



CERTIFICATE OF ACCREDITATION



United States Department of Agriculture

Agricultural Marketing Service

National Organic Program

ORGANIC CERTIFIERS

504 North 4th Street, Fairfield, Iowa, 52556, U.S.A.

meets all the requirements prescribed in the USDA National Organic Program Regulations

7 CFR Part 205

as an Accredited Certifying Agent

for the scope of

Crops, Handling, Livestock, Wild Crops Operations

This certificate is receivable by all officers of all courts of the United States as prima facie evidence of the truth of the statements therein contained.
This certificate does not excuse failure to comply with any of the regulatory laws enforced by the U.S. Department of Agriculture .

Status of this accreditation may be verified at <http://www.ams.usda.gov>

Certificate No: **USDA-1-26**

Effective Date: **04/29/2022**

Expiration Date: **04/29/2027**

Issue Date: **01/14/2026**

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Deputy Administrator
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NATIONAL ORGANIC PROGRAM: AUDIT & CORRECTIVE ACTION REPORT

GENERAL INFORMATION

- **Certifier Name** Organic Certifiers (OC)
- **Physical Address** 504 North 4th Street, Fairfield, Iowa 52556
U.S.A.
- **Audit Type** Mid-term Assessment
- **Auditor(s) & Audit Dates** Lars Crail, Joshua Lindau, Samuel Schaefer-Joel
10/17/2024–11/13/2024
- **Audit Identifier** NOP-30-24

CERTIFIER OVERVIEW

The National Organic Program (NOP) conducted an onsite Midterm Audit of Organic Certifiers' (OC) USDA organic certification program covering the period April 1, 2022, through November 13, 2024. The purpose of the audit was to verify OC's compliance with the Organic Foods Production Act of 1990 (OFPA), the USDA organic regulations (7 CFR Part 205), and the NOP Handbook. Audit activities included a review of certification activities, interviews with OC personnel, a records audit, and four onsite witness audits. Two witness audits consisted of annual onsite inspections of handling operations in California and annual onsite inspections of a crops operation and a handling operation in Mexico.

OC is a limited liability company and has been accredited to the crops, wild crops, livestock, and handling scopes since April 29, 2002. OC's office is in Fairfield, Iowa. OC certifies 1,153 operations and offers certification services in the United States. Thirty-five (35) employees perform certification activities.

NOP DETERMINATION:

NOP reviewed the audit results to determine whether OC's corrective actions adequately addressed previous noncompliances. NOP also reviewed any corrective actions submitted because of noncompliances issued from findings identified during the audit.

Any noncompliance labeled as "**Cleared**," indicates that the corrective actions for the noncompliance are determined to be implemented and working effectively. Any noncompliance labeled as "**Accepted**" indicates acceptance of the corrective actions and verification of corrective action implementation will be conducted during the next audit.

Noncompliances from Prior Assessments and Corrective Actions

AIA-1475-20 – Cleared

AIA-778-22 – Cleared

AIA-779-22 – Cleared

AIA-780-22 – Cleared

AIA-781-22 – Cleared

AIA-783-22 – Cleared

AIA-785-22 – Cleared

AIA-786-22 – Cleared

AIA-787-22 – Cleared

AIA-788-22 – Cleared

AIA-789-22 – Cleared

AIA-6961-21 - Accepted. (NOPC-6703-19) 7 C.F.R. §205.501(a)(3) states, "A private or governmental entity accredited as a certifying agent under this subpart must: Carry out the provisions of the Act and the regulations in this part, including the provisions of §§205.402 through 205.406 and §205.670;"

Comments: *On October 7, 2019, NOP requested that OC conduct an investigation of residue results detected on a product certified organic by OC. NOP's review of the resulting OC investigation files, as well as discussions with OC staff, found that OC did not carry out the provisions of the Act and regulations as follows:*

- *OC did not review the laboratory results for compliance with §205.671, per the procedure outlined in **NOP 2613 Instruction Responding to Results from Pesticide Residue Testing**.*
- *OC did not issue a notice of noncompliance to its certified operation when a noncompliance was found, as required by §205.662(a), for the detection of prohibited substances at levels greater than 5% of EPA tolerance levels in violation of §205.671.*
- *OC did not notify the certified operation that the product could not be sold as organic, as required by §205.671 and per the instructions in **NOP 2613 Instruction Responding to Results from Pesticide Residue Testing**.*
- *OC did not determine the source of contamination as required by **NOP 2613 Instruction***

Responding to Results from Pesticide Residue Testing.

- *OC conducted a desk review of the operation handling the sampled product, but did not assess the presence of residues at the producer level, even though the residue results indicated possible application of prohibited substances at the field level, and the producer was also certified by OC.*

Corrective Action: OC revised its Policy and Procedure for Complaint and Investigation Requests, which now includes the following steps:

- When prohibited substances are detected, OC shall follow the instructions in NOP 2613 Instruction Responding to Results from Pesticide Residue Testing.
- If prohibited substances are detected at levels greater than 5% of EPA tolerance levels, OC shall issue a notice of noncompliance to its certified operation.
- OC shall further investigate, or refer for further investigation of the possible source of contamination, at all levels of the chain of custody of the contaminated product, when residue levels indicate the need to further investigate.

Verification of Corrective Action: The auditors' review of three residue sampling files found that OC is not carrying out the provisions of the Act and regulations as follows:

1. The auditors review of files identified that OC did not adequately assess why the residue is present as required by NOP 2613 Instruction Responding to Results from Pesticide Residue Testing. OC accepted corrective action responses that do not provide adequate analysis and evidence of possible root causes of contamination. For one operation, there were 7 positive samples in less than 2 years, based on complaints from other certifiers. There is no evidence that OC required the operation to do a comprehensive investigation internally, nor is there indication that OC completed an investigation to determine why the residues were present.
2. The auditors reviewed a residue testing case where pesticide residues were detected in an organic ingredient for which there is no EPA tolerance and FDA action level. OC did not report the violation to the appropriate agency or notify the certifier of the ingredient supplier. The sample collected and the type of residues found indicated possible application of prohibited substances at the producer level. OC allowed the operation to dispose of the contaminated product or sell it as conventional without further investigation.
3. The auditors' review of a certification file identified that OC did not conduct an investigation of a certified organic operation after the CDFA tested samples from two field locations. The analysis resulted in positive residue results, some of which were above 5% of the EPA tolerance for the crop. CDFA's report to OC also indicated that the operation had purchased prohibited inputs, had used treated seed on other organic fields, and was not maintaining adequate seed and planting records. OC carried out an annual inspection 4 months after CDFA issued their report. OC's inspection report did not sufficiently address CDFA's identified concerns, and the inspector's audit exercises did not address the seed used for the crops.

2023 Corrective Action: OC determined that the continued issue resulted from a lack of work instructions for residue result investigations and an undesignated responsibility for reporting violations. OC replaced its prior policy with detailed work instructions for complaints and investigations (C20-31, v1) and for responding to residue results (C20-32, v1). The new work instructions identify when and how to initiate an investigation, and how to report positive residue

results for compounds with no EPA tolerance or FDA action level. The work instructions refer to an “Investigative Action Plan” (C31-006), which OC created to record actions taken during investigations. OC also created two positions, a Director of Compliance Training and Development and a Complaints and Investigations Manager, for its Complaints and Investigations department. On September 12, 2023, OC sent a training memo to investigations team staff informing them of the new work instructions and forms. OC trained the complaints and investigations team on the new process and forms on September 26, 2023.

2024 Verification of Corrective Action: The auditors reviewed six pesticide residue detection files and verified OC correctly reviewed laboratory results for compliance, issued notices of noncompliance when appropriate, and conducted investigations to determine the source of contamination. OC has cleared all points of the original noncompliance with one exception: OC has not fully corrected the issue of notifying certified operations that product could not be sold as organic pursuant to § 205.671 and as described in NOP 2613 Responding to Results from Pesticide Residue Testing. The auditors found three certification files where pesticide residues were detected above 5% of EPA tolerance and found that all three responses were not “immediate” as required by NOP 2613, taking 30, 99, and 409 days between receiving the sample results and sending the notice.

2024 Corrective Action: OC updated its “Pesticide Residue Testing – Processing and Responding to Results” and “Complaints and Investigations” work instructions to require staff to notify operations within five days of receipt of positive residue results exceeding five percent of U.S. Environmental Protection Agency (USEPA) tolerances. OC migrated to new client management software that better monitors assignments and deadlines. OC developed “Quality Department Auditing” work instruction to require the Quality Department to conduct monthly review of investigations open for more than 90 days and discuss prioritizing those investigations with the Investigations Manager. OC performed training to notify staff of the updated policies and procedures.

AIA-790-22 - Accepted. 7 C.F.R. §205.501(a)(3) states, “A private or governmental entity accredited as a certifying agent under this subpart must: Carry out the provisions of the Act and the regulations in this part, including the provisions of §§205.402 through 205.406 and §205.670;”

Comments: *OC does not consistently verify that certified operations are using input materials in compliance with the USDA organic regulations. The auditors observed:*

- 1. OSPs are not consistently listing the restricted use of input materials or identifying how restricted use materials will be used in compliance with their restriction.*
- 2. Inspectors are not consistently notified of the restricted use of input materials or requested to verify their compliant use.*

Corrective Action: On March 9, 2023, OC trained Certification Specialists and Final Reviewers emphasize the importance of paying attention to details while doing certification work. Effective September 27, 2023, OC updated its application review work instructions for renewal clients (C20-13, v4) and new clients (C20-12, v3) to more clearly instruct Certification Specialists to review OSPs and supporting documents for accuracy and completeness. Effective October 4, 2023, OC updated its review notes document (C03-17, v4) to add guidance for staff for compliance verification during initial review and separating out the exit interview into a new

document (C03-36 v1). OC conducted refresher training on this process on October 4, 2023.

Verification of Corrective Action: The auditors reviewed certification files and OC's material review system and found that this corrective action has not been fully implemented. The auditors observed that all input materials are not consistently entered into the materials database from the operation's OSP. The materials database is used to export a version of the operation input list that contains restriction information. OC staff stated they have had difficulty getting Certification Specialists to complete this task consistently. Additionally, the auditors reviewed a livestock certification file and found that the reviewer and inspector did not verify that inputs were used according to their restrictions. The operation OSP listed oxytocin for milk let-down purposes and chlorine for use as a teat dip. Both of these uses are noncompliant; however, neither the OSP review nor the inspection noted any concerns with the OSP or production practices.

2024 Corrective Action: OC updated its “Internal Material Review – Certification Staff” work instruction and “Review Notes” and “Final Review” checklists. OC also updated its crops, livestock, and handling organic system plans (OSP) and inspection report templates. OC will require operations to demonstrate compliant input material use and inspectors to verify compliant input material use, and reviewers will document that input material use has been reviewed and verified, including any associated restrictions. OC will also require staff to issue operations a timestamped email of their approved input materials list—including restrictions—once it has been reviewed. OC also developed a “Quality Department Auditing” work instruction that instructs the Quality Department to conduct routine audits of certification files to ensure input material use, including restrictions, is reviewed. The Quality & Accreditation Manager will be responsible for overseeing certification file audits. OC conducted training to notify staff of the updated policies and procedures.

Noncompliances Identified during the Current Assessment and Corrective Actions

AIA-3777-24 – Accepted. 7 CFR § 205.403(a)(1) states, “A certifying agent must conduct 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. An on-site inspection shall be conducted annually thereafter for each 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.”

Comments: *OC did not conduct an annual inspection of all its certified operations in 2021, 2022 and 2023. The auditors reviewed certification files and conducted interviews with certification staff and found three operations that did not receive annual inspections in multiple years.*

Corrective Actions: OC hired an Inspection Department Coordinator, contracted with an additional 13 inspectors, and intends to hire a full-time staff inspector in 2026, as well as migrated to new client management software that better monitors certification activities and deadlines. For the 2026 certification cycle, all renewal notices were issued by June 2025, to provide staff with adequate time to review information and documents and schedule 2026 inspections. Going forward, OC will stagger renewal submission deadlines between January 1 and April 1 of each year and will develop the inspection schedule and assign inspectors to operations by November 15. OC developed a “Quality Department Auditing” work instruction and will update its inspection assignment, inspection cycle, and technical inspection work instructions in 2026. In preparation for the 2027 certification cycle, OC will continuously improve its client

management software to create inspection assignment efficiencies and better monitor and report inspection progress throughout the year.

