



United States Department of Agriculture

Agricultural Marketing Service
National Organic Program

CERTIFICATE OF ACCREDITATION

MARIN ORGANIC CERTIFIED AGRICULTURE

1682 Novato Boulevard, Suite 150-A, Novato, California, 94947, 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, 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-35-24**

Effective Date: **11/30/2024**

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

Issue Date: **12/04/2024**

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

NATIONAL ORGANIC PROGRAM: AUDIT & CORRECTIVE ACTION REPORT

GENERAL INFORMATION

- **Certifier Name** Marin Organic Certified Agriculture, (MOCA)
- **Physical Address** 1682 Novato Boulevard, Novato, California 94947 U.S.A.
- **Audit Type** Renewal Audit
- **Auditor & Audit Dates** Alicia Hudson, 11/14/2022 to 11/18/2022
- **Audit Identifier** NOP-27-22

CERTIFIER OVERVIEW

The National Organic Program (NOP) conducted an on-site renewal audit of Marin Organic Certified Agriculture's (MOCA) certification activities during the period April 6, 2020, to November 18, 2022. The purpose of the audit was to verify MOCA'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 MOCA personnel, a records audit, and three onsite witness audits. Witness audits consisted of three annual inspections of certified operations, covering crops, wild crops, livestock, and handling scopes.

MOCA is a county based nonprofit certifier initially accredited on April 29, 2002. MOCA is accredited to Handling, Crops, Livestock, and Wild Crops scopes. MOCA's office is in Novato, California. MOCA certifies 50 operations. Certification activities are performed by six employees and contractors.

NOP DETERMINATION:

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

Noncompliances from Prior Assessments

AIA-841-20 - Cleared.
AIA-845-20 - Cleared.
AIA-846-20 - Cleared.
AIA-927-20 - Cleared.
AIA-933-20 - Cleared.
AIA-934-20 - Cleared.
AIA-935-20 - Cleared.
AIA-936-20 - Cleared.
AIA-937-20 - Cleared.

Noncompliances Identified during the Current Assessment and Corrective Actions

AIA-2602-22 – Accepted. C.F.R. §205.404(b)(1-4) states, “The certifying agent must issue a certificate of organic operation which specifies the: (1) Name and address of the certified operation; (2) Effective date of certification; (3) Categories of organic operation, including crops, wild crops, livestock, or processed products produced by the certified operation; and (4) Name, address, and telephone number of the certifying agent.”

Comments: *MOCA’s handling organic certificates are missing the required elements identified in NOP 2603 Organic Certificates. The auditor reviewed certification files and found that handling certificates do not always specify the labeling category for each product.*

Corrective Action: MOCA evaluated the organic certificates for all six certified handling operations and found them to now be compliant. MOCA notified NOP on September 19, 2023 that it would reduce certification services within the handling scope and only provide services to operations with dairy products, on-farm handling/processing, and single ingredient products effective November 1, 2023. MOCA notified NOP on August 22, 2024 that it had ceased accepting Handling applications and would surrender the Handling scope effective November 30, 2024.

AIA-2603-22 – 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: *MOCA does not consistently carry out the provisions of the Act and the*

regulations. The auditor conducted witness audits and reviewed certification files and found the following issues:

1. MOCA's inspector did not verify that dairy operations provided all classes of animals access to pasture throughout the entire grazing season as required by § 205.237 and § 205.240 and MOCA's reviewer did not identify this as an issue of concern or follow up.
2. MOCA's inspector did not verify that livestock treated with prohibited substances were sold as nonorganic and the MOCA reviewer did not identify this as an issue of concern or follow up.
3. In one certification file, MOCA's inspector started but did not complete the mass balance exercise. There was no explanation in the inspection report why the mass balance exercise had been stopped and the MOCA reviewer did not identify this as an issue of concern or follow up.

