



International Trade Arrangements

Renée Gebault King

January 13, 2016

USDA Agricultural Marketing Service
National Organic Program



International Trade and Organics



- **Does international trade affect you and your certified operations?**
- **Do you certify any processors, traders, brokers, or distributors?**



- **Summary of Topics**

- Background on international organic trade
- Existing U.S. organic trade partnerships
- Ongoing U.S. organic trade negotiations
- USDA resources for international trade
- Compliance verification regarding international trade arrangements

International Trade and Organics



- Learning Outcomes
 - Awareness of USDA international trade and associated resources.
 - Understand USDA expectations of certifiers regarding international trade.
 - Understand certifier responsibilities to verify compliance of international trade.

International Trade and Organics



- Learning Outcomes
 - Awareness of USDA international trade and associated resources.
 - Understand USDA expectations of certifiers regarding international trade.
 - Understand certifier responsibilities to verify compliance of international trade.

International Trade Arrangements



- **USDA NOP derives its authority to establish and participate in international trade arrangements from...**
 - **Organic Foods Production Act (OFPA) Section 6505**
 - **7 Code of Federal Regulations 205.500 (c)**

The USDA NOP has organic trade arrangements with what countries?

U.S. International Organic Trade



Equivalency Arrangements

- Canada
- European Union (EU)
- Japan
- Korea
- Switzerland

Recognition Agreements

- India
- Israel
- New Zealand

Export Arrangement

- Taiwan

*When negotiating international trade arrangements,
the USDA NOP frequently partners with
the USDA Foreign Agricultural Service (FAS) &
the Office of the U.S. Trade Representative (USTR)*



International Trade Arrangements



- **Goal** = To facilitate trade and enhance market access of certified organic products.
- ***Equivalence***: two entities determine their respective organic standards are *equivalent* (“bilateral”).
- ***Recognition***: one entity *recognizes* another entity to accredit certifiers and to allow market access (“unilateral”).
- ***Export Arrangement***: one entity grants permission to another entity allowing for market access.

Overview: U.S. International Organic Trade



Options for organic products **entering** the U.S.:

1. Certified by a USDA-accredited certifier.
2. Certified to an equivalent organic standard by an authorized control body (accredited by *equivalent* government authority).
3. Certified to USDA organic regulations by a certifier accredited by a foreign government *recognized* by USDA.

Overview: U.S. International Organic Trade



Options for organic products **leaving** the U.S.:

1. Certified to an equivalent organic standard by an authorized certifying agent (accredited by an *equivalent* government authority).
2. Certified by a USDA-accredited certifier and exported to a country that accepts USDA organic products without additional mandatory organic requirements. **Australia**
3. Export Arrangement. **Taiwan**
4. Certified to a foreign organic standard.

(Outside the scope of the USDA.)

U.S. International Organic Trade



Equivalency Arrangements

- **Canada**
- European Union (EU)
- Japan
- Korea
- Switzerland

Recognition Agreements

- India
- Israel
- New Zealand

Export Arrangement

- Taiwan

“Global”

**Attestation statement required
on shipping documents.**

U.S. International Organic Trade



Equivalency Arrangements

- Canada
- **European Union (EU)**
- **Japan**
- **Korea**
- **Switzerland**

Recognition Agreements

- India
- Israel
- New Zealand

Export Arrangement

- Taiwan

“Country to Country”

U.S. ↔ EU

U.S. ↔ Japan

U.S. ↔ Switzerland

U.S. ↔ Korea



Who is in the EU?

Austria	Estonia	Italy	Portugal
Belgium	Finland	Latvia	Romania
Bulgaria	France	Lithuania	Slovakia
Croatia	Germany	Luxembourg	Slovenia
Cyprus	Greece	Malta	Spain
Czech Republic	Hungary	Netherlands	Sweden
Denmark	Ireland	Poland	United Kingdom

U.S. International Organic Trade



Equivalency Arrangements

- Canada
- European Union (EU)
- Japan
- Korea
- Switzerland

Recognition Agreements

- India
- Israel
- New Zealand

Export Arrangement

- Taiwan

“Direct import in the U.S.”

U.S. International Organic Trade



Equivalency Arrangements

- Canada
- European Union (EU)
- Japan
- Korea
- Switzerland

Recognition Agreements

- India
- Israel
- New Zealand

Export Arrangement

- **Taiwan**

“Direct export from the U.S.”