AIA-3819-24 – Accepted. 7 CFR § 205.501(a)(3) states, “A private or governmental entity accredited as a certifying agent under this subpart must: Carry out the provisions of the Act and the regulations in this part, including the provisions of §§ 205.402 through 205.406 and § 205.670;”

Comments: *OC does not carry out the provisions of the Act and regulations. The auditors reviewed certification files and found inspectors do not conduct or conduct insufficient mass balance and traceability audits by not following OC’s inspection audit procedures. The following issues were identified:*

- 1. An inspector used feed fed estimates for a mass balance audit at a dairy operation instead of actual feed fed record amounts.*
- 2. An inspector did not perform a mass balance audit at a livestock handling operation and instead requested that the operation conduct and provide the inspector with a mass balance audit.*
- 3. Inspectors did not trace products to the ingredient supplier’s organic certificate for two handler operations.*
- 4. An inspector did not link specific records when conducting the traceability audit and only documented the general type of record (e.g. bill of lading).*

Corrective Actions: OC updated its “Technical: Inspection” work instruction, as well as its audit worksheets for crops, livestock, and handling operations that provide inspectors with instructions for conducting mass balance, traceability, and yield exercises. OC will also update its “Feedback Form,” “Quality Control Checklist,” and “Inspection Feedback Survey” to document inspector performance and address any deficiencies with the inspector. OC developed “Quality Department Auditing” work instruction and will conduct quality audits each quarter of staff performing final reviews. OC will conduct ongoing inspector training to convey audit worksheet expectations and will train staff completing the “Inspection Feedback Survey” how to correctly evaluate inspectors.

AIA-3820-24 – Accepted. 7 CFR § 205.501(a)(3) states, “A private or governmental entity accredited as a certifying agent under this subpart must: Carry out the provisions of the Act and the regulations in this part, including the provisions of §§ 205.402 through 205.406 and § 205.670;”

Comments: *OC does not carry out the provisions of the Act and regulations. The auditors reviewed certification files and found OC does not require operations to provide a description of practices and procedures as required by Livestock living conditions §205.239(a) and (b). The following issues were identified:*

- 1. Livestock confinement periods were not described in the organic system plan (OSP).*
- 2. Livestock outdoor access during the “wintertime” at multiple livestock operations was recorded in the OSP without sufficient description to verify and assess compliance.*
- 3. Outdoor access facilities other than pasture were not described in the OSP.*

Corrective Actions: OC updated its livestock organic system plan (OSP) modules and livestock inspection report template to require operations to demonstrate and inspectors to verify, respectively, compliance with the requirements of § 205.239(a)-(b). OC conducted staff training

on the Organic Livestock and Poultry Standards (OLPS), and livestock application review procedure and plans conduct additional inspector training. OC will also update its “Inspector Feedback Survey” and will train staff completing the survey to identify deficiencies specific to the requirements of § 205.239(a)-(b).

AIA-3821-24 – Accepted. 7 CFR § 205.501(a)(3) states, “A private or governmental entity accredited as a certifying agent under this subpart must: Carry out the provisions of the Act and the regulations in this part, including the provisions of §§ 205.402 through 205.406 and § 205.670;”

Comments: *OC does not carry out the provisions of the Act and regulations. The auditors reviewed certification files and interviewed OC staff and found OC did not require a dairy operation to provide a sufficient description of its one-time transition practices and procedures in order for OC to determine compliance with Origin of livestock §205.236(a)(2). The following issues were identified:*

- 1. Inconsistent transition beginning and end dates were recorded in certification documents.*
- 2. Inconsistent information regarding whether animals consumed organic feed and pasture during their transition period.*
- 3. Inconsistent total numbers of animals in transition including incomplete animal identification records.*

Corrective Actions: OC updated its livestock organic system plan (OSP) and dairy transition modules, and livestock inspection report template to require operations to demonstrate and inspectors to verify, respectively, compliance with the Origin of Livestock (OOL) and Organic Livestock and Poultry Standards (OLPS) requirements. The updated documents contain additional verification requirements for operations converting to organic production by transitioning animals. OC will also update its livestock application review checklists for renewing and new operations to require the Certification Program Manager to review requests for the one-time transition of dairy animals and document their decision. OC conducted staff training on the new modules and will conduct additional training for inspectors.

AIA-3822-24 – Accepted. 7 CFR § 205.501(a)(3) states, “A private or governmental entity accredited as a certifying agent under this subpart must: Carry out the provisions of the Act and the regulations in this part, including the provisions of §§ 205.402 through 205.406 and § 205.670;”

Comments: *OC does not carry out the provisions of the Act and regulations. OC operations’ organic system plans (OSP) do not accurately list the ingredients to be used as a production or handling input as required by § 205.201(a)(2). The auditors reviewed certification files and interviewed certification staff and found operations’ supplier lists, supplier certificates, and the suppliers’ certification status were not current and were not assessed or verified for compliance by OC.*

Corrective Actions: OC updated the “Product Review” work instruction and application review checklists for renewing and new operations to specify procedures for requiring supplier certificates be reviewed annually, as well as at any time an operation updates its supplier list. OC also updated inspection report templates to require inspectors to verify the certification status of suppliers at inspection. OC also migrated to new client management software that documents the review status of information and documents. OC will require any incorrect information in a

Master Organic Ingredient Supplier List (MOISL) to be reviewed with the operation prior to finalizing supplier lists. OC developed the “Quality Department Auditing” work instruction to require the Quality Department to conduct random audits of MOISLs for handling operations monthly. OC conducted staff training on the updated policies and procedures and for inspectors verifying that an operation’s recordkeeping system can monitor the certification status of its suppliers. OC will provide feedback to inspectors using the “Inspection Feedback Survey,” “Feedback Form,” and “Inspection Quality Control Reports.”

AIA-3823-24 – Accepted. 7 CFR § 205.501(a)(3) states, “A private or governmental entity accredited as a certifying agent under this subpart must: Carry out the provisions of the Act and the regulations in this part, including the provisions of §§ 205.402 through 205.406 and § 205.670;”

Comments: *OC does not consistently carry out the provisions of the Act and regulations. OC does not fully assess and verify the compliance of ingredients used in organic products. The auditors reviewed certification files and interviewed staff and found noncompliant, non-NOP organic certificates were used for the verification of compliance of certified organic ingredients. For example, an EU organic certificate for an Egypt-based ingredient supplier and NPOP certificates for India-based operations were included in an operation’s organic system plan (OSP). OC staff could not explain how the EU and NPOP certificates were used to verify compliance of ingredients used in NOP-certified products. Additionally, the auditors identified OSPs with multiple revoked and suspended suppliers as well as suppliers that could not be verified in the Organic Integrity Database.*

Corrective Actions: OC contacted all affected operations to discuss supplier compliance issues. OC updated the “Product Review” work instruction, “Application Review” checklists and inspection report templates to include review and verification of supplier certification status. OC conducted staff training on review and verification of supplier certification, which included the Organic Integrity Learning Center course on international organic trade requirements, as well as discontinuation of the recognition agreement with India. OC developed the “Quality Department Auditing” work instruction to require the Quality Department to conduct audits of verification of international trade requirements and random audits of Master Organic Ingredient Supplier Lists monthly. OC will provide feedback to inspectors using the “Inspection Feedback Survey,” “Feedback Form,” and “Inspection Quality Control Reports.”

AIA-3824-24 – Accepted. 7 CFR § 205.501(a)(3) states, “A private or governmental entity accredited as a certifying agent under this subpart must: Carry out the provisions of the Act and the regulations in this part, including the provisions of §§ 205.402 through 205.406 and § 205.670;”

Comments: *OC does not carry out the provisions of the Act and regulations. OC does not fully implement the NOP’s international organic trade policies and procedures. The auditors reviewed certification files, OC work instructions and certification templates, interviewed OC staff, and found OC does not consistently verify operations have the required NOP Import Certificates for all imports from India as required by the July 13, 2022, National Organic Program directive.*

Corrective Actions: OC contacted all affected operations to discuss compliance with NOP international trade requirements. OC also updated its “Inspection Report Handling – NOP” and “Inspection Report Addendum – Strengthening Organic Enforcement (SOE)” templates, handler

inspection report audit worksheets, and “Review Notes” checklist with clear instructions for reviewing and verifying compliance of imported products and National Organic Program Import Certificates (NOPIC). OC conducted staff training on the updated documents and verifying compliance with the NOP international trade requirements, with additional focus on India. OC developed the “Quality Department Auditing” work instruction to require the Quality Department to conduct audits of verification of international trade requirements and NOPICs. OC will provide feedback to inspectors using the “Inspection Feedback Survey,” “Feedback Form,” and “Inspection Quality Control Reports.”

AIA-3825-24 – Accepted. 7 CFR § 205.501(a)(3) states, “A private or governmental entity accredited as a certifying agent under this subpart must: Carry out the provisions of the Act and the regulations in this part, including the provisions of §§ 205.402 through 205.406 and § 205.670;”

Comments: *OC does not carry out the provisions of the Act and regulations. The auditors reviewed certification files and determined that input material reviews are not always sufficient to verify compliance to §205.105 and §205.201(a)(2). The auditor found the following issues with OC's material reviews:*

1. *OC approved a non-organic agricultural ingredient containing synthetic sub-ingredients not on the National List for use in “made with” organic products.*
2. *OC was unable to provide any documentation of composition for two feed inputs used by a certified livestock operation.*

Corrective Actions: OC verified the specific operation no longer uses the noncompliant material and required the operation to submit an updated organic system plan (OSP). OC updated its “Product Review” work instruction to instruct staff to follow the “Material Policy” when encountering non-organic agricultural ingredients. OC also updated its materials database to include a classification specific to non-organic agricultural ingredients and required all ruminant livestock operations to submit updated OSPs during their 2025 renewal. OC developed the “Quality Department Auditing” work instruction to require the Quality Department to conduct audits of review and verification of materials. OC performed material review training for all staff and will conduct additional training for staff exhibiting deficiencies in reviewing feed inputs. Staff training also included completion of Organic Integrity Learning Center courses on certification review essentials, input material review, and maintaining organic when handling and processing.

AIA-3827-24 – Accepted. 7 CFR § 205.501(a)(2) states, “A private or governmental entity accredited as a certifying agent under this subpart must: Demonstrate the ability to fully comply with the requirements for accreditation set forth in this subpart.”

Comments: *OC does not have the ability to fully comply with and implement the requirements for accreditation in all regions where it offers certification services, specifically in Mexico. The auditors reviewed certification files and interviewed staff and found the following:*

1. *OC is unable to conduct pesticide residue testing in Mexico. OC did not conduct any residue testing of its applicants for certification or certified operations in Mexico from 2022 through 2024. Additionally, OC has no plan or process to conduct residue analysis activities for its applicants for certification and certified operations in Mexico; OC does not contract with any labs in Mexico and does not have a process to transport samples*

across the border for analysis at accredited labs in the United States.

2. *OC is unable to conduct unannounced inspections of its certified operations in Mexico. The auditors reviewed certification files and conducted interviews with certification staff and found that OC did not conduct any unannounced inspections in Mexico from 2022 through 2024. OC has no plan or process to conduct unannounced inspections of operations in Mexico. OC staff stated safety issues prevent them from conducting unannounced inspections in Mexico.*

Corrective Actions: OC discontinued NOP certification activities in Mexico on July 1, 2025. For the remaining operations that it certifies, OC's inspection plan will also include operations in all regions selected for unannounced inspections and those selected for pesticide residue sampling.

