



Instruction

Organic System Plans, Organic System Plan Updates, and Notification of Changes

1. Purpose and Scope

This document provides instructions for USDA-accredited certifying agents (certifiers) on Organic System Plans (OSP). It may also help operators understand how to comply with the USDA organic regulations with respect to OSPs. This instruction clarifies the continuing certification process and explains how a certified operation may notify its certifier of changes that may affect its compliance with the regulations.

The regulations require OSPs as part of all initial organic certification applications. To maintain certification, an operator must provide its certifier with annual updates to its OSP (see [7 CFR 205.406](#)), and must notify its certifier of any changes that may affect its compliance with the regulations (see [7 CFR 205.400\(f\)](#)). Certifiers must review OSPs, annual updates, and any reported changes to ensure that operations can comply with the regulations.

2. Background

The OSP is the foundation of the organic certification process. The Preamble to the National Organic Program (NOP) Final Rule describes the OSP as an agreement central to certification that “must be negotiated, enacted, and amended through an informed dialogue between certifier and producer or handler and it must be responsive to the unique characteristics of each operation.” (See 65 FR 80558.) An operation that applies for organic certification must create a written OSP specific to its activities (crop production, livestock production, wild crop, or handling). The OSP must outline the operation’s plans for achieving and maintaining compliance with the regulations. The certifier must review the operation’s OSP to determine whether there is sufficient evidence to show that the operation complies, or may be able to comply, with the regulations, and the certifier must then verify the practices described in the OSP during onsite inspections.

An operator seeking certification must submit an application to the certifier, typically consisting of an OSP and any required fees. The operator may complete the OSP using forms provided by the certifier, sample forms on the NOP Web site, or by submitting its own plans, procedures, flow charts, etc. to explain its practices and demonstrate its ability to comply with the regulations. The operator may also submit plans created for other government or private agencies in order to show evidence of its practices. For instance, a farm may submit a conservation plan created with the USDA Natural Resources Conservation Service to demonstrate how it maintains or improves natural resources. Similarly, a food processor may submit a hazard analysis and critical control point plan to show how it prevents the contamination of organic products by prohibited substances.



To continue certification, the operator must submit an annual update and certification fees to the certifier. The annual update must outline all changes made to the operation within the last year, as well as those planned for the upcoming year. In addition, if the operator makes any changes during the year that could affect its compliance with the regulations, it must notify its certifier. It is particularly important that the operation notifies its certifier immediately about the application of a prohibited substance, whether intentional or unintentional.

3. Policy and Procedures

3.1. Organic System Plans

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. Certifiers may not require additional information that does not relate to compliance with the regulations. The NOP will use accreditation assessments to verify that certifiers are appropriately enforcing the regulatory requirements for OSPs, annual updates, and notification of changes.

3.2. Organic System Plan Overview

To become certified, an operation must complete the certifier's application, an OSP and the certifier's fees for certification review(s) and inspection(s). Certifiers must publish these fees in their fee schedule, which they will make available to all applicants.

3.2.1. OSP Requirements

The OSP must address all requirements relevant to the operation identified in 7 CFR 205.200 – 205.290. The OSP includes the following areas, as applicable to the operation:

1. A description of practices and procedures to be performed and maintained, including the frequency with which they will be performed. For example:
 - a. Practices to maintain or improve natural resources, including biodiversity;
 - b. Procedures for notifying neighbors and road departments to prevent contamination of organic crops by prohibited substances;
 - c. Tillage practices;
 - d. Cultivation practices;
 - e. Crop rotation practices;
 - f. Pest management practices;
 - g. Procedures for obtaining organic seeds;
 - h. Wild crop management practices;
 - i. Livestock health care practices;
 - j. Harvest and transportation practices including equipment cleanout to prevent contamination;
 - k. Storage practices;
 - l. Processing methods including equipment cleanout to prevent contamination;



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- m. Labeling procedures; and/or
 - n. Procedures for obtaining organic ingredients.
2. Documentation of each substance to be used as a production or handling input. This should include the input's composition and source, as well as the location(s) where and frequency with which it will be used. In some cases, the regulations require an operation using nonorganic inputs to document the commercial availability of organic products. For example, if a crop producer plants nonorganic seeds, then the producer must show evidence that an equivalent organic seed variety was not available. Further, some substances are only approved for specific, restricted uses. These restrictions can be found in the [National List of Allowed and Prohibited Substances](#) at 7 CFR 205.601 – 205.606. The OSP must show that the substance was used in accordance with the current regulatory restrictions. In all cases, before using approved pest control substances, the operation must show that it attempted to use adequate preventive practices first.