Corrective Action: MOCA addressed the requirement to conduct and complete a mass balance exercise at each inspection and communicated it to inspectors. The inspector must note an incomplete mass balance exercise with an explanation as to why the mass balance is incomplete (e.g., records or information missing) and indicate an issue of concern on the inspection report. To prevent reoccurrence, MOCA has provided training to staff on November 3, 2023 and November 7, 2023 regarding mass balance exercise requirements. All current MOCA inspectors have also completed "Conducting Yield Analysis" and "Microlearning – Conducting a Mass Balance Audit" within the Organic Integrity Learning Center, to review the requirements for conducting mass balance exercises at organic inspections. Additionally, on August 22, 2024, MOCA notified the NOP that it had ceased accepting Livestock applications and would surrender the Livestock scope effective November 30, 2024

AIA-2604-22 – 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: MOCA does not consistently carry out the provisions of the Act and regulations. The auditor reviewed certification files and found MOCA did not obtain documentation to verify compliance of the following:

1. Sodium bicarbonate used as a handling ingredient is nonsynthetic per §205.605(a).
2. Wood shavings used for livestock bedding are not treated.

Corrective Action: MOCA reviewed their material review process and had staff complete the course "Input Material Review" through the Organic Integrity Learning Center. On August 22, 2024, MOCA notified the NOP that it had ceased accepting Handling and Livestock applications and would surrender the Handling and Livestock scopes effective November 30, 2024.

AIA-2605-22 – 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: MOCA does not consistently demonstrate the ability to fully comply with the

requirements for accreditation. MOCA's livestock inspection report and organic system plan (OSP) templates do not require enough information to determine an operation's compliance with the USDA organic regulations. The auditor reviewed certification files and identified the following:

1. MOCA's OSP does not require operations to demonstrate how the amount of DL Methionine fed per ton of feed over the life of poultry flocks is calculated in accordance with the National List of Allowed and Prohibited Substance §205.603(d)(1).
2. MOCA's inspection reports do not prompt the inspector to verify the amount of DL methionine used over the life of the poultry flock.
3. MOCA's OSP did not require a livestock operation to provide a list of the facility's sanitizers that included their composition, source and the location(s) where they are used, as required by § 205.201.
4. MOCA's inspection reports incorrectly asks inspectors to verify that ruminants grazed a minimum of 120 days instead of requiring verification that ruminants grazed throughout the entire grazing season, as required by § 205.237.
5. MOCA's inspection reports do not prompt the inspector to verify the operation's compliance with dry matter intake (DMI) and dry matter demand (DMD) requirements for all classes of animals per § 205.237.
6. MOCA's inspection reports do not require the inspector to review feed fed records to verify the operation's compliance with § 205.237.

Corrective Action: On August 22, 2024, MOCA notified the NOP that it had ceased accepting Livestock applications and would surrender the Livestock scope effective November 30, 2024.

AIA-2606-22 – 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: MOCA does not consistently demonstrate the ability to fully comply with the requirements for accreditation. MOCA's processing/handling inspection report and organic system plan (OSP) templates do not require enough information to determine an operation's compliance with the USDA organic regulations. The auditor reviewed certification files and identified the following:

1. MOCA's OSP does not require livestock handlers to provide enough detail to demonstrate compliance with §205.236 through §205.240.
2. MOCA's inspection reports do not require the inspector to verify operations' compliance with §205.236 through §205.240.
3. MOCA's OSP does not require the operation to document if boilers additives are used.

Corrective Action: MOCA notified NOP on September 19, 2023 that it would reduce certification services within the Handling scope and only provide services to operations with dairy products, on-farm handling/processing, and single ingredient products effective November 1, 2023. MOCA notified NOP on August 22, 2024 that it had ceased accepting Handling applications and would surrender the Handling scope effective November 30, 2024.

AIA-2607-22 – 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: *MOCA does not consistently demonstrate the ability to fully comply with the requirements for accreditation. MOCA’s crops organic system plan (OSP) templates do not require enough information to determine an operation’s compliance with the USDA organic regulations. The auditor reviewed certification files and identified the following:*

1. *MOCA’s crops OSP does not require operations to document if plastic mulch is removed at the end of the growing season or if the plastic mulch is manufactured in accordance with the National List of Allowed and Prohibited Substances.*
2. *MOCA’s crops OSP section on wild harvest does not require the operation to describe the natural harvest area or provide a list of all collectors as required by NOP 5022 Wild Crop Harvesting.*

Corrective Action: MOCA implemented the following corrective actions in response to the noncompliance:

