



United States Department of Agriculture

Agricultural Marketing Service

National Organic Program

WASHINGTON STATE DEPARTMENT OF AGRICULTURE

1111 Washington Street Southeast, Olympia, Washington, 98501, U.S.A.

meets all the requirements prescribed in the USDA National Organic Program Regulations

7 CFR Part 205

an Accredited Certifying Agent
for the scope of

Crops, Handling, Livestock, Wild Crops Operations

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CERTIFICATE OF ACCREDITATION



Certificate No: **USDA-8-25**

Effective Date: **04/29/2022**

Expiration Date: **04/29/2027**

Issue Date: **02/27/2025**

Christopher Purdy
Acting Deputy Administrator
National Organic Program

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NATIONAL ORGANIC PROGRAM: AUDIT & CORRECTIVE ACTION REPORT

GENERAL INFORMATION

- **Certifier Name** Washington State Department of Agriculture, WSDA
- **Physical Address** 1111 Washington Street Southeast, Olympia, Washington 98501, U.S.A.
- **Audit Type** Renewal Audit
- **Auditors & Audit Dates** Jessica Walden, Alison Howard, Steven Cabral, 11/14/2022 to 11/18/2022
- **Audit Identifier** NOP-47-22

CERTIFIER OVERVIEW

The Washington Department of Agriculture (WSDA) organic program is a state government certification program based in Olympia, Washington. WSDA was initially accredited as a certifying agent by the USDA National Organic Program (NOP) on April 29, 2002.

WSDA provides organic certification for 1,202 operations in Washington, California, Idaho, Michigan, Minnesota, Nevada, New York, North Carolina, Oregon, and Pennsylvania: crops (804), wild crops (9), non-ruminant livestock (41) and handling (348). There are no satellite offices, although staff inspectors (9) and contract inspectors (2) are distributed throughout the state and perform inspections for multiple WSDA programs. WSDA has 30 certification staff, including staff and contracted inspectors. The WSDA organic program is administered by the Organic Program Manager.

NOP DETERMINATION:

NOP reviewed the audit results to determine whether WSDA'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

AIA-2503-20 – Cleared.

AIA-2507-20 – Cleared.

AIA-6191-21 – Cleared.

AIA-6192-21 – Cleared.

AIA-6195-21 – Cleared.

AIA-6196-21 – Cleared.

AIA-6197-21 – Cleared.

AIA-423-22 – Cleared.

AIA-866-22 – Cleared.

AIA-6194-21 - Accepted. 7 C.F.R. § 205.403(a)(1) states that “...An on-site inspection shall be conducted annually... for each certified operation that produces or handles organic products for the purpose of determining... whether the certification of the operation should continue.”

Comments: *WSDA did not inspect all certified operations in the 2018 and 2019 certification years. In 2018, two operations were not assigned to an inspector until late in the season and the 2019 renewals were submitted before the 2018 inspection occurred. The inspections ended up taking place in the 2019 certification year. For two operations, their 2019 inspections were not assigned due to a processing error. For one additional operation, the inspector was unable to complete the inspection in the 2019 inspection year, and the inspection was prioritized for 2020.*

Corrective Action: Since 2019, new queries and reports have been developed to assist management in monitoring inspections. An inspection was conducted for all 2020 certified operations regardless of the many adjustments necessary last year. Management will continue to monitor and ensure all inspections are assigned and conducted for each active operation.

Verification of Corrective Action: The auditors interviewed staff and reviewed WSDA’s inspection monitoring software platform and determined that WSDA did not conduct inspections for 5% of its certified operations within WSDA’s 2021 certification cycle.

Corrective Action: WSDA attributed the delay in completing 2021 inspections to state-level policies related to COVID-19 and state government hiring limitations, resulting in a 30% reduction in staffing during 2020-2021. During 2024, WSDA hired 9 people, including a producer certification coordinator, 2 crop reviewers, 2 handler reviewers, 1 material reviewer, and 3 inspectors. WSDA is currently in the recruitment process for an additional reviewer and an additional inspector. In order to moderate its handling operation workload, during 2024 WSDA did not accept handlers outside existing WSDA stakeholder supply chains and did not accept any handler expedite service requests.

Noncompliances Identified during the Current Assessment

AIA-2564-22 – Accepted. 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: *During the witness audit of a crops/livestock/wild crops inspection, the auditor observed that the inspector did not fully verify the accuracy of the operation’s organic system plan (OSP). The inspector did not verify compliance with the following regulations:*

1. *§205.105 Allowed and prohibited substances and ingredients in organic production. The inspector did not verify, through written documentation, that non-organic planting stock was produced without prohibited materials and wood chips were free from prohibited materials.*
2. *§205.403(c) On-site inspection verification of information. The inspector did not verify the equipment and slaughter sections of the OSP.*
3. *§205.236(a)(1) Origin of livestock. The inspector did not verify purchased poultry had been under continuous organic management beginning no later than the second day of life.*
4. *§205.201 Organic production and handling system plan. The inspector did not visually verify whether there was a contamination risk from an adjoining pasture property along a shared boundary.*

Corrective Action: WSDA determined that the findings did not reflect systemic issues with its certification program. WSDA provided direct feedback to the staff inspector that conducted the crop, livestock, and wild harvest witness audit; WSDA provided an excerpt from an employee evaluation as evidence. WSDA also discussed preliminary NOP audit findings with the full inspection and review teams on November 21, 2022 and again on March 14, 2023; WSDA provided a meeting invitation and slides for the March 14, 2023 meeting as evidence. WSDA stated that the program continues to provide training for all inspectors on verifying inputs and evaluating boundaries, buffers, and adjoining land use; WSDA provided inspector training slides as evidence.

AIA-2566-22 – 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: *WSDA is not carrying out the provisions of the Act and regulations. WSDA is not always implementing a compliant noncompliance and adverse action process. The auditors reviewed certification files and found the following issues:*

1. *WSDA’s adverse action procedure does not sufficiently address the steps required to carry out a compliant mediation process.*
2. *WSDA staff required the submission of additional compliance information from an operation prior to considering whether to accept their mediation request.*
3. *WSDA staff issued a proposed suspension notification that included due dates for corrective action responses. Operations may not submit corrective actions to resolve a proposed adverse action.*

Corrective Action: WSDA submitted the following responses to the noncompliance:

1. WSDA submitted a form, “Request for Mediation – WSDA Organic Program” (AGR 2800), which includes instructions describing the steps of the mediation process.

2. WSDA submitted a template Mediation Acceptance letter that included a reminder to staff not to request actions beyond the scope of initiating mediation.
3. WSDA stated that the corrective action due dates were unrelated to the proposed adverse action and were included as reminders for a separate notice of noncompliance. WSDA no longer includes unrelated requests for information in adverse action notices. As evidence, WSDA submitted a template Notice of Proposed Suspension letter that included a reminder to staff not to ask for any actions other than requesting mediation or filing an appeal.

AIA-2567-22 – 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: *WSDA does not consistently demonstrate the ability to fully comply with the requirements for accreditation. The auditors found WSDA’s livestock organic system plan template does not require the producer to describe a current feed ration, including the compliant use of methionine.*

Corrective Action: WSDA stopped accepting livestock applications on November 30, 2023; WSDA will not send renewal applications in 2025 for livestock and has removed the livestock application forms and information from WSDA’s website. In December 2024, WSDA Organic Program notified the 16 operations certified for livestock about the end of livestock certification services; the notice asked operations to surrender their livestock scope by January 15, 2025 or apply with a new certifier by February 1, 2025. WSDA submitted an example of the notice to operations.

NATIONAL ORGANIC PROGRAM: CORRECTIVE ACTION REPORT

AUDIT AND REVIEW PROCESS

A Mid-term Audit of the Washington State Department of Agriculture (WSDA) organic program was conducted during March 22, 2021 to March 26, 2021. The National Organic Program (NOP) reviewed the auditor's report to assess WSDA's compliance to the USDA organic regulations. This report provides the results of the assessment by NOP and review of corrective actions.