AIA-3828-24 – Accepted. 7 CFR § 205.501(a)(2) states, “A private or governmental entity accredited as a certifying agent under this subpart must: Demonstrate the ability to fully comply with the requirements for accreditation set forth in this subpart.”

Comments: *OC does not demonstrate the ability to fully comply with the requirements for accreditation. The auditors reviewed certification files and interviewed staff and found a new handling operation's organic system plan (OSP) did not include an SOE OSP addendum. Information critical to SOE compliance for the operation was not obtained during the inspection, including use of uncertified handlers, an organic fraud prevention plan, and NOP Import Certificates for all imports.*

Corrective Actions: OC developed “Organic System Plan (OSP) Addendum – Strengthening Organic Enforcement (SOE)” and “Inspection Report Addendum – SOE” forms requiring operations to demonstrate and inspectors to verify, respectively, compliance with SOE. OC updated its application and final review checklists to require all applicants be provided a copy of the “OSP Addendum – SOE” and final reviewers to verify SOE compliance, respectively. OC updated the application review checklists for renewing and new operations instructing staff to review OSPs for SOE compliance and issued a policy requiring all inspections include the “Inspection Report Addendum – SOE.” OC issued a policy memo to staff stressing consistent use of new and updated forms. OC conducted training for Management on updating and implementing new forms.

AIA-3858-24 – Accepted. 7 CFR § 205.501(a)(11)(v) states, “A private or governmental entity accredited as a certifying agent under this subpart must: Prevent conflicts of interest by: Requiring all persons who review applications for certification, perform on-site inspections, review certification documents, evaluate qualifications for certification, make recommendations concerning certification, or make certification decisions and all parties responsibly connected to the certifying agent to complete an annual conflict of interest disclosure report.”

Comments: *OC does not comply with § 205.501(a)(11)(v). The auditors reviewed personnel files, reviewed certification records, and conducted interviews with certification staff and found that a contract inspector consulted for an operation requesting reinstatement through OC. The inspector's conflict of interest disclosure did not identify their relationship with the operation.*

Corrective Actions: OC updated the “Application Review” forms for renewing and new operations, the “Annual Conflict of Interest (COI) Form,” and created a “Managing Conflict of

Interest Form” work instruction. OC also reviewed all inspector COI forms for potential conflicts and will now document dates and operations that represent potential COIs for staff. OC developed the “Quality Department Auditing” work instruction to require the Quality Department to conduct biannual audits of potential conflicts of interest. OC conducted staff training on preventing COIs and will now require the Quality Department and OC Directors to be notified when staff are included as an operation’s contact and to evaluate the potential for COIs. OC will require a new COI at any time staff is included as an operation’s contact and will conduct annual quality audits of all COIs to ensure no conflicts exist.

NATIONAL ORGANIC PROGRAM: AUDIT & CORRECTIVE ACTION REPORT

GENERAL INFORMATION

- **Certifier Name** Organic Certifiers (OC)
- **Physical Address** 990 Cindy Lane, Unit A, Carpinteria, California 93013
U.S.A.
- **Audit Type** Renewal Audit
- **Auditor(s) & Audit Dates** Jessica Walden, Patricia Bursten, Samuel Schaefer-Joel,
03/21/2022 to 03/25/2022
- **Audit Identifier** NOP-35-22

CERTIFIER OVERVIEW

OC is a for profit business that was initially accredited by the NOP on April 29, 2002, for the scopes of Crops (709), Livestock (58), Wild crop (1), and Handling/processing (491). OC certifies a total of 1155 operations in the USA, Mexico, and Indonesia. OC is not certifying grower groups. Certification activities, with the exception of inspections, are carried out of their office in Carpinteria, California. Various staff and contracted personnel operate from home offices; however, all information is maintained in a central electronic database or in hard copy at the Carpinteria office.

OC's certification program staff consists of an Executive Director, a Quality Systems Manager, a Financial Officer, an Inspection Supervisor, 11 Certification Specialists, 4 Final Reviewers, and 23 inspectors. The Auditors conducted 3 witness audits during this audit consisting of one crop operation, one ruminant livestock operation, and one handler.

NOP DETERMINATION:

NOP reviewed the audit results to determine whether OC's corrective actions adequately addressed previous noncompliances. The NOP also reviewed any corrective actions submitted as a result of noncompliances issued from findings identified during the audit.

Any noncompliance labeled as “**Cleared**” indicates that the corrective actions for the noncompliance are determined to be implemented and working effectively. Any noncompliance labeled as “**Accepted**” indicates acceptance of the corrective actions and verification of corrective action implementation will be conducted during the next audit.

Noncompliances from Prior Assessments and Corrective Actions

AIA-1477-20 – Cleared.

AIA-6033-21 – Cleared.

AIA-1475-20 – Accepted. 7 C.F.R. §205.501(a)(4) states, “A private or governmental entity accredited as a certifying agent under this subpart must: Use a sufficient number of adequately trained personnel, including inspectors and certification review personnel, to comply with and implement the organic certification program established under the Act and the regulations in subpart E of this part;”

Comments: *OC’s personnel require additional training in order to comply with and implement the USDA organic certification program. The auditor identified the following:*

- 1. The quantitative (in/out balance) audit section of the inspection report templates is not instructive enough for the inspector to demonstrate an adequate in/out balance exercise. Inspection reports do not provide enough information in order for reviewers to determine whether the certified operation maintains records that fully disclose all activities and transactions in sufficient detail as to be readily understood and audited. The auditors reviewed inspection reports for several crops and handler operations and determined that inspectors are not reporting quantities of organic products sold. Therefore, there is no verification that the quantities of crops sold are supported by the quantities of crops produced/harvested, and there is no verification that the quantities of processed products produced and sold are supported by the quantities of organic ingredients received and used. In addition, inspectors are not consistently completing all questions in the quantitative audit portion of the inspection checklist leaving it unclear which records inspectors are using for this exercise during their inspections.*
- 2. Crop yields are not recorded in the OSPs nor consistently verified during inspections.*
- 3. The auditor reviewed one approved organic feed label where the Organic Certifiers’ seal was displayed more prominently than the USDA Organic Seal.*
- 4. The auditor reviewed one file where a material that is not on the National List or verified to meet the “agricultural” classification was approved for use as an ingredient in a certified “made with organic” product.*
- 5. The auditors reviewed the material review process for two inputs certified by foreign certifiers, one of which was certified to other organic standards (such as EU). The materials were approved by certification specialists, which is not in alignment with OC’s material approval policy.*

Corrective Action: OC updated their crop, livestock, and handling inspection report templates to include sufficient instructions for inspectors to demonstrate an adequate mass balance. In addition, the crop OSP template, crop inspection report template, and annual update summary for renewal clients were updated to include a question regarding projected yields and crop harvests. The updated forms were submitted to NOP. A labeling training was carried out with relevant certification staff to address the NOP labeling requirements and the procedures to follow when reviewing labels. A copy of the training slides, training materials, and a corrected feed label were submitted with the corrective action. The handling department manager held a training on the requirements for permitting non-organic ingredients in certified "organic" and "made with organic****" products. The training memo "Classifying Non-Organic Ingredients As Agricultural or Nonagricultural For Made With Organic Products" was sent to relevant staff members instructing them to refer to the NOP Guidance and Decision Trees regarding the Classification of Agricultural and Nonagricultural materials (NOP-5033) when reviewing non-organic ingredients requested for use in "made with organic****" products. A copy of the training memo and training agenda were submitted with the corrective action. OC developed a material review policy for the certification specialist staff that describes the steps involved in the material review process. This policy, "Policy Memo for Material Reviews," was sent out to relevant certification staff. A copy of the policy was submitted to NOP with the corrective action. The corrective actions above were presented at the OC 2020 Annual Staff Training that occurred September 24, 2020. The training agenda was submitted to NOP.

Verification of Corrective Action: The auditors verified that OC's OSP forms instruct operators to provide estimated yields and OC's inspection report templates prompt inspectors to verify yields. On labels with an "organic" claim approved by OC, auditors verified that the OC seal was not displayed more prominently than the USDA logo. The auditors also verified that OC is no longer accepting materials approved by foreign certifiers without carrying out a complete material review. However, the auditors found the following issues:

1. The auditors' review of inspection reports found repeated instances where the mass balance information was incomplete and unclear. OC inspectors do not record enough information in inspection reports to demonstrate that mass balances were correctly completed. Despite OC having a system for reviewers to provide feedback to inspectors, OC reviewers have not been adequately analyzing the mass balance section of inspection reports and providing the relevant feedback to inspectors. In addition, OC's updated inspection report templates are not able to adequately capture the data necessary to record mass balances of ingredients used in multi-ingredient products.
2. OC did not adequately review the nonorganic ingredients in two "made with organic" product files. One product was found to contain an ingredient not allowed in products making a "made with organic" claim. For the other product, OC did not verify the non-organic ingredients' respective National List restrictions.

2023 Corrective Action: OC made the following changes:

1. OC replaced the audit tables in its handler inspection report with two addenda, a mass balance worksheet (C03-34 v1) and a support worksheet (C03-35 V1) for calculations, which include more room for recording information. OC created a worksheet guide (C31-05, V1) for OC personnel to reference in completing and reviewing the mass balance worksheet. OC also replaced the traceability section of the handler inspection report with an addendum, a worksheet for traceability (C03-33 v1). OC updated its final review checklist (C05-01, v7) to record assessment of the mass balance exercise from inspection.

OC trained final reviewers on the updated form on October 18, 2023, and trained inspectors on the new worksheets March 13, 2024. OC sent a training memo to staff and inspectors on April 19, 2024 notifying them the new mass balance and traceability worksheets were to be used for every handler inspection after April 22, 2024.

2. OC updated its application review work instructions (C20-12, v3 and C20-13, v4) to move the responsibility for final review of non-organic ingredients from the Certification Specialist to the Material Review Department; OC updated its internal material review policy (C30-5 v1) and product formulation policy (C30-6 v1) to reflect this change. OC updated its “Internal Material Review Request Form” (C01-53 v3) to instruct Certification Specialists on what information is required to provide to the Material Review Department for review of non-organic ingredients. OC trained all certification staff on these changes on September 27, 2023 and had calibration training for final reviewers on October 18, 2023.

AIA-1476-20 – Accepted. 7 C.F.R. §205.501(a)(2) states, “A private or governmental entity accredited as a certifying agent under this subpart must: Demonstrate the ability to fully comply with the requirements for accreditation set forth in this subpart.”

Comments: *OC’s organic system plan forms do not demonstrate that OC fully complies with the requirements of § 205.201(a)(6). The organic system plans and associated forms include questions about export to other countries, but do not include questions about import activities. There is no consistent way to verify whether specific requirements for imported organic ingredients and products are being met.*

Corrective Action: OC updated the handler inspection report template to include a question and inspector comment box regarding whether the operation imports ingredients or products and from which countries. In addition, a handler OSP addendum has been developed for handlers who are importing. This addendum is completed by the operator and verified for compliance by the inspector during the inspection. This corrective action was presented at the 2020 Annual Training that occurred on September 24, 2020. A copy of the updated handler inspection report template, the handler OSP addendums for each specific country, “Handler OSP Addendum: International Trade Partners”, and the training agenda was provided with the corrective action.

Verification of Corrective Action: The auditors reviewed certification files of operations who import organic ingredients and found that the addendums had not been completed by the operations nor verified by the inspectors at inspection. The auditors could not verify that specific requirements for imported organic ingredients and products are being met. In addition, the auditors observed that producer and livestock OSP templates do not include questions about import activities.

2023 Corrective Action: OC developed a work instruction for “New and Updated Forms” (C20-35, v1) to outline the procedure to implement form changes and monitor form usage and effectiveness. OC trained staff on the work instruction on October 11, 2023. On September 14, 2023, OC sent a training memo to staff clarifying that if staff is made aware that an operation is importing products or materials, the operation must complete an import addendum for each country of import. Effective October 1, 2023, OC updated its handling (C01-18,v5), crops (C01-06 v5), and livestock (C01-14,v5) OSP templates to include prompts for clients to identify import activities. OC also updated its inspection report templates for handling (C03-11,v5), crops (C03-02, v5), and livestock (C03-05,v5) to include further instruction and details on the

verification of international import addendums. On October 1, 2023, OC sent a training memo to staff and inspectors detailing changes to the OSP and inspection report templates and notifying them that the changes were live.

