



1400 Independence Ave. SW
Room 2648-S, STOP 0268
Washington, D.C. 20250

September 28, 2018

Boliviana de Certificacion – Bolicert
Carmen Murillo Quiroga
Colon 756, Floor 2, Office 2A
P.O. Box 13030
La Paz
BOLIVIA
Transmitted via email: bolicert@bolicert.org

Re: Appeal Acknowledgement, APL-011-18

Dear Sra. Murillo:

This letter acknowledges Boliviana de Certificacion's (Bolicert) appeal of the November 6, 2017 Notice of Proposed Suspension of Accreditation issued by the National Organic Program (NOP). Your appeal was received via e-mail by the Agricultural Marketing Service (AMS) on December 5, 2017, and will be expeditiously reviewed and decided by persons not involved with the action being appealed.

We invite you to provide the Appeals Team with any additional information you believe would support your case **within 10 days of receipt of this letter.**

Control Number APL-011-18 has been assigned to this appeal. Please use this number on all correspondence regarding this appeal. All written communications related to this appeal must be sent to the address above by a delivery service which provides dated receipts. You may also use email; the Appeals Inbox is: NOPAppeals@ams.usda.gov.

During the appeals process, Bolicert's USDA organic accreditation remains valid. As such, you must remain in full compliance with the USDA organic regulations, and will continue to operate under the oversight of the NOP. Please note that you may file additional appeals if you receive any additional adverse action notices.

Sincerely,

A handwritten signature in black ink that reads "Shannon Nally Yanessa". The signature is written in a cursive, flowing style.

Shannon Nally Yanessa
NOP Appeals Team
NOPAppeals@ams.usda.gov
202-260-9293

From: [Reid, John - AMS](#)
To: Bolicert@bolicert.org; Bolicert@megalink.com
Cc: [AMS - AIAinbox](#); [Zuck, Penelope - AMS](#)
Subject: Notice of Proposed Suspension - BOLI (Sent Registered)
Date: Tuesday, November 7, 2017 4:45:00 PM
Attachments: [image001.jpg](#)
[NP7015LCA Assessment Report 110717.pdf](#)
[NP7015LCA NoPS Boli 1107017.pdf](#)

Dear Ms. Murillo Quiroga:

Please see the attached Notice of Proposed Suspension. BOLI has the right to file an appeal of this proposed action within 30 days of receipt of this letter. Appeals must be submitted in writing to:

NOPAppeals@ams.usda.gov

or

Administrator, USDA, AMS
c/o NOP Appeals Staff
1400 Independence Avenue, SW
Room 2095-S, STOP 0203
Washington, DC 20250

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

Respectfully,

John A. Reid



Program/Operations Analyst
USDA | National Organic Program
1400 Independence Avenue SW | 2649-S | Washington DC 20250
Main: (202) 260-9452 | **Cell:** (202) 440-3550

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From: [Nally Yanessa, Shannon - AMS](#)
To: bolicert@bolicert.org
Cc: [Lopez, JasonJ - AMS](#); [Yang, RobertH - AMS](#); [Courtney, Cheri - AMS](#)
Subject: Appeal of Proposed Suspension (Sent Registered)
Date: Monday, December 11, 2017 2:05:32 PM
Attachments: [Ack_Bolicert_APL-011-18.pdf](#)

Dear Sra. Murillo Quiroga,

The National Organic Program appeals team has received your appeal of a Notice of Proposed Suspension of Accreditation. Please see the letter acknowledging receipt of your appeal.

Regards,
Shannon

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



1400 Independence Ave. SW
Room 2648-S, STOP 0268
Washington, D.C. 20250

December 11, 2017

Boliviana de Certificacion – Bolicert
Carmen Murillo Quiroga
Colon 756, Floor 2, Office 2A
P.O. Box 13030
La Paz
BOLIVIA
Transmitted via email: bolicert@bolicert.org

Re: Appeal Acknowledgement, APL-011-18

Dear Sra. Murillo:

This letter acknowledges Boliviana de Certificacion's (Bolicert) appeal of the November 6, 2017 Notice of Proposed Suspension of Accreditation issued by the National Organic Program (NOP). Your appeal was received via e-mail by the Agricultural Marketing Service (AMS) on December 5, 2017, and will be expeditiously reviewed and decided by persons not involved with the action being appealed.

We invite you to provide the Appeals Team with any additional information you believe would support your case **within 10 days of receipt of this letter.**

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Sincerely,

A handwritten signature in cursive script that reads "Shannon Nally Yanessa".

Shannon Nally Yanessa
NOP Appeals Team
NOPAppeals@ams.usda.gov
202-260-9293

From: [Zuck, Penelope - AMS](#)
To: [Nally Yanessa, Shannon - AMS](#); [McElroy, Bridget - AMS](#)
Subject: RE: Docs for Bolicert appeal
Date: Monday, May 7, 2018 8:14:28 AM
Attachments: [NP7015LCA NC Report BOLI 05 25 17.pdf](#)
[NP7015LCA NoNC BOLI 06 09 17.pdf](#)

Hi Shannon,

These documents are located in the Ecert database. They are attached. Please let me know if you need any additional docs.

Thanks,
Penny

From: Nally Yanessa, Shannon - AMS
Sent: Friday, May 4, 2018 3:05 PM
To: McElroy, Bridget - AMS <Bridget.McElroy@ams.usda.gov>
Cc: Zuck, Penelope - AMS <Penelope.Zuck@ams.usda.gov>
Subject: Docs for Bolicert appeal

Hi Bridget,

I am reviewing the appeal decision and exhibits for the Bolicert case and am looking for a few documents.

- Notice of Noncompliance, June 9, 2017 – I found a NoNC in the file, but the letter is not signed.
- Assessment Report – I am looking for a copy of the report that was sent out with the Notice of Noncompliance rather than a later version.

A copy of the email that went to Bolicert with these documents would be helpful – then we would not need to track down the documents elsewhere. Please let me know if I should route this request to someone else. I was thinking John Reid may have a copy of the email.

Thanks!
Shannon

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

From: [Nally Yanessa, Shannon - AMS](#)
To: [Cole, Kimber - AMS](#)
Subject: RE: Bolicert
Date: Thursday, August 16, 2018 5:35:41 AM

Hi Kimber,

I am supportive of (b) (5). If you have specific questions, I will be available by phone this afternoon (b) (6) and then I will be in the office tomorrow.

Thanks!
Shannon

From: Cole, Kimber - AMS
Sent: Tuesday, August 14, 2018 10:07 AM
To: Nally Yanessa, Shannon - AMS <Shannon.NallyYanessa@ams.usda.gov>
Subject: Bolicert

I just finished completely reviewing Bolicert – everything on the P drive folder – old cases, notices of noncompliance and proposed suspension, settlement agreements, correspondence, training materials, etc.

I agree (b) (5)
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED].

Just let me know when you want to discuss, and of course, I'll complete Adm. Dec. if that is way you want to go.

Kim

From: [Tucker, Jennifer - AMS](#)
To: [Nally Yanessa, Shannon - AMS](#); [Cole, Kimber - AMS](#)
Cc: [Rakola, Betsy - AMS](#)
Subject: FW: Bolicert USDA case
Date: Monday, September 17, 2018 10:46:05 AM
Attachments: [REQUEST FOR HEARING-BOLICERT.pdf](#)

Attached is the request for hearing for Bolicert's most recent appeal. (b) (5) DPP
[REDACTED]

Many thanks -
Jenny

From: Becker, Lauren - OGC
Sent: Monday, September 17, 2018 10:17 AM
To: Tucker, Jennifer - AMS ; Rakola, Betsy - AMS
Subject: FW: Bolicert USDA case

Hi Jenny and Betsy,

I received the email below from Bolicert. (b) (5) Deliberative Process, (b) (5) Attorney-Client Privilege
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Thanks!
Lauren

From: Carmen Murillo [<mailto:bolicert@megalink.com>]
Sent: Monday, September 17, 2018 9:28 AM
To: Becker, Lauren - OGC <Lauren.Becker@ogc.usda.gov>
Subject: RE: Bolicert USDA case

Dear Dra. Becker:

The decision of the partners is to choose to request a hearing from the administrator, because we want to show that the failures that led us to the decision of the NOP were not voluntary, demonstrate that preventive measures have now been taken so that it does not happen again and we want to defend our accreditation by demonstrating that we are complying with what the NOP requires, for this we send the hearing request (attached).

Best regards

BOLIVIANA DE CERTIFICACION
"BOLICERT"

Lic. Carmen Murillo Quiroga
Office: Street Colon N° 756
Building "Valdivia"
Floor 2, Of. 2ª
Phono: 591-2-2902103
Mobil: (b) (6)
Fax: 591-2-2902104
P.O. Box: 13030

Email: bolicert@bolicert.org
bolicert@megalink.com
Web: www.bolicert.org
Skype: bolicert
Facebook: Certificadora Boliviana
La Paz-Bolivia

De: Becker, Lauren - OGC <Lauren.Becker@ogc.usda.gov>

Enviado el: miércoles, 12 de septiembre de 2018 10:39

Para: Carmen Murillo <bolicert@megalink.com>

Asunto: RE: Bolicert USDA case

Carmen,

Ok. That's fine for me.

Thanks,

Lauren

From: Carmen Murillo [<mailto:bolicert@megalink.com>]

Sent: Wednesday, September 12, 2018 10:27 AM

To: Becker, Lauren - OGC <Lauren.Becker@ogc.usda.gov>

Subject: RE: Bolicert USDA case

Dear Dr. Becker

Today Wednesday September 12 at hours. 6:30 p.m. We have the BOLICERT meeting of partners and we will decide which of the 2 options you sent us we will choose, please tomorrow Thursday the 13th, we will send the answer to you, thank you for your understanding.

Best regards

BOLIVIANA DE CERTIFICACION

"BOLICERT"

Lic. Carmen Murillo Quiroga

Office: Street Colon N° 756

Building "Valdivia"

Floor 2, Of. 2ª

Phono: 591-2-2902103

Mobil: (b) (6)

Fax: 591-2-2902104

P.O. Box: 13030

Email: bolicert@bolicert.org

bolicert@megalink.com

Web: www.bolicert.org

Skype: bolicert

Facebook: Certificadora Boliviana

La Paz-Bolivia

De: Becker, Lauren - OGC <Lauren.Becker@ogc.usda.gov>

Enviado el: martes, 11 de septiembre de 2018 16:50

Para: bolicert@megalink.com

Asunto: RE: Bolicert USDA case

Hello Ms. Murillo,

I am following up on my email of September 6, below. Please let me know how you would like to proceed.

Lauren

From: Becker, Lauren - OGC

Sent: Thursday, September 6, 2018 2:28 PM

To: 'Carmen Murillo ' <bolicert@megalink.com>

Subject: RE: Bolicert USDA case

Hello Ms. Murillo,

NOP has notified me of the Administrator's decision sent to you yesterday. As you know, you have the opportunity to appeal the decision and request a hearing. If you choose to do so, we will move to incorporate the request into the current Complaint before the Administrative Law Judge.

If you are willing to accept our settlement offer for a suspension of 9 months, we will incorporate the current noncompliances described in the Administrator's Decision of September 4, 2018 into the settlement agreement, and it will resolve all outstanding findings of noncompliance.

Please let me know how you would like to proceed.

Regards,

Lauren Becker

From: Carmen Murillo [<mailto:bolicert@megalink.com>]

Sent: Friday, August 31, 2018 7:17 PM

To: Becker, Lauren - OGC <Lauren.Becker@ogc.usda.gov>

Subject: RE: Bolicert USDA case

Dear Dra. Becker:

Okay, we called her within the time limit that you indicated to us thanks.

Best regards

Carmen Murillo

BOLICERT

De: Becker, Lauren - OGC [<mailto:Lauren.Becker@ogc.usda.gov>]

Enviado el: viernes, 31 de agosto de 2018 12:38

Para: Carmen Murillo <bolicert@megalink.com>

Asunto: RE: Bolicert USDA case

Yes, Tuesday afternoon September 4 is good for me. Let's say 2:00pm, but I am flexible anytime between 12:00 and 5:00pm.

Thanks!

Lauren

From: Carmen Murillo [<mailto:bolicert@megalink.com>]

Sent: Friday, August 31, 2018 12:35 PM

To: Becker, Lauren - OGC <Lauren.Becker@ogc.usda.gov>

Subject: RE: Bolicert USDA case

Dear Dra. Becker

Okay, I'll contact the translator and I'll call you, it could be Tuesday, September 4th, please, we're on a trip and we'll return on Tuesday morning, we can connect in the afternoon, can you please tell us the time we can call thank you.

Best regards.

BOLIVIANA DE CERTIFICACION "BOLICERT"

Lic. Carmen Murillo Quiroga

ADMINISTRATIVE DIRECTOR

Calle Colon 756, piso 2, oficina 2A

Edificio Valdivia- Zona Central

Teléfono: 591-2-2902103

Fax: 591-2-2902104

Celular: (b) (6)

P.O. Box 13030

Email: bolicert@bolicert.org

Email: bolicert@mail.megalink.com

La Paz-Bolivia

Web: www.bolicert.org

De: Becker, Lauren - OGC [<mailto:Lauren.Becker@ogc.usda.gov>]

Enviado el: viernes, 31 de agosto de 2018 9:45

Para: Carmen Murillo <bolicert@megalink.com>

Asunto: Re: Bolicert USDA case

Ms. Murillo,

I think it is best if you are accompanied by a translator. Is it possible for you to call me?

Lauren

On Aug 30, 2018, at 9:56 PM, Carmen Murillo <bolicert@megalink.com> wrote:

Dear Dra. Becker

Confirm the reception of your message, I am interested to speak, can be by phone, skype or email you choose,

Excuse me but do not dominate English, please could speak in Spanish to explain it better, otherwise

I will be accompanied by a translator. I await your answer thank you.

Best regards

BOLIVIANA DE CERTIFICACION "BOLICERT"

Lic. Carmen Murillo Quiroga

ADMINISTRATIVE DIRECTOR

Calle Colon 756, piso 2, oficina 2A

Edificio Valdivia- Zona Central

Teléfono: 591-2-2902103

Fax: 591-2-2902104

Celular: (b) (6)

P.O. Box 13030

Email: bolicert@bolicert.org

Email: bolicert@mail.megalink.com

La Paz-Bolivia

Web: www.bolicert.org

De: Becker, Lauren - OGC [<mailto:Lauren.Becker@ogc.usda.gov>]

Enviado el: jueves, 30 de agosto de 2018 15:02

Para: bolicert@megalink.com; bolicert@mail.megalink.com

Asunto: Bolicert USDA case

Hello Ms. Murillo,

I am the attorney assigned to the Administrative case pending against Bolicert. I would like to discuss with you whether Bolicert is interested in settling your case rather than

proceeding to a hearing.

The NOP is requesting that, because of the violations we have set forth in the complaint, that Bolicert be suspended as a certifying agent for 9 months, beginning on September 30, 2018.

If we proceed to hearing, NOP will present our evidence to the judge and request a more severe sanction, including a suspension of more than 1 year.

Please let me know if you would like to discuss our offer by phone or by email.

Regards,

Lauren Becker

Phone: 202-720-7753

Lauren Becker, Attorney
U.S. Department of Agriculture
Office of the General Counsel
Marketing, Regulatory,
and Food Safety Programs Division
1400 Independence Ave., SW, Rm. 2325
Washington, DC 20250
(202) 720-7753 (Office)
Lauren.Becker@ogc.usda.gov

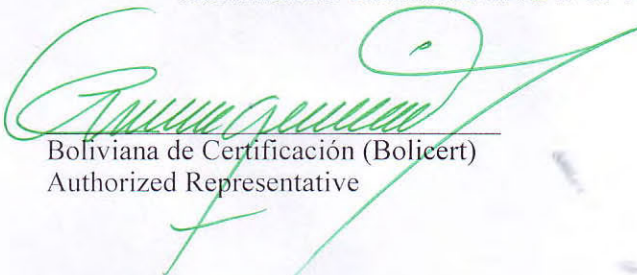
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Request for Hearing

THIS REQUEST FOR HEARING is submitted by Boliviana de Certificación (Bolicert) in La Paz, Bolivia, to the United States Department of Agriculture (USDA), Agricultural Marketing Service (AMS).

In signing this Hearing Request, Bolicert acknowledges and agrees to the following:

1. The Secretary has jurisdiction in this matter.
2. Bolicert has been given the opportunity for a hearing and requests a hearing pursuant to the USDA's Uniform Rules of Practice, 7 C.F.R. Part 1, Subpart H.
3. Bolicert understands that failure to return this Hearing Request is deemed a waiver of hearing and in doing so accepts the decision of the AMS Administrator established in APL-18-011.



Boliviana de Certificación (Bolicert)
Authorized Representative

Date: L. P. - Bolivia, September 17, 2018

BOLICERT

From: [Becker, Lauren - OGC](#)
To: [Cole, Kimber - AMS](#)
Subject: RE: Bolicert
Date: Thursday, September 27, 2018 3:47:50 PM
Attachments: [18-0015 CONSENT DECISION.pdf](#)

Hi Kimber,

Yes, it was. The consent (attached) resolved all noncompliances through September 15.

Let me know if you need anything else!

Lauren

From: Cole, Kimber - AMS
Sent: Thursday, September 27, 2018 3:44 PM
To: Becker, Lauren - OGC
Subject: Bolicert

Can you please confirm for me that Bolicert's request for a hearing on their second case, was incorporated into the complaint you prepared on the first case, and was also resolved through the consent order. If this is the situation, I can close out the 2nd case. Also can you please send a copy of the consent order for our files.

Thank you.

Kimber Cole

Appeals Specialist

National Organic Program

USDA

Washington, D.C.

2018 SEP 19 AM 10:31

UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

RECEIVED

In re:)	OFPA Docket No. 18-0015
)	
Boliviana de Certificacion, a Bolivian)	
Corporation doing business as Bolicert)	
)	
Respondent)	Consent Decision and Order

This proceeding was instituted under the Organic Foods Production Act of 1990, as amended, 7 U.S.C. §§ 6501-6522 (OFPA), alleging that the respondent, Boliviana de Certificacion, a Bolivian Corporation doing business as Bolicert, violated the National Organic Program Regulations issued thereunder, 7 C.F.R. § 205.1 – 205.699 (NOP Regulations). This decision is entered pursuant to the consent decision provisions of the Rules of Practice applicable to this proceeding (7 C.F.R. § 1.138).

The Respondent admits the jurisdictional allegations as set forth herein and specifically admits that the Secretary has jurisdiction in this matter, neither admits nor denies the remaining allegations of the complaint, waives oral hearing and further procedure, and consents and agrees, for the purpose of settling this proceeding, as well as all remaining alleged violations which may have occurred on or before September 15, 2018, to the entry of this decision.

The Complainant agrees to the entry of this decision.

FINDINGS OF FACT

1. Boliviana de Certificacion, dba Bolicert (Respondent), is a corporation whose mailing address is Colon 756, Floor 2, Office 2A, P.O. Box 13030, La Paz, Bolivia.
2. The Respondent has been a certifying agent accredited by the United States Department of Agriculture (USDA) National Organic Program (NOP) since March 13, 2003.

CONCLUSION OF LAW

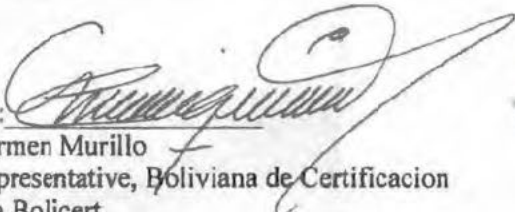
Respondent having admitted the findings of fact set forth above, and the parties having agreed to the entry of this decision, such decision will be entered.

ORDER

1. Respondent, its agents and employees, successors and assigns, directly or through any corporate or other device, shall cease and desist from violating 7 C.F.R. § 205.103, a USDA organic Regulation issued under the OFPA.

2. Respondent's accreditation is suspended from October 1, 2018 through April 30, 2019.

The provisions of this order shall become effective immediately. Copies of this decision shall be served upon the parties.

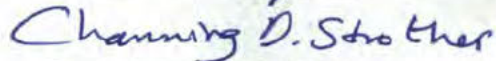
By: 
Carmen Murillo
Representative, Boliviana de Certificacion
dba Bolicert
Respondent


Lauren Becker
Attorney for Complainant

BOLICERT

Done at Washington, D.C.

this 19th day of September 2018



Channing D. Strother,
Acting Chief Administrative Law Judge

CERTIFICATE OF SERVICE

Boliviana De Certificacion d/b/a Bolicert, Respondent

Docket: 18-0015

Having personal knowledge of the foregoing, I declare under penalty of perjury that the information herein is true and correct and this is to certify that a copy of the PROPOSED CONSENT DECISION and CONSENT DECISION has been furnished and was served upon the following parties on September 19, 2018 by the following:

USDA OGC - Electronic Mail

Lauren E. Becker, OGC

Lauren.Becker@ogc.usda.gov

Joyce McFadden, OGC

Joyce.McFadden@ogc.usda.gov

USDA (AMS) - Electronic Mail

Betsy Rakola, AMS-OFPA

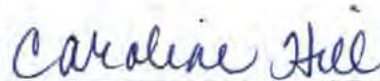
Betsy.Rakola@ams.usda.gov

Respondent – Electronic Mail

Carmen Murillo

bolicert@megalink.com

Respectfully Submitted,



Caroline Hill, Acting Hearing Clerk
USDA/Office of Administrative Law Judges
Hearing Clerk's Office, Rm. 1031-S
1400 Independence Ave., SW
Washington, DC 20250-9203



National Organic Program (NOP) Appeal APL-011-1

Appellant:

**Boliviana de Certificacion's
BOLICERT
Colon 766, piso 2, oficina 2A
P.O. Box 13030
La Paz-Bolivia**

NOP ADVERSE ACTION

→ PLEASE RETURN TO NOP:
(202) 720-3252

UNITED STATES DEPARTMENT OF AGRICULTURE

AGRICULTURAL MARKETING SERVICE

BEFORE THE ADMINISTRATOR

In re:)	
Boliviana de Certificación)	Administrator's Decision
La Paz, Bolivia)	APL-011-18
)	

This Decision responds to an appeal (APL-011-18) of a Notice of Proposed Suspension of Accreditation issued to Boliviana de Certificación by the U.S. Department of Agriculture (USDA), Agricultural Marketing Service (AMS), National Organic Program (NOP). The certifier has been deemed not in compliance with the Organic Foods Production Act of 1990 (Act)¹ and the U.S. Department of Agriculture organic regulations.²

BACKGROUND

The Act authorizes the Secretary to accredit agents to certify crop, livestock, wild crop, and handling operations pursuant to the USDA organic regulations (7 C.F.R. Part 205). Accreditation of certifying agents is done by the NOP, which also initiates compliance actions to enforce program requirements. Noncompliance procedures for certifying agents are set forth in §205.665 of the USDA organic regulations. Persons subject to the Act who believe that they are adversely affected by a noncompliance decision of the NOP may appeal such decision to the

¹ 7 U.S.C. 6501-6522

² 7 C.F.R. Part 205

AMS Administrator, pursuant to §205.680 Adverse Action Appeals Process – General, and §205.681, Appeals of the USDA organic regulations.

FINDINGS OF FACT

1. Boliviana de Certificación (Bolicert), based in La Paz, Bolivia, has been a USDA-accredited certifying agent since March 13, 2003.
2. On January 19 – 20, 2017, the NOP conducted an onsite mid-term assessment audit of Bolicert.
3. On May 25, 2017, the NOP completed a Noncompliance Report detailing nine noncompliances resulting from the January 2017 on-site audit.
4. On June 9, 2017, the NOP issued a Notice of Noncompliance to Bolicert, listing the nine noncompliances identified during the January 2017 mid-term audit. The notice required that corrective actions, which indicate how the noncompliances will be corrected and how the management system will be modified to prevent a recurrence of the noncompliances, would need to be submitted within thirty days.
5. On July 11, 2017, Bolicert submitted corrective actions. NOP found them to be insufficient. The NOP requested clarification and provided additional time, until September 8, 2017, to provide sufficient corrective actions. Bolicert submitted additional corrective action information to the NOP on September 8, 2017.
6. On November 6, 2017, NOP issued a Notice of Proposed Suspension of Accreditation to Bolicert for two outstanding noncompliances. The unresolved noncompliances were related to Bolicert's failure to issue proposed adverse actions and notices of noncompliance to operations they certified, when issues were identified with the operations and/or when said

operations missed deadlines for submitting corrective actions or rebuttals.

7. The NOP's November 7, 2017 Assessment Report of Bolicert, which accompanied the Notice of Proposed Suspension of Accreditation, noted that seven of the nine noncompliances had been addressed and NOP had accepted Bolicert's corrective actions/rebuttals for those noncompliances. There were two remaining outstanding noncompliances.
8. On December 5, 2017, Bolicert filed an Appeal to the Notice of Proposed Suspension of Accreditation.

DISCUSSION

The NOP proposed suspending Bolicert's accreditation for a period of one year. The Notice of Proposed Suspension of Accreditation ("Notice") stated that despite NOP giving Bolicert several opportunities to submit adequate corrective actions for nine previously-noted noncompliances, two of the noncompliances remain outstanding. The Notice referenced an Assessment Report, which detailed all nine noncompliances, noting the resolution of seven, and providing details on the two outstanding noncompliances upon which the proposed suspension of accreditation is based.

The first outstanding noncompliance is in reference to the USDA organic regulations at 7 C.F.R. § 205.662, Noncompliance procedure for certified operations, which states that, "(a) Notification. When an inspection, review, or investigation of a certified operation by a certifying agent or a State organic program's governing State official reveals any noncompliance with the Act or regulations in this part, a written notification of noncompliance shall be sent to the certified operation." NOP cited in the Assessment Report several cases in which Bolicert didn't

issue notices of noncompliance to the operations, despite being notified by inspectors of issues of concern with operations it certified.

The second outstanding noncompliance referred to USDA organic regulations at § 205.662 which states at paragraph (c), “Proposed suspension or revocation. When rebuttal is unsuccessful or correction of the noncompliance is not completed within the prescribed time period, the certifying agent of State organic program’s governing State official shall send the certified operation a written notification of proposed suspension or revocation of certification of the entire operation or a portion of the operation, as applicable to noncompliance...” NOP stated in the Assessment Report that Bolicert hasn’t been issuing proposed adverse actions to their certified operations when said operations fail to meet deadlines for submitting corrective actions or rebuttals. NOP cited to a case where Bolicert merely de-certified an operation for not providing an annual update and payment of fees, rather than following the sequential noncompliance procedures provided in the USDA organic regulations. These procedures require a notice of noncompliance, before finalizing an adverse certification decision.

In the appeal, Bolicert states that it has addressed all nine noncompliances but admitted that it didn’t explain the corrective actions well and didn’t submit all requested documentation. Bolicert states it has corrected problems which led to the noncompliances and no longer makes such mistakes. Bolicert reports that it follows the USDA organic regulations, and that NOP will be able to “check all of this on the next audit.”

Specifically addressing the first outstanding noncompliance noted by NOP, Bolicert states it has sent a notification of noncompliance to operator El Ceibo about three of their producers using prohibited substances. It hadn’t done so previously because the three producers had already lost their organic status. Bolicert states that El Ceibo responded and informed

Bolicert that it conducted training for its producers on the use of prohibited substances, which Bolicert confirmed. Bolicert also claims it has provided training to its staff on the timely issuance of notices of adverse action, and a translator was present during the training to translate for the Spanish-speaking staff.