GENERAL INFORMATION

Applicant Name	Washington State Department of Agriculture (WSDA)
Physical Address	1111 Washington Street Southeast, Olympia, Washington 98501, U.S.A.
Mailing Address	P.O. Box 42560, Olympia, Washington 98504
Contact & Title	Brenda Book, Organic Program Manager
E-mail Address	bbook@agr.wa.gov
Phone Number	360-902-2090
Reviewers & Auditors	Karin French, NOP Reviewer; Jessica Walden, Patricia Bursten, Auditors
Program	USDA National Organic Program (NOP)
Review & Audit Dates	Corrective action review: September 30, 2021 to January 14, 2022 Review: June 1, 2021 to July 29, 2021 Audit: March 22, 2021 to March 26, 2021
Audit Identifier	NOP-94-20
Action Required	No
Audit & Review Type	Mid-Term Assessment
Audit Objective	To evaluate the conformance to the audit criteria; and to verify the implementation and effectiveness of WSDA's certification
Audit & Determination Criteria	<i>7 CFR Part 205, National Organic Program as amended</i>
Audit & Review Scope	WSDA's certification services in carrying out the audit criteria during the period: October 7, 2017 to March 26, 2021

The Washington Department of Agriculture (WSDA) organic program is a state government certification program based in Olympia, WA. WSDA was initially accredited as a certifying agent by the USDA National Organic Program (NOP) on April 29, 2002.

WSDA provides organic certification for 1,185 operations in Washington, Alaska, California, Idaho, Michigan, Minnesota, Nevada, New York, North Carolina, Oregon, Pennsylvania: crops (850), wild crops (7), livestock (62) and handling (382). There are no satellite offices, although staff inspectors (13) are distributed throughout the state and perform inspections for multiple

WSDA programs. Including the staff inspectors, WSDA has 30 certification staff. The WSDA organic program is administered by the Organic Program Manager with the assistance of an External Affairs Coordinator.

NOP DETERMINATION

NOP reviewed the audit results to determine whether WSDA'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.

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. 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-2504-20 (NOP-41-17.NC2) – Cleared.

AIA-2505-20 (NOP-41-17.NC3) – Cleared.

AIA-2506-20 (NOP-41-17.NC4) – Cleared.

AIA-2508-20 (NOP-41-17.NC6) – Cleared.

AIA-2509-20 (NOP-41-17.NC7) – Cleared.

AIA-2511-20 (NOP-41-17.NC8) – Cleared.

AIA-2512-20 (NOP-41-17.NC9) – Cleared.

AIA-2503-20 (NOP-41-17.NC1) – Accepted. 7 C.F.R. § 205.501(a)(21) 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; Comply with, implement, and carry out any other terms and conditions determined by the Administrator to be necessary." NOP 2025, Internal Program Review, Section 3.1, states, "Internal program reviews are conducted by personnel different from those who perform certification activities."

Comments: *WSDA's 2015 and 2016 internal reviews were conducted by the WSDA Organic Program Director who performs certification activities.*

2018 Corrective Action: WSDA implemented an agency-wide strategic plan update and program review process. The annual update process utilizes performance development tools, outside auditors and facilitators to evaluate compliance with regulations and internal requirements. This new process of evaluating the effectiveness and compliance of a program with its regulatory authority replaces the previous internal audit conducted annually by the Organic Program. Per WSDA agency requirements, program managers are responsible for initiating the update process and ensuring its completion. The review and resulting strategic plan updates are reviewed and approved by the Agency Leadership Team (Division Assistant Director, Deputy Director, and Director of Agriculture) to ensure agency policy was followed and internal reviews of specific activities were conducted correctly. A memo template for the

review completed by the Division Assistant Director has been created and submitted. The memo documents the program's alignment with the agency's new update process and Leadership Team review, and in turn the Organic Program's compliance with §205.501(a)(21) and NOP 2025. This review memo will be filed with the Organic Program's next update (due in June 2018) and each annual update thereafter.

Verification of 2018 Corrective Action: Auditors were not able to verify that program reviews undertaken after 2018 were conducted by personnel different from those who perform certification activities. Auditors reviewed a 2018 WSDA strategic plan that had been reviewed and approved by the Agency Leadership Team (Division Assistant Director, Deputy Director, and Director of Agriculture) to ensure agency policy was followed and internal reviews of specific activities were conducted. In interviews, WSDA personnel stated that this noncompliance is not yet corrected due to lack of resources, a hiring freeze, and impacts from COVID-19.

2021 Corrective Action: Due to staffing and resource impacts from Proclamation 21-14, WSDA Organic Program was not able to assign the 2021 internal program reviews to multiple staff in November 2021. Instead, the External Affairs Coordinator was tasked to complete the 2021 internal program review. This position provides support for accreditation and quality activities and does not include performing certification activities. To provide ongoing opportunities for improvement, the internal program review has been divided into quarters. At the end of each quarter, a review of the certification process for selected files is conducted. In addition to file reviews, field witness audits completed during the certification quarter are also included in the program review. Checklists adapted from NOP audit documents are used to document the findings. WSDA provided a copy of the checklists used to evaluate certification files and field audit, the internal audit schedule for 2021, findings for 2021 Q1 and Q2, and the Q1 and Q2 corrective actions. WSDA Organic Program Policy 041 was updated in early January 2022 to include reference to the quarterly internal audit review of files. A copy was provided to NOP.

AIA-2507-20 (NOP-41-17.NC5) – Accepted. 7 C.F.R. §205.403 (c)(1) and (2) states, “The on-site inspection of an operation must verify: The operation’s compliance or capability to comply with the Act and the regulations of this part;... 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.” NOP 2601 “The Organic Certification Process” Section 3.4 Inspection states, “The inspection includes, but is not limited to: ...Reconciliation of the volume of organic products produced or received with the amount of organic products shipped, handled and/or sold, also known as traceback audits or in-out balances; and...”

Comments: *A review of the inspection reports of all certification scopes found that the inspectors are not consistently performing the inspection activities of mass balance and traceability of organic product.*

2018 Corrective Action: The WSDA quality manual currently contains audit addendums for mass balance and traceability exercises used by inspection staff. WSDA updated (April 19, 2018) and submitted its Audit Guidance which requires mass balance, trace-back and income verification audits to be completed. At WSDA's all-staff annual meeting in February 2018, WSDA management shared this audit finding with staff and directed inspectors to conduct both mass balance and traceability audits of organic products at every 2018 annual inspection and

beyond. This requirement was reiterated at inspector trainings held on March 2, March 30, April 24, and June 18, 2018. Inspectors will be reminded again of the requirement at trainings scheduled for mid-August and mid-October.

Verification of 2018 Corrective Action: The auditors reviewed evidence of an audit trail training that was carried out at WSDA’s all-staff annual meeting in February 2018. Evidence of traceback and mass balance audits were reviewed by the auditors for eight operator files, however, two of the files were for inspections carried out in 2019. The 2020 inspections for these two operations did not include a traceback and mass balance verification audit. In interviews, WSDA certification personnel reported that in 2020, WSDA implemented inspection restrictions based on the current travel restrictions and COVID-19 regulations in Washington State. A risk-based approach was implemented to ensure the safety of inspection staff as well as to ensure that all operations received an inspection during 2020. From September 1, 2020 to March 15, 2021, WSDA inspectors were instructed to not conduct both a trace back and mass balance audit for crop and livestock producers unless prompted by compliance issues and the need to verify effective corrective actions are in place. Handler and processor operations received remote traceback and mass balance audits during this time. Operations that were inspected during this phase of COVID-19 inspections are tracked within WSDA’s system.

2021 Corrective Action: On March 15, 2021, WSDA Organic Program held a meeting with staff inspectors to launch the 2021 producer certification and inspection season. During this meeting, Organic Program management shared inspection protocol updates for 2021, including but not limited to:

- Due to ongoing COVID-19 restrictions, all 2021 inspections must be conducted as Limited Contact Inspections.
- Limited Contact Inspections include the evaluation of all control points and utilize the Organic Program’s full annual reports and audit worksheets.
- Inspectors are to refer to the program’s existing guidance document for audit specific instruction. The guide outlines the required audits and requires a mass balance and trace back audit at each annual producer inspection.
- Effective March 15, 2021 WSDA organic producer annual inspections include both a trace back and mass balance audit.

