



CERTIFICATE OF ACCREDITATION



United States Department of Agriculture

Agricultural Marketing Service

National Organic Program

IDAHO STATE DEPARTMENT OF AGRICULTURE

2270 Old Penitentiary Road, Boise, Idaho, 83712, 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, Livestock, Wild Crops 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-119-23**

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

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

Issue Date: **12/28/2023**

Jennifer Tucker, Ph.D.

Deputy Administrator

National Organic Program

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NATIONAL ORGANIC PROGRAM: AUDIT & CORRECTIVE ACTION REPORT

GENERAL INFORMATION

- **Certifier Name** Idaho State Department of Agriculture, (ISDA)
- **Physical Address** 2270 Old Penitentiary Road, Boise, Idaho 83712, U.S.A.
- **Audit Type** Renewal Audit
- **Auditor(s) & Audit Dates** Patricia Bursten, Renée Gebault King, 06/13/2022 to 06/17/2022
- **Audit Identifier** NOP-18-22

CERTIFIER OVERVIEW

The National Organic Program (NOP) conducted an onsite Renewal Audit of the Idaho Department of Agriculture (ISDA) USDA organic certification program covering the period April 27, 2020 to June 13, 2022. The purpose of the audit was to verify ISDA'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 ISDA personnel, a records audit, and three onsite witness audits. The three witness audits consisted of one onsite inspection of a wild crops operation, one onsite inspection of a crops and dairy operation and one onsite inspection of a handling operation; all three operations are in Idaho.

ISDA is a state government agency initially accredited on April 29, 2002. ISDA is accredited to the crops, wild crops, livestock, and handling scopes. ISDA's office is in Boise, Idaho. ISDA certifies 259 operations and offers certification services in Idaho, Tennessee, Washington, Wisconsin, and Wyoming. Certification activities are performed by the Program Manager, Program Specialist, an Administrative Assistant, five organic certification inspectors. ISDA has three remote employees working in Twin Falls, Burley, and Blackfoot.

NOP DETERMINATION:

NOP reviewed the audit results to determine whether ISDA'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 audit.

Noncompliances from Prior Assessments

AIA-2223-20 – Cleared.

AIA-2224-20 - Cleared.

AIA-2225-20 - Cleared.

AIA-2226-20 - Cleared.

AIA-1144-22 - Cleared.

AIA-1145-22 - Cleared.

Noncompliances Identified during the Current Assessment and Corrective Actions

AIA-1310-22 - 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: *ISDA does not consistently demonstrate the ability to fully comply with the requirements for accreditation. The auditors' review of certification files found that the ruminant livestock 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."*

Corrective Action: ISDA plans to update its ruminant livestock OSP templates by January 2024 to fully address the requirements of § 205.201(a)(3). The updated OSP templates will be sent in renewals beginning in February 2024 and will also be made available on ISDA's website. ISDA will advise its organic ruminant producers that the updated monitoring portion of the OSP is a required component of their OSPs moving forward from 2024 onward.

AIA-1314-22 - Accepted. 7 C.F.R. §205.403(c)(1) states, "The onsite inspection of an operation must verify: The operation's compliance or capability to comply with the Act and the regulations in this part;"

Comments: *ISDA does not verify an operation's compliance with the USDA organic regulations. The auditors' review of inspection reports found that ISDA inspectors are not*

consistently completing sufficient mass balance and traceback activities during onsite inspections. Auditors identified the following issues:

- 1. For mass balance exercises:*
 - a. At processing operations, inspectors are not consistently recording what documentation was reviewed during the mass balance exercise to determine the quantities of organic products received, used in processing, sold, and stored.*
 - b. At processing operations, inspectors are not consistently evaluating that the amount of raw ingredients received can be reconciled with the amount of finished product sold.*
- 2. For traceback exercises:*
 - a. At processing operations, inspectors are not consistently verifying that raw ingredients can be traced from receipt to the shipped finished product.*
 - b. At crop operations, inspectors are not consistently including yield analysis of crop production.*
 - c. At initial inspections of applicants for certification, inspectors are not consistently conducting traceback audits.*

Corrective Action: ISDA updated its inspection report templates in May 2023 to include additional information, including raw ingredient information for processing/handling mass balances and yield analysis for crop production. ISDA also created the templates in spreadsheet format to allow for auto-calculations. ISDA conducted training for staff in July 2022, December 2022 and May 2023 that directed inspectors to complete mass balance and trace back audits at the time of each inspection and to notate the information source. ISDA conducted additional training for staff on mass balance and traceback audit requirements at an all-staff training on December 4 to 7, 2023.

