



United States Department of Agriculture

Agricultural Marketing Service
National Organic Program

CERTIFICATE OF ACCREDITATION

AMERICERT INTERNATIONAL

1409 NW 36th Place, Gainesville, Florida, 32605, 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 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-22-21**

Effective Date: **7/7/2021**

Renewal Date: **9/4/2024**

Jennifer Tucker, Ph.D.
Deputy Administrator
National Organic Program



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

Certificate No: [USDA-21-24](#)

Effective Date: [09/04/2024](#)

Expiration Date: [09/04/2029](#)

Issue Date: [07/01/2024](#)

Jennifer Tucker, Ph.D.
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National Organic Program

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CERTIFICATE OF ACCREDITATION





National Organic Program
1400 Independence Avenue, SW.
Room 2642-South, STOP 0268
Washington, DC 20250-0268

NATIONAL ORGANIC PROGRAM: AUDIT & CORRECTIVE ACTION REPORT

GENERAL INFORMATION

- **Certifier Name** Americert International, (AI)
- **Physical Address** 1409 NW 36th Place, Gainesville, Florida 32605, U.S.A.
- **Audit Type** Renewal Audit
- **Auditor(s) & Audit Dates** Kelley Belina, Jonathan Surrency, 04/08/2024 to 04/13/2024
- **Audit Identifier** NOP-9-24

CERTIFIER OVERVIEW

The National Organic Program (NOP) conducted an onsite Renewal Audit of Americert International's (AI) USDA organic certification program covering the period October 15, 2021 to April 12, 2024. The purpose of the audit was to verify AI'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 AI personnel, a records audit, and two onsite witness audits. The two witness audits consisted of one annual onsite inspection of a handling operation and one annual onsite inspection of a crops operation; both operations are in Florida.

AI is a for profit company initially accredited on September 4, 2009. AI is accredited to the crops and handling scopes. AI's office is in Gainesville, Florida. AI certifies 118 operations and offers certification services in 12 US states and Puerto Rico. Certification activities are performed by three staff and three contract inspectors.

NOP DETERMINATION:

NOP reviewed the audit results to determine whether AI'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-7919-21 - Cleared

AIA-7921-21 - Cleared.

AIA-7930-21 - Cleared

AIA-7931-21 - Cleared.

AIA-1722-22 – Cleared.

AIA-7918-21 - 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: *AI does not consistently demonstrate the ability to fully comply with the requirements for accreditation. The auditors found that AI has inadequate policies and procedures for the review and approval of material inputs as detailed in **NOP 3012 Interim Instruction Material Review**. AI’s material review policy and procedures do not include clear written instructions outlining the expectations regarding the depth and frequency of the review, and providing clear direction for the evaluation of ingredients, sub-ingredients, processing aids, and manufacturing methodologies at all stages associated with the production of formulated products.*

2022 Corrective Action: AI created a NOP Materials Review Policy Manual (v. 112022) that describes policies and procedures for conducting material reviews. AI also issued Work Instructions on Correction of NOP Accreditation Audit Noncompliances (November 23, 2022) to certification staff and contractors which state the updated policies and procedures are effective immediately. AI will conduct staff training on the new manual in February 2023. AI submitted copies of the manual, work instruction, and training agenda to NOP.

Verification of Corrective Action: The auditors interviewed staff and reviewed AI's “NOP Materials Review Policy Manual,” training attendance records, two multi-ingredient crop input material reviews, and client-submitted material affidavits for non-organic ingredients allowed for use in processed organic products. The auditors verified that AI has adequate policies and procedures for the initial review and approval of material inputs and ingredients, and for the re-review of crop inputs. However, AI does not have a policy for the re-review frequency of allowed non-organic ingredients in processed products, as required by **NOP 3012 Interim Instruction Material Review**.

2024 Corrective Action: AI confirmed that it reviews all non-organic ingredients for compliance on an annual basis, but that it had not previously established a policy on how often it requires updated compliance documentation for non-organic ingredients. On June 27, 2024, AI issued a work instruction for reviewers and inspectors which includes a policy on the allowable age of

documentation used to demonstrate non-organic ingredient compliance. AI now requires that non-organic ingredient compliance documentation must be dated no more than three years prior to the date of review by AI or the date of ingredient purchase by the operation, whichever is earlier in time.

Noncompliances Identified during the Current Assessment and Corrective Actions

AIA-1778-24 - 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: *AI does not appropriately carry out the provisions of the Act and the regulations. The auditors reviewed certification files and identified that AI issued notifications of noncompliance which incorrectly stated, “Section 205.103 of the USDA National Organic Program (NOP) regulations requires that records be sufficiently complete and accurate to allow for the performance of mass balance exercises with no more than a 5% variance.” 7 C.F.R. § 205.103 does not establish a maximum allowed variance for mass balance exercises.*

Corrective Action: On June 27, 2024, AI issued a work instruction for reviewers and inspectors on how to document findings and issue noncompliances related to variances in mass balance exercises in a compliant manner. The work instruction states that unexplained variances exceeding 5% in mass balance exercises should be identified as issues of concern by inspectors because they provide evidence of a failure to comply with §205.103. It also states that noncompliances should reference mass balance results exceeding 5% variance as evidence of failure to comply with §205.103, not as part of the citation to §205.103. AI provided examples of inspector findings and noncompliance language which list an appropriate citation to §205.103 and explain the variance in mass balance results as evidence of failure to comply with the regulations.

