



United States Department of Agriculture

Agricultural Marketing Service

National Organic Program

ORGANIC CROP IMPROVEMENT ASSOCIATION

5910 S 58th St, Ste B, Lincoln, Nebraska, 68516, 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, Handling, Livestock, 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-2-25**

Effective Date: **04/29/2022**

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

Issue Date: **01/02/2025**

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CERTIFICATE OF ACCREDITATION





National Organic Program
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Washington, DC 20250-0268

NATIONAL ORGANIC PROGRAM: AUDIT & CORRECTIVE ACTION REPORT

GENERAL INFORMATION

- **Certifier Name** Organic Crop Improvement Association, (OCIA)
- **Address** North Cotner Boulevard 1340, Lincoln, Nebraska 68505, U.S.A.
- **Audit Type** Mid-term Audit
- **Auditors & Audit Dates** Kelly Skoda, Alicia Hudson, Patricia Bursten, 05/20/2024 to 05/24/2024
- **Audit Identifier** NOP-12-24

CERTIFIER OVERVIEW

The National Organic Program (NOP) conducted an onsite Midterm Audit of Organic Crop Improvement Association International, Inc. (OCIA)'s USDA organic certification program covering the period June 27, 2021 to May 24, 2024. The purpose of the audit was to verify OCIA'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 OCIA personnel, a records audit, two onsite witness audits and one onsite review audit. The review audit was conducted at a crops producer group operation in Peru. The two witness audits consisted of one annual onsite inspection of a crops/livestock operation and one annual onsite inspection of a handling operation; both operations are in Kansas.

OCIA is an incorporated not-for-profit organization initially accredited on April 29, 2002. OCIA is accredited to the crops, wild crops, livestock, and handling scopes. OCIA's office is in Lincoln, Nebraska. OCIA certifies 883 operations and offers certification services in the United States, Mexico, Nicaragua, Guatemala, Peru, and Japan. Certification activities are performed by 84 employees and contractors.

NOP DETERMINATION:

NOP reviewed the audit results to determine whether OCIA's corrective actions adequately addressed previous noncompliances. The NOP also reviewed any corrective actions submitted as a result of the 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 will be conducted during the next audit.

Noncompliances from Prior Assessments

AIA-3389-20 – Cleared.

AIA-3393-20 – Cleared.

AIA-3789-23 – Cleared.

AIA-6489-21 – Cleared.

AIA-7035-21 – Cleared.

AIA-7040-21 – Cleared.

AIA-7041-21 – Cleared.

AIA-7043-21 – Cleared.

AIA-7048-21 – Cleared.

AIA-7050-21 – Cleared.

AIA-7047-21 - 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 auditors’ review of OCIA records found that OCIA is not consistently carrying out the noncompliance and adverse action process in a timely manner, as evidenced by the following:*

- 1. OCIA sent a Notice of Noncompliance 19 months after issues of concern were identified during the operation's inspection.*
- 2. OCIA did not issue a Notice of Suspension when a certified operation failed to respond to a Notice of Proposed Suspension by the 30-day deadline.*

Corrective Action:

1. OCIA updated its weekly reminder email for reviewers to look at all “past due” files, including unannounced and secondary inspections. With the reminder, the reviewers are provided a list of those operations flagged for attention. OCIA explained that unannounced and secondary inspections were not previously included on this list.
2. OCIA updated its Notice of NOP Revocation, Notice of NOP Suspension and Notice of Mediation Acceptance to include a statement regarding responses received after OCIA’s deadline for receipt. The statement includes the date the response was received and explains that, when the response is received after the OCIA deadline, OCIA will not accept the submission. The OCIA staff were informed of these changes via emails dated February 4, 2022 and April 14, 2022.

Verification of Corrective Action:

1. Cleared - The auditors reviewed certification files and verified OCIA issued notifications

of noncompliance after inspections occurred, in accordance with the time frame of OCIA's policies and procedures.

2. Outstanding - The auditors reviewed certification files and found OCIA issued notifications of suspension more than 45 days after the operation's deadline to respond to the notification of proposed suspension.

2024 Corrective Action: OCIA has designated its Director of Accreditation to run a weekly report showing operations that have received notices of proposed suspension and are due for suspension that week. The Director of Accreditation will send the report to staff assigned to the files that are affected, with the Executive Director in copy. Staff assigned to the file will report back after the suspension notice has been sent. OCIA informed staff of this new process via email on November 20, 2024.

AIA-3390-20 - Accepted. (NOP-20-19.NC2) - 7 C.F.R. §205.403(a)(1), states “A certifying agent must conduct an initial on-site inspection of each production unit, facility, and site that produces or handles organic products and that is included in an operation for which certification is requested. An on-site inspection shall be conducted annually thereafter for each certified operation that produces or handles organic products for the purpose of determining whether to approve the request for certification or whether the certification of the operation should continue.”

Comments: *OCIA did not inspect all operations annually. One operation was in the adverse action process and OCIA did not conduct the 2017 annual inspection while the process was ongoing. Two operations were not inspected in 2014, 2016 and 2017*

2020 Corrective Action: OCIA updated its Inspection Policy in its Operation Manual to indicate all operations must receive an annual inspection, including those involved in an active appeal or who are engaging in mediation. OCIA has also added a reminder to the accreditation calendar to run a list of operations around October 1 of each year to see which operations have not been inspected and follow up on them. OCIA conducted staff training on January 22, 2020 to cover the update to the Inspection Policy.

Verification of Corrective Action: OCIA did not conduct an annual inspection of one operation in 2019 and 81 operations in 2020. In interviews, OCIA staff attributed the 2020 shortfall to COVID-19 restrictions limiting the availability of inspectors.

2022 Corrective Action: OCIA updated its Operation Manual to outline the requirement for annual inspections to be conducted “once per calendar year.” OCIA provided email communications to demonstrate that OCIA will reduce the number of inspections assigned to inspectors, as needed, to ensure timely inspection completion. OCIA provided examples of two types of calendar reminders the staff will use to track the progress of Pre-Inspection Reviews and annual inspections. These reminders are intended to ensure they complete annual inspections with the calendar year. The OCIA staff and inspectors were informed of these changes via emails dated February 4, 2022.

2024 Verification of Corrective Action: The auditors reviewed OCIA's internal audit report and interviewed staff and found OCIA did not conduct annual inspections for 13 operations in 2022 and six operations in 2023.

2024 Corrective Action: OCIA identified specific bottlenecks and inefficiencies with regard to pre-inspection review of files and preparation for inspections in Latin American countries. OCIA updated their processes for increased efficiency and trained staff via email on February 16, 2024. Additionally, OCIA hired an additional part-time staff member for review files of operations in Latin America.

Noncompliances Identified during the Current Assessment

AIA-2492-24 - Accepted. 7 CFR § 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: *OCIA does not consistently demonstrate the ability to fully comply with the requirements for accreditation. The auditors reviewed certification files and interviewed staff and found the following issues with OCIA's livestock templates:*

1. *OCIA's organic system plan (OSP) template includes finishing slaughter stock as an allowed reason for confining ruminants from pasture during the grazing season, which is not compliant with § 205.239(d).*
2. *OCIA's OSP template does not require operations to provide sufficient detail to demonstrate how the amount of DL Methionine fed per ton of feed over the life of the flock is calculated in compliance with § 205.603(d)(1).*
3. *OCIA's inspection report template does not prompt the inspector to verify the amount of DL Methionine used in a poultry flock over its lifetime meets the National List restriction in § 205.603(d)(1).*

Corrective Actions: OCIA revised its livestock OSP templates to comply with the requirements and is implementing the new OSPs during the 2025 renewal season. OCIA also submitted draft verification questions they will add to their inspection report templates by May 1, 2025, which will prompt inspectors to verify the information.

AIA-2493-24 - Accepted. 7 CFR § 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: *OCIA does not consistently demonstrate the ability to fully comply with the requirements for accreditation. The auditors reviewed certification files and found OCIA uses its handling organic system plan (OSP) and inspection report templates for livestock handlers, however, the templates do not prompt demonstration of or verification of compliance with the applicable USDA organic regulations for livestock.*

Corrective Actions: OCIA created a new OSP module to prompt operators to document the missing information. OCIA is implementing the new OSP modules during the 2025 renewal season. OCIA also submitted draft verification questions they will add to their inspection report templates by May 1, 2025, which will prompt inspectors to verify the information.

NATIONAL ORGANIC PROGRAM: AUDIT & CORRECTIVE ACTION REPORT

GENERAL INFORMATION

- **Certifier Name** Organic Crop Improvement Association (OCIA)
- **Physical Address** North Cotner Boulevard 1340,
Lincoln, Nebraska 68505, U.S.A.
- **Audit Type** Renewal Assessment
- **Auditor(s) & Audit Dates** Patricia Bursten, Alison Howard, Jessica Walden,
06/21/2021 to 06/26/2021
- **Audit Identifier** NOP-105-20

CERTIFIER OVERVIEW

OCIA is a not-for-profit organization initially accredited by the NOP on April 29, 2002 to the following scopes: crops, livestock, wild crops, and handling/processing. OCIA's office is in Lincoln, Nebraska. OCIA certifies approximately 803 operations according to the following: 609 Crops; 25 Livestock; 4 Wild Crops; 208 Handler; and 70 Grower Groups. OCIA certifies operations in Peru, Nicaragua, Mexico, Japan, El Salvador, Guatemala, and the United States. Certification services are performed by 14 OCIA certification specialists, five regional coordinators, the Director of Accreditation, nine administrative staff, and the Executive Director.

OCIA has regional offices in Mexico, Japan, Canada, Nicaragua, and Peru that provide customer service for OCIA. Any application received by the regional offices is sent to the U.S. office for processing. Inspections are conducted by 66 independent contracted inspectors.

NOP DETERMINATION

NOP reviewed the audit results to determine whether OCIA'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.

Noncompliances from Prior Assessments

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 “**Outstanding**” indicates that either the auditor could not verify implementation of the corrective actions or that records reviewed and audit observations did not demonstrate compliance. Any noncompliance labeled as “**Accepted**” indicates acceptance of the corrective actions and verification of corrective action implementation will be conducted during the next audit.

AIA-3388-20 (NP7107LCA. NC8) – Cleared.

AIA-3391-20 (NOP-20-19.NC3) – Cleared.

AIA-3392-20 (NOP-20-19.NC4) – Cleared.

AIA-3394-20 (NOP-20-19.NC6) – Cleared.

AIA-3395-20 (NOP-20-19.NC7) – Cleared.

AIA-3396-20 (NOP-20-19.NC8) – Cleared.

AIA-3397-20 (NOP-20-19.NC9) – Cleared.

AIA-3398-20 (NOP-20-19.NC10) – Cleared.

AIA-3399-20 (NOP-20-19.NC11) – Cleared.

AIA-3400-20 (NOP-20-19.NC12) – Cleared.

AIA-3401-20 (NOP-20-19.NC13) – Cleared.

AIA-3389-20 (NOP-20-19.NC1) – Accepted. 7 C.F.R. §205.663 states, “The parties to the mediation ... shall reach an agreement following a mediation session. ... Any agreement reached during or as a result of the mediation process shall be in compliance with the Act and these regulations.”

Comments: *OCIA’s settlement agreements are not compliant in the following manner:*

- *OCIA is issuing settlement agreements that do not include due dates for the terms of the agreement. Rather the terms continue indefinitely.*
- *OCIA accepts an operation’s request to surrender certification as a resolution to an adverse action without signing a settlement agreement.*

2020 Corrective Action: OCIA updated its Operation Manual and mediation workflow and settlement agreement template to indicate due dates must be included on settlement agreements. OCIA updated the settlement agreement template to add due dates. Any fulfilled settlement agreements over two years old will be marked inactive and the operator notified of the fulfillment via a letter. OCIA conducted training on January 22, 2020 to address adding ending dates to settlement agreements and to train staff that settlement agreements must be established for operations seeking to surrendering upon receiving an adverse action notice.