A copy of this guidance was submitted to the NOP.

Noncompliances Identified during the Current Assessment

AIA-6191-21 – Accepted. 7 C.F.R. §205.403(a)(2)(ii) states, “The Administrator or State organic program's governing State official may require that additional inspections be performed by the certifying agent for the purpose of determining compliance with the Act and the regulations in this part.”

Comments: *WSDA did not conduct unannounced inspections of 5% of its total certified operations in each of the last three years, which does not meet the requirements of NOP 2609 Unannounced Inspections. According to a summary that WSDA provided to the auditors, WSDA’s unannounced inspection totals were as follows: 1.42% in 2018, 2.9% in 2019, and 4.45% in 2020.*

Corrective Action: On April 2, 2021, WSDA management met with inspectors to review expectations regarding additional unannounced inspections. NOP 2609, WSDA Organic

Program Guidance on Unannounced Inspections, and an early season plan for program unannounced inspections was discussed. As of the date of the corrective action submission, WSDA Organic Program completed 62 unannounced inspections out of 1,213 operations, or 5.1%. Unannounced inspections have been assigned for the harvest season. WSDA Organic Program expects to exceed the 5% minimum requirement in 2021. Going forward, unannounced inspection progress will be included in inspection workload monitoring by management and supervisors. Similar to sample collection, additional unannounced inspections will be assigned based on risk to organic integrity and as needed to ensure compliance with NOP 2609. To assist with tracking, unannounced inspections will be added to the program's weekly inspection and monthly workload dashboards beginning in 2022.

AIA-6192-21 – Accepted. 7 C.F.R. §205.662(c) states, “Proposed suspension or revocation. When rebuttal is unsuccessful or correction of the noncompliance is not completed within the prescribed time period, the certifying agent or State organic program's governing State official shall send the certified operation a written notification of proposed suspension or revocation of certification of the entire operation or a portion of the operation, as applicable to the noncompliance.”

Comments: *WSDA is not consistently issuing notices of proposed suspension when the certified operation fails to rebut or correct a noncompliance within the prescribed time period. In three cases, WSDA either issued a second request for a response to the notice of noncompliance because the operator failed to respond by the due date, or WSDA had not yet followed up on outstanding notices of noncompliance two months after the corrective action due date. In two other cases reviewed, operations were issued the notice of proposed suspension after three consecutive years of not adequately responding to notices of noncompliance or requests for more information.*

Corrective Action: WSDA determined that a loss of staff to new opportunities and pandemic related restrictions impacted program response times. The planned development and launch of a due date tracking system was also postponed. WSDA implemented the following corrections:

- WSDA Organic Program has been able to secure four new review staff since the lifting of the hiring freeze. These staff are currently being trained.
- WSDA has identified the need to focus on additional training and guidance on the compliance and adverse action process to ensure a more efficient process. In February 2021, prior to the last NOP audit, Organic Program management provided guidance and instruction to staff on the requirement to elevate noncompliances that have not been corrected; this guidance was repeated to all WSDA staff at a March 2021 meeting. A Quality Assurance workshop also took place on May 12, 2021, to review expectations for staff approving review recommendations. Starting February 2021, management also scheduled a weekly office hour for review staff to discuss compliance issues.
- In November 2021, WSDA staff identified and evaluated all outstanding noncompliances that required corrective actions. Over the course of several weeks, staff manually removed outstanding noncompliances associated with inactive accounts. Updated instructions were provided to review staff, so that going forward noncompliances and corrective actions are closed out when processing surrendered or suspended operations.
- Organic Program staff met on January 12, 2022 with its database company about adding a tracking prompt to WSDA's Ecert database. A timeline for gaining access to the tracking prompt is estimated to be available in the first quarter 2022. WSDA staff are also

researching how to identify within their system the operations which have responded to noncompliances, but whose response has not been reviewed yet. This will allow the WSDA team to send reminders, or escalate notices, for only non-responsive operations. WSDA plans to have a new tracking system up and running before the 2022 renewal application reviews start on March 1, 2022.

AIA-6194-21 – Accepted. 7 C.F.R. §205.403(a)(1) states that “...An on-site inspection shall be conducted annually... for each certified operation that produces or handles organic products for the purpose of determining... whether the certification of the operation should continue.”

Comments: *WSDA did not inspect all certified operations in the 2018 and 2019 certification years. In 2018, two operations were not assigned to an inspector until late in the season and the 2019 renewals were submitted before the 2018 inspection occurred. The inspections ended up taking place in the 2019 certification year. For two operations, their 2019 inspections were not assigned due to a processing error. For one additional operation, the inspector was unable to complete the inspection in the 2019 inspection year, and the inspection was prioritized for 2020.*

Corrective Action: Since 2019, new queries and reports have been developed to assist management in monitoring inspections. An inspection was conducted for all 2020 certified operations regardless of the many adjustments necessary last year. Management will continue to monitor and ensure all inspections are assigned and conducted for each active operation.

AIA-6195-21 – 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: *WSDA does not consistently demonstrate the ability to fully comply with the requirements for accreditation. The auditors review of certification files and interviews with staff found the following:*

- 1. Organic System Plan (OSP) templates do not fully address the requirements of §205.201(a)(3), which require operators to “provide a description of the monitoring practices and procedures to be performed and maintained, including the frequency with which they will be performed, to verify that the plan is effectively implemented.”*
- 2. One organic certificate reviewed by the auditors listed land that is in transition and noted an effective date of certification. This does not meet the requirements of NOP 2603 section 3.5, which states that certifying agents cannot issue organic certificates to cover operations or land that is under transition to organic production.*
- 3. WSDA does not fully implement the NOP’s international organic trade arrangement policies and procedures, which are outlined in the NOP’s International Trade Policies resources. The auditor’s review of issued TM-11 certificates found that they do not include the applicable compliance statement.*
- 4. WSDA’s Ruminant Livestock OSP and inspection reports do not sufficiently assess rations provided to dairy herds. The auditors’ review of three dairy files showed that there were no specific yield estimates provided for pasture, hay, and silage. Additionally, the inspection reports did not include full feed ration audits to verify the operation’s compliance with §205.237.*

Corrective Action: WSDA is implementing the following actions:

1. WSDA will ensure all updated system plans fully address the requirements of §205.201(a)(3). The projected deadlines of OSP updates are as follows: Crop (July 2023); Livestock (July 2022); Handling (January 2023). WSDA Organic Program is revising all organic system plans as a part of a recently awarded grant project. The three-year project, starting October 2021, will allow WSDA to create a client portal into the Ecert database. This web-based access to an operation's certification file will allow producers or handlers to update their organic system plan online. In order to make this shift, staff must update all organic system plans into a new format. Beginning May 2021 and continuing throughout 2022, WSDA is not accepting applications from new companies. As such, new application packets, which include the full OSP, are not being sent hardcopy and are not available online. In cases where WSDA needs to provide a new application packet prior the planned OSP updates being completed, WSDA will request information for §205.201(a)(3) when responding to new applications. WSDA provided an updated template application response letter, "Certification Review Letter – New Application," which requests information pertaining to §205.201(a)(3).
2. WSDA Organic Program implemented a new internal system to address reviews prior to effective dates. If during the course of a new site review it is determined the land qualifies for organic certification, but the 36 month effective date has not yet occurred, the certification status will remain undetermined and an Internal Action corrective action will be added to the program's database. Staff will monitor Internal Action corrective actions daily. Urgent document review orders will be created for any relevant corrective actions related to the effective date. Staff will review these document review orders to ensure the sites do in fact qualify for organic certification and then issue an updated certificate that includes the site and any relevant crops. Updated instructions regarding reviews prior to effective dates were implemented on November 19, 2021 and a copy provided to the NOP. Producer review staff discussed the updated instructions as a team at their weekly check-in.
3. The TM-11 certificate template was corrected at the time of the NOP audit. The updated, and current, template was submitted to the NOP and has been in use since the March 2021 audit. The file has been protected within WSDA's certification manual to not allow accidental edits to the required statement.
4. In order to demonstrate that WSDA is verifying yields and feed rations at inspection, WSDA provided a copy of their guidance to inspectors, which includes a detailed description of the types of audits required at livestock inspections and how to conduct a feed audit. In addition, the Livestock Organic System Plan and Ruminant Livestock inspection report templates were provided, which include detailed questions regarding pasture, feed rations per class of animal, and livestock feed. The WSDA Mass Balance worksheet used to document feed audits, which assesses yield information, and the WSDA DMI Calculation Worksheet, which is used for each class of animal, were submitted to NOP.