NATIONAL ORGANIC PROGRAM: AUDIT & CORRECTIVE ACTION REPORT

GENERAL INFORMATION

- **Certifier Name** Americert International (AI)
- **Physical Address** 1409 NW 36th Place, Gainesville, Florida 32605 U.S.A
- **Audit Type** Midterm Assessment (Desk-audit)
- **Auditors & Audit Dates** Stephen Nix, Alison Howard, Samuel Schaefer-Joel, & Sherry Aultman, 10/12/2021 to 10/15/2021
- **Audit Identifier** NOP-11-21

CERTIFIER OVERVIEW

Americert International (AI) is a for-profit, limited liability company with headquarters in Gainesville, Florida. AI was originally accredited by the USDA National Organic Program (NOP) on September 4, 2009, to certify Crops, Wild Crops, and Handling/processing operations. All key certification activities are conducted at the Gainesville office. No satellite offices exist for AI.

AI certifies 125 operations to the following scopes: Crops (47), Wild Crops (0), and Handling/Processing (81). Wild Crops applications are not accepted at this time. AI does not certify grower groups. AI certifies organic operations located within the U.S. states of Alabama, Florida, Georgia, Illinois, Louisiana, Maryland, Massachusetts, New York, North Carolina, and Texas. AI also certifies operations in the U.S. territory of Puerto Rico. Based on the impact of the COVID-19 pandemic, AI only accepts new applications for operations located in Alabama, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, and Texas due to travel considerations. AI does not applications for operations located outside of the United States.

The organic program is overseen by the Program Manager who conducts initial reviews, inspections, and final reviews as well as operational management of the program. Two additional full time staff members conduct both initial reviews and inspections for the certifying agent. AI also utilizes five contract inspectors to complete inspection needs for the certification program.

NOP DETERMINATION:

NOP reviewed the audit results to determine whether AI'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 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 onsite audit.

Noncompliances from Prior Assessments

AIA-3327-20 - Cleared.

AIA-3328-20 - Cleared.

AIA-3329-20 - Cleared.

Noncompliances Identified during the Current Assessment and Corrective Actions

AIA-7918-21 - 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: *AI does not consistently demonstrate the ability to fully comply with the requirements for accreditation. The auditors found that AI has inadequate policies and procedures for the review and approval of material inputs as detailed in **NOP 3012 Interim Instruction: Material Review**. AI’s material review policy and procedures do not include the following:*

1. *Clear written instructions outlining the expectations regarding the depth and frequency of the review.*
2. *Clear direction for the evaluation of ingredients, sub-ingredients, processing aids, and manufacturing methodologies at all stages associated with the production of formulated products.*

Corrective Action: AI created a *NOP Materials Review Policy Manual* (v. 112022) that describes policies and procedures for conducting material reviews. AI also issued *Work Instructions on Correction of NOP Accreditation Audit Noncompliances* (November 23, 2022) to certification staff and contractors which state the updated policies and procedures are effective immediately. AI will conduct staff training on the new manual in February 2023. AI submitted copies of the manual, work instruction, and training agenda to NOP.

AIA-7919-21 - 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: *AI does not consistently carry out provisions of the Act and regulations. The auditors’ review of certification files revealed a noncompliant label approved by AI. The USDA seal displayed on the noncompliant label did not contain a brown outer circle in accordance with §205.311(b)(1).*

Corrective Action: AI stated the operation submitted the noncompliant label in error and verified the operation used a compliant label for the organic product in question. AI created a *Label and Packaging Review Manual* (v. 112022) that includes compliant illustrations of the

USDA seal and requires labels to receive at least one additional review prior to approval. AI also issued *Work Instructions on Correction of NOP Accreditation Audit Noncompliances* (November 23, 2022) that states the updated policies and procedures are effective immediately. AI will conduct staff training on the new manual in February 2023. AI submitted copies of the compliant label, manual, work instruction, and training agenda to NOP.

AIA-7921-21 - 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: *AI organic certificates do not demonstrate AI’s ability to fully comply with the requirements for accreditation. The auditors review of certification files revealed the following issues:*

1. *AI’s organic certificates do not correctly display the statement, “Certified to the USDA organic regulations, 7 CFR Part 205” as specified in NOP 2603 Instruction: Organic Certificates.*
2. *AI’s organic certificates do not correctly display the statement, “Certified in accordance with the terms of the U.S.-Canada Organic Equivalency Arrangement” for USDA organic products exported to Canada.*

Corrective Action: AI updated its organic certificate template to state “*Certified to the USDA organic regulations, 7 CFR Part 205*” and “*Certified in accordance with the terms of the U.S.-Canada Organic Equivalency Arrangement*” for situations where organic products are exported to Canada. AI also issued *Work Instructions on Correction of NOP Accreditation Audit Noncompliances* (November 23, 2022) to certification staff which states that AI will use the updated organic certificate template for renewing operations and operations certified for the first time. AI submitted copies of the organic certification, an organic certificate for an operation exporting organic products to Canada, and the work instruction to NOP.