Verification of Corrective Action: The auditors’ review of mediation files verified that OCIA issues settlement agreements with finite terms. However, the auditors found that OCIA staff had accepted an operation’s surrender as the resolution to a proposed suspension.

2022 Corrective Action: OCIA updated its “Acknowledgement of Surrender” letter to include a reminder to reviewers that operations in mediation must have a signed Settlement Agreement in place prior to surrender. This reminder also outlines that those operations that have received a proposed suspension or revocation cannot surrender without mediation. The OCIA staff were informed of this change via an email dated July 20, 2021.

AIA-3390-20 (NOP-20-19.NC2) – Accepted. 7 C.F.R. §205.403(a)(1), states “A certifying agent must conduct an initial on-site inspection of each production unit, facility, and site that

produces or handles organic products and that is included in an operation for which certification is requested. An on-site inspection shall be conducted annually thereafter for each certified operation that produces or handles organic products for the purpose of determining whether to approve the request for certification or whether the certification of the operation should continue.”

Comments: *OCIA did not inspect all operations annually. One operation was in the adverse action process and OCIA did not conduct the 2017 annual inspection while the process was ongoing. Two operations were not inspected in 2014, 2016 and 2017.*

2020 Corrective Action: OCIA updated its Inspection Policy in its Operation Manual to indicate all operations must receive an annual inspection, including those involved in an active appeal or who are engaging in mediation. OCIA has also added a reminder to the accreditation calendar to run a list of operations around October 1 of each year to see which operations have not been inspected and follow up on them. OCIA conducted staff training on January 22, 2020 to cover the update to the Inspection Policy.

Verification of Corrective Action: OCIA did not conduct an annual inspection of one operation in 2019 and 81 operations in 2020. In interviews, OCIA staff attributed the 2020 shortfall to COVID-19 restrictions limiting the availability of inspectors.

2022 Corrective Action: OCIA updated its Operation Manual to outline the requirement for annual inspections to be conducted “once per calendar year.” OCIA provided email communications to demonstrate that OCIA will reduce the number of inspections assigned to inspectors, as needed, to ensure timely inspection completion. OCIA provided examples of two types of calendar reminders the staff will use to track the progress of Pre-Inspection Reviews and annual inspections. These reminders are intended to ensure they complete annual inspections with the calendar year. The OCIA staff and inspectors were informed of these changes via emails dated February 4, 2022.

AIA-3393-20 (NOP-20-19.NC5) – 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: *OCIA does not have adequately trained personnel to implement the certification program. The auditor’s review of OCIA’s material review process found the following:*

- 1. OCIA is not communicating material restrictions or annotations to operators in its material approval letters.*
- 2. OCIA is not consistently retaining the documentation used to make a material review determination. OCIA’s material review procedure, in the Operation Manual, states all material review documents are to be entered into the database for approved and denied material reviews.*
- 3. OCIA is not re-reviewing materials they have approved to verify whether the materials continue to be compliant.*

2020 Corrective Action:

1. OCIA updated its autogenerated Input Material Decision Letter to include restrictions and annotations.

2. OCIA updated its Materials Review Procedure section in the Operation Manual to state that material review documents for non-custom crops and livestock materials will be entered into Ecert under an input record and that the documents for custom materials will be maintained in the individual producer's file.
3. OCIA updated its Materials Review Procedure section in the Operation Manual to additionally state that Material Decision Letter will be reviewed every 5 years. OCIA submitted documentation and records of the staff training conducted on January 22, 2020.

Verification of Corrective Action: The auditors review of certification files found:

1. OCIA does not consistently use the Material Decision Letter to inform operators of a material review decisions. When that letter is not issued, OCIA does not communicate National List annotations to operators.
2. For one material input, OCIA staff could not locate records demonstrating the specific product had been reviewed, was allowed in organic production, or that approval had been communicated to the client.
3. OCIA's policy requires that all non-custom materials are reviewed for compliance when requested by a producer, and every 5 years thereafter. OCIA's material approval process, as implemented, does not ensure all materials are re-reviewed, according to their policy.

2022 Corrective Action:

1. OCIA updated its Operation Manual to clarify that the Material Decision Letter must be used to notify an operation for every material reviewed for that operation. When the material review is done entirely by OCIA, the OCIA Material Review Information Form is to be completed to record the review and will include any supporting documentation as attachments.
2. OCIA is working with their software company to be able to include an inputs tab for each certified operation in their database. The inputs tab will be exported for the Input Review Decision Letter sent to operations after the material review. National List annotations and restrictions will be included on the inputs tab and will automatically populate on the Input Review Decision Letter. A weekly check will be completed to verify the master records were created and are complete and the letters were created and are correct. After the changes are made and tested in Ecert, OCIA will review updates to their Operation Manual and ensure updates are correct and train staff on this procedure.
3. OCIA updated its Operation Manual to clarify its process for re-reviewing materials on a 5-year basis. The date the material is approved will be entered in the Operator Record; when a material review reaches the 5-year mark, the reviewer will re-review the material and update the "decision made on" with the new date.

The OCIA staff and inspectors were informed of these changes via an email dated February 4, 2022.

Noncompliances Identified during the Current Assessment

AIA-7035-21 – 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: *OCIA's livestock Organic System Plan (OSP) and inspection reports do not fully demonstrate an operation's ability to comply with the USDA organic regulations. The auditors'*

review of the livestock OSPs and 2020 inspection reports for dairy operations found the following:

1. The OSP does not include descriptions of temporary confinement plans for livestock.
2. The inspection report does not record verification of the following:
 - a. The operation's records demonstrating compliance with all elements of the pasture practice standard (§205.240).
 - b. The operation's records demonstrating compliance with the requirement for daily grazing throughout the grazing season (§205.239(a)(2)).
 - c. The operation's records demonstrating that temporary confinement practices during the year comply with §205.239(b).
3. The inspection report does not include sufficient records of DMI calculations to demonstrate that OCIA is verifying compliance with §205.237(c) & (d) for all classes of animal.

Corrective Action:

1. OCIA updated its Livestock Organic System Plan and Livestock Inspection Report templates, which now require descriptions of temporary confinement plans and inspectors' onsite verification of those plans.
2. The Inspection Report template was updated to require inspectors to state what documents were reviewed at inspection to verify:
 - a. The operation's records demonstrating compliance with all elements of the pasture practice standards.
 - b. The operation's records demonstrating daily grazing throughout the grazing season for all classes of animal.
 - c. The operation's records demonstrating compliance with temporary confinement requirements.
3. The Inspection Report template was updated to require that inspectors review DMI sheets and feed fed records that the operation is maintaining to verify their DMI calculations. Inspectors are to include their own DMI calculations used to verify the operation's records based on feed fed.

The OCIA staff and inspectors were informed of these changes via emails dated February 4, 2022.

AIA-7040-21 – Accepted. 7 C.F.R. §205.403(a)(2)(ii) states, “The Administrator or State organic program's governing State official may require that additional inspections be performed by the certifying agent for the purpose of determining compliance with the Act and the regulations in this part.”

Comments: OCIA did not conduct unannounced inspections of 5% of its total certified operations in 2020, which does not meet the requirements of NOP 2609 Unannounced Inspections. The auditors' review of certification files found that 30 out of 831 operations (3.6%) received an unannounced inspection.

Corrective Action: OCIA updated its Operation Manual to outline that OCIA will tentatively assign at least 75% of the unannounced inspections for the calendar year on March 1 of that year. The balance of the unannounced inspections will be assigned one per week, based on complaints and investigations. OCIA submitted a copy of its calendar reminder, set for September 1. At that

time, OCIA will review the number of unannounced inspections completed, and assign additional inspections as-needed to complete a minimum of 5% by the end of the calendar year.

AIA-7041-21 – 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: *OCIA does not consistently implement the required pesticide residue analysis process. The auditors’ review of pesticide residue analysis files identified the following:*

1. *OCIA does not fully carry out the procedures of NOP 2613, Instruction: Responding to Results from Pesticide Residue Testing. OCIA is not consistently informing operations that their product may be sold as organic when residues are not detected or are detected at less than 0.01 ppm.*
2. *OCIA does not fully carry out the procedures of NOP Policy 2610, Sampling Procedure for Residue Testing. The auditors found that the chain of custody documents do not consistently include the chronological possession of samples from the sample collector to the shipping carrier to the laboratory. For one file reviewed, there was no chain of custody documentation between the OCIA representative and the final testing lab.*

Corrective Action:

1. OCIA updated their Operator Test Results Letter template to include the statement “Product may be sold as organic”; the statement is to be removed if it doesn’t apply to the operation’s test results.
2. OCIA changed its Operation Manual to update the chain of custody procedures. The update outlines that when OCIA staff receive a sample from an inspector, the Residue Sample Information and Chain of Custody form will be completed and both the inspector and staff will sign it. This is to document the chain of custody between the inspector and staff.
3. OCIA updated their Residue Sample Information and Chain of Custody Forms for both producers and handlers. The update includes a section to document when a staff member takes custody of a sample to forward it to the lab.

The OCIA staff and inspectors were informed of these changes via emails dated February 4, 2022.

AIA-7043-21 – Accepted. 7 C.F.R. §205.501(a)(5) states “A private or governmental entity accredited as a certifying agent under this subpart must: Ensure that its responsibly connected persons, employees, and contractors with inspection, analysis, and decision-making responsibilities have sufficient expertise in organic production or handling techniques to successfully perform the duties assigned.”

Comments: *OCIA does not consistently ensure that staff and contractors have sufficient expertise in organic production or handling techniques prior to performing the duties assigned. The auditors’ review of certification files and interviews with staff found the following:*

1. *OCIA approved “100 percent organic” claims on labels for products that did not qualify for the “100 percent organic” labeling claim.*

2. *OCIA does not ensure that certified operations correctly use the USDA Organic Seal in online marketing materials to identify only those products that are certified organic to the USDA organic regulations.*
3. *OCIA does not ensure that the term “organic” in a brand name is used correctly on products that do not meet the “organic” labeling claim, as described in NOP Policy 4012, Use of Brand or Company Names Containing the Word “Organic.”*

Corrective Action:

1. OCIA provided updates to its Pre-Inspection Review Checklist, Final Review instructions, and Handling Inspection Report form. The updates include requirements for verifying the organic certificates of products labeled as “100% organic.”
2. OCIA’s reviewer instructions update includes a verification step for operations’ websites and other social media platforms. OCIA updated its Operation Manual to include a new section titled “Website and Social Media Surveillance Checklist.”
3. OCIA’s Operation Manual and Pre-Inspection Review checklist were also updated to outline the verification of compliance when an operation’s name includes the word “organic.”

The OCIA staff and inspectors were informed of these changes via emails dated February 4, 2022.

AIA-7047-21 – 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 auditors’ review of OCIA records found that OCIA is not consistently carrying out the noncompliance and adverse action process in a timely manner, as evidenced by the following:*

1. *OCIA sent a Notice of Noncompliance 19 months after issues of concern were identified during the operation’s inspection.*
2. *OCIA did not issue a Notice of Suspension when a certified operation failed to respond to a Notice of Proposed Suspension by the 30-day deadline.*

Corrective Action:

1. OCIA updated its weekly reminder email for reviewers to look at all “past due” files, including unannounced and secondary inspections. With the reminder, the reviewers are provided a list of those operations flagged for attention. OCIA explained that unannounced and secondary inspections were not previously included on this list.
2. OCIA updated its Notice of NOP Revocation, Notice of NOP Suspension and Notice of Mediation Acceptance to include a statement regarding responses received after OCIA’s deadline for receipt. The statement includes the date the response was received and explains that, when the response is received after the OCIA deadline, OCIA will not accept the submission.

The OCIA staff were informed of these changes via emails dated February 4, 2022 and April 14, 2022.