**Approval required to issue
TM-11 export documents.**

U.S. Organic Trade Negotiations



- Mexico
 - Discussions ongoing between the USDA and SAGARPA (Mexican authority).
 - Mexico has extended the allowance of foreign certified organic products into the country for sale until April 2017.
- Taiwan: Submitted application to USDA; Taiwanese organic standard is under development.
- Interest also expressed from Peru, Costa Rica, Panama and Ecuador to establish separate bilateral trade arrangements.

International Trade and Organics



- Learning Outcomes
 - Awareness of USDA international trade and associated resources.
 - Understand USDA expectations of certifiers regarding international trade.
 - Understand certifier responsibilities to verify compliance of international trade.

International Trade Resources



A screenshot of the USDA Organic Regulations website. The header includes the USDA logo, "United States Department of Agriculture", "Agricultural Marketing Service", and navigation links like "About AMS", "News & Announcements", "Careers", and "Contact Us". A search bar is also present. The main navigation bar has tabs for "Market News", "Rules & Regulations", "Grades & Standards", "Services", "Resources", and "Selling Food to USDA". Below this, a breadcrumb trail shows "Home > Rules & Regulations". The left sidebar lists "Organic Regulations" with sub-links: "Overview", "Organic Labeling", "The Organic Seal", "Program Handbook", "The National List", "National Organic Standards Board (NOSB)", and "Trade & Equivalency Arrangements". The "Trade & Equivalency Arrangements" link is circled in red, and a red arrow points from it to a green box with the text "START HERE". The main content area is titled "Organic Regulations" and contains a paragraph about the National Organic Program (NOP), a "Regulatory References" section with bullet points, and a "Temporary Variances" section. The right sidebar features a "Do I need to be organic certified?" graphic, a "Get USDA Organic Insider updates!" button, and sections for "News & Announcements" and "Events".

International Trade Resources

A screenshot of the USDA Organic website. The header includes the USDA logo, the text "United States Department of Agriculture Agricultural Marketing Service", and navigation links like "About AMS", "News & Announcements", "Careers", and "Contact Us". A search bar is present. Below the header is a green navigation bar with links: "Market News", "Rules & Regulations", "Grades & Standards", "Services", "Resources", and "Selling Food to USDA". The main content area is titled "International Trade Partners". On the left, a sidebar lists "Organic Certification" topics. The main text describes trade arrangements with various nations and provides links for exporting and importing organic products. On the right, there are sections for "News & Announcements", "Events", and "Recent Blogs". A red box with the text "EXPORT RESOURCES" and a red arrow points to the "Exporting U.S. Organic Products to:" section.

USDA
United States Department of Agriculture
Agricultural Marketing Service

About AMS | News & Announcements | Careers | Contact Us

Advanced Search | A-Z Glossary & Index

Market News | Rules & Regulations | Grades & Standards | Services | Resources | Selling Food to USDA

Home > Services

Stay connected: [Facebook] [Twitter] [YouTube] [Email] [Flickr] [RSS]

Organic Certification

- Overview
- [View a List of Certified Operations](#)
- [Becoming a Certified Operation](#)
- [Becoming a Certifying Agent](#)
- [NOP Accredited Certifying Agents](#)
- [Training](#)
- [Organic Labeling](#)
- [International Trade](#)
- [Is Organic an Option for Me?](#)
- [Do I Need to Be Certified Organic?](#)

International Trade Partners

The United States has trade arrangements with several nations to facilitate the exchange of organic products. These arrangements provide additional market opportunities for USDA organic producers. Consumers also benefit from a wider range of organic products year-round.

The National Organic Program works with the Foreign Agricultural Service and Office of the United States Trade Representative to establish international trade arrangements for organic products.

[International Trade Data and Reports on Organic Products](#)

Trade opportunities for USDA organic operations vary by an operation's physical location.

Exporting U.S. Organic Products to:

[Canada](#) | [European Union](#) | [Taiwan](#) | [Japan](#) | [Korea](#) | [Switzerland](#)

Overview: [Exporting Organic Products from the U.S.](#)

Importing Foreign Organic Products from:

[Canada](#) | [European Union](#) | [India](#) | [Israel](#) | [Japan](#) | [New Zealand](#) | [Korea](#) | [Switzerland](#)

Overview: [Importing Organic Products to the U.S.](#)

Trade Forms (PDFs)

- [Exporting USDA organic products to Taiwan + Japan](#)
- [Exporting USDA organic products to the EU](#)
- [Importing EU + Japan organic products to the U.S. | Instructions](#)
- [NAQS Import Certificate of Organic Processed Foods for Korea](#)