AIA-1315-22 - 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: *ISDA does not fully implement the National Organic Program’s (NOP) international organic trade arrangement policies and procedures, which are outlined in the NOP’s International Trade Policies resources. The auditors’ review of certification files for operations that import or export under USDA equivalence arrangements found the following issues:*

- 1. ISDA does not always verify compliance with the U.S.-Canada Organic Equivalence Arrangement (USCOEA) for raw ingredients used in processed products exported to Canada.*
- 2. ISDA allowed the buyers or manufacturers of raw ingredients to issue affidavits of USCOEA compliance instead of verifying with the producers’ certifiers the USCOEA compliance status of the raw ingredients.*
- 3. ISDA is not consistently verifying NOP Import Certificates for imported certified organic products from the European Union.*
- 4. ISDA issued organic certificates with a USCOEA attestation on the organic certificate although the addendum indicated that only certain products comply with the terms of the arrangement.*
- 5. ISDA issued organic certificates with the USCOEA attestation for “made with organic [products],” which are outside the scope of the arrangement.*

Corrective Action: ISDA implemented the following corrective actions:

1. ISDA conducted an all-staff training on December 4 to 7, 2023, which covered the requirement for inspectors to confirm the USCOEA status of all raw ingredients in processed products requesting USCOEA verification.
2. ISDA conducted an all-staff training on December 4 to 7, 2023, which instructed staff to get written confirmation from the certifier that an operation and its ingredients are USCOEA compliant if USCOEA compliance is not listed on the operation's organic certificate.
3. ISDA conducted an all-staff training on December 4 to 7, 2023, which covered the requirement to verify import certificates for imported certified organic products from the European Union.
4. ISDA updated its organic certificate template on September 25, 2023 to move the USCOEA attestation to the addendum. The updated organic certificate template will be used for organic certificates issued by ISDA after September 25, 2023.
5. ISDA conducted an all-staff training on December 4 to 7, 2023, which covered the requirement not to issue organic certificates with the USCOEA attestation for product categories outside the scope of the arrangement.

AIA-1316-22 - 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: *ISDA does not fully implement the National Organic Program's (NOP) international organic trade arrangement policies and procedures, which are outlined in the NOP's International Trade Policies resources. The auditors' review of certification files and organic certificates for operations that export under the U.S.-Canada Organic Equivalence Arrangement (USCOEA) found the attestation statement on ISDA organic certificates states "... in compliance with the terms of the US Canada Equivalency Arrangement" instead of "... in accordance with the terms of the US Canada Equivalency Arrangement."*

Corrective Action: ISDA updated its organic certificate template on July 18, 2022 to state "in accordance with the terms of the US Canada Equivalency Arrangement." The updated organic certificate template will be used for organic certificates issued by ISDA after September 25, 2023.

AIA-1317-22 - 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: *ISDA does not consistently demonstrate the ability to fully comply with the requirements for accreditation, including §205.662, Noncompliance procedure for certified operations. The auditors' review of the ISDA Notice of Suspension letters and template found that ISDA is informing operations that once suspended "any organic product in the marketplace needs to be removed and relabeled to remove organic claims or destroyed." This is not within the authority of the USDA organic regulations.*

Corrective Action: ISDA updated its Notice of Suspension letters and templates on April 20, 2023 to remove the statement "any organic product in the marketplace needs to be removed and relabeled to remove organic claims or destroyed." ISDA notified staff of the updated templates via email on April 20, 2023.

AIA-1318-22 - 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: *ISDA is not carrying out the provisions of the Act and regulations. The auditors’ review of ruminant livestock certification files found that ISDA does not always verify that dairy cattle purchased as “organic” were managed as organic from the last 3rd of gestation per the requirements of §205.236(a). ISDA did not verify that livestock were “slaughter-eligible” prior to listing them on the operations’ organic certificates.*

Corrective Action: ISDA conducted training for staff in May 2023 that directed inspectors to ensure that sales documentation and accompanying documents confirm the slaughter-eligible status of purchased livestock on records moving forward, and, if it does not confirm this, then to note this on the exit interview. ISDA conducted additional training on this topic at an all-staff training on December 4 to 7, 2023.