AIA-7048-21 – 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: *OCIA did not meet the requirement to sample and test from 5% of its certified operations annually in 2020. The auditor’s review of sample collection files found that OCIA sampled and tested from 4.1% of all operations.*

Corrective Action: OCIA updated its Operation Manual to outline that OCIA will tentatively assign at least 75% of the sampling events for the calendar year by March 1 of each year. The balance of the sampling events will be assigned one per week based on investigations, risk assessments, and random selection. OCIA submitted a copy of its calendar reminder, set for September 1, to review the number of sample events completed. As-needed, OCIA will assign additional sampling events to complete a minimum of 5% by the end of the calendar year.

AIA-7050-21 – Accepted. 7 C.F.R. §205.663 states, “Any dispute with respect to denial of certification or proposed suspension or revocation of certification under this part may be mediated at the request of the applicant for certification or certified operation and with acceptance by the certifying agent. Mediation shall be requested in writing to the applicable certifying agent. If the certifying agent rejects the request for mediation, the certifying agent shall provide written notification to the applicant for certification or certified operation. The written notification shall advise the applicant for certification or certified operation of the right to request an appeal, pursuant to §205.681, within 30 days of the date of the written notification of rejection of the request for mediation. If mediation is accepted by the certifying agent, such mediation shall be conducted by a qualified mediator mutually agreed upon by the parties to the mediation. If a State organic program is in effect, the mediation procedures established in the State organic program, as approved by the Secretary, will be followed. The parties to the mediation shall have no more than 30 days to reach an agreement following a mediation session. If mediation is unsuccessful, the applicant for certification or certified operation shall have 30 days from termination of mediation to appeal the certifying agent's decision pursuant to §205.681. Any agreement reached during or as a result of the mediation process shall be in compliance with the Act and the regulations in this part. The Secretary may review any mediated agreement for conformity to the Act and the regulations in this part and may reject any agreement or provision not in conformance with the Act or the regulations in this part.”

Comments: *OCIA’s mediation process does not consistently comply with the requirements of §205.663. The auditors’ review of one operation found that OCIA issued four settlement agreements from 2019 through 2021 to resolve the same noncompliance. The terms of the settlement agreements and the mediation process did not resolve the original noncompliance.*

Corrective Action: OCIA updated the Appeals, Complaints, and Disputes Procedure in the OCIA Operation Manual to outline that OCIA will not offer an operation more than two settlement agreements for the same or similar issues. If mediation is requested after a second settlement agreement has already been issued for the same or very similar issues, OCIA will deny the request. A reminder of this update was added to the OCIA mediation workflow in OCIA’s Ecert database. The OCIA staff were informed of these changes via emails dated July 7, 2021, and January 13, 2022.

NATIONAL ORGANIC PROGRAM: CORRECTIVE ACTION REPORT

AUDIT AND REVIEW PROCESS

An onsite Mid-term audit of the Organic Crop Improvement Association (OCIA) organic program was conducted on July 22-26, 2019. The National Organic Program (NOP) reviewed the auditor's report to assess OCIA's compliance to the USDA organic regulations. This report provides the results of NOP's assessment.

GENERAL INFORMATION

Applicant Name	Organic Crop Improvement Association (OCIA)
Physical Address	1340 North Cortner Boulevard, Lincoln, NE 68505
Mailing Address	1340 North Cortner Boulevard, Lincoln, NE 68505
Contact & Title	Cindy Elder
E-mail Address	celder@ocia.org
Phone Number	402-477-2323
Reviewer & Auditors	Alison Howard, NOP Reviewer; Rebecca Claypool, Lead Auditor, Jason Lopez, Second Auditor.
Program	USDA National Organic Program (NOP)
Review & Audit Date(s)	Corrective Actions Review: April 30, 2020 NOP assessment review: October 4, 2019 Onsite audit: July 22-26, 2019
Audit Identifier	NOP 20-19
Action Required	No
Audit & Review Type	Mid-Term Assessment
Audit Objective	To evaluate the conformance to the audit criteria; and to verify the implementation and effectiveness of OCIA's certification
Audit & Determination Criteria	<i>7 CFR Part 205, National Organic Program as amended</i>
Audit & Review Scope	OCIA's certification services in carrying out the audit criteria during the period: April 21, 2017 through July 26, 2019

OCIA is a not-for-profit organization initially accredited by the NOP on April 29, 2002 to the following scopes: crops, livestock, wild crops, and handling/processing. OCIA's office is in Lincoln, Nebraska. OCIA certifies approximately 801 operations according to the following: 594 Crops; 28 Livestock; 4 Wild Crops; 216 Handler; and 4 Grower Groups. OCIA certifies operations in El Salvador, Guatemala, Japan, Mexico, Nicaragua, Peru, and the United States.

Certification services are performed by 13 OCIA certification specialists, five regional coordinators, the Director of Accreditation, four administrative staff, and the Executive Director.

OCIA has regional offices in Mexico, Japan, Canada, Nicaragua, and Peru that provide customer service for OCIA. Any application received by the regional offices is sent to the U.S. office for processing. Inspections are conducted by 74 independent contracted inspectors.

The onsite audit included two witness audits: one witness audit of a crops operation inspection, and another witness audit of a handler operation inspection.

NOP DETERMINATION:

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

Non-compliances from Prior Assessments

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 "**Outstanding**" indicates that either the auditor could not verify implementation of the corrective actions or that reviewed records and audit observations did not demonstrate compliance. 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.

NP7107LCA.NC1 – Cleared
NP7107LCA. NC2 – Cleared
NP7107LCA. NC3 – Cleared
NP7107LCA. NC4 – Cleared
NP7107LCA. NC5 – Cleared
NP7107LCA. NC6 – Cleared
NP7107LCA. NC7 – Cleared
NP7107LCA. NC9 – Cleared
NP7107LCA. NC10 – Cleared
NP7107LCA. NC11 – Cleared
NP7107LCA. NC12 – Cleared

NP7107LCA. NC8 – Accepted. 7 C.F.R. §205.501(a)(21) 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; Comply with, implement, and carry out any other terms and conditions determined by the Administrator to be necessary." 2015 ACA Training Presentation, Appeals Refresher: Mediation and Settlement Agreements, page 21, consequences of a broken settlement, the certifier reissues the proposed adverse action.

Comments: *Auditor review of settlement agreements revealed OCIA issued a noncompliance rather than a proposed suspension or a combined notice of noncompliance and proposed suspension when an operation failed to meet the agreement terms.*

Corrective Actions: OCIA has revised and updated the settlement agreement template in the OCIA database to indicate that a proposed suspension will be reissued if the operation violates the settlement agreement. OCIA staff auto-generate settlement agreements in the OCIA database from an operation's record to ensure the correct template is used. English and Spanish templates were uploaded on November 27, 2017. Staff were notified on November 21, 2017 of the change, and it was also covered in the staff training on December 20, 2017.

2019 Verification of Corrective Action: OCIA implemented the updated settlement agreement template which indicates that a notice of proposed suspension will be issued if the terms of the agreement are violated, and it is in use. However, the auditor reviewed a settlement agreement file and found that OCIA issued a notice of noncompliance when the operation was in violation of the agreement. OCIA is not tracking the terms of the settlement agreements to know when an operation is in violation, and therefore does not know when a notice of proposed suspension should be issued.

2020 Corrective Action: OCIA has revised its protocol for reviewing and tracking settlement agreements. OCIA reviews settlement agreements during the review process. OCIA has revised its review checklist to remind reviewers to look for active settlement agreements. OCIA revised its mediation workflow to include categorizing the settlement agreement for tracking and reporting purposes. OCIA submitted the tracking, policy and training documents.

Non-compliances Identified during the Current Assessment and Corrective Actions

Any noncompliance labeled as “**Accepted**,” indicates that the corrective actions for the noncompliance are accepted by the NOP and will be verified for implementation and effectiveness during the next onsite audit.

NOP-20-19.NC1 - Accepted. 7 C.F.R. §205.663 states, “The parties to the mediation ... shall reach an agreement following a mediation session. ... Any agreement reached during or as a result of the mediation process shall be in compliance with the Act and these regulations.”

Comments: *OCIA's settlement agreements are not compliant in the following manner:*

- *OCIA is issuing settlement agreements that do not include due dates for the terms of the agreement. Rather the terms continue indefinitely.*
- *OCIA accepts an operation's request to surrender certification as a resolution to an adverse action without signing a settlement agreement.*

Corrective Action: OCIA updated its Operation Manual and mediation workflow and settlement agreement template to indicate due dates must be included on settlement agreements. OCIA updated the settlement agreement template to add due dates. Any fulfilled settlement agreements over two years old will be marked inactive and the operator notified of the fulfillment via a letter. OCIA conducted training on January 22, 2020 to address adding ending dates to settlement agreements and to train staff that settlement agreements must be established for operations seeking to surrendering upon receiving an adverse action notice.

NOP-20-19.NC2 - Accepted. 7 C.F.R. §205.403(a)(1), states “A certifying agent must conduct an initial on-site inspection of each production unit, facility, and site that produces or handles organic products and that is included in an operation for which certification is requested. An on-

site inspection shall be conducted annually thereafter for each certified operation that produces or handles organic products for the purpose of determining whether to approve the request for certification or whether the certification of the operation should continue.”

Comments: *OCIA did not inspect all operations annually. One operation was in the adverse action process and OCIA did not conduct the 2017 annual inspection while the process was ongoing. Two operations were not inspected in 2014, 2016 and 2017.*

Corrective Action: OCIA updated its Inspection Policy in its Operation Manual to indicate all operations must receive an annual inspection, including those involved in an active appeal or who are engaging in mediation. OCIA has also added a reminder to the accreditation calendar to run a list of operations around October 1 of each year to see which operations have not been inspected and follow up on them. OCIA conducted staff training on January 22, 2020 to cover the update to the Inspection Policy.

NOP-20-19.NC3 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: *OCIA’s livestock inspection report does not include questions to verify the requirements of the pasture rule. The auditor reviewed a completed livestock inspection report for a dairy operation that did not verify total days grazed, confinement records, changes in rations, or verify whether all classes of livestock received 30% DMI from pasture.*

Corrective Action: OCIA clarified that OCIA’s process for verifying requirements of the pasture rule is to include pasture rule requirements in the OCIA Crop and Livestock organic system plan (OSP) and required supplemental documents. Operators are to provide updates to maps, dry matter intake calculations and the OSP modules when there are changes. This information is reviewed for compliance at the pre-inspection review and then verified by the inspector during the onsite inspection. The inspection report asks whether what was reviewed on-site confirms that the OSP is correct and accurate. OCIA added a question to the livestock final review checklist, “Is the operation compliance with the NOP pasture rule?”

NOP-20-19.NC4 Accepted. 7 C.F.R. §205.406(c) states, “If the certifying agent has reason to believe, based on the on-site inspection and a review of the information specified in §205.404, that a certified operation is not complying with the requirements of the Act and the regulations in this part, the certifying agent shall provide a written notification of noncompliance to the operation in accordance with §205.662.”

Comments: *OCIA is not issuing notices of noncompliance to operators when noncompliances are found during file reviews. Instead OCIA issues operations a Corrective Action Report that lists conditions for continued certification (referred to by OCIA as minor noncompliances). The auditor reviewed Corrective Action Reports that included issues that should have been addressed through a notice of noncompliance. OCIA’s Inspector Manual (section 5.3) defines a violation that warrants a notice of noncompliance as a non-correctable noncompliance. OCIA is not following the NOP Penalty Matrix in determining if issues of concern are noncompliances or conditions for continued certification.*

Corrective Action: OCIA revised in its Operation Manual the definitions of major and minor noncompliance, corrective action (CA) plan, and systemic failure. OCIA also revised the criteria

for combined notices and notice proposed suspension and revocation in the Review of Certified Operations and Certification Condition Policy (A-5) and Certification Specialist Work Instructions (C-10) per the NOP penalty matrix. OCIA submitted documentation demonstrating the procedure change and staff training that was conducted on January 22, 2020.