AIA-7930-21 - 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: *AI does not always verify sufficient information to determine the compliance of input materials. The auditors reviewed certification files and input documentation and found the following issues:*

1. *AI did not request full disclosure of ingredients in the review of a multi-ingredient microbial-based soil amendment. AI interpreted the product label as full ingredient disclosure without an explicit statement on the label or from the manufacturer verifying that the label disclosed all ingredients.*
2. *AI did not request or review documentation of excluded methods for a microbial-based soil amendment.*

3. *AI did not request the specific identity of “chlorine gas” used to sanitize irrigation systems and water. “Chlorine gas” typically refers to Cl₂, which is commonly used in the chlorination of water, but is not an allowed form of chlorine as listed at § 205.601(a)(2).*

Corrective Action: AI determined that the lack of formal written material review policies and procedures resulted in the identified issues. AI developed and implemented a *NOP Materials Review Policy Manual* (v. 112022) that describes AI’s policies and procedures for conducting material reviews. Specifically, the new manual includes the following:

1. A complete list of ingredients is required to review a material, and the product’s label alone cannot be relied on as the full ingredient list;
2. For soil amendments, documentation is required to confirm that products are manufactured without the use of excluded methods, including non-GMO verification for microbial products; and
3. For chlorine used in crop production, documentation is required to confirm the specific form of chlorine, and elemental chlorine (chlorine gas) is not an allowed form of chlorine.

AI issued *Work Instructions on Correction of NOP Accreditation Audit Noncompliances* (November 23, 2022) to certification staff instructing them to use the new manual for all materials review moving forward. AI plans to conduct staff training on the new manual in February 2023.

To address the microbial-based soil amendment in question, AI requested a complete list of ingredients from the manufacturer and collected a non-GMO statement for the microbial ingredients; however, the operation requesting use of the material did not use the material and withdrew their request, so AI did not proceed with review of the material and has not approved the product. To address the use of the prohibited form of chlorine, AI issued a noncompliance to the operation for use of the sanitizer containing chlorine gas and the operation submitted corrective actions confirming they have ceased use of the material.

AI submitted copies of the manual, work instruction, microbial-based soil amendment documentation and the operation’s corrective actions related to the prohibited chlorine material to NOP.

AIA-7931-21 - 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: *AI’s annual program review does not include all elements required by NOP 2025 Instruction: Internal Program Review to audit the full certification program. The auditors reviewed AI’s 2020 and 2021 annual program review reports and found that the internal audits focused only on §§ 205.402 through 205.404 of the USDA organic regulations.*

Corrective Action: AI contracted with a different third-party internal auditor to conduct AI’s

2022 internal program review in accordance with NOP 2025. The 2022 internal program review evaluated AI's certification program for compliance with all requirements of the NOP regulations. AI plans to use this auditor for future internal program reviews. AI submitted copies of the 2022 internal audit plan, completed internal audit report including findings, and AI's subsequent corrective actions to NOP.

AIA-1722-22 - 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: *AI's policies and documents do not consistently demonstrate the ability to fully comply with the requirements for accreditation. The auditors reviewed certifier files and found the following issues:*

1. *AI's Combined Notice of Noncompliance and Proposed Suspension template does not include the correct address to which certified operations must file an appeal.*
2. *AI's Certification Manual does not demonstrate that AI fully complies with the regulations and requirements of **NOP Handbook: Noncompliance and Adverse Actions Flow Chart**. AI's procedure for operations issued a Notice of Noncompliance for failure to pay fees, and choose to surrender their certification, includes issuance of a Notice of Proposed Suspension.*

Corrective Action: AI updated its *Notice of Proposed Suspension* and *Notice of Denial of Certification* templates to include the correct address to which operations should file appeals. AI updated its *USDA NOP Organic Certification Manual, Section 5.2.8* to states that AI will accept an operation's surrender after a Notice of Noncompliance has been issued but will continue the adverse actions process if a Notice of Proposed Suspension or Notice of Proposed Revocation has been issued. AI also issued *Work Instruction on Correction of NOP Accreditation Audit Noncompliances* (November 23, 2022) that states the revised templates and updated policies and procedures are effective immediately. AI will conduct staff training on the revised templates and updated manual for staff in February 2023. AI submitted copies of the templates, manual, and work instruction to NOP.

NATIONAL ORGANIC PROGRAM: CORRECTIVE ACTION REPORT

AUDIT AND REVIEW PROCESS

An onsite renewal assessment of Americert International (AI) organic program was conducted on April 23-26, 2019. The National Organic Program (NOP) reviewed the auditor's report to assess Americert's compliance to the USDA organic regulations. This report provides the results of NOP's assessment.