1. MOCA updated its Crops OSP to include a new section in OSP Form C08 Crop – Weed, Disease & Pest Management. Section D asks the Crops operation if they use plastic/synthetic mulch and how the operation documents that plastic/synthetic mulch is removed at the end of the growing season. This section also asks the operation how they document that plastic/synthetic mulch is manufactured in accordance with the National List of Allowed and Prohibited Substances.
2. The NOP accepts MOCA’s rebuttal that its Crops OSP requires the operation to describe the natural harvest area. MOCA updated form OSP Form C17 Crop – Wild Crop Harvesting to revise Section B to more thoroughly reflect the OSP requirements outlined in NOP 5022. The form asks the operation to provide a list of all individuals permitted to collect wild crops for the operation and to describe the training provided to collectors to ensure that crops are harvested in accordance with the OSP and in a manner that does not damage the environment. The new forms were sent out to MOCA producers on November 8, 2023 for use in 2024 OSP submissions.

AIA-2609-22 – 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: *MOCA does not consistently issue a notice of noncompliance to its certified operations when noncompliant practices are found. The auditor reviewed certification files and found that MOCA did not issue a noncompliance when the inspector identified that a livestock operation did not keep feed records.*

Corrective Action: MOCA required all current inspectors to complete the Organic Integrity Learning Center courses “Certification Review Essentials” and “Compliance and Enforcement” to examine responsibilities for certification reviewers and requirements for identifying and issuing noncompliances. On August 22, 2024, MOCA notified the NOP that it had ceased accepting Livestock applications and would surrender the Livestock scope effective November 30, 2024.



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GENERAL INFORMATION

- **Certifier Name** Marin Organic Certified Agriculture (MOCA)
- **Physical Address** 1682 Novato Boulevard, Suite 150-A, Novato, California 94947
- **Audit Type** Mid-term Assessment (Desk-audit)
- **Auditors & Audit Dates** Jessica Walden, 04/06/2020 to 04/10/2020
- **Audit Identifier** NOP-8-20

CERTIFIER OVERVIEW

Marin Organic Certified Agriculture (MOCA) is a government agency housed within the Marin County Department of Agriculture. The program headquarters are located in Novato, California. MOCA was originally accredited by the USDA National Organic Program (NOP) on April 29, 2002, to certify Crops, Wild Crops, Livestock, and Handling/processing operations. All key certification activities are conducted at the Novato office.

MOCA certifies 49 operations to the following scopes: Crops (45), Livestock (21), Wild Crops (3), and Handling (8). MOCA certifies organic operations located in Marin, Humboldt, Riverside, and Sonoma counties in California.

Certification services are performed by five individuals. These include: two Program Coordinators, a Certification Specialist, and two dedicated Certification Reviewers/Inspectors. The program coordinators and certification specialist also serve as reviewers and inspectors.

NOP DETERMINATION

NOP reviewed the audit results to determine whether MOCA'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-842-20 – Cleared.

AIA-844-20 – Cleared.

AIA-847-20 – Cleared.

AIA-848-20 – Cleared.

AIA-841-20 – 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;" §205.303(b)(2) states, "On the information panel, below the information identifying the handler or distributor of the product and preceded by the statement, "Certified organic by * * *," or similar phrase, identify the name of the certifying agent that certified the handler of the finished product...."

Comments: *A review of labels found that one label did not identify the final handler or distributor. Another label did not place the "Certified organic by ***" statement below the name of the certified operation or distributor.*

2017 Corrective Action: MOCA communicated with the operation whose label did not identify the final handler, and discovered the final handler is a separate entity. The uncertified entity obtained certification through MOCA, and a new label was approved by MOCA. MOCA issued a notice of noncompliance to the operation with the incorrect placement of the "Certified organic by ***" statement. MOCA conducted staff training August 21, 2017, on the requirement of each legal entity being certified individually, and on the placement of the "Certified organic by ***" statement.

2020 Verification of Corrective Action: Out of 7 retail labels reviewed, the auditor identified one label that did not display the "Certified organic by ***" statement below the name of the certified operation or distributor.