NOP-20-19.NC5 - 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: *OCIA does not have adequately trained personnel to implement the certification program. The auditor’s review of OCIA’s material review process found the following:*

1. *OCIA is not communicating material restrictions or annotations to operators in its material approval letters.*
2. *OCIA is not consistently retaining the documentation used to make a material review determination. OCIA’s material review procedure, in the Operation Manual, states all material review documents are to be entered into the database for approved and denied material reviews.*
3. *OCIA is not re-reviewing materials they have approved to verify whether the materials continue to be compliant.*

Corrective Action:

1. OCIA updated its autogenerated Input Material Decision Letter to include restrictions and annotations.
2. OCIA updated its Materials Review Procedure section in the Operation Manual to state that material review documents for non-custom crops and livestock materials will be entered into Ecert under an Input record and that the documents for custom materials will be maintained in the individual producer’s file.
3. OCIA updated its Materials Review Procedure section in the Operation Manual to additionally state that Material Decision Letter will be reviewed every 5 years.

OCIA submitted documentation and records of the staff training conducted on January 22, 2020.

NOP-20-19.NC6 – Accepted. 7 C.F.R. §205.662(a)(1), 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. Such notification shall provide: A description of each noncompliance;”

Comments: *OCIA issued a notice of noncompliance without including a citation to the USDA organic regulations.*

Corrective Action: OCIA has revised its Notice of Noncompliance and adverse actions templates to add the statement that all noncompliances must reference a citation for 7 CFR 205. OCIA submitted documentation and records of the staff training conducted on January 22, 2020.

NOP-20-19.NC7 – Accepted. 7 C.F.R. §205.660(d) states, “Each notification of noncompliance, rejection of mediation, noncompliance resolution, proposed suspension or revocation, and

suspension or revocation issued pursuant to §205.662, §205.663, and §205.665 and each response to such notification must be sent to the recipient's place of business via a delivery service which provides dated return receipts.”

Comments: *OCIA is not using a dated return receipt service when issuing notices of noncompliance resolution and rejection of mediation notices.*

Corrective Action: OCIA updated the Appeals, Complaints, and Disputes Procedure in the OCIA Operation Manual to indicate that mediation denial notices “...will be sent by a method that includes return receipt.” OCIA also updated the Certification Specialist Work Instructions to indicate major noncompliance resolution letters need to be sent “...via certified mail or courier service with a dated return receipt or tracking delivery confirmation.” OCIA submitted documentation and records of the training provided to staff on January 22, 2020.

NOP-20-19.NC8 – Accepted. 7 C.F.R. §205.662(b) states, “When a certified operation demonstrates that each noncompliance has been resolved, the certifying agent or the State organic program's governing State official, as applicable, shall send the certified operation a written notification of noncompliance resolution.”

Comments: *OCIA does not consistently issue a notice of noncompliance resolution letter. The auditor reviewed a notice that listed three noncompliances. One of the noncompliances was resolved by the operator's response, but a resolution letter was not sent. In another file, OCIA did not issue the resolution letter after the operator resolved the noncompliance.*

Corrective Action: OCIA has updated its Ecert procedural checklist to ensure Corrective Action Resolution letters are sent to producers when the corrective action has been resolved. OCIA submitted a copy of the checklist and records of the training provided to staff on January 22, 2020.

NOP-20-19.NC9 – 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: *OCIA's organic system plans do not ask operators if they are importing organic products. All inspection reports ask about export activities, however only the handler inspection report asks a question about the operator's import activities.*

Corrective Action: OCIA updated its Organic System Plan (OSP) and Inspection Report forms to request import information. The inspection report forms will be effective immediately. For operations who have already renewed recently or have received the forms to renew, the updated forms will be completed later by them. OCIA submitted templates of updated OSP's and Inspection Reports as documentation.

NOP-20-19.NC10 – Accepted. 7 C.F.R. §205.403(d) states, “The inspector must conduct an exit interview with an authorized representative of the operation who is knowledgeable about the inspected operation to confirm the accuracy and completeness of inspection observations and information gathered during the on-site inspection. The inspector must also address the need for any additional information as well as any issues of concern.”

Comments: *During a witness audit the inspector did not address an issue of concern in the exit interview with the operator. The operation was using treated lumber to construct new hay*

wagons for livestock feed. The inspector did not discuss the concern that organic crops on the wagons would be in contact with prohibited substances in the treated wood.

Corrective Action: To ensure both staff and inspectors were trained on the treated wood guidance, training was conducted on January 22, 2020 on the NOP's treated wood draft guidance. Inspectors were also trained on the need to ensure all items are included in the exit interview. OCIA also updated its crop inspection report form to ask "Was any treated wood used on-farm for new installations for replacement purposes since the last inspection? If yes, please detail if there is any contact with organic soil or organic crops. Please provide a detailed description and pictures in case of contact." OCIA provided a copy of the January 22, 2020 training documents, training attendance logs and a copy of the updated crop inspection report template.

NOP-20-19.NC11 – 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."

Comment: OCIA approved a label where the information identifying the handler of the product and the "Certified organic by * * *" statement was not on the information panel of the label. Instead the information was printed on the bottom of the package.

Corrective Action: OCIA has updated its product workflow checklist and the final review checklist to prompt for review of the labeling checklist. OCIA submitted the updated checklists. Labeling was also covered during the January 22, 2020 staff training.

NOP-20-19.NC12 – 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: OCIA is not following the requirements in the terms of the U.S. - Korea organic equivalency arrangement, as outlined in the NOP's International Trade Policies resources. The auditor reviewed NAQS Import Certificates issued by OCIA to certified operations that did not include the required statement "Certified in compliance with the terms of the US-Korea Organic Equivalency Arrangement."

Corrective Action: OCIA updated the Export Document Procedure (C-16) in the Operation Manual in 5.4 to note that the required attestation statement, "Certified in compliance with the terms of the US-Korea Organic Equivalency Arrangement" will be included on the NAQS Import Certificate. OCIA submitted the updated NAQS Import Certificate.

NOP-20-19.NC13 – 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: OCIA's inspection of a grower group operation did not comply with NOP Policy Memo 11-10 Grower Group Certification. OCIA is not calculating the external inspection sample using the calculation method required in Policy Memo 11-10. In addition, OCIA is not documenting how the inspector verified the calculation of the external inspection sample.

Corrective Action: OCIA updated its Community Grower Group Sample Inspection Tables and added that all high-risk group members are to be inspected, and that at least 25% of calculated sample inspected must be chosen randomly. OCIA also updated its Community Grower Group (CGG) Certification Policy to include the need for inspections for all high-risk members and updated the risk factor score determination policy. This policy change was implemented on March 1, 2020. OCIA notified its certified NOP grower group operations of the policy change and provided its inspectors with training. OCIA updated the pre-inspection review letter given to inspectors to include reminders about the requirements of the grower group inspection. OCIA submitted the updated documents, training, and communications.

NATIONAL ORGANIC PROGRAM: CORRECTIVE ACTION REPORT

AUDIT AND REVIEW PROCESS

An onsite renewal assessment of the Organic Crop Improvement Association (OCIA) organic program was conducted on April 17-20 2017. The National Organic Program (NOP) reviewed the auditor's report to assess OCIA's compliance to the USDA organic regulations. This report provides the results of NOP's assessment.

GENERAL INFORMATION

Applicant Name:	Organic Crop Improvement Association (OCIA)
Physical Address:	1340 North Cotner Boulevard, Lincoln, NE 68505
Mailing Address:	1340 North Cotner Boulevard, Lincoln, NE 68505
Contact & Title:	Cindy Elder, Director of Accreditation and Inspector Services, Inspector; Amanda Brewster, Executive Director
E-mail Address:	CElder@ocia.org
Phone Number:	(402) 477-2323
Reviewer:	Jason Lopez, NOP Reviewer;
Auditor:	Lars Crail, Onsite Lead Auditor; Devon Pattillo, Technical Expert
Program:	USDA National Organic Program (NOP)
Review Dates:	NOP Review date: April 5, 2018
Audit Dates:	Onsite assessment date: April 17-20 2017
Audit Identifier:	NP7107LCA
Action Required:	Yes
Audit and Review Type:	Renewal Assessment
Audit Objective:	To evaluate the conformance to the audit criteria; and to verify the implementation and effectiveness of OCIA's certification system.
Audit and Determination Criteria:	<i>7 CFR Part 205, National Organic Program as amended</i>
Audit and Review Scope:	Assessment of OCIA's certification services in carrying out the audit criteria during the period October 2015 to April 2017.

OCIA is a not-for-profit organization initially accredited by NOP on April 29, 2002 to the following scopes: crops, livestock, wild crops, and handling/processing. OCIA regional offices located around the world represent the OCIA membership association but have no involvement or limited involvement (Japan office) with certification activities. OCIA certifies approximately 800 operations primarily in the United States, Latin America, and Japan, but also in the other areas of the world.

Certification services are performed by 16 OCIA employees that work in or report to the principal office, including 9 certification specialists and several coordinators. Inspections are

conducted by 70 independent contracted inspectors located in the U.S. and other parts of the world.

As part of the renewal process, two witness audits were conducted. Witness audits of a crops/livestock inspection in Minnesota and handler inspection in New Jersey were conducted.

NOP DETERMINATION:

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

Non-compliances from Prior Assessments

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.

NP5181MMA.NC1 – Cleared
NP5181MMA.NC2 – Cleared
NP5181MMA.NC3 – Cleared
NP5181MMA.NC4 – Cleared
NP5181MMA.NC5 – Cleared
NP5181MMA.NC6 – Cleared
NP5181MMA.NC7 – Cleared
NP5181MMA.NC8 – Cleared
NP5181MMA.NC9 – Cleared
NP5181MMA.NC10 – Cleared
NP6102JZA.NC1 – Cleared
NP6102JZA.NC2 – Cleared
NP6102JZA.NC3 – Cleared

Non-compliances Identified during the Current Assessment and Corrective Actions

Any noncompliance labeled as "**Accepted**," indicates that the corrective actions for the noncompliance are accepted by the NOP and will be verified for implementation and effectiveness during the next onsite audit.

NP7107LCA.NC1 – Accepted. 7 C.F.R. § 205.501(a)(21) 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; Comply with, implement, and carry out any other terms and conditions determined by the Administrator to be necessary." NOP 2025, Internal Program Review, Section 3.1, states, "Internal program reviews are conducted by personnel different from those who perform certification activities."

Comments: *OCIA's 2015 and 2016 internal program reviews were conducted by certification staff.*

Corrective Actions: OCIA has revised and submitted its Internal Quality Audit Procedure, which states that the OCIA annual internal audit will be conducted by an outside auditor. OCIA contracted with an outside auditor to conduct OCIA's 2017 internal audit. OCIA submitted the audit contract, auditor's resume, and the 2017 OCIA internal audit report. The OCIA management team has agreed to adopt this change permanently to prevent reoccurrence of this noncompliance in the future.

NP7107LCA. NC2 - 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: *OCIA organic system plan (OSP) templates, with the exception of the Handler OSP template, do not comply with §205.201(a)(3), which requires certification applicants and continuing operations to describe 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.*

Corrective Actions: OCIA's organic system plan modules (crops, livestock, maple, apiary) have been updated as of November 10, 2017 to include a question to address 205.201 (a)(3). OCIA submitted copies of its revised crops and apiary modules. OCIA informed operators via a letter on November 29, 2017 that completing this module is required for their renewal.

NP7107LCA. NC3 - Accepted. 7 C.F.R. §205.403(d) states, "The inspector must conduct an exit interview with an authorized representative of the operation who is knowledgeable about the inspected operation to confirm the accuracy and completeness of inspection observations and information gathered during the on-site inspection. The inspector must also address the need for any additional information as well as any issues of concern."

Comments: *Inspectors are not consistently citing and recording the USDA organic regulations for identified issues of concern on the Exit Interview Form.*

Corrective Actions: OCIA informed its inspectors on April 17, 2017 to include USDA organic regulatory citation for issues of concern reviewed with operations during exit interviews. OCIA will revise its exit interview form to include a section for regulatory citation, and train inspectors on the new form by June 1, 2018. OCIA will use up remaining stock of the old exit interview forms with only inspectors that consistently cite regulations.