Production and handling inputs may include:

- a. Soil amendments, including compost and manure;
 - b. Crop production aids;
 - c. Pest control inputs;
 - d. Seeds;
 - e. Planting stock;
 - f. Livestock feed;
 - g. Livestock feed additives and supplements;
 - h. Livestock health care products;
 - i. Post-harvest materials;
 - j. Processing aids; and/or
 - k. Ingredients.
3. 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 (7 CFR 205.201(a)(3)). An operation must monitor its activities to ensure that its organic practices are effective. The results of monitoring should help the operation identify areas that need improvement. This helps operations maintain organic integrity and maintain or improve natural resources.

Monitoring methods may include:

- a. Soil testing (e.g., testing for organic matter content);
- b. Monitoring soil moisture or water quality;
- c. Product quality testing;
- d. Residue testing;
- e. Monitoring crop or pasture quality;
- f. Use of body conditioning scores for monitoring herd health;
- g. Somatic cell counts; and/or
- h. Pest monitoring.



The description must include the monitoring practices and procedures to verify suppliers in the supply chain and organic status of agricultural products received, and to prevent organic fraud, as appropriate to the certified operation's activities, scope, and complexity (7 CFR 205.201(a)(3)). A *fraud prevention plan* must be included in an operation's OSP. Because fraud prevention plans must verify the organic status of suppliers and organic products, they should include a description of how an operation verifies organic status back to the last certified operation in the supply chain. For additional discussion of fraud prevention plans, see “Fraud Prevention Plans” in the Strengthening Organic Enforcement preamble at 88 FR 3603.

4. A description of the recordkeeping system implemented to comply with [7 CFR 205.103](#).
5. A description of the management practices and physical barriers established to prevent contact of organic operations and products with prohibited substances. Operations that produce or handle both organic and nonorganic products must provide a description of practices and barriers to prevent commingling of these products.

Management practices and physical barriers may include:

- a. Buffer zones to prevent contamination;
- b. Establishment of a physical barrier (e.g., a row of trees) to prevent drift of prohibited substances;
- c. Notification of neighbors and road departments; and/or
- d. Procedures for identifying organic products during harvest, post-harvest handling, shipping, processing and distribution.

The operation's organic certification application also includes:

1. Applicable fees charged by the certifier; and
2. A signed agreement or affidavit stating that the operator agrees to remain in compliance with the regulations, and identifying the responsible party and appropriate business structure as a sole proprietorship, partnership, limited liability company, corporation, nonprofit organization, or other structure as appropriate to the country or locality.
3. Additional information deemed necessary by the certifier to demonstrate compliance with the regulations. This may include:
 - a. Name(s) of previous certifier(s) and years applied;
 - b. Results of previous applications for certification;
 - c. Copies of all prior Notices of Noncompliance or other adverse actions;
 - d. Copies of all denials of certification;
 - e. A description and evidence of actions taken to correct any noncompliances; and/or
 - f. Other information deemed necessary by the certifier.



3.3. Organic System Plan Annual Updates

Each year, the operation must submit to its certifier:

1. Certification and inspection fees;
2. Updated contact information;
3. A summary statement, supported by documentation, detailing any changes that the operation made to the organic system plan submitted during the previous year (7 CFR 205.406(a)(1));
4. Any changes to the previous year's organic system plan that are planned for the upcoming year (7 CFR 205.406(a)(2)); and
5. Other information deemed necessary by the certifier to demonstrate compliance with the regulations.

See the Strengthening Organic Enforcement preamble (88 FR 3576) for discussion of the requirements for annual updates of organic system plans.