AIA-1319-22 – 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: *ISDA is not consistently carrying out the provisions of the Act and regulations. The auditors’ review of certification files found that ISDA does not consistently require producers that use non-organic seed to conduct an annual commercial availability search for organic seed.*

Corrective Action: ISDA conducted training for staff in July 2022, December 2022, May 2023, and December 2023 on organic seed requirements, including commercial availability searches.

AIA-1320-22 - 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: *ISDA is not consistently carrying out the provisions of the Act and regulations. The auditors’ review of certification files found incomplete or inaccurate information in organic system plans (OSP). ISDA did not require the operations to provide the missing information. The following are examples:*

- 1. A handling operation OSP did not include a list of input suppliers.*
- 2. Livestock operation OSPs did not include feed rations, dry matter intake (DMI) information for all classes of animals and information regarding origin of livestock.*
- 3. An OSP did not include information relevant to the applicant’s practices and procedures. The applicant submitted an OSP with information copied directly from a different operation whose production practices were not applicable to the applicant.*

Corrective Action: ISDA implemented the following corrective actions:

1. ISDA created and implemented a supplier list supplement to its OSP on November 8, 2023. The new supplier list supplement was sent with renewals beginning in November 2023 and is also available on ISDA's website. ISDA will advise its organic processors and handlers that the new organic supplier list supplement is a required component of their OSPs moving forward from 2024 onward. ISDA reminded staff of the requirement at an all-staff training on December 4 to 7, 2023.
2. ISDA discussed the requirements for complete OSPs with staff during a Spring 2023 training. ISDA instructed all staff to ask for updates to missed questions or portions of the OSPs and ISDA final review staff have been requesting OSP updates for missed or inaccurate information. ISDA reminded staff of the requirement at an all-staff training on December 4 to 7, 2023.
3. ISDA plans to notify its certified operations of its OSP requirements in its annual newsletter that will be sent to every ISDA certified operation in February 2024. The operation identified in the noncompliance submitted an updated OSP at its September 25, 2023 inspection.

AIA-1321-22 - 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: *ISDA's 2020 and 2021 program review reports did not include an assessment of findings and implemented corrective actions from prior program reviews.*

Corrective Action: ISDA will require its internal auditor to include an assessment of findings and implemented corrective actions from prior program reviews in its upcoming internal audit, which has been scheduled for March/April 2024, and during ISDA's subsequent audits.

AIA-1322-22 - Accepted. 7 C.F.R. §205.662(a) 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."

Comments: *ISDA does not consistently issue a notice of noncompliance to its certified operations when the operations were identified as noncompliant. The auditors' review of certification files found ISDA failed to issue a noncompliance to several operations that did not have required records available at inspection.*

Corrective Action: ISDA stated that it had been issuing Additional Information Needed (AIN) letters and gathering the necessary records from its certified operations but will now issue notices of noncompliance when records are unavailable at the time of inspection. ISDA notified staff of the change in policy at an all-staff training on December 4 to 7, 2023 and plans to implement the change beginning in 2024.



National Organic Program
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Room 2642-South, STOP 0268
Washington, DC 20250-0268

NATIONAL ORGANIC PROGRAM: CORRECTIVE ACTION REPORT

AUDIT AND REVIEW PROCESS

The National Organic Program (NOP) conducted an audit as part of NOP's assessment of the certifier's organic program. This report provides the results of NOP's review of the certifier's corrective actions and assessment of the certifier's capability to operate as a USDA accredited certifier.

GENERAL INFORMATION

Applicant Name	Idaho State Department of Agriculture ISDA
Physical Address	Old Penitentiary Road 2270, Boise, Idaho 83712
Mailing Address	P.O. Box 7249, Boise, Idaho 83707
Contact & Title	Ms. Gwen Ayres, Program Specialist
E-mail Address	gwen.ayres@isda.idaho.gov
Phone Number	208-332-8539
Reviewer(s) & Auditor(s)	Graham Davis, NOP Reviewer; Alison Howard, Onsite Auditor
Program	USDA National Organic Program (NOP)
Review & Audit Date(s)	Review: 01/08/2021 Audit: 04/20/2020 - 04/24/2020
Audit Identifier	NOP-13-20
Action Required	No
Audit & Review Type	Mid-term Audit
Audit Objective	To evaluate the conformance to the audit criteria; and to verify the implementation and effectiveness of ISDA's certification system.
Audit & Determination Criteria	7 CFR Part 205, National Organic Program as amended

ISDA is a state agency accredited on April 29, 2002 to the USDA National Organic Program (NOP). The ISDA organic certification program certifies 264 operations to the following certification scopes: Crops (184), Livestock (30), Wild crop (2) and Handling (93). ISDA's office is in Boise, ID, and provides certification services in Idaho, Oregon, Washington, Wyoming, Wisconsin, and Tennessee. Certification services are performed by the Program Director, Administrative Assistant and five Organic Certification Specialists/ inspectors. ISDA has one remote employee working in Twin Falls.