AIA-6196-21 – Accepted. 7 C.F.R. §205.501(a)(5) states "A private or governmental entity accredited as a certifying agent under this subpart must: Ensure that its responsibly connected persons, employees, and contractors with inspection, analysis, and decision-making responsibilities have sufficient expertise in organic production or handling techniques to successfully perform the duties assigned."

Comments: *WSDA's personnel require additional training in order to comply with and implement the USDA organic certification program. The auditors identified the following evidence:*

- 1. An unannounced inspection indicated that a portion of the certified land was leased by another party, but the reviewer did not follow up with the inspector or the client for more information.*
- 2. The "Certified Organic by***" statement was not compliant on two retail labels approved by WSDA.*
- 3. In one operation's file, there were discrepancies between the certified organic acreage listed on the organic certificate, the organic acreage reported by the inspector, and the organic acreage listed on the Certified Operation Profile form.*

Corrective Action: WSDA Organic Program management discussed the above errors with the review staff involved in the file review. WSDA followed up to correct these errors, as appropriate for each operation, and provided copies of correspondence with the involved operations and the corrected organic certificate as evidence of the corrections. These errors will be further shared and discussed at the program's October 2021 staff meeting. Going forward, these items will be highlighted in the program's annual workshop series. Each spring, continuing education workshops are scheduled for certification staff to review WSDA policies, walk through procedures as a group, and discuss changes for the new season.

AIA-6197-21 – 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: *WSDA did not conduct an annual program review according to §205.501(a)(7) and the requirements of NOP 2025, Internal Program Review, in 2020.*

Corrective Action: WSDA assigned the 2021 internal program review to the External Affairs Coordinator, who provides support for accreditation and quality activities and does not include performing certification activities. To provide ongoing opportunities for improvement, the internal program review has been divided into quarters. At the end of each quarter, a review of the certification process for selected files is conducted. In addition to file reviews, field witness audits completed during the certification quarter are also included in the program review. Checklists adapted from NOP audit documents are used to document the findings. WSDA provided a copy of the checklists used to evaluate certification files and field audit, the internal audit schedule for 2021, findings for 2021 Q1 and Q2, and the Q1 and Q2 corrective actions. WSDA Organic Program Policy 041 was updated in early January 2022 to include reference to the quarterly internal audit review of files. A copy was provided to NOP.

NATIONAL ORGANIC PROGRAM: CORRECTIVE ACTION REPORT

AUDIT AND REVIEW PROCESS

An onsite renewal assessment of Washington State Department of Agriculture (WSDA) organic program was conducted on October 2-6, 2017. The National Organic Program (NOP) reviewed the auditor's report to assess WSDA's compliance to the USDA organic regulations. This report provides the results of NOP's assessment.

GENERAL INFORMATION

Applicant Name	Washington State Department of Agriculture (WSDA)
Physical Address	1111 Washington Street SE Olympia, WA 98504
Mailing Address	PO Box 42560 Olympia, WA 98504
Contact & Title	Brenda Book, Organic Program Manager
E-mail Address	bbook@agr.wa.gov
Phone Number	360-902-2090
Reviewer Auditors	Jason Lopez, NOP Reviewer; Penny Zuck and Graham Davis, On-site Auditors.
Program	USDA National Organic Program (NOP)
Review Audit Dates	NOP assessment review: August 2, 2018 Onsite audit: October 2-6, 2017
Audit Identifier	NOP-41-17
Action Required	Yes
Audit & Review Type	Renewal Assessment
Audit Objective	To evaluate the conformance to the audit criteria; and to verify the implementation and effectiveness of WSDA's certification
Audit & Determination Criteria	<i>7 CFR Part 205, National Organic Program as amended</i>
Audit & Review Scope	WSDA's certification services in carrying out the audit criteria during the period: June 2014 through October 2017.

The Washington Department of Agriculture (WSDA) organic program is a state government certification program based in Olympia, WA. WSDA was initially accredited as a certifying agent by the USDA National Organic Program (NOP) on April 29, 2002.

WSDA provides organic certification for 1229 operations in Washington, Oregon, Alaska, Idaho, Nevada, Pennsylvania, and Minnesota: crops (867), wild crops (9), livestock (95) and handling (397). There are no satellite offices, although staff inspectors (12) are distributed throughout the state and perform inspections for multiple WSDA programs. The WSDA organic program is

administered by the Organic Program Manager with the assistance of an External Affairs Coordinator.

The Accreditation Renewal Assessment included three witness audits: one crops inspection in WA; one livestock inspection in WA; and one processing/handling inspection in WA.

NOP DETERMINATION:

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

AIA6255RC.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-41-17.NC1 - 7 C.F.R. § 205.501(a)(21) 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; Comply with, implement, and carry out any other terms and conditions determined by the Administrator to be necessary." NOP 2025, Internal Program Review, Section 3.1, states, "Internal program reviews are conducted by personnel different from those who perform certification activities."

Comments: *WSDA's 2015 and 2016 internal reviews were conducted by the WSDA Organic Program Director who performs certification activities.*

Corrective Actions: WSDA implemented an agency-wide strategic plan update and program review process. The annual update process utilizes performance development tools, outside auditors and facilitators to evaluate compliance with regulations and internal requirements. This new process of evaluating the effectiveness and compliance of a program with its regulatory authority replaces the previous internal audit conducted annually by the Organic Program. Per WSDA agency requirements, program managers are responsible for initiating the update process and ensuring its completion. The review and resulting strategic plan updates are reviewed and approved by the Agency Leadership Team (Division Assistant Director, Deputy Director, and

Director of Agriculture) to ensure agency policy was followed and internal reviews of specific activities were conducted correctly. A memo template for the review completed by the Division Assistant Director has been created and submitted. The memo documents the program's alignment with the agency's new update process and Leadership Team review, and in turn the Organic Program's compliance with §205.501(a)(21) and NOP 2025. This review memo will be filed with the Organic Program's next update (due in June 2018) and each annual update thereafter.

NOP-41-17.NC2 – 7 C.F.R. §205.662(a)(3) states, “When an inspection, review, or investigation of a certified operation by a certifying agent or a State organic program's governing State official reveals any noncompliance with the Act or regulations in this part, a written notification of noncompliance shall be sent to the certified operation. Such notification shall provide: ... the date by which the certified operation must rebut or correct each noncompliance and submit supporting documentation of each such correction when correction is possible.”

Comments: *WSDA's Notice of Noncompliance Template does not include the option to submit a rebuttal of the noncompliance(s).*

Corrective Actions: WSDA revised its Notice of Noncompliance Template to include the operation's option to submit a rebuttal. The previous noncompliance template was removed from WSDA's system and certification manual. WSDA began using the new template on March 19, 2018. WSDA instructions require the use of templates in the program database or certification manual. WSDA management shared this finding with staff at the February 2018 all-staff, annual meeting and reinforced the requirement with certification staff.

NOP-41-17.NC3 – 7 C.F.R. § 205.501(a)(21) 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; Comply with, implement, and carry out any other terms and conditions determined by the Administrator to be necessary.” The NOP website provides instructions and the terms of international trade arrangements.