2022 Corrective Action: MOCA created a label review form to assist certification staff and inspectors in label review. MOCA reviewed all its clients' labels and verified that the "certified organic by" statement is now compliant on all retail labels used by MOCA's certified operations. MOCA archives the response sent to clients regarding the review of labels in each respective client file. MOCA's Label Review Procedures have been updated to direct certification staff to use the label

review form for initial review of labels and for inspectors to use the label review form during inspections. All MOCA staff were trained on COB placement on labels on April 9, 2020.

AIA-845-20 – Accepted. 7 C.F.R. §205.501(a)(8) states, “A private or governmental entity accredited as a certifying agent under this subpart must: Provide sufficient information to persons seeking certification to enable them to comply with the applicable requirements of the Act and the regulations in this part;”

Comments: *The MOCA organic system plan (OSP) templates do not require operations to provide information on the following topics and/or activities: 1. Are operations selling, shipping, buying, or receiving products and/or ingredients traded under the international arrangements with Korea, Japan, EU, Canada and/or Switzerland. There is only mention of international import/export activities on MOCA’s processing OSP and is limited to the Canadian and European Union trade arrangements. 2. Two files reviewed have products with a private label, however the OSP does not include information regarding private label agreements.*

2017 Corrective Action: MOCA updated their Crops, Livestock, and Processing Organic System Plans to require operations to provide information about the export of organic products, and co-packing under private label agreements. The Seeds and Planting Stock and the Organic Product Profile forms request information about imported seeds and ingredients.

2020 Verification of Corrective Action: The crop, livestock and handling OSP templates in use now include questions related to private label agreements. The Seeds and Planting Stock forms request information about imported seed. The handler organic system plan includes questions about export to other countries but does not include questions about import activities. In addition, the crop and livestock organic system plans, and inspection report templates do not include questions that prompt the inspector’s verification of import and export activities.

2022 Corrective Action: MOCA created an OSP document, “International Markets” for operations to fully describe their importing and exporting activities. MOCA updated its inspection report templates for all scopes to include questions related to operations’ importing or exporting of organic products/ingredients. All MOCA staff were trained on the “International Markets” document and the new MOCA document on April 9, 2020.

AIA-846-20 – Accepted. 7 C.F.R. §205.501(a)(9) requires that certifiers “Maintain all records pursuant to §205.510(b) and make all such records available for inspection and copying during normal business hours...” Interim Instruction NOP 3012 Material Review (Section 4) states, “maintain documentation to support its determinations about the status of a product’s compliance with the regulations, including those products that are based on prior determination by another certifier, MRO, or the EPA...”

Comments: *MOCA conducts material reviews and maintains an excel spreadsheet of approved materials. The reviewed documentation on the materials is not readily available.*

2017 Corrective Action: MOCA updated their material review process to include an electronic folder for each material and the use of the MOCA Material Review Documentation form. The folder will record how the determination of the material was made, including the details of the review of each ingredient when applicable. Staff were trained on the new process on August 21, 2017.

2020 Verification of Corrective Action: The Material Review Form developed by MOCA to document material reviews is not consistently completed by reviewers. Additionally, MOCA is not consistently maintaining adequate documentation to support its review and approval of materials, including materials that are approved based on prior determination by other certifiers and material review organizations. The auditor identified two instances where a material was approved by MOCA based on another certifier approval, but the information on file for the materials did not support their compliance with the USDA organic regulations.

2022 Corrective Action: MOCA's updated process requires that the MOCA Material List include all materials in use by operations, documentation that those are allowed or allowed with restrictions, and that all materials have been reviewed by MOCA within the past 5 years. As part of pre-inspection duties, the assigned inspector will be responsible for verifying that all materials meet requirements for inclusion on the MOCA Material List. MOCA will document material review using the "Material Review Document Template" to verify compliance with the regulations, including documentation and determinations by another certifiers or material review organizations per NOP 3012. MOCA utilizes review information from the CFDA OIM (California Department of Food and Agriculture Organic Input Material program, OMRI (Organic Materials Review Institute), CCOF (California Certifiers Organic Farmers, PCO (Pennsylvania Certified Organic), and WSDA (Washington State Department of Agriculture. During final review, the reviewer will consult the MOCA Material List for comparison to the operation's input list and documentation to ensure that materials have been approved by MOCA per material list requirements. MOCA inspectors and reviewers were trained on the topic of consistency in documenting material reviews on April 9, 2020.