GENERAL INFORMATION

Applicant Name	Americert International (AI)
Physical Address	2603 NW 13 th Street, #228 Gainesville, FL 32609
Mailing Address	2603 NW 13 th Street, #228 Gainesville, FL 32609
Contact & Title	Jonathan Austin, Certification Director
E-mail Address	americert@gmail.com
Phone Number	352-336-5700
Reviewer Auditor	Jason Lopez, NOP Reviewer. Penny Zuck, On-site Auditor.
Program	USDA National Organic Program (NOP)
Review Audit Date	NOP assessment review: September 12 and 19, 2019 Onsite audit: April 23-26, 2019
Audit Identifier	NOP-0-19
Action Required	No
Audit & Review Type	Renewal Assessment
Audit Objective	To evaluate the conformance to the audit criteria; and to verify the implementation and effectiveness of AI's certification
Audit & Determination Criteria	<i>7 CFR Part 205, National Organic Program as amended</i>
Audit & Review Scope	AI's certification services in carrying out the audit criteria during the period: February 2016 through April 2019

Americert International (AI) is a for-profit, limited liability company and was initially granted accreditation on September 4, 2009 to the USDA National Organic Program (NOP) scopes: crops, wild crops, and handling/processing. The previous on-site audit (Mid-term Assessment) occurred February 2-5, 2016. AI is requesting to reduce their accreditation scope by removing wild crops from the accreditation application this year.

AI certifies 128 operations to the following scopes: 65 Crops, 0 Wild Crops, and 63 Handling/Processing.

AI has one office located in Gainesville, Florida. AI certifies operations in the United States and Mexico. AI employs three staff and contracts with nine organic inspectors.

As part of the accreditation renewal assessment and office audit, witness audits were conducted in Jessup, MD of a Handling/Processing operation and in Hawthorne, FL of a Crops operation.

NOP DETERMINATION:

NOP reviewed the onsite audit results to determine whether AI'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 "**Accepted**" indicates acceptance of the corrective actions and verification of corrective action implementation will be conducted during the next onsite audit.

- NP6033RYA.NC1 – Cleared.**
- NP6033RYA.NC2 – Cleared.**
- NP6033RYA.NC3 – Cleared.**
- NP6033RYA.NC4 – Cleared.**
- NP6033RYA.NC5 – Cleared.**
- NP6033RYA.NC6 – Cleared.**
- NP6033RYA.NC7 – Cleared.**
- NP6033RYA.NC8 – Cleared.**
- NP6033RYA.NC9 – Cleared.**
- NP6033RYA.NC10 – Cleared.**
- NP6033RYA.NC11 – Cleared.**
- NP6033RYA.NC12 – Cleared.**
- NP6033RYA.NC13 – Cleared.**
- NP6033RYA.NC14 – Cleared.**
- AP-306-18.NC1 – Cleared.**

Non-compliances Identified during the Current Assessment and Corrective Actions

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.

NOP-0-19.NC1 - 7 C.F.R. §205.403(c)(2) states, "The on-site inspection of an operation must verify: That the information, including the organic production or handling system plan, provided in accordance with §§205.401, 205.406, and 205.200, accurately reflects the practices used or to be used by the applicant for certification or by the certified operation;"

Comments: *AI's inspector did not fully verify the accuracy of the information in the organic system plan. During the witness audit of a handling operation, the inspector did not physically verify the cleaning and sanitizing inputs being used; and did not review and verify a facility map and product flow during the tour of the facility and production areas.*

Corrective Action: Americert identified the noncompliance as an individual performance issue and not a systemic failure of Americert's inspection policies. Americert issued the inspector a counseling statement that focused on the issues of verification. Americert provided the August 24, 2019 inspectors acknowledgement of the counseling statement and implementation of corrective action training. Additionally, Americert requested the inspector narrate the verification of cleaning inputs, facility maps and process flow during inspections (Americert believes the issue, in part, was the NOP auditor could not tell if the inspector was reviewing these aspects). Americert has submitted its revised Annual Inspector Field Evaluation Form to include confirmation the inspector is narrating and verifying cleaning inputs, facility maps and process flow.

NOP-0-19.NC2 - 7 C.F.R. §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."

Comments: *Following the completion of the terms of a settlement agreement, AI issued a Resolution of Notice of Noncompliance and Withdrawal of Proposed Suspension Per Settlement Agreement to the operation which stated, "A failure to abide by the settlement agreement may lead to Americert re-instituting the Notice of Proposed Suspension." Once AI determines the settlement arrangement has been met and the operation is in compliance and can remain in compliance, a previous Notice of Proposed Suspension cannot be re-issued. New noncompliance proceedings must begin.*

Corrective Action: Americert revised and submitted its settlement agreement work instruction and settlement agreement template. The revised documents correctly describe when a Notice of Proposed Suspension or a Notice of Noncompliance should be issued. Americert distributed the revised work instruction and made staff aware of the policy changes on September 11, 2019 for immediate implementation.

NOP-0-19.NC3 - 7 C.F.R. §205.642 states, "The certifying agent shall provide each applicant with an estimate of the total cost of certification and an estimate of the annual cost of updating the certification."

Comments: *Americert is not providing estimates of the total cost of certification with annual updates.*

Corrective Action: Americert will provide estimated costs of renewing organic certification in renewal notices. Americert has developed and submitted a staff work instruction with a cost estimate template to be inserted in to renewal notices. The estimate assumes there are no changes to the operation and provides a link to the Americert fee schedule. The work instruction was provided to staff on August 27, 2019 for immediate implementation.

NATIONAL ORGANIC PROGRAM: CORRECTIVE ACTION REPORT

AUDIT AND REVIEW PROCESS

The National Organic Program (NOP) conducted a mid-term assessment of Americert International (AI). An onsite audit was conducted, and the audit report reviewed to determine OCIA's capability to continue operating as a USDA accredited certifier.