NOP DETERMINATION:

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

Non-compliances from Prior Assessments

AIA-1047-20 - Cleared

AIA-1060-20 - Cleared

AIA-1061-20 - Cleared

AIA-1062-20 - Cleared

AIA-1063-20 - Cleared

AIA-1064-20 - Cleared

AIA-1065-20 - 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.

AIA-2223-20 - Accepted 7 C.F.R. §205.670(g) states, “If test results indicate a specific agricultural product contains pesticide residues or environmental contaminants that exceed the Food and Drug Administration's or the Environmental Protection Agency's regulatory tolerances, the certifying agent must promptly report such data to the Federal health agency whose regulatory tolerance or action level has been exceeded. Test results that exceed federal regulatory tolerances must also be reported to the appropriate State health agency or foreign equivalent.”

Comments: *ISDA does not fully carry out the procedures of NOP 2613, Responding to Results from Pesticide Residue Testing. The following issues were identified:*

- 1. The auditor's review of pesticide residue analysis cases found ISDA is not consistently informing operations that their product may be sold as organic when residues are not detected.*
- 2. In one case reviewed, the analysis report result indicated a detection above the EPA 5% tolerance. ISDA received the sample lab result on December 4, 2018 and notified the producer via correspondence on December 10, 2018, including a combined noncompliance and proposed suspension. ISDA did not notify the producer immediately of a positive test result. Additionally, the combined noncompliance and proposed suspension notification incorrectly stated, "NOP would allow for 0.001ppm residue and maintain organic status."*

Corrective Action: ISDA updated its standard operating procedure (SOP) and Internal Sampling Instruction to include indicating whether or not the product can be sold as organic when reporting test results to clients. The SOP has been updated to state ISDA will notify operations of positive sample results the same business day the results are verified by ISDA. ISDA conducted training on April 30, 2020. The revised procedure and training records were submitted to the NOP.

AIA-2224-20 - Accepted 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: *ISDA's notices of noncompliance do not consistently include the operation's right to rebut the noncompliance. The auditor's review of notices of noncompliance found one instance where the producer's right to rebut or correct was not included in the notice.*

Corrective Action: ISDA updated the SOP and created an internal instruction regarding letters and adverse actions that defines what essential items need to be in each letter. The internal instruction points out what is needed in Notices of Noncompliance and specifically states that the Notice of Noncompliance letter must indicate the response or rebuttal date. The Notice of Noncompliance letter is then proofread by another member of the ISDA staff. ISDA conducted training on both elements of this corrective action from April 30- May 1, 2020. The updated documents and training records were submitted to the NOP.

AIA-2225-20 - Accepted 7 C.F.R. §205.662(c)(2) 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. 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. The notification of proposed suspension or revocation of certification shall state: The proposed effective date of such suspension or revocation;”

Comments: *ISDA's Notices of Proposed Suspension are not consistently indicating the proposed effective date of suspension.*

Corrective Action: ISDA changed their Notice of Proposed Suspension Notification templates which now state, “The proposed effective date of the suspension will be [Date].” ISDA submitted to the NOP their updated SOP, updated Internal Instruction and April 30-May 1, 2020 training records.

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AIA-2226-20 - Accepted 7 C.F.R. §205.662(e)(1) states, "If the certified operation fails to correct the noncompliance, to resolve the issue through rebuttal or mediation, or to file an appeal of the proposed suspension or revocation of certification, the certifying agent or State organic program's governing State official shall send the certified operation a written notification of suspension or revocation."

