



Certifying Agent Accreditation and Agreements with Foreign Governments

The Organic Foods Production Act of 1990 (OFPA) directs the U.S. Department of Agriculture (USDA) to accredit certifying agents so they can certify that producers and handlers representing their products as organic have complied with USDA National Organic Program (NOP) regulations. The NOP's accreditation program establishes requirements an applicant must meet in order to become an accredited organic certifying agent, and procedures and requirements to maintain accreditation. The program is designed to ensure that all organic certifying agents act consistently and impartially. There are 95 private and State organic certifying agents worldwide.

Applicants for accreditation must:

Employ personnel, including inspectors, who have sufficient experience and training in organic production and handling to carry out certification activities.

Demonstrate their ability to certify organic producers and/or handlers; maintain proper records; adequately communicate with producers, handlers, and the public; and communicate with the NOP about decisions made.

Prevent conflicts of interest and maintain strict confidentiality.

Applicants granted accreditation must conduct annual performance appraisals of their inspectors and other personnel involved in the certification process, and have an annual program evaluation of their certification activities.

Accreditation process

Certifying agents apply for accreditation to the Administrator of the Agricultural Marketing Service.

The NOP evaluates the application to ensure that the certifying agent can comply with the NOP requirements, including conducting a site evaluation at the applicant's place of business. The site evaluator's report is reviewed by NOP staff. Accreditation is for 5 years, and applications for renewal of accreditation are due 6 months prior to expiration of the accreditation. Certifying agents must submit to the NOP annual updates on their certification activities. The NOP will conduct one or more site evaluations during the period of accreditation to determine compliance with the OFPA and NOP regulations.

Agreements with foreign governments

Certifying agents operating in foreign countries also may apply for USDA accreditation. Foreign applicants will be evaluated based on the same criteria as domestic certifying agents.

In lieu of USDA accreditation, a foreign entity may be recognized when USDA determines that the foreign government can accredit certifying agents as meeting the requirements of the NOP. The NOP has recognition agreements with the following governments: Denmark, India, Israel, New Zealand, United Kingdom, and the Canadian Provinces of British Columbia and Quebec, as well as the Standards Council of Canada. The NOP also has an export arrangement with Japan.

There are also provisions in the NOP regulations to negotiate equivalency agreements between the United States and foreign governments. There are no such agreements at this time.

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