Regarding the second outstanding noncompliance, Bolicert states that it involved a new operator, Santa Teresa, which applied for certification in March 2015. Bolicert conducted the inspection, found one noncompliance, and Santa Teresa signed a 'commitment letter' to resolve the noncompliance. Based on this, Bolicert approved Santa Teresa for organic certification. However, the following year, Santa Teresa requested renewal of its certification, but failed to submit any updated documentation or the certification fee as required in the USDA organic regulations for continuation of certification. Bolicert states that it issued a noncompliance notification, and when Santa Teresa didn't respond in the stated thirty days, or to Bolicert's subsequent emails, Bolicert issued a proposed suspension of certification. Bolicert states Santa Teresa claimed not to know whom to send the requested information and fee, but their communication problems have been resolved. Bolicert states it has assigned one person, an administrative assistant, to track each document so the status of each operation can be easily determined, and they use 'visual exposure strategies,' specifically the NOP Noncompliance and Adverse Action Flowchart.

In its appeal, Bolicert submitted a December 2017 procedure manual entitled, "Certification System for Organic Operations," addressing such matters as conducting exit interviews with operations, providing the inspection report to operations, and retaining inspection and related records for ten years. The manual also has sections on procedures for addressing noncompliances of operations, the issuance of notices of noncompliances, and the

suspension or revocation of operations' certification. Additional documents submitted with the appeal include several letters to and from Bolicert, allegedly from and to operations; but all the documents are in Spanish and no translation was provided. Registers for staff training on April 21, 2017, and certification decision staff training on September 23, 2017, show the attendees of training on adverse actions.

The appeal admits fault in the handling of noncompliances discovered at operations certified by Bolicert, and the issuance of needed adverse action notifications. Further, although Bolicert issued a belated adverse action notification to operation El Ceibo, in response to an NOP finding of noncompliance, the NOP Assessment Report sent with the Notice of Proposed Suspension of Accreditation lists several examples of failures to issue notices of noncompliance and notices of proposed adverse action when these were warranted. Bolicert also discussed the Santa Teresa operation in its appeal, but has not clearly resolved the situation that led to the operation's certification being suspended for not providing an annual update or payment of fees without first issuing a notice of noncompliance. Bolicert merely stated that it has designated an administrative assistant to keep track of documentation and uses the NOP Noncompliance and Adverse Action Flowchart.

Bolicert has a long history of noncompliances. This includes incomplete, insufficient and delayed efforts to correct multiple noncompliances identified by the NOP and failing to uphold two settlement agreements with the NOP. Bolicert has repeatedly failed to correct the recurrent noncompliances and continues to have unresolved noncompliances. Bolicert's noncompliances are systemic; the repeated findings of noncompliance and insufficient corrective actions demonstrate an inability to implement the USDA organic regulations in practice.

These noncompliances date back to 2011. A review of NOP files shows that the 2011

mid-term accreditation assessment found Bolicert wasn't compliant with a number of accreditation requirements. After Bolicert was unable to submit acceptable corrective and preventive actions, NOP issued a Notice a Proposed Suspension of Accreditation on January 4, 2013. An accompanying proposed settlement agreement was executed on January 11, 2013. However, the 2014 accreditation renewal assessment found that two settlement terms were outstanding and there were eight new non-compliances. NOP issued a June 16, 2015 Notice of Proposed Suspension of Accreditation. NOP issued a Second Notice of Proposed Suspension on February 8, 2016, when Bolicert failed to successfully respond to a January 12, 2016 Notice of Noncompliance. Bolicert filed appeals to both notices (APL-026-15 and APL-010-16). On May 24, 2016, Bolicert and AMS entered into a settlement agreement to resolve both the notices of proposed suspension. However, Bolicert had failed to meet the terms of the settlement agreement by September 2, 2016, and hence, AMS pursued administrative action against Bolicert. The Administrator's Decision was issued October 7, 2016, (APL-026b-15) suspending Bolicert's accreditation for one year. Bolicert requested an administrative hearing on October 13, 2016; the hearing is still pending. This new decision does not address these prior actions, as they are being addressed through a separate administrative complaint process.

CONCLUSION

As an accredited certifying agent, Bolicert must demonstrate the ability to fully comply with the requirements for accreditation set forth in the organic regulations. The record demonstrates that Bolicert has consistently failed to demonstrate compliance with the regulations, resulting in a succession of notices of noncompliance and notices of proposed

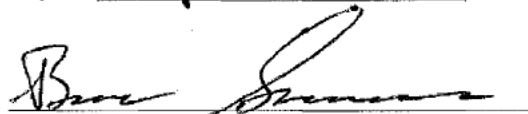
suspension of accreditation from the NOP. The NOP has attempted to work with Bolicert to become compliant and maintain compliance with the accreditation requirements; however, Bolicert has also breached settlement agreements entered into with NOP. Bolicert has demonstrated systemic and repeated violations of the organic regulations. Therefore, AMS finds that the NOP's November 6, 2017 Notice of Proposed Suspension of Accreditation was appropriate.

DECISION

The appeal is denied and Bolicert's organic accreditation is to be suspended for one year. Attached to this formal Administrator's Decision is a Request for Hearing form. Bolicert has thirty days to request an administrative hearing before an Administrative Law Judge. If Bolicert does not request a hearing in that period, this Decision will be implemented and the NOP will suspend Bolicert's organic accreditation.

In accordance with §205.665(g)(1) of the USDA organic regulations, "A certifying agent whose accreditation is suspended by the Secretary under this section may at any time, unless otherwise stated in the notification of suspension, submit a request to the Secretary for reinstatement of its accreditation. The request must be accompanied by evidence demonstrating correction of each noncompliance and corrective actions taken to comply with and remain in compliance with the Act and the regulations in this part."

Done at Washington, D.C., on this 4th
day of September, 2018.



Bruce Summers
Administrator
Agricultural Marketing Service



National Organic Program (NOP) Appeal APL-011-18

EXHIBITS

- EXHIBIT 1: NOP Engagement Letter for January 2017 Mid-term Assessment
- EXHIBIT 2: Noncompliance Report, May 25, 2017
- EXHIBIT 3: Notice of Noncompliance, June 9, 2017
- EXHIBIT 4: Bolicert Response – Corrective Actions, July 11, 2017
- EXHIBIT 5: Bolicert Response – Corrective Actions, September 8, 2017
- EXHIBIT 6: Notice of Proposed Suspension of Accreditation, November 6, 2017
- EXHIBIT 7: Assessment Report, November 7, 2017
- EXHIBIT 8: Bolicert Appeal, December 5, 2017
- EXHIBIT 9: Bolicert Response to Noncompliances 6 and 9



Agricultural
Marketing
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Quality
Assessment
Division

1400 Independence Avenue SW
Room 3932-S
Washington, DC 20250

December 28, 2016

Ms. Carmen Murillo Quiroga
Boliviana de Certificacion
Colon Street 756, Floor 2
Office 2A Building Baldivia
La Paz, Bolivia

Dear Ms. Murillo Quiroga:

The Quality Assessment Division (QAD) has received notification from the National Organic Program (NOP) to conduct a mid-term assessment of the Boliviana de Certificacion (BOLI) organic certification program in accordance with the USDA organic regulations (7 CFR Part 205). In order to proceed, please provide us notification agreeing to this assessment. Notification must be received by Friday, January 6, 2017 and must be sent by e-mail to AIABox@ams.usda.gov and copied to Lars.Crail@ams.usda.gov. If BOLI does not agree to the assessment, then the QAD cannot proceed, and the NOP will be notified.

If BOLI agrees to this assessment, the attached document, *GVD 1415A Form, Estimate of Audit Service*, needs your immediate attention. Costs incurred to conduct the assessment are the responsibility of BOLI. The attached estimate outlines the projected cost for the assessment, minus any payments previously submitted to the QAD that have been credited to your account. If a payment was submitted to the QAD or NOP and is not reflected in the estimate, please contact the National Billing Office (QAD.BusinessOps@ams.usda.gov) to ensure your account is properly credited.

The QAD must receive full payment for the amount indicated in the estimate prior to the assessment. Payment may be made by cashier's check, money order, credit card, or electronic fund transfer. Specific information about the payment options is included as an attachment to this letter. **Please be sure to include your FMMI Customer Number 3256777 with your payment.**

To assist the QAD in scheduling the assessment in a timely and cost effective manner, completed and signed copies must be received by Friday, January 6, 2017:

1. Estimate of Audit Services, QAD 1415
2. Application for Service, LPS-109

If these documents are not received by the indicated date, then the assessment cannot proceed, and the QAD will notify the NOP. Please submit the signed copies to the AIABox@ams.usda.gov, Lars.Crail@ams.usda.gov, and QAD.AuditService@ams.usda.gov.



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Washington, DC 20250**



In order to be properly prepared for the assessment, please ensure that the following documents below are available for review when I arrive to the BOLI office. The period that will be the focus of the audit is from December 2014 through January 2017.

1. Procedures and checklist or form (if one is used) for how labels are reviewed and approved.
2. Procedures and checklist or form (if one is used) for how inputs, processing aids, and materials are reviewed and approved.
3. A list and the files of operations that surrendered their USDA organic certification.
4. A list of all samples that were collected to verify compliance to the standards since the previous assessment. The list should indicate: sample date; operation; item(s) sampled; reason for sampling; test results; and actions taken by BOLI and the operations.
5. A list and the files where the operations were denied certification since the previous onsite assessment.
6. Files where the operations were issued a notice of proposed suspension and a list of the operations (if any) that were issued a notice of proposed suspension since the previous onsite assessment.
7. Files where the operations were issued a notice of proposed revocation and a list of the operations (if any) that were issued a notice of proposed revocation since the previous onsite assessment.
8. Files where operations were issued a notice of suspension or revocation and a list of operations (if any) that were issued a notice of suspension or revocation since the previous onsite assessment.
9. A list of complaints received about certified operations and their files. Include in the list how many investigations have been conducted since the previous onsite assessment and the outcome.
10. A list and information on any willful violations of the USDA organic regulations (if any) and the actions taken by BOLI.
11. A list of operations and their files where the operations rebutted a notice of noncompliance and the follow-up actions taken by BOLI.
12. A list of operations and their files where the operations requested mediation or appealed a certification decision and the results.
13. A list of operations that export products under any US organic trade agreements (e.g. Canada, Japan, EU, Korea, Taiwan) to include the countries they export to and how many import certificates or attestation statements were provided to those operations since the previous onsite assessment.
14. A list of certification personnel training since the previous onsite assessment.
15. Conflict of Interest and Confidentiality statements for certification personnel.
16. Certification personnel performance evaluations.
17. Certification personnel resumes or curriculum vitae (CVs).
18. BOLI's most current Annual Program Review and information on correction of any identified noncompliances.



We request the following items prior to arrival at your offices. Please submit the following items electronically by Friday, January 6, 2017 to the USDA Cloud Vault (instructions will be sent to you). **For Items 1 – 3 and 7; please submit these tables in a file(s) formatted to MSWord:**

1. Complete the attached Table 8. 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.
2. Complete or update attached Table 9 for all locations where certification and accreditation activities occur.
3. Complete the attached Section I table. If procedures are detailed in BOLI's Quality Manual, Certification Program Manual, and/or work instructions, please indicate the Section I table the reference number and section or page number.
4. A list of all quality control documents for USDA organic certification. Please indicate the control number (if applicable), title of the document, description of the document, and language.
5. A current edition of the BOLI Quality Manual and/or NOP Certification Manual with all Standard Operating Procedures, Work Instructions, and certification templates (e.g. OSP, Inspection Report, Notice of Noncompliance, etc...).
6. The following certification files (a-e):
 - a. 003-BOL-014PI – Barraca Santa Teresa (Wild Crops)
 - b. 001-BOL-030G – APACCUK (Crops)
 - c. 001-BOL-01G – ANAPQUI (Crops and Handling)
 - d. 001-BOL-03G – El Ceibo LTDA (Crops, Handling, Grower Group)
 - e. 002-BOL-054E – PAMOC (Wild Crops, Handling)

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

- a. Complete OSP (including labels, material/input lists, product(s) composition, etc...)
 - b. Current Organic Certificate.
 - c. Most recent inspection report(s)
 - d. Notices issued during the last certification cycle (e.g. Minor Issues, Noncompliances, Proposed Adverse Actions, etc...)
 - e. Review Checklist(s) and certification decision for the last certification cycle (e.g. initial review, certification decision documentation, label reviews, materials reviews, etc...)
 - f. Initial application (if applicable)
 - g. Internal Control System (ICS) quality manual(s) or document(s) (only for grower groups)
7. Complete the attached NOP 2005 Table 1 and Table 2 using the files in #6, a-e.



8. At the moment, I have no plans to conduct either a Witness and/or Review Audit. However, I may request to do so before or during the on-site visit. If a Witness or Review audit is requested, I will need the following documents for each operation:
 - a. Organic System Plan
 - b. Internal Control System (ICS) quality manual(s) or document(s) (only for grower groups)
 - c. Most recent Inspection Report
 - d. All notifications to the operation since the last inspection.
 - e. Organic certificate
 - f. Inspector's resume or CV (for Witness Audits only)
 - g. Inspector's current contact information (for Witness Audits only)
 - h. Inspector instructions.
9. Please be prepared to provide an update on all corrective actions accepted by the NOP for prior issued noncompliances.
10. A list of proposed or scheduled inspections to be conducted by BOLI during January, February, and March 2017. Please include in the list: Name of Operation, Type of Inspection (Initial, Annual, Unannounced, Additional, etc...), Date(s) of Proposed Inspection, Location of Operation, Certification Scope(s), Organic Products produced and/or handled, and indicate Grower Group if applicable.

Requested documents must be in English. If any of the above documents or records were sent to the NOP with your current Annual Report and have not changed, please indicate so and the auditors will use those records.

If you have questions or concerns regarding this request, please contact me at Lars.Crail@ams.usda.gov.

Sincerely,

Lars Crail
Auditor
USDA, AMS, LPS, QAD (Attached)

Enclosure: QAD 1415A Form "Estimate of Audit Services"
LPS-109 Form "Application for Services"
NOP 2005, Section 1
NOP 2005, Table 1



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Washington, DC 20250

NOP 2005, Table 2

NOP 2005, Table 8

NOP 2005, Table 9

CC: AIAInbox
Quality Assessment Division (QAD)
Jason Lopez, NOP AIA Accreditation Manager



Attachment 1: Payment Options

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

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

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

Overnight Mailing Address:

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

Regular Mail Address:

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

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

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

Credit Card:

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

Be advised of the following Pay.Gov payment limits:

Credit Cards



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

Debit Cards

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

Bank Accounts

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

To submit payment, follow these steps:

Step 1: Go to www.pay.gov

Step 2: Click on “Make a Payment”

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

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

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

Step 6: Fill out the AMS form

Step 7: Select payment method

Step 8: Enter payment information.

Step 9: Review and submit payment

Step 10: Check box to receive email confirmation

Step 11: Enter all email addresses to receive payment confirmation

Step 12: Check the payment authorization box.

Step 13: Click “Submit”

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

Electronic Fund Transfers (EFT):

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

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



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

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

ABA:	051036706
Name on Account:	USDA, Marketing and Regulatory Programs (MRP), Agricultural Marketing Service (AMS)
Account Number:	540020

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

ABA:	021030004
Name on Account:	USDA, Agricultural Marketing Service (AMS)
Account Number:	12250001

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

NATIONAL ORGANIC PROGRAM: NONCOMPLIANCE REPORT

AUDIT AND REVIEW PROCESS

The National Organic Program (NOP) conducted a mid-term assessment of Boliviana de Certificacion (BOLI). An onsite audit was conducted, and the audit report reviewed to determine BOLI's capability to continue operating as a USDA accredited certifier.

GENERAL INFORMATION

Applicant Name	Boliviana de Certificacion (BOLI)
Physical Address	Colon Street 756, Floor 2, Office 2A Building Valdivia, La Paz, Bolivia
Mailing Address	Colon Street 756, Floor 2, Office 2A, P.O. Box 13030, La Paz, Bolivia
Contact & Title	Carmen Murillo Quiroga
E-mail Address	bolicert@mail.megalink.com
Phone Number	591-2-29-02103
Reviewer & Auditor	Penny Zuck, NOP Reviewer; Lars Crail On-site Auditor.
Program	USDA National Organic Program (NOP)
Review & Audit Dates	NOP assessment review: April 13, 2017 Onsite audit: January 19-20, 2017
Audit Identifier	NP7015LCA
Action Required	Yes
Audit & Review Type	Mid-Term Assessment
Audit Objective	To evaluate the conformance to the audit criteria; and to verify the implementation and effectiveness of BOLI's certification
Audit & Determination Criteria	7 CFR Part 205, National Organic Program as amended
Audit & Review Scope	BOLI's certification services in carrying out the audit criteria during the period: December 20, 2014 through January 20, 2017

NOP conducted an onsite mid-term audit of the Boliviana de Certificacion (BOLI) January 19 - 20, 2017. The onsite audit focused on requested and submitted certification materials provided by BOLI. There were no accepted corrective actions of prior outstanding noncompliances to be verified. No witness or review audits were conducted.

BOLI was initially accredited as a USDA certifying agent on March 13, 2003 and maintains the accreditation scopes for crops, wild crops, and handling/processing. BOLI's current accreditation period expired on March 12, 2013. The accreditation renewal assessment occurred in late 2014 and early 2015. NOP issued a proposed suspension in 2015 due to BOLI's inability to adequately address systematic noncompliances and fulfil the terms a settlement agreement established with the NOP in January 2013. BOLI appealed NOP's decision. On February 8,

2016, NOP issued BOLI a proposed suspension for failing to address a noncompliance for updating the Organic Integrity Database on January 2, 2016. BOLI appealed NOP's decision. On May 24, 2016, BOLI entered a settlement agreement with AMS to resolve the two appeal cases. BOLI did not adhere to the settlement agreement terms. Bolicert failed to submit corrective actions and Bolicert failed to provide updates to its Accreditation Manager concerning the list of certified operations. AMS reinitiated its administrative process to suspend BOLI and the Administrator on October 12, 2016 denied BOLI's appeal cases. BOLI has requested an administrative judge hearing and the case is pending resolution.

BOLI's office is located in La Paz, Bolivia and its certification activities occur in Bolivia. BOLI certifies 37 operations: Crops (26), Wild Crops (4), and Handler/Processor/Exporters (15). BOLI certifies 16 grower groups producing and handling quinoa, coconut, and cacao.

BOLI's staff consists of 21 individuals: Administrative Director (1), Certification Officers (4), Reviewer/Inspector (1), Contract Inspectors (13), and Administrative/support staff (2).

NOP DETERMINATION

The NOP reviewed the findings identified during the onsite audit to determine whether noncompliances should be issued to BOLI. In addition, the NOP reviewed the Settlement Agreement currently in place between the NOP and BOLI to determine whether the terms are being met.

Noncompliances Identified during the Current Assessment

NP7015LCA.NC1 - 7 C.F.R. §205.501(a)(21) states, "Comply with, implement, and carry out any other terms and conditions determined by the Administrator to be necessary." NOP 2603, Organic Certificates, Section 3.1, describes the elements of an organic certificate that should be included.

Comments: *The following issues were identified on BOLI issued certificates:*

- 1. The certification scopes on BOLI certificates are not clearly listed as Crops, Wild Crops, Livestock, and Handling/Processing.*
- 2. The effective date is stated on certificates as "Start Date."*
- 3. The statement on BOLI certificates identifying the US organic standard does not state: "Certified to the USDA organic regulations, 7 CFR Part 205."*
- 4. The statement on BOLI certificates does not state: "Once certified, a production or handling operation's organic certification continues in effect until surrendered, suspended or revoked."*

NP7015LCA.NC2 - 7 C.F.R. §205.501(a)(15)(i) states, "Submit to the Administrator a copy of:... Any notice of denial of certification issued pursuant to §205.405, notification of noncompliance, notification of noncompliance correction, notification of proposed suspension or revocation, and notification of suspension or revocation sent pursuant to §205.662 simultaneously with its issuance;"

Comments: *BOLI is not sending copies of notification of noncompliance corrections (i.e noncompliance resolutions) to the NOP.*

NP7015LCA.NC3 – 7 C.F.R. §205.660(d) states, “Each notification of noncompliance, rejection of mediation, noncompliance resolution, proposed suspension or revocation, and suspension or revocation issued pursuant to §205.662, §205.663, and §205.665 and each response to such notification must be sent to the recipient's place of business via a delivery service which provides dated return receipts.”

Comments: *Email notifications issued by BOLI are not sent via a delivery service which provides dated return receipts.*

NP7015LCA.NC4 - 7 C.F.R. §205.510(b)(2) states, “Certifying agents must maintain records according to the following schedule: 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.”

Comments: *During the review of one certification file where the operation resolved a noncompliance, a notice of noncompliance resolution was issued to the operation, but a record of the notice could not be located by BOLI staff for the auditor to review. The auditor reviewed an email message issued by the BOLI Program Manager to the operation, but there was no attached resolution notification.*

NP7015LCA.NC5 – 7 C.F.R. §205.403(e)(2) states, “A copy of the on-site inspection report and any test results will be sent to the inspected operation by the certifying agent.”

Comments: *Three of the three reviewed operation files where samples were collected by BOLI did not include a record demonstrating that the test results were provided to the operations.*

NP7015LCA.NC6 – 7 C.F.R. § 205.662(a) 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.”

Comments: *The following evidence indicates that BOLI did not issue notices of noncompliance when issues of concern were identified:*

- *The auditor reviewed an unannounced inspection report with issues of concern identified by the inspector; however, BOLI did not issue the operation noncompliances as a result of the inspection report findings. The auditor determined that the report’s issues of concern warranted USDA organic noncompliances.*
- *An operation did not submit an annual update and BOLI did not issue a noncompliance.*
- *During the annual inspection of a grower group, the inspection report identified three major issues where group members had used prohibited inputs or identified evidence of prohibited input use (e.g. plastic herbicide containers); however, BOLI only issued a notification to the grower group for five unrelated minor noncompliances.*
- *The auditor reviewed an inspection report with issues of concern identified during an additional inspection of an operation. The operation was certified to the NOP and to the European Union (EU) organic standards. BOLI issued EU nonconformities associated with the identified issues of concern, but did not issue noncompliances to the operation*

for violations of the USDA organic regulations. The auditor determined that the report's issues of concern warranted BOLI issuing USDA organic noncompliances.

NP7015LCA.NC7 - 7 C.F.R. §205.403(e)(2) states, "A copy of the on-site inspection report and any test results will be sent to the inspected operation by the certifying agent."

Comments: *For one reviewed additional inspection in 2016, BOLI did not send the operation a copy of the inspection report.*

NP7015LCA.NC8 – 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: *Inspectors are not referencing the organic regulations on the exit interview forms for identified Issues of Concern.*

NP7015LCA.NC9 – 7 C.F.R. §205.662(c) states, "When rebuttal is unsuccessful or correction of the noncompliance is not completed within the prescribed time period, the certifying agent... shall send the certified operation a written notification of proposed suspension or revocation of certification of the entire operation or a portion of the operation, as applicable to the noncompliance..."

Comments: *BOLI is not issuing operations proposed adverse actions if the operations fail to meet noncompliance notification deadlines for submitting corrective actions or rebuttals. In the one case reviewed, BOLI de-certified an operation for not providing an annual update and payment of fees.*



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

JUN 09 2017

NOTICE OF NONCOMPLIANCE

Boliviana de Certificacion
Carmen Murillo Quiroga
Colon Street 756, Floor 2, Office 2A
P.O. Box 13030
La Paz, BOLIVIA

Dear Sra. Murillo:

On January 19-20, 2017, a representative of the United States Department of Agriculture (USDA), Agricultural Marketing Service (AMS), National Organic Program (NOP), completed an onsite audit of the Boliviana de Certificacion (BOLI) organic certification program as part of its USDA Mid-Term Accreditation Assessment. On April 13, 2017, the NOP reviewed the results of the onsite audit to determine BOLI's compliance to the USDA organic regulations. A copy of the assessment report, NP7015LCA, is enclosed for your reference.

As the report indicates, nine new noncompliances, NP7015LCA.NC1 through NC9, were identified during the onsite audit. Please submit corrective actions for all noncompliances to the AIAInbox@ams.usda.gov within 30 days from the date of this Notice. All corrective actions must indicate how the noncompliances will be corrected and how the BOLI management system will be modified to prevent a recurrence of the noncompliances. If you wish to rebut any noncompliances, please submit objective evidence that supports your argument to the AIAInbox@ams.usda.gov within 30 days from the date of this Notice.

Please refer to [NOP 2608 Responding to Noncompliances](#) for further instructions on how to respond to noncompliances. Failure to promptly resolve noncompliances may result in proposed suspension or revocation of BOLI's USDA accreditation.

If you have questions regarding this notice, please contact, Penny Zuck, Accreditation Manager, at Penelope.zuck@ams.usda.gov or (202) 260.9444.

Sincerely,

A handwritten signature in blue ink that reads "Cheri Courtney".

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

Enclosure: Noncompliance Report

cc: AIA Inbox

RESPONSES AND ACTION CORRECTIVE TO NC issued NOP

NP7015LCA.NC1 - 7 C.F.R. §205.501(a)(21) states, “Comply with, implement, and carry out any other terms and conditions determined by the Administrator to be necessary.” NOP 2603, Organic Certificates, Section 3.1, describes the elements of an organic certificate that should be included.

Please see annex 1- Certified organic corrected

NP7015LCA.NC2 - 7 C.F.R. §205.501(a)(15)(i) states, “Submit to the Administrator a copy of:... Any notice of denial of certification issued pursuant to §205.405, notification of noncompliance, notification of noncompliance correction, notification of proposed suspension or revocation, and notification of suspension or revocation sent pursuant to §205.662 simultaneously with its issuance;”

At the time of the audit we were unable to show the electronic mail vouchers because before this we had problems with the system and emails, formatted the computers and some information could not recover, after the audit we needed to correct to prove that if we send, Therefore we are looking for other professionals in computer science who have recovered some of our documents like Eudora an email program that we handled with 2 emails 1 until September 2016, the other until the end of 2015 therefore we look for in these programs and we found some That if we send captured in photo to be able to show (please see annex 2-2015 and annex 3-2016)

NP7015LCA.NC3 – 7 C.F.R. §205.660(d) states, “Each notification of noncompliance, rejection of mediation, noncompliance resolution, proposed suspension or revocation, and suspension or revocation issued pursuant to §205.662, §205.663, and §205.665 and each response to such notification must be sent to the recipient's place of business via a delivery service which provides dated return receipts.”

After the audit was completed on January 22, 2017, we met the staff to analyze the observations issued by the auditor of the NOP, reviewed the procedure that Bolicert performs and noted that if we send by email to the operator the notice of decision Of certification after the decision session so that the operator can send the corrective measures to the immediate noncompliance, and when they respond the organic certificate is issued and the following documents are delivered physically to the operator: original certification decision notice, certificate Organic and inspection reports in Spanish and English, this delivery is done by means of a letter that the operator signs as received, (examples annex 4 and 5), some collect personally and others are sent via currier (annex 6) and return the letter Signed, at the time of the audit the letters were archived in the annexes and for that reason were not found Or, Bolicert uses this form of delivery for many years, can be verified in all documents archived 10 years ago in store, to demonstrate the email sent modified the mail, from the program outlook will create a folder as a backup where it is saved Everything sent with date and with this to prevent the loss of information and to demonstrate to the auditor the dates of sending.