News & Announcements

- [12/07 USDA Announces Strengthened Process Verified Program](#)
- [12/01 USDA Announces Purchase Program for Wild Rice Products](#)
- [11/25 USDA Restricts PACA Violators in New York, New Jersey, and Texas from Operating in the Produce Industry](#)

Events

- [12/10 Organic INTEGRITY Update Webinar](#)
- [10/26 to 10/29 NOSB Meeting 2015 \(VT\)](#)
- [04/27 to 04/30 Spring NOSB Meeting 2015 \(CA\)](#)

Recent Blogs

- [10/28 Collaboration and Innovation are Keys to Organic Success](#)
- [10/16 Organic on the World Stage: Expo Milan 2015](#)
- [09/22 Engaging Spanish-Speaking Organic Stakeholders](#)

International Trade Resources



A screenshot of the USDA Organic website. The header includes the USDA logo, the text "United States Department of Agriculture Agricultural Marketing Service", and navigation links like "About AMS", "News & Announcements", "Careers", and "Contact Us". A search bar is present. Below the header is a green navigation bar with links: "Market News", "Rules & Regulations", "Grades & Standards", "Services", "Resources", and "Selling Food to USDA". The main content area is titled "International Trade Partners". It includes sections for "Organic Certification" (with links like Overview, View a List of Certified Operations, etc.), "News & Announcements" (with bullet points about USDA announcements), "Events" (with bullet points about webinars and meetings), and "Recent Blogs" (with bullet points about organic success stories). A red box with the text "IMPORT RESOURCES" is overlaid on the left side, with a red arrow pointing to the "Importing Foreign Organic Products from:" section. The footer of the website is green with white text.

IMPORT
RESOURCES

International Trade Partners

The United States has trade arrangements with several nations to facilitate the exchange of organic products. These arrangements provide additional market opportunities for USDA organic producers. Consumers also benefit from a wider range of organic products year-round.

The National Organic Program works with the Foreign Agricultural Service and Office of the United States Trade Representative to establish international trade arrangements for organic products.

International Trade Data and Reports on Organic Products

Trade opportunities for USDA organic operations vary by an operation's physical location.

Exporting U.S. Organic Products to:

[Canada](#) | [European Union](#) | [Taiwan](#) | [Japan](#) | [Korea](#) | [Switzerland](#)

Overview: [Exporting Organic Products from the U.S.](#)

Importing Foreign Organic Products from:

[Canada](#) | [European Union](#) | [India](#) | [Israel](#) | [Japan](#) | [New Zealand](#) | [Korea](#) | [Switzerland](#)

Overview: [Importing Organic Products to the U.S.](#)

Trade Forms (PDFs)

- [Exporting USDA organic products to Taiwan + Japan](#)
- [Exporting USDA organic products to the EU](#)
- [Importing EU + Japan organic products to the U.S. | Instructions](#)
- [NAQS Import Certificate of Organic Processed Foods for Korea](#)

News & Announcements

- [12/07 USDA Announces Strengthened Process Verified Program](#)
- [12/01 USDA Announces Purchase Program for Wild Rice Products](#)
- [11/25 USDA Restricts PACA Violators in New York, New Jersey, and Texas from Operating in the Produce Industry](#)

Events

- [12/10 Organic INTEGRITY Update Webinar](#)
- [10/26 to 10/29 NOSB Meeting 2015 \(VT\)](#)
- [04/27 to 04/30 Spring NOSB Meeting 2015 \(CA\)](#)

Recent Blogs

- [10/28 Collaboration and Innovation are Keys to Organic Success](#)
- [10/16 Organic on the World Stage: Expo Milan 2015](#)
- [09/22 Engaging Spanish-Speaking Organic Stakeholders](#)

International Trade Resources



United States Department of Agriculture
Agricultural Marketing Service

[About AMS](#) | [News & Announcements](#) | [Careers](#) | [Contact Us](#)

[Search](#)

[Advanced Search](#) | [A-Z Glossary & Index](#)

[Market News](#) | [Rules & Regulations](#) | [Grades & Standards](#) | [Services](#) | [Resources](#) | [Selling Food to USDA](#)

[Home](#) > [Services](#)

Stay connected:



Organic Certification

[Overview](#)

[View a List of Certified Operations](#)

[Becoming a Certified Operation](#)

[Becoming a Certifying Agent](#)

[NOP Accredited Certifying Agents](#)

[Training](#)

[Organic Labeling](#)

[International Trade](#)

[Is Organic an Option for Me?](#)

[Do I Need to Be Certified Organic?](#)

International Trade Partners

The United States has trade arrangements with several nations to facilitate the exchange of organic products. These arrangements provide additional market opportunities for USDA organic producers. Consumers also benefit from a wider range of organic products year-round.

