act and the regulations? Table of Contents General Information Section				
§ 205.501(a)(9) Does the certifier maintain all records pursuant to §205.510(b) and make all such records available for inspection and copying during normal business hours? Table of Contents Table 7b				

§ 205.501 General Requirements for Accreditation				
CHECKLIST SECTION VII	**Complies[11]**			**Remarks[12]**
	Yes	**No**	**N/A**	
§ 205.501(a)(10) Does the certifier maintain strict confidentiality 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)				
Does the certifier prevent conflicts of interest by:				
§ 205.501(a)(11)(i) Not certifying a production or handling operation if the certifier or a responsibly connected party of such certifier has or has held a commercial interest in the production or handling operation? Table of Contents Table 8 Table 8 Findings				

§ 205.501 General Requirements for Accreditation				
CHECKLIST SECTION VII	**Complies[11]**			**Remarks[12]**
	Yes	**No**	**N/A**	
§ 205.501(a)(11)(ii) Excluding any person, including contractors, 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				
§ 205.501(a)(11)(iii) Not permitting any employee, inspector, contractor, or other personnel to accept payment, gifts, or favors of any kind, other than prescribed fees, from any business inspected. Table of Contents				
§ 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.				
§ 205.501(a)(11)(v) Requiring all certification personnel and responsibly connected parties to complete an annual conflict of interest disclosure report.				Yes – as documented on Table 8, the certifier required all

§ 205.501 General Requirements for Accreditation				
CHECKLIST SECTION VII	**Complies[11]**			**Remarks[12]**
	Yes	**No**	**N/A**	
Table of Contents				certification personnel and responsibly connected parties to complete an annual conflict of interest disclosure report. 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.

§ 205.501 General Requirements for Accreditation				
CHECKLIST SECTION VII	**Complies[11]**			**Remarks[12]**
	Yes	**No**	**N/A**	
§ 205.501(a)(11)(vi) Ensuring that the decision to certify an operation is made by a person different from those who conducted the review of documents and onsite inspection. Table of Contents				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. 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.

A private or governmental entity accredited as a certifier under this subpart must:				
§ 205.501(a)(12)(i) Reconsider a certified operation's application 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 had a conflict of interest involving the applicant. Table of Contents Table 8 Table 8 Findings				
§ 205.501(a)(12)(ii) Refer a certified operation 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 had a conflict of interest involving the applicant. Table of Contents Table 8 Table 8 Findings				
§ 205.501(a)(13) Accept the certification decisions made by another certifier accredited or accepted by USDA. Table of Contents				

§ 205.501(a)(14) Refrain from making false or misleading claims about its accreditation status, the USDA accreditation program for certifiers, or the nature or qualities of products labeled as organically produced. Table of Contents				
§ 205.501(a)(15)(i) Submit to the Administrator 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)				Yes – as documented in § 205.405(c)(3) of the checklist and Table 4, the certifier submitted all notifications to the Administrator as required. 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.

§ 205.501(a)(15)(ii) Submit to the Administrator 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				
§ 205.501(a)(16) Charge applicants 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				
§ 205.501(a)(17) Pay and submit fees to AMS in accordance with § 205.640. Table of Contents				
§ 205.501(a)(18) Provide the inspector, prior to each onsite inspection, with previous onsite inspection reports, and notify the inspector 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				

§ 205.501(a)(19) Accept all production or handling applications 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				
§ 205.501(a)(20) Demonstrate its ability to comply with a State's organic program to certify organic production or handling operations within the State. Table of Contents				
§ 205.501(a)(21) Comply with, implement, and carry out any other terms and conditions determined by the Administrator to be necessary. Table of Contents				
§ 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. *Provided,* That, the certifier: Does not require use of 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				

§ 205.501(b)(2) *Provided,* That, the certifier: Does not require compliance with any production or handling practices other than those provided for in the Act and the regulations in this part as a condition of using its identifying mark. Table of Contents				
A private entity accredited as a certifier must:				
§ 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. Table of Contents				
§ 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. Table of Contents				
§ 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. Table of Contents				

§ 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. Table of Contents				

§ 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:				

[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**	
§ 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 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	
§ 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				
§ 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				

§ 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	
§ 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				
§ 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				

§ 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				

[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	
§ 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				

§ 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**	
§ 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				
§ 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				
Administrative Policies and Procedures				
§ 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				

§ 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**	
§ 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				
§ 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? (*This can be a separate policy/procedure.*) Table of Contents § 205.403(a)(2)(i)-(iii)				

§ 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	
§ 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)				
§ 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				
§ 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)				

§ 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**	
§ 205.504(b)(6) A copy of the procedures to be used for sampling and residue testing pursuant to § 205.670. Table of Contents				

Conflicts of Interest				
§ 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				
§ 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				
An applicant who currently certifies production or handling operations must submit:				
§ 205.504(d)(1) A list of all production and handling operations currently certified by the applicant. Table of Contents				
§ 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				

§ 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				
§ 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				

§ 205.510 Annual Report, Recordkeeping, and Renewal of Accreditation				
CHECKLIST SECTION X	**Complies[17]**			**Remarks[18]**
	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				

[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.

§ 205.510 Annual Report, Recordkeeping, and Renewal of Accreditation				
CHECKLIST SECTION X	**Complies[17]**			**Remarks[18]**
	Yes	**No**	**N/A**	
§ 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				

Certifiers must maintain records according to the following schedule:				
§ 205.510(b)(1) Records obtained from applicants for certification and certified operations must be maintained for not less than 5 years beyond their receipt; Table of Contents § 205.501(a)(9)				
§ 205.510(b)(2) Records created by the certifier regarding applicants for certification and certified operations must be maintained for not less than 10 years beyond their creation; and Table of Contents				
§ 205.510(b)(3) Records created or received by the certifier pursuant to the accreditation requirements of subpart F, excluding any records covered by § 205.510(b)(2), must be maintained for not less than 5 years beyond their creation or receipt. Table of Contents				
Amending Accreditation				

§ 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				

§ 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				Yes – As documented on Table 3, the fee schedule provided to applicants was the same as the one provided to the Administrator. No – As documented on Table 3, the fee schedule provided to applicants was not the same as the one provided to the Administrator.
§§ 205.501(a)(16) and 205.642				Yes – As

[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	**Complies[19]**			**Remarks[20]**
	Yes	**No**	**N/A**	
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				documented on Table 3, the fees charged to operations for certification were consistent with the fee schedule filed with the Administrator. No – As documented on Table 3, the fees charged to operations for certification were not consistent with the fee schedule filed with the Administrator.

§ 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 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	**Complies[21]**			**Remarks[22]**
	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**	
§ 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)				Yes – As documented on Table 4, written notifications of NCs were sent to certified operations as appropriate. No – As documented on Table 4, written notifications of NCs were not sent to certified operations as appropriate.

§ 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**	
§ 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				Yes – As documented on Table 4 (Continuing) or Table 5 (Denial), written notifications of NCs included the required information. No – As documented on Table 4 (Continuing) or Table 5 (Denial), written notifications of NCs did not include all required information.
§ 205.662(b) Does the certifier send the certified operation a written notification of noncompliance **resolution**				Yes – As documented on Table 4, a written

§ 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**	
after the certified operation demonstrates that each noncompliance is resolved? Table of Contents				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**	
§ 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				Yes – As documented on Table 4, a written notice of proposed suspension or revocation was sent to certified operations as appropriate. No – As documented on Table 4, a written notice of proposed suspension or revocation was not sent to all certified operations as appropriate.
§§ 205.662(c)(1) – (4) Do all Notifications of Proposed Suspension / Proposed Revocations include: the reasons for the				Yes – As documented on Table 4, all

§ 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**	
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				notifications of proposed suspension or revocation issued to certified operations contained the required information. No – As documented on Table 4, not all notifications of proposed suspension or revocation issued to certified operations contained the required information.
§ 205.662(d) If the certifier or State organic program has reason to believe that a certified operation willfully violated				Yes – As documented on Table 4,

§ 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**	
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				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. 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

§ 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**	
				revocation as required. N/A – there were no willful violations identified by the certifier.
§ 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				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. No – As documented on

§ 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**	
				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.
§ 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				Yes **(certifier does not comply)** – As documented on Table 4, a notification of suspension or revocation was sent to a certified operation during the time mediation and/or an appeal was pending.

§ 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**	
				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. N/A – there were no requests for mediation or appeals filed.
§ 205.662(g) Violations of Act Has the certifier fined operations as a result of any noncompliance issues? 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	**Complies[21]**			**Remarks[22]**
	Yes	**No**	**N/A**	
§ 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				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. 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.

§ 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**	
§ 205.663 In all instances where mediation is requested, is the request from the applicant or certified operation in writing? Table of Contents				
§ 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				
§ 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				

[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**	
§ 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				
§ 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 *(When a certifier accepts mediation, the certifier can send a settlement agreement to the operator for consideration with its mediation acceptance letter.)*				

§ 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**	
§ 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 *(The proposed settlement may be included as an alternative to an adverse action, but cannot be included in the adverse action notices.)*				
§ 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				

§ 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**	
§ 205.663 Is an agreement reached no more than 30 days following the mediation session? Table of Contents				
§ 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 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 and the certified operation ?				

§ 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**	
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**	

[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**	
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				
§ 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				Yes – as documented on Table 7b, operations were provided receipts for samples taken. No – as documented on Table 7b, not all operations were provided receipts for samples taken.
§ 205.403(e)(1) Is there any objective evidence that inspectors were charged for the samples taken?				

§ 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	
§§ 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				Yes – as documented on Table 7b, testing was paid for by the requesting official and not the charged to the operations. No – as documented on Table 7b, not all testing was paid for by the requesting official and was charged to the operation(s).

§ 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				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. 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.
§ 205.670(e) Are samples collected by an inspector representing the certifier, State, or Administrator as applicable? Table 7b A Table of contents				Yes – as documented on Table 7b, samples were collected by an inspector representing the certifier, State, or Administrator as applicable. No – as documented on Table 7b, not all samples were collected by an inspector representing the certifier, State, or Administrator as applicable.

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

methodology? Table 7b E Table of contents				approved *AOAC* or other validated methodology. No – as documented on Table 7b, not all samples were tested in accordance with an approved *AOAC* or other validated methodology.
§§ 205.670(f) Are test results available for public access, unless the testing is part of an ongoing compliance investigation? Table of contents				

§§ 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)				Yes – as documented on Table 7b, a copy of the test results was provided to the applicants and/or certified operations. No – as documented on Table 7b, copies of test results were not provided to all applicants and/or certified operations.
§ 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? *(Test results that exceed federal regulatory tolerances must also be reported to the appropriate State health agency or foreign equivalent.)* Table 7b I and J Table of contents				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.

				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. N/A – as documented on Table 7b, there were no test results that exceeded the FDA's or EPA's regulatory tolerance.
§ 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				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. No (**ACA Complies**) – 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 not allowed to be represented as organic. 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.
§ 205.671 Are investigations conducted to determine the cause of the prohibited substance? Table 7b 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				

[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**	
§ 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				
§ 205.672(b)(2) The offspring of gestating mammalian breeder stock treated with a prohibited substance may be considered organic: *Provided that*, 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				

§ 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**	
References: NOP 2403 Certifying Agents Approved to Issue TM-11 Export Certificates under an Export Arrangement between the USDA and a Foreign Government				
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.				
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				
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				

[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 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 (*streptomycin for fire blight control*) 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				

§ 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 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				
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				

§ 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**	
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**	
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				
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				
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				

§ 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 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				
U.S. – Canada Organic Equivalency Arrangement (USCOEA) Please mark "N/A" if the certifier does not have any current clients shipping to Canada or receiving product from Canada.				
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				
Does the certifier have a system in place to review and verify the terms of the arrangement? 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 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 (with the exception of ruminants) were produced according to livestock stocking rates as set out in CAN /CGSB32.310-2006? 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 agricultural products being sold or shipped to Canada and received from Canada under the arrangement are accompanied by an attestation statement (*Certified in compliance with the terms of the U.S.-Canada Organic Equivalency Arrangement*) 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				
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				

§ 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 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				
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				
U.S. - Japan Organic Equivalency Arrangement Please mark "N/A" if the certifier does not have any current clients shipping to Japan.				
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 *All USDA-accredited certifiers may issue TM-11 certificates to Japan.* Table of Contents				
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				

Does the certifier have a system in place to review and verify the terms of the arrangement? Table of Contents				
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				
Does the certifier keep a paper-based or electronic control log that records and tracks the disposition of each export certificate? Table of Contents				
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				
Were export certificates issued for all organic plants, including fungi, and plant-based processed products that were exported to Japan? *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:* • *the name of the certified alcoholic beverage;*				

• *the name and address of the certified farm or brewery;* • *the number and date of certification;* • *the address and name of the operator;* • *the country of origin; and* • *the name and address of the certifying body.* Table of Contents				
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? *Products not regulated by the JAS law—such as meat, dairy products, or alcoholic beverages, cannot be labeled with the JAS organic seal under the terms of the arrangement.*				
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? List of JAS Certified Importers Table of Contents				
Export Arrangement with Taiwan Please mark "N/A" if the certifier does not have any current clients shipping to Taiwan.				

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				
Were all TM-11 Export Certificates issued only to U.S. certified operations selling and/or shipping to Taiwan? Table of Contents				
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				
Does the certifier have a system in place to review and verify the terms of the arrangement? Table of Contents				
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				
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				

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				
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				
Did all export certificates that were issued under the Taiwan arrangement for processed products and crops have the required statement, "*Organic agricultural products and organic processed products, accompanied by this certificate, were produced or processed using zero prohibited substances*"? Table of Contents				
Did all export certificates that were issued under the Taiwan arrangement for livestock and meat products have the required statement, "*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*?" Table of Contents				

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) –
  - ☐ Positive Aspect (2) –
  - ☐ Positive Aspect (3) –
- ☐ Present any items that require further guidance and consideration by the NOP.
  - ☐ Pending Item (1) –
  - ☐ 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)

NP5159RKA.NC1 – Accepted. 7 CFR §205.501(a)(21), states that certifiers must "Comply with, implement, and carry out any other terms and conditions determined by the Administrator to be necessary." NOP 2613, Responding to Results from Pesticide Residue Testing, Section 5.3.1.a.2 instructs certifiers that when the pesticide test analysis results indicate detection below 5 percent of the EPA tolerance, but above .01 ppm, they are required to assess why the residue is present.

2015 Comments: *The certifier correctly issued a letter to an operation to investigate the source of contamination (Chlorpropham .592 mg/g) including a date by which the operation was to respond. The operation did not respond by the specified date and the certifier did not conduct a follow up. Therefore, the certifier was unable to assess why the residue was present and to determine if a noncompliance should be issued to the operation.*

2015 Corrective Action: CDA updated their Organic Policy and Procedure Manual regarding procedures when residue tests show positive results below 5% of the EPA tolerance. CDA will issue a notice of noncompliance to operations that do not respond to their letter of investigation within the time period stated in the letter. A notice of noncompliance was sent to the operation regarding no response to the letter investigating the source of the contamination.

Verification of Corrective Action:

NP5159RKA.NC2 – **Accepted**. 7 CFR §205.501(a)(21), states that certifiers must "Comply with, implement, and carry out any other terms and conditions determined by the Administrator to be necessary." NOP 4009, "Who Needs to be Certified?" provides clarification to certifiers regarding the certification requirements for operations that produce or handle agricultural products to be sold, labeled or represented as organic.

2015 Comments: *During the witness audit of a fruit producer, the auditor identified that one of the apple orchards listed in the operation's OSP should be considered a separate certified entity. Under the current arrangement between the orchard owner and the certified operation, the orchard owner is under contract to sell his harvested fruit to the certified operation, but the certified operation does not manage the orchard (i.e. conduct cultural practices, pay labor, etc.), does not purchase and apply inputs, and does not maintain all the records that demonstrate compliance to the regulations.*

2015 Corrective Action: CDA issued a notice of noncompliance to the fruit producer, identifying that contracted farming operations are not allowed to be certified under another entity's certificate. CDA provided training for inspectors on June 26, 2015, regarding NOP Instruction 4009 and a Training Attendance sign-in sheet was submitted.

Verification of Corrective Action:

NP5159RKA.NC3 – **Accepted**. 7 CFR §205.403(c)(1) states that, "The on-site inspection of an operation must verify:.. The operation's compliance or capability to comply with the Act and the regulations in this part…"

2015 Comments: *During a witness audit, the inspector did not fully verify whether the contracted or rented fields in the operator's OSP were under the control (management) of the certified operation.*

2015 Corrective Action: A new inspection report cover sheet was created to be used in conjunction with new OSP module system being developed. Included in the cover sheet is a question specifically requesting information regarding control/management of rented portions of the certified operation. CDA trained inspectors on April 7, 2016, regarding use of new inspection forms and the cover letter.