GENERAL INFORMATION

Applicant Name	Americert International (AI)
Physical Address	1135 NW 23rd Avenue, Suite P Gainesville, FL 32609
Mailing Address	1135 NW 23rd Avenue, Suite P Gainesville, FL 32609
Contact & Title	Jonathan Austin, Technical Director
E-mail Address	americert@gmail.com
Phone Number	(352) 336-5700
Reviewer(s) & Auditor(s)	Graham Davis, NOP Reviewer; Robert Yang, Onsite Auditor
Program	USDA National Organic Program (NOP)
Review & Audit Date(s)	Corrective Action Review: July 1, 2016 NOP assessment review: May 19, 2016 Onsite audit: February 2 -5, 2016
Audit Identifier	NP6033RYA
Action Required	None
Audit & Review Type	Mid-Term Assessment
Audit Objective	To evaluate the conformance to the audit criteria; and to verify the implementation and effectiveness of AI's certification system.
Audit & Determination Criteria	<i>7 CFR Part 205, National Organic Program as amended</i>
Audit & Review Scope	AI's certification services in carrying out the audit criteria during the period: June, 2014 through February, 2016

Americert International, LLC (AI) is a for-profit, limited liability company that has been accredited by the USDA National Organic Program (NOP) since September 4, 2009 to certify crops, wild crops, and handling operations. AI currently certifies 76 operations, which includes 46 crops and 30 handling operations. AI does not certify livestock operations or grower groups. AI's certified operations are located in the United States, Puerto Rico, Mexico, and Dominican Republic. All certification activities are conducted from AI's sole office located in Gainesville, FL.

NOP DETERMINATION:

NOP reviewed the onsite audit results to determine whether AI'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.

NP4174MMA.NC1 – Cleared.

NP4174MMA.NC2 – 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.

NP6033RYA.NC1 – Accepted. 7 CFR §205.642 states, "The certifying agent shall provide each applicant with an estimate of the total cost of certification and an estimate of the annual cost of updating the certification."

Comments: *The certification cost estimate that AI provides applicants for certification and its certified clients is not a total cost of certification. It does not include the fee amount resulting from inspector mileage.*

2016 Corrective Actions: AI created a form (Form #A2B-v.061016) for providing certification cost estimates that include inspector mileage. AI issued a work instruction to inform their staff of the new form, and required it to be used immediately.

NP6033RYA.NC2 – Accepted. 7 CFR §205.642 states, "The certifying agent shall provide all persons inquiring about the application process with a copy of its fee schedule."

Comments: *AI does not provide applicants for certification with a copy of its fee schedule.*

2016 Corrective Actions: AI issued a work instruction that requires staff to attach a copy of the fee schedule to all responses to requests for certification cost estimates.

NP6033RYA.NC3 – Accepted. 7 CFR §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 2025 Instruction Internal Program Review states, "Internal program reviews are conducted by personnel different from those who perform certification activities. The report must: Identify the

dates on which the review was conducted; ... and assess prior findings and implemented corrective actions of prior program reviews.

Comments: *A review of AI's 2015 annual program review revealed the following:*

- *The review was conducted by the Technical Director, the person who performed the certification activities being reviewed.*
- *The 2015 annual program review report did not identify the dates on which the review was conducted.*
- *AI's 2014 program review resulted in seven findings. The 2015 annual program review did not assess prior findings and implemented corrective actions of the 2014 program review.*

2016 Corrective Actions: AI created an Annual Program Review Audit Form that identifies the dates on which the review is conducted and requires an assessment of the prior year's findings and implemented corrective actions. AI issued a work instruction that requires the use of this new form. The work instruction also requires the Technical Director to use an outside consultant or auditor to conduct the annual program review.

NP6033RYA.NC4 – Accepted. 7 CFR §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 2027 Instruction Personnel Performance Evaluations states, “Field Evaluation. Inspectors should be evaluated during an onsite inspection by a supervisor or peer (another inspector) at least annually.”

Comments: *AI does not conduct field evaluations of its inspectors.*

2016 Corrective Actions: AI created an Annual Inspector Field Evaluation Form. AI issued a work instruction requiring annual field evaluations of its inspectors and the evaluations to be conducted by peers, the Technical Director, or IOIA.

NP6033RYA.NC5 – Accepted. 7 CFR §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 2027 Instruction Personnel Performance Evaluations states, “Certifying agents conducting performance reviews should use the following kinds of evaluation criteria: Supervisor or Peer Review.”

Comments: *The Technical Director's annual performance review is not conducted by a supervisor or peer. The performance review is a self- evaluation. The Technical Director evaluates himself against the evaluation criteria on AI's general Annual Evaluation Form and documents the results on the form.*

2016 Corrective Actions: AI issued a work instruction requiring the Technical Director's annual evaluation to be conducted by the person who conducts Americert's annual program review.

NP6033RYA.NC6 – Accepted. 7 CFR §205.662(a)(3) states, “a written notification of noncompliance shall ... provide: The date by which the certified operation must rebut or correct each noncompliance ...”

