



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

Applicant: Texas Department of Agriculture (TDA)
Program : National Organic Program/Accreditation for Organic Certification
Organizations- Desk Audit
Location(s): Austin, TX
Audit Date(s): January 5- 7, 2004
Audit File Number: NP4005BA
Action Required: Yes
Auditor(s): Martin Friesenhahn
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AUDIT ACTIVITIES

On January 5-7, 2004, a representative of the USDA, AMS, LS Audit, Review, and Compliance (ARC) Branch conducted a review of documentation submitted by the Texas Department of Agriculture (TDA) Organic Certification Program, Austin, TX, for compliance to the USDA, AMS 7 CFR Part 205, National Organic Program (NOP), Final Rule. TDA was granted accreditation to the NOP on April 29, 2002. The initial accreditation documents, annual update documents, the current TDA website, and a telephone interview with the TDA Program Coordinator were used to complete the review.

TDA had applied for accreditation as a State Organic Program with its own Organic Standards that were inconsistent with the NOP Standards. This resulted in outstanding non-compliances. Upon contacting the TDA Program Coordinator, it was found that a new Bill (Statute) was approved by the Texas Legislature to adopt rules (effective 12/14/03) that are consistent with the NOP Standards. The rule is posted on the TDA website and is consistent with the NOP Standards. The NOP Standards (verbatim) are also provided as a link on the TDA website.

FINDINGS

The files and information submitted by TDA were found to comply with NOP requirements except as noted in the non-compliances. The information on this review was consistent with the information listed in the initial accreditation report (**NP2115RA**). Three continuous improvement point (CIP) non-compliances were identified during this review.

Non-compliances

NP4005BA.NC1-CIP-205.501 (a)(7)- General requirements for accreditation- Have an annual program review of its certification activities conducted by...*The information on conducting annual program reviews was not found in the documentation submitted by TDA.*

NP4005BA.NC2-CIP-205.501 (a)(8)- General requirements for accreditation- Provide sufficient information to persons seeking certification to enable them to comply with the applicable requirements of the Act... *The previous certifications were based on the TDA Organic Standards (similar to the NOP Standards). The TDA organic inspection reports and evaluation documents referred to the TDA Organic Standards instead of the NOP Standards.*

NP4005BA.NC3-CIP-205.501 (a)(11)(v)- General requirements for accreditation- Requiring all persons who review applications for certification, perform on-site inspections, review certification documents, ...or make certification decisions...to complete an annual conflict of interest disclosure report. *The requirement was found for completing conflict of interest reports but not the requirement for completing them annually.*

RECOMMENDATIONS

I recommend that TDA's accreditation be continued with surveillance by appropriate members of the USDA with the condition that the non-compliances are addressed by the TDA in a timeframe specified by the NOP. The initial on-site audit of the TDA Organic Certification Program should be conducted in the next several months for verification of compliance to the NOP Rule and that the clients of TDA are being provided with the NOP Standards.