Boliviana de Certificación **BOLICERT**

Organismo de Control y Certificación Orgánica /Organic Control and Certification Organism

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Colon 756, piso 2, oficina 2A
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ACCREDITED by: **IFOAM** * ISO 17065) ***ECR** 834/2007-889/2008 NOP-USDA, CFR 7, PART 205 ♦ CAN/CGSB 32 310/2006 ♦ **3525 LEY**

NP7015LCA.NC4 - 7 C.F.R. §205.510(b)(2) states, “Certifying agents must maintain records according to the following schedule: 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.”

We tracked the non-conformities that were sent electronically to the operators, they were all placed in the folders and archived for when the auditor required it, we sent an example (Annex 7-A, 7-B), these arrive at the operator via currier and they sign and return with proof of what has been received. Ballots with delivery dates are on file at the auditor's disposal.

NP7015LCA.NC5 – 7 C.F.R. §205.403(e)(2) states, “A copy of the on-site inspection report and any test results will be sent to the inspected operation by the certifying agent.”

It is sent to the operator 2 to 5 days after receiving the laboratory result, we could not find the currier ballots to show the auditor, but if it is sent, maybe in some we are delayed a bit but the operator is made known about the Result, the ballots were found and all are filed for when the auditor requires an example (Annex 8).

NP7015LCA.NC6 – 7 C.F.R. § 205.662(a) 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.”

A copy of the letter of explanation has been rectified, the CN notification on the form (Annex 9) has been sent to the operator, it was decided that the additional, unannounced, additional or special inspection reports will be More information from that inspection and can make decisions and issue nonconformities, proof of rectification documents are in files for review by the auditor. All rectifications in these cases are already in the folders of operators available to the auditor.

The last year that I certify Santa Teresa was on 07-30-2015, by 2016 this operation was already retired, it was declared in the Integrity base, the letter of its retirement is of February 26, 2016 (annex 10) if I had continued Its certification had to update the documentation until May 4, 2016, so it was a confusion when this operator was reviewed.

The 3 producers lost the status of organic and that indicates the report, they were excluded from the lists and they happened to appear in the transition 1, they were punished by the external inspection and a letter was sent to the SCI communicating this irregularity is in the folder Of El Ceibo for when it reviews the audit of the NOP and rectified the notice of certification including this irregularity.

It was ratified since it was only sent under EU, the same was ratified and sent under NOP, already been corrected by the operator all these nonconformities are in Bolicert file.

A letter was sent to the operator explaining that the nonconformities issued by Bolicert under EU are also taken into account for the NOP and attached to this notice of non-compliance filed in the operator's folder.

NP7015LCA.NC7 - 7 C.F.R. §205.403(e)(2) states, “A copy of the on-site inspection report and any test results will be sent to the inspected operation by the certifying agent.”

Boliviana de Certificación **BOLICERT**

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It is delivered personally to the operator but not recorded, rectified and a delivery letter was drawn up to have the record received by the operator (Annex 11), this modality will be performed in any of the unannounced, special or additional inspections, As delivered at the follow-up inspection. The auditor at the next audit will verify this by reviewing all the documents we mentioned.

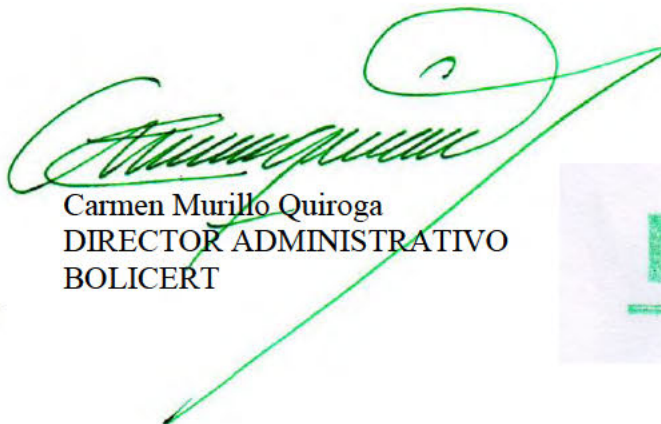
NP7015LCA.NC8 – 7 C.F.R. §205.403(d) states, “The inspector must conduct an exit interview with an authorized representative of the operation who is knowledgeable about the inspected operation to confirm the accuracy and completeness of inspection observations and information gathered during the on-site inspection. The inspector must also address the need for any additional information as well as any issues of concern.”

Please see annex 12 Form meeting of ending corrected

NP7015LCA.NC9 – 7 C.F.R. §205.662(c) states, “When rebuttal is unsuccessful or correction of the noncompliance is not completed within the prescribed time period, the certifying agent... shall send the certified operation a written notification of proposed suspension or revocation of certification of the entire operation or a portion of the operation, as applicable to the noncompliance...”

We followed the procedure of corrective action actions, all were reviewed and filed for verification, the failure was that we did not file in due time, we searched and found the documents sent and also the currier tickets see (example annex 13) documents Which was not found at the time of the audit, after this we organized everything and filed in each folder of those who did not meet the dates of corrective action.

Unfortunately there is so much paper that is sometimes archived and we can not find, to prevent this from happening again from now, all the documentation that is generated in Bolicert will be filed by a responsible person who will be in charge of the archives of documents Ing. Pascuala Quino - administrative assistant with a registration and numbering to know where each document is.



Carmen Murillo Quiroga
DIRECTOR ADMINISTRATIVO
BOLICERT



From: [Zuck, Penelope - AMS](#)
To: [Cole, Kimber - AMS](#)
Subject: FW: Corrective Actions NP7015LCA
Date: Monday, August 20, 2018 7:37:24 AM
Attachments: [image001.png](#)
[ANSWER TO NON COMPLIANCES-BOLICERT.pdf](#)
[AVISO DE INCUMPLIMIENTO-SANTA TERESA.pdf](#)
[BOL-1B-SCOC-NOP may 2017-\(english\) \(1-03-2017\).pdf](#)
[FORM-BOL-39B-FCI-NOP-FINAL INSPECC-2017 corregido.pdf](#)
[letter of delivery of results to the operator.pdf](#)
[ADENDUM CONTRATO N° 014-2017 ANZE.pdf](#)
[ANNEX 4-ENGLISH.pdf](#)
[ANNEX 5-ENGLISH.pdf](#)

Kimber,

Here is Bolicert's response to the additional information. These documents can also be found in eCert. Let me know if you have any questions or need any additional information.

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 202.380.8423

From: bolicert [mailto:bolicert@megalink.com]
Sent: Friday, September 8, 2017 11:50 PM
To: Zuck, Penelope - AMS <Penelope.Zuck@ams.usda.gov>
Cc: inspecciones@bolicert.org
Subject: RE: Corrective Actions NP7015LCA

Dear Ms. Zuck

Please ver 9 attaches, responses NC. Confirm reception thanks.

BOLIVIANA DE CERTIFICACION "BOLICERT"

Lic. Carmen Murillo Quiroga

ADMINISTRATIVE DIRECTOR

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Skype: bolicert

Facebook: Certificadora Boliviana

La Paz-Bolivia

Web: www.bolicert.org

De: Zuck, Penelope - AMS [<mailto:Penelope.Zuck@ams.usda.gov>]

Enviado el: jueves, 31 de agosto de 2017 13:32

Para: bolicert@mail.megalink.com

Asunto: Corrective Actions NP7015LCA

Hello Carmen,

I am reviewing the corrective actions submitted by BOLI for the mid-term audit noncompliances (NP7015LCA). The following corrective actions do not sufficiently resolve the noncompliances as outlined below:

- NC2 - The corrective action submitted is a screenshot of an email sent to the NOP indicating attached notices of noncompliance from 2015. The corrective action does not include how BOLI will prevent the reoccurrence of this noncompliance or objective evidence supporting how the noncompliance was corrected, such as documentation verifying notices of noncompliance resolutions are now being submitted to the NOP (since 2015), updating necessary procedures, and training staff. The noncompliance issued referred to Notices of Noncompliance **Resolution** not being sent to the NOP, however, the corrective action shows emailing Notices of **Noncompliance** to the NOP.
- NC3 - The corrective action documentation (Annex 4 & Annex 5) are not translated into English and therefore cannot be reviewed by the NOP. The corrective action indicates the certificate and inspection report are received and the letter is signed by the operator, but this does not demonstrate **notices of noncompliance and other adverse action notices** are being sent by the same delivery system and receiving a signature of delivery and receipt by the operation. BOLI indicates emails are being saved but this does not demonstrate return receipts are being received to verify the operations are receiving the emails. BOLI has not demonstrated how this noncompliance will be prevented from reoccurring, such as updating any necessary procedures and training staff.
- NC4 - The corrective action documentation submitted (Annex 7A & 7B) indicate the notices of resolution were signed by the operator to demonstrate receipt of the notice, however, BOLI has not demonstrated how this noncompliance will be prevented from reoccurring, such as updating any necessary procedures and training staff.
- NC5 - The corrective action documentation submitted (Annex 8) indicates the test results were provided to the operations, however, BOLI has not demonstrated how this noncompliance will be prevented from reoccurring, such as updating any necessary procedures and training staff.
- NC6 - The corrective action documentation submitted (Annex 9) indicates the notice of noncompliance template has been revised to include the identification of inspection types: unannounced, special, and additional. BOLI has explained the specific issues identified in the

noncompliance, but has not demonstrated how this noncompliance will be prevented from reoccurring, such as updating any necessary procedures and training staff. The noncompliance is about BOLI not determining that issues at inspection should be considered noncompliances - this has not been addressed in the corrective actions.

- NC7 - BOLI developed a delivery letter to record the inspection report being received by the operator and will be used for all unannounced, special, or additional inspections. BOLI has not demonstrated how this noncompliance will be prevented from reoccurring, such as updating any necessary procedures and training staff.
- NC8 - BOLI revised the exit interview template to include the “reference to standard”. BOLI has not demonstrated how this noncompliance will be prevented from reoccurring, such as updating any necessary procedures and training staff. In addition, the *Form Meeting of Ending the Inspection* (exit interview) template is not in compliance with the USDA organic regulations because it includes noncompliances rather than “issues of concern” or “potential” noncompliances. Noncompliances cannot be issued by the inspector. Inspectors identify issues of concern or potential noncompliances and the final certification review determines whether noncompliances should be issued to the operation. Please refer to section 3.4 of [NOP 2601](#) in the Handbook.
- NC9 - The noncompliance stated *“BOLI is not issuing operations proposed adverse actions if the operations fail to meet noncompliance notification deadlines for submitting corrective actions or rebuttals. In the one case reviewed, BOLI de-certified an operation for not providing an annual update and payment of fees.”* The response from BOLI stated procedures of corrective actions are being followed and the documentation was not available for the auditor to review. This does not correct the noncompliance. The noncompliance is about the adverse action process not being in compliance with the USDA organic regulations. If BOLI is rebutting this noncompliance, you must state this in your response to the NOP and include documentation to demonstrate BOLI was in compliance with this regulation at the time of the audit.

Please submit additional information to correct the noncompliances directly to me **by Friday, September 8, 2017**. If you have any questions, please feel free to contact me.

Best regards,
Penny



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

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RESPONSES

- NC2 - The corrective action submitted is a screenshot of an email sent to the NOP indicating attached notices of noncompliance from 2015. The corrective action does not include how BOLI will prevent the reoccurrence of this noncompliance or objective evidence supporting how the noncompliance was corrected, such as documentation verifying notices of noncompliance resolutions are now being submitted to the NOP (since 2015), updating necessary procedures, and training staff. The noncompliance issued referred to Notices of Noncompliance **Resolution** not being sent to the NOP, however, the corrective action shows emailing Notices of **Noncompliance** to the NOP.

NC2 The change of our e-mail server from Eudora to Outlook caused the loss of some documents, during the audit we were not able to recover this data to show it to the auditor, later on we were able to recover some of them, now to prevent the same thing to happen we hired a person to exclusively communicate with our accreditors and will be in charge of sending this non-compliance notifications and also the resolutions for the corrections to NOP and we decided to buy and give her an external memory where this person will store all the notifications we send and will be available when the NOP audit arrives, this will be exclusively the responsibility of the hired technician to prevent the risk of losing information, this is to show we are complying and solving this issue.
The technician is Engineer Freddy Anze (annex his contract is attached-addendum contract N° 14)
Please see annex BOL-1B-SCOC, page 16, Chapter I, point 2 (2.11.15) and Chapter XII, point 12 (12.9.7 and 12.9.8) page 37

- NC3 - The corrective action documentation (Annex 4 & Annex 5) are not translated into English and therefore cannot be reviewed by the NOP. The corrective action indicates the certificate and inspection report are received and the letter is signed by the operator, but this does not demonstrate **notices of noncompliance and other adverse action notices** are being sent by the same delivery system and receiving a signature of delivery and receipt by the operation. BOLI indicates emails are being saved but this does not demonstrate return receipts are being received to verify the operations are receiving the emails. BOLI has not demonstrated how this noncompliance will be prevented from reoccurring, such as updating any necessary procedures and training staff.

NC3 On the letter sent to the operators (annex 4 and 5) it mentions the notification for the certification decision (It has the non-compliances with deadlines to send the corrections) this document goes along with the other reports such as report and certificate, this notification is extracted from the form that is made by certification decision committee.

When the operator receives it, they respond with a commitment letter to comply with the non-compliances within the deadlines given (attachment), we did not have how to demonstrate we did not find, we are doing this long time ago, so the operator knows which non-compliances has to fix.

To stop having the same mistake we added to the manual this procedure, we will train our staff about it. Now the operators that receive the document on physic the document of non-compliances sign it as proof of its reception (attachment)

Please see BOL-1B-SCOC, page 16, Chapter I, point 2 (2.11.16) and Chapter XII, point 12 (12.9.7 and 12.9.8) page 37
See annex 4 and 5 (translated to English)

- NC4 - The corrective action documentation submitted (Annex 7A & 7B) indicate the notices of resolution were signed by the operator to demonstrate receipt of the notice, however, BOLI has not demonstrated how this noncompliance will be prevented from reoccurring, such as updating any necessary procedures and training staff.

NC4 We modified it on the Bolicert's manual of procedures

Please see BOL-1B-SCOC, chapter I, point 2.8 (2.8.2) and (2.8.1) page 11

We will train our staff about this changes.

Chapter XII, point 12 (12.9.7 and 12.9.8) page 37

- NC5 - The corrective action documentation submitted (Annex 8) indicates the test results were provided to the operations, however, BOLI has not demonstrated how this noncompliance will be prevented from reoccurring, such as updating any necessary procedures and training staff.

NC5 We were doing it through Courier, but so that we are sure of its reception, we are making a call so that they visit us and when they visit our office we hand them a letter along with the results of the laboratory, the operator that receives it must sign the letter as a proof that we are giving this to them (attachment)

NC5 Please see BOL-1B-SCOC, chapter I, point 2.7 (2.7.4) and (2.7.5) page 11
Chapter XII, point 12 (12.9.7 and 12.9.8) page 37
Please see annex letter of delivery of results to the operator

- NC6 - The corrective action documentation submitted (Annex 9) indicates the notice of noncompliance template has been revised to include the identification of inspection types: unannounced, special, and additional. BOLI has explained the specific issues identified in the noncompliance, but has not demonstrated how this noncompliance will be prevented from reoccurring, such as updating any necessary procedures and training staff. The noncompliance is about BOLI not determining that issues at inspection should be considered non compliances - this has not been addressed in the corrective actions.

NC6 Please see BOL-1B-SCOC, chapter I, point 2.7 (2.7.4) and (2.7.5) page 11
Chapter XII, point 12 (12.9.7 and 12.9.8) page 37

- NC7 - BOLI developed a delivery letter to record the inspection report being received by the operator and will be used for all unannounced, special, or additional inspections. BOLI has not demonstrated how this noncompliance will be prevented from reoccurring, such as updating any necessary procedures and training staff.

NC7 Please see BOL-1B-SCOC, Chapter I, point 2 (2.11.16); (2.11.12)
Please see BOL-1B-SCOC, Chapter I, point 2 (2.3.9) and 2.7, page 10
Chapter XII, point 12 (12.9.7 and 12.9.8) page 37

- NC8 - BOLI revised the exit interview template to include the “reference to standard”. BOLI has not demonstrated how this noncompliance will be prevented from reoccurring, such as updating any necessary procedures and training staff. In addition, the *Form Meeting of Ending the Inspection* (exit interview) template is not in compliance with the USDA organic regulations because it includes noncompliances rather than “issues of concern” or “potential” noncompliances. Noncompliances cannot be issued by the inspector. Inspectors identify issues of concern or potential noncompliances and the final certification review determines whether noncompliances should be issued to the operation. Please refer to section 3.4 of [NOP 2601](#) in the Handbook.

NC8 Please see BOL-1B-SCOC, Chapter I, point 2.6 (2.6.1) text underline and (2.6.2) page 11
Please see annex BOL-39B-FCI-NOP
Chapter XII, point 12 (12.9.7 and 12.9.8) page 37

NC9 The noncompliance stated “*BOLI is not issuing operations proposed adverse actions if the operations fail to meet noncompliance notification deadlines for submitting corrective actions or rebuttals. In the one case reviewed, BOLI de-certified an operation for not providing an annual update and payment of fees.*” The response from BOLI stated procedures of corrective actions are being followed and the documentation was not available for the auditor to review. This does not correct the noncompliance. The noncompliance is about the adverse action process not being in compliance with the USDA organic regulations. If BOLI is rebutting this noncompliance, you must state this in your response to the NOP and include documentation to demonstrate BOLI was in compliance with this regulation at the time of the audit.

NC 9 The adverse measure was sent through an e-mail to the operator but they did not answer, we do not know what happened to the operator (I attach the adverse measure).
Please see, annex Notice of non-compliance-SANTA TERESA

NOTIFICACION DE INCUMPLIMIENTO NOTICE OF DEFAULT

Lugar y Fecha /Place and Date: 4 de abril 2016

Norma/Standard: NOP-USDA, CFR 7, PART 205

El Operador/The Operator: Santa Teresa-Productor Individual

Categoría/Category: wild harvest

Productos certificados/Certified products: castaña/Brasil nuts

Descripción del incumplimiento (s)/Description of noncompliance (s):

Cada año a principios hasta finales de febrero los operadores de recolección silvestre deben enviar la actualización de información y los cambios que pudieran haber ocurrido en el transcurso del año, estamos entrando a abril y no llego los documentos de Santa Teresa ni el depósito del 50% antes de la inspección.

No cumplimientos:

- No envió los documentos de actualización para la renovación de la certificación orgánica del 2016
- No cancelo el 50% del costo de certificación, que debería haberlo hecho hasta el 15 de marzo.

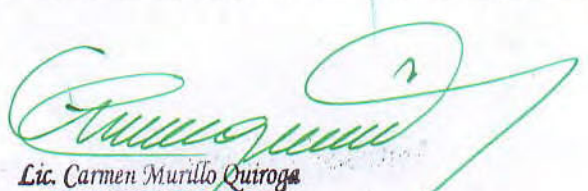
Fundamento de la notificación de incumplimiento/Foundation of the notice of noncompliance: Sub parte E, punto 205.400 (b) (e) de la regulación NOP-USDA, CFR 7, PART 205.

Por lo tanto los puntos mencionados son incumplimientos que pueden ocasionar riesgo de propuesta de suspensión o suspensión de las actividades orgánicas de Santa Teresa.

ACCION/ACTION:

Santa Teresa deberá presentar las acciones correctivas en 30 dias desde el momento de la recepción de esta notificación, deberá enviar los formularios de actualización, el plan de manejo orgánico actualizado y el pago del 50% del costo de certificación.

Aclaración/Aclaration: En caso de que el operador no responda al incumplimiento por escrito en el plazo otorgado en esta notificación, Bolicert adoptara otras medidas incluida la suspensión o revocación de la certificación.


Lic. Carmen Murillo Quiroga
ADMINISTRATIVE DIRECTOR
"BOLICERT"

CC Arch Santa Teresa
Acreditacion NOP
Directorio Bolicert

BOLICERT

BOLIVIANA DE CERTIFICACION

BOLICERT

AGENT FOR CONTROL AND CERTIFYING OF ORGANIC PRODUCTS

CERTIFICATION SYSTEM FOR ORGANIC OPERATIONS CERTIFIED UNDER NOP-USDA RULE

April 2017

Boliviana de Certificación **BOLICERT**
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I. GENERAL PROVISIONS AND STAFF OF THE BOLICERT CERTIFICATION SYSTEM

1.1 Obligatory provisions for production and/or handling operation

According to the USDA National Organic Program (NOP) of the United States of Department of Agriculture (USDA), the operators in third countries that process, export or trade organic goods for sale as “organic”, “100 percent organic”, or “made with organic ingredients”, to the United States are obligated to accept inspection by a certification agency that has been accredited by the USDA to perform certification according to the NOP standard.

1.2 Provision and scope of BOLICERT certification system

- 1.2.1. On the basis of the NOP rule, BOLICERT conducts inspections and issues certification of organic operations and products in countries of South America.
- 1.2.2. The BOLICERT inspections and certifications are conducted in accordance with set standards that provide for a professional and objective control procedures for production and trading activities.
- 1.2.3. The BOLICERT Control and Certification service is open to all applying operations without any type of discrimination (regards to race, colour, national origin, gender, religion, age, disability, political beliefs, sexual orientation, marital or family conditions, financial conditions, size of the operation and/or sector or group representation); except, for compliance with the requirements regulated by United States Department of Agriculture (“USDA”) in the Final Rules of the National Organic Program, 7 CFR Part 205, that are available in the BOLICERT office (printed and electronic copies).
- 1.2.4. The NOP regulations cover requirements for unprocessed agricultural crops, wild products, livestock products and processed products (including foodstuffs).
- 1.2.5. All products that are intend to be sold as “organic” to the United States, unless exempt or excluded in section 205.101 of NOP, must be certified and must meet all applicable requirements of the National Organic Program.
- 1.2.6. The NOP standard must be met for each production or handling operation or portion of an operation that produces or handles crops, or other agricultural products.
- 1.2.7. The BOLICERT certification service, are limited to the Organic Products Certification (Inspection and Certification). If the scope activities and the BOLICERT competence are modified, will be informed to BOLICERT clients, general public and to NOP Administrator.
- 1.2.8. The BOLICERT certification scope cover categories such as the crop production, wild harvest, and processed products (including foodstuffs).
- 1.2.9. The applicant clients may be Grower Groups of small producers; Individual farmers; producers and/or processor companies and traders.

1.2.10. The information available to the public shall be as follows:

- a) The list of certified operations with name, type, products and date of entry certification the current year and the last 3 years.
- b) Organic Certificates of certified operation this year and the last 3 years.
- c) Results of laboratory analyzes for residues of pesticides and other prohibited substances for the current year and the previous three years.
- d) Other information the operator with written permission from the owner of the certificate holder.
- e) Payment of the actual cost of photocopying and printing.

1.3 Staff and competence of the BOLICERT Staff

1.3.1 BOLICERT Board (DAB)

The DAB is the govern body of the BOLICERT certification system. This body is compound by a President and four vowel members. The president is always the representative of the BOLICERT associates and other members are externals ad invited. The people who have been invited according their knowledge in the organic agricultural field, sectors of production representing, consumers representing, Science representing and governmental representing.

The board will be responsible for;

The general administration and the accomplishment of the objectives, the certification decisions, of making sure that the standard and or resolutions of the assembly members, to approve requirements and procedures for the system of certification and for the system of quality in the certification, of organizing specified committees, show to the associates policy proposals, projects and institutional plans, to design hire or suspend personnel that are specifically operative, supervise and evaluate the dutys that are specifically operative, to give preserve or suspend the certification and for the following and control the quality system of BOLICERT.

1.3.2 Administrative BOLICERT staff (PADM)

1.3.2.1 Administrative Director (DA)

The DA, is an independent professional, hired and supervised by the DAB. Is the responsible for administrative management (activities, financing and staff) of the BOLICERT office. Is responsible for managing and performance of all the certification system of BOLICERT with limitations stipulated in the regulations of BOLICERT statutes. The DA is assisted by administrative support staff (accountant, translator, and assistant).

1.3.2.2 Staff Responsible for the Revision of Applications (ARS)

The ARS (Application Review Staff) is an independent professional selected according to his knowledge and technical competence in the production of organic certification. These staff must meet the hiring requirements for hiring as stated in 12.9 point of the present document. The ARS has the function to revise the practices of the applying Operations, according to the received documentation of the applicants and according procedures mentioned in the 2.2 point of this present document. The review results, he/she will be filled in the review form and he/she will recommend for the inclusion of the revised applicant in the inspections chronogram.

1.3.2.3 Control staff of BOLICERT (PC - Inspectors)

The BOLICERT PC is selected, trained and hired in accordance with hiring requirements of Staff, as stated in 12.9 point of the present document. The exclusive function of this body is to make inspections where the productions Operations are taking place and/or the processing of the BOLICERT clients.

The PC of BOLICERT is independent professionals with higher education (university) in agriculture, forestry and foods manufacturing and must have experience in organic agriculture.

1.3.2.4 BOLICERT QUALITY Staff (BQS)

The BQR, is an independent professional, assigned by the DAB and will be in charge of annual internal audits of the BOLICERT Certification System. The president of DAB selects this person and he/she would have to be a professional in agriculture, aside from experience in organic production. The BQR must be experienced and knowledgeable according to the requirements of the ISO 10011-1, and know the requirements stipulated by the regulations of the 205.505 (3) and 205.505 (4) of the NOP accreditation requirements. The contract to this staff is subjected to the procedures of hiring staff stipulated in 12.9 of the present document.

The BQS will be uncharged of evaluation of all personnel and to make know in a individual way the results for an improvement of the evaluated person. Also will be uncharged of handle the registry of the evaluation in each personal file.

PROCEDURES FOR INTERNAL AUDIT

The auditor must submit an audit plan containing:

- Objectives and scope of the audit.
- People who have direct responsibility for the activities to be audited (interviews)
- Reference documents (standard quality manual, procedures ..)
- Date and place of the audit is to be performed.
- Date, time and duration of the main activities
- Schedule meetings with management.
- Confidentiality requirements.
- Distribution List report and its date of issue.

The audit was carried out according to the specific program previously approved, but need not be limited to these points, if the auditor during the course of the audit as necessary.

ACTIVITIES AUDITOR

- Initiation Meeting
- Review and evaluation of evidence-based management documents every day at work certification reports operators, changes in Bolicert instruments, observations of other audits, compliance, measures imposed - that can be verified, avoiding giving impressions or draw conclusions on based on information not proven.
- Interviews with staff chosen
- If the plan site visits either agricultural or processing operators.
- Documenting audit observations clearly and accurate and based on evidence. Properly identifying nonconformities.
- Upon completion of the audit, and before the report, the auditor will meet with the leadership of Bolicert and those responsible for the areas audited if applicable, to present the observations and ensure they are understood. Voluntarily the auditor may make recommendations for improving the quality system.