Comments: *ISDA does not consistently issue Notices of Suspension in a timely manner:* • *In one reviewed proposed suspension, ISDA issued an operation a Notice of Proposed Suspension on 02/09/18. ISDA subsequently issued the operation a Notice of Suspension on 06/05/18, which was three months after ISDA's proposed suspension date.* • *In another instance, ISDA issued an operation a Notice of Proposed Suspension on 02/08/2018, to which the operator requested mediation. ISDA offered the operation a Settlement Agreement on 04/06/2018, which the operator did not respond to. ISDA then provided the operation with a deadline of 05/15/2018 to respond, which the operation failed to do. ISDA did not issue the operation a Notice of Suspension until 06/07/2018.*

Corrective Action: ISDA updated their SOP and designated one employee to review the ISDA letter spreadsheet tracker and communicate with ISDA staff responsible for issuing the NOP notification. This tracking system monitors the timeline of issued NOP notices, allowing ISDA to follow up when necessary. ISDA submitted the updated SOP, Internal Instruction and April 30-May 1, 2020 training records to the NOP.

NATIONAL ORGANIC PROGRAM: CORRECTIVE ACTION REPORT

AUDIT AND REVIEW PROCESS

An onsite renewal assessment of the Idaho Department of Agriculture (ISDA) organic program was conducted on August 28- September 1, 2017. The National Organic Program (NOP) reviewed the auditor's report to assess ISDA's compliance to the USDA organic regulations. This report provides the results of NOP's assessment.

GENERAL INFORMATION

Applicant Name	Idaho Department of Agriculture (ISDA)
Physical Address	2270 Old Penitentiary Boise, Idaho 83707
Mailing Address	2270 Old Penitentiary Boise, Idaho 83707
Contact & Title	Gwen Ayers
E-mail Address	Gwen.Ayres@ISDA.IDAHO.GOV
Phone Number	208-332-8680
Reviewer(s) & Auditor(s)	Graham Davis, NOP Reviewer Jason Lopez and Rebecca Claypool, On-site Auditors
Program	USDA National Organic Program (NOP)
Review & Audit Date(s)	NOP Corrective Actions Review: February 28, 2019 NOP assessment review: September 17, 2018 Onsite audit: August 28- September 1, 2017
Audit Identifier	NP7240JZA
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 ISDA's certification system.
Audit & Determination Criteria	7 CFR Part 205, National Organic Program as amended
Audit & Review Scope	ISDA's certification services in carrying out the audit criteria during the period: July 24, 2014 through September 1, 2017

ISDA is a state agency accredited on April 29, 2002 to the USDA National Organic Program (NOP) for crops, livestock, handling, and wild crops. The ISDA organic certification program certifies 2720 operations to the following certification scopes: crops (197), livestock (28), and handlers (98). ISDA's office is in Boise, Idaho, and provides certification services in Idaho, Oregon, Wyoming, Utah, Wisconsin, and Tennessee. Certification services are performed by the program director, and three organic certification specialists/ inspectors. ISDA has two remote employees working in Twin Falls and Blackfoot Idaho. They are assigned inspections based on their qualifications and physical location to operations.

The auditors conducted two witness audits. Witness audits were conducted during inspections of

crops, livestock, and handling operations. The crops and livestock operations produced assorted vegetables, pasture, and cattle. The handling operation was a packing facility.

NOP DETERMINATION:

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

AIA6181PZ.NC1 – Cleared

AIA6181PZ.NC2 – Cleared

NP4202MMA.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.

NP7240JZA.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: *ISDA's annual program review was conducted by and individual that performs certification activities.*

Corrective Actions: ISDA revised their program review policy prior to no longer allow individuals that perform certification activities conduct their program review. The 2018 internal program review was conducted by an ISDA Program Manager who has previous experience with the USDA organic regulations but works for another ISDA program. ISDA conducted training in May of 2018 that covered the change in their internal program review policy.

NP7240JZA.NC2 – Accepted. 7 C.F.R. §205.404(a) states, "...after completion of the initial on-site inspection, a certifying agent must review... any additional information... supplied by the applicant. If the certifying agent determines that the organic system plan and all procedures

and activities of the applicant's operation are in compliance with the requirements of this part... the agent shall grant certification."

Comments: *ISDA had six (6) operations in which the initial review, inspection, final review, and certification decision were not completed in a timely manner.*

Corrective Actions: In August 2017, ISDA implemented a temporary policy to no longer accept applications for organic certification from new operations. In 2018, ISDA increased their staff from 5 to 7.5 employees dedicated to their organic program. ISDA set a goal to perform final reviews within 60 days from when the inspection report was submitted. Prior to 2019, only 3-4 staff were trained to conduct final reviews. ISDA conducted individualized final review training for each new staff person so that all of ISDA's Organic Program Staff can conduct final reviews. ISDA submitted a summary of the Final Review Training Tracker ISDA uses to keep track of the internal trainings for initial reviews, inspections, and final reviews.