Comments: *The review of 8 notifications of noncompliance revealed that 6 notifications did not provide the operation with an opportunity to rebut the noncompliance.*

2016 Corrective Actions: AI created two standardized notices of noncompliance. One is a Notice of Noncompliance for failing to pay fees or submit annual renewal; the other is for all other noncompliances. The two templates provide operations with an opportunity to rebut noncompliances. AI issued a work instruction requiring staff to use the two templates immediately.

NP6033RYA.NC7 – Accepted. 7 CFR §205.662(c) states, “When correction of a noncompliance is not possible, the notification of noncompliance and the proposed suspension or revocation of certification may be combined in one notification.”

Comments: *The review of 8 notifications of proposed suspensions revealed an instance where an operation failed to pay their certification fees and submit their annual update. AI issued the operation a notification of proposed suspension without first issuing the operation a notification of noncompliance for the correctable violations.*

2016 Corrective Actions: AI issued a work instruction that requires staff to address correctable noncompliances through the issuance of a Notice of Noncompliance prior to issuance of a Notice of Proposed Suspension.

NP6033RYA.NC8 – Accepted. 7 CFR §205.662(c)(1) – (4) states,” The notification of proposed suspension or revocation of certification shall state: The reasons for the proposed suspension or revocation; the proposed effective date of such suspension or revocation; the impact of a suspension or revocation on future eligibility for certification; and the right to request mediation pursuant to § 205.663 or to file an appeal pursuant to § 205.681.”

Comments: *AI’s noncompliance procedures and applicable documents do not comply in the following manner:*

- *AI’s notification of proposed suspension provides operations with an opportunity to correct the noncompliance.*
- *Upon accepting a corrective action from an operation that has been issued a notification of proposed suspension, AI issues the operation a Notice of Proposed Suspension Resolution. A notification of proposed suspension should not provide the operation with an opportunity to correct the noncompliance. Accordingly, the issuance of a notification of proposed suspension resolution is not possible.*
- *Upon receiving a surrender of certification from an operation that has been issued a notification of proposed suspension, AI issues the operation a Notice of Proposed Suspension Resolution. A surrender of certification after the issuance a notification of proposed suspension does not stay the noncompliance process.*

2016 Corrective Actions:

- AI created a standardized Notice of Proposed Suspension Template. In addition, AI issued a work instruction to staff clarifying that operations may not resolve a proposed suspension by correcting the noncompliance.
- AI issued a work instruction to staff clarifying that Notices of Proposed Suspension Resolution may not be issued.

- AI issued a work instruction to staff clarifying that surrendering organic certification does not halt the suspension proceedings once a Notice of Proposed Suspension has been issued.

NP6033RYA.NC9 – Accepted. 7 CFR §205.660(d) states, “Each notification of noncompliance, rejection of mediation, noncompliance resolution, proposed suspension or revocation, and suspension or revocation issued pursuant to § 205.662, § 205.663, and § 205.665 and each response to such notification must be sent to the recipient's place of business via a delivery service which provides dated return receipts.”

Comments: *AI does not send notifications of noncompliance resolution to the recipient via a delivery service which provides dated return receipts. The notifications are sent via regular postal mail and email.*

2016 Corrective Actions: AI issued a work instruction to staff that requires responses and resolutions of noncompliances to be sent using a delivery service which provides dated return receipts.

NP6033RYA.NC10 – Accepted. 7 CFR §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 Instruction Organic Certificates states, “Organic certificates should ... include the following (* identifies elements required by 7 CFR § 205.404 of the USDA organic regulations): Certifying agent’s ... Web site*;”

Comments: *AI’s organic certificate does not include AI’s website address.*

2016 Corrective Actions: AI revised their Organic Certificate Template to include the AI website address. AI issued a work instruction to staff that requires the use of the new template immediately for new operations certified by AI. For existing clients, the new template will be issued when the operation’s updated certificate is issued.

NP6033RYA.NC11 – 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:

1. *AI does not require its certified operations to submit an update on the correction of minor compliances that were identified by AI as requiring correction for continued certification, which is a provision of §205.406(a)(3).*
2. *AI’s organic system plan (OSP) templates do not require operations to provide information regarding the export of product(s) or use of organic product(s) imported under an international trade arrangement. Such information is needed in order for AI to evaluate an operation’s compliance or capability to comply with the requirements of the international trade and export arrangements.*

2016 Corrective Actions: AI revised their annual update forms (NOP AU4-v.061616.pdf and NOP A3OGPR-v. 061616) to require that operations provide the status of corrective actions for

the previous year's minor noncompliances and notices of noncompliance. AI also revised their applications forms (NOP A3OGP-v.062616 and NOP A4-v. 062616) to address the requirements of export and international trade agreements. AI issued a work instruction that requires the use of the revised annual renewal forms.