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- The auditor report to the audit where the result of the audit, the auditor's signature is issued.
- The audit is terminated with the delivery of the report.
- Bolicert develop corrective actions to detected nonconformities and their follow until the next audit

1.4 REGULATIONS AND PROCEDURES TO PREVENT CONFLICTS OF INTEREST

- 1.4.1. BOLICERT shall require all staff in any position (inspector, certification staff, administrative staff, board or subcontracted staff) to sign a commitment to comply with all BOLICERT requirements and procedures, including the commitment to comply with all changes implemented in these requirements and/or procedures.
- 1.4.2. BOLICERT will not be involved in similar activities as those under its reach and competence.
- 1.4.3. BOLICERT will not be involved in the production and/or the development of designs and/or products similar to the ones that get certified by BOLICERT.
- 1.4.4. BOLICERT will not be involved in consulting services and/or other promotion services that might involve or have an effect on the certification.
- 1.4.5. BOLICERT will not give any kind of advice or assessment to the applicants, and/or the certified Operations.
- 1.4.6. BOLICERT will not certify any Operation of production or processing that was an object of commercial interest with any member of the BOLICERT staff (including an immediate family interest) and/or if the same has been the object of consulting services in a period of less than 24 months before the request for certification.
- 1.4.7. BOLICERT will exclude any person(s) including staff or entities subcontracted, members of the DAB and any other person that has worked, been involved in a conflict of interest, discussions and decisions of certification of all the entities in which this person has or had a commercial interest. This includes immediate family interests, and/or the lending of consulting services in less than 24 months before the request of certification. BOLICERT requires any employee involved in inspection and/or certification operations to declare, in writing his abstinence from participating in these operations if (s)he has or has had a personal or commercial relationship (either as a partner or consultant) in the last two years and one year after the inspection of any operation.
- 1.4.8. BOLICERT will not allow that any employee, inspector, contractor, or any other employees accept payments, gifts or favors of any kind. In addition, in any moment in the previous or during the past 24 months, during the certification, is unacceptable to receive any or do any of the mentioned above, however, if it happens, termination of the staff involved as well as revocation of the certification will be issued.
- 1.4.9. BOLICERT will reconsider any certified Operation in case a conflict of interest is verifiable. The costs associated with the reconsideration and/or a new inspection, if necessary, will be paid by BOLICERT.
- 1.4.10. In case a conflict of interest is identified with any employee or member of a commission, the operator might ask for a resignation.
- 1.4.11. The declaration of conflict of interest is also mentioned in the contracts with providers and the contracts of the employees that work in BOLICERT.
- 1.4.12. The BOLICERT inspector cannot make more than three consecutive inspections of the same Operation.
- 1.4.13. In a unique form, all the staff declares annually a relation to a conflict of interest directly or indirectly. As the information gets updated, the incorporated staff, will be kept or excluded of BOLICERT.

- 1.4.14. Updated information about a conflict of interest of all the staff involved in BOLICERT is available for its verification (including subcontracted staff). staff that has realized Operations of evaluation, control, certification or others; and that has been excluded due to a conflict of interest, is obligated not to realize any consulting services, commercial relations, and other stipulations presented in this SCOC, for a period of no less than 24 months after the intervention of the Operation that involves him/her.
- 1.4.15. Any activity of dissemination of the Standards and/or the SCOC, in public events (seminars etc.); whether these are prepared by BOLICERT or other entities, are carried out without discrimination of any Operation, professional and/or institution, and/or general public. If for this activity, BOLICERT charges a fee, this fee will be accounted for as such.
- 1.4.16. The BOLICERT inspector is the only one authorized to help the operator understand the references, Standards and/or the SCOC, and only during the time of inspection. Any other additional offers and fees, or other forms of benefit for the inspectors benefit are considered as involvement in conflict of interests, and is sectioned.

II APPLICATION, INSPECTION AND CERTIFICATION PROCESS

2.1 Application process for certification:

All operators that seek certification of their production or handling operations under NOP standards must submit an application for certification. The procedures for application start is in the Application Form **BOL-8B-FA**, that applicant will receive such as regulated in the **12.6 and 12.7** of this document. The Application Form must be filled with legible letter, information requested in each point; to include the following information and compliance with the Application Form **BOL-8B-FA** requirements, according **205.401** section of NOP rule:

- 2.1.1 An Organic Production and/or Handling System Plan (Present attached to application form).
This must contain the following:
A description of the training and procedures to perform and preserve, including the frequency in which is going to be done, the content must accomplish the Sub part C sections of 205.200 to 205.207 and 205.270 to 205.311 of the NOP standards.
- 2.1.2 Name of the person completing the application; the applicant's business name, address, and telephone number; and, when the applicant is a corporation, the name, address, and telephone number of the person authorized to act on the applicant's behalf.
- 2.1.3 The name(s) of any organic certifying agent(s) to which application has previously been made; the year(s) of application; the outcome of the application(s) submission, including, when available, a copy of any notification of non-compliance or denial of certification issued to the applicant; and a description of the actions taken by the applicant to correct the non-compliance noted in the notification of non-compliance, including evidence of such correction.
- 2.1.4 And other information necessary to determine compliance with the NOP standard.
- 2.1.5 A signed contract with BOLICERT and payment of 50% the estimated cost for inspection and certification.

2.2 Review of application

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- 2.2.1 All information submitted by operation is reviewed by BOLICERT Review Staff (BRS), to verify the compliance with relevant aspects of the NOP standard.
- 2.2.2 The organic handling plan will be checked totally to see if it meets the requirements according to Sub part C sections 205.270 to 205.311 of the NOP standards.
- 2.2.3 According information submitted by applicant operation, the BRS will determine if applicant appear to comply or may be able to comply with the applicable requirements of the standards and the operator will be notified after checking their documentation.
- 2.2.4 If application process is in conformity of the NOP standard requirements; BOLICERT will schedule an on-site inspection of the operation, to determine whether the applicant qualifies for certification.
- 2.2.5 As review result and in a reasonable time, BOLICERT will prepare a preliminary report as a result of its review of the application materials. The report will specify Compliance and Non-compliance with the NOP standard. This report results is make in the Applicant Review form.
- 2.2.6 If the applicant operations have serious deviations with rules, the operator must implement corrective measures according to BOLICERT observations. In this case the inspection visits cannot be scheduled. Once the Additional Information Requested and/or Non-compliance issues notifications have been fully resolved, the on-site inspection will be possible.
- 2.2.7 The applicant for certification, that it has received written notification of noncompliance or a written notice of denial of certification may apply for certification again at any time, any control body in accordance with 205.401 and 205.405 (e) of the NOP .
- 2.2.8 If the applicant does not have the operator application forms and supporting documentation within the specified time will receive 30 days notice of cancellation of the certification process.
- 2.2.9 The applicant may withdraw their application in any time. If the operator decided withdraw in the application process it shall be liable for the costs of services up to the time of withdrawal application. In this cases the operator applicant have to do it in writing letter to Bolicert office, explaining their withdraw decision.

2.3 On-site Inspection

- 2.3.1 BOLICERT conducts an initial on-site inspection of each production unit, facility, and site that produces or handles organic products and that is included in an operation for which certification is requested. The future on-site inspections shall be conducted annually thereafter for each conversion and/or certified operation that produces or handles organic products for the purpose of determining whether to approve the request for certification or whether the certification of the operation should continue. Except non-announced on-site inspections, for any BOLICERT inspections, must be present the operator who is responsible for operations.
- 2.3.2 Conducts an initial on-site inspection of each production unit, facility and place that produces or manages organic products and forms part of an operation for which certification is sought. And thereafter, the on-site inspection will be done annually for each certified operation that produces or manages organic products, with a view to determining whether to approve the certification application or whether the certification of the operation should continue. Except for unannounced inspections, for any on-site inspection, the operator in charge of operations must be present.
- 2.3.3 Bolicert will inspect all and every parcel belonging tho the producers who requires the certification. Except thofe constituting a group of producers, Jus for the units in the sample.
- 2.3.4 During the inspections, the assigned inspector must check every single one of the places that they use for processing and he will also have to check very carefully every single product that the operator uses in tasks as: cleaning, disinfection, preparation, plague control, illnesses, birds, etc.

Analyzing and registering the ingredients of this products all in order to verify if all that is permitted by the NOP regulations.

- 2.3.5 Every on site inspection must be done with an authorized representative or a responsible of the operation which has to know the standard which the audit is taking place and the practice of the operation.
- 2.3.6 The on-site inspection visit will be conducted by BOLICERT in the time when can be observed in the operation, the complying or capability to comply of the applicable standard (practices and activities). The on-site inspections are authorised by BOLICERT Administrative Director.
- 2.3.7 BOLICERT may conduct additional on-site inspections of applicants for certification and certified operations to determine compliance with the NOP.
- 2.3.8 The initial on-site inspection will be conducted within a reasonable time following a determination that the applicant appears to comply with the requirements of NOP. The initial inspection may be delayed for up to 6 months to comply with the requirement that the inspection be conducted when the land, facilities, and activities that demonstrate standard compliance or capacity to comply can be observed.
- 2.3.9 Bolicert may also carry out additional, unannounced inspections, depending on the degree of risk presented by each operator.

2.4 Inspectors assignation and training, before on-site operations inspections

- 2.4.1 The inspector that has received a training of the NOP standard and BOLICERT procedures, will be assigned for NOP applicant and/or certified operation.
- 2.4.2 Before on-site inspection, the assigned inspector will receive all previous information of the production or handling of the operations that he/she will inspect.
- 2.4.3 Additionally, the inspector will receive the certification decisions and/or any requirements of the minor non-compliance that the operator must correct in the production and/or handling operation, and which must be review by inspector.
- 2.4.4 The inspector will be conducted a minimal on-site inspection plan, which should be compliance the follow content: An explication of the on-site inspection scope and approximately time that will be use; reviewing the representative records (including non-organic practices records); inspection of the soils, crops and facilities of the operations and exit interview. This on-site inspection plan must be compliance by inspector.

2.5 On-site inspection scope

- 2.5.1 The on-site inspections will cover the verification and review of organic production and/or handling records; a verification for see if the operation complies and/or has capacity to comply with the NOP regulations; a verification for see if the organic production or handling plan is being comply in the operation (including to non-certified products operations), Verification of the approved labels by BOLICERT and evaluating that the prohibited substances have not been using in the operations.
- 2.5.2 Verification of the production unit adjacent activities and adjacent source contamination risk. Also verification protection physical barriers to production unit to avoided organic harvest contamination and/or organic production unit contamination.
- 2.5.3 For Grower Groups, the BOLICERT inspector must be evaluate the Internal Control System (ICS) performance according **3.29** regulations in the present document.
- 2.5.4 The BOLICERT inspector will take samples of residues in the Operations that mentioned in the **12.11** regulation in the present document.

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- 2.5.5 The BOLICERT inspector is well equipped (according to the Operation) to register the findings, deficiencies and/or non-compliance with the standard and BOLICERT procedures.
- 2.5.6 Depending on the number of registered producers on the ICS, BOLICERT will determine a random example of verification between 15% or 30% although the members of the group which have more than 50 Ha. will be inspected by BOLICERT annually individually and mandatory

2.6 EXIT INTERVIEW (Conclusion of the on-site inspection)

- 2.6.1 On conclusion of the inspection visit, the inspector will hold a meeting with the operator to report about of the accuracy and completeness of inspections observations; to report about all gathered information on-site inspection; inform on the possible non-compliances found, which will be analyzed by the review staff and then passed to the Certification Decision Committee, who will define and issue the non-compliances that must be resolved immediately or within the dates imposed for each of them.
- 2.6.2 The inspector should also address the need for any additional information, as well as the operator's points of concern.
- 2.6.3 At the moment of inspection, the inspector must make sure that the authorized representant signs an ending application of inspection.

2.7 On-site inspection report

- 2.7.1 The inspector shall prepare a report for any type of inspection that is performed annually, not announced, special or additional, which shall be sent to the committee for the decision and issuance of nonconformities found in the inspection, which shall be sent to the operator.
- 2.7.2 Results of the on-site inspection visit will be included in a preliminary report that will be sent to the operator (including any testing results, if applicable). The operator can comment on this report within a maximum period of 15 days. Including comments received of the operator, the final report will be prepared by inspector, for presentation and consideration by the Bolicert Certification Staff. This report must be signed by operation responsible.
- 2.7.3 This final report is send by BOLICERT office to both, the operator and the Bolicert Certification Staff. (DAB).
- 2.7.4 A copy of the final inspection report on the site will be sent to the inspected operation along with other documents supporting its certification.
- 2.7.5 Any result of the sampling will be delivered to the operator personally prior telephone call for collection by a delivery letter accompanied by a copy of the laboratory result, the operator with his signature will document the receipt with the corresponding date.

2.8 Record Keeping

- 2.8.1 Applicants' records for certification and for operations already certified must be kept for at least 5 years from receipt.
- 2.8.2 The records created by the certifying agent regarding the certification applicants and the operations already certified must be kept for at least 10 years after their creation.

2.8 Granting Certification**2.9.1 REQUIREMENTS TO GRANT THE CERTIFICATION**

- Compliance with the NOP Standard.

- Compliance with the Organic System Plan.
- The compliance plan and standard on all procedures, practices and activities of the applicant's operation.
- Accomplish with the established due dates for the presentation of the application to the certification.
- Not a single effect to the Standard resulting from the evaluation of the results of any laboratory analysis (if applicable).
- Capacity of the operator to carry out and comply with the NOP standard and procedures BOLICERT.
- Demonstrate non-compliances and/or conditions imposed by the previous certifying entity.
- A signed commitment to comply with the corrective measures of the minor non-compliances in the time frame imposed by BOLICERT for the continuation of the certification.
- Compliance with the formal obligations as well as financial obligations with BOLICERT.

2.8.2 In a reasonable time the BOLICERT Board will have a reunion whit the assigned inspector starting the session to make clear information and then will review the report and any analysis result and compare it with applicable standard requirement. According to inspection report, operator documents, the compliance with organic system plan and BOLICERT procedures, the BOLICERT Board will make **a Decision.**

2.8.3 If the BOLICERT determines that the organic system plan and all procedures and activities of the applicant are in compliance with NOP standard requirements and the applicant is able to conduct operations in accordance with the organic system plan; BOLICERT (DAB) **granted certification.**

2.8.4 A certification announcement will be sent to the operator including requirements for the correction of all minor non-compliance and specific times as a condition to continued certification.

2.8.5 **Granting certification.-** If the **certification decision is positive**, BOLICERT will issue certificate to the operation with the content following:

- a) Name and address of the certified operation;
- b) Name, address, internet address, and phone number of the certifying agent;
- c) Effective date of the organic certification (the date the operation was initially certified to the NOP regulations);
- d) Issue date of the certificate;
- e) Anniversary date (the date when the certified operation is required to submit their next annual update);
- f) Scope of certification (crops, wild crops, handling, transformation, re-packer and marketer);
- g) Certified organic products covered under the organic certification;
- h) Label classification for processed organic products –100% Organic, Organic and Made with Organic (specified ingredients or food groups);
- i) The statement - "Certified Organic under the US National Organic Program 7 CFR Part 205 "; and Bolicert procedures for:
- j) The statement - "Once certified, a production or handling operation's organic certification continues in effect until surrendered, suspended or revoked". Organic certificates are not transferable and are only applicable to the organic operation certified.

2.9 Denial of certification

- 2.9.1 If reviews of the inspection report finds non-compliance with the requirements of applicable NOP standards and the applicant is not able to comply with requirements, BOLICERT will make a **negative certification decision (denied)**.
- 2.9.2 The BOLICERT Denial Certification Decision could be changed only if the operator overcomes the non-compliance reasons detailed in the BOLICERT denial announcement. In this case the operator may protest in the reasonable time according to BOLICERT procedures mentioned in the 11.1 point of the present document.
- 2.9.3 In the case of denial, an operator may correct the non-compliance and submit information and other supporting material to BOLICERT. Or, the operator may correct the non-compliance's and submitted a new application to another certifying agent with full descriptions of the corrective measures taken on non-compliance and supporting materials, or submit a request to rebut the described non-compliance.
- 2.9.4 Upon applicant documents received and evaluated the corrective actions taken by operator, if is necessary BOLICERT may conduct an additional on-site inspection and if the BOLICERT verify that the operation improve the non-compliance, may submitted to operator an approval certification.
- 2.9.5 If the corrective actions by the applicant are not sufficient to qualify the applicant for certification, BOLICERT will issue to applicant a written notice confirming the denial of certification.
- 2.9.6 If the operator not respond to non-compliance notification, BOLICERT will issue a notice written of denial certification. Also provide a notice of approval or denial certification to the Administrator (205.405(c)(3)).
- 2.9.7 The notification of denial of certification will include the reasons for certification denial and the applicant's rights for mediation or appeal, according to NOP 205.405 (d) (1)(2)(3) and (e) section.
- 2.9.8 If BOLICERT received a new applicant for certification, which have a notification of non-compliance or a denial of certification, they will be treated as a new applicant according 205.401 section application requirements and will be evaluated according 205.402 section of the NOP.
- 2.9.9 If BOLICERT has reason to believe that an applicant for certification has wilfully made a false statement or otherwise purposefully misrepresented the applicant's operation or its compliance with the certification requirements, BOLICERT may deny certification without first issuing a notification of non-compliance.
- 2.9.10 If the operator decided voluntary withdrew before non-compliance announcement issued will not be issued the non-compliance announcement. Similarly, if an operator decided voluntary withdrew before announcement certification denial issued will not be issued the certification denial.
- 2.9.11 BOLICERT will submit to Administrator a copy of any denial certification notice issued, or notification of non-compliance, notification of non-compliance correction, notification of proposed suspension or revocation; simultaneously with its issuance.
- 2.9.12 For each year, BOLICERT will publicise on January 2, a list of operation that was certifying in the last year. This list will include the name, address and if applicable the telephone number of operations.

2.10 Continuation of certification

- 2.10.1 Normally, a production or handling operation, which received the BOLICERT certification, continues in effect until withdrawing or closing the organic operations.

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If updating results and onsite inspections results non-compliances with NOP standard and 2.10.2 point of this Manual; BOLICERT emits to operation a written notification of the non-compliance in accordance with section 205.662 of NOP standard.

- 2.10.2 For continuation of BOLICERT certification, the operator must update the following requirements:
- 2.10.2.1 Filled the BOLICERT updating Form.
 - 2.10.2.2 The operator must submit the production and/or handling organic system plan updated..with all the changes that have occurred in the present administration inside the unit of production and or processing
 - 2.10.2.3 A report of all changes in the operations or other amendments made to the previous year's.
 - 2.10.2.4 A report of all corrective actions taken to compliance the minor-non-compliance and/or BOLICERT's conditions from the previous year.
 - 2.10.2.5 And any other necessary information that operation suggested for BOLICERT can determine that the operation compliance with the NOP standard or has capability to compliance the standard.
 - 2.10.2.6 To pay the BOLICERT fees.
- 2.10.3 In a reasonable time within 12 months of the last inspection conducted, BOLICERT will conduct a follow-up inspection.
- 2.10.4 If results of the annual follow-up inspection report found that the operator has been complying since previous year and shows that management of their operation is in conformity with the NOP standards and BOLICERT procedures; the BOLICERT Board issue an updated certificate.
- 2.10.5 If results of the follow-up inspection report found that the operator not compliance with the Act and the regulations since previous year and can't shows that management of their operation in conformity with the NOP standards, the BOLICERT Board shall issue a written notification to operator with non-compliance references.

2.11 BOLICERT procedures for treatments of non-compliance of certified operations (Denial, Suspension and Revocation)

- 2.11.1. After the non-compliances are notified by the DAB, Bolicert sends to their clients the non-compliances that they must fix on the given due dates, when the client sends in the corrective measures Bolicert will sent them a notification of compliance or non-compliance to the non-compliances. (according 205.662 d).
- 2.11.2 If the applicant fails to correct the non-compliance or resolve the issue through rebuttal, BOLICERT will send a written notification of denial of certification.
- 2.11.3 If the clients fails to correct the non-compliance or resolve Bolicert issue a proposed of suspension, or revocation of the certification.
- 2.11.3.1 For the control of the compliance Bolicert will use the following record of the no compliances BOL-47B-CSNC.
- 2.11.4 If the applicant does not agree with a decision taken by BOLICERT the applicant will be able to impugn or appeal directly to the Administrator the NOP-USDA.
- 2.11.5 If the applicant already request mediation or an appeal, before that the BOLICERT suspension or revocation proposed notification had been sending, BOLICERT not send any suspension or revocation proposed notices until these final resolutions on the mediation or appeal have concluded

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- 2.11.6 If the applicant's certification has been denied, the applicant has the right to request mediation pursuant to 205.663 NOP section, file an appeal of the denial pursuant to 205.681 NOP section, or to reapply for certification at any time with any certifying agent.
- 2.11.7 If the applicant chooses to reapply, the applicant must include a copy of the notification of denial and a description of the actions taken, with supporting documentation, to correct the non-compliance.
- 2.11.8 A certified operation, whose certification has been suspended, unless otherwise stated in the notification of suspension, may at any time submit a request to the USDA Secretary of Agricultural for reinstatement of its certification. The request must be accompanied by evidence demonstrating correction of each non-compliance and corrective actions taken to comply with the NOP standards.
- 2.11.9 If the certification of an operation has been revoked, the operation or any person responsibly connected to the operation will be ineligible to receive certification for a period of 5 years following the date of revocation. The USDA Secretary of Agricultural does have discretion to reduce or eliminate this period or ineligibility. (according 205.662 f)
- 2.11.10 Any operation that knowingly sells or labels a product as organic (except in accordance of 205.101(a) of the NOP standards for exemptions) or any operation that makes a false statement under the NOP standards to certifying agent, shall be subject (receive a proposal of suspension or revocation, and a certification applicant rejection of their certification and a civil sanction with the same cost of last certification fees.
- 2.11.11 If BOLICERT has reason to believe that a certified operation has wilfully violated the Act or NOP regulations, shall send to certified operation a notification of proposed suspension or revocation of certification to entire operation or a portion operation, as applicable to the non-compliance. (according 205.662 d.
- 2.11.12 The BOLICERT non-compliance, Denial, Suspension or Revocation notification, will be as following and a copy of these will sent to NOP Administrator in compliance to 205.501 a).15 section:
- **Notification of non-compliance.**- Contains a description of each non-compliance, the facts that are the basis for the notification of non-compliance, and supporting documents to be sent to BOLICERT plus date, to meet each non-compliance.
 - When certified operations demonstrate that each non-compliance has been resolved, BOLICERT will send a written notification, as applicable, of non-compliance resolution.
 - Nevertheless, if certified operation not show that had resolve the non-compliance or not completed within prescribed time period, BOLICERT send to certified operation a written notification of proposed suspension or revocation (according 205.662 c) section).
 - **Proposed suspension:** (according 205.662 c): its will contain the reasons for the proposed suspension or revocation; the proposed effective date of such suspension or revocation; the impact of a suspension or revocation on future eligibility for certification; and, the right to request mediation pursuant according to 205.663 or to file appeal pursuant 205.681, section of NOP rule.
 - When correction of noncompliance is not possible, send a single notification BOLICERT combining the notice of default and the proposed suspension or revocation (205.662 c).
 - **Suspension or revocation (205.662 c):** If the certified operation fails to correct the noncompliance, to resolve the issue through rebuttal or mediation, or to file an appeal of the proposed suspension or revocation of certification, the certifying agent or state organic program's governing state official shall send the certified operation a written notification of suspension o revocation. (205.2662 (e).

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- 2.11.13 The certified operation whose has been suspended, may at any time submitted a request to NOP Secretary for certification, unless otherwise stated in the notification of suspension. The request must accompanied evidences demonstrating each non-compliances correction and corrective actions taken to comply with and remain in compliance with NOP standard and regulations.
- 2.11.14 The Corrective Measures to the no compliances will have to comply the five components:
- Correcting the cause of the noncompliance.
 - Providing objective evidence supporting how the noncompliance was corrected.
 - Preventing the reoccurrence of the noncompliance in the future.
 - Providing objective evidence supporting how the noncompliance will be prevented in the future.
 - Controlling noncompliant product, when appropriate.
- 2.11.15 Any notice of denial of certification issued in accordance with 205.405, notice of default, notice of correction of noncompliance, notice of proposed suspension or proposed revocation, and notice of suspension or revocation shall be sent to administrator of the NOP parallel to the issuance of any adverse action in accordance with 205.662.
- 2.11.16 When any adverse action is issued such as notification of non-compliance, refusal of mediation, resolution of non-compliance, proposal for suspension or revocation, these must be sent to the operator by means of a demonstration of delivery and receipt receipts with identification of dates .

2.12 DIVULGATION OF THE INFORMATION ABOUT CETIFIED OPERATIONS UNDER THE NOP**OBLIGATORY**

According to title 7 of the Federal Regulations code, section 205.504 (b) (5) Bolicert will put the next information to the disposition to any member and public:

- Certification certificates issued to operations during the current and 3 preceding calendar years.
- A list of producers and handlers whose operations it has certified, including the name of the operation, type(s) of operation, products produced, and the effective date of the certification, during the current and 3 preceding calendar years.
- The results of laboratory analyses for residues of pesticides and other prohibited substances conducting during the current and 3 preceding calendar years.
- Other business information as permitted in writing by the producer or handler.
- Bolicert will charge for this information only the real cost of the photocopies and impressions that will take the documentation and information to be given.

Apart from this information Bolicert will keep an strict confidentiality regarding its clients and will not share the information whit third parties whit the exception of the Secretary or the state official rector of the state organic program its authorized representatives 205.501 (a)(10).

III PRODUCTION, HANDLING AND PROCESSING PRACTICES FOR BOLICERT CERTIFICATION, UNDER THE NOP STANDARDS**3.1 General Guidelines**

In all production and/or handling and/or processing operation of crops and/or products labelled organic and certified by BOLICERT must be produced, handling and/or processing in full compliance with the NOP standards. The following sections describe, in a manner clearly understandable by operators seeking BOLICERT certification, the required production and handling practices.

3.2 Organic System Plan for agricultural production

- 3.2.1 All production, handling and/or processing operation, must have or must development the plan, called the “Organic System Plan”, according of the 205.201 (a, b, c and d) requirements of the NOP.
- 3.2.2 The Organic System Plan must contain at least the following information of operations:
- a) A description of the operation location (map of operation location) and a description of the soils distribution, ambient, handling and/or processing facilities, animal corrals and/or bee keeping location (lands and/or facilities maps). All this must be mentioned on clearly distinguishable maps or drawings.
 - b) A description of the production and handling practices of the organic harvest (including a description of the production and/or handling of the non-organic crops and/or the crops exempt and/or excluded from certification).
 - c) A list of all substances authorized and prohibited by the NOP standards and that are used or will be used, the methods and purpose, frequencies in use, the location of soils or crops and/or facilities where they are or will be used. The safety measures applied to avoid contamination of the organic harvest due to use of these substances (including the commercial and composition support documents).
 - d) A description of the follow-up or monitoring practices, when must be describe all measures taken or to be taken and the procedures that will apply for the Organic System Plan to be effectively complied, including a description of the corrective measures that will be taken to ensure compliance. This plan must contain an instrument or register that shows that the follow-up or monitoring is being complied, as well as the dates and concrete measures.
 - e) A list of registers or documents used or to be used according of operation reality, where all operation activities will be recorded; including the policies for recordkeeping according 205.103 section of NOP rule.
 - f) A description of all safety measures take or will be taken, for prevent contamination to organic soils, organic harvest and/or organic products with prohibited substances used in the soils divided on the operation, according 205.105(5) of the NOP rule.

Organic system plan for wild harvest

This plan must include the following:

- a) A complete map of the recollection zone, the limits must be defined, frontiers must be shown, buffer zones must be the adequate ones the contamination sources with prohibited material, and the area of wild harvest to harvest.
- b) Paperwork about the prohibited inputs that had been applied and soil contamination of the gathering zone on the last three years.
- c) A description of the natural surroundings of gathering (as an example the trees around or other flora found around the area).
- d) A description of the ecosystem management, the proposal practices of the harvesting, the impact of its extraction according to the viability on long terms of the wild species and the ecosystems of the area, as

well as information of any type of equipment that they are planning to use to handle wild harvest and the ecosystems.