Verification of Corrective Action:

NP5159RKA.NC4 – Accepted. 7 CFR §205.403(d) states that during an exit interview, "the inspector must…address…any issues of concern."

2015 Comments: *During a witness audit of a split and parallel operation, the inspector did not identify as an issue of concern the lack of adequate controls to prevent contamination of products or fields. The storage of pesticides and fertilizers did not have a clear separation of approved and unapproved input materials. Input materials were located at spray rig filling stations in drums that were unlabeled. Brand names and sources are not listed on the OSP Input List; instead, some materials are listed with a generic identification: e.g. garlic oil, manganese, iron, sodium bicarbonate.*

2015 Corrective Action: CDA updated the Crop OSP Module 10 Soil.Ferility Inputs and Module 12 Weed.Pest.Disease Inputs to require the operation to include product names and manufacturers, to ensure full information (rather than just generic names) are included in the OSP. CDA also provided training on June 26, 2015, to inspectors regarding identifying issues of concern during inspections.

Verification of Corrective Action:

NP5159RKA.NC5 - 7 CFR §205.402(a)(2) states that "Upon acceptance of an application for certification, a certifying agent must:.. 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..."

2015 Comments: *The certifier approved a "Made with Organic ***" granola cereal label that displayed the word "organic" on the front panel with no "Made with Organic" phrase.*

2015 Corrective Action: CDA issued a notice of noncompliance to the operation for the noncompliant cereal label. CDA updated the Organic System Plan Review Procedures Rev B 6.7 manual stating that the CDA logo, and USDA seal may not be used on the label of products certified to the "Made with Organic ***" labeling category. Training on label review is planned for June 17, 2016.

Verification of Corrective Action:

NP5159RKA.NC6 – **Accepted**. 7 CFR §205.403(e)(1) states that "At the time of the inspection, the inspector shall provide the operation's authorized representative with a receipt for any samples taken by the inspector."

2015 Comments: *During a witness audit, a pesticide residue sample was obtained and proper sampling procedures were followed, with the exception that the operator was not provided a receipt.*

2015 Corrective Action: CDA updated the Sampling Form to clearly indicate that the pink sheet stays with the operation when samples are taken to serve as a receipt. Training was conducted on June 26, 2015, for all organic inspectors. The proper use of sampling forms, including leaving a copy with the operation as a receipt, was presented during the training.

Verification of Corrective Action:

NP1595RKA.NC7 – **Accepted**. 7 CFR §205.662(c) states, "Proposed suspension or revocation. The notification of a proposed suspension…shall state: (3) The impact of a suspension…"

2015 Comments: *The auditor reviewed three letters of Notice of Proposed Suspension (NoPS) issued to clients. Two of the three letters issued do not explain the impact of the NoPS as stated in 205.100(a) "each production or handling operation…that produces or handles crops, livestock, livestock products, or other agricultural products that are intended to be sold, labeled, or represented as "100 percent organic,' "organic," or "made with organic (specified ingredients or food group(s))" must be certified…" The auditor noted a discrepancy between the letters issued to clients and the CDA NoPS template, which actually does include language stating that "the operation will be unable to sell, or label its product as organic."*

2015 Corrective Action: The notice of proposed suspension and combined notice of noncompliance and proposed suspension letter templates were updated to specifically state the impact of suspension. CDA created a document control system to ensure only the most current version of documents and letter templates are used in the future. Inspectors were trained on document control during the April 7, 2016 training.

Verification of Corrective Action:

NP1595RKA.NC8 – **Accepted**. 7 CFR §205.510(b)(2) states, "Records created by the certifying agent regarding applicants for certification and certified operations must be maintained for not less than 10 years beyond their creation."

2015 Comments: *In at least 3 files that were reviewed, the records of registered e-mails sent to the clients were not available during the audit. Currently, CDA sends registered e-mails from individual employee accounts and the delivery receipt required per 7 CFR §205.660(d) is not always retained (either electronically or as a hard copy).*

2015 Corrective Action: CDA adjusted the Policy and Procedures Manual to clearly outline the current process for issuance of notices, and created a new requirement to save the documentation that the noncompliance was received by the operation. A copy of the documentation is saved electronically in the operation's Company Specific Information folder in the shared organic folder on the CDA server. Training was provided to the Program Manager and Certification Specialist on May 19, 2016.

Verification of Corrective Action:

AIA16120RK.NC2 –**Accepted**— 7 CFR § 205.501(a)(3) states, "A private or governmental entity accredited as a certifying agent under this subpart must: Carry out the provisions of the Act and the regulations in this part, including the provisions of §§205.402 through 205.406 and §205.670."

2016 Comments*: CDA did not conduct adequate surveillance of a crop operation including its website to ensure compliance with the USDA organic regulations. The following issues were identified:*

- *CDA did not issue a noncompliance to the operation for its use of the word "organic" in the company name and labels on uncertified products.*
- *CDA did not issue a noncompliance to the operation for use of the USDA seal on the website pages advertising uncertified products.*

2016 Corrective Actions: CDA has updated the Organic System Plan to specifically request website URL's from certified operations. All review personnel have been trained to review an operation's website for compliance with the USDA organic regulations, including organic marketing claims, use of the USDA organic seal, and the use of trade names with the word "organic" in them. CDA provided verification of staff training on these topics.

Verification of Corrective Action:

Findings from Compliance Audit – Aurora Dairy:

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 Notes: CDA did not conduct residue sampling during the Witness Audit as part of this 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 to an operation they had sent a Notice of Proposed Suspension without receiving arequest for mediation in writing.

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: For the witness audit, the auditors reviewed the operation's records maintained by CDA. The file contained a list of inputs, however CDA did not record the review of the materials and if they were allowed.

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. Five of the twelve inspectors did not receive 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. The inspectors verbally communicated concerns and additional information needed, but did not note the items 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, "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 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. No additional inspections were conducted during the grazing season.

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

Back to Closing Meeting process

b. Findings identified during current audit

☐ **F1** -

☐ F2 -

☐ F3 -

☐ F4 -

☐ F5 -

☐ F6 –

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

Audit tasks for Graham:

- International Trade Section

- Certification Personnel, Table 8
- Materials Review, Table 10
- Labels, Table 6a, 6b, 6c
- Witness Audit and applicable checklist – (b) (4)
- NHDAMF external and internal training
- Pesticide Residue, Table 7a & b.
- Assist with verification of corrective actions for prior NC

Audit tasks for Lead Auditor:

- File Reviews, Table 3.
- Tables 4 – 5: NoNC and adverse actions
- Witness Audit(s) and applicable checklist(s) – (b) (4)
- Unannounced Inspection review
- Complaint handling
- Verification of Corrective Action for Prior NC
- Fee schedule, cost estimates, and invoicing

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 or annual update 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	(b) (4)	3/28/2016	6/8/2016	A.Mack	6/30/2016	(b) (6), (b) (7)(C)	7/20/2016	A.Stafford	7/22/2016	A.Stafford	7/22/2016
2		5/18/2016	6/21/2016	A.Mack	8/25/2016		11/10/2016	A.Stafford	11/13/2016	A.Stafford	11/13/2016
3		12/11/2015	4/19/2016	A.Mack	5/17/2016		6/15/2016	A.Stafford	6/16/2016	A.Stafford	6/16/2016
4	(b) (4)	10/29/2013	11/20/2013	C.Palmer	1/21/2014		3/14/2014	A.Stafford	7/15/2014	A.Stafford	7/15/2014
5		4/12/2016	8/11/2016	A.Mack	8/22/2016		12/8/2016	A.Stafford	12/11/2016	A.Stafford	12/11/2016
6		4/12/2016	9/8/2016	A.Mack	9/21/2016		12/14/2016	A.Stafford	12/14/2016	A.Stafford	12/14/2016
7		4/4/2016	9/12/2016	A.Stafford	10/10/2016		12/19/2016	A.Mack	12/19/2016	A.Mack	12/19/2016
8		5/5/2016	8/29/2016	A.Stafford	9/19/2016		12/14/2016	A.Mack	12/14/2016	A.Mack	12/14/2016
9		7/11/2016	9/21/2016	A.Mack	9/26/2016		12/12/2016	A.Stafford	12/12/2016	A.Stafford	12/12/2016
10		3/14/2016	7/28/2016	A.Mack	8/12/2016		12/5/2016	A.Stafford	12/5/2016	A.Stafford	12/5/2016
11											
12											
13											
14											
15											

Instructions: Enter dates in the mm/dd/yy format. Must select the most recent complete certification cycle for continuing operations.

Remarks and Findings: Closing Meeting Findings § 205.501(a)(11)(vi)

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 Scopes (C,WC,L,H)	B Brief Description of Operation (See instructions below)	C IA/AU	D Sample (Y/N)	E Labels (Y/N)
1	C, H	Crops-Carrots, Split Production/Parallel Production: Handling. Single Ingredient – Carrots, washing, cutting, retail packaging.	IA	N	Y
2	L, H	Livestock – Eggs, chickens – nest run/bulk – no processing or packaging. Handling – process own feed	AU	N	N
3	H	Handling – multi and single ingredient processed products, wholesale and sale to retail. Split and parallel production	AU	N	Y
4	C, H	Crops – microgreens, seedlings/transplants. Handling – repackaging of small grains, Retail Sales	AU	N	Y
5	C	Crops – Alfalfa, hay, potatoes, cover crops. 100% Organic – no split or parallel.	AU	Y	N
6	C	Crops - Apricots, Apriums, Asian Pears, Cherries, English Walnuts, Nectarines, Peaches, Plums, Pluots. 100% organic – no split or parallel. Co-pack arrangement with Plum Daisy, LLC to process jams for Morton's.	AU	N	Y
7	C	Mixed vegetables/market farm/CSA. 100% Organic – no split or parallel.	AU	N	N
8	C, WC, H	Mixed Herbs – culinary and medicinal. Wild Crop – culinary and medicinal herbs and plants. 100% organic – no split or parallel production. Handling - Artemesia Smudge Stick, Floral Smudge Stick, Sweet Grass Braid, Lavender Bundle, Lavender Essential Oil, Lavender	AU	N	Y
9	C, L	Crops – pasture for livestock. 100% organic – no split or parallel. Livestock – dairy heifers, non-lactating	AU	N	N
10	C, L	Crops – Mixed vegetables/market farm/CSA. Livestock - Chickens, eggs. Both scopes 100% organic – no split/parallel.	AU	N	Y
11					
12					
13					

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 Scopes (C,WC,L,H)	B Brief Description of Operation (See instructions below)	C IA/AU	D Sample (Y/N)	E Labels (Y/N)
14					
15					

Instructions: For each requirement (A-E), enter the appropriate information into **Table 2**. Insert information for the most recent full certification cycle. Make sure the information provided in Table 2 is entered into the corresponding File No. in Table 1.

A. Scopes (L, C, WC, H)

B. Description of Operation: *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.*

C. Initial Application (IA) or Annual Update (AU)

D. Was a sample pulled during the inspection? (Y/N)
If samples were pulled, include information in Table 7b. Sampling Worksheet - Sample and Reporting Information.

E. Are any labels used by the operation? (Y/N)
If there are labels, include information in Table 6a, 6b, or 6c Label Review Worksheet.

Table 3 – Full File Review

Table 3: Summary of Full File Reviews Table of Contents			
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 full file review was conducted. 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. 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.			
Fees and other charges for certification § 205.642			
	Yes	**No**	**Certification File Number(s)**
Is the operation provided with an estimate? § 205.642			
Are the fees charged consistent with the Fee Schedule submitted to the Administrator? § 205.642 – same; § 205.642 – consistent; § 205.501(a)(16)			
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)			
"Effective date of certification"? § 205.404(b)(2) (Date the operation was initially certified to the USDA organic regulations.)			
Scope – Categories of organic operation, including crops, wild crops, livestock, or processed products produced by the certified operation? § 205.404(b)(3)			
Name, address, internet address, and telephone number of the certifier? § 205.404(b)(4)			
Issue date of the certificate? NOP 2603			
Anniversary date? NOP 2603 (Date when the certified operation is required to submit its next annual update.)			

Label classification for processed organic products? (100% Organic, Organic, or Made with Organic (specified ingredients or food groups)) NOP 2603			
The statement "Certified Organic under the U.S. National Organic Program 7 CFR Part 205"? NOP 2603			
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			
Are certificates issued in English? NOP 2603			
Do certificates include more than one certified operation or an uncertified operation on them?			
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			
Information on previous certifications? §205.401(c) § 205.402(a)(3) – ACA review for compliance			
Other information deemed necessary by the ACA to determine compliance with the ACT? § 205.401(d)			
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			
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?			
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?			
A **description of the recordkeeping** system implemented to comply with the requirements established in § 205.103?			
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?			
Additional information deemed necessary by the certifier to evaluate compliance with the regulations?			
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			
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?			
Does the company bringing in or shipping the product handle unpackaged organic product?			
If the company handles unpackaged organic product and they take ownership of the product, are they certified?			
If the company handles unpackaged organic product and they do not take ownership are they: 1) a certified operation; or 2) part of the OSP of the certified seller or buyer?			

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?			
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?			
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?			
Any additions to or deletions from the information required pursuant to § 205.401(b)?			
An update on the correction of minor noncompliances previously identified by the certifier as requiring correction for continued certification?			
Other information as deemed necessary by the certifier to determine compliance with the Act and the regulations.			
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)			
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			

65 accredited material evaluation program? §§ 205.402(a)(2), 205.406(c) Policy Memo 11-4			
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)			
Is the application and OSP complete? §§ 205.402(a)(1), 205.406(c)			
Is there evidence that an exit interview was conducted? § 205.403(d)			
Was information or issues of concern identified by the inspector in the exit interview, as evidenced in the inspection report? § 205.403(d)			
Were there any notices of noncompliance or adverse actions by the certifier, and was the correct process followed? Table 4, Table 5			
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)			
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.

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 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)	• 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. Document: 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 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 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)	• 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. Document: 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 5: Notice of Noncompliance/Denial of Certification

Table of Contents § 205.405 Table 3

A. Name of Client	B. Scope	C. Notification of Noncompliance Included § 205.405(a)	D. Applicant Response § 205.405(b)	E. Certifier Action Taken § 205.405(c)(1) § 205.405(c)(2)	F. Denial of Certification Included § 205.405(d)	G. Identify whether either of the two denial methods were used and whether they were appropriate.

Instructions:

C. Enter Yes if all 3 requirements are met: (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.

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.

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.

F. Enter Yes if all 4 requirements are met. 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).

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 must 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 purposefully misrepresented the applicant's operation.

Remarks and Findings: Closing Meeting Findings

Table 6a: Label Review Worksheet: "100% Organic" or "Organic" § 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	13 Complies	
														Yes	No

Instructions: For products labeled as "100% Organic" or "Organic," 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. For products labeled "Organic," do the labels contain the percentage of organic ingredients in the products? § 205.303(a)(2) (If no, use N/A for 2 and 3.)
2. Does the percentage statement exceed one half the size of the largest type size on the panel on which the statement is displayed? § 205.303(a)(2)
3. Does the percentage statement appear in its entirety in the same type size, style, and color without highlighting? § 205.303(a)(2)
4. Is this a multi-ingredient product labeled as 100% Organic? § 205.303(a)(3)
5. If the product is labeled "Organic," does it identify each organic ingredient in the ingredient statement? § 205.303(b)(1)
6. Does it identify water or salt as organic? § 205.303(b)(1)
7. 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? § 205.303(b)(2)
8. Is the certifier identifying statement (no. 7 above) on the information panel and below the information identifying the handler or distributor of the product? § 205.303(b)(2)
9. Does the label display the certifier's seal or logo? § 205.303(a)(5)
10. Is the certifier's seal or logo individually displayed more prominently than the USDA organic seal? § 205.303(a)(5)
11. Does it display the USDA organic seal? § 205.311(a)
12. Does the seal replicate the form and design of figure 1, is printed legibly and conspicuously, and meets all requirements of § 205.311(b)?
13. Are the labels compliant? If 'No' and a NC was not issued, then see § 205.402(a)(2) or § 205.405(a) for applicants, and § 205.406(c) for certified operations.