NP7240JZA.NC3 – Accepted. 7 C.F.R. §205.403(a)(1) which states, "...An on-site inspection shall be conducted annually thereafter for each certified operation that produces or handles organic products for the purpose of determining whether to approve the request for certification or whether the certification of the operation should continue."

Comments: *ISDA did not conduct the annual inspection of six (6) certified operations within the annual timeframe.*

Corrective Actions: In August 2017, ISDA implemented a temporary policy to no longer accept applications for organic certification from new operations. In 2018, ISDA increased their staff from 5 to 7.5 employees dedicated to their organic program. 2 of the new employees were trained to conduct inspections. As a result, ISDA completed all 2018 inspections in 2018 except one which was rescheduled and completed in January of 2019.

NP7240JZA.NC4 – Accepted. 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."

Comments: *The ISDA organic certificates do not correctly implement the following elements:*

1. *Anniversary Date is identified as "Please submit renewal by"*
2. *Effective date is identified as "Certified since"*
3. *The statement "Certified to the USDA organic regulations, 7 CFR Part 205." is not on the certificate.*
4. *The statement "Once certified, a production or handling operation's organic certification continues in effect until surrendered, suspended or revoked." is not on the certificate.*
5. *ISDA's website is not on the organic certificate template.*

Corrective Actions: ISDA submitted a revised organic certificate template that contains the necessary elements to comply with the regulations. ISDA issued revised certificates with 2018 certification renewals. In May 2018, ISDA staff was training on the use of the new certificate template. ISDA revised their SOP to require that ISDA staff ensure the most current organic certificate template is used when issuing certificates.

NP7240JZA.NC5 – Accepted. 7 C.F.R. §205.662(c) states, "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: *ISDA issued the notice of noncompliance on May 18, 2015 and the operation did not correct or rebut the noncompliance within the prescribed time period. ISDA did not issue a notice of proposed suspension.*

Corrective Actions: ISDA has implemented greater oversight of tracking letters. ISDA implemented a letter tracker spreadsheet. ISDA revised their SOP to include the requirement that staff are required to enter letters that require a response in their letter tracker spreadsheet and a staff member will check for overdue letters monthly. ISDA included this topic in their staff training held in May of 2018.

NP7240JZA.NC6 - 7 C.F.R. §205.403(b)(2) states, “All on-site inspections must be conducted when an authorized representative of the operation who is knowledgeable about the operation is present and at a time when land, facilities, and activities that demonstrate the operation's compliance with or capability to comply with the applicable provisions of subpart C of this part can be observed...”

Comments: *ISDA did not conduct an annual crop inspection during the growing season when crops were able to be viewed. In one file reviewed by the auditor, ISDA performed the 2015 annual crop inspection on December 18, 2015.*

Corrective Actions: ISDA revised their SOP to require all applicable crop inspections be completed by October of each year unless the operation has a facility or location that can grow crops outside of the typical growing season for the area. The SOP requires ISDA staff to issue noncompliance letters to operations within 2-3 weeks if it is unresponsive to ISDA’s scheduling request. ISDA completed all 2018 crop inspections by October 22, 2018.

NP7240JZA.NC7 - 7 C.F.R. §205.501(a) (21) states, “Comply with, implement, and carry out any other terms and conditions determined by the Administrator to be necessary.” NOP 2615 *Organic System Plans, Organic System Plan Updates, and Notification of Changes* section 3.1 “The NOP expects certifiers to require that OSPs, annual updates, and notifications of changes contain sufficient information to determine whether an operation complies with the USDA organic regulations.”

Comments: *Questions regarding import activities are not included in ISDA’s Application Form. Questions about an operation’s import and exporting activities are not included in the inspection reports so the verification of imported and exported products may not occur during inspections.*

Corrective Actions: ISDA revised their OSP and inspection report templates to include specific questions about imports and exports. OSPs and inspection reports will now ensure the verification of imported and exported products. ISDA included this topic in their staff training held in May of 2018.