- This must include a description of the control system that is utilized to ensure that the planting is harvested sustainably so that it doesn't harm the environment, including the soil and water quality.
- e) A listing of the rare species, threatened or in risk of disappearing, earth plants or aquatic or animals that are being produced on the gathering zone.
 - The presence of rare species threatened or in danger of being extinct on a wild harvest zone will not disqualify automatically an operation of organic certification, but any impact real or potential is necessary to be described or taken.
 - If there are any impacts that are real negative or potentially derivate from the planting and the wild harvest, actions that must correct this impacts must be described, implemented and monitored.
- f) The implemented procedures to prevent contamination of other sources or for the use of the adjacent earth.
- g) The training given and the procedures used to ensure that all gatherers harvest the wild harvest products according to the plan so that it doesn't harm the environment.
- h) The registry of data system that identify all the gatherers, documents of the current management and the harvest practices, where they mention the quantity ante dates of the wild harvest gathered.
- i) The applicant must put in numerical order all the wild harvest required for the certification and verify that all the practices all well described, include details of what practices are made or increase the natural resources of the zone, and it must be shown in numerical order clearly all the personnel that was involved in the operation.

This plan will be reviewed by Bolicert and will determine if the information is sufficient and that the practices comply with the organic regulations of the NOP-USDA, CRF 7, PART 205 REGULATION.

3.3 Organic soils requirements

Any field or farm parcel, where will be growing or production (including wild harvest areas) and where will be obtained organic harvest; must be compliance the following requirements:

- a) The soil history must be know last three consecutive years, before organic crops showing (According 205.203 up to 205.206 sections of NOP-USDA, CRF 7, PART 205 rule).
- b) Soils when not used prohibited substances by the NOP standard (such as mentioned in the 205.101 section of the NOP-USDA, CRF 7, PART 205 rule), during last three consecutive years before the gathering the organic harvest.
- c) Soils that have distinct, defined boundaries and buffer zones such as runoff diversions to prevent the unintended application of a prohibited substance to the crop or contact with a prohibited substance applied to adjoining land that is not under organic management.
- d) A field not is eligible three years after last NOP-USDA, CRF 7, PART 205 standard prohibited substances used.

3.4 Waiting Period for fields previously treated with any Non-Permitted Materials

A field is not eligible for production of certified crops for thirty six (36) months following the application of any prohibited fertilizers, pesticides, or other prohibited items noted in the standard.

3.5 SAMPLES

Samples may include the collection and testing of soil; water; waste; seeds; plant tissue; and plant, animal, and processed products samples.

3.5.1 ANALYSIS PRODUCT

Bolicert may require preharvest or postharvest testing of any agricultural input (s) used (s) or agricultural product to be sold, labeled, or represented as “100 percent organic”, “organic”, or “made with organic (specified ingredients or food group (s))” when there is reason to believe that the agricultural input or product has come into contact with a prohibited substance or has been produced using excluded methods.

3.6 Soil Tests

Soils shall be tested normally, if the lands there aren't management according 205.202 NOP-USDA, CRF 7, PART 205 regulation lands requirements. The soils testing will make in the following specific cases only and have been evaluated by Bolicert inspection:

- a) Soils contaminated during last three years past, because prohibited substances used or accidental contamination and/or effects from adjacent source contamination and/or circumstantial contamination source.
- b) Soils that were treated to prevent the pest transmission and when have used prohibited substances.
- c) Soils that have industrial and/or urban wastes contamination risk.
- d) Soils that used manures coming from of places with contamination risk.
- e) Soils with irrigation, which have water source with contamination risk.
- f) Or, when the soils are erosioned and/or mineralized and/or salination and/or soils with poor organic material.

According testing results, the Bolicert Certification Staff could prolong the conversion period and/or to require the lands handling practices modification and/or to require additional practices to improve the soils fertility. All testing cost is pay by Bolicert.

3.7 Soil Management

A Recommended:

1. Crop rotation including legumes and other green manures.
2. Compost made using permitted materials. If compost contains livestock manure, then the compost process must:
 - (i) initially have a C:N ratio between 25:1 and 40:1, and
 - (ii) Reach a temperature of at least 131° F and be returned to thoroughly mix ingredients and maintain aerobic conditions and reheat to at least 131° F. Windrow systems must be turned 5 times during the hot phase. The ventilated and static piles have to be maintained in a temperature between 131° F. and 170° F. during 3 days and in raw systems during 15 days.
3. Winter cover, catch, green manure and nurse crops.
4. Vegetable biodegradable waste that can be made of gardens and park waste as cut flowers and grass and pruned bushes as well as domestic aliments waste, material, animal and permitted synthetic substances according to 205.601 NOP-USDA, CRF 7, PART 205.

B Permitted

1. Livestock manure, un composted and used on files intended for production of food for direct human consumption if incorporated into the soil not less than 120 days prior to the harvest of crops whose edible portion has direct contact with the soil or soil particles, or 90 days for crops

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whose edible portion does not have direct contact with the soil or soil particles. Livestock manure may be used on crops nor for human consumption without waiting periods before harvest.

2. Livestock bedding, including shredded newspaper, treated as above.
3. Fishery and animal by-products, un composted.
4. Non-fortified seaweed products.
5. Recycled, naturally occurring organic matter (such as leaves, hay, straw, peat, and crop residues, bloodmeal or bonemeal).
6. Ground rock or other sources of minerals including:

Azomite	Limestone
Boron	Phosphate rock
Colloidal phosphate	Sodium nitrate (no more than 20% of crop's N requirement)
Epsom salts	Sul-Po-Mag (lang beinite)
Granite Greensand	Vermiculite
Gypsum	Wood-ash
7. Herbal and micro-organism preparations only as approved and recorded by the Certification Staff.
8. Blended fertilizer only when specific product is recorded and approved by Certification Staff.
9. Chelated micronutrients for specific identified deficiency diagnosed by a leaf tissue test (if chelating compound is one that occurs naturally)

C Not Permitted:

1. The use of urea compost, plaster plaque and septic mud is prohibited, because these are not allowed substances by the NOP.
2. Manure or manure tea applied less than 120 days before harvesting root crops or other crops whose edible part is in direct contact with the soil or soil particles, or applied less than 90 days before harvest of any other food crop.
3. Poultry manure, un composted, applied at a rate exceeding 10 cubic yards per acre (1/4 yd/1000 square feet: cubic yd. = approx. 1,500 lbs) (see Not Permitted, # 1 and 2). Greater rates are permitted when applied prior to a green manure.
4. All other farm manure, un composted, applied at a rate not exceeding 25 cubic yards per acre (1/2 cubic yard/1000 square feet; cubic yard approx. 1,500 lbs.) or 12,000 gal/acre on silage corn, or 2,000 gal/acre/cutting on grass. Greater rates are acceptable when applied before a green manure or 12 months prior to harvest.
5. All chemically synthesized fertilizers and other synthetic sources of minerals unless listed in Appendix I.A.
6. Any source of nitrogen at a rate exceeding 200 lbs. Of elemental N adjust for hectare per year.
7. Highly soluble nitrate, phosphorous, and chloride, whether natural or synthetic, except as noted in Appendix I.A.
8. Leather meal, tankage or dust.
9. Hydrated lime
10. Quicklime (Calcium Oxide)

D Not allowed inert ingredients:

1. Acetylated lanolin alcohol
2. Acrylic acid methyl ester, polymer with acrylonitrile and 1,3-butadiene
3. Coumarone – indene resin

4. Manganous oxide
5. Pentaerythritol monostearate
6. Pentaerythritol tetrastearate
7. Polyglyceryl phthalate ester of coconut oil fatty acid
8. Sodium fluoride

3.8 Fertility of the soils and handling of the nutrients

Recommended:

1. Materials of vegetal life and animal converted to raw manure according to 205.203(2) of NOP-USDA, CRF 7, PART 205.
2. Manure converted into compost.
3. Nutrients included on the national list of synthetic substances permitted.
4. Liquid Fertilizers have to comply with the next: Have to contain Nitrogen more than 3% and have to be approved for a certified Company accredited by the NOP-USDA, CRF 7, PART 205.

Prohibited

1. Materials of vegetal life or animal converted into raw manure that contains synthetic substances that are not included on the national list of permitted substances by the NOP
2. Mud of residual water (bisolids)
3. Fires as a mean of destruction or harvest residues.
4. The use of animal material, fertilizers or vegetal compose which contains a synthetic substance not included in the national list of allowed synthetic substances for the use of the productions or organic harvests, is prohibited.

3.9 Insect and Rodent Control

A Recommended:

1. Crop rotation
2. Insect traps
3. Insect barriers
4. Hand, mechanical, or hydraulic removal
5. Predatory insects, nematodes, and other biological controls
6. Intercropping

B Permitted:

1. Microbial insecticides such as *Bacillus thuringiensis*;
2. Botanical insecticides (rotenone, pyrethrum, ryania, and other plant-derived substances) only when used as a last resort and the farmer has demonstrated that other pest management practices have been tried and have failed. Specific formulation and rate of application must be approved and recorded by the Certification Staff;
3. Thermal insect control
4. Dormant oil sprays
5. Insecticidal soaps
6. Pheromones used in traps
7. Row covers, nets
8. Boric acid- not for use on edible product parts or in direct contact with soil or plants.

9. Rodent control products only as specifically approved and recorded. Only sulfur dioxide in smoke bombs and vitamin D3 baits permitted. Baits must never be in contact with soil, crop or product.
10. Other materials or methods only as specifically listed in Appendix I.A.

C Non Permitted:

1. Synthetically compounded pesticides, except those listed in Appendix I.A.
2. Natural poisons that are extremely toxic or have long-term effects and are environmentally persistent, such as arsenic, lead salts, cryolite, strychnine or nicotine.

NOTE: A pesticide application log should be maintained and be made available to the inspector.

3.10 Disease Control

A Recommended:

1. Crop rotation.
2. Sanitary practices (crop residue removal where appropriate, cleaning of tools and machinery where needed, etc.)
3. Use of resistant crop varieties.

B Permitted:

1. Copper (including Bordeaux mixes, fixed coppers, basic sulfates, oxychlorides and oxides). Must be used in a manner that avoids accumulation of copper in the soil. Copper is toxic for plants, invertebrates, and microbes at high concentrations; use judiciously. If used more than once, a soil test for copper must be submitted with the application prior to the second use.
2. Sulfur, elemental or wettable.

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3. Herb or homeopathic preparations such as silisa teas as approved and recorded by the Certification Staff.
4. Other non-synthetic fungicides only as approved and recorded by the Certification Staff
5. Diluted chlorine bleach (10%) as a disinfectant for use only on equipment and storage facilities as approved and recorded by the Certification Staff.
6. Hydrogen Peroxide.

C Not Permitted:

1. Synthetic fungicides, nematicides, or antibiotics except those specifically listed in Appendix I.A.

3.11 Weed Control

A Recommended:

1. Crop rotation
2. Green manures
3. Timely planting and cultivation
4. Organic and living mulches
5. Preventing introduction of weed seed (weed control, mowing borders, etc.)

B Permitted:

1. Black, coloured and wavelength-selective (IRT) plastic mulch (see exception under Not permitted)
NOTE: Must be removed from field at end of season except on perennial crops.
2. Deshierbe heat with propane gas.
3. Herbicidal soap formulations approved and recorded by Certification Staff.

C Not permitted:

1. Synthetically compounded or petroleum distillate herbicides.
2. Synthetic growth regulators
3. Other synthetic material unless specifically listed in Appendix I.A.
4. Photodegradable plastic mulch

3.12 Seeds and Plants

A Recommended:

1. All raised according to organic standards
2. Legume inoculants (Caution: genetically engineered strains are prohibited)
3. Natural rooting hormones.

B. Permitted:

1. Annual seeds treated with prohibited substances may be used to produce an organic crop when the application of the materials is a requirement of federal or state phytosanitary regulations.
2. Perennial plants and planting stock grown using prohibited items are permitted as long as produce is not labelled organic until at least 36 months after plants have been maintained under organic management.
3. Non-organically grown seed when organically produced seed for the equivalent variety is not commercially available.

C Not permitted:

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1. Non organic seed or planting stock, unless the same variety is not commercially available organically grown and of equivalent quality.
2. Use of seed that has been treated with synthetic pesticides, substances and supplies not allowed by NOP-USDA, CRF 7, PART 205 regulations.

3.13 Handling and/or Processing

For these standards we define processing as the modification of a raw agricultural product. Minimal modification is permitted without application for processing certification. Minimal modification includes washing, filtering, cleaning, and cutting.

Processing that is covered under this section and requires a separate application for certification (Supplement D) before the product may be labelled organic includes:

1. Freezing, drying, pickling, canning and other ways of preserving fruits and vegetables.
2. Milling grain.
3. Combining materials to create new product (fruit and sweetener to jam, etc)
4. Packaging or repackaging.

Use of Chlorine Materials

For the disinfection and sterilization of contact surfaces with food, in this case a use of 4 mg. of chlorine or 0.8 mg for chlorine dioxide by liter can be use, also calcium hypochlorite and sodium hypochlorite can be use.

3.14 Processing Ingredients

A Permitted:

1. All of the agricultural ingredients be certified organic.

B Permitted:

1. At least 95% of the agricultural ingredients be certified organic, and any remaining ingredients must be demonstrated to be commercially unavailable, or be a non-agricultural substance listed in Appendix I.E., or be a non-organically produced agricultural ingredient listed in Appendix I.F.

C Not permitted:

1. Any synthetic preservatives, colours, flavorings, thickeners, emulsifiers, nitrates, nitrites or any other synthetic material except those listed in Appendix I.

3.15 Processing Methods

A **Recommended:**

1. Processing should not excessively diminish the nutritional value of the food.

B **Permitted:**

1. Drying
2. Canning
3. Freezing
4. Heating
5. Fermenting
6. Smoking
7. Vacuum packing

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8. Milling
9. Pressing
10. Repackaging

C Prohibited:

1. Irradiation

3.16 Packaging and Handling

All packaging must be free of fungicides, preservatives, fumigants, and contaminants. Recycled containers must be properly sanitised.

All products should be identified by a lot number for audit information. All certified organic ingredients must be traceable back to the farm and field by means of an audit trail. Processors are responsible for determining the availability of farmer audit trails for all the ingredients.

3.17 Parallel Farmers and Parallel Producers

- a) All parallel growers, producers, and processors must maintain an audit trail for all crop and product sales, both organic and conventional, and submit a sample of the audit trail system with their application, and have the full audit available at the farm or processing facility at the time of inspection.
- b) A farmer, producer, or processor who chooses to use equipment and facilities in parallel production (that is, both organic and non-organic production of the same crop or product) must use sufficient care in the pre-use cleaning and application of the equipment and facilities so that any risk of chemical contamination of the organic product is negligible and the organic integrity of that product will match that of a similar crop grown by a farmer who is 100% organic.
- c) No unauthorised materials (disinfectants, fungicides, etc) may be applied inside a storage or packing facility containing an organic crop. But the operation must be demonstrate to BOLICERT in the Organic Plan System how they will ensure maintained the organic integrity products and if this materials are allowed by the National List of NOP rule.

3.18 Wild Crops

- a) The site from which wild crops are harvested must be free from application of prohibited materials for three years prior to collection.
- b) A field history form must be completed for each site from which crops to be certified are collected.
- c) The harvesting method of wild species must ensure that it does not destroy the environment and sustains growth, natural reproduction and the production of the wild crop.
- d) It is prohibited to use a label saying “organic wild harvest” if the harvest comes from non inspected areas.
- e) Keep registers or notes of all activities related to the wild harvest (including registers of substances and/or materials used for any effect; registers on the harvest mentioning the quantity of the total harvest and sales; and any other relevant comment for compliance with the standard) must be kept; these registers must be kept in the gathering operation for a minimum period of 3 years as from creation and must be available at BOLICERT’s request.
- f) The area where the harvest is collected has to have buffer zones to prevent any type of contamination of the areas adjacent and/or contamination localized areas and no localized.

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3.19 Crop Rotation

Crop rotation must be an integral part of the farming system where appropriate.

3.20 Wild fauna management

The wild fauna control methods and practices (including materials) must be mentioned in the Organic System Plan.

Practices that maintain and/or help maintain the wildlife habitat are recommended, such as the conservation of flora species for birds to make their nests, the conservation of flora species that provide food for the birds and other species, the conservation and protection of wetlands and other areas that ensure the wildlife's access to water. Slash and/or burn techniques are not permitted in risk areas for wildlife; this practice will be considered an alteration of the wildlife habitat.

It is not permitted to hunt wild animals with commercial aims. It is not permitted to control wild animals using NOP standard prohibited substances even if these practices are concentrated outside organic soils.

3.21 Genetically Engineered Crops

No genetically engineered agricultural crop may be grown or sold as organic, and no product of genetic engineered may be used as a direct production aid or ingredient.

3.22 Irrigation Water

An analysis of the source of water (which should not exceed 4 mg of chlorine) should be submitted and this must be approved by the Personnel Responsible for Certification.

3.23 Labelling

- a) All producers shall identify their certifier on packages, displaying the USDA organic seal. Growers supplying other growers, wholesale distributors, parallel growers, processors and growers selling crops bought from other growers must clearly mark their packages and maintain an audit trail.
- b) A product labelled “100% organic” must contain (by weight or fluid volume, excluding water and salt) 100% certified organic ingredients. A product labelled “organic” must contain (by weight or fluid volume, excluding water or salt) not less than 95% organically produced raw or processed agricultural products. Any remaining product ingredient must be organically produced, unless not available in an organic form, or must be non-agricultural or non-organically produced agricultural product listed in Appendix I. And will have to label with the ingredients indicating the % of each one them. A product to be labelled “made with organic...” must contain (by weight or fluid volume) at least 70% organic ingredients and none of the other ingredients in the product may be produce using prohibited practices specified in paragraphs (f) (1), (2), and (3) of Section 205.301 of the NOP-USDA, CRF 7, PART 205 Rule.
- c) The operator must label the product complies with NOP-USDA, CRF 7, PART 205 regulation with all requirements specified in Section 205 303 (1) and (2) of the NOP regulation. Otherwise, the label will not be approved by Bolicert.
- d) The stamp, logo, or other brand that identifies the certifier of the organic operation that handles the final product and/or used ingredients, does not have to show and be bigger than USDA logo.

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- e) All the applicants must use only the approved labels by BOLICERT otherwise they will receive a notification or suspension or revocation of their organic certificate
- The term “organic” can only be used in labels of raw material or agricultural processed products, including ingredients, produced and made in accordance to NOP regulations. The term “organic” cannot be used in the name of a product to modify a non-organic ingredient in that product.

3.24 PROCEDURES FOR THE CONTROL OF PROHIBITED SUBSTANCES BY THE NOP

- 1) The Operator has to send, along with the Organic System Plan, the list of each substance that will be use as a supply of the production or making, indicating its composition, source, location were it will be use and the documentation of the commercial availability, for any specific case.
- 2) The personnel in charge of the applications will review all the plan and specially the list of the substances that the operator will use as supplies.
- 3) Will review the active ingredients that are present in the substance and will compare an analyze to the list of substances permitted by the NOP – sub part G 205.600 to 205.607.
- 4) If the declared substances by the operator, are in the list of substances allowed by the NOP, a use authorization will be issued , always making clear that all the use activities have to be registered for the annual inspection by Bolicert. Si las sustancias declaradas por el operador están dentro la lista de sustancias permitidas del NOP, se emitirá la autorización para el uso, siempre aclarando que todas las actividades del uso deben ser registradas para la revisión en la inspeccion anual de Bolicert.

3.25 Pesticide Drift

A buffer of at least 100 feet is required between fields on which certified organic crops are to be produced and any field receiving applications of prohibited materials. A reduction in the size of this buffer may be granted if the grower can demonstrate to the Certification Staff and the inspector that a smaller buffer is adequate to control drift of chemicals. The required buffer size may be increased if deemed necessary by the Certification Staff.

3.26 Post-harvest Treatment

Pre and post-harvest handling procedures should ensure maximum freshness and nutritional quality as well as maintain high organic integrity. Manual and mechanical control of the temperature and humidity of the storage atmosphere is permitted. Ice or cold-water cooling is permitted pending Certification Staff approval of the water source and methods utilised. Post-harvest fumigation or any treatment with prohibited materials is not permitted.

3.27 Audit Trail

Any grower not selling directly to consumers or restaurants must keep an audit trail. Crops or products must be tracked and amounts recorded in each step from harvest and/or processing to sale with sufficient detail and lot numbering identification to allow tracing of a crop, product or ingredient back to the specific field from which it was harvested and date harvested or the site and date of production.

All parallel growers must maintain an audit trail for all crop sales, both organic and conventional and submit a sample of the audit trail system with their application.

Audit trail must be complete and up to date and make available to the inspector at the time of the farm inspection.

3.28 Farm Records

Clear records for all fields submitted for certification must be maintained, listing sources and amounts of all.

3.29 Temporary variance

BOLICERT can request that the Administrator grant variances but cannot grant them independently. The Administrator of the USDA Agricultural Marketing Service may grant exceptions to the NOP standards for the following reasons: natural disasters, damage caused by drought, wind, flood and other mentioned in the NOP rule 205.290.

According to notification received from Administrator on temporary variances implementation, BOLICERT will be send to each production or handling operations certified a notification which is applicable the temporary variance (205.290(d)).

3.30 Obligations for management operations

- 3.30.1 Each organic operator must establish, implement and update annually an “organic production or handling system plan” by filing a complete Certification Application;
- 3.30.2 Each operator must permit on-site inspections with complete access to the production or handling operation, including non-certified production and handling areas, structures, and offices;
- 3.30.3 Each operator must maintain all records of organic operations not less than 5 years beyond their creation and allow access to BOLICERT representatives;
- 3.30.4 Each operator must immediately notify the certifying agent concerning any:
 - Application, including drift, of a prohibited substance to any field, production unit, site, facility, livestock, or product that is part of an operation; and
 - Change in a certified operation or any portion of a certified operation that may affect its compliance with the regulations

3.31 Transportation for organic harvests and/or products

- a) The method means and safety measures during transportation of the organic harvest must be included in the Organic System Plan.
- b) BOLICERT recommends organic harvests be transported separately from other non-organic crops. The operator owner of product must be responsible to guarantee of the organic product integrity during transportation; except transport operation has certified.
- c) The used means of transportation must be clean and free from any substance prohibited by NOP standard.
- d) It is prohibited to transport the product in vehicles that before have transported substances and/or materials prohibited in the National List of the NOP standard, except if due cleaning has been done and if the operator has taken safety measures for the organic crop.
- e) It is permitted to transport organic and non-organic crops, provided always that the safety measures to avoid contact of the organic harvest is guaranteed (physical separation, safe and clearly differentiated bags, species with no risk of flowing liquids or others getting in touch with the organic crops).

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- f) It is permitted to transport organic crops in public services, but only if the organic products are safely packed so as to avoid that external contamination affects the organic harvest.
- g) It is prohibited to transport organic crops in vehicles or any means of transportation used for animals, sowing-seed and/or plants treated with substances prohibited in the NOP standard and/or other contaminating materials, even if the organic crops are packed.
- h) At the request of BOLICERT, the organic operation must submit the transport vouchers signed by the carrier, containing a declaration that no prohibited fumigants or pesticides and/or other contaminants were transported or used before transportation of the organic harvest, and mentioning liability of the carrier in case of any contamination of the organic product.

3.32 General Requirements for Groups of Producers

- a) All production and/or handling or processing operation, which management by Grower Groups (GPP) should have an Internal Control System (ICS).
- b) The ICS must be administered in a competent and stable manner. BOLICERT won't recognize the ICS of a GPP if the capacity and administration are not guaranteed.
- c) The ICS must be compound by separately bodies of internal advisor and internal inspectors.
- d) The ICS must be having an internal procedures for compliance the NOP rule and BOLICERT requirements, including Catalogue of Sanctions for disciplinary internal actions.
- e) The ICS, must be compliance with all applicable NOP rule and BOLICERT requirements down of all members operations.
- f) The ICS must conduct at least one inspection every year of each of the units of production and/or handling operation, which should be extended to 100% of the members of the GPP and to lean the inspection of 15% to 30% of the total of their members to the external audit of BOLICERT according to an assessment of S.C.I.
- g) The ICS must document and recorded, in a clear and adequate manner, all production and/or handling operations registers, internal inspection registers and in applicable the internal auditing records for BOLICERT evaluation.
- h) The ICS must compliance with each non-compliance notice and/or another BOLICERT notification.

3.32.1 ONSITE INSPECTION FOR GROWER GROUPS

Inspection scope:

- 1) The first external inspection will be at 100% of the producers, the following year will be made at a rate depending on the evaluation of the work of considering SCI. also undertake no external inspections re advertised and verification depending on the case
- 2) If the operator has 100 or less tan 100 members and does not have a SCI, BOLICERT will inspect 100%. If there is more than 100 members and it does not have SCI, the operation will not be inspected by BOLICERT, until this requirement is completed.
- 3) Evaluation of the ICS (composition, policies, internal regulations, procedures and registries).
- 4) Evaluation of the functioning and administration of the ICS.
- 5) Evaluation of the quality and competence of the ICS.
- 6) Evaluation of the security measures taken by the ICS, so that they are carried out effectively according to its policies, regulations, procedures, and the proof that these measures were properly carried out.
- 7) Evaluation of non-compliance, and instructions or complaints received from the certifier.
- 8) Verification of the BOLICERT procedures and Standard NOP by members of the Group.
- 9) The inspector compares the results found in the visits to the members of the Group with the results shown by the ICS. If results of the ICS work verified in the BOLICERT inspection show ineffectiveness,

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they can be the object of negation of the certification. If the producer who is a member of the group has infringed the standard and/or has provided false information to the ICS, his certification shall be refused, suspended or revoked.

- 10) Evaluation of the internal inspector's performance, to be carried out by the BOLICERT inspector who will accompany the internal inspector on a sample of internal inspections.

Determination of the sample for verification:

- 1) Depending on the number of producers, the quality and the uniformity of the registered results by the Internal Control System, the BOLICERT inspector will determine a sample as uncertain between 15% and 30%. Nevertheless, the group members which have more than 50 Ha, will be inspected by Bolicert annually of all their operation as individual and obligatory.
- 2) If the ICS meets completely the NOP requirements and BOLICERT procedures, the sample size will be reduced by no less than 10%.
- 3) The samples were determined every year and not producers and elected last inspection will be repeated, but these were verified with a sample of 5% compliance with the observations made to producers and inspected to see if they implemented the correction to the emitted observation.
- 4) Those producer groups that present the more risk of no compliances, will be the ones that will enter in an obligatory manner in to the taking of the sample every year until demonstrate otherwise and exit the list of operators in risk.

IV GENERAL REQUIREMENTS FOR RE-PACKING COMPANIES

- 4.1 The re-packing Company must be according regulation of Bolivian Act.
- 4.2 The re-packing Company must show the places and facilities when are making /or will be made the re-package and/or packing operations.
- 4.3 A re-packing Company is defined as factory when previous final packaging of products can make selecting, cleaning, and peeling and/or classification process.
- 4.4 Also, are included in this category the subdivide operations, such as re-package in small bags/boxes or bottles or packing in a big bags or big boxes, use of a new label, etc; according if the products are solid or liquid products.
- 4.5 This category NO include preparation practices, such as mixing of ingredients, fermentation, cutting, milling, routing, and/or other similar processing operations, because this operations are in the processing category, regulated in this BQPM too.
- 4.6 All raw materials used by re-packing operation, must been had bought in compliance with **CFR 7 part 205 of NOP standard (section 205.102, 205.103 and 205.105 of Sub-part B, and all requirements of Sub-part C and all requirements and procedures mentioned in the Sub-part E).** The last certificate of this raw material should be in force.
- 4.7 If operator make activities mentioned in the (3and 4) points, must be compliance fulfil with the **CFR 7 part 205 of NOP standard (section 205.102, 205.103 and 205.105 of Sub-part B; and sections 205.270 up to 205.272 of Sub-part C, and sections 205.300 up to 205.311 of Sub-part D, and all requirements of Sub-part E).**
- 4.8 If operator make any activities mentioned in the (3and 4) points, also manufactured in other Plant(s); these must be compliance fulfil with the **CFR 7 part 205 of NOP standard (section 205.102, 205.103 and 205.105 of Sub-part B, and all requirements of Sub-part C and all requirements and procedures mentioned in the Sub-part E)** , according practices made.