AIA-6961-21 – Accepted. (NOPC-6703-19) 7 C.F.R. §205.501(a)(3) states, “A private or governmental entity accredited as a certifying agent under this subpart must: Carry out the provisions of the Act and the regulations in this part, including the provisions of §§205.402 through 205.406 and §205.670;”

Comments: *On October 7, 2019, NOP requested that OC conduct an investigation of residue results detected on a product certified organic by OC. NOP’s review of the resulting OC investigation files, as well as discussions with OC staff, found that OC did not carry out the provisions of the Act and regulations as follows:*

- *OC did not review the laboratory results for compliance with §205.671, per the procedure outlined in **NOP 2613 Instruction Responding to Results from Pesticide Residue Testing**.*
- *OC did not issue a notice of noncompliance to its certified operation when a noncompliance was found, as required by §205.662(a), for the detection of prohibited substances at levels greater than 5% of EPA tolerance levels in violation of §205.671.*
- *OC did not notify the certified operation that the product could not be sold as organic, as required by §205.671 and per the instructions in **NOP 2613 Instruction Responding to Results from Pesticide Residue Testing**.*
- *OC did not determine the source of contamination as required by **NOP 2613 Instruction Responding to Results from Pesticide Residue Testing**.*
- *OC conducted a desk review of the operation handling the sampled product, but did not assess the presence of residues at the producer level, even though the residue results indicated possible application of prohibited substances at the field level, and the producer was also certified by OC.*

Corrective Action: OC revised its Policy and Procedure for Complaint and Investigation Requests, which now includes the following steps:

- When prohibited substances are detected, OC shall follow the instructions in NOP 2613 Instruction Responding to Results from Pesticide Residue Testing.
- If prohibited substances are detected at levels greater than 5% of EPA tolerance levels, OC shall issue a notice of noncompliance to its certified operation.
- OC shall further investigate, or refer for further investigation of the possible source of contamination, at all levels of the chain of custody of the contaminated product, when residue levels indicate the need to further investigate.

Verification of Corrective Action: The auditors’ review of three pesticide residue sampling files found that OC is still not appropriately implementing the requirements of NOP 2613. The auditors’ review found that in multiple cases, OC received evidence that an operation, or operation's organic suppliers, may have been using prohibited substances. OC did not investigate the source of contamination. Additionally, the auditors found that in one case, OC’s testing detected pesticide residues in an organic ingredient for which there is no EPA tolerance or FDA action level. OC did not report the violation to the appropriate US agency.

2023 Corrective Action: OC determined that the continued issue resulted from a lack of work instructions for residue result investigations and an undesignated responsibility for reporting

violations. OC replaced its prior policy with detailed work instructions for complaints and investigations (C20-31, v1) and for responding to residue results (C20-32, v1). The new work instructions identify when and how to initiate an investigation, and how to report positive residue results for compounds with no EPA tolerance or FDA action level. The work instructions refer to an “Investigative Action Plan” (C31-006), which OC created to record actions taken during investigations. OC also created two positions, a Director of Compliance Training and Development and a Complaints and Investigations Manager, for its Complaints and Investigations department. On September 12, 2023, OC sent a training memo to investigations team staff informing them of the new work instructions and forms. OC trained the complaints and investigations team on the new process and forms on September 26, 2023.

Non-compliances Identified during the Current Assessment and Corrective Actions

AIA-778-22 – Accepted. 7 C.F.R. §205.501(a)(2) states, “A private or governmental entity accredited as a certifying agent under this subpart must: Demonstrate the ability to fully comply with the requirements for accreditation set forth in this subpart.”

Comments: *OC does not fully implement the NOP’s international organic trade arrangement policies and procedures. The auditors’ review of organic system plans (OSP) for operations with products listed as verified to the US/Canada Organic Equivalence Arrangement found that the OSPs do not ask operations to include a description of how the operation complies with the terms of the arrangement. OC inspection report templates also do not prompt inspectors to record how they verified the operation complies with the terms of the arrangement.*

Corrective Action: OC replaced its inspection report templates with new versions for crops (C03-02, v5), livestock (C01-14, v4), and handling (C03-11, v5), which ask inspectors to record how they verify compliance with the terms of US organic trade arrangements. On October 1, 2023, OC sent a training memo to staff and inspectors detailing changes to the inspection report templates. OC centralized the operation information required to verify compliance with each organic trade arrangement by creating an OSP “export addendum” for Canada (C01-70.1 v1), Taiwan (C01-72.1 v1), Switzerland (C01-75.1 v2), Korea (C01-74.1 v1), Japan (C01-73.1, v1), the EU (C01-71.1 v1), and the UK (C01-93.1 v1). On September 14, 2023, OC sent a training memo to all staff informing them that effective October 1, 2023, OC would introduce OSPs that ask about imports and prompt staff to send the appropriate addenda to clients to complete.

AIA-779-22 – Accepted. 7 C.F.R. §205.501(a)(7) states, “A private or governmental entity accredited as a certifying agent under this subpart must: have an annual program review of its certification activities conducted by the certifying agent's staff, an outside auditor, or a consultant who has expertise to conduct such reviews and implement measures to correct any noncompliances with the Act and the regulations in this part that are identified in the evaluation.”

Comments: *OC’s annual program review does not fully implement the requirements of **NOP 2025 Internal Program Review**. OC’s 2021 program review report did not include an assessment of prior findings and implemented corrective actions of prior program reviews. Also, OC’s annual program reviews are conducted by the Executive Director, who, according to the corresponding job description, performs certification activities.*

Corrective Action: OC updated its Internal Audit Report Template to further detail the need of internal and external prior year assessment findings. On September 13, 2023, a training memo

was sent to the management team to inform them of the change in the template. OC also corrected the job description for the Executive Director so it does not state that the job includes performing certification activities.

AIA-780-22 – Accepted. 7 C.F.R. §205.403(a)(2)(ii) states, “The Administrator or State organic program's governing State official may require that additional inspections be performed by the certifying agent for the purpose of determining compliance with the Act and the regulations in this part.”

Comments: *OC does not fully implement the requirements of **NOP 2609 Unannounced Inspections** and OC’s unannounced inspections policy. The auditors’ interview with one of OC’s inspectors found that OC’s inspectors sometimes give operators more than 4 hours notification prior to conducting unannounced inspections.*

Corrective Action: OC updated its inspection report template for unannounced inspections (C03-21, V2) to prompt inspectors to record the date and time of contacting operator prior to the unannounced inspection. On July 29, 2022, OC trained inspectors on the new form and the expectation that inspectors cannot contact operations prior to four hours before an unannounced inspection.

AIA-781-22 – Accepted. 7 C.F.R. §205.501(a)(2) states, “A private or governmental entity accredited as a certifying agent under this subpart must: Demonstrate the ability to fully comply with the requirements for accreditation set forth in this subpart.”

Comments: *OC does not consistently demonstrate the ability to fully comply with the requirements for accreditation. The auditors’ review of certification files identified the following issues:*

1. *OC’s handling and livestock organic system plan (OSP) templates do not enable OC to fully verify an operation’s compliance with the USDA organic regulations. The templates do not address the requirements of §205.201(a)(3), which require operators to provide a description of the monitoring practices and procedures to be performed and maintained, including the frequency with which they will be performed, to verify that the plan is effectively implemented.*
2. *OC’s livestock and producer inspection report templates do not require inspectors to verify an operations compliance with the requirements of §205.200 and **NOP 5020 Guidance for Natural Resources and Biodiversity Conservation**.*
3. *OC’s wild crops OSP template does not demonstrate that OC fully complies with the requirements of §205.201(a)(1)-(6) and **NOP 5022 Guidance Wild Crop Harvesting**. Examples of information the template does not ask operators to provide include a list of any rare, threatened, or endangered terrestrial or aquatic plants or animals that occur in the harvest area, a description of the natural environment of the harvest area, training provided to ensure that all collectors harvest crops in accordance with the OSP and in a manner that does not damage the environment.*

Corrective Action: OC determined that its forms were not adequately monitored to ensure OC is asking all necessary questions to verify compliance. OC created a work instruction for document control (C20-34, v1), in which the Director of Operations is responsible for monitoring documentation for compliance, effective December 1, 2023. OC also made the following changes to its documentation, effective October 1, 2023:

1. OC updated its OSP templates for livestock (C01-14,v5) and handling (C01-18,v5) to include a question addressing §205.201(a)(3).
2. OC updated its inspection report templates for crops (C03-02, v4) and livestock (C01-14, v4) to ask inspectors to verify compliance with 205.200 and NOP 5020 by verifying information in the Biodiversity Questionnaire.
3. OC updated its OSP template for wild crops (C01-10, v5) to include questions specifically addressing the components of NOP 5022.

On October 1, 2023, OC sent a training memo to staff and inspectors detailing changes to the OSP and inspection report templates and notifying them that the changes were live.

AIA-783-22 – Accepted. 7 C.F.R. §205.501(a)(5) states “A private or governmental entity accredited as a certifying agent under this subpart must: Ensure that its responsibly connected persons, employees, and contractors with inspection, analysis, and decision-making responsibilities have sufficient expertise in organic production or handling techniques to successfully perform the duties assigned.”

Comments: *OC does not consistently ensure that its responsibly connected persons, employees, and contractors with inspection, analysis, and decision-making responsibilities have sufficient expertise in organic production or handling techniques prior to performing the duties assigned. The auditors’ review of certification files and interviews with certification staff identified the following issues:*

1. *OC did not identify that an organic system plan (OSP) was incomplete because it lacked supplier information for ruminant livestock bedding. The inspector did not collect this information at the inspection or verify the organic status of the bedding.*
2. *OC’s inspector did not identify discrepancies between an operation’s OSP and their organic certificate. The OSP had five products listed, but there were more than 30 products listed on the operation’s organic certificate.*
3. *OC is not always conducting sufficient investigations or requiring operations to investigate pesticide residue detections to determine the cause of contamination as required by **NOP 2613 Instruction Responding to Results from Pesticide Residue Testing**.*
4. **Rebuttal accepted.**
5. *OC approved a purge procedure for coffee processing equipment without requiring the operation to specify the amount of organic coffee to be used in the purge or asking for evidence that the amount used was effective in maintaining organic integrity.*

Corrective Action: OC developed a policy memo, “Training and Continuing Education” (C30-7 v1), effective October 1, 2023, to communicate the delivery of training and recalibration on technical subjects and to set expectations for continued education. Under this policy, the Director of Compliance, Training, and Development will create and deliver microlearning sessions, and the Human Resources Manager will communicate requirements for that year’s continued education hours to each staff group at the beginning of each calendar year. OC also made the following changes to its documentation:

1. OC updated its livestock inspection report template (C01-14, v4) to include bedding types, suppliers, and organic status.
2. OC updated its handling OSP template (C01-18, v5) to remove the product fields (limited to five products) and require all operations to complete the “Master Handling Product List” (C01-49, v1).

3. OC replaced its prior complaints and investigations policy with detailed work instructions for complaints and investigations (C20-31, v1) and for responding to residue results (C20-32, v1). The new work instructions identify when and how to initiate an investigation in response to residue results.
4. OC updated the instructions in the “cleaning shared equipment” section of its handling OSP template (C01-18, v5) to require more detailed information about the amount of product used and/or evidence of efficacy when purges are used as a cleaning method.

On September 12, 2023, OC sent a training memo to the investigations team informing them of the new work instructions and support documents. On October 1, 2023, OC sent a training memo to staff and inspectors detailing changes to the OSP and inspection report templates and notifying them that the changes were live.

AIA-784-22 – Rebuttal accepted.