NATIONAL ORGANIC PROGRAM: CORRECTIVE ACTION REPORT

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

GENERAL INFORMATION

Applicant Name	Idaho State Department of Agriculture (ISDA)
Physical Address	2270 Old Penitentiary Road, Boise, ID 83712
Mailing Address	P.O. 790, Boise, ID 83701-0790
Contact & Title	Johanna Phillips, Organic Program Manager
E-mail Address	Johanna.Phillips@agri.idaho.gov
Phone Number	(208) 332-8539
Reviewer(s) & Auditor(s)	Renée Gebault King, NOP Reviewer; Miguel Caceres and Willy Horne, Onsite Auditors.
Program	USDA National Organic Program (NOP)
Review & Audit Date(s)	Corrective Action Review: December 15, 2014-January 15, 2015 NOP assessment review: September 30, 2014 Onsite audit: July 21-24, 2014
Audit Identifier	NP4202MMA
Action Required	Yes
Audit & Review Type	Mid-term Assessment
Audit Objective	To evaluate the conformance to the audit criteria; and to verify the implementation and effectiveness of ISDA's certification
Audit & Determination Criteria	<i>7 CFR Part 205, National Organic Program as amended</i>
Audit & Review Scope	ISDA's certification services in carrying out the audit criteria during the period: July 15, 2014 through July 24, 2014.

ORGANIZATIONAL STRUCTURE:

The Idaho State Department of Agriculture (ISDA) is a State government agricultural office that operates an accredited USDA organic certification program. ISDA has been accredited as a certifying agent since April 29, 2002, to the National Organic Program (NOP) for the scopes of crop, wild crop, livestock, and handling. ISDA currently has 211 certified clients certified to the NOP, which include 149 crop, 27 livestock, one wild crop, and 85 handling operations. The clients are certified in U.S., with the majority being in Idaho, and certification activities are only to the USDA organic regulations. All certification activities are conducted from the ISDA located in Boise, ID. Through the interviews conducted, a review of the personnel records, and observations of the witness inspection, the onsite auditors verified ISDA staff and contracted

inspectors had the necessary education, experience, and training to comply with and implement the organic certification program.

NOP DETERMINATION:

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

Noncompliances from Prior Assessments

There are no noncompliances from prior assessments.

Noncompliances 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.

NP4202MMA.NC1 – Accepted – 7 CFR §205.403(a)(1) states, "A certifying agent must conduct an initial onsite inspection of each production unit, facility, and site that produces or handles organic products and that is included in an operation for which certification is requested. An onsite inspection shall be conducted annually thereafter for each certified operation that produces or handles organic products for the purpose of determining whether to approve the request for certification or whether the certification of the operation should continue."

***Comments:** In one of six files reviewed, the inspector did not visit the wild crop harvest area. Furthermore, ISDA did not follow-up to ensure the wild harvest area was inspected.*

Corrective Actions: The operation in question identified as part of this audit was suspended in October 2014 for failure to renew their certification. ISDA updated its certification decision procedures in November 2014 to specify that a certificate may not be issued to an operation if the inspection report is incomplete. Furthermore, the certificate may not be issued until the missing information or other issues identified as part of the inspection or final review have been resolved. These updates were communicated to staff and inspectors via a policy memo issued November 17, 2014.



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

AUDIT INFORMATION

Applicant Name:	Idaho State Department of Agriculture (ISDA)
Est. Number:	N/A
Physical Address:	2270 Old Penitentiary Road, Boise, ID 83701
Mailing Address:	Same
Contact & Title:	Brandon Lamb, Agricultural Program Manager
E-mail Address:	Brandon.Lamb@agri.idaho.gov
Phone Number:	208-332-8675
Auditor(s):	Corey D. Gilbert
Program:	USDA National Organic Program (NOP)
Audit Date(s):	June 10 – July 29, 2011
Audit Identifier:	NP1161ZZA
Action Required:	No
Audit Type:	Renewal Assessment
Audit Objective:	To verify continuing compliance to the audit criteria; and to verify the implementation and effectiveness of corrective actions in addressing the non-compliances identified during the Deferred and Mid-Term Audit.
Audit Criteria:	7 CFR Part 205 National Organic Program, Final Rule, dated December 21, 2000; as amended March 14, 2011.
Audit Scope:	ISDA's quality manual including personnel, processes, procedures, facilities and related records.
Location(s) Audited:	ISDA's office in Boise, ID; crop and livestock operation in Paul, ID; and handling operation in Twin Falls, ID.

GENERAL INFORMATION:

ISDA was accredited as a certifying agent on April 29, 2002, to the USDA National Organic Program (NOP) for crops, wild crops, livestock, and handling operations. ISDA is currently certifying operations in Idaho, Wisconsin, and Wyoming. The ISDA client list as of July 25, 2011, had 160 crop, 0 wild crop, 26 livestock, and 78 handling operations certified to the NOP standards. ISDA has never certified a wild harvest operation.