V PROCEDURES FOR RE-PACKING OPERATIONS CERTIFICATION

- 5.1 To apply for certification in a specific Application Form for Re-packing operations.

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- 5.2 To sign a specific contract with Bolicert.
- 5.3 Compliance with Bolicert on-site inspection.
- 5.4 To pay the Bolicert annual invoice

VI REQUIREMENTS FOR COMPANIES, WHICH ONLY TRADING/EXPORTING

- 6.1 The Trader/Exporter Company must be according regulation of Bolivian Act.
- 6.2 If the Trader/Exporter Company is only trading/Exporting without own brand, cannot make any modification to the products that will be sold.
- 6.3 If the Trader/Exporter Company is only trading/Exporting without own brand, cannot make any re-package and/or re-packing and/or re-labelling to the products that will be sold by him.
- 6.4 If the Trader/Exporter Company is Trading/Exporting with own brand, he must include all requirements of the organic products for each supplier, requested by standard and by Bolicert, in the labelling of all traded products and also in the records system.
- 6.5 If the Trader/Exporter Company is Trading/Exporting with own brand, their Brand and handling of it must be approved previously by Bolicert.
- 6.6 The Trader/Exporter Company must show contracts with supplier of processing companies, for each volume that will be sold.
- 6.7 The Trader/Exporter Company must show the organic certificate updated for each their supplier of the products, before to sell/export.
- 6.8 The Trader/Exporter Company must show before sold, a specific description of the type/material of package, size of package and the legend that will be used to labelling. These information must be approved by Bolicert before each new label used by Trading/Exporting Company.
- 6.9 All products sold by Trader/Exporter, as organic must meet with **CFR 7 part 205 of NOP standard (section 205.102, 205.103 and 205.105 of Sub-part B, and all requirements of Sub-part C and all requirements and procedures mentioned in the Sub-part E)..**
- 6.10 All products sold by Trading/Exporting, as organic must meet with a specific contract signed between organic product supplier and the Trading/Exporting Company, including contents of responsibility by organic products supplier.
- 6.11 The Trader/Exporter Company must maintain all records of the bought and sold of the products movements and their specific supplier, in compliance to **CFR 7 part 205 of NOP standard (sections 205.101 (a-b), 205.102 and 205.103 of Sub-part B,.** These records must be show to Bolicert supervision, during all operations.

VII PROCEDURES FOR COMPANIES, WHICH ONLY TRADING/EXPORTING

- 7.1 To apply for certification in a specific Application Form for Trader/Exporter operators.
- 7.2 Develop of an Organic System Plan of handling.
- 7.3 To sign a specific contract of Bolicert certification.
- 7.4 Compliance with Bolicert annual and/or specific audits.
- 7.5 To pay the Bolicert invoice.

VIII BOLICERT CERTIFICATE FOR ORGANIC OPERATIONS

- 8.1 The BOLICERT certificate is issued annually to operator who complained the organic NOP standards.
- 8.2 The BOLICERT certificate issued after annual inspection and certification staff meeting.

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- 8.3 The BOLICERT certificate indicates which products are in compliance with organic practice according to the NOP-USDA, CRF 7, PART 205 standards.

IX ATTESTATION FOR CONVERSION/TRANSITIONAL OPERATIONS

- 9.1 Depending upon the application documents of the operator and following the initial on-site inspection reports; BOLICERT may issue a “conversion attestation” specifying details of the hectares in conversion/transition.
- 9.2 The attestation will indicate the products, the total area in conversion and specific start date the conversion/transition process.
- 9.3 During conversion/transition, the operator is not permitted to sell any products from the area in conversion/transition into the organic market and is not authorised to label any products with reference to organic production methods or BOLICERT.

X DECISIONS TO SUSPENSION OR WITHDRAWAL OF THE BOLICERT CERTIFICATION

A suspends or withdraws of BOLICERT certificates will only occur after an individual examination by the BOLICERT Board or Certification Staff. The reasons for suspension or withdrawal include:

- 10.1 Use of prohibited methods in the organic production or handling operations that not allowed for the NOP standards.
- 10.2 Failure to reported to BOLICERT the use of synthetic products for pest, disease or weeds that are not allowed in the NOP standards.
- 10.3 Use of non-organic ingredients, which are not allowed by NOP rule for processed products.
- 10.4 Fraudulent documentation reported to BOLICERT.
- 10.5 Refusal to give access to the inspector during the inspection.
- 10.6 Refusal to allow the inspector accesses to the bookkeeping reports.
- 10.7 Refusal to allow sample taking.
- 10.8 Presence of residues from analysis results.
- 10.9 Fraudulent labeling.
- 10.10 Non-compliance with formal obligations (contracts, fines, etc.).

XI MEDIATION REQUEST PROCEDURES

- 11.1 The applicants may request that the dispute regarding the denial or proposed suspension or revocation of certification be mediated. In this case the applicant must make the request in writing to BOLICERT within 15 days of the date of notification of certification denial or proposed suspension or revocation. If the operator requests mediation and the mediation is accepted by BOLICERT, a mediator will be agreed upon by the operator and BOLICERT and the agreement will be sought within 30 days after the request (according 205.663 section of NOP rule). The applicant and BOLICERT will have no more than 30 days from the mediation session to reach an agreement; any agreements reached must be compliant with the NOP standards. The Secretary of Agricultural may review any mediated agreement and reject any agreement not in conformance with NOP standards. If the mediation request is turned down, the operator may file and appeal.
- 11.2 The appeal must be directly to the NOP Administrator for:
-The applicant for certification who receives a notice of rejection of the certification

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- The certified operator who receives a notice of suspension or revocation proposed of certification
- 11.3 The appeal process will be in accordance with section 12.4 of this document BOLICERT procedures
- 11.4 In case persons believe they were adversely affected by a non-compliance decision by their the Organic Program Manager, the governing State officials or their certification agent, they may appeal the decision to the Administrator in the first case and to the governing State organic program in the latter second cases. Letters must be sent to the recipient that using dated return receipts (according to 205.680(a)(d) NOP section).

XII ADMINISTRATIVE PROCEDURES FOR BOLICERT CERTIFICATION**12.1 BOLICERT Board:**

- 12.1.1 The BOLICERT Board is responsible for the BOLICERT certification system. Five members compose this body (one representing producer, one representing consumer, one representing the Governmental entity, one representing to processors and one representing Bolicert members).
- 12.1.2 The BOLICERT board is responsible for design, creation and approval of the policies and procedures of the BOLICERT Certification System and for granting, maintaining, extending and/or propose the proposal suspending BOLICERT certification.
- 12.1.3 For operational purposes and/or specific activities, the Board will receive support from management and/or specific technical commissions who will prepare products to be reviewed and approved by this body for use in the BOLICERT Certification System.
- 12.1.4 The priority activity of the BOLICERT Board is to review the strict compliance with the NOP- USDA requirements in the BOLICERT certification system.
- 12.1.5 The board will receive training Bolicert rules and procedures every 4 months or 3 trainings per year.
- 12.1.6 Evaluation and Personnel performance will be done based on the next criteria:
- a) Performance Criteria:
 - i. Knowledge, Aptitudes, Skills, interpersonal techniques and knowledge of the organic regulation of the USDA.
 - ii. Responsibilities: In planning, preparation and on time following of the activities of certification base on time, quality of final product and level of work detail.
 - b) Field evaluations (inspectors only)

The inspectors will be evaluated by on site inspections by a in charge person assigned once a year.
 - c) Review done by the supervisor or external evaluator.

Evaluation done by the external auditor whom will evaluate all the certification system and will give observations about the performance and will issue non compliances which will have to be compensated in order to improve the future work.

12.2 Confidentiality and Conflict of Interests in the BOLICERT Certification System

BOLICERT will maintained a strict confidentiality with respect to clients and in accordance to the NOP rule 205.501(a)(10) section:

- 12.2.1 All BOLICERT staff must sign a commitment on Confidentiality as regards the information obtained during control and/or certification activities. This requirement is applicable to all

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BOLICERT staff, subcontracted staff or entities, members of the DAB, and any other person who works for BOLICERT. By signing this commitment to confidentiality, the signing party expresses his commitment not to disseminate information to third parties on BOLICERT products or suppliers.

- 12.2.2 To prevent conflict of interests Bolicert will not certify any operation of production or elaboration if Bolicert or a person that has any type of link of responsibilities with Bolicert has or has had a commercial interest familiar or immediate or has worked as a consultant, on a 12 month period previous to an application of certification. **Sub parte F 205.501 a)11(i) NOP-USDA, CRF 7, PART 205.**

Inspectors and/or other staff to deal with appeals and/or complaints are assigned to suppliers in such a way so as to avoid conflicts of interests. The system to control conflicts of interests in the BOLICERT structure (is including Board, committees and all contracted and subcontracted staff). The declaration of the conflict of interests is annual and obligatory and must be signed maximum until the 15th of February, if its not the case they will be sanctioned with an amount of money and the control personnel will not be able to be assigned to any inspection if they not declare or sign the conflict of interests. it contemplates an update of the labour situation and/or family relationship with suppliers. The form for declaration of the conflict of interests is a unique format for the entire BOLICERT structure. This documentation is kept in individual files and updates are the responsibility of the BOLICERT administration.

- 12.2.3 BOLICERT will exclude to any persons including subcontracted staff or entities, members of the DAB, and any other person who has a conflict of interests from work, discussions, and certification decision in all entities in which such person has or has have a commercial interest (including an immediate family interest) and/or provision of consultant, within the 12 month period prior to the application for certification. **Sub parte F 205.501 a)11(ii) NOP-USDA, CRF 7, PART 205.**
- 12.2.4 BOLICERT will not permitting any employee or other staff that accept payment, gifts or favours of any kind, other than prescribed fees from any business inspected.
- 12.2.5 If is determined a conflict interest in a operation certified, where any BOLICERT person that participle in the process of certification of the applicant operation, BOLICERT will reconsider and if applicable will made other on-site inspection, or refer a certified operation to a different accredited certifying agent for re-certification. In these cases, BOLICERT will pay all costs of the reconsideration, new on-site inspection or re-certification costs.

12.3 Conflict of Interest with the Board Members for Certification Process

If any member of the Board has a conflict of interest with an applicant that is in the certification process, they must declare that conflict before any discussion on the applicant, and they may be asked not participate in the discussion and must not vote on any decision on the applicant.

12.4 Appeal process

After the Board certification decision, the applicant shall submit his protest directly NOP Administrator (205.681 a.) within 30 days of being informed of the decision. The appealing operator must mention written the reasons by which they think that the decision wasn't the correct one. It must be sent in with all the documentation for the appeal with the date of reception as shown in 205.681(a) NOP-USDA, CRF 7, PART 205 standards.

12.5 Board Meetings for Application and Renewal Certification

The Board sessions to review applications or to review renewal certifications normally are four times during each year (April, August, October and December). The minimal quorum for Board meeting is

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of 3 representative persons (BOLICERT representing, producer or consumer representing and governmental representing).

12.6 Application and Renewal of the BOLICERT Certification

The applicant that interested in the BOLICERT certification may request information. The operator will receive a BOLICERT package containing the following documents: The BOLICERT Certification System requirements for BOLICERT Certification under NOP-USDA Rule, Complete Final Rule of the NOP (an electronic or printed copy), a BOLICERT Application Form, Application Supplements and the Fee Schedule of application, inspection and certification costs.

The applicant may apply for BOLICERT certification at any time during the year but they must know the BOLICERT Certification Schedule during the year.

The BOLICERT certificate is valid from date of decision, it will be updating if the production or handling operation have changes only, except that the certification may be withdrawn by BOLICERT if the operator fails to follow NOP standards.

12.7 Applicants Application, Files and Records

BOLICERT will keep files and application records (205.510(b)). The records obtained from applicants for certification and certified operations, will be maintained for not less that 5 years beyond their receipt; the records created by BOLICERT for applicants for certification and certified operations will be maintained for not less than 10 years beyond their creation. The records created or received by BOLICERT pursuant to the accreditation requirements will be keep and maintained for not less than 5 years beyond their creation or receipt. All this record will be available for inspection and can be copying by authorised representatives of the Secretary and the applicable State organic program's governing State official. The information on the application, or any information results of the application, inspection, certification or other documents of the operator, is kept in confidential files, except for production or handling operations addresses, operator names and (if applicable) marketing outlets.

12.8 Inspections and Inspectors

The objectives of the onsite inspections are:

1. Evaluate if the operation complies or has the capacity of complying with the regulations.
2. Verify that the Organic System Plan reflects correctly the operation activities.
3. Guaranty that prohibited substances were not applied.

Inspection Activities

The inspector has to all to an initial meeting in order to talk about the inspection plan. This meeting defines the function of the inspector, communicates the confidentiality of all the information and defines general terms of the inspection activities planned. This is the opportunity for the inspector to define the expectancies and answer the questions of the applicants.

The inspector will perform an inspection of the whole production unit, facilities and centers in which the operation of all the organic products is been produced or made and includes:

- a. An Evaluation of the OSP that the operator implements on site, to guarantee that the OSP is updated, is been implemented and complies with the regulations.
- b. In el case of crop producers: An evaluation of the ground and it's nutrients, the use of the

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adjacent lands , the softening zones, the record of the land use, the production capacity of the land, the seeds and plants used for reproduction, the crop rotation, the plague control practices, the harvest, the labeling and transportation.

- c. In the case of the wild crop producers: An evaluation of the assigned harvest areas, the sustainable harvest practices and the activities of re-sowing or pruning.
- d. In the case of makers : An evaluation of the product composition, the reception, the processing, the plague control, the storage, the labeling, ant the transportation, as well as practices for prevention the mix and contact of prohibited substances.
- e. Verification of the production capacity or making of the operation.
- f. Evaluation of the maintenance system of the records and verification of the activities according to the records.
- g. Reconciliation of the product volume produced or received with the quantity of transported made or sold organic products, activity that is also known as trazability audits or input and output balances.
- h. Sampling of the agricultural organic products for the residue tests, if it's necessary. The inspector will facilitate a receipt of each taken sampling.

At the end of the inspection, the inspector will perform a final interview whit an authorized representative of the operation. During this interview, the inspector will communicate any possible non compliance that was observed and will ask for additional information that could be missing of the Organic System Plan. In important information is missing, the inspector has to write it in the inspection report and mentioned it during the final interview.

Inspectors:

BOLICERT has its own inspectors that are chosen for each type of production or handling operation. Each operation is inspected annually at least once. Additional inspection visits may conducted by BOLICERT (announced or unannounced inspections).

The BOLICERT inspector is assigned according his competence for the operation that will be inspected (crops or products of the production or handling operation) and a demonstrable impartiality on the operator or operation of the products which will be inspected. Each inspector can carry out up to three consecutive inspections of the same operation. At a minimum one period (one year without inspection by some inspector) must then pass before the inspector can be re-assigned to the same operation.

The BOLICERT inspector will conduct a visit of the crops and/or handling sites, review the representative's recordkeeping of the operation and will make a inspection report. If the inspector receives an instruction from the BOLICERT office, he may conduct an unannounced inspection visit. Following the request of BOLICERT office, the inspector may take samples for residue tests.

The BOLICERT inspector may not give advice to operator. He/She is limited to show a specific reference of the standards that must be met by the operator. Consultation for an additional fee at any time before or in the certification year is unacceptable and the inspector will be dismissed and the certification of the operator will be revoked.

12.9 BOLICERT Staff Qualification and Hiring

The staff of BOLICERT must have the formation; training and experience needed to carry out their functions, according to the competence and objectivity required by BOLICERT. The BOLICERT following procedure for Hiring of Staff regulates the system for Selection, Training and Recruitment of BOLICERT Staff:

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- 12.9.1 BOLICERT selects through public or direct invitation, mainly professionals at a high academic level in agriculture with experience in organic production and processing. The select staff must be agricultural education and/or must have organic production and processing experience and to know the organic production and/or organic certification. Also, is required any-interest conflict with suppliers and Pass the exam with a minimum score of 60 points.
- 12.9.2 All staff must comply with the minimum requirement of a single “BOLICERT course” before starting functions in BOLICERT.
- 12.9.3 BOLICERT hires only those who agree with the confidentiality document, and the conflict of interest’s annual declaration.
- 12.9.4 The different designated functions given to the staff for its implementations, are given according to competence (professional profile and organic production and processing experience), and evaluation of conflict of interests.
- 12.9.5 The new inspectors shall accompany another inspector in at least one onsite inspection. There will be an annual publication of a list of all the BOLICERT staff, including the job for which each person was hired.
- 12.9.6 BOLICERT staff, with a halftime or fulltime contract, are subject to an annual system for follow-up of conflicts of interests and confidentiality. All documentation on inspectors is kept in files in the BOLICERT office.
- 12.9.7 All personnel will be trained in relevant aspects of compliance with the obligations imposed by the NOP, this training will be scheduled after each modification of Bolicert instruments or procedures.
- 12.9.8 All staff will meet when called for reasons of failures in assigned work, to determine the cause and those responsible, and to seek solution strategies and help improve the work of organic certification in compliance with the NOP- USDA, CFR 7, PART 205.
- 12.9.9 All humans resources, whose work in office’s Bolicert must be evaluated in specifics administrative functions every year in order to have confirmed the efficiency of the Institution.

12.10 Certification procedures

The Board are compose by 4 independent persons but only 3 members are the ones which revise the last reports of the operations, any previous conditions and the description of the actions taken by operator for compliance any non-compliance last notification and if applicable any analysis test results. The new organic plan system of the operator and some other representative information about of operation, that they have updating by BOLICERT office.

The BOLICERT Board uses the predetermined checklist for evaluation (Auxiliary Form For Certification of Operations). The Board will evaluate and compare with the requirements of applicable standard. According to last inspection report, the compliance with organic system plan, the non-compliance notification resolved, the inspector’s recommended non compliances (if DAB add or change the non compliances must make an explanation of why)and compliance with BOLICERT procedures.

The Board of Directors will take One of the 3 Certification decisions which are:

- Award the continuing of the certifications if the operations completely complies whit the regulations, including the issuing of a new certificate according to the title 7 of the Federal Regulations Code 205.406 (d).
- Award the certifications under certain conditions, in case of the existence of minor problems that are not considered infractions and will not be repeated.

FINAL CERTIFICATION SYSTEM PROCEDURES UNDER NOP RULE

- Issue of a notification of noncompliance for fixable infractions. A noncompliance notification will allow the operation to send a response of proposed corrective measures, generally under 30 days after the issue date. Bolicert will evaluate the corrective measures to determine if the operation complies with the regulations. If the operation apparently complies, then the DAB will have to recommend the total issue of the certification or under certain conditions. If the operation apparently does not comply, the Board of Directors has to precede whit the notifications of proposed suspension or revocation of the certification.
- Issue a combine notification of noncompliance and proposal of suspension or revocation for the non-complied infractions, including the intentional or fraudulent infractions.

The Board will take any of these decisions responsibly in strict compliance with the BOLICERT procedures and the applicable standard. It is a technical and specifically procedural decision, and is subject to periodic evaluation. Normally, the certification decision is made by 3 people (Bolicert executives), never by two or a single person. At the certification session, these people audit all information and documents for each operation in certification session, to take the certification decision by majority vote.

Once the decision is taken, if the operator complies whit all the stipulated in the norm an Bolicert procedures and the decision is the Issuing of the renewal of the certification, the operator will receive an Organic Certificate whit the following information:

1. The name (all the legal names) and addresses of the certified operation, including the physical address, in the case of the postal or legal address is not the actual physical location of the certifier.
2. The name, address, web site and the pone number of the certifying agent.
3. The date of validating (when the certifying agent, initial or current, certified for the first time the operation according to the organic regulations of the USDA).
4. The Emission date (when the certifying agent issued the organic certificate).
5. The anniversary date (when the certified operation has to send it's annual update). The Organic Certificates can't include due dates.
6. The categories of the organic operation (crops, wild crops, and making and processing).
7. The specific certified organic products covered by the organic certificate, which will allow the auditors and buyers verify id the operation is certified to make an produce the product in order to be sold.
8. The category of the labeling for each certified product according to the category of certification, making and processing (is not mandatory to those products in the categories of certification of crops, wild crops or livestock). Categories of labeling: 100% organic, organic made with ingredients or groups of specified food) organic and food for livestock (organic or 100% organic).
9. The declaration “Certified according whit the organic regulations of the USDA, title 7 of the
10. The declaration “Once the certification is done, the organic certification of a production operation will continue it's validation until the cession, suspension or revocation”.

12.10.1 To change accredited certifying agents, a certified organic operation must:

- a) Submit an application for certification to another certifying agent as a new applicant;
- b) Submit a complete Organic plan for the scope(s) of certification requested;

FINAL CERTIFICATION SYSTEM PROCEDURES UNDER NOP RULE

- c) Pay fees to the new certifying agent according to the fee schedule.
- d) Maintain their current certification, including submitting annual updates, allowing timely inspections, and payment of all required fees to the current certifying agent until the certification process for the new certifying agent is complete and a new certificate has been issued if they continue to produce or sell products as organic; and The applicant will continue to use the previous certificate to produce or sell their organic product until the certification in the new certifier.
- e) You will not be able to use the new certification until the process with the other certifying agent ends and you are handed your documents of the new certification and only after this can you deliver your certification to the other certifier with a written note of withdrawal.

12.10.2 To receive new applicants currently or previously certified by another accredited certifying agent, the new certifying agent must:

- a) Require the applicant to submit a complete new application and Organic System Plan as a new applicant for certification;
- b) Request information regarding their current certification status, including any outstanding notices of noncompliance or proposed adverse actions. Certification may not proceed until outstanding notices and proposed adverse actions are resolved and eligibility for reinstatement has been issued from the NOP, as needed;
- c) Notify the applicant of their obligation to maintain their current certification throughout the new certification process in order to sell, label or represent products as organic during the change to the new certifying agent;
- d) Charge fees as approved
- e) Conduct a complete review of the application and Organic System Plan for compliance with the NOP-USDA, CRF 7, PART 205 regulations;
- f) Schedule and conduct an onsite inspection pursuant to § 205.403; an inspection is required prior to the issuance of a new certificate.
- g) Issue a new certificate only after the applicant is determined to be in compliance with the NOP regulations.
- h) Not allow the new client to use labels which do not correctly identify the certifying agent of the finished product beyond the tolerances allowed in this instruction.

12.11 Residue Testing

- a) A analysis of residue must be done in case any of the following presents.:
 - 1) When there is a suspicion that a prohibited substance has been applied.
 - 2) Whe there is a suspicion of a contamination of genetically modified organisms.
 - 3) When pesticides are spread or carried by the wind that could have caused contamination.
 - 4) When there is a potential risk of soil contamination because of the cases mentioned on point 3.6 if this document.
 - 5) To gather evidence as a part of investigation
 - 6) As part of a program of samples of vigilance.

12.11.1 SAMPLES TAKEN FOR RESIDUE ANALYSIS

- i. Bolicert has as policy to due unannounced inspection up to 5% for the total of certified operations the year. Depending on the number of certified operators if less than 30 per year under take a sample.

FINAL CERTIFICATION SYSTEM PROCEDURES UNDER NOP RULE

- ii. The Bolicert inspector is responsible for taking samples of the residues using a BOLICERT form that is unique and pre-determined for its use
 - iii. The laboratories can be either international or national, whose competence of the methods and processing are accredited nationally or Internationally accredited under ISO/IEC 17065:2005.
 - iv. Chemical analysis must be made 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 methodology for determining the presence of contaminants in agricultural products.
 - v. If the results of the analysis show that the product contains pesticide residues or environmental contaminants that exceed the tolerance regulatory food and medicine, Bolicert immediately report to competent national and international authorities.
 - vi. The quantity of the sampling to be taken will be representative of 1.5 kg, which will be mixed and divided in 3 parts of 500 gr. each one. Each sample is closed and the impenetrable security label is put and also the codification and predetermined information base don NOP 2610 (point 12.11.2 of the present manual).
 - vii. A sample stays in the operation, the second one is storage in Bolicert offices and the third one is sent to the laboratory for its analysis.
 - viii. The responsible of the sample taking will have to use a predetermined and unique form of sample taking in 3 copies, one copy is given to the operator as prove of the sample taking, another copy goes with the sample to the laboratory and the last copy is kept in Bolicert records.
- a) The inspector will take the sample and send it to a competent laboratory for testing. The sample integrity will be maintained throughout the chain of custody in the BOLICERT office, for any next use. If the test proves positive and its show levels of a prohibited substance exceed 5% of the EPA's tolerance for the specific residue or contamination, the products cannot be sold, labelled or represented as organically produced. In this case, BOLICERT may conduct an investigation of the organic operation to determine the cause of the contamination. All laboratory test results will be kept and available to the public when requested.
 - b) If the pesticide drift incident, the certification of the operation may be denied and the crop or crop products may be ineligible the certificate for three or more years. If laboratory test results indicate a specific agricultural product contains pesticides residues or environmental contamination that exceed the FDA's or EPA's regulatory tolerances; BOLICERT will report to Federal health agency whose tolerance have been exceeded.

BOLICERT will act in the following manner depending on the case:

- Inform the results to the operation
 - Evaluate why the residues exist
 - Issue the noncompliance notification due to the infraction and apply what is describe in 205.202 (b), 205.202 (c) or 205.272 of the NOP.
 - If is suitable apply the suspensions, revocations or civil penalizations, will have to be coordinated with the NOP.
 - Keep the results of the lab analysis and make it available to the public.
- c) A laboratory sample is the product, soil or water that requires Bolicert must necessarily be lifted by a person qualified in this contract Bolicert as indicated in Section 12.9 (SCOC) and have all the documentation up to date based in 12.2.1 and 12.2.2 (SCOC)
 - d) If the operation shows a result of the analysis of laboratory and this comes from a recognized laboratory; BOLICERT will not take samples, in order that this analysis corresponds to the actual period of audit (last 12 months)

FINAL CERTIFICATION SYSTEM PROCEDURES UNDER NOP RULE

- e) The operation can conduct a analysis of soils and demonstrate to BOLICERT’s inspection that the product, soil, water etc. Is free of contamination.
- f) The method of sampling is random according to the lot of planting and or processed product that it is decided to take to laboratory’s test.

