



## Annual Update of NOP Accredited Certifying Agents Checklist

Name of Company:

Name of Contact Person:

Phone number of contact person:

Email address of contact person:

§ 205.510 (a) requires that accredited certifying agents must submit an annual report and fee to the Administrator on or before the anniversary date of the issuance of the notification of accreditation.

§ 205.510 (a)(1) requires that the report contain a complete and accurate update of information submitted pursuant to §§ 205.503 and 205.504, listed below.

### § 205.503, Applicant information

Have there been any changes during the past year by the accredited certifying agent in the following areas? If changes have been made, the updated information must be provided.

(a) The business name, primary office location, mailing address, name of the person(s) responsible for the certifying agent's day-to-day operations, contact numbers (telephone, facsimile, and Internet address) of the applicant, and, for an applicant who is a private person, the entity's taxpayer identification number.

(b) The name, office location, mailing address, and contact numbers (telephone, facsimile, and Internet address) for each of its organizational units, such as chapters or subsidiary offices, and the name of a contact person for each unit.

(c) Each area of operation (crops, wild crops, livestock, or handling) for which accreditation is requested and the estimated number of each type of operation anticipated to be certified annually by the applicant along with a copy of the applicant's schedule of fees for all services to be provided under these regulations by the applicant.

(d) The type of entity the applicant is (e.g., government agricultural office, for-profit business, not-for-profit membership association).

(1) For a governmental entity, a copy of the official's authority to conduct certification activities under the Act and the regulations in this part.

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(2) For a private entity, documentation showing the entity's status and organizational purpose, such as articles of incorporation and by-laws or ownership or membership provisions, and its date of establishment.

(e) A list of each State or foreign country in which the applicant currently certifies production and handling operations and a list of each State or foreign country in which the applicant intends to certify production or handling operations.

*§ 205.504 Evidence of expertise and ability.*

To become an accredited certifying agent, a private or governmental entity submitted documents and information to demonstrate its expertise in organic production or handling techniques; its ability to fully comply with and implement the organic certification program established in subparts B, C, D, E, and G; and its ability to comply with the requirements for accreditation set forth in subpart F.

Have any changes been made to the application with regard to compliance with the above-mentioned subparts? If so, the changes must be identified and updated documents must be provided.

Also include changes in the following, as applicable:

(a) Personnel. (1) A copy of the policies and procedures for training, evaluating, and supervising personnel;

(2) The name and position description of all personnel to be used in the certification operation, including administrative staff, certification inspectors, members of any certification review and evaluation committees, contractors, and all parties responsibly connected to the certifying agent;

(3) A description of the qualifications, including experience, training, and education in agriculture, organic production, and organic handling, for:

(i) Each inspector to be used and

(ii) Each person designated to review or evaluate applications for certification; and

(4) A description of any training that has been provided or is intended to be provided to personnel to ensure that they comply with and implement the requirements of the Act and the regulations in this part.

(b) Administrative policies and procedures. (1) A copy of the procedures used to evaluate certification applicants, make certification decisions, and issue certification certificates;

(2) A copy of the procedures used for reviewing and investigating certified operation compliance with the Act and the regulations in this part and the reporting of violations of the Act and the regulations in this part to the Administrator;

(3) A copy of the procedures used for complying with the recordkeeping requirements set forth in § 205.501(a)(9);



(4) A copy of the procedures used for maintaining the confidentiality of any business-related information as set forth in § 205.501(a)(10);

(5) A copy of the procedures used, including any fees to be assessed, for making the following information available to any member of the public upon request:

(i) Certification certificates issued during the current and 3 preceding calendar years;

(ii) A list of producers and handlers whose operations it has certified, including for each the name of the operation, type(s) of operation, products produced, and the effective date of the certification, during the current and 3 preceding calendar years;

(iii) The results of laboratory analyses for residues of pesticides and other prohibited substances conducted during the current and 3 preceding calendar years; and

(iv) Other business information as permitted in writing by the producer or handler; and

(6) A copy of the procedures used for sampling and residue testing pursuant to § 205.670.

(c) Conflicts of interest. (1) A copy of procedures implemented to prevent the occurrence of conflicts of interest, as described in § 205.501(a)(11).

(2) A conflict of interest disclosure report for 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. The report must identify any food- or agriculture-related business interests, including business interests of immediate family members, that cause a conflict of interest

(d) Current certification activities. An applicant who currently certifies production or handling operations must submit: (1) A list of all production and handling operations currently certified by the applicant;

(2) Copies of at least 3 different inspection reports and certification evaluation documents for production or handling operations certified by the applicant during the previous year for each area of operation for which accreditation is requested;

*GUIDANCE: This should include 3 files for each area in which accreditation has been granted, as applicable: crop, livestock, wild crop and handling. Each file should include all of the documents used to make the most recent certification or update of certification decision.*

(3) The results of any accreditation process of the applicant's operation by an accrediting body during the previous year for the purpose of evaluating its certification activities.

(e) Other information. Any other information that may assist in the Administrator's evaluation of the agent's expertise and ability.



§ 205.510 (a)(2) allows a certifying agent to change the scope of accreditation (crops, livestock, wild crops, and handling). If a change is requested, information supporting the change must be provided.

*GUIDANCE: This would include evidence that the individuals performing the document review, inspection and certification decision have the expertise necessary to verify compliance to the NOP. It also would include any forms or other documents used in the certification process.*

§ 205.510 (a)(3) addresses outstanding noncompliances from the accreditation audit, the site evaluation or the annual update. A description of the measures implemented in the previous year and any measures to be implemented in the coming year to satisfy them must be provided.

§ 205.510 (a)(4) requires submission of the results of the most recent performance evaluations and annual program review and a description of adjustments to the certifying agent's operation and procedures implemented or to be implemented in response to the performance evaluations and program review included in the report? The proposed changes must satisfy the NOP requirements.

§ 205.510 (a)(1) requires that the fees described in § 205.640(a) be paid.

*GUIDANCE: Fees will be assessed based on the amount of time required to review the updated documents. No fees are due when the reports are submitted.*