Comments:

1. *International trade arrangements (importing and exporting) are not included in all Organic System Plans and Inspection Reports.*
2. *WSDA has verification procedures; however, verification is not consistently recorded by reviewers and inspectors.*

Corrective Actions: WSDA developed an updated Organic System Plan section for International Markets as well as a Supplier Summary for International Products. WSDA updated its applicable inspection reports in November 2017 to include import and export activity questions. As of March 28, 2018, WSDA's database has been updated with new import/export features to track product, ingredient sources, and distribution countries per certified product. On June 14, 2018, WSDA implemented the corrective action, trained staff, and began collecting and populating the data into the database.

NOP-41-17.NC4 – 7 C.F.R. §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 *Organic Certificates*, Section 3.1, Elements of the Organic Certificate, states that certificates

include certifying agent's name, address, web site, and phone number; and the Anniversary date (when the certified operation must submit its annual update).

Comments: *The auditors' review of issued organic certificates found that WSDA's certificates are missing the following information:*

1. *WSDA's website address*
2. *Anniversary date*

Corrective Actions: WSDA updated its organic certificate template to include WSDA's website address and the anniversary date of the operation. The new certificate was uploaded to the WSDA database on May 25, 2018.

NOP-41-17.NC5 – 7 C.F.R. §205.403 (c)(1) and (2) states, “The on-site inspection of an operation must verify: The operation’s compliance or capability to comply with the Act and the regulations of this part;... 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.” NOP 2601 “*The Organic Certification Process*” Section 3.4 Inspection states, “The inspection includes, but is not limited to: ...Reconciliation of the volume of organic products produced or received with the amount of organic products shipped, handled and/or sold, also known as trace-back audits or in-out balances; and...”

Comments: *A review of the inspection reports of all certification scopes found that the inspectors are not consistently performing the inspection activities of mass balance and traceability of organic product.*

Corrective Actions: The WSDA quality manual currently contains audit addendums for mass balance and traceability exercises used by inspection staff. WSDA updated (April 19, 2018) and submitted its Audit Guidance which requires mass balance, trace-back and income verification audits to be completed. At WSDA's all-staff annual meeting in February 2018, WSDA management shared this audit finding with staff and directed inspectors to conduct both mass balance and traceability audits of organic products at every 2018 annual inspection and beyond. This requirement was reiterated at inspector trainings held on March 2, March 30, April 24, and June 18, 2018. Inspectors will be reminded again of the requirement at trainings scheduled for mid-August and mid-October.

NOP-41-17.NC6 - 7 C.F.R. §205.403(d) states, “Exit interview. ... The inspector must also address the need for any additional information as well as any issues of concern.”

Comments: *Inspectors conduct and document an “Exit Interview” at the conclusion of each inspection. However, Issues of Concern stated on inspection reports do not reference the regulations.*

Corrective Actions: WSDA reminded inspectors of the requirement to cite USDA organic regulations at the all-staff, annual meeting held in February 2018. WSDA management and reviewers reviewing inspection reports will verify that citations are consistently cited. WSDA auditors will verify citations are used during witness audits. This requirement was reiterated at inspector trainings held on March 2, March 30, April 24, and June 18, 2018. Inspectors will be reminded again of the requirement at trainings scheduled for mid-August and mid-October.

NOP-41-17.NC7 - 7 C.F.R. §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 2613, Section 5.1 states, “If no residues of prohibited pesticides are detected, the certifying agent should: Notify the certified operation of the test results and indicate that the product may be sold as organic.”

Comments: *WSDA sends pesticide residue test results with the most recent certification summary letter. The letter, however, does not indicate whether the product may be sold as organic.*

Corrective Actions: WSDA has updated its template letter for responding to pesticide residue test results to state, in the event that no residues are detected, that the product may be sold as organic. On March 9, 2018, the revised nondetect letter language was updated in WSDA’s certification manual and uploaded into the WSDA system.

NOP-41-17.NC8 - 7 C.F.R. §205.504 (b)(2) states, “A private or governmental entity seeking accreditation as a certifying agent must submit the following documents and information to demonstrate its expertise in organic production or handling techniques... A copy of the procedures to be 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;...”

Comments: *WSDA does not have written procedures for conducting unannounced inspections.*

Corrective Actions: WSDA developed and submitted “Unannounced Inspection Instructions.” The instruction details the procedures to be followed when conducting an unannounced inspection. The certification manual was reviewed with inspectors during the March 30, 2018 inspector training. Training on unannounced inspections was conducted on June 18, 2018.

NOP-41-17.NC9 - 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: *During one of the witness audits, the inspector did not verify retail labels.*

Corrective Actions: WSDA conducted its all-staff, annual training in February 2018. WSDA management shared these audit findings and reminded inspectors of the requirement to verify all practices, including retail labels. The label verification requirement was reiterated at inspector trainings held on March 2, March 30, and April 24, and June 18, 2018. Inspectors will be reminded again of the requirement at trainings scheduled for mid-August, and mid-October. WSDA reviewers and management will verify documentation of label review as inspection reports are reviewed and when witness audits are conducted.

NATIONAL ORGANIC PROGRAM REPORT

AUDIT AND REVIEW PROCESS

An onsite mid-term assessment of the Washington State Department of Agriculture (WSDA) organic program was conducted on June 24 – 26, 2014. The National Organic Program (NOP) reviewed the auditor’s report to assess WSDA’s compliance to the USDA organic regulations. This report provides the results of NOP’s assessment.

GENERAL INFORMATION

Applicant Name:	Washington State Department of Agriculture (WSDA)
Physical Address:	1111 Washington Street SE, Olympia, WA 98504-2560
Mailing Address:	Same
Contact & Title:	Brenda Book, Organic Program Manager
E-mail Address:	bbook@agr.wa.gov
Phone Number:	(360) 902-2090
Auditor(s) and Reviewer (s):	Lars Crail, NOP Reviewer; Darrell Wilson, Onsite Lead Auditor; Renee Mann, Onsite Auditor.
Program:	USDA National Organic Program (NOP)
Audit and Review Date(s):	Onsite assessment date: June 24 – 26, 2014 NOP Review date: July 21, 2014
Audit Identifier:	NP4175OOA
Action Required:	No
Audit and Review Type:	Mid-term (12.5 year) Assessment
Audit Objective:	To evaluate the conformance to the audit criteria; and to verify the implementation and effectiveness of WSDA’s certification system.
Audit and Determination Criteria:	<i>7 CFR Part 205, National Organic Program as amended</i>
Audit and Review Scope:	Assessment of WSDA’s certification services in carrying out the audit criteria

ORGANIZATIONAL STRUCTURE:

WSDA is a state agency which is currently approved as a certifying agent to the USDA National Organic Program (NOP) for the scopes of crops, wild crops, livestock, and handling operations. The WSDA client list as of January 6, 2014, had approximately 1,074 certified clients with 711 crop, 75 livestock, 365 handling, and 6 wild crop operations certified to the NOP. The clients are certified in the U.S., with the majority of the clients certified in the State of Washington and other surrounding states. WSDA does not currently certify any grower groups. All certification activities are carried out of the main office in Olympia, Washington.

WSDA is also accredited by the International Organic Accreditation Service (IOAS) for ISO Guide 65. The accreditation includes their materials review program.

WSDA's certification program staff consists of an Organic Program Manager, an Accreditation/Quality Manager, an Administrative Coordinator, a Livestock Coordinator/Complaint & Compliance Coordinator, a Handler/Processor Coordinator, a Crop Coordinator, an Input Material Coordinator, 7 Program Specialists, and 8 staff and 3 contract inspectors. A review of the personnel files verified that personnel had a sufficient combination of experience, education, and/or training in organic production and handling practices. A review of the files and personnel records did not identify any conflicts of interest with personnel associated with the work they had participated in.