12.11.2 Each sample must be identified by the following information;

- 1)Name of the certified operation and mail address (city/ state/ zip code/ country)
 - 2)Identify the sampling points (it can include maps of the site or camp)
 - 3)Producer and information responsible (The producer as well as the responsible the identification must be included, if the sample is taken from a parcel).
 - 4)Sample identification, includes the information about the products, the variety, brand, and lot number (if proceeds), or other identification.
 - 5)Name of the certifier. Name and signature of the inspector or personnel that takes the sample. Date and sampling taking and the date that it was sent to the laboratory.
- g) Samples shall be sent to the laboratory for analysis no later than 5 days after collecting the sample.
 - h) A sample stays in the operation; the second one is stored at BOLCERT’s office and the third one is sent to the lab.
 - i) A copy of the form of sample taking of BOLICERT, is given to the operation and the original for BOLICERT’s record.
 - j) The results of the analysis are informed to the operation, with a notification that will be published. Except if this result is a part of an investigation process.
 - k) If the results of the laboratory show residues above the permitted levels given by the standard; the status of the harvest or product change immediately and this product can be commercialized as organic.
 - l) If the results of the laboratory, are less or equal to the permitted levels by the standard; the source and causes will be investigated of the residues of the prohibited substances and the operator will be put through process.
 - m) The documentation of the process of the sampling and comprobaton will be achieved at BOLICERT’s office, such as the sampling form, results with the procedures taken by the laboratory and the name of the laboratory responsible for the test.

The testing analysis results will be available for public access, unless the testing is part of an ongoing compliance investigation.

12.12 Complaints by operator or third parties

When a complaint is received Bolicert will have to precede to the following manner:

- Receive the complaint and if it’s written a reception note is issued
- The complaint will be registered in the book of complaints
- A responsible will be assigned in order to do the tracking of the complaint
- The responsible will perform and investigation about the complaint depending of its nature
- The solution of the complaint will be registered in the book as well as the results of the investigation
- The time of the solution or the response of the complaint will be no more than 30 days after the complaint is received.

FINAL CERTIFICATION SYSTEM PROCEDURES UNDER NOP RULE

BOLICERT can receive complaints from operators and/or third parties (e.g. consumers). Only complaints with correct arguments and formal documentation in support of the complaint will be considered. The complaints may be referring to contracting operators in mutual competition, any non-conformities of the BOLICERT staff (Inspectors, Certification Staff or any BOLICERT staffs), interest conflict of any BOLICERT staffs or abusive use of BOLICERT certificate or seal.

In any this cases, the BOLICERT administrator will send to DAB chairman and the complaining party will receive a letter which explain all measures and steps taken by BOLICERT according internal decision.

If the compliant to refer BOLICERT staff or any BOLICERT operator which is compromise with non-correct use of the BOLICERT certificate or seal; the decision will be take according the contracts. But, if the compliant to refer to contracting operators in mutual competition; will made a short investigation and sending a letter for each conflict operator including the measures and time for resolve their conflict. If the parties do not agree and/or believe the decision by DAB is insufficient, the parties or one of the parties may appeal directly to the administrator of the NOP.

12.13 _Procediments to recognize certified products from another agencies

Bolicert must ask next documents:

- 12.13.1 Copy of organic certificate
- 12.13.2 Copy of transaction certificate

12.14 BOLICERT Publications

- 12.14.1** The list of operators as well as their certified products is at the public’s disposal at the BOLICERT office during working hours.
- 12.14.2 Organic standard and application requirements as issued by BOLICERT.
- 12.14.3 The BOLICERT annual reports are published in January each year. This publication includes information of the BOLICERT activities and list of all operations certified during three previous years.
- 12.14.4 Another important operator information producer, collector or processor

12.15 BOLICERT Annual report for Administrator

The annual list of the certified operations, suspended or revoked operations, will have to be sent to the NOP until January 2nd of each year according to calendar, And this will be entered in the INTEGRITY database.

The BOLICERT annual reports for Administrator will be sent until march 13 of each year due to the Bolicert anniversary, it must be sent in electronic (CD), memory card, etc. and not in paper. The following information has to be sent as part of the annual report:

- a) A complete and accurate update of information submitted pursuant to 205.503 y 205.504, of the regulations, according to NOP 2024-1 Annual Report Checklist.
- b) Information supporting any accreditation changes requested by the certifier per 205.500 of the regulations, according to NOP 2024-1 Annual Report Checklist.
- c) A description of measures implemented or to be implemented to satisfy any terms and conditions, as specified in the most recent notification of accreditation or notice of renewal of accreditation;

FINAL CERTIFICATION SYSTEM PROCEDURES UNDER NOP RULE

- d) The results of the most recent performance evaluations and annual program review, including 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, according to NOP 2024-1 annual Report Checklist.
- e) Any fees required by 205.640 (a) of the regulations, if applicable.

12.16 DOCUMENTS OF ADVERSE ACTION

Bolicert must notify the NOP when issuing the following notifications to an applicant for certification or a certified operation (see 205.501 (a)(15)(i):

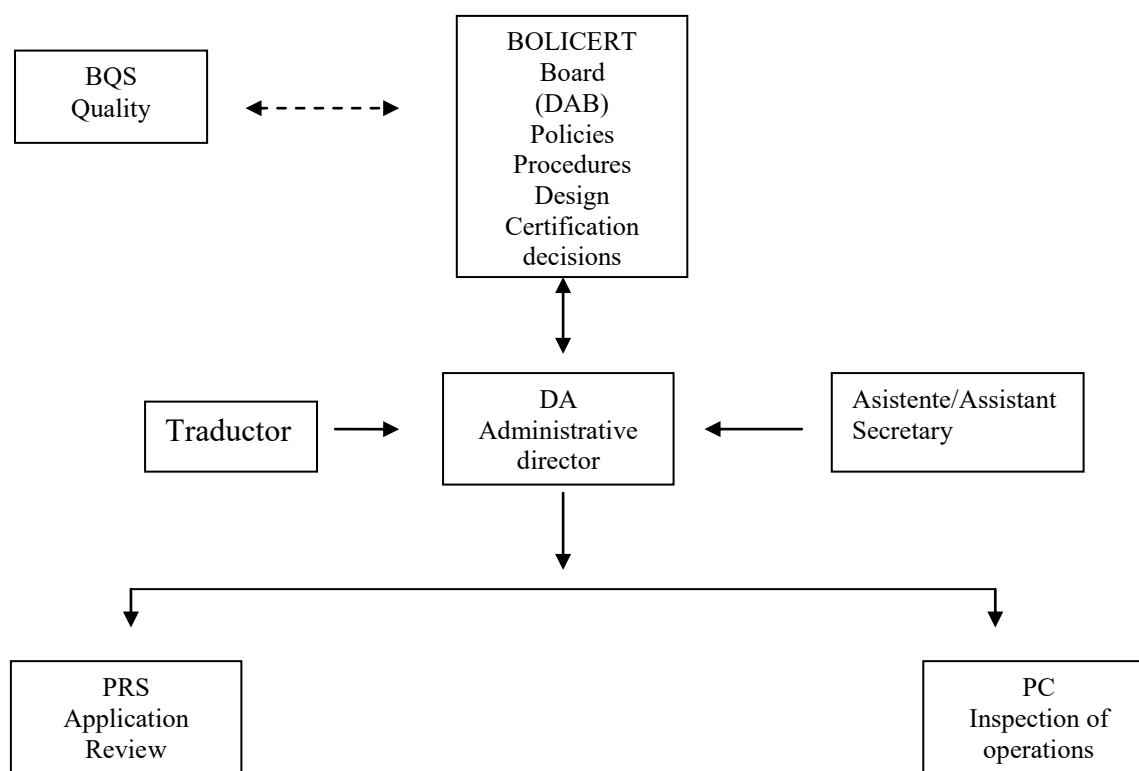
- a) Notification of noncompliance issued pursuant to 205.405 or 205.662
- b) Notice of denial of certification issued pursuant to 205.405
- c) Notification of noncompliance correction or resolution
- d) Notification of proposed suspension
- e) Notification of proposed revocation
- f) Notification of suspension; and
- g) Notification of revocation.

XIII COMPOSITION OF THE BOLICERT BOARD

President:	One professional representing agricultural science (a member BOLICERT associate)
Member	One professional representing processing
Member	One professional representing the governmental entity or agricultural science
Member	One representing producers

COMPOSITION OF THE BOLICERT CERTIFICATION STAFF

Administrative	Director, professional with experience on organic certification. Secretary with certification degree. Translator with experience on texts translation with technical terminology. One independent professional.
Inspectors:	Independent professionals holding degrees as Agronomist or Food Engineers. Each has more than one year as BOLICERT inspectors.

ORGANIZATIONAL BOLICERT CHART

FORMULARIO DE REUNION DE FINALIZACION DE LA INSPECCION/FORM MEETING OF ENDING OF THE INSPECTION

Nombre de la Operación/Name of the Operation:

E	GP	I	C	E
---	----	---	---	---

Hora de empiezo/start time.....**Hora de finalización/**finalization time.....

Categoría/Category.....**Norma/Standard NOP-USDA, CFR 7, PART 205**

I.- ASPECTOS CONTROLADOS DURANTE LA INSPECCION/Aspect checked during the inspection

- 1).....
- 2).....
- 3).....
- 4).....
- 5).....
- 6).....
- 7).....

Se reviso registro de quejas, reclamos y medidas tomadas para su solución/ Was verified registration of complaints, claims by third parties and measures taken for their solution. SI ☐ NO ☐

Observaciones.....

II.- Documentación respaldatoria (Mencionar toda la documentación adjunta):

Supportive documentation Mention all enclosed documentation):

- 1).....
- 2).....
- 3).....
- 4).....
- 5).....
- 6).....
- 7).....
- 8).....

III Explicación de aspectos relevantes del control/Explication of relevant aspects of control

- 1).....
- 2).....

3).....

4).....

5).....

6).....

IV POSIBLES NO CUMPLIMIENTOS ENCONTRADOS DURANTE LA INSPECCION/POSSIBLE NON-COMPLIANCE FOUND DURING THE INSPECTION

Nº	POSIBLES NO CUMPLIMIENTOS/POSSIBLE NON-COMPLIANCES	REFERENCIA NORMA/ REFERENCE STANDARD

V CONFORMIDAD Y DECLARACIÓN/CONFORMITY AND DECLARATION

5.1 El operador declara que es de su conocimiento y acepta los posibles no cumplimiento encontrados durante la inspección, y que la información proporcionada al inspector de Bolicert es verídica. Con su firma se compromete a cumplir con todos los requerimientos de la norma para producción de cultivos, procesamiento, etiquetado y comercialización de productos orgánicos. En caso de incumplimiento, acepta las sanciones que le serán impuestas por Bolicert. Al mismo tiempo declara su conformidad con el contenido del presente formulario/ The operator declares that he is aware of and accepts the possible non-compliances found during the inspection, and that the information provided to the Bolicert inspector is true. With its signature, it is committed to comply with all the requirements of the standard for production of crops, processing, labeling and marketing of organic products. In case of non-compliance, accept the sanctions that will be imposed by Bolicert.

/ / /

Lugar y fecha:

Place and date

Nombre y Firma del Operador Responsable

Name and signature of Operator Responsible:

5.2 El inspector responsable de la inspección; declara que todos los datos, los posibles no cumplimiento encontrados y registrados en el presente formulario de Reunión final de inspección, fue resultado de la información proporcionada por el operador, la documentación verificada, la visita a unidades de cultivos y la visita de inspección realizada a la Planta de manejo/procesamiento. Y los resultados de la misma son de conocimiento del operador./ The inspector responsible for the inspection; declares that all data, possible non-compliances found and recorded on this Final Inspection Meeting form, was a result of information provided by the operator, verified documentation, visits to crop units and the inspection visit made to the handling / Processing Plant. And the results of the same are known to the operator.

Nombre y Firma del inspector de Bolicert/

Name and signature Bolicert Inspector:



BOLIVIANA DE CERTIFICACIÓN

ACCREDITED UNDER: : ISO/IEC 17065; 834/2007-889/2008 EU-IFOAM; NOP-USDA, CRF 7, PART 205;; CGSB/CAN 32.310 - 32.311/2015 AND 3525 LAW BOLIVIAN

La Paz, 3 de Julio del 2017

Señor
AURELIO JORGE BARREDA
PRODUCTOR ORGANICO INDIVIDUAL
Oruro

Presente.-

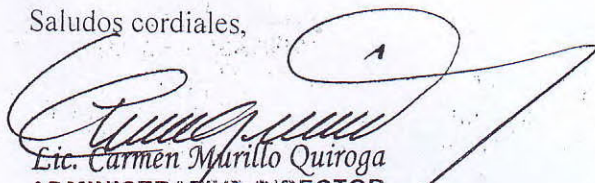
Estimado señor:

En ocasión de la inspección a la unidad de producción orgánica de su propiedad, se tomo una muestra de producto quinua cosecha 2017, la cual se entrego al laboratorio para el análisis de trazas de químicos prohibidos por las normas.


El resultado de ese análisis acompañamos (adjunto) a esta carta el informe que hizo llegar el laboratorio con resultados de la muestra analizada que entrego Bolicert a CNT.

Sin otro particular motivo me despido.

Saludos cordiales,


Lic. Carmen Murillo Quiroga
ADMINISTRATIVE DIRECTOR
BOLIVIANA DE CERTIFICACIÓN
"BOLICERT"




RECIBI CONFORME
AURELIO JORGE B.



Laboratorio-Sede Lima :
Avenida Javier Prado Oeste 1520 San Isidro. LIMA (PERÚ).
Tel: 01 422 2910 | www.cnta.es | recepcion.pe2@cnta.com.pe

* Los ensayos marcados
no están amparados por
la acreditación ANAB

INFORME DE ANÁLISIS

Nº: 50192560

Nº Muestra: P1708615

Cliente: BOLICERT

NIF: 1001971029

Domicilio: CALLE COLÓN N°756, ENTRE INDABURO Y SUCRE EDIF VALDIVIA OF. 2A PISO 2

Población: LA PAZ, LA PAZ

Muestra de: QUINUA

Formato: Bolsa

Clave: Muestreado por Nola Camacho, 8/06/2017; Jorge Aurelio, Lote 2017

Recepción: 21/06/2017

Inicio análisis: 21/06/2017

Finalización análisis: 23/06/2017

RESUMEN DE POSITIVOS

No se han detectado resultados positivos por encima del límite de cuantificación

ANÁLISIS: MULTIRRESIDUO PLAGUICIDAS ALIMENTOS POR CROMATOGRFIA DE GASES
TÉCNICA: GC-MS/MS

DETERMINACION	RESULTADO	UNIDADES	MÉTODO
o,p' DDD	<0.01	mg/kg	P-ME.FQ.04
o,p' DDE	<0.01	mg/kg	P-ME.FQ.04
p,p' DDE	<0.01	mg/kg	P-ME.FQ.04
o,p' DDT-p,p' DDD	<0.01	mg/kg	P-ME.FQ.04
Acetocloro	<0.01	mg/kg	P-ME.FQ.04
Aclonifen	<0.01	mg/kg	P-ME.FQ.04
p,p' DDT	<0.01	mg/kg	P-ME.FQ.04
Acrinatrina	<0.01	mg/kg	P-ME.FQ.04
Ametrina	<0.01	mg/kg	P-ME.FQ.04
Alacloro	<0.01	mg/kg	P-ME.FQ.04
Aldrin	<0.01	mg/kg	P-ME.FQ.04
Azúfre	<0.10	mg/kg	P-ME.FQ.04
Antraquinona	<0.01	mg/kg	P-ME.FQ.04
Atrazina	<0.01	mg/kg	P-ME.FQ.04
Azinfos etilo	<0.01	mg/kg	P-ME.FQ.04
Benalaxil	<0.01	mg/kg	P-ME.FQ.04
Benfluralina	<0.01	mg/kg	P-ME.FQ.04
Bifenilo	<0.01	mg/kg	P-ME.FQ.04
Bifentrina	<0.01	mg/kg	P-ME.FQ.04
Bromofos etil	<0.01	mg/kg	P-ME.FQ.04
Bentiavalcab isopropil	<0.01	mg/kg	P-ME.FQ.04
Bitertanol	<0.01	mg/kg	P-ME.FQ.04
Bromopropilato	<0.01	mg/kg	P-ME.FQ.04
Bupirimato	<0.01	mg/kg	P-ME.FQ.04



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Nº: 50192560

Nº Muestra: P1708615

Clave: Muestreado por Nola Camacho, 8/06/2017; Jorge Aurelio, Lote 2017

DETERMINACION	RESULTADO	UNIDADES	MÉTODO
Buprofecina	<0.01	mg/kg	P-ME.FQ.04
Cianazina	<0.01	mg/kg	P-ME.FQ.04
Cadusafos	<0.01	mg/kg	P-ME.FQ.04
Captan (como tetrahidroftalimida)	<0.01	mg/kg	P-ME.FQ.04
Carbofurano	<0.01	mg/kg	P-ME.FQ.04
Cipermetrina	<0.01	mg/kg	P-ME.FQ.04
Cicloato	<0.01	mg/kg	P-ME.FQ.04
Ciflufenamida	<0.01	mg/kg	P-ME.FQ.04
Ciflutrin	<0.01	mg/kg	P-ME.FQ.04
Clorfenvinfos b	<0.01	mg/kg	P-ME.FQ.04
Ciproconazol	<0.01	mg/kg	P-ME.FQ.04
Clordano (cis + trans)	<0.01	mg/kg	P-ME.FQ.04
Clorfenapir	<0.01	mg/kg	P-ME.FQ.04
Clorpirifos metilo	<0.01	mg/kg	P-ME.FQ.04
Clormefos	<0.01	mg/kg	P-ME.FQ.04
Clorpirifos	<0.01	mg/kg	P-ME.FQ.04
Clorotoluron	<0.01	mg/kg	P-ME.FQ.04
Cresoxim metilo	<0.01	mg/kg	P-ME.FQ.04
Clorprofam	<0.01	mg/kg	P-ME.FQ.04
Clortalidimetil	<0.01	mg/kg	P-ME.FQ.04
Clortion	<0.01	mg/kg	P-ME.FQ.04
DDT (p,p' DDT+o,p' DDT+p,p' DDE+p,p' TDE(DDD))	<0.01	mg/kg	P-ME.FQ.04
Diazinon	<0.01	mg/kg	P-ME.FQ.04
Deltametrin	<0.01	mg/kg	P-ME.FQ.04
Dieldrin	<0.01	mg/kg	P-ME.FQ.04
Dicloran	<0.01	mg/kg	P-ME.FQ.04
Diclorvos	<0.01	mg/kg	P-ME.FQ.04
Dicofol (4,4' DCBP)	<0.01	mg/kg	P-ME.FQ.04
Difenoconazol	<0.01	mg/kg	P-ME.FQ.04
Dieldrin (aldrin+dieldrin)	<0.01	mg/kg	P-ME.FQ.04
Dietofencarb	<0.01	mg/kg	P-ME.FQ.04
Difenilamina	<0.01	mg/kg	P-ME.FQ.04
Diniconazol	<0.01	mg/kg	P-ME.FQ.04
Disulfoton	<0.01	mg/kg	P-ME.FQ.04
Endosulfan alfa	<0.01	mg/kg	P-ME.FQ.04
Endosulfan beta	<0.01	mg/kg	P-ME.FQ.04
Endosulfan sulfato	<0.01	mg/kg	P-ME.FQ.04
Endosulfan (suma de isómeros-alfa, beta y sulfato expr. como endosulfan)	<0.01	mg/kg	P-ME.FQ.04
Etalfluralina	<0.01	mg/kg	P-ME.FQ.04
Endrin	<0.01	mg/kg	P-ME.FQ.04



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Clave: Muestreado por Nola Camacho, 8/06/2017; Jorge Aurelio, Lote 2017

DETERMINACION	RESULTADO	UNIDADES	MÉTODO
EPN	<0.01	mg/kg	P-ME.FQ.04
Etoprofos	<0.01	mg/kg	P-ME.FQ.04
Etion	<0.01	mg/kg	P-ME.FQ.04
Etofumesato	<0.01	mg/kg	P-ME.FQ.04
Etofenprox	<0.01	mg/kg	P-ME.FQ.04
Etridiazol	<0.01	mg/kg	P-ME.FQ.04
Fenarimol	<0.01	mg/kg	P-ME.FQ.04
Fempropatrina	<0.01	mg/kg	P-ME.FQ.04
Fenamidona	<0.01	mg/kg	P-ME.FQ.04
Fenamifos	<0.01	mg/kg	P-ME.FQ.04
Fenclorfos	<0.01	mg/kg	P-ME.FQ.04
Fenazaquin	<0.01	mg/kg	P-ME.FQ.04
Fenitroton	<0.01	mg/kg	P-ME.FQ.04
Fenotrina	<0.01	mg/kg	P-ME.FQ.04
Fipronil	<0.01	mg/kg	P-ME.FQ.04
Fention	<0.01	mg/kg	P-ME.FQ.04
Fentoato	<0.01	mg/kg	P-ME.FQ.04
Fenvalerato + Esfenvalerato	<0.01	mg/kg	P-ME.FQ.04
Flusilazol	<0.01	mg/kg	P-ME.FQ.04
Flucitrinato	<0.01	mg/kg	P-ME.FQ.04
Fludioxonil	<0.01	mg/kg	P-ME.FQ.04
Fluquinconazol	<0.01	mg/kg	P-ME.FQ.04
Fluxapiroxad	<0.01	mg/kg	P-ME.FQ.04
Fonofos	<0.01	mg/kg	P-ME.FQ.04
Flutriafol	<0.01	mg/kg	P-ME.FQ.04
Fluvalinato tau	<0.01	mg/kg	P-ME.FQ.04
Fosmet	<0.01	mg/kg	P-ME.FQ.04
Forato	<0.01	mg/kg	P-ME.FQ.04
Fosalon	<0.01	mg/kg	P-ME.FQ.04
Fosfamidon	<0.01	mg/kg	P-ME.FQ.04
Heptacloro	<0.01	mg/kg	P-ME.FQ.04
HCH-alfa	<0.01	mg/kg	P-ME.FQ.04
HCH-beta	<0.01	mg/kg	P-ME.FQ.04
HCH-delta	<0.01	mg/kg	P-ME.FQ.04
Hexaclorobenceno	<0.01	mg/kg	P-ME.FQ.04
Heptacloro epoxido cis	<0.01	mg/kg	P-ME.FQ.04
Heptacloro epoxido trans	<0.01	mg/kg	P-ME.FQ.04
Heptenofos	<0.01	mg/kg	P-ME.FQ.04
Iprodiona	<0.01	mg/kg	P-ME.FQ.04
Hexaconazol	<0.01	mg/kg	P-ME.FQ.04
Imazametabenz metil	<0.01	mg/kg	P-ME.FQ.04
Iprobenfos	<0.01	mg/kg	P-ME.FQ.04



Laboratorio-Sede Lima :

Avenida Javier Prado Oeste 1520 San Isidro. LIMA (PERÚ).

Tel: 01 422 2910 | www.cnta.es | recepcion.pe2@cnta.com.pe

* Los ensayos marcados
no están amparados por
la acreditación ANAB

INFORME DE ANÁLISIS

Nº: 50192560

Nº Muestra: P1708615

Clave: Muestreado por Nola Camacho, 8/06/2017; Jorge Aurelio, Lote 2017

DETERMINACION	RESULTADO	UNIDADES	MÉTODO
Isodrin	<0.01	mg/kg	P-ME.FQ.04
Isofenfos	<0.01	mg/kg	P-ME.FQ.04
Isofenfos metil	<0.01	mg/kg	P-ME.FQ.04
Isoprotiolane	<0.01	mg/kg	P-ME.FQ.04
Lambda cihalotrina	<0.01	mg/kg	P-ME.FQ.04
Lenacilo	<0.01	mg/kg	P-ME.FQ.04
Lindano	<0.01	mg/kg	P-ME.FQ.04
Malation	<0.01	mg/kg	P-ME.FQ.04
Mecarbam	<0.01	mg/kg	P-ME.FQ.04
Metazacloro	<0.01	mg/kg	P-ME.FQ.04
Mepanipirima	<0.01	mg/kg	P-ME.FQ.04
Metalaxilo	<0.01	mg/kg	P-ME.FQ.04
Metoxicloro	<0.01	mg/kg	P-ME.FQ.04
Metidation	<0.01	mg/kg	P-ME.FQ.04
Metiocarb	<0.01	mg/kg	P-ME.FQ.04
Metolacloro	<0.01	mg/kg	P-ME.FQ.04
Metacrifos	<0.01	mg/kg	P-ME.FQ.04
Metribucina	<0.01	mg/kg	P-ME.FQ.04
Mevinfos	<0.01	mg/kg	P-ME.FQ.04
Miclobutanil	<0.01	mg/kg	P-ME.FQ.04
Molinato	<0.01	mg/kg	P-ME.FQ.04
Ofurace	<0.01	mg/kg	P-ME.FQ.04
Monocrotofos	<0.01	mg/kg	P-ME.FQ.04
Nitrofen	<0.01	mg/kg	P-ME.FQ.04
Nuarimol	<0.01	mg/kg	P-ME.FQ.04
Oxifluorfen	<0.01	mg/kg	P-ME.FQ.04
Ortofenilfenol	<0.01	mg/kg	P-ME.FQ.04
Oxadiargil	<0.01	mg/kg	P-ME.FQ.04
Oxadixilo	<0.01	mg/kg	P-ME.FQ.04
Penconazol	<0.01	mg/kg	P-ME.FQ.04
Paclobutrazol	<0.01	mg/kg	P-ME.FQ.04
Paration	<0.01	mg/kg	P-ME.FQ.04
Paration metil	<0.01	mg/kg	P-ME.FQ.04
Piperonil butoxido	<0.01	mg/kg	P-ME.FQ.04
Pendimetalina	<0.01	mg/kg	P-ME.FQ.04
Pentaclorobenceno	<0.01	mg/kg	P-ME.FQ.04
Permetrin	<0.01	mg/kg	P-ME.FQ.04
Pirimetanil	<0.01	mg/kg	P-ME.FQ.04
Pirazofos	<0.01	mg/kg	P-ME.FQ.04
Piridaben	<0.01	mg/kg	P-ME.FQ.04
Piridafention	<0.01	mg/kg	P-ME.FQ.04
Pirifenox	<0.01	mg/kg	P-ME.FQ.04



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TESTING LABORATORY

AT-1951

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INFORME DE ANÁLISIS

Nº: 50192560

Nº Muestra: P1708615

Clave: Muestreado por Nola Camacho, 8/06/2017; Jorge Aurelio, Lote 2017

DETERMINACION	RESULTADO	UNIDADES	MÉTODO
Procimidona	<0.01	mg/kg	P-ME.FQ.04
Pirimicarb	<0.01	mg/kg	P-ME.FQ.04
Pirimifos etil	<0.01	mg/kg	P-ME.FQ.04
Pirimifos metil	<0.01	mg/kg	P-ME.FQ.04
Propanil	<0.01	mg/kg	P-ME.FQ.04
Profenofos	<0.01	mg/kg	P-ME.FQ.04
Prometrina	<0.01	mg/kg	P-ME.FQ.04
Propacloro	<0.01	mg/kg	P-ME.FQ.04
Propargita	<0.01	mg/kg	P-ME.FQ.04
Propazine	<0.01	mg/kg	P-ME.FQ.04
Propizamida	<0.01	mg/kg	P-ME.FQ.04
Prosulfocarb	<0.01	mg/kg	P-ME.FQ.04
Protiofos	<0.01	mg/kg	P-ME.FQ.04
Simacina	<0.01	mg/kg	P-ME.FQ.04
Quinalfos	<0.01	mg/kg	P-ME.FQ.04
Quinoxifeno	<0.01	mg/kg	P-ME.FQ.04
Quizalofop etilo	<0.01	mg/kg	P-ME.FQ.04
Teflutrina	<0.01	mg/kg	P-ME.FQ.04
Sulfotep	<0.01	mg/kg	P-ME.FQ.04
Tebuconazol	<0.01	mg/kg	P-ME.FQ.04
Tebufenpirad	<0.01	mg/kg	P-ME.FQ.04
Terbutilacina	<0.01	mg/kg	P-ME.FQ.04
Terbufos	<0.01	mg/kg	P-ME.FQ.04
Terbufos sulfona	<0.01	mg/kg	P-ME.FQ.04
Terbumeton	<0.01	mg/kg	P-ME.FQ.04
Tetradifon	<0.01	mg/kg	P-ME.FQ.04
Terbutrina	<0.01	mg/kg	P-ME.FQ.04
Tetraclorvinfos	<0.01	mg/kg	P-ME.FQ.04
Tetraconazol	<0.01	mg/kg	P-ME.FQ.04
Tetrametrina	<0.01	mg/kg	P-ME.FQ.04
Tiometon	<0.01	mg/kg	P-ME.FQ.04
Tolclofos metil	<0.01	mg/kg	P-ME.FQ.04
Triazofos	<0.01	mg/kg	P-ME.FQ.04
Trifluralina	<0.01	mg/kg	P-ME.FQ.04
Vinclozolina	<0.01	mg/kg	P-ME.FQ.04
Zoxamida	<0.01	mg/kg	P-ME.FQ.04



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INFORME DE ANÁLISIS

Nº: 50192560

Nº Muestra: **P1708615**

Clave: Muestreado por Nola Camacho, 8/06/2017; Jorge Aurelio, Lote 2017

Los datos identificativos de la muestra han sido proporcionados por el propio cliente. La muestra fue facilitada por el propio cliente, salvo indicación expresa en contra. El análisis sólo da fe de la muestra analizada.
Este boletín no se puede reproducir parcialmente sin la aprobación por escrito de la entidad emisora. La incertidumbre de las medidas de ensayo está calculada (95 % confianza, k=2) en los casos que aplique y a disposición de los clientes que lo soliciten.