Remarks and Findings: Closing Meeting Findings

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 6c: Label Review Worksheet: All other labels reviewed Table of Contents Table 1 Table 2 Table 4 Table 5					
Client File	**Product Label Type**	**Requirements**	**Remarks**	**Complies**	
				Yes	**No**

Instructions: For labels reviewed that are not "100% Organic", "Organic", or "Made with organic" enter review information below. Insert more rows as needed.
Requirements: Enter the NOP requirement (§205.305, etc.) being assessed.
Remarks: Enter general information regarding the review or specific information if label is noncompliant.
Complies: Are labels compliant? If 'No' and a NC was not issued, then §205.402(a)(2) or §205.405(a) for applicants, §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	Complies 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	Complies No

K. Were any prohibited substances greater than 5% of the EPA tolerance or higher than UREC? § 205.671
L. What type of sample was pulled, i.e., soil, tissue, product, water, etc.?
M. What was the sample tested for? (Specific pesticide name or classification.)
N. Why was the sample pulled? (Directed by the certifier or NOP? Inspector decision?)
O. Provide information on test results. (Positive, negative, etc.) NOP 2613
P. Provide information on the certifier decision and outcome. (Was there an investigation?) § 205.671; see NOP 2613 for further guidance

Remarks and Findings: Closing Meeting Findings

Table 8 - Personnel Information Worksheet

Name	Status – Employee / Contractor / Responsibly connected individuals	Title / Position	Duration in the current position	Duration employed with Certifier	Certification Scopes Approved to inspect or evaluate	Education	Training	Experience	Job Description (or indicate section in Quality Manual)	Conflict of Interest Record Date	Confidentiality Record Date	Date of last Perf Evaluation?
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	4/21/2016
Amy Stafford	Employee	Program Manager (Organic) Until 5/15/2017	4 yrs	4 yrs	Crop, Livestock, Handling	See Resume	See Resume	See Resume	See Resume	4/3/2017	4/3/2017	4/12/2016
Mitch Yergert	Employee	Division Director	12 yrs	30 yrs	Crops, 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	4/30/2016
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	4/28/2016
Barb Rosenbach	Employee	Program Assistant	21 yrs	12 yrs	None	See Resume	See Resume	See Resume	See Resume	4/3/2017	4/3/2017	4/20/2016
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	4/21/2016
(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	4/26/2016
[redacted]	Employee	Lead Inspector	5 yrs	12 yrs, 6 mos	Crop, Livestock,	See Resume	See Resume	See Resume	See Resume	4/5/2017	4/5/2017	4/29/2016

					Handling							
(b) (6), (b) (7)(C)	Employee	Plant Industry Inspector III	9 yrs 9 mos	9 yrs 9 mos	Crop, Livestock, Handling	See Resume	See Resume	See Resume	See Resume	4/5/2017	4/5/2017	4/20/2016
	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	4/29/2016
	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	4/21/2016
	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	4/20/2016
	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	4/20/2016
	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	Not yet eval for OG program
	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	4/26/2016
	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	4/27/2016
	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	4/22/2016
	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	4/26/2016

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:

Table 9 – Certifier Offices and Locations												
A	**B**	**C**	**D**	**E**	**F**	**G**	**H**	**I**	**J**	**K**	**L**	**M**
Certifier office or location: Organization's name; postal and physical addresses; point of contact; telephone number and email.												**Activities Not Covered in Columns C to L (provide a brief description)**
Colorado Department of Agriculture Organic Program 305 Interlocken Parkway Broomfield, CO 80021 Contact: Mitch Yergert 303-869-9052 Cda.organic@state.co.us	15	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	As this is the sole office, all organic certification and accreditation activities happen here.

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 were 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, provides inspectors, collects 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: Claypool, Rebecca E - AMS
To: Crail, Lars - AMS
Subject: RE: CDA Compliance Audit
Date: Wednesday, August 2, 2017 12:01:44 PM
Attachments: image001.png

Super. Thanks.

From: Crail, Lars - AMS
Sent: Wednesday, August 02, 2017 8:24 AM
To: Claypool, Rebecca E - AMS <Rebecca.E.Claypool@ams.usda.gov>
Subject: RE: CDA Compliance Audit

No worries. No need to submit to QAD since there was no charge to CDA. We are in a transaction in our document flow process. I will look for the documents in ECERT and do my necessary close outs. Thanks.

Lars

From: Claypool, Rebecca E - AMS
Sent: Wednesday, August 2, 2017 11:10 AM
To: Crail, Lars - AMS <Lars.Crail@ams.usda.gov>
Subject: RE: CDA Compliance Audit

Was I supposed to send the docs to QAD? Sorry if I was, I thought that was only if we charged. Thanks!

From: Crail, Lars - AMS
Sent: Wednesday, August 02, 2017 8:01 AM
To: Claypool, Rebecca E - AMS <Rebecca.E.Claypool@ams.usda.gov>
Cc: Zuck, Penelope - AMS <Penelope.Zuck@ams.usda.gov>
Subject: RE: CDA Compliance Audit

Thank you.

Lars

From: Claypool, Rebecca E - AMS
Sent: Wednesday, August 2, 2017 10:51 AM
To: Crail, Lars - AMS <Lars.Crail@ams.usda.gov>
Cc: Zuck, Penelope - AMS <Penelope.Zuck@ams.usda.gov>
Subject: RE: CDA Compliance Audit

Hi Lars,
I completed the checklist and uploaded all the docs to ecert and 'finished' the audit in ecert. I did not email it to QAD since they were not charged for the audit.

Thanks,
Rebecca

From: Crail, Lars - AMS
Sent: Saturday, July 29, 2017 5:46 AM
To: Claypool, Rebecca E - AMS <Rebecca.E.Claypool@ams.usda.gov>
Cc: Zuck, Penelope - AMS <Penelope.Zuck@ams.usda.gov>
Subject: CDA Compliance Audit

Rebecca,

Can you provide me a status on the audit checklist? Are there any updates? I will move it forward for processing when it is ready.

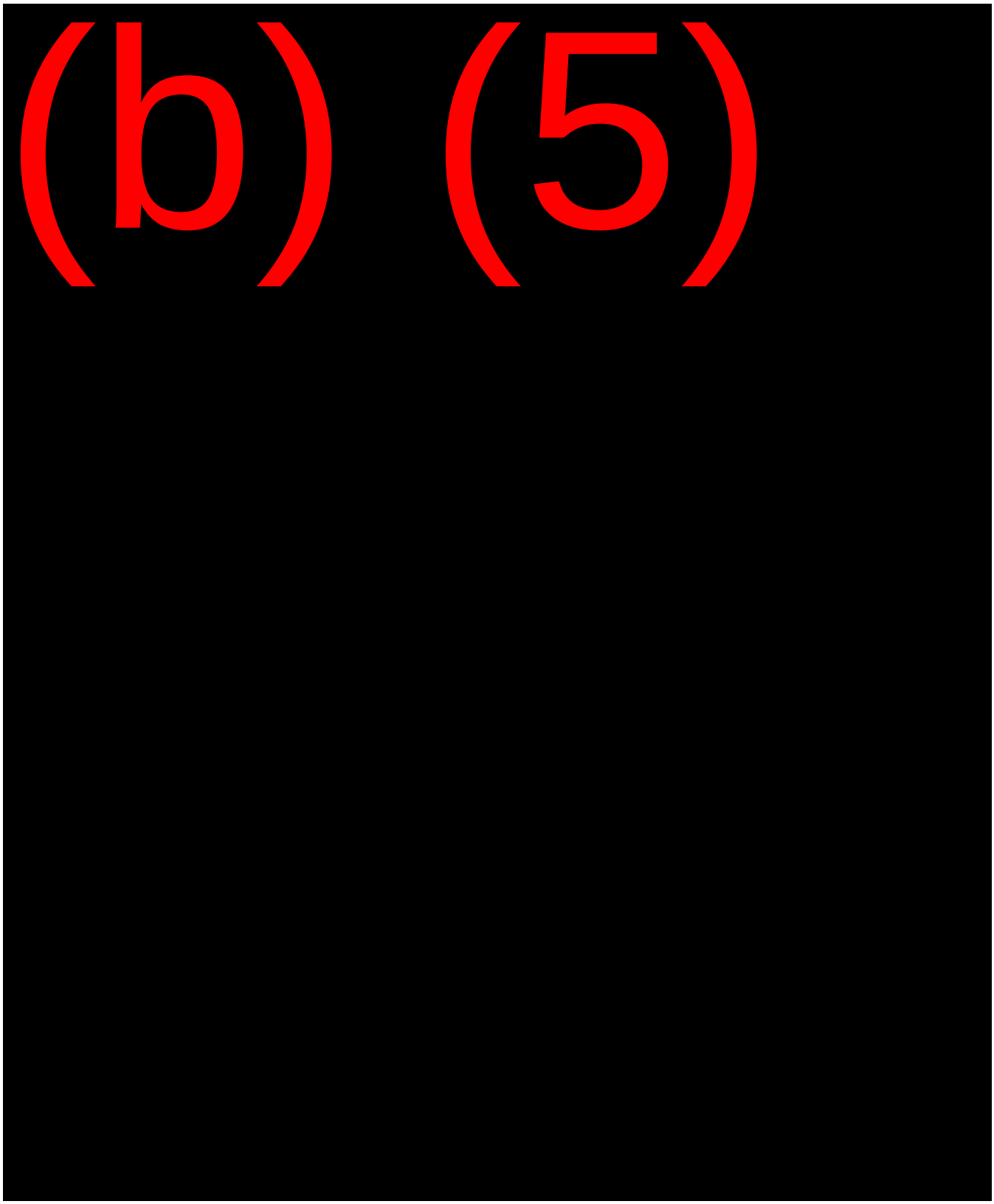
Lars Crail
USDA NOP
202.205.5536 office
(b) (6) mobile

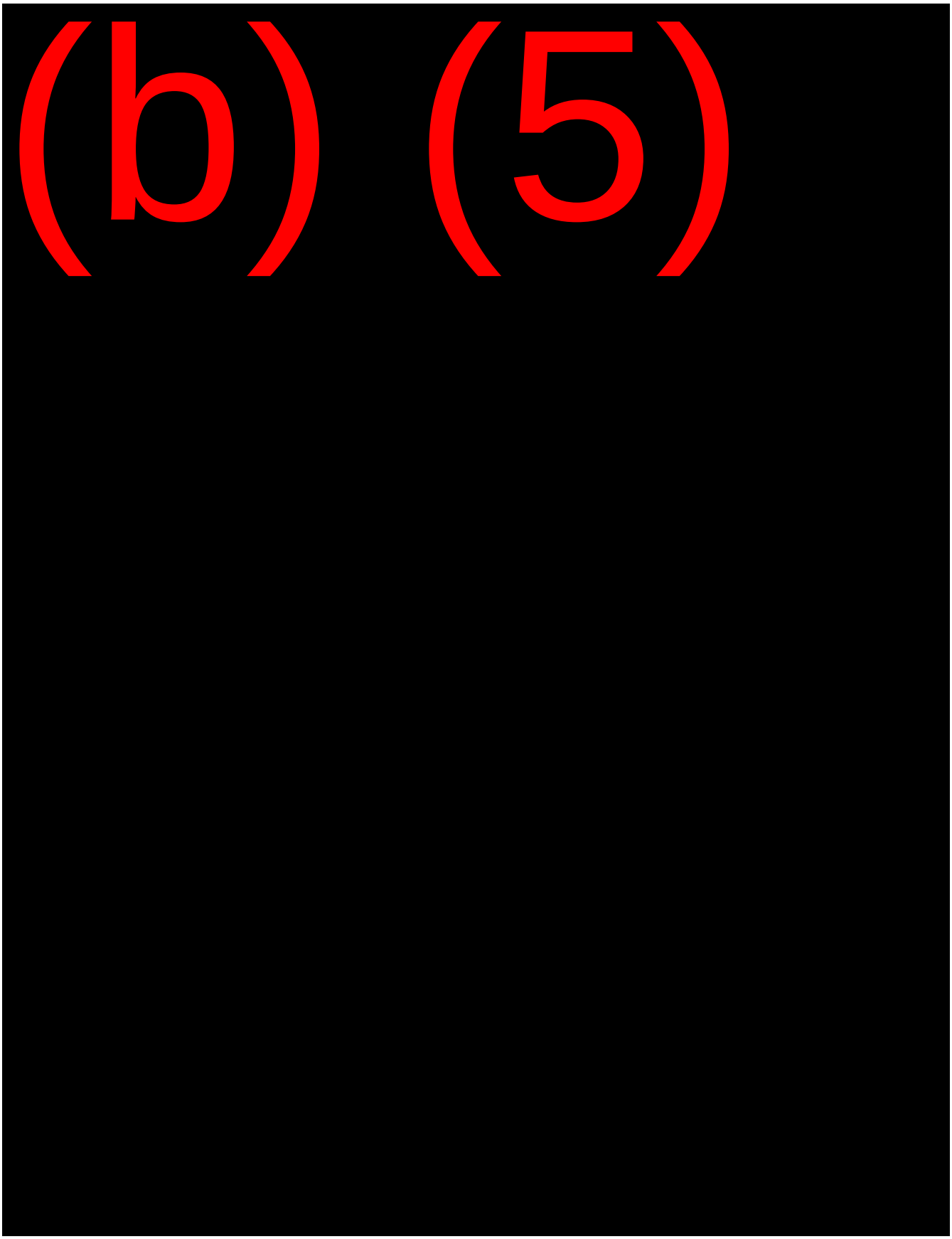
From: McEvoy, Miles - AMS
To: McEvoy, Miles - AMS
Subject: pasture ltr
Date: Thursday, August 3, 2017 4:38:43 PM
Attachments: Outgoing-Pasture-Update-July2017.docx

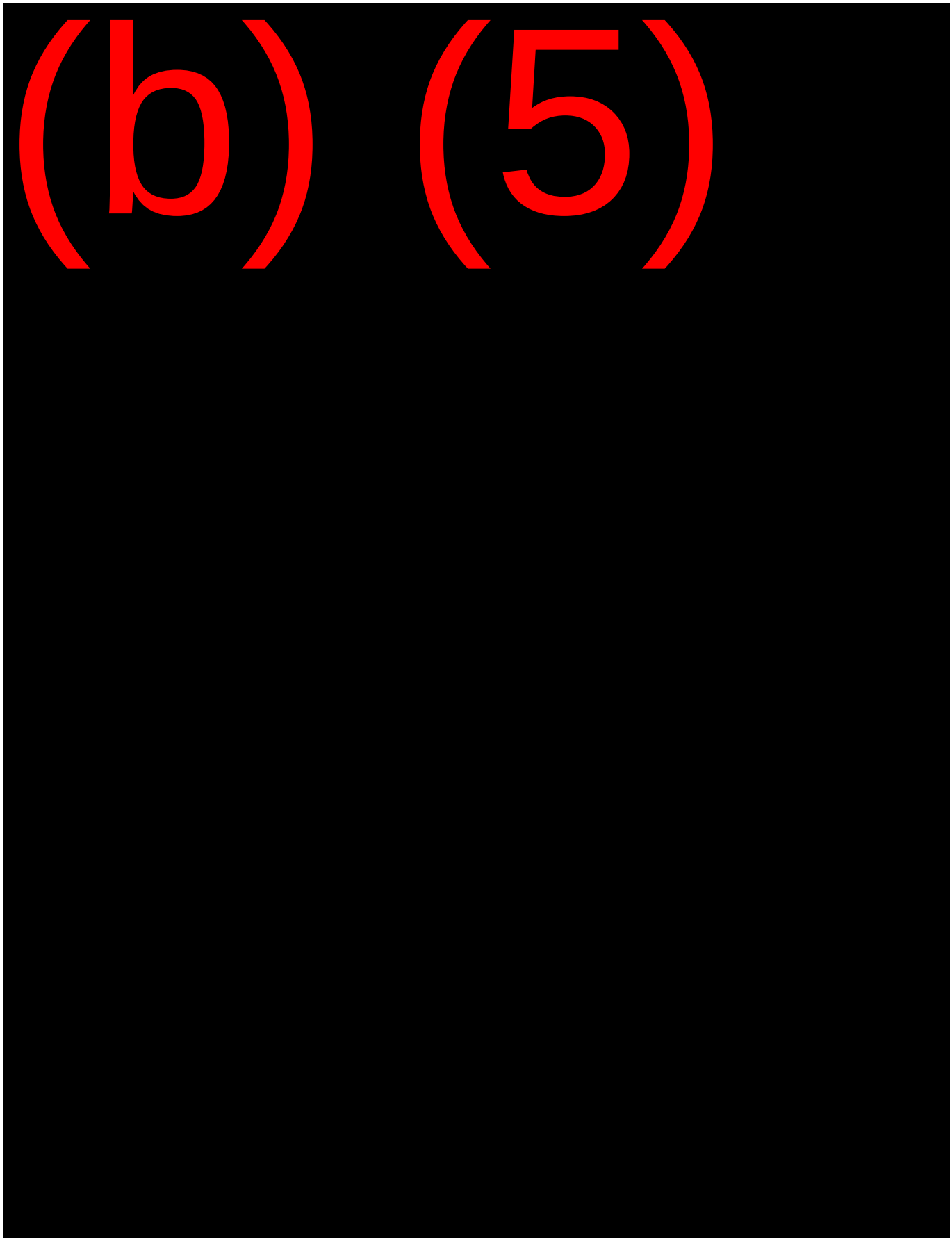
Miles McEvoy
Deputy Administrator
National Organic Program