Noncompliances Identified during the Current Assessment

AIA-927-20 – 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: *MOCA's forms and international organic trade review process do not demonstrate that MOCA fully complies with the requirements in the following manner:*

- 1. MOCA's organic system plans and inspection reports do not demonstrate that MOCA fully complies with the requirements of 205.201(a)(3) and (a)(6). The forms do not 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. MOCA does not full carry out 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 a file for products exported under the US - Canada equivalency arrangement found that product labels were not reviewed according to the labeling requirements for retail products sold in Canada.*

Corrective Action: MOCA has added fields for operations to describe their monitoring practices to OSP documents, "C08 Crop - Weed, Disease & Pest Management," and "C12 Crop - Harvest & Transport,"

“H05 - Handling- Organic Control Points,” “H08 - Handling- Pest Management,” “H13- Handling- Records & Audit Trail,” “L04 Livestock-Health and Welfare Management,” “L18 Livestock - Grazing Pasture Management,” “P05 - Processing - Organic Control Points,” “P08 - Processing - Pest Management,” and “P13 Processing - Records & Audit Trail” and updated inspection reports to verify the OSP updates to ensure operations are in compliance with this requirement. Product exported to Canada by the handler in question are non-retail only. Exported product goes through further processing and packaging for the retail market once in Canada. MOCA does not certify any retail products exported to Canada.

AIA-933-20 – Accepted. 7 C.F.R. §205.501(a)(4) states, “A private or governmental entity accredited as a certifying agent under this subpart must: Use a sufficient number of adequately trained personnel, including inspectors and certification review personnel, to comply with and implement the organic certification program established under the Act and the regulations in subpart E of this part;”

Comments: *MOCA’s personnel are not adequately trained to comply with and implement the USDA organic certification program in the following manner:*

- 1. MOCA is not adequately reviewing nonorganic ingredients used in processed products for compliance with the USDA organic regulations. Specifically, the auditor’s review found that MOCA allowed several nonorganic agricultural ingredients not listed in §205.606 to be used in organic products. Also, MOCA did not verify whether an ingredient used in organic products was produced without excluded methods. The ingredient is listed in §205.605.*
- 2. MOCA’s inspectors are not conducting adequate in/out balances to determine whether the certified operation maintains records that fully disclose all activities and transactions in sufficient detail as to be readily understood and audited. Additionally, MOCA’s inspection report templates do not ask that this type of verification be completed by inspectors. Therefore, crop yield estimates are not adequately verified at inspection, and ingredients used in processed products are not reconciled with organic products. produced.*

Corrective Action: MOCA has created a document: “Using Organic Ingredients.” Inspectors are now reviewing all ingredients used in processed products to ensure they follow the USDA organic regulations. All MOCA staff were trained on ingredient review on April 9, 2020. A mass balance audit field was added to all inspection reports. MOCA inspectors are in the process of taking the OILC training for Conducting Yield Analysis and Traceability Techniques. All MOCA inspectors will have the OILC training completed by October 31, 2022. MOCA hosted training for all staff that covered the topic of conducting mass balance audits on April 9, 2020, and May 6, 2020.

AIA-934-20 – Accepted. 7 C.F.R. §205.403(e)(2) states, “A copy of the on-site inspection report and any test results will be sent to the inspected operation by the certifying agent.”

Comments: *MOCA does not always send operations a copy of their inspection report after an unannounced inspection is conducted. The auditor’s review of certification files found that in three instances the unannounced inspection report was not sent to the operations following their inspections.*

Corrective Action: Since the NOP audit in April 2020, MOCA has sent all operations a copy of their inspection report after conducting an unannounced inspection, once final review has been completed.

There is now a process in place to ensure each operation receives an inspection report following an unannounced inspection. All MOCA staff were trained on procedures for unannounced inspections, including sending inspection reports on April 9, 2020.

AIA-935-20 – Accepted. 7 C.F.R. §205.670(d) states, “A certifying agent must, on an annual basis, sample and test from a minimum of five percent of the operations it certifies, rounded to the nearest whole number.”