CERTIFICATION PROCESS:

Applications for certification are reviewed by an Organic Coordinator to determine if the application is complete and whether the applicant appears to comply with the USDA organic regulations. After the initial review, an inspector is assigned and the inspection is scheduled. Upon completion of the inspection, the inspection report is submitted to WSDA for review by the Organic Coordinator that conducted the initial review or it may be assigned to a different Organic Coordinator. A final certification decision is made by Quality Assurance personnel (Management and Senior Reviewers with quality assurance training).

For continuing certification (i.e. annual updates), updates are required to be submitted by February 1st for producers and March 1st for handler/processors. This is mandated by WSDA policy. The update documents are reviewed by an Organic Coordinator or for completeness and compliance to the Final Rule. When the review has been completed, an updated certificate is issued to the certified operation. When all (or a majority thereof) of the updates have been received, inspectors are assigned based on scope of expertise, training, location, conflict of interest. The inspectors schedule and conduct the inspections. WSDA staggers livestock inspections so that some years the inspections are conducted during the earlier part of the certification season and other years they are scheduled in the winter months to verify access to the outdoors. Once the inspection is complete, the inspection report is submitted to WSDA for review.

Labels are submitted by operations to WSDA with the initial application or at other times during the year as applicable. WSDA reviews and approves the label prior to use by the operation. Review of various approved labels found all to be in compliance. WSDA has their own seal in addition to using the NOP organic seal, however, it was verified that the use of the WSDA seal is not mandatory.

WSDA has a Material Review Program and Recognition Agreement with the Organic Materials Review Institute (OMRI). WSDA also maintains their own internal Material Review List Registry, which is utilized by their clients.

WSDA has issued 33 TM-11 Export Certificates for both Taiwan and Japan and 85 certificates of inspection for the EU since January 1, 2013. A random review of these documents verified

that they were being properly executed. WSDA is maintaining a list of each of these issued. There were no voided certificates of inspection.

ADMINISTRATIVE RECORDS & PROCESSES:

The basis of certification for the WSDA certification program is outlined in the WSDA Guide to Organic Certification and the WSDA Organic Rules and Regulations. These documents along with the forms needed for certification are available on the WSDA website and paper copies can be sent to the applicant/client operations upon request.

A review of personnel qualifications verified that all had numerous training sessions in NOP training and other agricultural related areas. Some of the training was from outside sources and some was internal. Documentation of the training is being maintained and was available for review. Training is ongoing and is always conducted when changes to the program occur.

Since the previous assessment, WSDA has issued 109 Notices of Proposed Suspensions, 17 Notices of Suspension, 2 notices of denials, 688 Notices of Non-Compliances and has had 200 certified operations surrender their certification. A review of files verified that all notices issued contained the required information and procedures for issuance of the notices and for surrendering certification were being followed. There have been no Notices of Proposed Revocation issued since the last assessment.

SUMMARY OF WITNESS INSPECTIONS AND REVIEW AUDITS CONDUCTED:

A witness inspection was conducted on an organic bakery in Auburn, WA. The inspection was an annual renewal inspection. All areas required were verified during the inspection. At the completion of the inspection, an exit interview was conducted with a knowledgeable representative of the company. Issues of concern were addressed with the representative. No samples were taken and there was no evidence of any prohibited substances used.

A review audit was conducted on a crop/livestock operation (dairy) in Enumclaw, WA. The operation is all organic. The crops raise were pasture and grass silage. Any hay and grain rations are purchased from organic certified operations. All areas were reviewed during the review audit. Buffer zones, records, and maps were verified.

NOP DETERMINATION

NOP's review of WSDA's onsite audit report was conducted. NOP has determined the following status of the prior noncompliance correction actions. There were no new non-compliances identify during this assessment:

Non-compliances from Prior Assessments

AIA13128LMC.NC1 - Cleared – CFR § 205.662(f)(1) states, “A certified operation whose certification has been suspended under this section may at any time, unless otherwise stated in the notification of suspension, submit a request to the Secretary for reinstatement of its certification. The request must be accompanied by evidence demonstrating correction of each

noncompliance and corrective actions taken to comply with and remain in compliance with the Act and the regulations in this part.” *On February 14, 2012, Washington State Department of Agriculture (WSDA), granted certification to Four Seasons Organic, LLC. However, this operation was suspended by WSDA on June 8, 2010, and did not submit a reinstatement request to USDA. WSDA granted certification to Four Seasons Organic, LLC, without a reinstatement approval from USDA.* **Corrective Actions:** WSDA has updated its procedural manual to include the following when processing incoming applications for certification:

1. Incoming applications are reviewed by the Organic Program Manager.
2. The Program Manager, or designee, determines the following prior to accepting the application:
 - a. If WSDA Organic Program has the authority to provide certification services for the scope, location, and type of production outlined in the application forms;
 - b. If the operation was previously certified by WSDA or another accredited certification agency in the past. Searches of previous applications by the same company and/or individual are done by reviewing the following:
 - i. WSDA Organic System Plan, which asks the operation to disclose previous certifications as well as denials, suspensions, and revocations.
 - ii. WSDA organic database
 - iii. NOP List of Certified Operations (NOP Website)
 - iv. NOP Suspended/Revoked Operation list (NOP Website)
 - c. If the operation was previously suspended or revoked and eligible for reinstatement, the new application review is assigned to the Quality Manager for review and response.
 - d. If the operation was previously suspended or revoked and the eligibility timeline in the Suspension Notice has not expired, the applicant will be notified that WSDA Organic Program cannot accept their application at this time.

WSDA is working with the identified suspended operation to address all non-compliances in order to submit a reinstatement request. **Verification of corrective actions:** Discussions with the Program Manager and observations of files reviewed verified that the corrective actions are implemented and effective. Sections 5 of the certification application template contain questions related to previous certifications.

NP2171ADA.NC1 – Cleared – NOP §205.404(b) states “The certifying agent must issue a certificate of organic operation which specifies the: (3) Categories of organic operation, including crops, wild crops, livestock, or processed products produced by the certified operation.” *A review of various certificates of organic operation that were issued by WSDA found that 6 out of the 10 certificates reviewed stated ‘Food Producer’ instead of Crop, Wild Crop or Livestock.* **Corrective Actions:** WSDA will begin issuing organic certificates that specify the three different categories (i.e. crop, wild crop, and livestock) of producer certification. A template of WSDA’s producer certificate with the category notations was provided to the NOP as an example. WSDA expects all producer operations to have the updated certificate format by the end of 2013. **Verification of corrective actions:** All certificates reviewed contained the correct category of certification.

NP2171ADA.NC2 – Cleared – NOP §205.501(a)(6) states, “A private or governmental entity accredited as a certifying agent under this subpart must: Conduct an annual performance evaluation of 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 implement measures to correct any deficiencies in certification services.” *A review of the personnel evaluation records found that some of the WSDA’s certification staff (including the Program Manager and all staff assigned under the Program Manager) has not received annual performance evaluations for 2010 and 2011. Corrective Actions:* By February 1, 2013, WSDA will complete all outstanding evaluations. To ensure that evaluations are completed in a timely manner in the future, WSDA will conduct all annual performance evaluations during the same two months each year. WSDA submitted a personnel evaluation draft policy for NOP review that will become part of WSDA’s quality manual. **Verification of corrective actions:** All certification personnel had current annual performance evaluations.

NP2171ADA.NC3 – Cleared – NOP §205.642 states, “The certifying agent shall provide each applicant with an estimate of the total cost of certification.... The certifying agent may set the nonrefundable portion of certification fees; however, the nonrefundable portion of certification fees must be explained in the fee schedule submitted to the Administrator. The fee schedule must explain what fee amounts are nonrefundable and at what stage during the certification process fees become nonrefundable. The certifying agent shall provide all persons inquiring about the application process with a copy of its fee schedule.”