AIA-785-22 – Accepted. 7 C.F.R. §205.501(a)(5) states “A private or governmental entity accredited as a certifying agent under this subpart must: Ensure that its responsibly connected persons, employees, and contractors with inspection, analysis, and decision-making responsibilities have sufficient expertise in organic production or handling techniques to successfully perform the duties assigned.”

Comments: *OC does not consistently ensure that its contractors with inspection responsibilities have sufficient expertise in organic production or handling techniques prior to performing the duties assigned. During a witness audit of a dairy inspection, the auditors’ observed the following:*

1. *OC’s inspector did not request and review confinement records for any animals, including those in the medical pens, except those in the milking string.*
2. *OC’s inspector did not request and review information for off-farm feed inputs that are purchased for the calves and were not included in the operation’s OSP.*
3. *OC’s inspector did not request health records for a cow that was disclosed to have been treated with a restricted product. None of the individual cow records reviewed during the inspection listed health inputs.*
4. *OC’s inspector did not request and review health records for heifers and calves.*
5. *OC’s inspector did not request and review records to demonstrate the operation was using National List materials according to the restrictions.*
6. *OC’s inspector did not request additional information from the operation, or note during the exit interview, that the records for purchased silage lacked lot numbers, field numbers, or other unique identifiers.*
7. *OC’s inspector did not request additional information from the operation, or note during the exit interview, that their OSP did not include any information regarding purchased, off-farm silage.*

Corrective Action: OC determined that this noncompliance resulted from an isolated issue with the observed inspector. OC addressed the issue with the inspector in a meeting on September 11, 2022. To prevent recurrence, OC created an inspector checklist for livestock (C03-31, V1) to ensure that inspectors have a complete document to reference. OC trained livestock inspectors on the new checklist on July 18, 2023 and July 20, 2023.

AIA-786-22 – Accepted. 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: *OC does not issue a notice of noncompliance to its certified operations even though the operations were found to be noncompliant. The auditors observed the following:*

- 1. OC issued a request for information, instead of a notice of noncompliance, to an operation who sold product as organic prior to being issued their organic certificate, neglected to obtain compliance documentation for organic ingredients, and used noncompliant organic labels.*
- 2. OC issued a request for information, instead of a notice of noncompliance, to an operation after multiple inspectors reported the operation was using pest control materials that were not on the organic system plan (OSP) and failed to maintain sufficient records of pest control applications.*
- 3. OC issued a request for information, instead of a notice of noncompliance, to an operation after the inspector identified the OSP was missing information regarding the purchase and use of off-farm inputs.*

Corrective Action: OC created a new position, Director of Compliance Training and Development, to oversee quality and accuracy of OC’s compliance decisions and determinations. OC also made the following changes to its documentation for implementation October 18, 2023:

1. OC updated its work instruction for final decisions (C20-15, v4) and created a final review decision flow chart (C20-33 v1) instructing final review staff to identify noncompliances per NOP 4002.
2. OC updated its final review checklist (C05-01, v7) instructing reviewers to record how they interpret evidence during the final review and decision process.
3. OC created “NOP Technical Policy Manual” (C40-1 v1) to capture OC policies and interpretations pertaining to NOP, for consistency and accuracy of compliance decisions.

OC trained final reviewers on these changes on October 18, 2023. OC conducted technical training for final reviewers on November 11, 2023.

AIA-787-22 – Accepted. 7 C.F.R. §205.663 states, “Any dispute with respect to denial of certification or proposed suspension or revocation of certification under this part may be mediated at the request of the applicant for certification or certified operation and with acceptance by the certifying agent. Mediation shall be requested in writing to the applicable certifying agent. If the certifying agent rejects the request for mediation, the certifying agent shall provide written notification to the applicant for certification or certified operation. The written notification shall advise the applicant for certification or certified operation of the right to request an appeal, pursuant to §205.681, within 30 days of the date of the written notification of rejection of the request for mediation. If mediation is accepted by the certifying agent, such mediation shall be conducted by a qualified mediator mutually agreed upon by the parties to the mediation. If a State organic program is in effect, the mediation procedures established in the State organic program, as approved by the Secretary, will be followed. The parties to the mediation shall have no more than 30 days to reach an agreement following a mediation session. If mediation is unsuccessful, the applicant for certification or certified operation shall have 30 days from termination of mediation to appeal the certifying agent's decision pursuant to §205.681. Any agreement reached during or as a result of the mediation process shall be in

compliance with the Act and the regulations in this part. The Secretary may review any mediated agreement for conformity to the Act and the regulations in this part and may reject any agreement or provision not in conformance with the Act or the regulations in this part.”

Comments: *OC’s settlement agreements do not always comply with the requirements of the USDA organic regulations. The auditors’ review found that some settlement agreements established by OC did not include the following:*

1. *Terms or actions the operation must take in order to correct the noncompliance(s) that led to the Notice of Proposed Suspension.*
2. *A defined period of time for the terms to be completed.*
3. *Consequences if the terms are broken.*
4. *An effective date.*

Corrective Action: OC replaced its settlement agreement templates with an updated version (C05-56, v2), which contains the required information. OC sent an email to department managers on September 14, 2023, informing them that the templates had been updated, effective immediately.

AIA-788-22 – Accepted. 7 C.F.R. §205.501(a)(5) states “A private or governmental entity accredited as a certifying agent under this subpart must: Ensure that its responsibly connected persons, employees, and contractors with inspection, analysis, and decision-making responsibilities have sufficient expertise in organic production or handling techniques to successfully perform the duties assigned.”

Comments: *OC does not consistently ensure that its staff with material review responsibilities have sufficient expertise prior to performing the duties assigned. The auditor’s review of OC’s material review files found the following issues:*

1. *OC approved a pesticide containing a synthetic active ingredient not listed on the National List for use as pest control.*
2. *OC approved use of a crop production aid containing lignin sulfate without verifying the operation used it in compliance with the National List restrictions.*
3. *OC approved several soil amendment products containing synthetic micronutrients without verifying the operation used it in compliance with the National List restrictions.*
4. *OC’s reviewer approved the use of a post-harvest input material without determining if the material was nonsynthetic.*

Corrective Action: OC provided a training log as evidence that all material review staff have taken NOP-120, Input Material Review, in the Organic Integrity Learning Center. OC also provided evidence that the specific issues found by auditors were corrected through modification or surrender of the relevant Organic Input Material certificates. OC ended its material certification program in November 2023. OC also made the following changes to its documentation:

1. OC updated its work instruction for internal material reviews (C20-16, V7) to include procedures for the review of handling materials.
2. OC created “NOP Materials Policy Manual” (C40-02, v1) to record OC’s policies for evaluating materials for compliance when following the internal material review work instruction.

3. OC updated its “Internal Material Review Request Form” (C01-53 v3), which Certification Specialists use to provide information to the Material Review Department, to include handling materials in addition to non-organic ingredients, and processing aids. OC trained certification staff on these changes on September 27, 2023.

AIA-789-22 – Accepted. 7 C.F.R. §205.501(a)(2) states, “A private or governmental entity accredited as a certifying agent under this subpart must: Demonstrate the ability to fully comply with the requirements for accreditation set forth in this subpart.”

Comments: *OC’s material review instructions, policies, and forms do not demonstrate that OC has the ability to verify compliance with the requirements of §205.201(a)(2) as clarified in NOP 3012 Interim Instruction Material Review. The auditors found the following issues in OC’s material review process:*

1. *OC’s material review policies and work instructions do not clearly describe how OC evaluates sub-ingredients and manufacturing methodologies, as necessary, to classify inputs as synthetic or nonsynthetic and to determine the compliance of input materials.*
2. *OC does not have material review policies or work-instructions for the review of non-organic ingredients and processing aids.*
3. *OC’s affidavit forms used to document the compliance of non-organic ingredients and processing aids contain obsolete references to the National List.*
4. *OC’s affidavit forms used to document the compliance of non-organic ingredients and processing aids allow manufacturers of flavor and color ingredients to self-determine the compliance of solvents, carrier systems, and preservatives without disclosing the identity of these substances.*

Corrective Action: OC made the following changes to its documentation:

1. Effective September 27, 2023, OC created “NOP Materials Policy Manual” (C40-02, v1) to record OC’s policies for evaluating materials for compliance when following the internal material review work instruction. This includes evaluating sub-ingredients and manufacturing methodologies to classify inputs as synthetic or non-synthetic.
2. Effective September 27, 2023: OC updated its work instruction for internal material reviews (C20-16, V7) to include procedures for the review of non-organic ingredients and processing aids, as well as reference use of the new materials policy manual. OC updated its internal material review policy (C30-5 v1) to detail policies for review of non-organic ingredients and processing aids. OC also updated its Internal Material Review Request Form (C01-53 v3) to capture information about non-organic ingredients and processing aids.
3. Effective February 6, 2023, OC updated its affidavit forms for non-organic agricultural ingredients (C01-82, v1) and non-agricultural ingredients (C01-81, v1) to correct references to the National List.
4. Effective September 27, 2023, OC updated its affidavit form for natural flavors (C01-89 V1) so that solvents, carrier systems, preservatives, and other characteristics needed to determine compliance are disclosed.

OC trained all certification staff on these changes on September 27, 2023.

AIA-790-22 – Accepted. 7 C.F.R. §205.501(a)(3) states, “A private or governmental entity accredited as a certifying agent under this subpart must: Carry out the provisions of the Act and the regulations in this part, including the provisions of §§205.402 through 205.406 and

§205.670;”

Comments: *OC does not consistently carry out the provisions of the Act and regulations. The auditor’s review of certification files found that OC does not always verify an operation’s organic system plan (OSP) for accuracy and completeness. Operations are not always completing OC’s Biodiversity Questionnaire describing or listing activities that explain how they will monitor and conserve biodiversity by maintaining or improving natural resources as required by §205.200 and **NOP 5020 Guidance for Natural Resources and Biodiversity Conservation**. OC did not require the operations to provide the missing information.*

Corrective Action: On March 9, 2023, OC trained Certification Specialists and Final Reviewers emphasize the importance of paying attention to details while doing certification work. Effective September 27, 2023, OC updated its application review work instructions for renewal clients (C20-13, v4) and new clients (C20-12, v3) to more clearly instruct Certification Specialists to review OSPs and supporting documents for accuracy and completeness. Effective October 4, 2023, OC updated its review notes document (C03-17, v4) to add guidance for staff for compliance verification during initial review and separating out the exit interview into a new document (C03-36 v1). OC conducted refresher training on this process on October 4, 2023.



National Organic Program
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NATIONAL ORGANIC PROGRAM: CORRECTIVE ACTION REPORT

AUDIT AND REVIEW PROCESS

The National Organic Program (NOP) conducted an audit as part of NOP's assessment of the certifier's organic program. This report provides the results of NOP's review of the certifier's corrective actions and assessment of the certifier's capability to continue operating as a USDA accredited certifier.

GENERAL INFORMATION

Applicant Name	Organic Certifiers OC
Physical Address	6500 Casitas Pass Rd., Ventura, California 93001
Mailing Address	6500 Casitas Pass Rd., Ventura, California 93001
Contact & Title	Ms. Susan Siple, Executive Director
E-mail Address	susan@occert.com
Phone Number	805-684-6494
Reviewer(s) & Auditor(s)	Graham Davis, NOP Reviewer; Jessica Walden, Renée Gebault King, Auditors
Program	USDA National Organic Program (NOP)
Review & Audit Date(s)	Corrective Action Review: 11/02/2020 Audit: 05/18/2020 - 05/22/2020
Audit Identifier	NOP-22-20
Action Required	No
Audit & Review Type	Mid-term Audit
Audit Objective	To evaluate the conformance to the audit criteria; and to verify the implementation and effectiveness of OC's certification system.
Audit & Determination Criteria	7 CFR Part 205, National Organic Program as amended

The National Organic Program (NOP) conducted a desk audit of Organic Certifiers (OC) as part of its Midterm Assessment. Audit activities included the review of certifier documents and interviews with staff concerning certification activities since the on-site audit, July 15, 2017.