Comments: *The auditor’s review of MOCA’s pesticide residue sampling information found that, in 2017, MOCA did not meet the requirement to sample and test from 5% of its certified operations annually.*

Corrective Action: MOCA updated its policy so that unannounced and residue sample inspections are assigned by March 31st of each year and due no later than September 31st. All MOCA staff were trained on residue sampling requirements and procedures on April 9, 2020. MOCA met requirements by conducting pesticide residue sampling on three operations, 5% of their operations, in 2018, 2019, 2020, and 2021. MOCA completed the 2022 residue sampling required of 5% of their operations in May 2022.

AIA-936-20 – 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.”

Comments: *The auditor’s review of MOCA’s unannounced inspection files found that MOCA did not meet the requirements of NOP 2609 Unannounced Inspections in the following manner:*

1. *MOCA did not conduct unannounced inspections of 5% of its total certified operations in 2017.*
2. *In 2019, the operations that were subject to unannounced inspections were given 24 hours’ notice.*

Corrective Action: All MOCA staff were trained on unannounced inspection requirements and procedures on April 9, 2020. MOCA conducted three (3) unannounced inspections per year in 2018, 2019 and 2020. MOCA conducted two of the three required unannounced inspections in 2021. MOCA updated its unannounced inspection policy due to not completing all required unannounced inspections in 2021. MOCA’s new policy requires that all unannounced inspections be assigned by March 30 and to be completed by September 30 of each calendar year. All MOCA staff were trained on unannounced inspection procedures on April 9, 2020, which included the requirement of giving no more than 4 hours’ notice prior to conducting an unannounced inspection. In 2020 and 2021, MOCA inspectors gave producers no more than 4 hours’ notice of an unannounced inspection.

AIA-937-20 – 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: *The auditor reviewed 7 product labels and identified one label that displayed a noncompliant USDA seal.*

Corrective Action: MOCA reviewed all its clients’ labels and verified they are compliant in display of

the USDA organic seal. MOCA created a label review form to assist inspectors in label review. All MOCA staff were trained on label review requirements on April 9, 2020.

Corrective Action: The MOCA Quality Manual states that “MOCA shall provide the operation with a receipt for all samples taken by the inspector and a copy of the test results” (MOCA Quality Manual, Pesticide Residue Sampling section). Pesticide residue training and review of the MOCA Quality Manual was held for MOCA staff on November 1, 2011 (2011 Training Log). Specific instruction was given to ensure all inspectors provide operations with a receipt for samples taken (Pesticide Residue Sample Receipt).

Verification of Corrective Action: Training records and interviews confirmed that staff were trained and aware of the requirement to provide clients with a receipt for any samples taken. A review of client files confirmed that clients were provided with a receipt for samples collected.

NP1290AKA.NC2 – Cleared. NOP §205.670(d)(1) states, “Results of all analyses and tests performed under this section: Must be promptly provided to the Administrator; *Except, that, where a State organic program exists, all test results and analyses shall be provided to the State organic program’s governing State official by the applicable certifying party that requested testing.*” *Results of the pesticide residue testing initiated in April of 2011, have not been provided to the Administrator or the State organic program governing official. MOCA was waiting until the investigation was complete to submit the results. The results of the analyses indicated that although a pesticide residue was detected, it was far below the 5% of EPA tolerance.*

Corrective Action: The MOCA Quality Manual was revised to state “All test results and analysis shall be promptly provided to the USDA Administrator and the CDFA organic program...” (MOCA Quality Manual, Pesticide Residue Sampling section). Pesticide residue training and review of the MOCA Quality Manual was held for MOCA staff on November 1, 2011 (2011 Training Log). Specific attention was given to review the procedure for residue sample test results and analysis to be sent promptly to the State organic program’s governing official.

Verification of Corrective Action: Training records and interviews confirmed that staff were trained and aware of the requirement to provide the State Organic Program with test results and analyses.