NP7107LCA. NC4 – Accepted. 7 C.F.R. §205.403(c)(2) states, "The on-site inspection of an operation must verify: That the information, including the organic production or handling system plan, provided in accordance with §§205.401, 205.406, and 205.200, accurately reflects the practices used or to be used by the applicant for certification or by the certified operation;..."

Comments: *The following issues were identified during witness audits and reviewed operation records:*

- (1) The OCIA inspection report template design does not reference the USDA organic regulations and correspond to report sections.*

- (2) *OCIA inspection report templates (other than Handler templates) do not require or prompt inspectors to verify §205.201(a)(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.*

Corrective Actions:

1. OCIA will update its inspection forms to require inspectors to include citations. OCIA will make revisions to its inspection forms and train inspectors by June 1, 2018.
2. OCIA revised the inspection report forms for apiary, maple, crop and livestock so that inspectors will verify monitoring practices and procedures. OCIA has submitted the maple and crops inspection forms. Inspectors were sent updated inspection forms via email on December 19, 2017.

NP7107LCA. NC5 - Accepted. 7 C.F.R. §205.501(a)(21) states, “Comply with, implement, and carry out any other terms and conditions determined by the Administrator to be necessary.” NOP 2603, Organic Certificates, Section 3.1, indicates the elements of an organic certificate.

Comments: *The following organic certificate elements are incorrect on organic certificates issued to operations:*

1. *“Certified to the USDA organic regulations, 7 C.F.R. Part 205.” is not stated accurately.*
2. *The following statement is not located on the certificate: “Once certified, a production or handling operation’s organic certification continues in effect until surrendered, suspended or revoked.”*

Corrective Actions: The template for OCIA’s NOP certificate was updated on May 2, 2017 to include the noted items. As OCIA’s certificates are auto-generated, all NOP certificates issued after May 2, 2017 have (issued certificates were provided) and will continue to utilize the new template containing the correct information.

NP7107LCA. NC6 – 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: *Auditor review of certification files revealed that noncompliances are not issued to operations in a timely manner.*

Corrective Actions: OCIA revised its renewal letters to indicate operators will receive noncompliances if reapplication is not made by the renewal date. OCIA changed its policy to indicate that the adverse action process can start if the operation fails to reapply by the anniversary date. The OCIA coordinators database report was updated to automatically report overdue operators. In August 2017, OCIA started issuing noncompliances to operations that did not reapply by the anniversary date. The policy change was covered in staff training on August 30, 2017. OCIA also revised file coordinator follow-up procedures. The procedures state that noncompliances will be generated monthly to ensure the noncompliances are issued promptly and consistently. Coordinators will report operations that are sent a noncompliance for failing to reapply to the Executive Director (ED). The ED will verify whether sent noncompliances match

the database report, and follow up with coordinators. The ED created calendar reminders for coordinators to complete these tasks.

NP7107LCA. NC7 – Accepted. 7 C.F.R. §205.662(e)(1) states, “If the operation fails to correct the noncompliance, to resolve the issue through rebuttal or mediation, or to file an appeal of the proposed suspension ..., the certifying agent ... shall send the certified operation a written notification of suspension”

Comments: *Auditor review of suspended operations found a notice of suspension was not issued in a timely manner. The notice was issued two months after the deadline to file an appeal or request mediation.*

Corrective Actions: In August 2017, OCIA implemented a new procedure and revised procedures so that certification specialists (CS) follow up on all adverse actions and noncompliances every Friday. The CS will report completed reviews to the Executive Director (ED). The ED created calendar reminders for reviewers for this task. On August 30, 2017, OCIA conducted staff training on this policy. The ED will continue to monitor follow-up of deadlines in 2018 to verify the implementation of this policy.

NP7107LCA. NC8 - Accepted. 7 C.F.R. § 205.501(a)(21) 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; Comply with, implement, and carry out any other terms and conditions determined by the Administrator to be necessary.” 2015 ACA Training Presentation, Appeals Refresher: Mediation and Settlement Agreements, page 21, consequences of a broken settlement, the certifier reissues the proposed adverse action.

Comments: *Auditor review of settlement agreements revealed OCIA issued a noncompliance rather than a proposed suspension or a combined notice of noncompliance and proposed suspension when an operation failed to meet the agreement terms.*

Corrective Actions: OCIA has revised and updated the settlement agreement template in the OCIA database to indicate that a proposed suspension will be reissued if the operation violates the settlement agreement. OCIA staff auto-generate settlement agreements in the OCIA database from an operation’s record to ensure the correct template is used. English and Spanish templates were uploaded on November 27, 2017. Staff were notified on November 21, 2017 of the change, and it was also covered in the staff training on December 20, 2017.

NP7107LCA. NC9 - Accepted. 7 C.F.R. § 205.501(a)(21) 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; Comply with, implement, and carry out any other terms and conditions determined by the Administrator to be necessary.” NOP 4009, “*Who Needs to be Certified*”, clarifies the certification requirements for operations that produce or handle agricultural products to be sold, labeled or represented as organic.

Comments: *Auditors found an operation incorrectly certified. The certified operation is a three member cooperative producing organic crops. None of the members are individually certified organic and the cooperative is not certified as a grower group. Under these circumstances, the*

three producers must be individually certified or the cooperative must be certified as a grower group with a functioning internal control system.

Corrective Actions: OCIA issued a noncompliance to the operation on March 30, 2018. OCIA added a question to its database at Pre-Inspection and Final Review, prompting reviewers to confirm groups of producers are identified and certified. This will be in place to ensure the issue is reviewed on all NOP files. On March 29, 2018, OCIA conducted a training with staff reviewing grower group certification and NOP 2603 Who needs to be Certified. OCIA submitted the training slides and attendance sheet.

NP7107LCA. NC10 - Accepted. 7 C.F.R. §205.402(b)(3) states, “The certifying agent shall within a reasonable time: Provide the applicant with a copy of the test results for any samples taken by an inspector.”

Comments: *OCIA is not consistently providing operations with residue test results within a reasonable time. In one reviewed operation file and as of the date of the NOP audit, four months had passed and the operation had not received a copy of the test results.*

Corrective Actions: OCIA reviewed its policies and concluded that staff had not implemented the policies. The OCIA Director of Accreditation will receive the test results, and will send these results to operators immediately unless a noncompliance or other follow-up (e.g. unannounced inspection) is required. In such cases, a reminder is placed on the Director’s calendar to ensure the test results are sent to the operator at the appropriate time. This policy change was included in training issued to staff on December 20, 2017.

NP7107LCA. NC11 - 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.” Prior to March 6, 2017, NOP 2027, “Personnel Performance Evaluation,” Section 3.2b stated, “Inspectors should be evaluated during an onsite inspection by a supervisor or peer (another inspector) at least annually.”

Comments: *Review of personnel files indicated that not all inspectors received field performance evaluations in 2016.*

Corrective Actions: OCIA has revised and submitted for NOP approval the Inspection Services Department Work Instructions with a witness audit plan for implementation in 2018. This plan outlines a regular time period for inspector field evaluations and indicates the method by which OCIA will determine if more frequent witness audits are required. A yearly February calendar reminder has been created for the Director of Accreditation. OCIA staff that perform evaluations have also been informed of this policy via email on December 21, 2017. Certification Specialists were also trained to affirm that the witness audit evaluation number value must be included and used for the inspector.

NP7107LCA. NC12 - 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: *OCIA approved a label with a percentage of organic ingredients statement that exceeded ½ the size of the largest type on the panel (§205.303(a)(2)).*

Corrective Actions: OCIA identified handling operations with labels and reviewed every other file, and found the situation was not repeated. OCIA concluded the issue was not systematic. OCIA has added an NOP Labeling Checklist to its Operation Manual to prevent the reoccurrence of the noncompliance. The Operation Manual notes in the Certification Specialist work instructions, “the CS may utilize” the checklist. OCIA is not requiring the use of the checklist because the issue was not systematic. These labeling issues were included in staff training issued to staff on December 20, 2017. The OCIA Director of Accreditation will conduct quarterly sampling of approved labels to verify compliance. The Director of Accreditation’s calendar has been updated with a reminder.

NATIONAL ORGANIC PROGRAM: CORRECTIVE ACTION REPORT

AUDIT AND REVIEW PROCESS

The National Organic Program (NOP) conducted a compliance assessment of the Organic Crop Improvement Association (OCIA). An onsite audit was conducted and the audit report reviewed to determine OCIA's compliance to the USDA organic regulations. This report provides the results of the compliance assessment and review of OCIA's corrective actions.

GENERAL INFORMATION

Applicant Name	Organic Crop Improvement Association International (OCIA)
Physical Address	1340 North Cotner Boulevard, Lincoln, NE 68505
Mailing Address	1340 North Cotner Boulevard, Lincoln, NE 68505
Contact & Title	Cindy Elder, Director of Accreditation and Inspection Services Coordinator
E-mail Address	CElder@ocia.org
Phone Number	402-477-2323
Reviewer(s) & Auditor(s)	Robert Yang, NOP Reviewer; Rick Skinner, Onsite Auditor
Program	USDA National Organic Program (NOP)
Review & Audit Date(s)	NOP review date: June 17 through July 6, 2015 Corrective action received date: June 16 through July 2, 2015 Noncompliance issuance date: May 12, 2015 Onsite audit date: August 12 – 15, 2014
Audit Identifier	NP4224EEA
Action Required	None
Audit & Review Type	Compliance Assessment
Audit Objective	To evaluate the conformance to the audit criteria; and to verify the implementation and effectiveness of OCIA's corrective actions in addressing noncompliances from the 2013 renewal assessment.
Audit & Determination Criteria	<i>7 CFR Part 205, National Organic Program as amended</i>
Audit & Review Scope	OCIA's certification services in carrying out the audit criteria during the period: August 30, 2012 to August 15, 2014

OCIA has been accredited by the National Organic Program (NOP) since April 29, 2002 to certify crop, livestock, wild crop, and handling operations under the USDA organic regulations. OCIA's 2012 list of certified operations included 1,158 certified operations, consisting of 870 crop, 7 wild crop, 79 livestock, 249 handling operations (204 processors, 35 distributors, and 10 warehouses) and 39 grower groups.

Organic Crop Improvement Association International (OCIA) operates out of its main office in Lincoln, Nebraska. OCIA has six additional regional offices in Ontario and Quebec, Canada; Mexico; Japan; Peru; and Nicaragua.

NOP DETERMINATION:

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

Non-compliances from Prior Assessments

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 "**Outstanding**" indicates that either the auditor could not verify implementation of the corrective actions or that records reviewed and audit observations did not demonstrate compliance.

NP0224BBA.NC4 – Cleared
NP2143MMA.NC1 – Cleared
NP2143MMA.NC2 – Cleared
NP2143MMA.NC3 – Cleared
NP2143MMA.NC4 – Cleared
NP2143MMA.NC5 – Cleared
NP2143MMA.NC6 – Cleared
NP2143MMA.NC7 – Cleared
NP2143MMA.NC8 – Cleared
NP2143MMA.NC9 – Cleared
NP2143MMA.NC10 – Cleared
NP2143MMA.NC11 – Cleared
NP2143MMA.NC12 – Cleared
NP2143MMA.NC13 – Cleared

Non-compliances Identified during the Current Assessment

Any noncompliance labeled as "**Accepted**," indicates that the corrective actions for the noncompliance are accepted by the NOP and will be verified for implementation and effectiveness during the next onsite audit.

NP4224EEA.NC1- Accepted. 7CFR §205.501(a)(21) states, "A private or governmental entity accredited as a certifying agent under this subpart must: ... implement, and carry out any other terms and conditions determined by the Administrator to be necessary." Furthermore, NOP 2603

Instruction Organic Certificates states, “Organic certificates should ... include the following ... Effective date (when the current or initial certifying agent first certified the operation to the USDA organic regulations)*”

Comments: *The effective date on OCIA’s organic certificate template is the date of the last inspection.*

Corrective Action: OCIA updated its database system from which organic certificates are issued to use the date that the operation is first certified to the USDA organic regulations by OCIA as the effective date on the organic certificate. OCIA submitted a sample updated NOP certificate and its updated OCIA Operation Manual (EN-QS-P-083 Rev. R). OCIA notified its certification staff of the database system and NOP certificate update via email.