USDA Agricultural Marketing Service

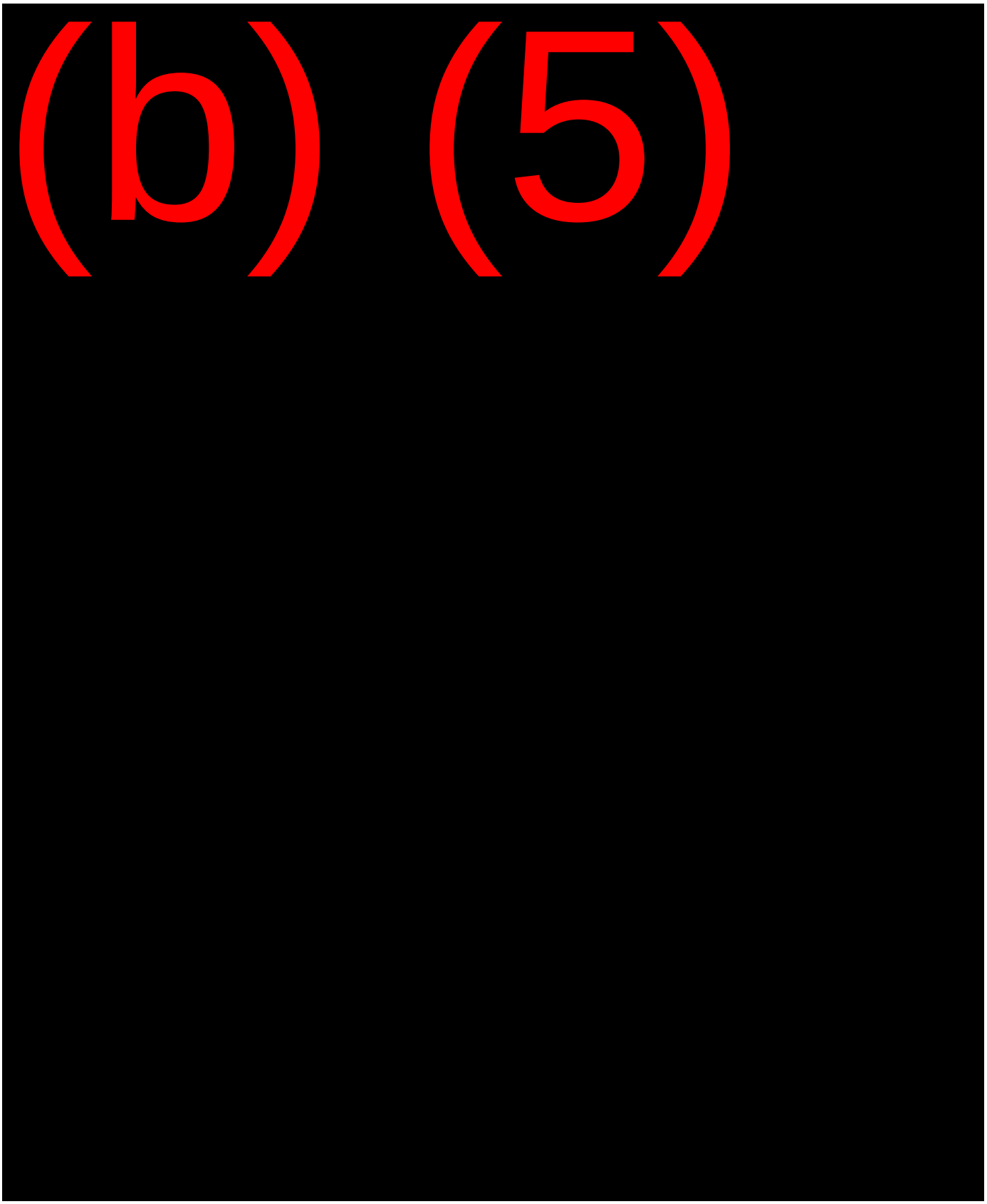
1400 Independence Avenue, SW.
Room 2642-S, STOP 0268
Washington, DC 20250-0268




(b) (5)


(b) (5)

AMS Actions and Next Steps



Sincerely,

Miles McEvoy
Deputy Administrator
National Organic Program

From: Abby Youngblood
To: McEvoy, Miles - AMS
Cc: Tucker, Jennifer - AMS; Rakola, Betsy - AMS; Courtney, Cheri - AMS; Gebault King, ReneeA - AMS; Lewis, Paul I - AMS; (b) (6)
Subject: Re: origin of livestock
Date: Thursday, August 3, 2017 12:58:58 PM

Thank you Miles - we will certainly be in touch as our members believe this topic is critically important and welcome the opportunity to work on it with you and your colleagues.

Regards,
Abby

On Thu, Aug 3, 2017 at 12:50 PM, McEvoy, Miles - AMS <Miles.McEvoy@ams.usda.gov> wrote:

> Dear Abby –
>
> We have not started any formal process. We are always looking at how to improve the accreditation process and oversight of certifiers. Let's keep in touch about starting the conversation after the NOSB meeting in Jacksonville.
>
> Best,
>
> Miles
>
> Miles V. McEvoy
>
> Deputy Administrator
>
> National Organic Program
>
> 1400 Independence Ave. SW
>
> Washington, DC 20250-0268
>
> 202-720-3252
>
> http://www.ams.usda.gov/about-ams/programs-offices/national-organic-program
>
> *Organic Integrity from Farm to Table, Consumers Trust the Organic Label*

From: Abby Youngblood [mailto:abby@nationalorganiccoalition.org]
Sent: Tuesday, August 01, 2017 9:55 AM
To: McEvoy, Miles - AMS <Miles.McEvoy@ams.usda.gov>
Cc: Tucker, Jennifer - AMS <Jennifer.Tucker@ams.usda.gov>; Rakola, Betsy - AMS <Betsy.Rakola@ams.usda.gov>; Courtney, Cheri - AMS <Cheri.Courtney@ams.usda.gov>; Gebault King, ReneeA - AMS <ReneeA.GebaultKing@ams.usda.gov>; Lewis, Paul I - AMS <Paull.Lewis@ams.usda.gov>; (b) (6) [redacted]

Subject: Re: origin of livestock

Dear Miles,

Many thanks for your message and my apologies for the delay in my response. NOC members, including several of our certifier members, are very interested in taking part in an accreditation work group.

But we want to ask about timing for this work. Given some of the issues we are working on with Congressional members, as well as our work in preparation from the Jacksonville NOSB meeting, we are also stretched thin and wondering if this work could take place starting in mid November. However, we'd hate to miss a window of opportunity - we too can organize ourselves to begin work sooner depending on what timing you think would work best.

Please let me know your thoughts.

We look forward to continued conversation re: the accreditation process.

Best Regards,

Abby

On Tue, Jun 27, 2017 at 5:17 PM, McEvoy, Miles - AMS <Miles.McEvoy@ams.usda.gov> wrote:

> Hi Abby –
>
> We look forward to continued discussions and NOC's ideas on what improvements can be made. Our process and commitment is to ensure all certifiers are held to the same standard. All audit reports are posted on the NOP website. You can review the findings and corrective actions for all accredited certifiers.
>
> I'd suggest that we continue the discussion in a few parts. First, look at what certifiers are required to do under the USDA organic regulations. Second, review NOP's process for reviewing, auditing, and accrediting certifiers. Third, discuss what improvements could be made with existing resources/authority. Finally, look at possible additional authority, resources, certifier instructions, regulatory changes, or other options for further strengthening of the global organic control system.
>
> Could NOC set up a certification/accreditation work group that we could work with? We are stretched very thin this summer with audits and short staff but will find time to engage with you.
>
> Let me know how you'd like to proceed. Thanks.
>
> Miles V. McEvoy
>
> Deputy Administrator
>
> Agricultural Marketing Service – National Organic Program
>
> **From:** Abby Youngblood [mailto:abby@nationalorganiccoalition.org]

Sent: Wednesday, June 21, 2017 4:38 PM
To: McEvoy, Miles - AMS <Miles.McEvoy@ams.usda.gov>
Cc: Tucker, Jennifer - AMS <Jennifer.Tucker@ams.usda.gov>; Rakola, Betsy - AMS <Betsy.Rakola@ams.usda.gov>; Courtney, Cheri - AMS <Cheri.Courtney@ams.usda.gov>; Gebault King, ReneeA - AMS <ReneeA.GebaultKing@ams.usda.gov>; Lewis, Paul I - AMS <PaulI.Lewis@ams.usda.gov>
Subject: Re: origin of livestock

Thank you Miles for your message.

Our members (including our certifier members) remain deeply concerned about the accreditation process for certifiers. What is troublesome to us is the sense that some certifiers (in both international, as well as domestic contexts) are not doing as good a job or being held to the same high standards.

If the evidence presented by the Washington Post story on organic milk is in fact true, then despite a long history of non-compliance, the Colorado Department of Agriculture is not ensuring that Aurora Organic Dairy is abiding by the pasture rule. Products from Aurora Organic Dairy continue to carry the organic seal. And the Colorado Department of Agriculture remains accredited. This is a serious failure in the system and may not be an isolated one.

When the Colorado Department of Agriculture was audited, did the NOP assess the following issues?

- *how many inspectors the CDA has that are qualified to inspect large dairy operations;*
- *whether the same inspector has been used each year for Aurora;*
- *questions around the definition of grazing season and a detailed audit of the volumes of non-pasture feed used at the dairy cross referenced with the number of animals which should be within their production records*

The Peer Review Panel did not look at the CDA file, so there has been no oversight over NOP's accreditation of this certifier, one that has been involved in a high-risk case. It is unclear how the NOP has been handling accreditation of this certifier.

Although we agree that overall the system is a rigorous one, we are deeply troubled by an instance such as this that indicates that the standards for certification and accreditation are not being consistently applied.

We believe a more systematic approach to tightening up enforcement of the organic

standards is essential at this juncture if the organic seal is to remain credible.

You highlighted several solutions on our call. One relates to training of certifiers and handlers regarding the requirements for verification – handlers must verify that products are coming from certified operations. It's not enough to carry an organic certificate. This is being perceived by some as a new requirement, so clearly more training in this area is essential.

And once the rulemaking process is moving forward again, initiating rulemaking to require certification of more entities and to require electronic import certificates may help cut back on some (though not all types) of fraudulent activity within the system.

We believe implementing a high-risk protocol should be on your short list as well. We have ideas about what elements should be part of this protocol, and believe the NOP needs to be resourced to do this effectively.

In addition, we believe oversight of the NOP's accreditation process (beyond annual peer review) needs to be further strengthened. We would welcome the opportunity to discuss this further if the Department is interested in exploring ways in which this process could work more effectively.

Thank you for your leadership and attention to these challenging issues.

Abby

On Sat, Jun 17, 2017 at 7:09 AM, McEvoy, Miles - AMS <Miles.McEvoy@ams.usda.gov> wrote:

> Hi Abby –
>
> I appreciate the opportunity to talk with NOC members and the perspectives they shared yesterday. I understand folks concerns after the WaPo articles and how frustrating the federal process can be. It also appeared that some NOC members are skeptical of the role of certifiers in protecting organic integrity. All certifiers follow the same requirements. It may be beneficial to have the NOC certifier members provide more information to NOC about how they verify organic standards, the investigations they conduct, and the accreditation process. As I said on the call, I hope we can all work together on these issues to make improvements and eliminate fraudulent products/operations from the organic supply chain.
>
> USDA is not moving forward with any significant rulemaking unless it is required by statute (e.g. GMO disclosure rule). For NOP that means we are not initiating any new significant

rulemaking (proposed or final). This includes origin of livestock, apiculture, aquaculture, pet food. We will let you know when things change.

I welcome additional opportunities to provide NOP updates and hear from NOC.

Miles V. McEvoy

Deputy Administrator

Agricultural Marketing Service – National Organic Program

From: Abby Youngblood [mailto:abby@nationalorganiccoalition.org]
Sent: Friday, June 16, 2017 3:06 PM
To: McEvoy, Miles - AMS <Miles.McEvoy@ams.usda.gov>
Subject: origin of livestock

Thank you again for your time this afternoon. We will be in touch to follow up on how best to advance some of the solutions discussed on the call today.

I didn't have the opportunity to ask this question because we reached our time limit, but some of our members are eager to know the status of the origin of livestock rules. As I understand it (you addressed this issue at the Pre-NOSB meeting), it is currently unclear what the fate of those rules will be. It is up to the new administration to determine whether to resume work on that rule or not and none of the political appointees is yet in place.

Please correct me if I misunderstand this or if there are further updates.

Abby
--

Abby Youngblood

Executive Director

National Organic Coalition
Abby@NationalOrganicCoalition.org

Cell: (b) (6)

www.NationalOrganicCoalition.org

Twitter: @NationalOrganic

Facebook: Facebook.com/NationalOrganicCoalition

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Executive Director

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Executive Director
National Organic Coalition
Abby@NationalOrganicCoalition.org
Cell: (b) (6)

www.NationalOrganicCoalition.org
Twitter: @NationalOrganic
Facebook: Facebook.com/NationalOrganicCoalition

From: McEvoy, Miles - AMS
To: McEvoy, Miles - AMS
Subject: pastre
Date: Friday, August 4, 2017 12:03:38 PM
Attachments: pasture report.docx

Miles McEvoy
Deputy Administrator
National Organic Program

Organic pasture requirements for organic dairies
August xx, 2017

There has been recent public interest in the compliance status of large-scale organic dairy operations in the United States. This report outlines the organic pasture requirements, the role of certifying agents, reviews the complaints received, and the actions that AMS has taken regarding organic dairies and certifiers.

Regulatory Background and Requirements

The USDA organic regulations became effective in 2002. At the time, it was recognized that more detailed standards were needed for the livestock standards in the rule.

In 2010, based on recommendations from the National Organic Standards Board (NOSB), and public comments, AMS published the "pasture rule." The pasture rule requires that organic milk must come from organically-raised animals that are actively grazing on pasture during the grazing season. The rule ensures all organic ruminant livestock meet the same requirements regarding grazing regardless of the size of the operation. It ensures consistency across certifiers and operations, and provides measurable standards to support fair enforcement.

The ruminant pasture standard includes the following requirements:

- Organic ruminant livestock—such as cattle, sheep, and goats—must have free access to certified organic pasture for the entire grazing season.
- The grazing season is specific to local conditions. The grazing season is the period of time when pasture is available for grazing due to natural precipitation or irrigation. Due to weather, season, or climate, the grazing season may or may not be continuous.
- Ruminant livestock must graze on certified organic pasture throughout the entire grazing season for the geographic region. Depending on region-specific environmental conditions (e.g., rainfall), the grazing season will range from 120 to 365 days per year.
- Outside the grazing season, ruminants must have free access to the outdoors year-round except under specified conditions (e.g. inclement weather).
- During the grazing season, all livestock must obtain a significant amount of their feed and nutrition from grazing. Supplemental feeding is allowed but cannot exceed 70% of the quantity of feed (measured as dry matter intake or DMI) that the livestock consume. At least 30% of the feed (measured as DMI) must be obtained from grazing on organic pasture.
- Ruminant slaughter stock are exempt from the 30 percent DMI from pasture requirement for the last fifth of their lives (up to 120 days).

The U.S. organic standards are outlined in the Organic Foods Production Act (OFPA), the USDA organic regulations, and the National Organic Program (NOP) Handbook. These standards are size-neutral; both small and large operations must comply with the same requirements, and are held accountable to the same standards.

Organic Control System

The organic control system is a public-private partnership. Organic standards are established by AMS based on input from the public and recommendations from the NOSB. Accredited certifying agents, both public and private, inspect and verify that organic producers and handlers are complying with the organic standards. AMS audits and oversees approximately 80 certifying agents to ensure they appropriately certify and enforce the standards. All certifiers must comply with the same set of requirements, defined in the OFPA, the USDA organic regulations, and the NOP Handbook.

AMS oversees certifiers by conducing on-site evaluations of certifiers every 2-3 years. Additional audits are conducted based on identified risks or compliance concerns. Copies of AMS audit reports are available through the Organic Integrity Database and provide details regarding the certifiers' accreditation status and improvements they are making as a result of the audit process.

Verifying Regulatory Compliance

The organic standards are designed to create consistency and an even playing field across operations; however, local conditions affect how the standards are implemented at a specific farm. Dairy management practices on the high plains of Colorado and Texas differ from practices in the rolling hills of Pennsylvania and New York – however, all of these operations are bound by a common set of rules. Organic System Plans clearly explain farm and handling practices. Annual on-site inspections, and sampling are important tools for ensuring compliance with the USDA organic regulations.

Organic farms provide a rich diversity in how they protect soil and water quality, support biodiversity, and comply with the organic requirements in the local environment.

Complaints

AMS has periodically received complaints about large-scale dairies. Often, these complaints occur in tandem with press releases and related articles in the press. The complaints generally include broad allegations of wrong-doing, with little verifiable evidence that demonstrates regulatory violations. For example, these complaints and articles may include photographs or state that a lack of cows were observed from the road during drive-bys. Most recently, testing of milk products for specific nutrient composition has been presented as quantitative evidence of wrong-doing.