OC is a for profit business that was initially accredited by the NOP on April 29, 2002, for the scopes of Crops, Livestock, Wild crop, and Handling/processing. OC certifies 1088 operations in the USA, Mexico, China, Colombia, and Indonesia. OC is not certifying grower groups. Certification activities, with the exception of inspections, are carried out of their office in Carpinteria, California. Various staff and contracted personnel operate from home offices; however, all information is maintained in a central electronic database or in hard copy at the Carpinteria office. In addition to the USDA NOP, OC is also accredited to provide organic certification according to the Canada Organic Regime (COR) and the European Union (EU) Organic Regulations.

OC's certification program staff consists of an Executive Director, a Quality Systems Manager, a Financial Officer, an Inspection Supervisor, 17 Certification Specialists, 5 Final Reviewers, and 23 inspectors.

NOP DETERMINATION:

NOP reviewed the onsite audit results to determine whether OC's corrective actions adequately addressed previous noncompliances. NOP also reviewed any corrective actions submitted as a result of noncompliances issued from Findings identified during the onsite audit. Any noncompliance labeled as "**Cleared**," indicates that the corrective actions for the noncompliance are determined to be implemented and working effectively. Any noncompliance labeled as "**Outstanding**" indicates that either the auditor could not verify implementation of the corrective actions or that records reviewed, and audit observations did not demonstrate compliance. Any noncompliance labeled as "**Accepted**" indicates acceptance of the corrective actions and verification of corrective action implementation will be conducted during the next onsite audit.

Non-compliances from Prior Assessments

AIA-835-20 - Cleared

AIA-836-20 - Cleared

AIA-1382-20 - Cleared

AIA-1383-20 - Cleared

AIA-1384-20 - Cleared

AIA-1385-20 - Cleared

AIA-1386-20 - Cleared

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.

AIA-1475-20 – Accepted. 7 C.F.R. §205.501(a)(4) states, “A private or governmental entity accredited as a certifying agent under this subpart must: Use a sufficient number of adequately trained personnel, including inspectors and certification review personnel, to comply with and implement the organic certification program established under the Act and the regulations in subpart E of this part;”

Comments: *OC’s personnel require additional training in order to comply with and implement the USDA organic certification program. The auditor identified the following:*

- 1. The quantitative (in/out balance) audit section of the inspection report templates is not instructive enough for the inspector to demonstrate an adequate in/out balance exercise. Inspection reports do not provide enough information in order for reviewers to determine whether the certified operation maintains records that fully disclose all activities and transactions in sufficient detail as to be readily understood and audited. The auditors’ reviewed inspection reports for several crops and handler operations and determined that inspectors are not reporting quantities of organic products sold. Therefore, there is no verification that the quantities of crops sold are supported by the quantities of crops produced/harvested, and there is no verification that the quantities of processed products produced and sold are supported by the quantities of organic ingredients received and used. In addition, inspectors are not consistently completing all questions in the quantitative audit portion of the inspection checklist leaving it unclear which records inspectors are using for this exercise during their inspections.*
- 2. Crop yields are not recorded in the OSPs nor consistently verified during inspections.*
- 3. The auditor reviewed one approved organic feed label where the Organic Certifiers’ seal was displayed more prominently than the USDA Organic Seal.*
- 4. The auditor reviewed one file where a material that is not on the National List or verified to meet the “agricultural” classification was approved for use as an ingredient in a certified “made with organic” product.*
- 5. The auditors reviewed the material review process for two inputs certified by foreign certifiers, one of which was certified to other organic standards (such as EU). The materials were approved by certification specialists, which is not in alignment with OC’s material approval policy.*

Corrective Action:

OC updated its crops, livestock, and handling inspection report templates to include sufficient instructions for inspectors to demonstrate an adequate mass balance. In addition, the crops OSP template, crops inspection report template, and annual update summary for renewal clients were updated to include a question regarding projected yields and crop harvests. The updated forms were submitted to NOP. A labeling training was carried out with relevant certification staff to address the NOP labeling requirements and the procedures to follow when reviewing labels. A copy of the training PowerPoint, training materials, and a corrected feed label were submitted to NOP. The handling department manager held a training on the requirements for permitting non-organic ingredients in certified “organic” and “made with organic***” products. The training memo “Classifying Non-Organic Ingredients As Agricultural or Nonagricultural For Made With Organic Products” was sent to relevant staff members instructing them to refer to the NOP Guidance and Decision Trees regarding the Classification of Agricultural and Nonagricultural materials (NOP-5033) when reviewing non-organic ingredients requested for use in “made with organic***” products. A copy of the training memo and training agenda was submitted with the corrective action. OC developed a material review policy for the certification specialist staff that describes the steps involved in the material review process. This policy, “Policy Memo for Material Reviews,” was sent out to relevant certification staff. A copy of the policy was submitted to NOP with the corrective action. The corrective actions above were presented at the OC 2020 Annual Staff Training that occurred on 9/24/2020. The training agenda was submitted to NOP.

AIA-1476-20 – Accepted. 7 C.F.R. §205.501(a)(2) states, “A private or governmental entity accredited as a certifying agent under this subpart must: Demonstrate the ability to fully comply with the requirements for accreditation set forth in this subpart.”

Comments: *OC’s organic system plan forms do not demonstrate that OC fully complies with the requirements of 205.201(a)(6). The organic system plans and associated forms include questions about export to other countries, but do not include questions about import activities. There is no consistent way to verify whether specific requirements for imported organic ingredients and products are being met.*

Corrective Action: OC updated the handler inspection report template to include a question and inspector comment box regarding whether the operation imports ingredients or products and from which countries. In addition, a handler OSP addendum has been developed for handlers who are importing. This addendum is completed by the operator and verified for compliance by the inspector during the inspection. This corrective action was presented at the 2020 Annual Training that occurred on 9/24/2020. A copy of the updated handler inspection report template, the handler OSP addendums for each specific country, “Handler OSP Addendum: International Trade Partners”, and the training agenda was submitted.

AIA-1477-20 – Accepted. 7 C.F.R. §205.663 states, “Any dispute with respect to denial of certification or proposed suspension or revocation of certification under this part may be mediated at the request of the applicant for certification or certified operation and with acceptance by the certifying agent. Mediation shall be requested in writing to the applicable certifying agent... If mediation is unsuccessful, the applicant for certification or certified operation shall have 30 days from termination of mediation to appeal the certifying agent's decision pursuant to § 205.681...”

Comments: *OC does not always require its operations to request mediation in writing. The auditor’s review of mediation requests accepted by OC and interviews with certification staff found that OC accepts verbal requests for mediation.*

Corrective Action: OC had understood that requests for informal mediation could be requested verbally. They now understand that all mediation requests must be in writing. OC's procedures already required mediation requests in writing and a training memo entitled "Informal Request for Mediation" was sent to the relevant staff members informing them of the requirements. This topic was added to OC's annual training agenda. The training was carried out on 9/24/2020. A copy of the training memo was submitted as was the annual training agenda, which listed this training item.

NATIONAL ORGANIC PROGRAM: CORRECTIVE ACTION REPORT

AUDIT AND REVIEW PROCESS

An onsite renewal assessment of Organic Certifiers' organic program was conducted on July 11-14, 2017. The National Organic Program (NOP) reviewed the auditor's report to assess Organic Certifiers' compliance to the USDA organic regulations. This report provides the results of NOP's assessment.

GENERAL INFORMATION

Applicant Name	Organic Certifiers (OC)
Physical Address	1033 Cindy Lane, Carpinteria, CA 93013
Mailing Address	6500 Casitas Pass Rd, Ventura, CA 93001
Contact & Title	Susan Siple, Executive Director
E-mail Address	susan@occert.com
Phone Number	(805) 684-6494
Reviewer(s) & Auditor(s)	Graham Davis, NOP Reviewer; Lars Crail and Rebecca Claypool, On-site Auditors.
Program	USDA National Organic Program (NOP)
Review & Audit Date(s)	Corrective actions review: March 10, 2018 NOP assessment review: August 23, 2017 Onsite audit: July 11-14, 2017
Audit Identifier	NP7193LCA
Action Required	None
Audit & Review Type	Renewal Assessment
Audit Objective	To evaluate the conformance to the audit criteria; and to verify the implementation and effectiveness of OC's certification system.
Audit & Determination Criteria	7 CFR Part 205, National Organic Program as amended
Audit & Review Scope	OC's certification services in carrying out the audit criteria during the period: June 26, 2014 through July 11, 2017

OC is a for profit business that was initially accredited by the NOP on April 29, 2002, for the scopes of crop, livestock, wild crops, and handling/processing. OC certifies 966 operations in the USA, Mexico, Slovenia, Philippines, Indonesia, and Colombia. OC certifies two grower groups located in the Philippines and Indonesia. All certification activities are carried out of the main office in Carpinteria, CA.

OC's certification program staff consists of an Executive Director, a Quality Systems Manager, a Financial Officer, an Inspection Supervisor, 9 Certification Specialists, 4 Final Reviewers, and 15 contract inspectors.

Three witness audits were conducted during the onsite assessment. Witness audits of an annual inspection of a crops and livestock operation; an unannounced inspection of a handling operation; and an unannounced inspection of a crops operation were conducted.

NOP DETERMINATION:

NOP reviewed the onsite audit results to determine whether OC's corrective actions adequately addressed previous noncompliances. NOP also reviewed any corrective actions submitted as a result of noncompliances issued from Findings identified during the onsite audit.

Non-compliances from Prior Assessments

Any noncompliance labeled as "**Cleared**," indicates that the corrective actions for the noncompliance are determined to be implemented and working effectively. Any noncompliance labeled as "**Outstanding**" indicates that either the auditor could not verify implementation of the corrective actions or that records reviewed and audit observations did not demonstrate compliance. Any noncompliance labeled as "**Accepted**" indicates acceptance of the corrective actions and verification of corrective action implementation will be conducted during the next onsite audit.

NP4155ADA.NC1 – Cleared

Non-compliances Identified during the Current Assessment

NP7193LCA.NC1 – Accepted. 7 C.F.R. §205.401(a) states "A person seeking certification of a production or handling operation under this subpart must submit an application for certification to a certifying agent. The application must include the following information: An organic production or handling system plan, as required in §205.200;"

Comments: *The Site Information form used by livestock operators for certification of pasture does not include all the requirements of an Organic Systems Plan (OSP). Organic Certifiers do not require all livestock operators with only pasture to complete the crops OSP. Alternatively, operators complete a Site Information form. The Site Information form does not address all aspects required in a crops OSP such as monitoring practices and procedures 205.201(a)(3), description of the records 205.201(a)(4), or equipment cleaning practices 205.201(a)(5).*

2017 Corrective Actions: OC revised their site information form to include all necessary information. OC sent a memo to all of their staff on October 16, 2017 informing them of the update to the site information form. OC plans to re-review the updated form with staff during their annual training in the spring of 2018.

NP7193LCA.NC2 – Accepted. 7 C.F.R. §205.501(a)(21) states, “A private or governmental entity accredited as a certifying agent under this subpart must:… Comply with, implement, and carry out any other terms and conditions determined by the Administrator to be necessary.” NOP 2603 *Organic Certificates*, Section 3.1, Elements of the Organic Certificate, states that certificates should include the statement “Once certified, a production or handling operation’s organic certification continues in effect until surrendered, suspended or revoked.”

Comments: *OC’s certificate template states “Certification continues in effect until surrendered by the organic operation or suspended or revoked by Organic Certifiers, the State organic program’s governing State official, or the AMS Administrator” rather than “Once certified, a production or handling operation’s organic certification continues in effect until surrendered, suspended or revoked”.*

2017 Corrective Actions: OC revised their organic certificate template to include the correct statement. The new template has replaced the old one in their web based system that is used to generate and issue certificates.