If the operation does not submit an annual update to its certifier, then it is in violation of [7 CFR 205.406](#). There are many ways to comply with this requirement. Certifiers may request simple written statements, modified checklists, or supplemental forms to document activities. A simple written statement may allow for easier compliance reviews if there are few changes. Certifiers are to ensure organic integrity by obtaining enough information to verify compliance with the regulations, while being careful to set sensible limits on paperwork. Any required paperwork and documentation should be necessary and relevant to the applicable regulations.

The annual update adds new information to the existing OSP. Its length and complexity will vary based on the type of operation. It does not require resubmission of the entire OSP or of any information that has not changed. Since operations are continuously certified until surrendered, suspended, or revoked, the annual update is not considered a new application for certification. Nonetheless, the update is a required and integral step in the continuation of certification process.

For examples of the types of information the annual update should include, refer to the NOP's training modules for certifiers on the NOP Web site at www.ams.usda.gov/nop or in the [Organic Integrity Learning Center](#).

3.4. Notification of Changes

The operation is to notify its certifier prior to making any changes to its OSP that may affect its compliance with the regulations. It must demonstrate compliance with the regulations, but does not need to report any changes that do not affect its compliance. Some examples of situations that would require notification to the certifier include:

1. Application of a prohibited substance to any field, production unit, product or site involved in organic production or handling, regardless of whether it was a direct application or drift from a neighboring area, and regardless of whether or not it was intentional. The operation must notify the certifier immediately of any such events;



2. Addition of acreage, a new field, product line, production facility, animal herd, or animal facility to organic production;
3. Removal of a field or portion thereof from organic production;
4. Development of a new retail label for the operation's organic products;
5. New processing or handling of organic products not already specified in the OSP; and
6. Any change in the operation's practice, input, or procedure that may affect compliance with the regulations.

Refer to the NOP's training modules for certifiers on the NOP Web site at www.ams.usda.gov/nop for additional examples.

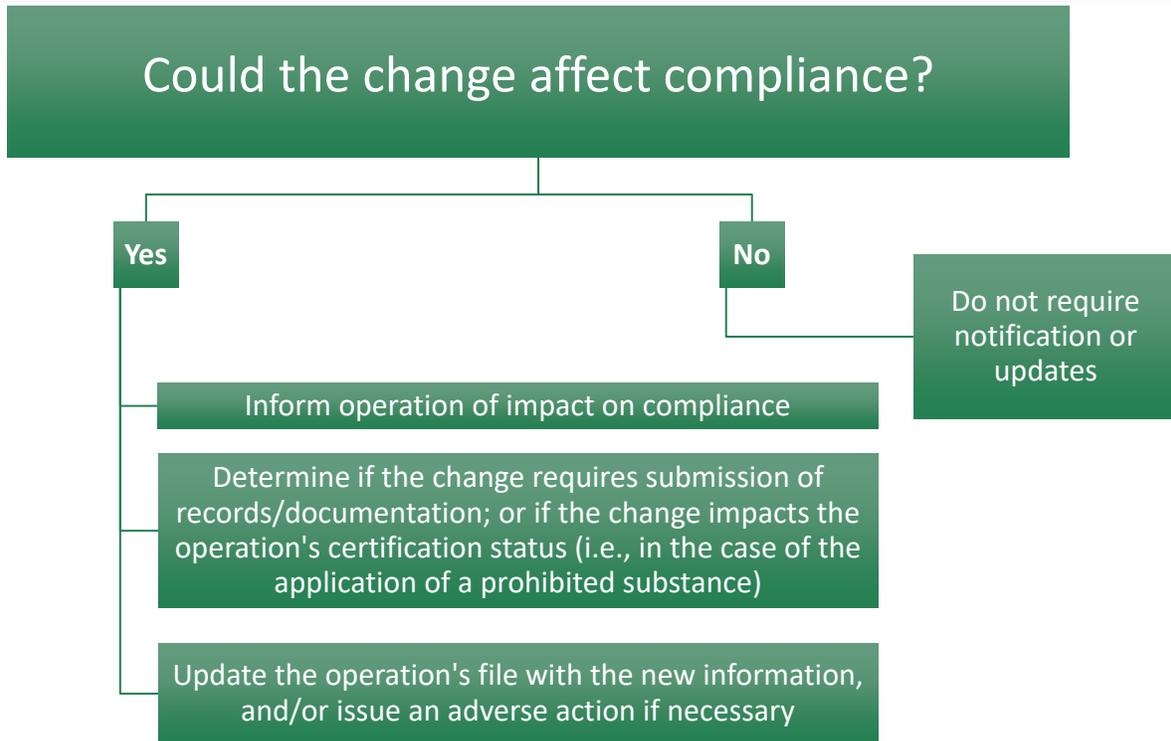
If the operation plans to add a new field, facility, production line, unique production equipment, animal herd, or animal facility to its certification, then the certifier will conduct an additional inspection before issuing an updated certificate. If the operation sells, labels, or represents products from fields or facilities that have not been inspected and that are not included on the certificate, then the operation is in violation of [7 CFR 205.100\(a\)](#). Similarly, any new retail labels developed for the operation's organic products must be approved by the certifier before being used. An operation should consult its certifier prior to using any new input in order to ensure that the material complies with the regulations. The use of an unapproved material may be considered an application of a prohibited substance, which would remove the operation's land from certification for three years.