To take enforcement action, however, AMS must have clear, compelling, and legally-defensible evidence that the existing organic regulations have been violated. We regulate based on rules and evidence – not narratives.

For example, selected photographs do not provide the full range of activities that happen at a dairy – and are no substitute for annual inspections. Driving by a dairy does not represent the longer-term patterns of animal pasturing and milking. Finally, while residue testing is an important part of the organic regulations, testing based on nutrient levels is not part of the organic standards, and therefore, cannot serve as a meaningful parameter for assessing compliance.

When AMS receives complaints about any operation, impartial compliance staff review the cases based on the evidence provided and the organic standards. When the complaint is about a certified operation, we often refer the complaint to the certifier for investigation. NOP has also directly investigated selected complaints – we have visited dairies, we have inspected their records, and we have walked through their barns and fields. It is these investigations that inform our enforcement actions.

AMS Actions and Next Steps

AMS opened new compliance and enforcement cases in 2017 on the basis of public coverage and complaints about organic dairies. Here is a summary of our findings and next steps.

First, with respect to the two organizations receiving the most press coverage, Aurora Organic Dairy and the Colorado Department of Agriculture (CDA) (Aurora's certifier), NOP conducted audits with both organizations in the summer of 2017, and found the following.

- We found that CDA is compliant with the accreditation requirements. As often occurs, a recent compliance audit did result in findings that require corrective actions. During this corrective action and verification process, CDA remains an accredited certifying agent in good standing with the NOP. Once the audit process is complete the CDA audit report and corrective actions are posted on the AMS website.

- We found that Aurora Organic Dairy is providing 30% DMI from grazing on pasture during the grazing season. Grazing was provided for more than the 120-days included in the regulations. Aurora Organic Dairy is currently certified and in good standing under the NOP.

- We found that the some of the images provided in the recent news article were not from Aurora Organic Dairy but of nearby conventional farms.

Finally, we will continue to thoroughly investigate complaints that are accompanied by objective evidence that demonstrate noncompliances with the existing regulations. All organic operations are held accountable to the standards, and we will pursue and post enforcement actions when warranted.

Conclusions

Allegations of wrong-doing that are not grounded in an objective and systematic evaluation of evidence against the published organic standards are damaging. They damage organic dairies, who are operating in a wide range of regional conditions; certifiers; industry and trade interests; and consumers.

Our mission is to ensure the integrity of the USDA organic seal. We do this through a robust global organic control system that includes standards, accreditation, certification, and enforcement. We develop standards using an open and public process, and post all our standards publically online for anyone to see. We conduct a rigorous and well-documented accreditation process, and oversee the certification activities of certifiers around the world. We conduct objective investigations based on standards and evidence; we post information about our enforcement activities; and we provide due process rights provided for under U.S. law.

I hope the information in this letter is helpful. I am happy to address any additional concerns that you may have, and we will continue to keep you informed of our compliance and enforcement work through the Organic Insider and other forums.

From: Davis, Graham - AMS
To: gdavis (b) (6)
Subject: CDA
Date: Sunday, August 6, 2017 6:32:25 PM
Attachments: NP7219PZA Auditor Special Instructions.docx

Graham

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

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National Organic Program: Auditor Special Instructions

How to complete this audit planning worksheet – see instructions below the section tables.

Section 1: General Audit Information (Completed by Lead Auditor)

Date:__7/10/17__

Audited Party	Colorado Department of Agriculture (CDA)	Accreditation Mgr.(AM)	Graham Davis
State/Country	Colorado	Lead Auditor	Penny Zuck
Audit ID	NP7219PZA	2nd Auditor	
Audit or Assessment Type (Renewal, Compliance, Mid-term, etc…)	Renewal	Technical Assistant	Graham Davis
Audit Activity Dates	August 7-11, 2017	Evaluator	
Audit Plan and Cost Estimate Review Date (Completed by NOP Lead Auditor, NOP Management, or LPS Supervisor)		Reviewer's name: (Completed by NOP Lead Auditor, NOP Management, or LPS Supervisor)	

Section 2: Audit Planning Information (Completed by Lead Auditor)

Accreditation Activity Focus (e.g. Handling, Crops, Livestock, Material review, Adverse Action Procedures, Residue sampling actions, Annual Audit Priorities, etc…)	Review of all policies and procedures; implementation of corrective actions for prior noncompliances; material review process; adverse action process; international trade; sampling and unannounced inspections.
Commodity Focus (grains, wine, fruit, dairy products, etc…)	NA
Certified Operation Type Focus (e.g. Fruit Packing facilities, Brokers, Reinstated operations, Dairies, Grower groups, etc…)	All scopes for WA and/or RA according to NOP 2000

Proposed Audit Methods or Activities (e.g. Corrective Actions Verification, Witness and/or Review Audits, Desk Audits, etc.)	Witness Audits of all scopes; Certification File Reviews; Corrective Action Verification

Section 3: Noncompliance Corrective Action Verification (Completed by AM)

Completed by the AM Date: _____

NC ID	Audit, Settlement Agreement or other	Description of NC/CA or hyperlink
NP5159RKA	2015 Mid-term	**NP5159RKA.NC1 – Accepted**. 7 CFR §205.501(a)(21), states that certifiers must "Comply with, implement, and carry out any other terms and conditions determined by the Administrator to be necessary." NOP 2613, Responding to Results from Pesticide Residue Testing, Section 5.3.1.a.2 instructs certifiers that when the pesticide test analysis results indicate detection below 5 percent of the EPA tolerance, but above .01 ppm, they are required to assess why the residue is present. **2015 Comments**: *The certifier correctly issued a letter to an operation to investigate the source of contamination (Chlorpropham .592 mg/g) including a date by which the operation was to respond. The operation did not respond by the specified date and the certifier did not conduct a follow up. Therefore, the certifier was unable to assess why the residue was present and to determine if a noncompliance should be issued to the operation.* **2015 Corrective Action:** CDA updated their Organic Policy and Procedure Manual regarding procedures when residue tests show positive results below 5% of the EPA tolerance. CDA will issue a notice of noncompliance to operations that do not respond to their letter of investigation within the time period stated in the letter. A notice of noncompliance was sent to the operation regarding no response to the letter investigating the source of the contamination. **NP5159RKA.NC2 – Accepted**. 7 CFR §205.501(a)(21), states that certifiers must "Comply with, implement, and carry out any other terms and conditions determined by the Administrator to be necessary." NOP 4009, "Who Needs to be Certified?" provides clarification to certifiers regarding the certification requirements for operations that produce or handle agricultural products to be sold, labeled or represented as organic.

		2015 Comments: *During the witness audit of a fruit producer, the auditor identified that one of the apple orchards listed in the operation's OSP should be considered a separate certified entity. Under the current arrangement between the orchard owner and the certified operation, the orchard owner is under contract to sell his harvested fruit to the certified operation, but the certified operation does not manage the orchard (i.e. conduct cultural practices, pay labor, etc.), does not purchase and apply inputs, and does not maintain all the records that demonstrate compliance to the regulations.* **2015 Corrective Action:** CDA issued a notice of noncompliance to the fruit producer, identifying that contracted farming operations are not allowed to be certified under another entity's certificate. CDA provided training for inspectors on June 26, 2015, regarding NOP Instruction 4009 and a Training Attendance sign-in sheet was submitted. **NP5159RKA.NC3** – **Accepted**. 7 CFR §205.403(c)(1) states that, "The on-site inspection of an operation must verify:.. The operation's compliance or capability to comply with the Act and the regulations in this part…" **2015 Comments:** *During a witness audit, the inspector did not fully verify whether the contracted or rented fields in the operator's OSP were under the control (management) of the certified operation.* **2015 Corrective Action:** A new inspection report cover sheet was created to be used in conjunction with new OSP module system being developed. Included in the cover sheet is a question specifically requesting information regarding control/management of rented portions of the certified operation. CDA trained inspectors on April 7, 2016, regarding use of new inspection forms and the cover letter. **NP5159RKA.NC4 – Accepted**. 7 CFR §205.403(d) states that during an exit interview, "the inspector must…address…any issues of concern." **2015 Comments**: *During a witness audit of a split and parallel operation, the inspector did not identify as an issue of concern the lack of adequate controls to prevent contamination of products or fields. The storage of pesticides and fertilizers did not have a clear separation of approved and unapproved input materials. Input materials were located at spray rig filling stations in drums that were unlabeled. Brand names and sources are not listed on the OSP Input List; instead, some materials are listed with a generic identification: e.g. garlic oil, manganese, iron, sodium bicarbonate.*

		2015 Corrective Action: CDA updated the Crop OSP Module 10 Soil.Ferility Inputs and Module 12 Weed.Pest.Disease Inputs to require the operation to include product names and manufacturers, to ensure full information (rather than just generic names) are included in the OSP. CDA also provided training on June 26, 2015, to inspectors regarding identifying issues of concern during inspections. **NP5159RKA.NC5** - 7 CFR §205.402(a)(2) states that "Upon acceptance of an application for certification, a certifying agent must:.. 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..." **2015 Comments**: *The certifier approved a "Made with Organic ***" granola cereal label that displayed the word "organic" on the front panel with no "Made with Organic" phrase.* **2015 Corrective Action:** CDA issued a notice of noncompliance to the operation for the noncompliant cereal label. CDA updated the Organic System Plan Review Procedures Rev B 6.7 manual stating that the CDA logo, and USDA seal may not be used on the label of products certified to the "Made with Organic ***" labeling category. Training on label review is planned for June 17, 2016. **NP5159RKA.NC6** – **Accepted**. 7 CFR §205.403(e)(1) states that "At the time of the inspection, the inspector shall provide the operation's authorized representative with a receipt for any samples taken by the inspector." **2015 Comments**: *During a witness audit, a pesticide residue sample was obtained and proper sampling procedures were followed, with the exception that the operator was not provided a receipt*. **2015 Corrective Action:** CDA updated the Sampling Form to clearly indicate that the pink sheet stays with the operation when samples are taken to serve as a receipt. Training was conducted on June 26, 2015, for all organic inspectors. The proper use of sampling forms, including leaving a copy with the operation as a receipt, was presented during the training. **NP1595RKA.NC7** – **Accepted**. 7 CFR §205.662(c) states, "Proposed suspension or revocation. The notification of a proposed suspension…shall state: (3) The impact of a suspension…" **2015 Comments**: *The auditor reviewed three letters of Notice of Proposed Suspension (NoPS) issued to clients. Two of the three letters issued do not explain the impact of the NoPS as stated in 205.100(a) "each production or handling operation…that produces or handles crops, livestock, livestock products, or other agricultural*

		products that are intended to be sold, labeled, or represented as "100 percent organic,' "organic," or "made with organic (specified ingredients or food group(s))" must be certified…" The auditor noted a discrepancy between the letters issued to clients and the CDA NoPS template, which actually does include language stating that "the operation will be unable to sell, or label its product as organic." **2015 Corrective Action:** The notice of proposed suspension and combined notice of noncompliance and proposed suspension letter templates were updated to specifically state the impact of suspension. CDA created a document control system to ensure only the most current version of documents and letter templates are used in the future. Inspectors were trained on document control during the April 7, 2016 training. **NP1595RKA.NC8** – **Accepted**. 7 CFR §205.510(b)(2) states, "Records created by the certifying agent regarding applicants for certification and certified operations must be maintained for not less than 10 years beyond their creation." **2015 Comments**: *In at least 3 files that were reviewed, the records of registered e-mails sent to the clients were not available during the audit. Currently, CDA sends registered e-mails from individual employee accounts and the delivery receipt required per 7 CFR §205.660(d) is not always retained (either electronically or as a hard copy).* **2015 Corrective Action:** CDA adjusted the Policy and Procedures Manual to clearly outline the current process for issuance of notices, and created a new requirement to save the documentation that the noncompliance was received by the operation. A copy of the documentation is saved electronically in the operation's Company Specific Information folder in the shared organic folder on the CDA server. Training was provided to the Program Manager and Certification Specialist on May 19, 2016.
AIA16120RK		**AIA16120RK.NC1 –Rebutted and accepted** **AIA16120RK.NC2 –Accepted—** 7 CFR § 205.501(a)(3) states, "A private or governmental entity accredited as a certifying agent under this subpart must: Carry out the provisions of the Act and the regulations in this part, including the provisions of §§205.402 through 205.406 and §205.670." **2016 Comments:** *CDA did not conduct adequate surveillance of a crop operation including its website to ensure compliance with the USDA organic regulations. The following issues were identified:* • *CDA did not issue a noncompliance to the operation for its use of the word "organic" in the company name and labels on uncertified products.*

		• *CDA did not issue a noncompliance to the operation for use of the USDA seal on the website pages advertising uncertified products.* **2016 Corrective Actions:** CDA has updated the Organic System Plan to specifically request website URL's from certified operations. All review personnel have been trained to review an operation's website for compliance with the USDA organic regulations, including organic marketing claims, use of the USDA organic seal, and the use of trade names with the word "organic" in them. CDA provided verification of staff training on these topics.

Section 4: Compliance & Enforcement Division (Completed by AM)

Discussed with C&E Division staff: _____Date:_____

Case ID	Description of issue, hyperlink, and specific request
NOPC-253-17	C&E has one open case against Aurora High Plains Dairy, submitted by Cornucopia Institute on May12, 2017.

Section 5: NOP Appeals Input (Completed by AM)

Discussed with NOP Appeals staff: ____Shannon Nally Yanessa____Date:__7/10/2017__

Case ID	Description of issue, hyperlink, and specific request
	One active appeal with CDA. The appellant is (b) (4) . P:\Appeals\17-022 (b) (4)
	Also from Shannon, *"I also wanted to pass along a general observation regarding CDA appeals. We have received several appeals involving CDA where mediation would be a good option to resolve a proposed adverse action. However, CDA has declined such mediation requests. I can be more specific if needed."*

Section 6: Other AM Notes (Completed by AM)

Date:_____

Reference ID	Description of issue
NP7162PZA (Compliance Audit- Aurora Dairy)	**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 Notes:** CDA did not conduct residue sampling during the Witness Audit as part of this 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 to an operation they had sent a Notice of Proposed Suspension without receiving arequest for mediation in writing. **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:** For the witness audit, the auditors reviewed the operation's records maintained by CDA. The file contained a list of inputs, however CDA did not record the review of the materials and if they were allowed. **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. Five of the twelve inspectors did not receive 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. The inspectors verbally communicated concerns and additional information needed, but did not note the items 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, "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 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. No additional inspections were conducted during the grazing season.
Annual Reports	P:\AIA\ACA-Active\CDA-CO\Ann Repts\2016\AnnualReportChecklist 2016 Update NOP 2024 GD.pdf P:\AIA\ACA-Active\CDA-CO\Ann Repts\2015\Ann Rpt docs\CDA Annual Report Checklist JL.pdf ..\..\Ann Repts\2014\CDA Annual Report Checklist RGKreviewed.pdf

AM must insert links to the current certifier annual report folder, prior Auditor Checklists (NOP 2005 series) folder. AM may include other materials and links relevant to certifying agent that are deemed essential. For example: Any correspondence between AIA and ACA related to policy decisions or certifier questions that may be relevant to the audit.

Purpose of Planning Worksheet:

This completed planning document serves as a record of the purpose, scope, objectives, and priorities of the audit or review.

National Organic Program: Auditor Special Instructions

This document will:

1. Record special instructions to the Lead Auditor in order for the Lead Auditor to plan and execute an audit or review of certifiers or other entities.
2. Be submitted by the Lead Auditor along with the completed NOP 2005 series checklists to the NOP or QAD upon completion of the audit or review.

Instructions:

1. Lead Auditor is assigned.
2. Lead Auditor retrieves a blank template of the Auditor Special Instructions: Z:\AIA\Templates\Audits\Planning and Preparation\Auditor Special Instructions 03 25 16.docx
3. Lead Auditor partially completes Section 1, Auditor Special Instructions, with available information.
4. Lead Auditor sends a copy of the Auditor Special Instructions to the NOP Accreditation Manager (AM). The List of Accreditation Managers and their assigned certifying agents is located here: Z:\AIA\Management\ACA-AM List
5. AM will place the received copy of the Auditor Special Instructions into the Certifying Agent's electronic folder and will provide the Lead Auditor a link (full directory path) to the location of the document.
6. AM to complete Sections 3, Auditor Special Instructions, and will contact the various representatives of the NOP Divisions or sections (e.g. Appeals) to obtain information necessary to complete Sections 4, 5, and 6, Auditor Special Instructions. In Section 6, the AM identifies the most recent Annual report materials and the most recent audit checklists (NOP 2005 series). The AM may place links in the Sections of the Auditor Special Instructions document allowing the Lead Auditor to connect to the various documents and/or folders.
7. The AM will inform the Lead Auditor when Step 6 is complete.
8. The Lead Auditor reviews the information in the Auditor Special Instructions provided by the AM. The Lead Auditor uses the information and any information obtained from contact with the certifier (email or telephone) to draft Section 2 of the Auditor Special Instructions. When drafting Section 2, the Lead Auditor should use all available resources: Organic Integrity Database, Prior Auditor Checklists, Most Recent Annual Report, Audit Priorities, etc…)
9. Lead Auditor contacts AM to explain and discuss the proposed components of Section 2, Auditor Special Instructions. The AM may provide suggestions or guidance to the Lead Auditor. This step is the opportunity for the AM to clarify with the Lead Auditor any of the materials provided and any special instructions.
10. The Lead Auditor finalizes the Auditor Special Instructions.
11. The Lead Auditor submits the Auditor Special Instructions along with a draft engagement letter and draft QAD 1415 to the NOP Lead Auditor (Lars Crail) for review.