NP7193LCA.NC3 – Accepted. 7 C.F.R. §205.501(a)(21) states, “A private or governmental entity accredited as a certifying agent under this subpart must:… Comply with, implement, and carry out any other terms and conditions determined by the Administrator to be necessary.” NOP 2609 *Unannounced Inspections* section 4.1.9 states “An unannounced inspection should not include prior notification of the inspector’s arrival…the certifying agent may notify the operations up to four (4) hours prior to the inspector arriving on-site to ensure that the appropriate representatives are present.”

Comments: *OC provided more than 4 hours’ notice to the two unannounced witness audits conducted during the audit. OC’s work instruction allows inspectors to provide 24 hours’ notice for unannounced inspections.*

2017 Corrective Actions: OC revised their certification procedures manual (C0-00 v7) and their work instruction regarding surveillance (A22 v3) to allow for no more than 4 hours’ notice. OC sent a memo to all of their staff on November 1, 2017 informing them of the procedural update. OC plans to re-review the updated procedure with staff at their annual training in the spring of 2018.

NP7193LCA.NC4 – Accepted. §205.501(a)(21) states, “A private or governmental entity accredited as a certifying agent under this subpart must:… Comply with, implement, and carry out any other terms and conditions determined by the Administrator to be necessary.” NOP 2609 *Unannounced Inspections* section 4.1.7 states “An inspection report must be written by the inspector, sent to the client, reviewed by the certifying agent, and the results communicated to the clients…”

Comments: *OC does not consistently issue unannounced inspection reports to the operators. OC only issues a copy of the unannounced inspection report to the operation if issues/noncompliance are identified.*

2017 Corrective Actions: OC revised their certification procedures manual (C0-00 v7) to require all unannounced inspection reports to be sent to clients. OC revised their unannounced

inspection processing flow chart to require a certification specialist to send unannounced inspection report to the client. OC sent a memo to all of their staff on November 1, 2017 informing them of the procedural update. OC plans to re-review the updated procedure with staff at their annual training in the spring of 2018.

NP7193LCA.NC5 – Accepted. 7 C.F.R. §205.403(d) states, “*Exit interview.* ... The inspector must also address the need for any additional information as well as any issues of concern.”

Comments: *A review of operation files found that inspectors are not consistently citing the regulations in the inspection report exit interview - Issues of Concern section.*

2017 Corrective Actions: OC submitted a memo sent to all OC inspectors on November 1, 2017 informing them that inspectors are required to provide regulatory citations where necessary and possible. Inspectors are also to cite the appropriate regulation(s) on exit interview forms when there are issues of concern.

NP7193LCA.NC6 – Rebuttal accepted

NATIONAL ORGANIC PROGRAM REPORT

AUDIT AND REVIEW PROCESS

An onsite mid-term assessment of the Organic Certifiers (OC) organic program was conducted on June 4 – 26, 2014. The National Organic Program (NOP) reviewed the auditor's report to assess OC's compliance to the USDA organic regulations. This report provides the results of NOP's assessment.

GENERAL INFORMATION

Applicant Name:	Organic Certifiers (OC)
Physical Address:	1033 Cindy Lane, Carpinteria, CA 93013
Mailing Address:	6500 Casitas Pass Rd, Ventura, CA 93001
Contact & Title:	Susan Siple, Executive Director
E-mail Address:	susan@occert.com
Phone Number:	(805) 684-6494
Reviewer(s) and Auditor(s):	Renée Gebault King, NOP Reviewer; Nikki Adams, Onsite Lead Auditor.
Program:	USDA National Organic Program (NOP)
Review and Audit Date(s):	NOP Review date: August 28, 2014 Onsite assessment date: June 4, 2014; June 24 – 26, 2014
Audit Identifier:	NP4155ADA
Action Required:	Yes
Audit and Review Type:	Mid-term (12.5 year) Assessment
Audit Objective:	To evaluate the conformance to the audit criteria; and to verify the implementation and effectiveness of OC's certification system.
Audit and Determination Criteria:	7 CFR Part 205, National Organic Program as amended

OC is a for-profit business that is currently approved as a certifying agent to the USDA NOP for the scopes of crops, wild crops, livestock, and handling operations. OC's certification program staff consists of an Executive Director, a Quality Systems Manager, a Financial Officer, an Inspection Supervisor, nine Certification Specialists, four Final Reviewers and 15 contract inspectors. OC has an advisory board with six members (with five having voting power) but only provides guidance and does not make any certification decisions.

The OC client list as of January 1, 2014, had approximately 791 certified clients, which included 465 crop, 36 livestock, 1 wild crop, and 268 handling operations certified to the NOP. Of the handlers, 132 were processors, 30 were distributors and 6 were traders. OC has certified operations in the USA, Mexico, Canada, South Korea and the Philippines. OC has only one certified grower group (for crops), which is located in the Philippines. All certification activities

are carried out of the main office in Carpinteria, CA. Various staff and contracted employees operate from home offices; however, all information is maintained in a central electronic database or in hard copy at the Carpinteria office. In addition to the USDA NOP, OC is also accredited to provide organic certification according to the Canada Organic Regime (COR) and the EU Regulations. OC has procedures and inspection forms to verify conformance to these additional standards and verify the differences to the USDA NOP Final Rule.

NOP DETERMINATION:

NOP reviewed the onsite audit results to determine whether OC's corrective actions adequately addressed previous noncompliances. NOP also reviewed any corrective actions submitted as a result of noncompliances issued from Findings identified during the onsite audit.

Non-compliances from Prior Assessments

Any noncompliance labeled as "**Cleared**," indicates that the corrective actions for the noncompliance are determined to be implemented and working effectively. Any noncompliance labeled as "**Outstanding**" indicates that either the auditor could not verify implementation of the corrective actions or that records reviewed and audit observations did not demonstrate compliance.

NP2117ZZA.NC1 – Cleared

NP2117ZZA.NC2 – Cleared

NP2117ZZA.NC3 – Cleared

NP2117ZZA.NC4 – Cleared

NP2117ZZA.NC5 – Cleared

NP2117ZZA.NC6 – Cleared

NP2117ZZA.NC7 – Cleared

AIA12134LMC.NC1 – Cleared

AIA12134LMC.NC2 – Cleared

Non-compliances Identified during the Current Assessment

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

NP4155ADA.NC1 – Accepted – 7 CFR §205.642 states, "...a certifying agent shall charge applicants for certification and certified production and handling operations only those fees and charges that it has filed with the Administrator." *A review found that there have been six revisions to the fee schedule since the last onsite audit; however, two of these revisions were not submitted to the Administrator. A review of client invoices found that they were charged fees based on these revisions. Additionally, a 25% discount based on loyalty (5 years minimum) is also not included in the fee schedule.* **Corrective Action:** OC submitted a finalized and updated fee schedule, including discount categories. The fee schedule submitted shows two tiers of loyalty discounts that apply to operations with four or more years of certification through OC

and with sales over \$3-5 million. A copy of the memo to staff was also provided, stating which version of the fee schedule was the most current and where staff may find the most current fee schedule in their computer system. Per the memo, staff members were requested to delete or archive older versions of the fee schedule. The Quality Manager is the designated person responsible for submitting the current or updated fee schedule to the NOP Administrator.

AUDIT INFORMATION

Applicant Name:	Organic Certifiers
Est. Number:	N/A
Physical Address:	1010 Cindy Lane #12, Carpinteria, CA 93013
Mailing Address:	6500 Casitas Pass Road, Ventura, CA 93001
Contact & Title:	Susan D. Siple, Executive Director
E-mail Address:	susan@organiccertifiers.com
Phone Number:	(805) 684-6494
Auditor(s):	Betsy Rakola, Agricultural Marketing Specialist
Program:	USDA National Organic Program (NOP)
Audit Date(s):	November 19, 2012 – February 27, 2013
Audit Identifier:	NP2117ZZA
Action Required:	No
Audit Type:	Corrective Action Assessment
Audit Objective:	To verify continuing compliance to the audit criteria; and to verify the implementation and effectiveness of corrective actions in addressing the noncompliance identified during the 2009 Deferred and Mid-Term Audit.
Audit Criteria:	7 CFR Part 205, <i>National Organic Program, Final Rule</i> , dated December 21, 2000; updated March 15, 2012.
Audit Scope:	Corrective actions submitted by Organic Certifiers.
Location(s) Audited:	Desk.

The USDA National Organic Program (NOP) conducted a Renewal of Accreditation Assessment of Organic Certifiers (OC) from April 26 – May 4, 2012. The NOP issued OC a Notice of Noncompliance based on the findings from this assessment on June 18, 2012. On July 18, 2012 and January 3, 2013, OC submitted proposed corrective actions for review. The NOP Accreditation Committee considered these corrective actions on February 27, 2013 and recommended that the NOP renew OC's accreditation as a USDA organic certifying agent.

GENERAL INFORMATION:

Organic Certifiers is a corporation operating as a for-profit business and was accredited as a certifying agent by the National Organic Program (NOP) on April 29, 2002 for crops, wild crops, livestock, and handling operations. The Organic Certifiers' client list as of May 4, 2012 had 519 crop, 1 (crop) grower group, 1 wild crop, 40 livestock, and 264 handling operations certified to the NOP. Five of the handling operations are certified as traders only. Organic Certifiers has certified operations in the USA, Mexico,

Chile, Indonesia, Korea, Papua New Guinea, and the Philippines. The one grower group is located in the Philippines. In addition to the USDA NOP, Organic Certifiers is also accredited to provide organic certification according to the Canada Organic Regime (COR), Japanese Agricultural Standards (JAS/MAFF), and EU Regulations.

The Organic Certifiers office is located in Carpinteria, CA and all certification activities are finalized in this office. Various staff and contracted employees operate from home offices; however, all information is maintained in a central electronic database or in hard-copy at the Carpinteria office.

FINDINGS

Observations made, interviews conducted, and procedures and records reviewed verified that Organic Certifiers is currently operating in compliance with the requirements of the audit criteria, except as noted in the noncompliances below. The corrective actions for the one noncompliance identified during the 2009 Deferred and Mid-Term Audit were verified and found to be implemented and effective; therefore, the noncompliance was cleared. Seven noncompliances were identified during the renewal assessment.

NP9160BBA.NC1 – Cleared

NP2117ZZA.NC1 – Accepted. NOP §205.406(c) states, “If the certifying agent has reason to believe, based on the on-site inspection and a review of the information specified in §205.404, that a certified operation is not complying with the requirements of the Act and the regulations in this part, the certifying agent shall provide a written notification of noncompliance to the operation in accordance with §205.662.” *In four of the ten certified operation files reviewed, Organic Certifiers issued a “Notice of Condition(s) of Certification” instead of a Notice of Noncompliance containing all the requirements in §205.662. The Notice of Conditions clearly cited the NOP Rule along with objective evidence of noncompliance and Organic Certifiers was requiring corrective actions; however, Organic Certifiers was not identifying/classifying these as noncompliances. Organic Certifiers has issued Notices of Noncompliance for failure to pay fees, failure to submit annual updates, and failure to meet other NOP requirements.*

Corrective Action: Organic Certifiers reviewed past “Notice of Conditions letters” and determined that most letters communicated a request for more information. Therefore, OC revised its “Decision on Certification” letter template, which only includes options for “Notice of Noncompliance Attached” or “Request for More Information.” The latter would only address minor missing information and must be completed within 30 days of issuance of the notice. Failure to respond to a Request for More Information would result in a Notice of Noncompliance. OC trained staff on the difference between noncompliances, requests for more information, and reminders. OC will use the 2003 NOSB Accreditation Committee examples of Noncompliances as a guide for future communications, and OC has also incorporated the NOP 2612 Penalty Matrix into their procedures by distributing it to qualified staff. OC will conduct training on the matrix at its next annual training in April 2013.