The operation may notify its certifier of changes both verbally and in writing. The certifier should document all notifications so that the information may be reviewed and verified as part of the annual certification process. If necessary, the certifier may require the operation to submit additional documentation at the time of notification. Alternatively, the operation may submit documentation with the next annual update. The certifier will determine whether and when documentation is required on a case-by-case basis.

Certifiers should clearly communicate their procedures for notification of changes to applicants and certified operations. The NOP will review the available evidence during accreditation assessments to ensure that the certifier has established appropriate requirements for being notified of changes. If the NOP finds that a certifier failed to enforce these requirements, or that a certifier required notification of changes that were not relevant to the regulations, then the NOP may issue a Notice of Noncompliance to the certifier.

Certifiers may not advise operations on how to overcome barriers to certification. They should, however, explain the regulations so that operations can determine which types of changes could affect compliance, and how to notify them of changes.

The figure below demonstrates when a notification of changes is required.



3.5. Certification Resources

The NOP provides a number of certification resources on its Web site at www.ams.usda.gov/nop and in the Organic Integrity Learning Center. The NOP Program Handbook also provides resources on production standards and certification procedures.

4. References

USDA Organic Regulations ([7 CFR Part 205](#))

7 CFR 205.2 Terms Defined

Certified operation. A crop or livestock production, wild-crop harvesting or handling operation, or portion of such operation that is certified by an accredited certifying agent as utilizing a system of organic production or handling as described by the Act and the regulations in this part.

Certifying agent. Any entity accredited by the Secretary as a certifying agent for the purpose of certifying a production or handling operation as a certified production or handling operation.

Handler. Any person that handles agricultural products, except final retailers of agricultural products that do not process agricultural products.



Inspection. The act of examining and evaluating the production or handling operation of an applicant for certification or certified operation to determine compliance with the Act and the regulations in this part.

Organic System Plan. A plan of management of an organic production or handling operation that has been agreed to by the producer or handler and the certifying agent and that includes written plans concerning all aspects of agricultural production or handling described in the Act and the regulations in subpart C of this part.

Producer. A person who engages in the business of growing or producing food, fiber, feed, and other agricultural-based consumer products.

Prohibited substance: A substance the use of which in any aspect of organic production or handling is prohibited or not provided for in the Act or the regulations of this part.

Records. Any information in written, visual, or electronic form that documents the activities undertaken by a producer, handler, or certifying agent to comply with the Act and regulations in this part.

7 CFR 205.100 What has to be certified.

7 CFR 205.103 Recordkeeping by certified operations.

7 CFR 205.201 Organic production and handling system plan.

7 CFR 205.400 General requirements for certification.

7 CFR 205.406 Continuation of certification.

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