NATIONAL ORGANIC PROGRAM: CORRECTIVE ACTION REPORT

AUDIT AND REVIEW PROCESS

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Audit & Determination Criteria	<i>7 CFR Part 205, National Organic Program as amended</i>
Audit & Review Scope	OCIA's certification services in carrying out the audit criteria during the period: August 30, 2012 to August 15, 2014

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Organic Crop Improvement Association International (OCIA) operates out of its main office in Lincoln, Nebraska. OCIA has six additional regional offices in Ontario and Quebec, Canada; Mexico; Japan; Peru; and Nicaragua.

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NP0224BBA.NC4 – Cleared
NP2143MMA.NC1 – Cleared
NP2143MMA.NC2 – Cleared
NP2143MMA.NC3 – Cleared
NP2143MMA.NC4 – Cleared
NP2143MMA.NC5 – Cleared
NP2143MMA.NC6 – Cleared
NP2143MMA.NC7 – Cleared
NP2143MMA.NC8 – Cleared
NP2143MMA.NC9 – Cleared
NP2143MMA.NC10 – Cleared
NP2143MMA.NC11 – Cleared
NP2143MMA.NC12 – Cleared
NP2143MMA.NC13 – Cleared

Non-compliances Identified during the Current Assessment

Any noncompliance labeled as "**Accepted**," indicates that the corrective actions for the noncompliance are accepted by the NOP and will be verified for implementation and effectiveness during the next onsite audit.

NP4224EEA.NC1- Accepted. 7CFR §205.501(a)(21) states, "A private or governmental entity accredited as a certifying agent under this subpart must: ... implement, and carry out any other terms and conditions determined by the Administrator to be necessary." Furthermore, NOP 2603

Instruction Organic Certificates states, “Organic certificates should ... include the following ... Effective date (when the current or initial certifying agent first certified the operation to the USDA organic regulations)*”

Comments: *The effective date on OCIA’s organic certificate template is the date of the last inspection.*

Corrective Action: OCIA updated its database system from which organic certificates are issued to use the date that the operation is first certified to the USDA organic regulations by OCIA as the effective date on the organic certificate. OCIA submitted a sample updated NOP certificate and its updated OCIA Operation Manual (EN-QS-P-083 Rev. R). OCIA notified its certification staff of the database system and NOP certificate update via email.

AUDIT INFORMATION

Applicant Name:	Organic Crop Improvement Association International (OCIA)
Est. Number:	N/A
Physical Address:	1340 North Cotner Blvd., Lincoln, NE 68505
Mailing Address:	1340 North Cotner Blvd., Lincoln, NE 68505
Contact & Title:	Lisa Schroedl, Accreditation Manager
E-mail Address:	lschroedl@ocia.org
Phone Number:	402-407-2323 ext. 326
Auditor(s):	Renee Mann and Betsy Rakola, Accreditation Managers
Program:	USDA National Organic Program (NOP)
Audit Date(s):	March 21, 2013 – July 10, 2013
Audit Identifier:	NP2143MMA
Action Required:	Yes
Audit Type:	Corrective action assessment, accreditation renewal
Audit Objective:	To verify continuing conformance to the audit criteria, and to verify the implementation and effectiveness of corrective actions in addressing the previous non-compliances.
Audit Criteria:	7 CFR Part 205, National Organic Program, Final Rule, dated December 21, 2000; updated May 16, 2012.
Audit Scope:	Proposed corrective actions
Location(s) Audited:	Desk audit

The NOP conducted an on-site accreditation renewal assessment of the Organic Crop Improvement Association International (OCIA) during August 27-30, 2012, including two additional witness audits conducted prior to August 2012. On January 31, 2013, the NOP sent OCIA a Notice of Noncompliance related to the findings from the on-site assessments. OCIA responded with corrective actions on March 5, April 12, May 29, and July 10, 2013. The NOP reviewed these corrective actions on July 11, 2013 and recommended that the NOP renew OCIA’s accreditation as a USDA organic certifying agent.

GENERAL INFORMATION:

The Organic Crop Improvement Association International (OCIA) was accredited as a USDA National Organic Program (NOP) certifying agent on April 29, 2002 for crops, livestock, wild crops, and handling operations. The OCIA list of certified operations has 1,158 certified operations, consisting of 870 crop operations, 7 wild crop operations, 79 livestock operations, and 249 handlers. Of the handlers, 204 are processors, 35 are distributors, and 10 are warehouses. 39 grower groups are certified by OCIA.

OCIA's main office is located in Lincoln, NE. OCIA also consists of 27 chapter offices and 6 regional offices. The regional offices are located in Ontario and Quebec, Canada; Mexico; Japan; Peru; and Nicaragua.

OCIA classifies applicants into two categories: "*Chapter Operators*" and "*Direct Operators*." Chapter Operators are those operations that fall within a Chapter's geographical area and submit their applications for certification through the chapter offices, of which they become members. Direct Operators are those operations that do not fall within a chapter's geographical area and therefore apply directly to OCIA's main office in Lincoln, NE. Direct Operators also include those applicants who do not want to become a Chapter member and therefore choose to apply directly to OCIA International.

The NOP conducted renewal assessment activities from May 22 – August 30, 2012. During the renewal assessment, the corrective actions for the non-compliances identified during the mid-term assessment were found to be implemented and effective. Those non-compliances were cleared, with exception of NP0224BBA.NC4, which remains outstanding. The NOP identified thirteen new non-compliances identified during the renewal assessment. The NOP notified OCIA of these findings in a Notice of Noncompliance issued January 31, 2013. OCIA submitted proposed corrective actions to the NOP on March 5, 2013, and May 29, 2013.

FINDINGS

Observations made, interviews conducted, and records reviewed verified that OCIA is currently operating in compliance to the requirements of the audit criteria, except as identified below. Corrective actions for the non-compliances identified during the 2010 Mid-Term Assessment were verified and the corrective actions for four of the five non-compliances were found to be implemented and effective. Those four non-compliances were cleared; one non-compliance remains outstanding. Fifteen new non-compliances were identified during the renewal assessment.

NP0224BBA.NC1 – Cleared

NP0224BBA.NC2 – Cleared

NP0224BBA.NC3 – Cleared

NP0224BBA.NC5 – Cleared

NP0224BBA.NC4 – Accepted. §205.510 (a)(1-4) states, "An accredited certifying agent must submit annually to the Administrator, on or before the anniversary date of the issuance of the notification of accreditation, the following reports . . . : a complete and accurate update of information submitted pursuant to §§ 205.503 and 205.504; information supporting any changes being requested in the areas of accreditation described in § 205.500; a description of the measures implemented in the previous year and any measures to be implemented in the coming year to satisfy any terms and conditions determined by the Administrator to be necessary, as specified in the most recent notification of accreditation or notice of renewal of accreditation; and the results of the most recent performance evaluations and annual program review and a description of adjustments to the certifying agent's operation and procedures implemented or to be implemented in response to the performance evaluations and program review." *OCIA submitted annual updates through 2009 but did not send the annual update in 2010, which was required on or before their anniversary date of the issuance of the notification of accreditation. Corrective Action:* OCIA was late in submitting the 2010 Annual Update because of company issues – OCIA was considering splitting the company in two, with a new branch called "OCIA Certification Services (OCS)." OCIA did not think the Annual Update was necessary with this type of division; however, the 2010

Annual Update was submitted to the NOP as part of this Mid-Term Assessment noncompliance response, confirmed via email (objective evidence) showing the update was received at the NOP. OCIA understands Annual Updates are required annually – audit or no audit. If OCIA maintains this implementation of submitting Annual Updates annually, OCIA’s response demonstrates capability to comply with NOP accreditation requirements. **Renewal Assessment Finding (August 2012):** OCIA did not submit an annual report to the NOP in 2011. OCIA staff were not immediately aware of the requirement. The original noncompliance was incorrectly cited to §205.501(a)(21), which refers to other terms and conditions required by the Administrator. The NOP has changed the citation to §205.510(a)(1-4) to reference the requirements for annual reports. **Corrective action:** OCIA’s management team completed training on annual report requirements in April 2013, including instruction document NOP 2024, *Information Submission Requirements for Certifying Agents*. OCIA submitted a training log as evidence. OCIA submitted its annual report on April 23, 2013, prior to the deadline of April 29, 2013.

NP2143MMA.NC1 – Accepted. §205.402 (a)(1) states, “Upon acceptance of an application for certification, a certifying agent must review the application to ensure completeness pursuant to §205.401.” *Three of 7 files reviewed showed that OCIA was not properly identifying or taking action on incomplete organic system plans (OSP). The OSP for a livestock operation did not include information on what monitoring activities were conducted or the frequencies at which they would be conducted to verify the plan was effectively implemented, per §205.201(a)(3). The OSP for a handling operation did not include sufficient information to know what the operation’s activities were and what monitoring activities would be conducted. The handler OSP for the witness inspection did not contain a complete list of products to be certified and did not identify how organic products would be separated from conventional products.* **Corrective action:** OCIA modified its OSP templates to include questions on monitoring practices and procedures. OCIA submitted a revised handler OSP template. OCIA noted that the handling OSP already required the submission of current supplier lists, but this information was not verified by certification staff for the handling operation reviewed during the witness inspection. OCIA conducted training with review staff in March 2013 to ensure that staff conduct file completeness reviews on all applications and submitted a training log as evidence. In addition, OCIA found that the handling operation in question was not implementing their OSP and had not fully disclosed its activities. Therefore, OCIA addressed the issue through a Notice of Noncompliance and an unannounced inspection of the handling operation in March 2013.

NP2143MMA.NC2 – Accepted. §205.406(c) states, “If the certifying agent has reason to believe, based on the on-site inspection and a review of the information specified in §205.404, that a certified operation is not complying with the requirements of the Act and the regulations in this part, the certifying agent shall provide a written notification of noncompliance to the operation in accordance with §205.662.”

- 1) *The handler OSP for the witness inspection did not contain a complete list of products to be certified. The operation was producing emulsified meats and multi-product slurries, as shown on the inspection report. However, the certificate only listed single-ingredient products. The operation’s supplier list contained in the OSP did not include potatoes, tomatoes, cranberries, or pork, despite the fact that they were used as ingredients for organic slurries. There were no organic certificates on file for these products, and the quality manager stated that she would accept a supplier’s verbal assurance of organic status as sufficient proof for organic ingredients. The operation had no evidence of documentation or procedures to prevent contamination or commingling of organic products, and an open tote bin of organic apples sat on the bottom of 3 shelves with no label. OCIA only cited one of these three issues, the lack of supplier certificates, in its 2012 Notice of Noncompliance.*

- 2) *One file reviewed showed that the operation was using nonorganic kelp, but neither the inspector nor the reviewer noted this as a noncompliance. The label provided as a part of the OSP showed that the kelp was not organic.*
- 3) *2 of 8 labels reviewed showed an incorrect use of the USDA organic seal. OCIA did not issue a Notice of Noncompliance to these operations.*

Corrective action:

- 1) OCIA issued a Notice of Noncompliance to the handling operation regarding their incomplete supplier list, lack of proof of organic certification for their ingredients, and labels. The deadline for a response was March 5, 2013. OCIA conducted an unannounced inspection of this operation in March 2013 to investigate issues of concern and issued a Notice of Noncompliance in April 2013.
- 2) NOP guidance 5027, *The Use of Kelp in Organic Livestock Feed*, requires that all kelp used in organic livestock feed be certified organic by March 4, 2014. OCIA will implement this policy by that date.
- 3) OCIA submitted revised labels showing correctly reproduced USDA organic seals. OCIA will implement NOP Policy Memo 12-2 for the revised placement of all “Certified Organic By ****” statements on existing labels by January 1, 2016.