NP2117ZZA.NC2 – Accepted. NOP §205.405(a) states, “...The notification of noncompliance shall provide: (1) A description of each noncompliance; (2) The facts upon which the notification of noncompliance is based.” *In the case of the two certification denials issued by Organic Certifiers since the last assessment, both notifications of noncompliance only referenced the failure of the operator to respond*

to the notice of conditions previously issued to them. The notifications of noncompliance did not specifically cite the applicable regulation or the facts upon which the noncompliances were based. The notifications did correctly specify the date that the operations were required to respond. **Corrective Action:** OC updated its Notice of Noncompliance template to include the date by which the operator must respond to the Notice and the regulatory citation on which the Notice was based. The template prompts staff to include all the required elements of a Notice of Noncompliance. OC provided training to staff on July 6, 2012.

NP2117ZZA.NC3 – Accepted. NOP §205.403(e)(1) states, “At the time of the inspection, the inspector shall provide the operation’s authorized representative with a receipt for any samples taken by the inspector.” *Organic Certifiers had recently collected samples at one operation. There was no indication or documented evidence that the inspector provided the operation with a receipt for the samples obtained during the inspection. The Chain of Custody document indicated the operator was present during the sampling event, but it was not possible to verify that a copy of the document was provided to the operator as a receipt. During the audit, Organic Certifiers revised their Chain of Custody form to include an operator’s signature line and instructions for the operator to receive a copy of the document.* **Corrective Action:** OC submitted its new Sample Collection Policy, which outlines the policy for sample-taking and requires inspectors to provide a receipt to the operator for all samples taken. The policy also requires inspectors to provide a copy of this receipt to OC with their inspection reports. OC reviewed the procedure with staff and inspectors during their annual training, including USDA sampling instructions and extensive crop-by-crop sampling specifications. A copy of the Chain of Custody form will serve as a receipt.

NP2117ZZA.NC4 – Accepted. NOP §205.504(b)(6) states, “A private or governmental entity seeking accreditation as a certifying agent must submit the following documents and information to demonstrate its expertise in organic production or handling techniques...A copy of the procedures to be used for sampling and residue testing pursuant to §205.670.” *Organic Certifiers’ sampling and residue testing policies and procedures (Article 10 of the Quality System Manual, Part 1, Certification Procedures) are incomplete and do not comply with §205.670. For example, the requirement that, “the certifying agent must promptly report such data to the Federal health agent whose regulatory tolerance or action level has been exceeded” is not stated. Another example is the absence of procedures for §205.671 Exclusion From Organic Sale, which states that notification is required “If testing detects prohibited substances at levels that are greater than 5 percent of the EPA tolerance levels.” Despite the absence of written procedures, the one sample event that occurred complied with the NOP regulations.* **Corrective Action:** OC revised Section 10 of their quality manual to reference §§205.670-671 of the USDA organic regulations. Section 10.8, *Reporting*, states that residues which exceed the FDA and EPA tolerances will trigger reporting to a Federal health agency. When residue testing detects prohibited substances at levels that are greater than 5 percent of the Environmental Protection Agency’s tolerance for the specific residue detected or unavoidable residual environmental contamination, Organic Certifiers will issue a Notice of Noncompliance and a Notice of Exclusion From Sale, which includes a statement that the operation’s agricultural product must not be sold, labeled, or represented as organically produced and that, furthermore, civil penalties will be applied. A new template, “Notice of Exclusion from Organic Sale,” served as objective evidence of this policy, along with a revision to the certification manual. OC will also investigate any such residue testing results to determine the source of the prohibited substance.

NP2117ZZA.NC5 – Accepted. NOP §205.501(a)(21) states, “A private or governmental entity accredited as a certifying agent under this subpart must: comply with, implement, and carry out any other terms and conditions determined by the Administrator to be necessary.” Issuance of Export Certificates under an Export Arrangement with Taiwan (April 16, 2009) section 1.04 states, “To be authorized to issue export certificates, a USDA accredited certifying agent must: 1. Incorporate the compliance requirements of the applicable export arrangement into its quality manual under the heading “Requirements for export of U.S. organic raw and processed agricultural products to (insert country name)”. *Organic Certifiers has not incorporated the compliance requirements for issuance of export certificates for Taiwan into their Quality Manual. Organic Certifiers has the compliance requirements for Japan in their Quality Manual and had a copy of the requirements for Taiwan; however, the requirements for Taiwan had not been added to their Quality Manual. Organic Certifiers issued 28 TM-11s for Taiwan in 2011 and 6 so far in 2012. A review of the TM-11s issued for Taiwan verified they were in compliance to the requirements and contained the correct compliance statement.* **Corrective Action:** OC added Section 7.01.02 to its quality manual to incorporate the required criteria for exporting organic product to Taiwan under the U.S. export arrangement. OC also submitted its “Verification of Compliance with USDA/Taiwan Export Arrangement form” as evidence of ongoing control measures.

NP2117ZZA.NC6 – Accepted. NOP §205.501(a)(21) states, “A private or governmental entity accredited as a certifying agent under this subpart must: Comply with, implement, and carry out any other terms or conditions determined by the Administrator to be necessary.” NOP Policy Memo (PM) 11-10 (dated 1/21/11) states, “accredited certifying agents should use the National Organic Standards Board (NOSB) recommendations of October 2002 and November 2008 as the current policies.” NOSB Recommendation, November 2008, section III.D requires, “...all new entrants to a production unit must be inspected in their first year with the group...Once the annual sampling percentage rate is determined by the ACA, the highest risk sub-units are identified and inspected. Of the remaining sample to be inspected annually, at least 25% of these the sub-units should be selected at random.” *Organic Certifiers’ grower group procedure (QSM, Part III EU Standards, Article 6 Smallholder Groups) does not specify mandatory inspection of new entrants into the production unit by Organic Certifiers or address the requirement that “of the remaining sample to be inspected annually, at least 25% of the sub-units should be selected at random.” Interviews with Organic Certifiers found that their stated policy is to inspect all new entrants; however, it was not possible to verify this in the grower group file. Organic Certifiers’ procedures do require the Internal Control System (ICS) to be conducting 100% annual inspections on all producers and inspections on new entrants. Organic Certifiers’ grower group procedure (Article 6.05 #4) specifies the criteria used to determine and select high-risk producers; however, the grower group inspection report and supplemental documentation did not document which operations were selected as high risk operations or the method used to select the remaining operations. Without this information, it was not possible to verify that at least 25% of the remaining sub-units were selected at random. Organic Certifiers’ grower group procedure (Article 6.05 #5) states, “Random selection of operators will be the most common selection factor...” and the Executive Director confirmed this was the policy; however, it was not possible to interview the inspector (no longer employed by Organic Certifiers) and the previous inspection report had insufficient information to verify compliance.* **Corrective Action:** OC updated

their Certification Manual to require all new grower group operations to have an external inspection in their first year of membership. OC will apply a risk rating to the group to determine the sampling rate and will then identify the highest risk operators to be inspected. 25% of the remaining sample of operations to be inspected will be selected at random. The Grower Group Application was modified to include a question on whether any new growers have been added to the group. If so, the form requests the names and fields/parcels so that the inspector may identify them prior to inspection. Additionally, the Grower Group Internal Control System Compilation Record lists all growers in the group and the year in which they entered the group, allowing another method of verifying new entrants. OC also developed a grower group inspection worksheet, which includes a section for the members to be inspected at random.

NP2117ZZA.NC7 – Accepted. NOP §205.403(a)(1) states, “...An on-site inspection shall be conducted annually thereafter for each certified operation that produces or handles organic products...” *Twenty-four of forty livestock operations certified by Organic Certifiers did not have an annual inspection in 2011. Eight of the operations were dairies that had their last inspection in November or December 2010 and all these inspections were completed at the end of April and first week in May 2012. Sixteen of the operations were poultry operations (individually certified but contracted by the same company) in Missouri that were last inspected in November 2010 and these inspections are scheduled to be completed the week of May 7th, 2012. Organic Certifiers hired (contracted) an organic livestock specialist in Missouri in December 2011 to assist them in revising their livestock OSPs, inspection checklists, and other livestock certification documents; however, most of the work was completed in February-April 2012. Because of the numerous changes to their livestock certification procedures, documents, etc., Organic Certifiers decided to delay these dairy and poultry inspections until the document revisions were completed, updated reviewer/inspector training was completed, and OSPs in the new format could be submitted by the certified operations. The organic livestock specialist from Missouri conducted the dairy inspections, including the NOP witness audit, over the past two weeks and will be conducting the poultry inspections next week. There are four additional poultry operations in Missouri, contracted by the same company as the referenced sixteen, that were due for an inspection in March-April 2012 and Organic Certifiers stated they also delayed the inspections so that all could be inspected during the same time-frame. Organic Certifiers issued letters of good standing to all affected operations and will issue updated certificates after the completion of the inspections and final review process. **Corrective Action:** OC’s livestock inspection program was overhauled significantly in 2011, and most of the changes were implemented in 2012. OC:*

- Hired a new manager for their livestock department, who has since oriented and trained staff;
- Conducted a compliance analysis of its livestock program to the USDA organic regulations;
- Made changes to its livestock OSP and application forms, implementing the new forms on January 1, 2012; and
- Implement the new procedures as quickly as possible to account for the delays in inspection and other certification tasks that occurred during the transition phase.

OC inspected all of its certified livestock operations by January 7, 2013. All poultry inspections were performed in May 2012 to bring them back into the annual cycle. OC did not note any major

noncompliances for the operations which had gone more than 18 months without inspections. OC now conducts monthly audits of their certification process to ensure that all initial reviews, inspections, and final reviews are completed in a timely manner.



**Livestock and Seed Program
Audit, Review, and Compliance Branch
Quality System Audit Report**

AUDIT INFORMATION

Applicant Name:	Organic Certifiers
Est. Number:	N/A
Physical Address:	6500 Casitas Pass Road, Ventura, CA 93001
Mailing Address:	6500 Casitas Pass Road, Ventura, CA 93001
Contact & Title:	Susan D. Siple, Executive Director
E-mail Address:	susan@organiccertifiers.com
Phone Number:	805-684-6494
Auditor(s):	Martin Friesenhahn
Program:	USDA National Organic Program (NOP)
Audit Date(s):	September 30, 2009
Audit Identifier:	NP9160BBA
Action Required:	No
Audit Type:	Corrective Action Audit
Audit Objective:	To verify that corrective actions adequately address the non-compliance from the on-site Deferred and Mid-Term Audit.
Audit Criteria:	7 CFR Part 205, National Organic Program, Final Rule, dated December 21, 2000; updated May 14, 2009
Audit Scope:	The company's submitted corrective actions.
Location(s) Audited:	Desk

The National Organic Program (NOP) requested corrective actions from Organic Certifiers in a letter dated July 2, 2009. Organic Certifiers submitted the corrective actions dated July 22, 2009, for the non-compliance identified during the on-site Deferred and Mid-Term Audit conducted June 9–12, 2009.

FINDINGS

Organic Certifiers submitted corrective actions that adequately addressed the non-compliance identified during the Deferred and Mid-Term Audit.

NP9160BBA.NC1 - Adequately Addressed - NOP § 205.404(b) states, "The certifying agent must issue a certificate of organic operation which specifies the: (2) Effective date of certification; and (3) categories of organic operation..." In addition, NOP § 205.406(d) states, "If the certifying agent determines that the certified operation is complying ...and that any of the information specified on the certificate of organic operation has changed, the certifying agent must issue an updated certificate..." *The effective date on one crop certificate observed included a date prior to 2002 or when the NOP Rule went into effect. The*



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*certificates for livestock operations did not include a category for crops or any reference to the pasture or land areas certified. The certificates that were updated or revised did not include the revision dates or when they were updated. **Corrective Action:** Organic Certifiers will change the effective date of the crop certificate to April 29, 2002 upon reissuance of the client's certificate. Organic Certifiers conducted an internal review of the livestock files and as of June 8, 2009 revised the livestock certificates to include the land areas, pastures, and crops relevant to the grazing and feeding of the animals. Organic Certifiers also submitted a revised certificate that they started using August 1, 2009 that now includes the Date of Issuance for certificates that are revised or updated. The revised certificate example also included Livestock/Crops for the Organic Production Category and Beef Cattle/Pasture for the Products.*