

Issuance of Export Certificates under an Export Arrangement with Taiwan

Issuance of Export Certificates Under An Export Arrangement Between the USDA and a Foreign Government

1.01 Scope

The United States Department of Agriculture (USDA) uses the following procedures to authorize USDA accredited certifying agents to issue export certificates when required under an export arrangement between the USDA and a foreign government on raw and processed organic agricultural products. USDA accredited certifying agents must officially request authorization from USDA to issue export certificates.

1.02 Statutory and Regulatory Authority

The Organic Foods Production Act of 1990, (OFPA) as amended, (7 U.S.C. 6501 *et seq.*) authorizes at Section 6514 the Secretary to establish and implement an accreditation program for State or private entities as certifying agents to certify domestic or foreign production and handling operations. Sections 205.500 through 205.510 of the National Organic Standards (NOS) (7 CFR §§205.500-510) implement the accreditation requirements of OFPA.

1.03 Notification of Export Arrangements

USDA's National Organic Program (NOP) will notify accredited certifying agents of completed export arrangements between the USDA and foreign governments. Such notification will be by letter and electronic mail. The notification will highlight unique compliance requirements. Information regarding completed export arrangements also will be available on the NOP web site.

1.04 Requirements for Authorization

To be authorized to issue export certificates, a USDA accredited certifying agent must:

1. Incorporate the compliance requirements of the applicable export arrangement into its quality manual under the heading "Requirements for export of U.S. organic raw and processed agricultural products to (insert country name)."
2. Notify its clients or program participants of the compliance requirements for each applicable export arrangement by letter or electronic mail within 14 days of notification by NOP.
3. Prepare and implement procedures designed to ensure compliance with the applicable export arrangement.
4. Assign a unique identification number to each export certificate. The unique identification number must begin with an acronym designating the accredited certifying agent and the country code for the specific export arrangement. Certifying agent acronyms will be provided by the NOP to each accredited certifying agent authorized by USDA to issue export certificates. Official country codes will be based on ISO 3166, the

International Country Code Standard. For example, for the hypothetical certifying agent, "Farm Certified Organic," whose clients ship product to Taiwan, the unique identification number on each applicable export certificate would begin with FCOTW. FCO would represent the acronym for "Farm Certified Organic" and TW would represent the ISO 3166 two-digit code for Taiwan. Lists of both accredited certifying agent acronyms and official country codes will be available on the NOP web site.

5. Keep a paper-based or electronic control log that records and tracks the disposition of each export certificate including those issued, voided or destroyed.

6. Designate a staff person to authorize the issuance of the export certificate and attest to its authenticity by affixing his/her signature to the certificate. The designated person is responsible for all aspects of the issuance of the export certificate, including ensuring security of blank export certificates and oversight of the control log. Accredited certifying agents are encouraged to designate a back-up individual to ensure uninterrupted issuance of export certificates.

1.05 Availability of Certificates

Export certificates will be available from the National Organic Program in both paper and electronic formats.

1.06 Requesting Authorization

Accredited certifying agents seeking authorization to issue export certificates should contact AMS in writing. The letter requesting authorization should be sent to:

Program Director
USDA-AMS-TM-NOP Room 4004-South Building, AG Stop 0268
1400 Independence Avenue, SW
Washington, DC 20250-0200

Attn: NOP Export Authorization Request.

The letter should be sent on the accredited certifying agent's official letterhead and must include the following information:

1. A copy of the page(s) in the accredited certifying agent's quality manual addressing the requirements of an export arrangement between USDA and foreign countries;
2. A copy of the procedures to be implemented to ensure compliance with the applicable export arrangement, and,
3. The name of the staff person designated by accredited certifying agent to be responsible for the issuance of export certificates.

1.07 Compliance Statement

Export arrangements with other countries may require the prohibition of certain practices or substances allowed under the NOP. In order to facilitate acceptance of the product by the importing country, a compliance statement declaring the applicable prohibitions must be entered into the remarks section of the export certificate. Compliance statements for certain countries are listed below:

Country: Taiwan

Country Code: TW

NOTE: Until further notice, TM-11 Certificates issued for Taiwan must only be issued for products that can carry the USDA Organic Seal.

Compliance Statements:

For Processed Products and Crops:

"Organic agricultural products and organic processed products, accompanied by this certificate, were produced or processed using zero prohibited substances."

For Livestock and meat products:

"Organic livestock products, accompanied by this certificate, were managed and produced without the use of systemic pain killers or analgesics, including the use of Lidocaine or Procaine."