AUDIT INFORMATION

ACA Name:	Marin Organic Certified Agriculture (MOCA)
Est. Number:	N/A
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Auditor(s):	Julie Hartley, Accreditation Manager
Program:	USDA National Organic Program (NOP)
NOP Audit Date(s):	April 10 – April 13, 2012
Audit Identifier:	NP1290AKA
Action Required:	No
Audit Type:	Corrective Action review (Renewal Assessment)
Audit Objective:	To verify that corrective actions adequately address the noncompliances identified during the renewal assessment.
Audit Criteria:	<i>7 CFR Part 205, National Organic Program, Final Rule, dated December 21, 2000; as amended August 03, 2011.</i>
Audit Scope:	MOCA's submitted corrective actions
Location(s) Audited:	Desk

The NOP conducted a Renewal Assessment of the Marin Organic Certified Agriculture (MOCA) on October 17-20, 2011. The Renewal Assessment, NP1290AKA, resulted in two noncompliances, and the NOP issued a Notice of Noncompliance to MOCA on February 17, 2012. MOCA's corrective actions were received by the NOP on February 23, 2012. Documented evidence was requested and received by the NOP on April 12, 2012. The submitted corrective actions consisted of:

- Email attachment (2/23/12) of Corrective Action letter for Renewal Assessment Audit detailing corrective actions for each noncompliance
- Email attachments (4/12/12) of documented evidence of corrective actions for each noncompliance:
 - Revised Corrective Action letter for Renewal Assessment Audit – highlighted revision
 - MOCA Quality Manual, Pesticide Residue Sampling section – highlighted revisions
 - 2011 Training Log – highlighted training cited in corrective actions (11/1/11)
 - Pesticide Residue Sample Receipt

As reviewed in the renewal assessment audit report, NP1290AKA, one noncompliance identified at the previous Mid-Term Audit (2009) was verified as implemented and effective during the Renewal Assessment, and thereby cleared.

FINDINGS

The corrective actions submitted by MOCA are found to adequately address the noncompliances identified during the renewal assessment and are accepted. MOCA's next assessment, a Mid-Term audit in FY2013, will verify whether all corrective actions are implemented and effective.

NP1290AKA.NC1 – Accepted. NOP §205.403(e)(1) states, “At the time of the inspection, the inspector shall provide the operation’s authorized representative with a receipt for any samples taken by the inspector.”

The inspector(s) did not provide the operation with a receipt for pasture samples at the time they were drawn in response to a complaint of possible pesticide drift. The operation was later provided the test results, but no receipt was issued at the time of sampling. Although the client was present during the sampling procedure (the client was the complainant) and was aware of the samples being taken, a receipt must be issued to comply with the regulations.

Corrective Action: The MOCA Quality Manual states that “MOCA shall provide the operation with a receipt for all samples taken by the inspector and a copy of the test results” (MOCA Quality Manual, Pesticide Residue Sampling section). This noncompliance was an oversight by program inspectors and corrected through training to prevent future occurrences. Pesticide residue training and review of the MOCA Quality Manual was held for MOCA staff on November 1, 2011 (2011 Training Log). Specific instruction was given to ensure all inspectors provide operations with a receipt for samples taken (Pesticide Residue Sample Receipt).

NP1290AKA.NC2 – Accepted. NOP §205.670(d)(1) states, “Results of all analyses and tests performed under this section: Must be promptly provided to the Administrator; *Except*, that, where a State organic program exists, all test results and analyses shall be provided to the State organic program’s governing State official by the applicable certifying party that requested testing.” *Results of the pesticide residue testing initiated in April of 2011, have not been provided to the Administrator or the State organic program governing official. MOCA was waiting until the investigation was complete to submit the results. The results of the analyses indicated that although a pesticide residue was detected, it was far below the 5% of EPA tolerance.*

Corrective Action: The MOCA Quality Manual was revised to state “All test results and analysis shall be promptly provided to the USDA Administrator and the CDFCA organic program...” (MOCA Quality Manual, Pesticide Residue Sampling section). Along with the quality manual revision, this noncompliance was also corrected through training to prevent future occurrences. Pesticide residue training and review of the MOCA Quality Manual was held for MOCA staff on November 1, 2011 (2011 Training Log). Specific attention was given to review the procedure for residue sample test results and analysis to be sent promptly to the State organic program’s governing official.