12. NOP Lead Auditor (Lars Crail) will review the draft documents and may request clarification of the information and/or request modifications and conduct an additional review if necessary.
13. NOP Lead Auditor (Lars Crail) will complete the bottom row of Section 1, Special Auditor Instructions, and will notify the Lead Auditor and AM when this is completed.

From: Davis, Graham - AMS
To: Zuck, Penelope - AMS
Subject: FW: Draft NoNC to CDA
Date: Tuesday, August 8, 2017 10:32:05 PM

Penny,

FYI…

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) [redacted]

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From: Nally Yanessa, Shannon - AMS
Sent: Wednesday, July 19, 2017 1:16 PM
To: Courtney, Cheri - AMS <Cheri.Courtney@ams.usda.gov>; Davis, Graham - AMS <Graham.Davis@ams.usda.gov>
Cc: Pavone, Matthew - AMS <Matthew.Pavone@ams.usda.gov>
Subject: Draft NoNC to CDA

Hi Cheri and Graham,

We have drafted a Notice of Noncompliance to the Colorado Department of Agriculture. The notice was prompted by the review of an appeal involving a CDA-certified operation. We used a prior NoNC that was issued to CDA stemming from an appeal as a template. We weren't sure how to number the noncompliances, so that at least will need some revision. Please let us know if you want to discuss further or have any comments.

Draft Notice of Noncompliance to CDA
Combined Notice of Noncompliance and Proposed Suspension (CDA issued to appellant)

Thanks!
Shannon

Shannon Nally Yanessa
Assistant Director, Standards Division
National Organic Program

U.S. Department of Agriculture
(202) 260-9285 (direct)

From:	Davis, Graham - AMS
To:	Nally Yanessa, Shannon - AMS; Courtney, Cheri - AMS
Cc:	Pavone, Matthew - AMS
Subject:	RE: Draft NoNC to CDA
Date:	Tuesday, August 8, 2017 10:31:47 PM
Attachments:	AIA NC Naming Conv 05 01 15.docx

Shannon,

Thanks for letting me know about this NoNC. I have attached the document that outlines our naming convention. I will also share this notice with Penny who is the lead auditor this week with me at CDA.

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) [redacted]

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From: Nally Yanessa, Shannon - AMS
Sent: Wednesday, July 19, 2017 1:16 PM
To: Courtney, Cheri - AMS <Cheri.Courtney@ams.usda.gov>; Davis, Graham - AMS <Graham.Davis@ams.usda.gov>
Cc: Pavone, Matthew - AMS <Matthew.Pavone@ams.usda.gov>
Subject: Draft NoNC to CDA

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Draft Notice of Noncompliance to CDA
Combined Notice of Noncompliance and Proposed Suspension (CDA issued to appellant)

Thanks!
Shannon

Shannon Nally Yanessa

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

AIA Noncompliance Naming Convention
Rev: May 2015

Procedure: Establish a consistent, functional, and understandable method for identification of noncompliances to improve tracking and referencing.

AIA Example:

Division	Year	Julian Date	Auditor/AM Initials	Noncompliance Number
1	2	3	4	5

AIA 09 191 LC NC3 = AIA09191LC.NC3

1 2 3 4 5

C&E Example (Case Number used):

NOPC 003 09 NC1 = NOPC-003-09.NC1

NOPC = National Organic Program Compliant
003 = Third case of the Calendar Year.
09 = Year, 2009.
NC1 = Noncompliance number (e.g. 1,2,3 …)

Legend:

1. NP = QAD; AIA = AIA; CE = Case Number
2. Last two letters of the year. 2009 = 09; 2013 = 13.
3. Julian date (1 -365) of the audit opening meeting/witness inspection; or, the date of preparing the noncompliance
4. Auditors or noncompliance preparer's two letter initials.
5. Noncompliance number sequence: 1,2,3…

From:	McEvoy, Miles - AMS
To:	Summers, Bruce - AMS
Cc:	Tucker, Jennifer - AMS; Richmond, William - AMS; Allen, William - AMS
Subject:	RE: Organic dairy compliance
Date:	Wednesday, August 9, 2017 11:03:30 AM

Also –

(b) (5) [redacted]

From: McEvoy, Miles - AMS
Sent: Wednesday, August 09, 2017 10:57 AM
To: Summers, Bruce - AMS <Bruce.Summers@ams.usda.gov>
Cc: Tucker, Jennifer - AMS <Jennifer.Tucker@ams.usda.gov>; Richmond, William - AMS <William.Richmond@ams.usda.gov>; Allen, William - AMS <William.Allen@ams.usda.gov>
Subject: Organic dairy compliance

In May 2017, the Washington Post alleged that Aurora Organic Dairy, based in Colorado, was not complying with the organic pasture requirements. The Cornucopia Institute filed a complaint against Aurora Organic Dairy and the Colorado Department of Agriculture (Aurora's certifier) based on the information in the WaPo article. NOP conducted audits in June 2017 and found the following.

- We found that CDA is compliant with the accreditation requirements. As often occurs, a recent compliance audit did result in findings that require corrective actions. During this corrective action and verification process, CDA remains an accredited certifying agent in good standing with the NOP. Once the audit process is complete the CDA audit report and corrective actions are posted on the AMS website.

- We found that Aurora Organic Dairy is meeting the pasture requirements within the USDA organic regulations. They are providing 30% dry matter intake from grazing on pasture during the grazing season. Grazing was provided for more than the 120-days that are required in the regulations. Aurora Organic Dairy is currently certified and in good standing under the NOP.

- We found that the some of the images provided in the recent news article were not from Aurora Organic Dairy but of nearby conventional farms.

AMS periodically receives complaints about large-scale organic dairies. Often, these complaints occur in tandem with press releases and related articles in the press. The complaints generally include broad allegations of wrong-doing, with little verifiable evidence that demonstrates regulatory violations. For example, these complaints and articles may include photographs or state that a lack of cows were observed from the road. Most recently, testing of milk products for specific nutrient composition has been presented as quantitative evidence of wrong-doing.

AMS will continue to thoroughly investigate complaints that allege noncompliances with the USDA organic regulations. All organic operations are held accountable to the standards, and we will pursue and post enforcement actions when warranted.

Miles McEvoy
Deputy Administrator
National Organic Program

From: Allen, William - AMS
To: McEvoy, Miles - AMS
Subject: RE: Organic dairy compliance
Date: Wednesday, August 9, 2017 10:59:03 AM

(b) (5) [redacted] Thanks

From: McEvoy, Miles - AMS
Sent: Wednesday, August 09, 2017 10:57 AM
To: Summers, Bruce - AMS
Cc: Tucker, Jennifer - AMS; Richmond, William - AMS; Allen, William - AMS
Subject: Organic dairy compliance

In May 2017, the Washington Post alleged that Aurora Organic Dairy, based in Colorado, was not complying with the organic pasture requirements. The Cornucopia Institute filed a complaint against Aurora Organic Dairy and the Colorado Department of Agriculture (Aurora's certifier) based on the information in the WaPo article. NOP conducted audits in June 2017 and found the following.

- We found that CDA is compliant with the accreditation requirements. As often occurs, a recent compliance audit did result in findings that require corrective actions. During this corrective action and verification process, CDA remains an accredited certifying agent in good standing with the NOP. Once the audit process is complete the CDA audit report and corrective actions are posted on the AMS website.

- We found that Aurora Organic Dairy is meeting the pasture requirements within the USDA organic regulations. They are providing 30% dry matter intake from grazing on pasture during the grazing season. Grazing was provided for more than the 120-days that are required in the regulations. Aurora Organic Dairy is currently certified and in good standing under the NOP.

- We found that the some of the images provided in the recent news article were not from Aurora Organic Dairy but of nearby conventional farms.

AMS periodically receives complaints about large-scale organic dairies. Often, these complaints occur in tandem with press releases and related articles in the press. The complaints generally include broad allegations of wrong-doing, with little verifiable evidence that demonstrates regulatory violations. For example, these complaints and articles may include photographs or state that a lack of cows were observed from the road. Most recently, testing of milk products for specific nutrient composition has been presented as quantitative evidence of wrong-doing.

AMS will continue to thoroughly investigate complaints that allege noncompliances with the USDA organic regulations. All organic operations are held accountable to the standards, and we will pursue and post enforcement actions when warranted.

Miles McEvoy
Deputy Administrator
National Organic Program

From:	Davis, Graham - AMS
To:	Zuck, Penelope - AMS
Subject:	NoNC
Date:	Thursday, August 10, 2017 4:38:26 PM

§205.662(a)(3) states, "When an inspection, review, or investigation of a certified operation by a certifying agent or a State organic program's governing State official reveals any noncompliance with the Act or regulations in this part, a written notification of noncompliance shall be sent to the certified operation. Such notification shall provide: (1) A description of each noncompliance; (2) The facts upon which the notification of noncompliance is based; and (3) The date by which the certified operation must rebut or correct each noncompliance and submit supporting documentation of each such correction when correction is possible.

Comments: Not all of *CDA's templates for NoNC include language that allows the operation to rebut a noncompliance.*

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) [redacted]

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From: Nally Yanessa, Shannon - AMS
To: Davis, Graham - AMS
Cc: Zuck, Penelope - AMS; Courtney, Cheri - AMS; Pavone, Matthew - AMS
Subject: RE: Draft NoNC to CDA
Date: Friday, August 11, 2017 10:56:30 AM

Hi Graham,

Sure, I have some time Monday morning or Tuesday afternoon. I will send out a calendar invite just to hold a time, but please feel free to propose a different time if needed.

Thanks!
Shannon

From: Davis, Graham - AMS
Sent: Thursday, August 10, 2017 5:31 PM
To: Nally Yanessa, Shannon - AMS <Shannon.NallyYanessa@ams.usda.gov>; Pavone, Matthew - AMS <Matthew.Pavone@ams.usda.gov>
Cc: Zuck, Penelope - AMS <Penelope.Zuck@ams.usda.gov>; Courtney, Cheri - AMS <Cheri.Courtney@ams.usda.gov>
Subject: RE: Draft NoNC to CDA

Shannon,

Penny and I are auditing CDA this week. Can we meet early next week to discuss this NoNC in relation to our findings for the audit? There is definitely some overlap and we think it would be useful to talk about it.

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: Nally Yanessa, Shannon - AMS
Sent: Thursday, August 10, 2017 11:40 AM
To: Davis, Graham - AMS <Graham.Davis@ams.usda.gov>; Courtney, Cheri - AMS

<Cheri.Courtney@ams.usda.gov>
Cc: Pavone, Matthew - AMS <Matthew.Pavone@ams.usda.gov>
Subject: RE: Draft NoNC to CDA

Hi Graham,

Thank you for the naming convention! I will need to look at it closely!

Please let us know when you have completed your review of the letter and we will submit for Miles' review.

Thanks!
Shannon

From: Davis, Graham - AMS
Sent: Tuesday, August 8, 2017 10:32 PM
To: Nally Yanessa, Shannon - AMS <Shannon.NallyYanessa@ams.usda.gov>; Courtney, Cheri - AMS <Cheri.Courtney@ams.usda.gov>
Cc: Pavone, Matthew - AMS <Matthew.Pavone@ams.usda.gov>
Subject: RE: Draft NoNC to CDA

Shannon,

Thanks for letting me know about this NoNC. I have attached the document that outlines our naming convention. I will also share this notice with Penny who is the lead auditor this week with me at CDA.

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) [redacted]

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From: Nally Yanessa, Shannon - AMS
Sent: Wednesday, July 19, 2017 1:16 PM
To: Courtney, Cheri - AMS <Cheri.Courtney@ams.usda.gov>; Davis, Graham - AMS <Graham.Davis@ams.usda.gov>
Cc: Pavone, Matthew - AMS <Matthew.Pavone@ams.usda.gov>
Subject: Draft NoNC to CDA

Hi Cheri and Graham,

We have drafted a Notice of Noncompliance to the Colorado Department of Agriculture. The notice was prompted by the review of an appeal involving a CDA-certified operation. We used a prior NoNC that was issued to CDA stemming from an appeal as a template. We weren't sure how to number the noncompliances, so that at least will need some revision. Please let us know if you want to discuss further or have any comments.

Draft Notice of Noncompliance to CDA
Combined Notice of Noncompliance and Proposed Suspension (CDA issued to appellant)

Thanks!
Shannon

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

From: Davis, Graham - AMS
To: syeatts@hickmanseggs.com; hudson@hickmansegg.com
Subject: NOP resources
Date: Monday, August 14, 2017 1:11:26 PM

Good morning Shari and Violet,

I enjoyed meeting you both last week while witnessing CDA's inspection of (b) (4). Here are two resources that you might find helpful:

USDA NOP Program Handbook: Guidance and Instructions

Organic Certificaiton Cost Share

Take care,

Graham

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

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From: Davis, Graham - AMS
To: Nally Yanessa, Shannon - AMS
Subject: RE: NoNC for CDA re combined notice
Date: Wednesday, August 16, 2017 12:30:51 PM

Looks good to me. Thanks for making the necessary edits.

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) [redacted]

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From: Nally Yanessa, Shannon - AMS
Sent: Wednesday, August 16, 2017 11:05 AM
To: Courtney, Cheri - AMS <Cheri.Courtney@ams.usda.gov>
Cc: Zuck, Penelope - AMS <Penelope.Zuck@ams.usda.gov>; Davis, Graham - AMS <Graham.Davis@ams.usda.gov>
Subject: NoNC for CDA re combined notice

Hi All,

The draft Notice of Noncompliance to CDA has been revised based on feedback from Penny and Graham. (b) (5) [redacted] (b) [redacted] Please let me know if you are okay with the current draft. Feel free to insert additional edits into the file.

Cheri – do you want to sign this or have Jenny sign it on your behalf? In a prior appeal case where a Notice of Noncompliance was issued to the certifier, Jenny signed the notice on your behalf.

Thank you!
Shannon

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

From: Davis, Graham - AMS
To: AMS - QAD BusinessOps
Subject: Colorado Department of Agriculture Audit
Date: Thursday, August 17, 2017 8:29:58 AM
Attachments: GVD 1407 G Davis CDA.xlsx

Please see attached form 1407.

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) [redacted]

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USDA United States Department of Agriculture

Agricultural Marketing Service

Grading and Verification Division
13952 Denver West Parkway, Suite 350
Lakewood, CO 80401

☐ This document has been revised

GVD Work Log

Audit Identifier NP7219PZA

Week Beginning Date (Sunday) 08/06/17

Name James Graham Davis

Signature

Date 08/16/17

Date	Facility Name	City	State	Activity	Time[1] Start	Time[1] Finish	Total Miles	Per Diem Lodging	Per Diem Tax[2]	Per Diem M&IE	Air Fare	Car Rental[3]	Misc. Expenses[4]
08/07	Colorado Dept of Ag	Broomfield	CO	Travel VS NOP Domestic. FMMI: 3123219	6:00	13:00	50	528.00	52.52	265.50	630.40		50.00
08/07	Colorado Dept of Ag	Broomfield	CO	Audit VS NOP Domestic. FMMI: 3123219	13:30	16:30							
08/08	Colorado Dept of Ag	Broomfield	CO	Audit VS NOP Domestic. FMMI: 3123219	8:00	12:00							
08/08	Colorado Dept of Ag	Broomfield	CO	Audit VS NOP Domestic. FMMI: 3123219	13:30	17:00							
08/09	Colorado Dept of Ag	Broomfield	CO	Audit VS NOP Domestic. FMMI: 3123219	7:45	12:00							
08/09	Colorado Dept of Ag	Broomfield	CO	Audit VS NOP Domestic. FMMI: 3123219	13:00	16:45							
08/10	Colorado Dept of Ag	Broomfield	CO	Audit VS NOP Domestic. FMMI: 3123219	8:00	12:00							
08/10	Colorado Dept of Ag	Broomfield	CO	Audit VS NOP Domestic. FMMI: 3123219	13:00	17:00							
08/11	Colorado Dept of Ag	Broomfield	CO	Travel VS NOP Domestic. FMMI: 3123219	8:30	17:30							
08/16	Colorado Dept of Ag	Broomfield	CO	Administrative Fee	11:00	12:00							

[1]Enter Start and Finish time as military time. (Example: 0600, 1330) More than one line will be needed if a meal break is taken.