The National Organic Program works with the Foreign Agricultural Service and Office of the United States Trade Representative to establish international trade arrangements for organic products.

International Trade Data and Reports on Organic Products

Trade opportunities for USDA organic operations vary by an operation's physical location.

Exporting U.S. Organic Products to:

[Canada](#) | [European Union](#) | [Taiwan](#) | [Japan](#) | [Korea](#) | [Switzerland](#)

Overview: [Exporting Organic Products from the U.S.](#)

Importing Foreign Organic Products from:

[Canada](#) | [European Union](#) | [India](#) | [Israel](#) | [Japan](#) | [New Zealand](#) | [Korea](#) | [Switzerland](#)

Overview: [Importing Organic Products to the U.S.](#)

Trade Forms (PDFs)

- [Exporting USDA organic products to Taiwan + Japan](#)
- [Exporting USDA organic products to the EU](#)
- [Importing EU + Japan organic products to the U.S. | Instructions](#)
- [NAQS Import Certificate of Organic Processed Foods for Korea](#)

News & Announcements

- [12/07 USDA Announces Strengthened Process Verified Program](#)
- [12/01 USDA Announces Purchase Program for Wild Rice Products](#)
- [11/25 USDA Restricts PACA Violators in New York, New Jersey, and Texas from Operating in the Produce Industry](#)

Events

- [12/10 Organic INTEGRITY Update Webinar](#)
- [10/26 to 10/29 NOSB Meeting 2015 \(VT\)](#)
- [04/27 to 04/30 Spring NOSB Meeting 2015 \(CA\)](#)

Recent Blogs

- [10/28 Collaboration and Innovation are Keys to Organic Success](#)
- [10/16 Organic on the World Stage: Expo Milan 2015](#)
- [09/22 Engaging Spanish-Speaking Organic Stakeholders](#)

TRADE
FORMS



International Trade and Organics



- Learning Outcomes
 - Awareness of USDA international trade and associated resources.
 - Understand USDA expectations of certifiers regarding international trade.
 - Understand certifier responsibilities to verify compliance of international trade.

USDA NOP Audit Verification



- International trade compliance is a component of the USDA regulatory process.
- NOP 2005 “Accreditation Assessment Checklist” contains criteria to determine certifier compliance.
- Auditors will verify documents and procedures at the certifier, based on...
 - Review of operator files, which includes inspection reports, OSPs, initial and final reviews, and certification decisions (in the office).
 - Witness audits and review audits of operators (in the field).



- Audit findings
- USDA audit noncompliances are often be cited to...

7 CFR §205.501(a)(21)

International Trade and Organics



- Learning Outcomes
 - Awareness of USDA international trade and associated resources.
 - Understand USDA expectations of certifiers regarding international trade.
 - Understand certifier responsibilities to verify compliance of international trade.
 - certifier verification
 - substitution

Certifier Verification



Does the client import/export?



To/from what countries?



Does a trade arrangement exist?



What are the terms of the arrangement?



Is the product compliant with the terms of the arrangement?

Certifier Verification, continued



What trade documentation is required?