NP2143MMA.NC3 – Accepted. §205.403 (a)(1) states, “A certifying agent must conduct an initial on-site inspection of each production unit, facility, and site that produces or handles organic products and that is included in an operation for which certification is requested. An on-site inspection shall be conducted annually thereafter for each certified operation that produces or handles organic products for the purpose of determining whether to approve the request for certification or whether the certification of the operation should continue.”

- 1) *During the crop witness inspection, the inspector did not inspect all fields. He stated that he did not need to inspect all fields, only a random sampling. An interview with the farm manager verified that previous OCIA inspectors had inspected only half of the fields on the certified operation.*
- 2) *One file review showed that OCIA did not conduct an annual inspection within 16 months of the previous inspection. After 16 months, OCIA issued a notification of noncompliance for not submitting the annual updated organic system plan.*

Corrective action:

- 1) OCIA states that the NOP’s evidence is incorrect; after the NOP auditor told the inspector to complete the inspection of all fields, the auditor did so. Therefore, the auditor did not observe an actual violation of 403(a)(1), but rather an intention to do so. OCIA submitted inspection reports for the operation in question for 2012 and 2011, which demonstrated that all fields were inspected. OCIA also submitted a 2009 inspection report showing that a sampling of fields was visited by the inspector. OCIA submitted a revised inspection policy, A-6, to add clarity regarding acceptable reasons when an inspector may not be able to visit all production units, facilities, and sites. This section clarifies that all exceptional circumstances must be reported by the inspector, and reviewed and approved by OCIA. OCIA submitted the attendee list and presentation slides for a training it conducted with inspectors in May 2013, which reviewed these policies. OCIA explained its continuous evaluation program for contracted inspectors to demonstrate how deficiencies in inspections are identified immediately. OCIA referenced its Procedure for Review and Evaluation of Inspectors (D-2) and submitted two example database screen captures showing how Certification Specialists are prompted by the database to review inspectors after each inspection.
- 2) OCIA investigated the matter and found this to be an isolated staff error. OCIA’s database system

includes reminders and reports which allow staff to send timely renewal application materials. OCIA has purchased new database software which will allow better tracking of operations through the certification cycle and to prevent this noncompliance from recurring in the future.

NP2143MMA.NC4 – Accepted. §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.” *A review of the file and observations during the handling witness audit verified that OCIA issued a Notice of Noncompliance to the operation based on the use of a sanitizer whose label listed peracetic acid, hydrogen peroxide, and acetic acid as components. The Notice of Noncompliance stated that the product contained “products that are not allowed in under the NOP.” The file showed that an OCIA reviewer determined that acetic acid was as a prohibited material. However, acetic acid and hydrogen peroxide are the components of peracetic acid, which is allowed with restrictions under §205.605(b).* **Corrective action:** In August 2012, OCIA notified the operator that hydrogen peroxide and peracetic acid are allowed per §205.605(b), but that acetic acid is not specifically listed and therefore required a documented removal or rinse prior to contact with organic product. OCIA submitted OMRI’s listing for acetic acid as evidence to support their decision. OCIA provided training to staff reviewers on the National List and material reviews in March 2013 and plans to provide training to inspectors on the same topic later in the spring of 2013. OCIA reviews all materials against the National List and uses OMRI’s generic materials list as a reference. OCIA submitted their Materials Review Procedure, C-7, as evidence of compliance. OCIA also noted that the operator stopped using the peracetic acid product and switched to a different sanitizer, which OCIA approved for use.

NP2143MMA.NC5 – Accepted. §205.501 (a)(11)(iv) states, “A private or governmental entity accredited as a certifying agent under this subpart must prevent conflicts of interest by not giving advice or providing consultancy services, to certification applicants or certified operations, for overcoming identified barriers to certification.”

- 1) *During the handling witness inspection, the inspector engaged in an in-depth discussion on the regulations on cleansers and sanitizers on the National List. He stated that he disagreed with OCIA’s decision on the prohibition of a sanitizer listed on the organic system plan, explained the National List in detail, and suggested that the operation petition the NOP if they felt that a new substance should be allowed for use in organic handling.*
- 2) *Regional Chapter personnel provide technical assistance and support services to OCIA chapter members. Regional Chapters also conduct initial application reviews for completeness and return any incomplete applications to the applicants for further information. Letters sent to applicants by the staff of WI Chapter 1 included specific instructions to the applicants on how to correct their applications in order to comply with the USDA organic regulations.*

Corrective action:

- 1) OCIA reviewed its inspection policy and amended it to provide examples of conduct that would violate this regulation, such as explaining how the regulations apply to a particular operation, what materials the operation may use, and advice on how operations could respond to adverse actions. OCIA sent this new policy to all inspectors in September, 2012. OCIA submitted an attendee list and presentation slides for its May, 2013 inspector training demonstrating that the revised policy was explained to its inspectors. OCIA incorporated NOP 2614, *Technical Assistance*, into its conflict of interest procedures and will use this as a basis for inspector training, as evidenced by draft training slides.
- 2) OCIA removed chapter offices from its certification and file handling procedures, since these

chapters are separate legal entities and chapter staff members are not paid or overseen by OCIA International. OCIA removed all references to chapters in its file handling procedures and certification specialist work instructions, including file completeness reviews, inspections, and non-compliances.

NP2143MMA.NC6 – Accepted. §205.501 (a)(6) states, “A private or governmental entity accredited as a certifying agent under this subpart must conduct an annual performance evaluation of all persons who review applications for certification, perform on-site inspections, review certification documents, evaluate qualifications for certification, make recommendations concerning certification, or make certification decisions and implement measures to correct any deficiencies in certification services.” *Performance evaluations are not conducted for staff in the Mexico, Peru, or Nicaragua offices. Since these are contracted staff, OCIA stated that if they are not performing satisfactorily, their contract would not be renewed. However, these staff members perform initial application reviews for completeness and then return the applications to the operators if they are incomplete. OCIA headquarters staff did not know whether the regional offices issued a Notice of Noncompliance or Notice of Denial of Certification to these applicants. Corrective action:* OCIA submitted evidence of performance reviews of its contracted staff members. OCIA clarified that regional offices will only issue Notices of Noncompliance for operations which fail to submit annual updates and pay certification fees. All other Notices of Noncompliance and/or Denials of Certification will be issued by Certification Specialists out of the OCIA headquarters office.

NP2143MMA.NC7 – Accepted. §205.662 (c) states, “When rebuttal is unsuccessful or correction of the noncompliance is not completed within the prescribed time period, the certifying agent or State organic program's governing State official shall send the certified operation a written notification of proposed suspension or revocation of certification of the entire operation or a portion of the operation, as applicable to the noncompliance.” *If a rebuttal or correction of the noncompliance is unsuccessful, OCIA's procedure allows for the issuance of a Notice of Continuing Noncompliance as an additional step prior to issuing a Notice of Proposed Suspension or Revocation. The OCIA Operation Manual EN-QS-P-083 Revision D, Certification Specialist Work Instructions, states, “Notice of Continuing Noncompliance letters are written if the operation submits a response to a Notice of Noncompliance and does not address all noted noncompliance's, or otherwise indicates the member does not clearly understand the noncompliance. Within the Checklist, the Specialist is to clearly indicate the reason for issuing a Notice of Continuing Noncompliance. The letter must also contain the elements identified in the Notice of Noncompliance listed above.” Corrective action:* OCIA has removed references to Continuing Notices of Noncompliance in its quality manual. However, OCIA may still grant an extension for the submission of corrective actions on a case-by-case basis.

NP2143MMA.NC8 – Accepted. §205.405 (a) states, “When the certifying agent has reason to believe, based on a review of the information specified in § 205.402 or § 205.404, that an applicant for certification is not able to comply or is not in compliance with the requirements of this part, the certifying agent must provide a written notification of noncompliance to the applicant. When correction of a noncompliance is not possible, a notification of noncompliance and a notification of denial of certification may be combined in one notification.”

- 1) *Regional and chapter offices often return incomplete applications to applicants for initial and continuing certification. These operations are not provided with a Notice of Noncompliance or Notice of Denial of Certification. If the operation does not respond to the request for additional*

information, the regional or chapter office takes no further action. OCIA headquarters has no way of tracking such applications.

- 2) In December 2011, OCIA sent a suspended operation a combined Notice of Noncompliance and Notice of Denial of Certification because the operation had not submitted a letter requesting reinstatement to the NOP Administrator. However, correction of this noncompliance was possible.*

Corrective action:

- 1) Chapter offices will no longer conduct file reviews for OCIA International. Instead, certification specialists in the OCIA headquarters or regional offices will now conduct all file completeness and compliance review. The certification specialist work instructions clearly outline procedures for issuing Notices of Noncompliance and/or Denials of Certification. OCIA submitted revised file review procedures as evidence.
- 2) OCIA conducted training on March 4th, 2013 to clarify the definitions of “correctable” versus “non-correctable” non-compliances and cases where a combined adverse action notice would be allowed.

NP2143MMA.NC9 – Accepted. §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.” *OCIA suspended a crop operation in June 2009, and the operation reapplied for certification in October 2010. OCIA did not inform the operation they had to request reinstatement through the USDA. OCIA conducted an initial review and inspection in October 2010. In December 2011, OCIA sent the operation a combined Notice of Noncompliance and Notice of Denial of Certification because the operation had not submitted a letter requesting reinstatement to the NOP Administrator. Corrective action:* OCIA revised its reinstatement procedures to require Regional Coordinators to inform suspended operations that they must submit a request for reinstatement to the USDA in order to be reinstated. The procedure further states that the operator must include a copy of this letter with their request for reinstatement. OCIA will provide sample letters to operators in order to assist them in preparing reinstatement requests.

NP2143MMA.NC10 – Accepted. §205.501 (a)(11)(i) states, “A private or governmental entity accredited as a certifying agent under this subpart must prevent conflicts of interest by not certifying a production or handling operation if the certifying agent or a responsibly connected party of such certifying agent has or has held a commercial interest in the production or handling operation, including an immediate family interest or the provision of consulting services, within the 12-month period prior to the application for certification.”

- 1) A member of the OCIA board of directors provided consulting services during inspections of 19 operations which were certified by OCIA. This conflict of interest was identified by OCIA through comments on inspection reports. The Executive Director informed the board of this issue in early July 2012, and the member in question agreed to end her consulting services for OCIA members as of July 15, 2012. She remains a member of the board.*
- 2) Several members of the OCIA board have organic operations which are certified by OCIA. In April 2004, the NOP accepted OCIA’s proposal to correct this conflict of interest by requiring all board members who were certified by OCIA to obtain a second organic certification from another USDA-accredited certifying agent. At the time of the renewal assessment, one board member whose operation was certified by OCIA had not obtained certification with a second certifying agent.*

Corrective action:

- 1) As of February 2013, the board member who provided consulting services no longer serves on the OCIA International Board of Directors. On October 9, 2012, OCIA sent a letter to the 19 operations who had received consulting services from an OCIA Board member, informing them of the conflict of interest and the provisions of §205.501(a)(12)(ii), and referring the operations to another certifying agent. 16 requested to continue certification with OCIA, and 3 indicated that they will apply for certification elsewhere.
- 2) During the review of the corrective action, the NOP determined that dual certification still presented a conflict of interest according to §205.501(a)(11)(i). Therefore, OCIA was instructed to cease certifying any of its Board members. OCIA agreed to stop certifying its Board members. Most current OCIA Board members have surrendered their certification with OCIA and are now certified only through a different certifying agent. Three of nine board members remain certified by OCIA, but are in the process of seeking certification through other accredited certifying agents or dropping their certification with OCIA and having no certification. OCIA noted that one Board member is certified by OCIA under the Canadian Organic Regime, which is acceptable because on April 4, 2013, the NOP approved this in an email to OCIA. The NOP informed OCIA that the Board member certified to the Canadian standards did not present a conflict of interest. OCIA provided a list of Board members and their progress toward certification from another certification agency as of 5/29/2013 to demonstrate the corrective action.