[2]Include lodging taxes and applicable lodging fees.

[3]Include fuel costs.

[4]Enter ATM fees, credit card fees, parking fees, and toll charges.

From: Zuck, Penelope - AMS
To: Gebel, Kelley - AMS
Cc: AMS - QAD AuditService; Crail, Lars - AMS; Davis, Graham - AMS
Subject: NOP Audit Documents - CDA
Date: Thursday, August 17, 2017 8:25:29 AM
Attachments: image001.png
NP7219PZA Checklist-4 (b) (4) CDA Broomfield CO 080817.doc
NP7219PZA Checklist-4 (b) (4) CDA Broomfield CO 080917.doc
NP7219PZA Checklist CDA Broomfield CO.DOC
NP7219PZA Checklist-4 (b) (4) CDA Broomfield CO 080917.doc
NP7219PZA CDA Materials - Table 080817.xlsx
NP7219PZA CDA Eng Ltr 071217.pdf
Estimate of Audit Services QAD1415.pdf
LPS-109_AppForService_Completed.pdf
TM 10CG Completed.pdf
NP7219PZA Auditor Special Instructions.docx
CDA Renewal Audit Schedule.pdf

Hello Kelley,
Attached are the following documents for the Accreditation Renewal Assessment of Colorado Department of Agriculture in Broomfield, CO.

- NOP 2005 Checklists (4)
- NOP Materials Table
- Audit Engagement Letter
- QAD 1415
- Signed LPS 109
- Signed TM-10CG
- Auditor Special Instructions
- Audit Schedule

Please let me know if you have any questions or need any additional documentation.

Regards,
Penny

Penny Zuck | USDA-National Organic Program | Accreditation Manager|
USDA • AMS • NOP | 1400 Independence Ave SW | 2649-S | Washington DC 20250
☎ 202.260.9444 | Fax 202.205.7808 | Cell (b) (6) | ✉ Penelope.Zuck@ams.usda.gov
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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):	Penny Zuck
Inspection date; initial or annual?	8/8/17; Annual
Name of operation:	(b) (4)
Location of operation:	Greeley, CO
Scope(s) of certification requested:	Crops, Processing
Inspector's name:	(b) (6), (b) (7)(C)
Inspector conflict of interest or confidentiality concerns:	None Reviewed COI on file with CDA
Operation representative (knowledgeable):	(b) (6)
Other inspection attendees:	None
Time inspection started: 8:30 AM	Time inspection completed: 4:00 PM
General information: **Crops** grown, acreage, fields and field location(s) (1 site or 2 or more); **Wild Crops:** products collected, harvest site locations, collector training; **Livestock** operation type, number of animals, identification methods, products; **Handling** operation, products processed, facilities, etc…	

Entire operation consists of (b) (4) acres, however only about (b) (4) acres are being organically managed. Produces organic carrots in cello pack (whole), peeled baby carrots, and juice carrots. This is a split/parallel operation with both organic and conventional carrots being grown and processed. (b) (4) varieties are produced as organic. Organic carrots are sold to (b) (4) grocery stores companies. 1.2-1.4 million seeds planted per acre (5 lbs.) The operation has (b) (4) carrot harvesters but one is dedicated to organic use.
General information on materials and inputs used and are they in compliance with the National List (NL) and annotations.
Chlorine is the only cleaning product used. Chlorine and citric acid are used as processing aids. Field inputs – compost tea. Pest control service is used – no inputs used in production areas.

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)	
Crops	**Section N/A**
Land requirements (§ 205.202)	Yes. Organic and transitional
Soil fertility and crop nutrient management practice standard (§ 205.203)	Yes
Seeds and planting stock practice standard (§ 205.204)	Yes. Organic seed was not used due to commercial unavailability. Checked three sources for availability.
Crop rotation practice standard (§ 205.205)	Yes
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 ___X___**

Origin of livestock (§ 205.236)	
Livestock feed (§ 205.237)	
Livestock health care practice standard (§ 205.238)	
Livestock living conditions (§ 205.239)	
Pasture practice standard (§ 205.240)	
Approved temporary variance practices? (§ 205.290)	
Handler	**Section N/A**
Organic handling requirements (§ 205.270)	Yes
Facility pest management practice standard (§ 205.271)	Pest management company service logs/invoices were not reviewed.
Commingling and contact with prohibited substance prevention practice standard (§ 205.272)	Yes. Process organic first thing in the morning only after clean down night before. Labeling during harvest and processing with special labels for organic. Cold storage in separate cooler from conventional carrots.
Did the inspector verify product composition for all products? (§ 205.301)	Single ingredient product.
Approved temporary variance practices? (§ 205.290)	N/A

Labels (§ 205.403(c))	**Section N/A**
Were labels verified during the on-site inspection? (§ 205.403(c)(2))	Inspector collected a sample of all organic labels used at the facility to be submitted with the inspection report.
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?	Yes – in file.
Sampling	**Section N/A** _____
Did the operation provide access to all products?	Yes
Was a sample collected during the inspection? (§ 205.670) (pre- or post-harvest?) (periodic residue testing?)	Yes – two samples were collected. One packaged and processed carrots (5 lb bag) and a sample dug from the field.
Why was sample pulled? (Directed by the certifier or NOP, or inspector decision?)	Part of 5% - random selection
For what was sample to be tested?	
Verify sampling procedures, chain of control, etc. (§ 205.670(e))	Yes
Did the inspector provide the applicant with a receipt for any samples taken? (§ 205.403(e)(1))	Yes
Did the sampling process follow the certifier's sampling	Yes

procedure?	
Was the inspector charged for the samples? (§ 205.403(e))	No
Did the certifier pay for the testing? (§ 205.670(b), (c))	? – testing was conducted after the inspection. No money was collected from the operator during the inspection.

Exit Interview (§ 205.403(d))	
Document information addressed or requested by the inspector during the exit interview: Products were changed from "100% organic" to "organic" since non-organic processing aids are used and product is actually marketed as "organic". Updated brand name information for products in the OSP. Field names in module and field history were not consistent – revised during inspection One field map was not included but collected at inspection Chlorine and citric acid information was not included in the OSP but was collected during the inspection. Location of chemical materials were not included in the OSP. All product labels in use were not included in the OSP – O Organics (private label). Collected all labels during the inspection.	
Was the exit interview conducted with a knowledgeable representative?	Yes
Did the exit interview address the accuracy and completeness of the inspection observations?	Yes
Did the exit interview address the need for additional information?	No – all information was collected by the inspector.
Did the exit interview address issues of concern identified during the inspection?	No – all information discussed in the exit interview was updated in OSP and documentation collected by the inspector.

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?	OSP, field maps, processing facility maps, flow chart, product labels.
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?	NA
How is the inspector informed of the certifier's policies and procedures and changes to them?	Staff inspector – bi-annual training and informed by CDA.
What is the inspector's background (experience, training,	Inspector with CDA since 2000;

and education) in relation to the operation being inspected?	pesticide application experience; BS in Agriculture

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
If applicable, how did the operation receive information on temporary variances?	N/A

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. OSP modules are verified by the inspector as the inspection report.
That prohibited substances had not been and were not being applied to the operation? (§ 205.403(c)(3))	Yes. Visually inspected buffer areas in organic fields.
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?	Yes
Did the inspector verify the corrective actions on previous noncompliances?	There were no previous noncompliances issued, however, there were conditions of certification and these were verified by the inspector.
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. The inspector was very thorough in updating the field history with crops currently planted and the adjoining land use to all field maps. Many sections of the OSP were updated.

Days or months between submission of application (annual update) and date of inspection? If length of time is unreasonable, why?	Annual update completed in June; Initial review of OSP in July; with inspection in August.

International Agreements	
Does the operation participate in any international agreements, such as: • EU equivalency • Canada equivalency • Japan or Taiwan export arrangement	No
If yes **for equivalency arrangements and the operation <u>is shipping out</u>**, did the inspector verify specific program requirements, including: • 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 <u>has received EU or Canada product in</u>**, did the inspector verify incoming product was accompanied by: • NOP Import Certificate (EU) • Attestation statement (Canada)?	
If yes **for Japan export arrangement**, did the inspector verify program requirements, including material use?	
Was the inspector aware of international agreement requirements?	
How is the inspector informed of the international agreements? What information or training is provided by the certifier?	
Does the OSP indicate participation in international agreements (i.e., would the inspector know of international agreement participation before arriving onsite)?	The OSP asks if operation is "exporting". No indication of importing products or ingredients. No module as part of the OSP for inspector to verify importing or exporting during the inspection.

Witness Audit – Auditor findings and citations

Finding 1

7 C.F.R. §205.403 (c)(1) and (2) states, "The on-site inspection of an operation must verify: The operation's compliance or capability to comply with the Act and the regulations of this part;… That the information, including the organic production or handling system plan, provided in accordance with §§205.401, 205.406, and 205.200, accurately reflects the practices used or to be used by the applicant for certification or by the certified operation."

Comments: *Records not verified by the inspector included:*

- *Operator indicated cleaning logs are kept for truck and equipment clean-out but inspector did not verify the record keeping by viewing the logs.*
- *Pest management company service logs and/or invoices were not reviewed to verify no prohibited materials used in the facility.*

Finding 2

Finding 3

Finding 4

Witness Audit – Auditor follow up requests or activities

Other notes:

No Spray signs are posted at all organic fields.

OSP modules are used by the inspectors to verify the OSP. This seems very time consuming and may prevent inspectors from actually reviewing the records because they are too busy editing the OSP with each detail.

Inspector reviewed planting and activities logs for field activity, spray (input) logs, and harvest logs.

Inspector conducted trace-back and mass balance activities. Production minus waste (mostly from baby carrots) would be the finished amount per day. All product is shipped the same day as processed.

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):	Penny Zuck
Inspection date; initial or annual?	8/9/17; Annual
Name of operation:	(b) (4) [redacted]
Location of operation:	Longmont, CO
Scope(s) of certification requested:	Processing
Inspector's name:	(b) (6), (b) (7)(C) [redacted]
Inspector conflict of interest or confidentiality concerns:	None Reviewed COI on file at CDA
Operation representative (knowledgeable):	(b) (6) [redacted], Compliance Officer
Other inspection attendees:	Dorys Jimenez and Teresa Cosgro
Time inspection started: 8:30 am	Time inspection completed: 12:00 PM
General information: **Crops** grown, acreage, fields and field location(s) (1 site or 2 or more); **Wild Crops:** products collected, harvest site locations, collector training; **Livestock** operation type, number of animals, identification methods, products; **Handling** operation, products processed, facilities, etc…	

(b) (4) [redacted]. Certified organic with CDA since 2004. Some products are being co-packed at other certified facilities – all finished product comes back to the (b) (4) [redacted] location for storage and distribution. Making updates in the plant and removing some lines with products being co-packed for most manufacturing. Eventually moving to co-packing of all products in the future. Kiwa-BCS is the certifier of the processing facility and the products will be certified under the processing facilities certification once all production is moved there. Sell non-retail to distributors in the US who export the product to Canada. No direct exporting to Canada.
General information on materials and inputs used and are they in compliance with the National List (NL) and annotations.
Cleaners/Sanitizers are all listed in the OSP with review and approval by CDA. Inspector verified those on-site. Pest management is contracted company – no pest materials are used inside facility. Inspector reviewed pest management service logs.

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)	
Crops	**Section N/A X**
Land requirements (§ 205.202)	
Soil fertility and crop nutrient management practice standard (§ 205.203)	
Seeds and planting stock practice standard (§ 205.204)	
Crop rotation practice standard (§ 205.205)	
Crop pest, weed, and disease management practice standard (§ 205.206)	
Approved temporary variance practices? (§ 205.290)	
Wild Crops	**Section N/A __X___**
Wild-crop harvesting practice standard (§ 205.207)	
Livestock	**Section N/A X**
Origin of livestock (§ 205.236)	
Livestock feed (§ 205.237)	
Livestock health care practice standard (§ 205.238)	
Livestock living conditions (§ 205.239)	
Pasture practice standard (§ 205.240)	
Approved temporary variance practices? (§ 205.290)	

Handler	Section N/A
Organic handling requirements (§ 205.270)	Yes
Facility pest management practice standard (§ 205.271)	Yes
Commingling and contact with prohibited substance prevention practice standard (§ 205.272)	Yes. Only one product is non-organic. It is not processed in this facility but the finished product is stored and distributed from this location. Segregation and labeling is clear.
Did the inspector verify product composition for all products? (§ 205.301)	No. The inspector chose one product to verify composition with batch sheet.
Approved temporary variance practices? (§ 205.290)	NA

Labels (§ 205.403(c))	Section N/A
Were labels verified during the on-site inspection? (§ 205.403(c)(2))	No
Were the labels being used the same as those approved by the certifier?	? Inspector did not review labels on-site with those on file and approved by CDA. See Finding.
How was the inspector made aware of which labels were approved by the certifier?	Labels are on file with the paperwork supplied to the inspector to perform the inspection.
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 by the inspector.	
Was the exit interview conducted with a knowledgeable representative?	Yes
Did the exit interview address the accuracy and completeness of the inspection observations?	Yes
Did the exit interview address the need for additional information?	Yes - Updated facility map when changes are finished.
Did the exit interview address issues of concern identified during the inspection?	None

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?	Inspectors are staff and have access to the server. OSP modules; maps; product labels; initial review form with special instructions. It was clear the inspector reviewed all documentation prior to inspection and also reviewed the operation's website for organic products.
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?	NA
How is the inspector informed of the certifier's policies and procedures and changes to them?	As staff inspector, CDA informs the inspector of all changes in policy and procedures. Bi-annual trainings are held for inspectors.
What is the inspector's background (experience, training, and education) in relation to the operation being inspected?	BS animal Agribusiness; AS animal science; Inspector with CDA since 2007; NRCS; IOIA pasture webinar.

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?	The certifier received a decision letter with conditions of certification and their updated certificate.
Did the operation receive a certificate from the certifier?	Yes
Does the client have a current copy of the USDA organic regulations?	Yes

If applicable, how did the operation receive information on temporary variances?	NA

Overall did the inspection verify:	
That the operation was in compliance or was able to comply with the Organic Foods Production Act and the regulations? (§ 205.403(c)(1))	Yes
That the OSP accurately reflected the practices used by the operation? (§ 205.403(c)(2))	Yes
That prohibited substances had not been and were not being applied to the operation? (§ 205.403(c)(3))	Yes
Does the inspector provide consulting services of any kind? (§ 205.501(a)(11)(iv))	No
If so, how is this information provided to the certifier?	NA
Was there enough time allocated for the inspection?	Yes
Did the inspector verify the corrective actions on previous noncompliances?	No previous noncompliances, however, there were conditions of certification that were not discussed.
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 – updated several areas of the OSP including discontinuing certain products. Collected revised labels for pancake mixes.
Days or months between submission of application (annual update) and date of inspection? If length of time is unreasonable, why?	Completed annual update in January, Reviewed by CDA in June and inspection in August.

International Agreements	
Does the operation participate in any international agreements, such as: • EU equivalency • Canada equivalency • Japan or Taiwan export arrangement	No. They sell product to US distributors who export product to Canada. Do not directly export to Canada.
If yes **for equivalency arrangements and the operation is shipping out**, did the inspector verify specific program requirements, including: • 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 <u>has received EU or Canada product in</u>**, did the inspector verify incoming product was accompanied by: • NOP Import Certificate (EU) • Attestation statement (Canada)?	
If yes **for Japan export arrangement**, did the inspector verify program requirements, including material use?	
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?	
Does the OSP indicate participation in international agreements (i.e., would the inspector know of international agreement participation before arriving onsite)?	Only question is on the general OSP Module page 1 – asking if operation is exporting. See Finding.

Witness Audit – Auditor findings and citations
Finding 1 7 C.F.R. § 205.501(a)(21) states, "A private or governmental entity accredited as a certifying agent under this subpart must: Demonstrate the ability to fully comply with the requirements for accreditation set forth in this subpart; Comply with, implement, and carry out any other terms and conditions determined by the Administrator to be necessary." The NOP website provides instructions and the terms of international trade arrangements. **Comments:** *CDA's OSP does not include exporting and importing according to trade arrangements. OSP module 1 includes the following question, "Through what avenues does the operation sell or otherwise market their products? Mark all that apply:… Exporting (where?)"*
Finding 2 7 C.F.R. §205.403 (c)(1) and (2) states, "The on-site inspection of an operation must verify: The operation's compliance or capability to comply with the Act and the regulations of this part;… That the information, including the organic production or handling system plan, provided in accordance with §§205.401, 205.406, and 205.200, accurately reflects the practices used or to be used by the applicant for certification or by the certified operation." **Comments:** *During a witness inspection, the inspector did not verify labels on-site were the same as the labels in the approved OSP.*
Finding 4

Witness Audit – Auditor follow up requests or activities

Other Notes:

Inspector noted all labels were on file except: (b) (4) - collected during the inspection.