NP6033RYA.NC12 – Accepted. 7 CFR §205.501(a)(4) states, “A private or governmental entity accredited as a certifying agent under this subpart must: Use ... 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:

- 1. During the annual onsite inspection of a crops operation, it was observed that the inspector did not follow AI's procedures for sample selection. AI's Organic Certification Manual states that the inspector should develop a sampling plan that takes into account what to sample and from where to collect samples, and that consideration should be given in selecting samples from locations where residue is most likely to be present given the risk factors or features of the operation being tested. The inspector did not have a sampling plan or take into consideration the risk factors or features of the operation when selecting the crop and location to collect from.*
- 2. During the annual inspection of a crops operation, it was observed that the inspector allowed the operator to collect the sample and handle the sample until it was later bagged by the inspector. Additionally, the sample was collected, handled, and bagged without the use of gloves. A verification of the sample collection kit AI provided its inspector with revealed that gloves were not included in the kit. The inspector's sample collection did not comply with the requirements of § 205.670(e) and with NOP 2610 Instruction Sampling Procedures for Residue Testing. The instruction states that samples must be taken using gloved hands.*
- 3. During the annual onsite inspection of a crops operation, it was observed that the inspector did not review the operation's record-keeping.*
- 4. During the annual onsite inspection of a handling (broker) operation, it was observed that the inspector did not conduct a traceability exercise, which AI requires its inspectors to conduct as part of its record-keeping verification process. The inspector only verified whether the appropriate records were being maintained.*
- 5. During the walk around portion of the annual inspection of a crops operation, it was observed that the inspector did not verify the accuracy of the information in the operation's organic system plan. Information/areas the inspector did not verify during the walk around include the operation's farm map; field and production area information; defined boundaries; use of on-farm chicken manure; and a new high tunnel under construction.*

2016 Corrective Actions: AI created a form (062616 PRC Sampling Plan Record.pdf) to be used for residue collection events which includes requirements for the inspector to document the sampling plan analysis used. This form requires inspectors to collect and handle the sample themselves and to use gloves. AI added gloves to their collection kit, and issued a work

instruction that requires the use of the Pesticide Residue Collection and Sampling Plan Record. Additionally, a staff training which addresses the issues in the noncompliance and reiterates the AI/NOP requirements for the conducting of onsite inspection has been created and will be delivered to all inspectors by October 31, 2016.

NP6033RYA.NC13 – Accepted. 7 CFR §205.501(a)(4) states, “A private or governmental entity accredited as a certifying agent under this subpart must: Use ... 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: *A review of “made with organic (specified ingredients or food group(s))” labels revealed that AI approved two product labels that did not comply with § 205.304(a)(1)(iii). The “made with organic milk and organic cane sugar” statement on both labels did not appear in its entirety in the same type size and style.*

2016 Corrective Actions: AI issued a Notice of Noncompliance to the operation requiring correction of the labels in question, and is in the process of receiving corrected labels. AI issued a work instruction that addresses this aspect of the labeling requirements.

NP6033RYA.NC14 – Accepted. 7 CFR §205.504 states, “... a certifying agent must submit the following documents and information to demonstrate ... its ability to fully comply with and implement the organic program established in §§ 205.100 and 205.101, §§ 205.201 through 205.203, §§ 205.300 through 205.303, §§ 205.400 through 205.406, and §§ 205.661 and 205.662;”

Comments: *The AI Organic Certification Manual does not demonstrate AI’s ability to fully comply in the following manner:*

- 1. The manual states that AI will issue a Notice of Proposed Denial of Certification. § 205.405 Denial of Certification does not provide for the issuance of a notification of proposed denial of certification.*
- 2. The manual states that a certified operation may surrender its organic certificate and withdraw from certification if it has not been issued a notice of noncompliance, proposed suspension or revocation, and does not have outstanding financial obligations to AI. Operations who have been issued such notices or have outstanding obligations may only withdraw from certification upon the discretion of the Technical advisor. Under the USDA organic regulations, a certified operation may surrender its certification at any time.*

2016 Corrective Actions: AI revised their Certification Manual to clarify that an operation may surrender certification at any time without conditions. AI also issued a work instruction to staff to clarify that an operation may surrender certification at any time without conditions.

NATIONAL ORGANIC PROGRAM: CORRECTIVE ACTION REPORT

AUDIT AND REVIEW PROCESS

The National Organic Program (NOP) received Americert's accreditation renewal application to maintain U.S. Department of Agriculture (USDA) accreditation on February 21, 2014. The NOP reviewed Americert's application, conducted an onsite audit, and reviewed the audit report to determine Americert's capability to continue operating as a USDA accredited certifier.

GENERAL INFORMATION

Applicant Name	Americert International
Physical Address	1135 NW 23 rd Avenue, Suite P, Gainesville, FL 32609
Mailing Address	Same
Contact & Title	Jonathan Austin, Certification Director
E-mail Address	Americert@gmail.com
Phone Number	352-336-5700
Reviewer(s) & Auditor(s)	Janna Howley, NOP Reviewer; Miguel A. Caceres, Onsite Auditor(s).
Program	USDA National Organic Program (NOP)
Review & Audit Date(s)	Corrective Action Review Date: October 8, 2014 Audit Dates: June 23-27, 2014
Audit Identifier	NP4174MMA
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 Americert's certification system.
Audit & Determination Criteria	<i>7 CFR Part 205, National Organic Program as amended</i>
Audit & Review Scope	Americert's certification services in carrying out the audit criteria during the period: August 11, 2010 to June 27, 2014.