1. *A review of the fee estimate form found that there is a fee for additional/expedited inspections and reviews at a rate of \$40/hour. However, expedited inspections are not given an estimate. The WSDA management stated that they are not currently accepting expedited reviews due to lack of staffing to fulfill such requests.*
2. *WSDA maintains a refund policy for fees charged; however, the refund policy is not currently available unless requested by the public. The program manager indicated that the policy will be placed in its “Guide to Organic Certification” when the new edition is revised. Currently, if anyone asks about the WSDA refund policy, it is provided.*

Corrective Actions: WSDA submitted for NOP review a draft form, “Request for Expedited Organic Inspection/Evaluation” (AGR 2311), that includes procedures for such services. A draft Cost Estimate Policy (POL-OFP 037) was submitted that includes a fee schedule for expedited services. WSDA also submitted a draft refund policy that will be added to the refund policy in the “Guide to Organic Certification.” Prior to its publication, WSDA will post the refund policy on its website by February 1, 2013. A prototype of the webpage was submitted for NOP review. These documents and web update will be implemented for the 2013 certification season. **Verification of corrective actions:** A review of the fee estimate form and procedures verified the corrective actions are implemented and effective. The refund policy can be found on their website as stated.

Non-compliances Identified during the Current Assessment

None.

AUDIT INFORMATION

Applicant Name:	Washington State Department of Agriculture (WSDA) – Organic Food Program
Est. Number:	N/A
Physical Address:	1111 Washington Street SE, 2nd Floor, Olympia, WA 98504-2560
Mailing Address:	P.O. Box 42560, Olympia, WA 98504
Contact & Title:	Brenda Book, Program Manager
E-mail Address:	bbook@agr.wa.gov
Phone Number:	360-902-1805
Auditor(s):	Lars Crail, NOP Accreditation Manager
Program:	USDA National Organic Program (NOP)
Audit Date(s):	October 3, 2012
Audit Identifier:	NP2171ADA
Action Required:	No
Audit Type:	Correct Action Audit (CA) – Accreditation Renewal Assessment
Audit Objective:	To review certifying agent submitted noncompliance corrective actions and determine if the measures should be accepted by the NOP.
Audit Criteria:	<i>7 CFR Part 205, National Organic Program, Final Rule, dated December 21, 2000; as amended June 6, 2012. NOP 2608, Instruction – Responding to Noncompliances.</i>
Audit Scope:	The results of WSDA’s Renewal Assessment Audit NP2171ADA issued by USDA AMS Grading and Verification Division on August 10, 2012.
Location(s) Audited:	Desk

Washington State Department of Agriculture (WSDA) is an accredited certifying agent to the National Organic Program (NOP) for crops, wild crops, livestock, and handling operations. The WSDA client list as of July 19, 2012, had approximately 1,119 certified clients with 654 crop, 91 livestock, 339 handling (including 192 processors, 16 distributors, 17 traders and 33 retailers), and 2 wild crop operations certified to the NOP. The clients are certified in the U.S., with the majority of the clients certified in the State of Washington and other surrounding states. During the period of June 18 - 21 and July 16 - 19, 2012, NOP conducted witness inspections and an on-site office audit of WSDA as a requirement of the accreditation renewal assessment process and to determine its compliance to USDA organic regulations.

FINDINGS

Observations made, interviews conducted, and procedures and records reviewed verified that WSDA is currently operating in compliance to the requirements of the audit criteria, except as noted below. The corrective actions for the one outstanding noncompliance identified during the 2007 renewal audit and the six noncompliances from the 2009 mid-term audit were verified and found to be implemented and effective; therefore, the noncompliances were cleared.

NP7030MMC.NC4 – Cleared

NP9271ADA.NC1 – Cleared

NP9271ADA.NC2 – Cleared

NP9271ADA.NC3 – Cleared

NP9271ADA.NC4 – Cleared

NP9271ADA.NC5 – Cleared

NP9271ADA.NC6 – Cleared

There were three new noncompliances identified during the assessment. On October 12, 2012, WSDA was issued a Notice of Noncompliance for three noncompliances (NP2171ADA.NC1 – NC3). WSDA submitted timely corrective actions to the NOP. The corrective actions submitted by WSDA are accepted by NOP and will be verified for implementation and effectiveness during the next on-site assessment.

NP2171ADA.NC1 – Accepted - NOP §205.404(b) states “The certifying agent must issue a certificate of organic operation which specifies the: (3) Categories of organic operation, including crops, wild crops, livestock, or processed products produced by the certified operation.” *A review of various certificates of organic operation that were issued by WSDA found that 6 out of the 10 certificates reviewed stated ‘Food Producer’ instead of Crop, Wild Crop or Livestock.* **Corrective Actions:** WSDA will begin issuing organic certificates that specify the three different categories (i.e. crop, wild crop, and livestock) of producer certification. A template of WSDA’s producer certificate with the category notations was provided to the NOP as an example. WSDA expects all producer operations to have the updated certificate format by the end of 2013.

NP2171ADA.NC2 – Accepted - NOP §205.501(a)(6) states, “A private or governmental entity accredited as a certifying agent under this subpart must: Conduct an annual performance evaluation of 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 implement measures to correct any deficiencies in certification services.” *A review of the personnel evaluation records found that some of the WSDA’s certification staff (including the Program Manager and all staff assigned under the Program Manager) has not received annual performance evaluations for 2010 and 2011.* **Corrective Actions:** By February 1, 2013, WSDA will complete all outstanding evaluations. To ensure that evaluations are completed in a timely manner in the future, WSDA will conduct all annual performance evaluations during the same two months each year.

WSDA submitted a personnel evaluation draft policy for NOP review that will become part of WSDA's quality manual.

NP2171ADA.NC3 – Accepted - NOP §205.642 states, “The certifying agent shall provide each applicant with an estimate of the total cost of certification.... The certifying agent may set the nonrefundable portion of certification fees; however, the nonrefundable portion of certification fees must be explained in the fee schedule submitted to the Administrator. The fee schedule must explain what fee amounts are nonrefundable and at what stage during the certification process fees become nonrefundable. The certifying agent shall provide all persons inquiring about the application process with a copy of its fee schedule.”

- *A review of the fee estimate form found that there is a fee for additional/expedited inspections and reviews at a rate of \$40/hour. However, expedited inspections are not given an estimate. The WSDA management stated that they are not currently accepting expedited reviews due to lack of staffing to fulfill such requests.*
- *WSDA maintains a refund policy for fees charged; however, the refund policy is not currently available unless requested by the public. The program manager indicated that the policy will be placed in its “Guide to Organic Certification” when the new edition is revised. Currently, if anyone asks about the WSDA refund policy, it is provided.*

Corrective Actions: WSDA submitted for NOP review a draft form, “Request for Expedited Organic Inspection/Evaluation” (AGR 2311), that includes procedures for such services. A draft Cost Estimate Policy (POL-OFP 037) was submitted that includes a fee schedule for expedited services. WSDA also submitted a draft refund policy that will be added to the refund policy in the “Guide to Organic Certification.” Prior to its publication, WSDA will post the refund policy on its website by February 1, 2013. A prototype of the webpage was submitted for NOP review. These documents and web update will be implemented for the 2013 certification season.



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

AUDIT INFORMATION

Applicant Name:	Washington State Department of Agriculture (WSDA) – Organic Food Program
Est. Number:	N/A
Physical Address:	1111 Washington Street, 2 nd Floor, Olympia, WA 98504-2560
Mailing Address:	P.O. Box 42560, Olympia, WA 98504
Contact & Title:	Les Eklund, Acting Organic Program Director/Field Supervisor and Brenda Book, Accreditation and Certification Manager Quality Assurance
E-mail Address:	leklund@agr.wa.gov ; bbook@agr.wa.gov
Phone Number:	360-902-1924
Auditor(s):	Nikki Adams
Program:	USDA National Organic Program (NOP)
Audit Date(s):	March 8-18, 2010
Audit Identifier:	NP9271ADA
Action Required:	No
Audit Type:	Corrective Action Audit
Audit Objective:	To verify that corrective actions adequately address the non-compliances identified during the mid-term audit.
Audit Criteria:	7 CFR Part 205, National Organic Program, Final Rule, dated December 21, 2000; updated May 14, 2009.
Audit Scope:	WSDA's submitted corrective actions
Location(s) Audited:	Desk

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Reviewers; and

- Revised AGR 2600 OSP Update Non-Ruminant Livestock Producers (Renewal).