Realizado por: PLAGUICIDAS

en CNTA SAC (PERÚ))

26/06/2017 17:40:18

Responsable de Departamento

CAROLINA PORRAS



CNTA
SAC



Laboratorio-Sede Lima :

Avenida Javier Prado Oeste 1520 San Isidro. LIMA (PERÚ).

Tel: 01 422 2910 | www.cnta.es | recepcion.pe2@cnta.com.pe

INFORME DE EVALUACIÓN

Nº: 50192560

Nº Muestra: **P1708615**

Clave: Muestreado por Nola Camacho, 8/06/2017; Jorge Aurelio, Lote 2017

"Las opiniones e interpretaciones incluidas en el Informe de evaluación están fuera del alcance de la acreditación de ANAB"

Según los parámetros analizados, la muestra cumple el "Reglamento (CE) Nº 396/2005 del Parlamento Europeo y del Consejo de 23 de febrero de 2005 relativo a los límites máximos de residuos de plaguicidas en alimentos y piensos de origen vegetal y animal y que modifica la Directiva 91/414/CEE del Consejo".

Según los parámetros analizados, la muestra cumple el Code of Federal Regulations (CFR) Title 40 Part. 180, según el cual, se establecen los Límites Máximos de Residuos de plaguicidas en EE.UU.

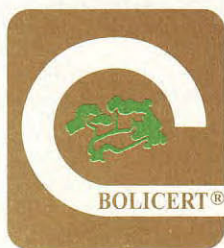
Realizado por: PLAGUICIDAS

en CNTA SAC (Perú),

26/06/2017

Responsable de Departamento

CAROLINA PORRAS



BOLIVIANA DE CERTIFICACIÓN

ACCREDITED UNDER: : ISO/IEC 17065; 834/2007-889/2008 EU-IFOAM; NOP-USDA, CRF 7, PART 205;; CGSB/CAN 32.310 - 32.311/2015 AND 3525 LAW BOLIVIAN

ADENDUM PARA EL CONTRATO 014/2017

Entre/Between: BOLICERT cuerpo de certificación,
Dirección/Address: Calle Colon 756, piso 2, oficina 2A, Casilla 13030
La Paz - Bolivia
Tel/Fax: 591-2-2902103 - 2902104

Y/And: Personal responsable/Responsible perssonel: *Freddy Gabriel Anze Moreira*
Dirección/Address: Plaza Ballivian Lloa El Alto
Tel/Fax: 591-72306814
País/Country: Bolivia



PERSONAL TECNICO

FUNCIONES:

1. Inspecciones en unidades de producción y procesamiento orgánico.
2. Revisión de informes y corrección con el inspector antes de pasar a la decisión de certificación.
3. Seguimiento a las no conformidades de los operadores
4. Preparación, revisión, envío de toda la información y respuestas a las No conformidades emitidas por las acreditaciones, IOAS, NOP-USDA y LEY 3525 de Bolivia.
5. Introducir información y mantener actualizada a la base de datos de operadores y de certificados de transacciones.
6. Otros trabajos que pudieran asignar al personal técnico por la dirección administrativa, por el directorio y por el C-Sic.

Nota.- Este personal entregara al año de trabajo un informe sobre los resultados de sus actividad como responsable técnico y dependiendo de este será evaluado para permanecer en el cargo.

La Paz, 14 de junio del 2017

Freddy Anze Moreira
Inca Freddy Anze Moreira

PERSONAL TECNICO

Carmen Murillo Quiroga
Lic. Carmen Murillo Quiroga

DIRECTORA ADMINISTRATIVA.

Calle Colón N° 756, 2do. Piso, Oficina 2A, P.O. Box 13030 La Paz - Bolivia Telf.: 591-2902103 Fax: 591-2 2902104

E-mail: bolicert@bolicert.org - bolicert@megalink.com - Web: www.bolicert.org

La Paz, June 29, 2016

Sirs
COOPERATIVA EL CEIBO LTDA.
Present.-

Dear Operator:

I would like to extend a warm greeting to you and at the same time explain the following:

Having done the inspection, preparation of reports and the corresponding session for the certification of your Cooperative this year, under the NOP-USDA, CFR 7, PART 205 regulation of the United States, I give you a copy of the documents that ensure your certification:

- Notice of certification with the issuance of non-compliance (original)
- General Certificate Organic (green)
- Bound documents of:

REPORTS:

1. Original copy in Spanish and English of the inspection report of the entire Unit of the sector of crop in Sapecho.
2. Original copy in Spanish and English languages of the Inspection report of the entire Unit of the handling/processing in the Alto-La Paz

For no other reason, I bid you farewell, not without anticipating many future successes.

Best regards

La Paz, June 29, 2016

Sirs
ANAPQUI
Present.-

Dear Operator:

I would like to extend a warm greeting to you and at the same time explain the following:

Having done the inspection, preparation of reports and the corresponding session for the certification of your Organization this year, under the **NOP-USDA, CFR 7, PART 205 regulation** of the United States, I give you a copy of the documents that ensure your certification:

- Notice of certification with the issuance of non-compliance (original)
- General Certificate Organic (green)
- Bound documents of:

REPORTS:

1. Original copy in Spanish and English of the inspection report of the entire of the sectors of crop.
2. Original copy in Spanish and English languages of the Inspection report of the entire of the plant handling/processing.

For no other reason, I bid you farewell, not without anticipating many future successes.

Best regards

NOTICE OF PROPOSED SUSPENSION OF ACCREDITATION

Ms. Carmen Murillo Quiroga
Boliviana de Certificacion
Colon Street 756, Floor 2
Office 2A Building Baldivia
La Paz, Bolivia

NOV 6 2017

Dear Ms. Murillo Quiroga,

On June 9, 2017, the National Organic Program (NOP) issued Boliviana de Certificacion (BOLI) a Notice of Noncompliance regarding the January 19-20, 2017 onsite Mid-Term audit. The notice required corrective actions to be submitted to the NOP on or before July 9, 2017. The corrective actions submitted were not sufficient to demonstrate compliance with the USDA organic regulations for all noncompliances. The NOP requested additional clarification and gave BOLI another opportunity to submit corrective actions by September 8, 2017. Additional information and documentation was received from BOLI on September 8, 2017 and after review by the NOP, it was determined the corrective actions remained insufficient. A copy of the assessment report, NP7015LCA, is enclosed for your reference.

As the report indicates, two of the nine noncompliances remain outstanding. Due to the submission of inadequate corrective actions for these noncompliances, the NOP proposes to suspend BOLI's accreditation for a period of 1 year as an NOP certifying agent effective 30 days from receipt of this letter.

If the NOP suspends BOLI's accreditation, you will be directed to cease all certification activities and make all client files available to the NOP pursuant to § 205.665(f) of the USDA organic regulations.

Pursuant to § 205.681 of the USDA organic regulations, BOLI has the right to file an appeal of this proposed action within 30 days of receipt of this letter. Appeals must be submitted in writing to:

NOPAppeals@ams.usda.gov

or

Administrator, USDA, AMS
c/o NOP Appeals Staff
1400 Independence Avenue, SW
Room 2095-S, STOP 0203
Washington, DC 20250



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

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

Sincerely,

Ruihong Guo FOR RG

Ruihong Guo
Acting Deputy Administrator
National Organic Program

Enclosure: Mid-Term Assessment Report

cc: NOP Appeals
AIA Inbox

NATIONAL ORGANIC PROGRAM: ASSESSMENT REPORT

AUDIT AND REVIEW PROCESS

The National Organic Program (NOP) conducted a mid-term assessment of Boliviana de Certificacion (BOLI). An onsite audit was conducted, and the audit report reviewed to determine BOLI's capability to continue operating as a USDA accredited certifier.

GENERAL INFORMATION

Applicant Name	Boliviana de Certificacion (BOLI)
Physical Address	Colon Street 756, Floor 2, Office 2A Building Valdivia, La Paz, Bolivia
Mailing Address	Colon Street 756, Floor 2, Office 2A, P.O. Box 13030, La Paz, Bolivia
Contact & Title	Carmen Murillo Quiroga
E-mail Address	bolicert@mail.megalink.com
Phone Number	591-2-29-02103
Reviewer(s) & Auditor(s)	Penny Zuck, NOP Reviewer; Lars Crail, Onsite Auditor.
Program	USDA National Organic Program (NOP)
Review & Audit Date(s)	Corrective action review: August 31, 2017 NOP assessment review: April 13, 2017 Onsite audit: January 19-20, 2017
Audit Identifier	NP7015LC
Action Required	Yes – Outstanding Noncompliances
Audit & Review Type	Mid-Term Assessment
Audit Objective	To evaluate the conformance to the audit criteria; and to verify the implementation and effectiveness of BOLI's certification system.
Audit & Determination Criteria	7 CFR Part 205, National Organic Program as amended
Audit & Review Scope	BOLI's certification services in carrying out the audit criteria during the period: December 20, 2014 through January 20, 2017

NOP conducted an onsite mid-term audit of the Boliviana de Certificacion (BOLI) January 19 - 20, 2017. The onsite audit focused on requested and submitted certification materials provided by BOLI. There were no accepted corrective actions of prior outstanding noncompliances to be verified. No witness or review audits were conducted.

BOLI was initially accredited as a USDA certifying agent on March 13, 2003 and maintains the accreditation scopes for crops, wild crops, and handling/processing. BOLI's current accreditation period expired on March 12, 2013. The accreditation renewal assessment occurred in late 2014 and early 2015. NOP issued a proposed suspension in 2015 due to BOLI's inability to adequately address systematic noncompliances and fulfil the terms a settlement agreement established with the NOP in January 2013. BOLI appealed NOP's decision. On February 8,

2016, NOP issued BOLI a proposed suspension for failing to address a noncompliance for updating the Organic Integrity Database on January 2, 2016. BOLI appealed NOP's decision. On May 24, 2016, BOLI entered a settlement agreement with AMS to resolve the two appeal cases. BOLI did not adhere to the settlement agreement terms. Bolicert failed to submit corrective actions and Bolicert failed to provide updates to its Accreditation Manager concerning the list of certified operations. AMS reinitiated its administrative process to suspend BOLI and the Administrator on October 12, 2016 denied BOLI's appeal cases. BOLI has requested an administrative judge hearing and the case is pending resolution.

BOLI's office is located in La Paz, Bolivia and its certification activities occur in Bolivia. BOLI certifies 37 operations: Crops (26), Wild Crops (4), and Handler/Processor/Exporters (15). BOLI certifies 16 grower groups producing and handling quinoa, coconut, and cacao.

BOLI's staff consists of 21 individuals: Administrative Director (1), Certification Officers (4), Reviewer/Inspector (1), Contract Inspectors (13), and Administrative/support staff (2).

NOP DETERMINATION:

NOP reviewed BOLI's corrective actions submitted as a result of noncompliances issued from Findings identified during the onsite audit.

Non-compliances Identified during the Current Assessment

Any noncompliance labeled as "**Accepted**," indicates that the corrective actions for the noncompliance are accepted by the NOP and will be verified for implementation and effectiveness during the next onsite audit.

NP7015LCA.NC1 – Accepted. 7 C.F.R. §205.501(a)(21) states, "Comply with, implement, and carry out any other terms and conditions determined by the Administrator to be necessary." NOP 2603, Organic Certificates, Section 3.1, describes the elements of an organic certificate that should be included.

Comments: *The following issues were identified on BOLI issued certificates:*

- 1. The certification scopes on BOLI certificates are not clearly listed as Crops, Wild Crops, Livestock, and Handling/Processing.*
- 2. The effective date is stated on certificates as "Start Date."*
- 3. The statement on BOLI certificates identifying the US organic standard does not state: "Certified to the USDA organic regulations, 7 CFR Part 205."*
- 4. The statement on BOLI certificates does not state: "Once certified, a production or handling operation's organic certification continues in effect until surrendered, suspended or revoked."*

Corrective Action: BOLI revised the USDA-NOP organic certificate to comply with the requirements in the USDA organic regulations and NOP 2603. BOLI submitted a copy of a certificate issued to a certified operation to verify the revised certificate is being issued.

NP7015LCA.NC2 – Accepted. 7 C.F.R. §205.501(a)(15)(i) states, “Submit to the Administrator a copy of:... Any notice of denial of certification issued pursuant to §205.405, notification of noncompliance, notification of noncompliance correction, notification of proposed suspension or revocation, and notification of suspension or revocation sent pursuant to §205.662 simultaneously with its issuance;”

Comments: *BOLI is not sending copies of notification of noncompliance corrections (i.e noncompliance resolutions) to the NOP.*

Corrective Action: BOLI indicated that records of notifications being sent to the NOP were not available during the audit due to problems with the e-mail server. BOLI changed e-mail servers to Outlook and hired a technician responsible for sending notifications to the NOP. The technician stores copies of the notifications on an external memory system. BOLI updated the Certification System Procedures Chapter I, (point 2.11.15) to state that copies of notices of correction of noncompliances will be sent to the NOP. Chapter XII, (points 12.9.7 and 12.9.8) was also updated to include training of all personnel on changes to the certification procedures.

NP7015LCA.NC3 – Accepted. 7 C.F.R. §205.660(d) states, “Each notification of noncompliance, rejection of mediation, noncompliance resolution, proposed suspension or revocation, and suspension or revocation issued pursuant to §205.662, §205.663, and §205.665 and each response to such notification must be sent to the recipient's place of business via a delivery service which provides dated return receipts.”

Comments: *Email notifications issued by BOLI are not sent via a delivery service which provides dated return receipts.*

Corrective Action: BOLI sends hardcopy notices to the operator requiring the operator return a signed copy as acknowledgement of receipt. BOLI updated the Certification System Procedures Chapter I, (point 2.11.16) to state that notices must be sent to the operator by means of a demonstration of delivery and receipts with identification of dates. Chapter XII, (points 12.9.7 and 12.9.8) was also updated to include training of all personnel on changes to the certification procedures.

NP7015LCA.NC4 – Accepted. 7 C.F.R. §205.510(b)(2) states, “Certifying agents must maintain records according to the following schedule: 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.”

Comments: *During the review of one certification file where the operation resolved a noncompliance, a notice of noncompliance resolution was issued to the operation, but a record of the notice could not be located by BOLI staff for the auditor to review. The auditor reviewed an email message issued by the BOLI Program Manager to the operation, but there was no attached resolution notification.*

Corrective Action: BOLI updated the Certification System Procedures Chapter I, (point 2.11.16) to state that notices must be sent to the operator by means of a demonstration of delivery and receipts with identification of dates. BOLI submitted copies of hardcopy notices sent to operations with signatures acknowledging receipt of the notices. Chapter XII, (points 12.9.7 and 12.9.8) was also updated to include training of all personnel on changes to the certification procedures.

NP7015LCA.NC5 – Accepted. 7 C.F.R. §205.403(e)(2) states, “A copy of the on-site inspection report and any test results will be sent to the inspected operation by the certifying agent.”

Comments: *Three of the three reviewed operation files where samples were collected by BOLI did not include a record demonstrating that the test results were provided to the operations.*

Corrective Action: BOLI submitted documentation (signed receipts) demonstrating the test results are received by the operations. BOLI updated the Certification System Procedures Chapter I, (point 2.7.5) to state any results of sampling will be delivered to the operator personally and requires the operator’s signature to document the receipt of laboratory results with corresponding date. Chapter XII, (points 12.9.7 and 12.9.8) was also updated to include training of all personnel on changes to the certification procedures.

NP7015LCA.NC6 – Outstanding. 7 C.F.R. § 205.662(a) 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.”

Comments: *The following evidence indicates that BOLI did not issue notices of noncompliance when issues of concern were identified:*

- *The auditor reviewed an unannounced inspection report with issues of concern identified by the inspector; however, BOLI did not issue the operation noncompliances as a result of the inspection report findings. The auditor determined that the report’s issues of concern warranted USDA organic noncompliances.*
- *An operation did not submit an annual update and BOLI did not issue a noncompliance.*
- *During the annual inspection of a grower group, the inspection report identified three major issues where group members had used prohibited inputs or identified evidence of prohibited input use (e.g. plastic herbicide containers); however, BOLI only issued a notification to the grower group for five unrelated minor noncompliances.*
- *The auditor reviewed an inspection report with issues of concern identified during an additional inspection of an operation. The operation was certified to the NOP and to the European Union (EU) organic standards. BOLI issued EU nonconformities associated with the identified issues of concern, but did not issue noncompliances to the operation for violations of the USDA organic regulations. The auditor determined that the report’s issues of concern warranted BOLI issuing USDA organic noncompliances.*

Corrective Action: BOLI addressed some of the operations issues identified in the noncompliance, however, did not address the noncompliance regarding issuing Notices of Noncompliance when warranted by issues of concern identified during inspections. BOLI has not demonstrated how this noncompliance will be prevented from reoccurring, such as updating any necessary procedures and training staff.

NP7015LCA.NC7 – Accepted. 7 C.F.R. §205.403(e)(2) states, “A copy of the on-site inspection report and any test results will be sent to the inspected operation by the certifying agent.”

Comments: *For one reviewed additional inspection in 2016, BOLI did not send the operation a copy of the inspection report.*

Corrective Action: BOLI developed a delivery letter to record the inspection report being received by the operator and will be used for all unannounced, special, or additional inspections. BOLI updated the Certification System Procedures Chapter I, (points 2.3.9, 2.7.1, and 2.7.4) to state BOLI may carry out additional, and unannounced inspections and inspectors shall prepare reports for any type of inspection that is performed and after committee decision, issuance of noncompliances found in the inspection and a copy of the inspection report, shall be sent to the operator. Chapter XII, (points 12.9.7 and 12.9.8) was also updated to include training of all personnel on changes to the certification procedures.

NP7015LCA.NC8 – Accepted. 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: *Inspectors are not referencing the organic regulations on the exit interview forms for identified Issues of Concern.*

Corrective Action: BOLI revised the exit interview template to include the “reference to the standard” along with identifying possible non-compliances. BOLI updated the Certification System Procedures Chapter I, (point 2.6.1) to state the inspector should address the need for any additional information as well as the issues of concern in the exit interview. Chapter XII, (points 12.9.7 and 12.9.8) was also updated to include training of all personnel on changes to the certification procedures.

NP7015LCA.NC9 – Outstanding. 7 C.F.R. §205.662(c) states, “When rebuttal is unsuccessful or correction of the noncompliance is not completed within the prescribed time period, the certifying agent... shall send the certified operation a written notification of proposed suspension or revocation of certification of the entire operation or a portion of the operation, as applicable to the noncompliance...”

Comments: *BOLI is not issuing operations proposed adverse actions if the operations fail to meet noncompliance notification deadlines for submitting corrective actions or rebuttals. In the one case reviewed, BOLI de-certified an operation for not providing an annual update and payment of fees.*

Corrective Action: BOLI’s corrective action clarified the operations were meeting the notification deadlines for submitting corrective actions. However, BOLI was not filing the notices in timely manner and could not provide the documentation to the NOP auditor. BOLI has designated a staff member in charge of the organization and filing of notices so there is no reoccurrence of this noncompliance.

BOLI has not addressed the issue of de-certifying an operation for not providing an annual update and payment of fees which is not compliant with the USDA organic regulations.

Boliviana de Certificación BOLICERT

Organismo de Control y Certificación Orgánica /Organic Control and Certification Organism

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ACCREDITED by: IFOAM ISO Guide 17065 ECR 834/2007-889/2008 • CAN/CGSB 32.310-32311/2015 • NOP-USDA, CFR 7, PART 205• LEY 3525

Mr.
ADMINISTRATOR, USDA, AMS
C/O NOP APPEAL STAFF
NOP-USDA

La Paz-Bolivia, December the 5th of 2017

Distinguished Mr. Administrator or Appealing Personnel

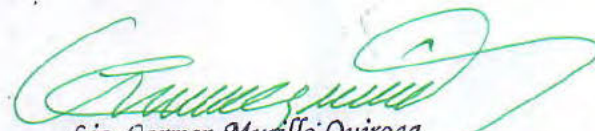
Through this letter I want to greet you and at the same time explain the following:

On November the 6th of 2017 I received an e-mail from USDA/NOP about the suspension proposal of accreditation to BOLICERT because of two inadequate corrective actions, we checked all the and we filed all the activities that were done which we were not able to show to the auditor that is why we will explain to your authority about the corrective measures that we should have sent when we provided the corrective measures to the 9 non-compliances given by the auditor, Unfortunately we did not explain well and we did not send what we were supposed to send, we follow the NOP standards, only that we do not file the documents properly it was a flaw that we have already overcome, on 2017 we do not have this mistakes anymore you will be able to check during the audit, now everything is in order we give out the adverse measures in case that they do not comply or we find some irregularities, this because we use visual exposure strategies see annex 14 of the mails we have sent, so that our personnel remembers constantly of the adverse actions process, we have also trained our personnel, most of all to the committee of certification (see annex 12, 13 and 15), we handed out the flow diagram of adverse actions that was given to us by NOP, which was translated to Spanish given to all the participants in our training course, with this explanation we would like to ask to your authority to understand and check that we will not be committing the same mistakes again, ask you to check all the documents that we sent as corrective action of the 2 non-compliances given on the suspension proposal.

We would also like to point out that we are complying with the solution agreement that we have signed with NOP, we have received training courses online since we are not able to attend the training courses in the United States because of the difficult situation here in Bolivia to get a visa, we sent to our manager the information about our new operators, we assure you that we are doing everything we can to comply with what it is asked by NOP standards and you will be able to check all of this on the next audit.

Without another particular and thanking you in advance for your understanding, I say goodbye not without first auguring your personal and professional success.

Best Regards


Lic. Carmen Murillo Quiroga
ADMINISTRATIVE DIRECTOR
BOLIVIANA DE CERTIFICACIÓN
"BOLICERT"

BOLICERT

RESPONSES

NP7015LCA.NC6 – Outstanding. 7 C.F.R. § 205.662(a) 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.”

NC 6 We have rectified and we sent a notification of non-compliance to El Ceibo about the 3 producers that used chemicals, although we found the non-compliance on May of 2016, since the 3 producers lost their status of their soils and went down to transition 1, we did not think about sending the non-compliance because they were sanctioned already because they were not organic anymore , when the auditor came, we checked the NOP documents and rectified, we sent to the client specifically to their internal control system a notice of non-compliance, (**ANNEX 10**), and they responded with a commitment (**ANNEX 11**) that they will train their producers about this subject and that it will not happen again, during this year 2017 we checked that in fact they did train their producers and we did not find any kind of the past problems and all this is recorded and filed.

BOLICERT on date April the 21st of 2017 trained all the staff about the adverse measures that is required to accomplish with what it is asked by NOP, this training was given to everybody so that they have knowledge about this matter and also the board members because they are the ones that make the decisions, I attach the list with proof of this training (**ANNEX 12 and 13**). Emphasis was made on the document sent by NOP on the big colored box about the adverse actions that we received on April the 5th of 2017, which is stamped on the wall in the place where they meet when they have to make the decisions (**ANNEX 14**)

We also trained only to the certification decision staff on the 09-23-2017 (**ANNEX 15**), specifically about the subject of adverse measures, we translated to Spanish the chart and was given to each one of them so that they can analyze and take it in account when they proceed to make a certification decision.

All the documents that proof that we are correcting all this non-compliance are being filed and will be available when the auditor visits BOLICERT. Now we are not making mistakes when we need to give out the adverse actions when irregularities are detected that could affect NOP standards.

On this training there was a translator Mr. Rodrigo Marca (official translator BOLICERT) who translated the videos to Spanish so that the people who assisted could understand.

Please see, Chapter 1, point 1.3 (1.3.1) text underline painted with bold, page 5 del BOL-1B-SCOC, (**ANNEX 1**).

NP7015LCA.NC9 – Outstanding. 7 C.F.R. §205.662(c) states, “When rebuttal is unsuccessful or correction of the noncompliance is not completed within the prescribed time period, the certifying agent... shall send the certified operation a written notification of proposed suspension or revocation of certification of the entire operation or a portion of the operation, as applicable to the noncompliance...”

NC 9 We probably did not explain to the auditor in an accurate way the procedure, Santa Teresa was a new operator on 2015, they asked for certification at the beginning of march 2015 (**ANNEX 2**), they sent application documents on March the 31st of 2015, we checked the organic handling plan for harvest and was approved, we made an inspection from July the 16th to the 18th of 2015 (see inspection report **ANNEX 3**), we made the certification decision on the date July 29th of 2015 (**ANNEX 4**), where we only had one non-compliance that was for the 2016, we sent to the operator on the same date and they answered with a commitment letter to fix the non-compliance until august the 1st (**ANNEX 5**) requirement asked prior certification (annex 4), after that we gave out the organic certificate on august the 2nd of 2015 (**ANNEX 6**), on the following year 2016 verbally they asked for a renewal of certification, but did not send any update documentation nor the certification payment, so we gave out the non-compliance notification and gave them 30 days to answer (**ANNEX 7**), after the given 30 days Santa Teresa did not respond to any of our contact numbers or BOLICERT email, when we were able to communicate with Mr. Feliciano Ibaguari their consultant he informed us that he couldn't reach her either and that he didn't know anything, and that the mails that were sent by BOLICERT he didn't know where to turn them in that is the reason we did not get any answer from Santa Teresa, since they did not comply with the 30-day period of the notification of non-compliance we sent a suspension proposal of the certification to their consultants mail and we did not get any answer (**ANNEX 8**), we did not know where to communicate with them, surprisingly on September the 10th of 2017 Santa Teresa sent us physical letter when their consultant Mr. Ibaguari arrived to La Paz a requirement of eventual retirement of the certification (**ANNEX 9**), Mr. Ibaguari will still be their consultant until they get back up on their feet to be certified.

All the documents are filed on Santa Teresa's file when the auditor asks for them.



Lic. Carmen Murillo Quiroga
ADMINISTRATIVE DIRECTOR