FEES:

The ISDA fee schedule is available to clients via the ISDA website and is sent as part of the application packet for any client that requests information. All fees are non-refundable and include base fees, inspection fees, and graduated fees based on sales. The fees appear to be reasonable and the fee schedule is clear in the amount charges and what is nonrefundable. ISDA sends an estimate of costs for certification in a pre-inspection letter to each client.



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

PERSONNEL:

The ISDA Organic Program office is located in Boise, ID within the Division of Agricultural Inspections. The staff consists of the Division Director, Section Manager, Program Manager, 2 program specialists, 3 Senior Agriculture Investigators, and 2 State Dairy Inspectors. ISDA also uses 3 contractors for file reviews, material reviews, and inspections. Interviews conducted, records reviewed, and observations made during the witness inspections and office audit verified personnel were qualified and knowledgeable for their assigned duties. Records reviewed verified that ISDA was meeting the requirements for annual performance evaluations, confidentiality, and conflicts of interest disclosure reports. ISDA staff completed additional IOIA organic training in 2010/2011 along with other external training on pest management, pesticide residue testing, and processing.

CERTIFICATION PROCESS:

Certification information and application material can be obtained on the ISDA website (www.agri.idaho.gov) or by contacting the ISDA office in Boise, ID. New applicants are sent a certification packet with the ISDA Standard Operating Procedure for the Organic Program, instructions for certification, fee schedule, application form, appropriate organic system plan forms, and the NOP Rule. Initial and annual update reviews are primarily conducted by ISDA staff; although, they may also be conducted by contractors. Inspections are conducted by staff (majority) or subcontracted inspectors based on qualifications, location, and availability. The Program Manager is responsible for assigning the appropriate reviewer and inspector. ISDA staff conduct material reviews with assistance from contractors as needed, and they also reference the Organic Materials Review Institute (OMRI) and Washington State Department of Agriculture material lists. The inspection report and complete operator file is reviewed for compliance by a staff reviewer and forwarded with a recommendation to the Program Manager. The Program Manager is currently making all of the final certification decisions, and all certificates are signed by the Director of Agriculture. Records show that in all cases the certification decision was made by someone different from the one that conducted the initial review, secondary review, and/or the inspection.

Annual updates to the organic system plans and annual inspections are required in accordance with the NOP Rule. Labels and inputs are reviewed and approved by qualified ISDA staff, and their use is verified by inspectors during inspections.

ADMINISTRATIVE PROCEDURES:

Records reviewed verified that notification of denial of certification, notification of non-compliances, notifications of proposed suspension/revocation, and actual suspension/revocation requirements were in accordance with the NOP Rule. All notices of non-compliances issued are forwarded to the NOP Appeals Team.

ISDA has conducted an annual program review and Annual updates are submitted to the Administrator as required. ISDA has procedures in place to issue Export Certification Certificates (TM-11) for Japan and Taiwan. They have only issued one export certificate (Taiwan). A review of the procedures and files verified ISDA is operating in compliance to the USDA procedures for issuing export certificates.



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

WITNESS INSPECTIONS:

The assessment included observations of three renewal inspections by ISDA. The crop and livestock operation was a dairy in Paul, ID; and the handling operation was a cheese processor in Twin Falls, ID. All required areas of the certified operations, including inputs and labels, were reviewed and verified by the inspectors. Three staff inspectors conducted the inspections. The crop and livestock operation was inspected by two different inspectors on two separate days. An exit interview which included identification of issues of concern was conducted with the operation representative at the end of all three inspections.

FINDINGS

Observations made, interviews conducted, and procedures and records reviewed verified that ISDA is currently operating in compliance to the requirements of the audit criteria. The corrective actions for the non-compliances identified during the Deferred and Mid-Term Audit were verified and found to be implemented and effective; therefore, the non-compliances were cleared. No non-compliances were identified during this assessment.

**NP9110DDA.NC1 – Cleared
NP9110DDA.NC2 – Cleared
NP9110DDA.NC3 – Cleared
NP9110DDA.NC4 – Cleared
NP9110DDA.NC5 – Cleared
NP9110DDA.NC6 – Cleared
NP9110DDA.NC7 – Cleared
NP9110DDA.NC8 – Cleared
NP9110DDA.NC9 – Cleared
NP9110DDA.NC10 – Cleared**