

# Procedures for Certifying Agents

Accreditation & International  
Activities Division

Today's Objectives:  
Responding to  
Accreditation  
Noncompliances

The National Organic Program



# Procedures for Certifying Agents

## Responding to Accreditation Noncompliances

During the accreditation process the NOP occasionally encounters certifying agents that are not complying with NOP requirements. The NOP issues a notice of noncompliance to the certifying agent when noncompliances are identified while conducting documentation adequacy reviews (desk audits), onsite audits, or identified during a complaint investigation. Certifying agents are required to respond and correct the noncompliances in a timely manner

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# Procedures for Certifying Agents

## Responding to Accreditation Noncompliances

In general, certifying agents are cited noncompliances pursuant to Subparts E, F, and G of the Rule which correspond to accreditation requirements. As a basis for citing violations of the regulatory sections in these subparts, findings that demonstrate nonconformity may include reference to the regulatory sections in other subparts of the Rule.

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For example, a certifying agent may receive a noncompliance for the failure to properly identify a noncompliant input material (§205.402 (a)(2)). As a basis for this noncompliance, a NOP auditor's finding during a certified operation witness audit revealed that the operation was using a noncompliant input material in violation of §205.105, *Allowed and prohibited substances, methods, and ingredients in organic production and handling*.



# Procedures for Certifying Agents

## Responding to Accreditation Noncompliances

### **General Corrective Action Guidance**

- Read the noncompliance carefully to understand the citation and the facts of the violation.
- Communicate with the NOP Accreditation Manager to clarify the details and intent of the noncompliance.

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# Procedures for Certifying Agents

## Responding to Accreditation Noncompliances

Understand that a corrective action consists of **five** components.

**1. Correcting the cause of the noncompliance.**

*Describe the verifiable action measures that will bring the certifying agent into compliance.*

**2. Providing objective evidence supporting how the noncompliance was corrected.**

*Submit documented evidence to the NOP that indicates the implementation or execution of the corrective measures.*

**3. Preventing the reoccurrence of the noncompliance in the future.**

*Describe the verifiable action measure that will prevent a reoccurrence of the event.*

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# Procedures for Certifying Agents

## Responding to Accreditation Noncompliances

Understand that a corrective action consists of **five** components.

- 4. Providing objective evidence supporting how the noncompliance will be prevented in the future.**  
*Submit documented evidence to the NOP that indicates the implementation or execution of the prevention measures.*
- 5. Controlling noncompliant product, when appropriate.**  
*(Examples of this may be correcting product labels, removing product from distribution, etc.)*

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# Procedures for Certifying Agents

## Responding to Accreditation Noncompliances

- a. Submit the corrective action proposal within the required timeframe as indicated in the original notice.
- b. Organize the corrective action submission so that it can be readily understood and reviewed by your accreditation manager.
  - Identify what actions have been implemented to correct the noncompliance and prevent occurrence in the future.
  - Submit a plan of action (including a timeframe for completion) for corrective actions that are not implemented.

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# Procedures for Certifying Agents

## Responding to Accreditation Noncompliances

- **Submit objective evidence that supports the proposed corrective actions.**

Objective evidence is documentation supporting the existence of current or future execution or implementation of corrective measures. Objective evidence must be provided for each noncompliance, showing how the noncompliance was corrected and will prevent reoccurrence.

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### *Examples of objective evidence*

**Training:** Where training is indicated as a proposed corrective action response, a copy of the proposed training agenda, training materials to be used, an attendance list or sign in sheet, certifying agent policy memos and/or Quality Manual updates covered in the proposed training.

**Organic System Plan (OSP) Updates:** A copy of the updated OSP template and any related policy memo and/or Quality Manual updates made as a result to OSP modifications, along with details and documents supporting any proposed training.

**Procedural Changes:** A copy of the updated policy memo and/or Quality Manual update, standard operating procedure (SOP) update resulting from the proposed corrective action, along with details and documents supporting any training provided.

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# Procedures for Certifying Agents

## Responding to Accreditation Noncompliances:

- Submit the materials as one submission, rather than multiple submissions
- Be prepared to answer questions about the proposed corrective action submission and additional requests for information



# Procedures for Certifying Agents

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## Let's Review



# Procedures for Certifying Agents

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## **Scenario 1-**

NOP §205.670 (d)(1) states,  
“Results of all analyses and tests  
performed under this section: Must be  
promptly provided to the  
Administrator...”

***ABC Certification Services***

***had conducted sampling and testing of  
organic products but the results have  
not been submitted to the AMS  
Administrator.***

***(AIA Division-AIABox@ams.usda.gov ).***

NONCOMPLIANCE



# Procedures for Certifying Agents

## Responding to Accreditation

### Noncompliances:

#### **Possible corrective actions to scenario 1:**

#### **Correction of the Noncompliance:**

- ABC Certification Services submits to NOP all sampling test results for the period January 1, 2011 to the present. Objective evidence:  
See Attachment A – Summary Sheet of Sampling Test Results and copies of all test reports.



# Procedures for Certifying Agents

## Responding to Accreditation

### Noncompliances:

#### Prevention of Noncompliance in the Future:

1. ABC Certification Services has updated its Program Manual to include procedures for submission of Sample testing results to NOP. Objective evidence: See Attachment B – ABC Program Manual, Section 4.
2. ABC Certification Services will conduct annual staff training on February 15, 2012, and cover new Program Manual updates to include procedures for submitting sample testing results to NOP. Objective evidence: See Attachment C – 2012 Annual ABC Staff



Questions?