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NP9271ADA.NC1 - Adequately Addressed - Issuance of Export Certificates under an Export Arrangement between the USDA and a Foreign Governments requires that ACA's who issue TM-11 Export Certificates follow the export arrangements between the USDA and a foreign government. *WSDA did not follow the requirement of incorporating the compliance documents into their quality manual under the heading "Requirements for Export of U.S. Organic Raw and Processed Products to Japan or Taiwan". Additionally, WSDA has been using the acronym letters WDAJP since 2001 instead of the required WAAJP as assigned by the USDA as the unique codes for the export certificates. WSDA is using the correct acronym for the Taiwan TM 11 Export Certificates.* **Corrective Action:** WSDA renamed the electronic folder of the compliance documents to '*Requirements for Export of US Organic Raw and Processed Products to Japan or Taiwan*'. Also, the WSDA tracking sheet for assigning the unique identifier was corrected. As of October 1, 2009, all TM-11 Japan Export documents issued under the USDA Export Agreement utilized the required WAAJP as assigned by USDA.



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NP9271ADA.NC2 – Adequately Addressed - NOP § 205.406(a)(1-4) requires that to continue certification, a certified operation... submit the following information (1-4). *The updated OSP's submitted by the clients are not including additions or deletions to their existing OSP and other information deemed necessary by the certifying agent to determine compliance with the Act. Updated OSP's reviewed and observed during the on-site audit found that 8 of 10 OSP's simply stated "No Changes" to almost every question. Observations and file reviews found that there were indeed changes to the operations that should have been submitted.* **Corrective Action:** Since the Fall of 2009, WSDA has been working to revise the Organic System Plan (OSP) Updates. Revision of all WSDA Organic Certification Renewal Packets, including but not limited to the OSP Updates (AGR 2600, 2601, 2285, 2502, 2701, 2702) was completed on January 15, 2010. Additionally, a revision of the New Organic System Plans for Crop and Livestock Producers (AGR 2121, 2255, 2254) was completed on January 31, 2010. A cursory review of a random selection of the OSPs on the WSDA website verified that they have been revised as stated. WSDA states there is a three year plan to prioritize the revision of all other forms which will be presented to the WSDA Advisory Board in March 2010. Certification Specialists are attending bi-weekly meetings to ensure consistency in evaluating incoming information and ensuring follow-up questions are asked of clients if the OSP updates do not meet the requirements of § 205.406. WSDA conducted a training session with the Certification Specialists and WSDA Organic Inspectors for handler certification requirements on October 27-30, 2010, and additional training will be conducted for producer certification requirements on March 22-26, 2010.

NP9271ADA.NC3 - Adequately Addressed - NOP § 205.501(a)(11)(vi) requires that to prevent conflict of interest the ACA must ensure that the decision to certify an operation is made by a person different than those who conducted the review of documents and on-site inspection. *It was witnessed during the two onsite inspections that the inspectors for WSDA appear to be making decisions as to the acceptability of inputs used or the changes to the OSP that were not submitted to the ACA. The inspectors are not gathering additional information/documents/records and submitting such information to the ACA in order for the ACA to make certification decisions. The inspectors are informing the clients that the products or inputs comply or not with the Act.* **Corrective Action:** WSDA has revised the PRO-OFP 802 Organic Inspection Procedures and provide training to the staff to ensure the understanding of the distinction between the review and inspection duties as well as reviewing procedures to adequately report any changes discovered during the on-site inspection.

NP9271ADA.NC4 - Adequately Addressed - NOP § 205.403(d) requires that the inspector conduct an exit interview... The inspector must also address the need for any additional information as well as any issues of concern. *During the exit interview with the dairy operation, the inspector notified the client that the feed audit trail would be completed at the inspectors home. This does not allow for the client to provide additional information as needed or be informed of any issues of concern.* **Corrective Action:** WSDA Organic Inspectors are expected to complete an exit interview at the time of the inspection and that all control points of the inspection are completed and reviewed with the applicant or certified operation. Failure to complete the feed audit trail onsite will be a part of the employee's annual performance review.



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WSDA revised the PRO-OFP 802 *Organic Inspection Procedures* to expand on the expectations of the inspector(s) in conducting the audit and exit interview. WSDA conducted training on February 1-4, 2010, with all WSDA Field Inspectors on the inspection process and the requirements of § 205.403.

NP9271ADA.NC5 – Adequately Addressed - NOP § 205.403 (c) (1)(2) states, The on-site inspection of an operation must verify: (1) The operation’s compliance or capability to comply with the Act and the regulations in this part; (2) That the information, including the organic production or handling system plan....” *During the processor witness inspection, the inspector did not verify the labels actually being used on-site. The inspector did review the labels in the client file, but no labels in the plant or on finished bottles were reviewed. Also, during the livestock witness inspection, the inspector did not perform a trace-back of dairy animal identification to verify the organic source or status. Corrective Action:* WSDA Organic Inspectors are expected to verify the organic system plans during the witness onsite inspections. Failure to complete a traceback audit verifying animal identification and origin and a review of labels on-site will be a part of the employee’s annual performance evaluation. Also, PRO-OFP 802 *Organic Inspection Procedures* was expanded (Audits and Exit Interview sections) to state the requirements of the inspector in conducting the onsite inspection. WSDA conducted training on February 1-4, 2010, with all WSDA Field Inspectors on the inspection process.

NP9271ADA.NC6 – Adequately Addressed - NOP §205.239 (a)(1) Livestock living conditions states, “Access to the outdoors, shade, shelter, exercise areas, fresh air, and direct sunlight suitable to the species, its stage of production, the climate, and the environment.” *A review of 5 livestock client files for swine, poultry (layers, meat birds, & turkeys) and rabbits was conducted and found that all had limited access to the outdoors. However, 1 of the 5 (a large laying operation) clients OSP section A. Flow Chart states, “day old chicks received from hatchery are housed in the pullet building for approximately 18 weeks, then transferred to the layer buildings where they are housed for approximately an additional 58 weeks (76 weeks total) until removed for transport to slaughter.” The OSP Section E., 6a Livestock Living Conditions states, ‘If yes, please indicate why livestock are subject to confinement.’ The boxes are checked for ‘Inclement weather, stage of production and health, safety or well-being of animal’ and there is no further explanation in the OSP. A review of the past 3 years OSP updates did not indicate any changes to the access to the outdoors nor do the inspection reports for the last 4 years give any further clarification other than cold weather in 2 reports. There is not sufficient information given on the limited access to make a certification decision. Corrective Action:* WSDA revised the AGR 2255 Organic System Plan- Non-Ruminant Livestock Producers for new applicants and the AGR 2600 Organic System Plan Renewal for Non-Ruminant Livestock Producers to add the wording ‘For each group of organic animals (chicks, pullets, weaners, etc.) describe how you provide access to the outdoors &/or pasture. Please include typical dates of confinement for each group, typical dates animals are provided access to outdoors &/or pasture for each group and details of the conditions of the outdoors &/or pasture that are provided.’ These updates were sent to all existing certified operations on December 15, 2009, and are due back by February 1, 2010. WSDA provided training for livestock reviewers on January 25, 2010. Additionally, WSDA sent staff to the National Organic Program certifier training conducted on February 25,



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AUDIT INFORMATION

Applicant Name:	Washington State Department of Agriculture (WSDA) – Organic Food Program
Est. Number:	N/A
Physical Address:	1111 Washington Street, 2 nd Floor, Olympia, WA 98504-2560
Mailing Address:	P.O. Box 42560, Olympia, WA 98504
Contact & Title:	Les Eklund, Acting Organic Program Director/Field Supervisor and Brenda Book, Accreditation and Certification Manager Quality Assurance
E-mail Address:	leklund@agr.wa.gov ; bbook@agr.wa.gov
Phone Number:	360-902-1924
Auditor(s):	Nikki Adams
Program:	USDA National Organic Program (NOP)
Audit Date(s):	March 8-18, 2010
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