

Proposed Livestock Violation and Enforcement Matrix

Types of Violations	Certification Action - Private or State Organic Certification Agencies	Enforcement Action - State Organic Program, Dept. of Ag, or Attorney General	Enforcement Action - NOP, AMS, or Secretary of USDA
Minor violations			
First time violation - e.g. record keeping weak, inadequate plan, lack of animal source history, lack of understanding of standards, lack of appropriate audit trail	Rejection of application, conditions on certificate, Notice of non-compliance, suspension or termination of certificate, denial of certificate Notice of suspension or denial reported by certifier	Notice of violation Notice of Violation Reported by Certifier	
Failure to pay fees	Notice of non-compliance, suspension or termination of certificate, denial of certificate Notice of suspension or denial reported by certifier	Notice of violation Notice of Violation Reported by Certifier	
Moderate violations			
Second time violation of any minor infraction	Notice of non-compliance, suspension of	Notice of violation Notice of Violation Reported by Certifier	Possible investigation, fines, public disclosure, stop sales,

<p>Failure to maintain records for period appropriate to lifespan of animal</p> <p>Failure to keep records of animal sources, feed and medications, appropriate audit trail</p> <p>Failure to meet 12 month requirement for dairy, other (from Rule) timeframe requirements for other animals/products</p> <p>Failure to implement Organic Plan requirements</p> <p>Mixed Crop/Livestock Operation not conducted by same producer.</p>	<p>certificate, denial of certificate</p> <p>Notice of suspension or denial reported by certifier</p>	<p>Possible investigation, fines, public disclosure, stop sales, and/or cease and desist, if product is marketed as organic</p>	<p>and/or cease and desist, if product is marketed as organic</p>
--	---	---	---

rious violations			
<p>Use of prohibited materials, feed, medications</p> <p>Commingling or contamination of</p>	<p>Notice of non-compliance, suspension or repeal of certificate</p> <p>Disqualification of</p>	<p>Investigation, fines, public disclosure, stop sales, and/or cease and desist, if product is marketed as organic</p>	<p>Possible investigation, fines, public disclosure, stop sales, and/or cease and desist, if product is marketed as</p>

<p>organic products</p> <p>No appropriate audit trail</p> <p>Product contains residues in excess of unavoidable residual environmental contamination(?) medications, other?</p> <p>Making a false statement</p> <p>Refuse access to information or records</p> <p>Denial of access to pasture</p>	<p>operation for up to 5 years</p> <p>Notice of suspension or repeal of certificate reported by certifier</p>		<p>organic</p>
<p>Non-certified product makes organic claims (including retailers who process "organic" products without certification)</p> <p>Violation of stop sale or cease and desist order</p>	<p>Notice of suspension or denial reported by certifier</p> <p>None</p>	<p>Investigation, fines, public disclosure, stop sales, and/or cease and desist, if product is marketed as organic</p> <p>Investigation, fines, public disclosure, stop sales, and/or cease and desist, if product is marketed as organic</p>	<p>Possible investigation, fines, public disclosure, stop sales, and/or cease and desist, if product is marketed as organic</p> <p>Possible investigation, fines, public disclosure, stop sales, and/or cease and desist, if product is marketed as organic</p>

Proposed Violation and Enforcement Matrix Crops and Handling

Types of Violations	Certification Action - Private or State Organic Certification Agencies	Enforcement Action - State Organic Program, Dept. of Ag, or Attorney General	Enforcement Action - NOP, AMS, or Secretary of USDA
Minor violations			
First time violation - e.g. record keeping weak, inadequate farm or handling plan, lack of field history, lack of understanding of standards	Rejection of application, conditions on certificate, Notice of non-compliance, suspension of certificate, denial of certificate Notice of suspension or denial reported by certifier		
Failure to pay fees	Notice of non-compliance, suspension of certificate, denial of certificate Notice of suspension or denial reported by certifier		
Moderate violations			
Second time violation of any minor infraction	Notice of non-compliance,	Possible investigation, fines, public disclosure, stop	Possible investigation, fines, public disclosure, stop

<p>Failure to maintain records for 2 years</p> <p>Failure to keep records of applied materials</p> <p>Failure to implement Organic Plan requirements</p>	<p>suspension of certificate, denial of certificate</p> <p>Notice of suspension or denial reported by certifier</p>	<p>sales, and/or cease and desist, if product is marketed as organic</p>	<p>sales, and/or cease and desist, if product is marketed as organic</p>
--	---	--	--

<p>rious violations</p>			
<p>Application of prohibited materials to organic crops</p> <p>Commingling or contamination of organic products</p> <p>Product contains residues in excess of unavoidable residual environmental contamination</p> <p>Mislabeled products; fails to meet 95% or other label requirements</p>	<p>Notice of non-compliance, suspension or repeal of certificate</p> <p>Disqualification of operation for up to 5 years</p> <p>Notice of suspension or repeal of certificate reported by certifier</p>	<p>Investigation, fines, public disclosure, stop sales, and/or cease and desist, if product is marketed as organic</p>	<p>Possible investigation, fines, public disclosure, stop sales, and/or cease and desist, if product is marketed as organic</p>

Making a false statement			
Refuse access to operation ords			
Non-certified product makes organic claims (including retailers who process "organic" products without certification)	None	Investigation, fines, public disclosure, stop sales, and/or cease and desist, if product is marketed as organic	Possible investigation, fines, public disclosure, stop sales, and/or cease and desist, if product is marketed as organic
Violation of stop sale or cease and desist order	None	Investigation, fines, public disclosure, stop sales, and/or cease and desist, if product is marketed as organic	Possible investigation, fines, public disclosure, stop sales, and/or cease and desist, if product is marketed as organic