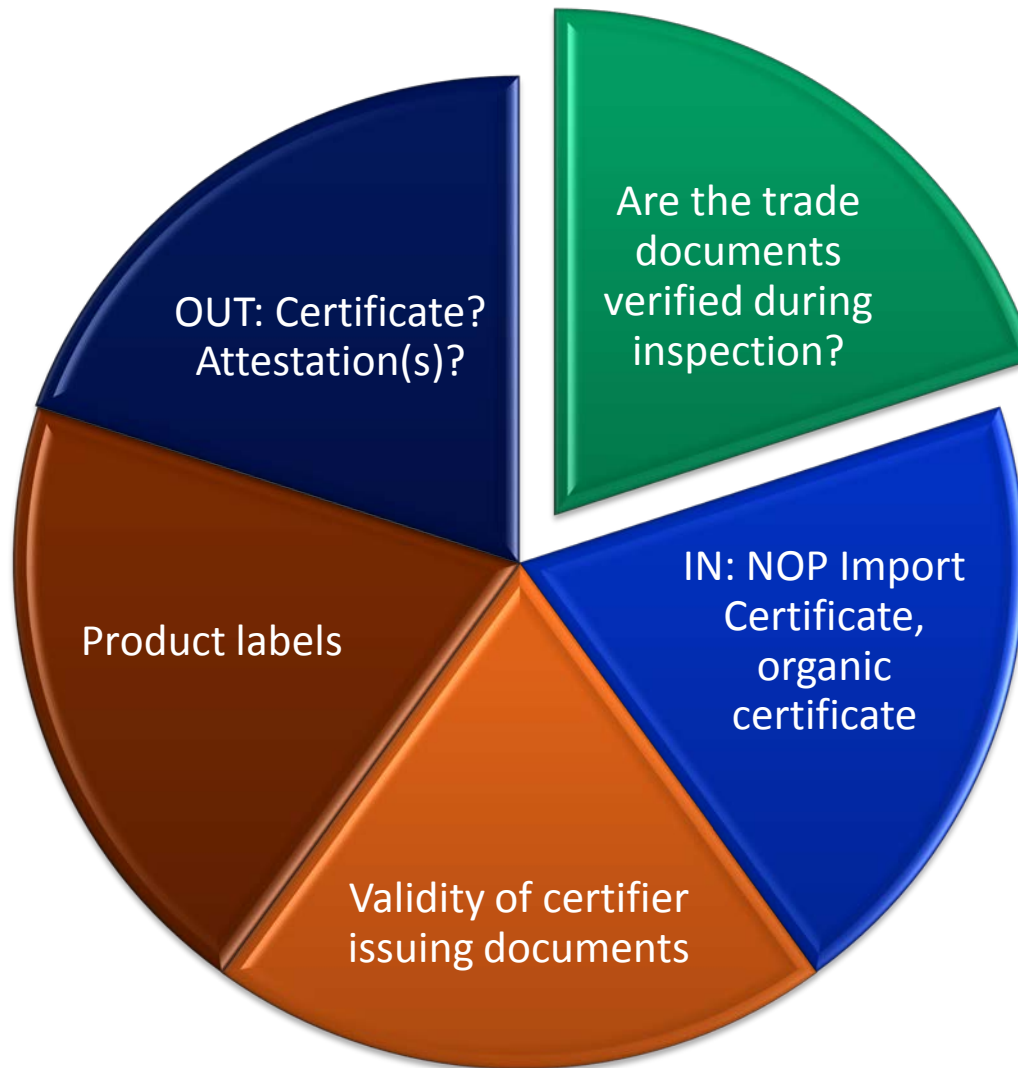
Is the trade document being issued the most current version?

Who may issue these trade documents?

Am I approved to issue a TM-11?

How do I complete these trade documents?

Certifier Verification, continued



Application

OSP

Inspection



- How should noncompliances regarding international arrangements be cited?
- **7 CFR § 205.201(a)(1) Organic production and handling system plan.** An organic production or handling system plan must include a description of practices and procedures to be performed and maintained...
- **7 CFR § 205.403(2)(c) Verification of information.** The on-site inspection of an operation must verify...That the information, including the organic production or handling system plan...accurately reflects the practices used...



A reminder about **EQUIVALENCE**

Certification to one standard does
not mean it is “the same as” or may
be substituted for another.

*Remember, the goal of equivalence is to
facilitate market access
of a trade partner's certified organic products.

Certifier Verification: Recap



- Requirements for organic products **entering** the U.S.:
 - Verify proper documentation is on file for each shipment of product received (current, valid).
 - NOP Import Certificate must be completed by the final certifier of the product.
 - Product is accompanied by a valid organic certificate.
 - Verify that the foreign certifier complies (valid accreditation).

Certifier Verification: Recap



- Requirements for organic products **leaving** the U.S.:
 - Verify the product meets the terms of the arrangement.
 - Verify proper documentation is on file for each shipment of product (current, valid).
 - Verify export documentation was completed properly.
 - Include any relevant attestation statements (country-specific) with shipping documents.
 - *For Canada:* producer/handler of product may provide attestation statement in lieu of the certifier.

Certifier Verification: Recap



- Requirements for organic products **leaving** the U.S.:
 - Verify labeling requirements are met
 - Verify compliant use of any additional organic seals (*For Switzerland*: they have no seal).
 - *For Japan*: confirm who has authority to apply the JAS seal.
 - *For Canada*: labels have dual language requirements.
 - Use correct certifier code on the label (when appropriate).

International Trade and Organics



- The USDA has nine organic trade arrangements in effect now.
- Negotiations are presently underway between the USDA and other countries, which means more organic trade arrangements may be established in the future.
- While many of the organic trade arrangements are similar, each has unique aspects of which certifiers and certified operations need to be aware.



**Questions or concerns about
organic trade arrangements?**

**Please contact your
NOP Accreditation Manager.**