Opening meeting included introductions but did not outline the schedule for the inspection or discuss confidentiality.

Changes to facility map – some production lines removed and staging areas changed. (b) (4) will submit a new map to CDA as all changes are not yet completed. The company is planning to be out of the current location/building by November. New distribution location has not yet been determined but it may be in Texas.

Inspector reviewed pest management company's service logs.

Mass balance and trace-back activities were conducted. Reviewed paperwork showing the production of one product including packaging used, palletizing of product, number of cases produced (Organic flavor cinnamon brown sugar), invoices and inventory of ingredients and finished product.

Inspector reviewed cleaning logs for verification of cleaning process and products used.

Inspector was prepared to take samples, if needed.

National Organic Program Accreditation Assessment Checklist	
Date:	August 7-11, 2017
Assessment Identifier:	NP7219PZA
Assessment Activity: (select one)	☐ Documentation Adequacy Review ☐ Pre-decisional Assessment ☐ Initial Assessment ☐ Mid-Term Assessment √ Renewal Assessment ☐ Compliance Assessment ☐ 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

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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:	**CDA Organic Policy and Procedures Manual**
Date or revision number of documentation:	**4/11/2017**

- ✓ 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	• Depart Washington • Broomfield, CO	20	• 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	• Broomfield, CO • Greeley, CO	16	• Conduct Office Audit • Witness Audit Crops/Handling – (b) (4) [redacted]. (PZ) – 8 AM	NOP: Graham Davis / Penny Zuck	Aloft Broomfield/Denver 8300 Arista Place Broomfield, Co 80021 303.635.2000
Aug 9, 2017	Wed	• Fort Lupton, CO • Longmont, CO	16	• Witness Audit Livestock/Handling - (b) (4) [redacted] (GD) • Witness Audit Processing – (b) (4) [redacted] (PZ)	NOP: Graham Davis / Penny Zuck	Aloft Broomfield/Denver 8300 Arista Place Broomfield, Co 80021 303.635.2000
Aug 10, 2017	Thurs	• CDA Office Broomfield, CO	16	• 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

✓ 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	Closing
Penny Zuck	**Lead Auditor**	**X**	**X**
Graham Davis	**2nd Auditor**	**X**	**X**
Mitch Yergert	**Organic Program Director**	**X**	**X**
Janis Kieft	**Organic Program Manager**	**X**	**X**
Alyssa Mack	**Certification Specialist**	**X**	**X**
Don Brooks	**Field Services**	**X**	**X**

Barb Terry	**Program Assistant**	**X**	**X**
Barb Rosenbach	**Program Assistant**	**X**	
Duane Sinning	**Assistand Division Director**		**X**

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. CDA does not utilize a checklist for label review.
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. Auditor reviewed two surrender files. No issues.
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. Auditor reviewed the one denial issued – see Table 5.
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. None
11. A list of operations and their files where the operations rebutted a notice of noncompliance and the follow-up actions taken by CDA. None

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 vitaes (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** ***(Include page or section number of quality/program manual as applicable)***	**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.	One wild crop operation is currently certified and will be certified until next year.
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	Note the number of operations certified to the NOP at the time of the assessment. Operations may hold more than one certification scope. Therefore the total number of certified operations might not be the sum of certification scopes issued.	Total: __214___ NOP certified operations Crop: ___141__ Wild-crop: __1___ Livestock: _10____ Handlers: _86____ Grower Groups: __0___ Approximate Handler Types: Processors:__79___ Distributors: ___7___ Traders/Brokers: __0__ Retailers: _0_____ The 214 was at the time of our previous assessment in 2015.	Current totals = 206 Crops – 136 Livestock – 11 Wild Crops – 1 Processing/handling - 93 One certificate is issued by CDA with all scopes included.
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_____	
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.	12 organic inspectors – all staff.
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	Auditor reviewed a list of all certified operations and verified last date of inspection.
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	Crops, Livestock updates are due in spring Handlers are due in fall

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.	Operation completes the estimate of fees and submits basic payment with annual update paperwork. A letter with estimated cost (including inspection costs) is then sent to the operation and inspection costs are billed after the inspection.
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	

SECTION I – Certifier Information Table of Contents Closing Meeting Findings			
23	How many minor issues have been issued since the last onsite audit?	~300	Referred as "conditions of certification".
24	How many noncompliances have been issued since the last onsite audit?	107	These are notices of noncompliances.
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	

SECTION I – Certifier Information Table of Contents Closing Meeting Findings			
28	How many suspensions have been issued since the last onsite audit?	13	9 NoPS not resulting in Suspension – how were they resolved? Some were appeals to the NOP.
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	(b) (4) is still under appeal with the NOP.
31	How many settlement agreements were established with operations since the prior onsite audit?	2015: 0 2016: 2 2017: 2	(b) (4) Settlement agreement with CDA. Others are SAs with NOP.

SECTION I – Certifier Information Table of Contents Closing Meeting Findings			
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	OMRI, WSDA, and their own.
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	
Pesticide Residue Sampling			

SECTION I – Certifier Information Table of Contents Closing Meeting Findings			
37	Number of pesticide residue tests conducted during the calendar years since the last assessment.	2015: 11 2016: 5 2017: 18 + 1 pending	Collected more than the minimum this year. Certain commodities – grasses and alfalfa were sampled this year. No results received yet.
38	Was all pesticide sampling conducted by the certifier? If not, explain.	Yes	Yes, by staff inspectors.
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	Accreditation information are on thumbdrive. PAL was only used last year because the CDA lab was over booked with samples.

	SECTION I – Certifier Information Table of Contents Closing Meeting Findings		
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)	Chain of custody form in place and used during one of the witness audits.
	Other Accreditation and Certification Information		
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. 31st 2017)	Plan to complete 11 by end of 2017. Mostly focused unannounced, not full annual inspections.
45	Describe how your unannounced inspections are selected.	Selected based on complaint, risk assessment, and random selection	

SECTION I – Certifier Information Table of Contents Closing Meeting Findings			
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.	ie - (b) (4) – operation processor – sends out some product to be processed elsewhere. Co-packing agreement with processor who is certified by OC.
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.	One in the spring and one in the fall. Including inspectors.
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.	All field evaluations were conducted for inspectors in 2017. HR has the performance evals for all staff and field evals are on thumbdrive.

SECTION I – Certifier Information Table of Contents Closing Meeting Findings			
50	Do any certified operations import or export organic products under established organic trade agreements (equivalency, recognition, or export arrangement)?	Yes	Canada, EU, Japan, Korea. Have TM-11 approval.
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)	
	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. Current accreditation certification is good until October 16, 2017. At the time of this Accreditation Renewal Assessment, CDA provided organic certification for 206 operations in Colorado: crops (136), wild crops (1), livestock (11) and handling (93). 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.

The Accreditation Renewal Assessment included three witness audits. One Crop and Handling operation in Greeley, CO; one Crop, Livestock, and Handling operation in Fort Lupton, CO; and one Processing/Handling operation in Longmont, CO.

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		X		

§§ 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	
§ 205.401 Are all applications complete and do the OSPs meet the requirements for an OSP? Table of Contents		X		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.

§§ 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(a)(1) Upon accepting applications does the certifier review the application for completeness? Table of Contents	X			Yes – as documented on Table 3 the certifier reviewed all applications for completeness.
§ 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	X			Yes – as documented on Table 3 all applications reviewed were reviewed by the certifier for compliance or the ability to comply.

§§ 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(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	X			Yes – as documented on Table 3 the certifier verified previous certification activities and results.
§ 205.402(b)(1) Is the time from receiving the application materials and the review reasonable? Table of Contents	X			Yes – as documented on Table 1 the time from receiving the application materials and the reviews were reasonable.
§ 205.402(b)(1) Is the time between receiving an application and	X			Yes – as documented on

§§ 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				Table 1 the time from receiving the application materials and communicating the results was reasonable.
§§ 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	X			
§ 205.402(c) Did any clients withdraw their application(s) and if so, was the process in accordance with the requirements? Table of Contents			X	No withdrawals

§ 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	X			
§§ 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	X			Yes – the certifier conducted unannounced inspections on 5% of the total certified operations in 2016. Only two have been conducted so far in 2017 with 9 more planned before the

[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**	
				end of the calendar year. 2016 – 11 conducted
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	X			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.
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	X			

§ 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**	
§ 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	X			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.
§ 205.403(b)(2) Are all inspections 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 ability to comply with the applicable provisions of subpart C can be observed? Table of Contents	X			

§ 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**	
§ 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		X		Labels are not verified during inspection. See Finding.
§ 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	X			
§ 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	X			

§ 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**	
§ 205.403(d) Do inspectors 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 onsite inspection? Does the exit interview(s) address the need for any additional information as well as any issues of concern? Table of Contents Table 3	X			

§ 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]**

[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.

	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				

§ 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**	
§ 205.404(a) Does the certifier meet the requirements of § 205.404(a) by: reviewing the inspection report, sample results, and any additional information within a reasonable time after the inspection; 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 (if the certification is granted and included requirements for the correction of minor noncompliances) indicating they have to be addressed within a specified time period as a condition of continued certification? Table of Contents	X			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. § 205.404(a).

§ 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**	
§ 205.404(b) Does the certifier issue a certificate of organic operation in all cases where certification is granted? Table of Contents	X			Yes – as documented on Table 3 the certifier issued a certificate in all cases where certification was granted.
§ 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	X			Yes – as documented on Table 3 all certificates reviewed contained the required information.

§ 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**	

§ 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 provide a written notification of noncompliance 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?	X			Yes – as documented on Table 5 the certifier provided a written notification of noncompliance to

[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**	
Table of Contents				all applicants who were not able to comply or were not in compliance with the requirements.
§ 205.405(a) If the certifier issued any combined notice of noncompliance and denial of certification, does it meet the requirements for both notifications? Table of Contents			X	N/A – no combined notice(s) of noncompliance and denial of certification were issued by the certifier.

§ 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**	
§ 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		X		Yes – as documented on Table 5, notices of noncompliance that were issued contained the required information. No – as documented on Table 5, notices of noncompliance that were issued did not contain the required information. Option to rebut is not included in all notices of noncompliance.

§ 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**	
§ 205.405(c)(1) In cases when the applicant provided corrective actions or a rebuttal, does the certifier: evaluate the rebuttal or corrective actions taken and supporting documentation; issue the applicant an approval of certification if the corrective action or rebuttal is sufficient for the applicant to qualify for certification; or issue the applicant a written notice of denial of certification when the corrective action or rebuttal is not sufficient for the applicant to qualify for certification? Table of Contents	X			Yes – as documented on Table 5, in cases when the applicant provided corrective actions or a rebuttal, the certifier took appropriate action in accordance with § 205.405(c)(1).

§ 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**	
§ 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			X	

§ 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**	
§ 205.405(c)(3) Does the certifier provide all notices of approval or denials to the Administrator? Table of Contents	X			Yes – as identified in § 205.501(a)(15)(i), all notices of approval or denials were submitted to the Administrator.

§ 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**	
§§ 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	X			Yes – as documented on Table 5, all denials of certification contained the required information.

§ 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**	
§ 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 treat the application as a new application and begin a new application process? Table of Contents			X	

§ 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**	

[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**	
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	X			Yes – as documented on Table 3, all certified operations submitted an updated OSP and paid their annual certification fees as required.

§ 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**	
§ 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	X			Yes – as documented on Table 1, after receipt the certifier reviewed all updated OSPs to see if they met the requirements.
§§ 205.406(b) and 205.403(a)(1) Following the receipt of an updated OSP does the certifier within a reasonable time arrange and	X			Yes – as documented on Table 1, after

§ 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**	
conduct an onsite inspection? Also see Onsite Inspection (§ 205.403(a)(1)) Table of Contents				receipt of updated OSPs the certifier conducted an onsite inspection within a reasonable time.
§ 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	X			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

§ 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.
§ 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	X			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.

§ 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 sufficient expertise in organic production or handling techniques to fully comply with and implement the terms and conditions of the organic certification program? Table of Contents	X			Yes – as documented on Table 8 and personnel interviews conducted. *(Auditor should revise statement as appropriate.)*
§ 205.501(a)(2) Does the certifier demonstrate the ability to fully comply with the requirements for accreditation? Table of Contents	X			

[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	**Complies[11]**			**Remarks[12]**
	Yes	**No**	**N/A**	
§205.501(a)(3) Does the certifier carry out the provisions of the Act and the regulations, including the provisions of §§ 205.402 through 205.406 and 205.670? Table of Contents	X			
§ 205.501(a)(4) Does the certifier use a sufficient number of adequately trained personnel, including inspectors and certification review personnel, to comply with and implement the organic certification program? Table of Contents	X			Yes – as documented on Table and/or personnel interviews conducted, the certifier had a sufficient number of adequately trained personnel. *(Auditor should revise statement as appropriate.)*
§ 205.501(a)(5) Does the certifier ensure certification personnel have sufficient expertise in organic production or handling techniques to successfully perform the duties assigned? Table of Contents	X			Yes – as documented on Table 8, the certifier ensured certification personnel had sufficient expertise in organic production or

§ 205.501 General Requirements for Accreditation				
CHECKLIST SECTION VII	**Complies[11]**			**Remarks[12]**
	Yes	**No**	**N/A**	
				handling techniques.
§ 205.501(a)(6) Does the certifier conduct annual performance evaluations of all certification personnel in accordance with § 205.501(a)(6)? Table of Contents	X			Yes – as documented on Table 8, the certifier conducted performance evaluations of all certification personnel as required.

§ 205.501 General Requirements for Accreditation				
CHECKLIST SECTION VII	**Complies[11]**			**Remarks[12]**
	Yes	**No**	**N/A**	
§ 205.501(a)(7) Does the certifier have an annual program review of its certification activities conducted by someone who has expertise to conduct the reviews? Does the certifier implement measures to correct any noncompliances that are identified in the evaluation? Table of Contents	X			
§ 205.501(a)(8) Does the certifier provide sufficient information to persons seeking certification to enable them to comply with the Act and the regulations? Table of Contents General Information Section	X			
§ 205.501(a)(9) Does the certifier maintain all records pursuant to §205.510(b) and make all such records available for inspection and copying during normal business hours? Table of Contents Table 7b	X			

§ 205.501 General Requirements for Accreditation				
CHECKLIST SECTION VII	**Complies[11]**			**Remarks[12]**
	Yes	**No**	**N/A**	
§ 205.501(a)(10) Does the certifier maintain strict confidentiality 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)	X			
Does the certifier prevent conflicts of interest by:				
§ 205.501(a)(11)(i) Not certifying a production or handling operation if the certifier or a responsibly connected party of such certifier has or has held a commercial interest in the production or handling operation? Table of Contents Table 8 Table 8 Findings	X			

§ 205.501 General Requirements for Accreditation				
CHECKLIST SECTION VII	**Complies[11]**			**Remarks[12]**
	Yes	**No**	**N/A**	
§ 205.501(a)(11)(ii) Excluding any person, including contractors, 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	X			
§ 205.501(a)(11)(iii) Not permitting any employee, inspector, contractor, or other personnel to accept payment, gifts, or favors of any kind, other than prescribed fees, from any business inspected. Table of Contents	X			
§ 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.	X			
§ 205.501(a)(11)(v) Requiring all certification personnel and responsibly connected parties to complete an annual conflict of interest disclosure report.	X			Yes – as documented on Table 8, the certifier required all

§ 205.501 General Requirements for Accreditation				
CHECKLIST SECTION VII	**Complies[11]**			**Remarks[12]**
	Yes	**No**	**N/A**	
Table of Contents				certification personnel and responsibly connected parties to complete an annual conflict of interest disclosure report.

§ 205.501 General Requirements for Accreditation				
CHECKLIST SECTION VII	**Complies[11]**			**Remarks[12]**
	Yes	**No**	**N/A**	
§ 205.501(a)(11)(vi) Ensuring that the decision to certify an operation is made by a person different from those who conducted the review of documents and onsite inspection. Table of Contents	X			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.

A private or governmental entity accredited as a certifier under this subpart must:				
§ 205.501(a)(12)(i) Reconsider a certified operation's application 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 had a conflict of interest involving the applicant. Table of Contents Table 8 Table 8 Findings			X	
§ 205.501(a)(12)(ii) Refer a certified operation 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 had a conflict of interest involving the applicant. Table of Contents Table 8 Table 8 Findings			X	
§ 205.501(a)(13) Accept the certification decisions made by another certifier accredited or accepted by USDA. Table of Contents	X			