NP2143MMA.NC11 – Accepted. §205.501 (a)(12)(ii) states, “A private or governmental entity accredited as a certifying agent under this subpart must refer a certified operation to a different accredited certifying agent for recertification and reimburse the operation for the cost of the recertification when it is determined that any person covered under §205.501(a)(11)(i) at the time of certification of the applicant had a conflict of interest involving the applicant.” *OCIA identified 19 operations for which an OCIA board member provided consultation services during OCIA inspections. At the time of the renewal assessment, OCIA had not yet referred the operations to a different ACA for recertification.* **Corrective action:** On October 9, 2012, OCIA sent a letter to all of the certified operations who had received consulting services from its board member. This letter informed the operations of their ability to seek certification services from another certifying agent. On March 1, 2013, OCIA contacted the 3 operators who elected to pursue certification elsewhere and offered them reimbursement for their certification costs.

NP2143MMA.NC12 – Accepted. §205.501 (a)(11)(iii) states, “A private or governmental entity accredited as a certifying agent under this subpart must prevent conflicts of interest by not permitting any employee, inspector, contractor, or other personnel to accept payment, gifts, or favors of any kind, other than prescribed fees, from any business inspected.” *The OCIA Operation Manual states that OCIA staff, contracted employees, board of directors, committee members, chapter administrators, and contracted inspectors shall not accept substantial gifts/favors from any person(s) or business associates of any person(s) that are certified or are applying for certification through OCIA. However, the Operation Manual also states that OCIA staff, contracted employees, board of directors, committee members, chapter administrators, and contracted inspectors may accept nominal gifts/favors (defined as anything valued under \$100), from any person(s) or business associates of any person(s) that are certified or are applying for certification through OCIA, provided that the gift is not intended to affect the certification decision. Furthermore, the manual states that “this policy does not include voluntary committee involvement,” allowing OCIA volunteers serving on committees to accept gifts.* **Corrective action:** OCIA submitted a revised “OCIA Policy on Gifts” (part of the OCIA Operations Manual) that states that staff, contract employees, board members, committee members, and contract inspectors will not accept gifts or favors of any kind. The policy on voluntary committee involvement has been clarified to indicate

that, as a non-profit entity, OCIA may accept voluntary labor from certified operations.

NP2143MMA.NC13 – Accepted. §205.501 (a)(16) states, “A private or governmental entity accredited as a certifying agent under this subpart must charge applicants for certification and certified production and handling operations only those fees and charges for certification activities that it has filed with the Administrator.”

- 1) *A review of the fee schedule submitted to applicants by WI Chapter 1 and interviews with regional staff verified that the fee schedule submitted to the Administrator differs from the fees charged to certified operations who are also members of the OCIA chapters. The chapters each set their own fee schedules, which are usually higher than the certification fee schedule which OCIA submitted to the NOP. The chapters bill OCIA Chapter Associates for both membership and certification fees. OCIA International then bills the chapters for the amount of the certification fees that correspond to the headquarters fee schedule (the schedule submitted to the NOP). Only direct applicants to OCIA headquarters (those who do not apply through the chapter offices) are charged fees according to the schedule submitted to the NOP.*
- 2) *A review of the fee schedule showed that OCIA had changed the schedule six times since January 2012; however, only one of these changes was submitted to the NOP.*

Corrective action:

- 1) OCIA is in the process of implementing a new system to bill all certified operations directly, regardless of whether they are chapter members. This will allow OCIA to bill all operations in accordance with the fee structure submitted to the Administrator. The system should be in place by July 2013 and fully implemented by the Fall of 2013.
- 2) OCIA noted that its Fee Schedule contains both fees and policies that are connected to fees. Therefore, although the fee schedule had changed many times, all changes were associated with wording changes to fee policies independent of the actual fees. OCIA stated that through discussion with the NOP auditors, it understands that even though changes were to policy, rather than fees, all changes to the ‘Fee Schedule’ must be submitted to the Administrator. OCIA indicated that all revised fee schedules, including only text edits, will be submitted to the Administrator in the future.

Applicant Name:	Organic Crop Improvement Association International (OCIA)
Est. Number:	N/A
Physical Address:	1340 North Cotner Blvd., Lincoln, NE 68505
Mailing Address:	1340 North Cotner Blvd., Lincoln, NE 68505
Contact & Title:	Brian Kozisek, Director of Accreditation
E-mail Address:	bkozisek@ocia.org
Phone Number:	(402) 477-2323
Auditor(s):	Meg Kuhn, RAM – East Region
Program:	USDA National Organic Program (NOP)
Audit Date(s):	March 18 – 29, 2011
Audit Identifier:	NP0224BBA
Action Required:	No
Audit Type:	Mid-Term Corrective Action Audit
Audit Objective:	To review and approve corrective actions addressing the non-compliances identified during the Mid-Term Audit.
Audit Criteria:	7 CFR Part 205, National Organic Program; Final Rule, dated December 21, 2001; revised February 17, 2010.
Audit Scope:	OCIA November 7, 2010 and March 28, 2011 responses to the Mid Term Audit non-compliance report
Location(s) Audited:	Desk

AUDIT INFORMATION

12 NCs were cleared during the Mid-Term Audit, conducted on August 12, 16-19, and 23-23, 2010, from the previous Surveillance-Accreditation Audit. Five additional NC findings were identified during the Mid-Term Audit. Corrective Actions for these NCs were requested on September 27, 2010. Corrective Actions were received by the NOP on November 2, 2010. Corrective actions submitted adequately address all non-compliances issued; objective evidence was submitted for each corrective action.

FINDINGS

NP0224BBA.NC1 –Adequately Addressed: NOP §205.402(a)(1, 2) states, “Upon acceptance of an application for certification, a certifying agent must: (1) Review the application to ensure completeness pursuant to §205.401, and (2) Determine by a review of the application materials whether the applicant appears to comply or may be able to comply...” *An interview with the OCIA Director of Accreditation and a review of the application review records showed that reviews of updated application materials and OSP’s were not being completed prior to the on-site inspections for clients that were continuing certification with the exception of clients that were adding different scopes of certification. A review of files for renewal clients, and the inspection observations for renewal clients indicated that many OSP’s were not complete, contained missing or incorrect information, or in some cases were using inputs or labels that had not been reviewed by OCIA prior to the inspection. In one file, livestock had been added as an additional scope without any review prior to the annual inspection. Inspection observations*

had identified that inspectors were in some cases reviewing or collecting information that was not listed or was clearly described in the OSP's. **Corrective Action:** OCIA indicated that §205.402(a1,2) was an inappropriate reference for continuation of certification processes, as §205.402(a1,2) is specific to initial applicants, whereas §205.406 is specific to continuation of certification. OCIA points out that §205.406 does not require the certification agency to complete a review of materials submitted for completeness or compliance for continuation of certification prior to inspection. That stated; OCIA conducted an internal review of the certification process and found that conducting an application review of all materials for a continuation of certification client would be most efficient for the OCIA certification system. As such, OCIA has updated their procedures to require a pre-inspection review for all new and returning operators for the 2011 certification cycle. Objective evidence submitted: OCIA references the "Certification Specialist Work Instructions" document; the definition of "Pre-Inspection Review (PIR)" identifies this review is required for "all applicants (new and returning)". OCIA does not reference the "File Handling Procedure" as objective evidence to this NC; however, this document does indicate, also, that a 'file completeness review' is required for all new and returning clients. OCIA's corrective action response demonstrates capability to comply with NOP accreditation requirements.

NP0224BBA.NC2 – Adequately Addressed: NOP § 205.404(a) states, "...The certification may include requirements for the correction of minor non-compliances within a specified time period as a condition of continued certification." *Although some non-compliances have been issued, previous terminology listed requirements or additional documentation requests for some areas that could have been listed as minor non-compliances. In one letter to a client a documentation request was listed instead of a noncompliance for an incorrect label that did not include the correct statement of "certified organic by..."* **Corrective Action:** OCIA has referred to "minor non-compliances" as "requirements" in the past. As of October 24, 2010, OCIA has changed internal certification terminology from "requirements" to "minor non-compliances." This is evidenced in the Minor Non-compliances training email that was sent to all OCIA Certification Specialists on October 24, 2010. OCIA also intends to change internal database information to indicate "minor non-compliances," as current database programs have auto-generated "requirements" language in the non-compliance letters. This change (of database) is intended for January 1, 2011. If effectively implemented (OCIA culture change from "requirements" to "minor non-compliances"), OCIA's response demonstrates capability to comply with NOP accreditation requirements.

NP0224BBA.NC3 – Adequately Addressed: NOP § 205.404(b) states, "The certifying agent must issue a certificate of organic operation which specifies the: (1) Name and address of the certified operation; and (3) categories of organic operation..." *Five certificates out of twelve reviewed included incorrect information. The incorrect information on the certificates included:*

- 1 *One Handler certificate listed the incorrect address of the operator.*
- 2 *Two certificates listed wild crop as the scope when the operations were only certified for crops.*
- 3 *One certificate listed wild crop and crops as the scope when the operation was actually certified for only wild crops and handling.*
- 4 *One certificate listed the scopes of livestock and crops while the operation was certified*

for crops but had withdrawn the scope of livestock

Corrective Action: OCIA's response indicates these issues are due to a combination of human and database error. For the specific certificates referenced in the non-compliance, OCIA notes:

- 1) Fixed the address issue here; in the OCIA database both a billing address and address of inspection are identified and OCIA believes these addresses were transposed, resulting in the error.
- 2) Indicates this was a human error, where "wild harvest" was incorrectly checked in the database.
- 3) OCIA's database system for wild crops defaults back to a listing of "crops" on the certificate (in addition to wild). The database is being updated to reflect only those scopes of certification specifically checked.
- 4) Though the operation withdrew livestock certification, the "livestock" box was still checked in the database to alert the reviewer / operator to any potential non-compliance issues; because the box was checked, the certificate issued identified incorrect certification for "livestock."

OCIA has determined that their certification system and database required updates based on this non-compliance. To prevent this non-compliance from reoccurring, OCIA has revised the "File Handling Procedure" document, requiring the Regional Coordinator to verify scopes of certification prior to issuing a certificate (objective evidence submitted). OCIA is also in the process of revising the database system to be more accurate in listing scopes of certification. If effectively implemented, OCIA's response demonstrates capability to comply with NOP accreditation requirements.

NP0224BBA.NC4 – Adequately Addressed: NOP §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." *OCIA submitted annual updates through 2009 but did not send the annual update in 2010, which was required on or before their anniversary date of the issuance of the notification of accreditation.* **Corrective Action:** OCIA was late in submitting the 2010 Annual Update because of company issues – OCIA was considering splitting the company in two, with a new branch called "OCIA Certification Services (OCS)." OCIA did not think the Annual Update was necessary with this type of division; however, the 2010 Annual Update was submitted to the NOP as part of this MTA NC response, confirmed via email (objective evidence) showing the update was received at the NOP. OCIA understands Annual Updates are required annually – audit or no audit. If OCIA maintains this implementation of submitting Annual Updates annually, OCIA's response demonstrates capability to comply with NOP accreditation requirements.

NP0224BBA.NC5 – Adequately Addressed: NOP § 205.662(b) states, "When a certified operation demonstrates that each noncompliance has been resolved, the certifying agent...shall send the certified operation a written notification of noncompliance resolution." *A review of a poultry file showed that certification was granted with several conditions including submitting a label for Chick Grit. A written resolution letter was submitted to the client stating that all conditions were addressed with the exception of submitting the Chick Grit label. The condition for submitting the label was not followed up on and the issue was still outstanding at the next inspection.* **Corrective Action:** client level – Operation was issued a Notice of Non-compliance

requesting the required Chick Grit label be submitted for material review (objective evidence submitted). Certification level – OCIA believes the new implementation of a pre-inspection review for all renewing clients would prevent this non-compliance from reoccurring. If effectively implemented, OCIA's response demonstrates capability to comply with NOP accreditation requirements.