Americert International (Americert) is a for profit business owned by the Technical Director. Americert was accredited as a certifying agent on September 4, 2009 to the National Organic Program (NOP) for crops and handling operations. All certification activities are conducted from the only office Americert has, which is located in Gainesville, FL. Americert does not have any committees or external members involved with the company.

The Americert staff consists of the Technical Director, an office manager, and four contracted inspectors who can also act as an initial and final reviewer on operations they have not inspected. Americert currently has 46 operations certified to the NOP organic standards, consisting of 32 crops and 14 handlers. All NOP clients are located in the United States, with the exception of

two operations located in Mexico; the NOP standards are the only standards applied.

NOP DETERMINATION:

NOP reviewed the onsite audit results to determine whether Americert'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.

NP0221BBA.NC1 – 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.

NP4174MMA.NC1 – Accepted - §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."

Comments: *Of the eight labels reviewed in the office and one during the review audit, one label did not identify one of the three organic ingredients as organic. Three labels did not include the "Certified Organic By..." statement below the information identifying the handler. Two had the "Certified Organic By..." statement above the handler information and one did not identify the handler of the product on the back panel.*

Corrective Action: Americert developed and implemented a written work instruction and checklist for their staff to use regarding conducting label reviews. Americert also provided additional training to its staff on the labeling requirements under the NOP. The work instruction, label review checklist and PowerPoint training on labeling requirements were provided to the NOP.

NP4174MMA.NC2 – Accepted - §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: *In one of six files reviewed, a crop post handling operation was allowed to use a prewash consisting of chlorine at 200ppm and dish washing soap for citrus, followed by a water rinse. Americert allowed the dishwashing soap based on soap's listing as an allowed algicide/demosser at 7 CFR 205.601(a)(7). Soap is allowed in the production of crops at 205.601(a)(7), but this listing does not have an annotation allowing the material to be used for postharvest handling. Therefore, soap is not allowed in postharvest handling.*

Corrective Action: Americert identified weaknesses in staff knowledge in interpreting the allowed postharvest materials. Americert provided a work instruction to staff addressing post-harvest materials. A copy of the work instruction was provided to the NOP. Americert also issued a Notice of Noncompliance to the operation that had been using soap post-harvest. A copy of the Notice of Noncompliance was provided to the NOP.

Applicant Name:	OIA North America, LLC
Est. Number:	N/A
Physical Address:	1730 NW 6th Street, Gainesville, FL 32609
Mailing Address:	2603 NW 13th Street #228, Gainesville, FL 32609
Contact & Title:	Jonathan Austin, CEO
E-mail Address:	OIA@oianorth.com
Phone Number:	352-336-5700
Auditor(s):	Meg Kuhn, RAM – East Region
Program:	USDA National Organic Program (NOP)
Audit Date(s):	November 10 – December 17, 2010
NOP Audit Identifier:	AIA111010MMK
Action Required:	No
Audit Type:	Initial On-Site Corrective Action Audit
Audit Objective:	To verify the company’s ability to comply with the NOP regulations through review of corrective actions submitted.
Audit Criteria:	7 CFR Part 205, National Organic Program (NOP), Final Rule, dated December 21, 2000; updated June 17, 2010.
Audit Scope:	OIA North America response of corrective actions submitted.
Location(s) Audited:	Desk

AUDIT INFORMATION

One non-compliance was identified during the Initial On-Site audit. A response to this non-compliance was requested on September 27, 2010 and a response was received by the NOP on November 10, 2010.

NP0221BBA.NC1 – Adequately Addressed: NOP §205.403(c)(2) Verification of information states, “The on-site inspection of an operation must verify: That the information, including the organic production or handling system plan... accurately reflects the practices used or to be used by the applicant for certification or by the certified operation.” *The observation of the crop inspection (demonstration inspection) showed that the inspector did not identify or issue a non-compliance that the OSP did not accurately reflect all of the practices being used by the certified operation. In addition, the initial inspection, review, and final certification did not identify any non-compliance for the incomplete OSP used by the operation. Some of the deficient areas observed during the demonstration inspection but not completely or accurately described in the OSP included the following:*

- 1 *2 insecticide inputs were not listed on the OSP.*
- 2 *Cleaning/sanitizing products were not clearly described.*
- 3 *The handling/packing process of the vegetables was not clearly described.*
- 4 *The OSP stated the entire farm but prohibited substances were applied to weeds around the trailer house (non-organic growing area). It was noted however, that this product was not used in the greenhouses with the organic vegetables. It was however noted that the inspector did go over*

some of the incomplete or deficient areas during the exit interview of the demonstration inspection.

Corrective Action: OIA North America responded across three systems: operation, inspection, and management review. The operation was cited a non-compliance for the deficient areas noted during the witness audit. Inspectors are being provided training (via online or in person) stressing the importance of reviewing all aspects of the OSP at all inspections, including initial, renewal, and any additional inspections for whatever reason. At the management level, OIA North America issued a policy memo informing inspectors, OIA NA staff, and certified operations of the policy for inspecting operations including changes made to the OSPs during inspections, how changes communicated would be provided in writing to inspectors and operators, and the requirement that inspectors be provided with changes to operators' system plans prior to inspection. This response is to be verified at the next on-site audit; however, if effectively implemented, OIA NA's plan demonstrates compliance with NOP accreditation requirements.