



CERTIFICATE OF ACCREDITATION



# United States Department of Agriculture

Agricultural Marketing Service

National Organic Program

## ***OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD AND FORESTRY***

**2800 N. Lincoln Blvd, Oklahoma City, Oklahoma, 73152, 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-51-19**

Effective Date: **12/6/2017**

Renewal Date: **12/6/2022**

**Jennifer Tucker, Ph.D.**  
**Deputy Administrator**  
**National Organic Program**

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## NATIONAL ORGANIC PROGRAM: CORRECTIVE ACTION REPORT

### AUDIT AND REVIEW PROCESS

An onsite renewal assessment of Oklahoma Department of Agriculture, Food and Forestry (ODAFF) organic program was conducted on December 11 – 13, 2018. The National Organic Program (NOP) reviewed the auditor's report to assess Oklahoma Department of Agriculture, Food and Forestry's compliance to the USDA organic regulations. This report provides the results of NOP's assessment.

### GENERAL INFORMATION

<b>Applicant Name</b>	Oklahoma Department of Agriculture, Food and Forestry (ODAFF)
<b>Physical Address</b>	2800 N. Lincoln Blvd, Oklahoma City, OK 73152
<b>Mailing Address</b>	2800 N. Lincoln Blvd, Oklahoma City, OK 73152
<b>Contact &amp; Title</b>	Jeff Stearns, Organic Program Coordinator
<b>E-mail Address</b>	Jeff.Stearns@ag.ok.gov
<b>Phone Number</b>	405-522-6112
<b>Reviewer Auditor</b>	Jason Lopez and Jon Frady, NOP Reviewers; Miguel A. Caceres, On-site Auditor.
<b>Program</b>	USDA National Organic Program (NOP)
<b>Review Dates Audit Dates</b>	NOP corrective action review: September 19 – December 10, 2019 NOP assessment review: July 15, 2019 Onsite audit: December 11–13, 2018
<b>Audit Identifier</b>	NP8345MMA
<b>Action Required</b>	No
<b>Audit &amp; Review Type</b>	Renewal Assessment
<b>Audit Objective</b>	To evaluate the conformance to the audit criteria; and to verify the implementation and effectiveness of ODAFF's certification
<b>Audit &amp; Determination Criteria</b>	7 CFR Part 205, National Organic Program as amended
<b>Audit &amp; Review Scope</b>	ODAFF's certification services in carrying out the audit criteria during the period: July 2015 through December 2018.

An on-site renewal assessment of the Oklahoma Department of Agriculture, Food, & Forestry (ODAFF) organic certification program was conducted on December 11 – 13, 2018. Two review audits were scheduled to be conducted in January 2019, but due to the government shutdown, the visits were cancelled and rescheduled to November 2019. That audit report is being completed separately from this audit project.

Oklahoma Department of Agriculture, Food, & Forestry (ODAFF) is a state government agency that was accredited as a certifying agent on December 6, 2002. At the time, ODAFF's

accreditation scopes were crops, livestock, and handling. A scope expansion for wild crops was granted in January 2010.

The ODAFF list of certified operations at the time of the assessment consisted of 126 operations: 92 crops, 9 livestock, and 24 handler operations. ODAFF does not certify any grower groups and there were no operations certified to the scope of wild crops. Certification services are provided to operations in the States of Oklahoma, Arkansas, Kansas, and Missouri. There are no operations certified outside the United States.

The ODAFF organic program staff consists of the Organic Director, Organic Program Coordinator and one staff inspector. The bulk of the inspections (95%) are done by the Organic Program Coordinator.

## **NOP DETERMINATION:**

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

**NP5187PZA.NC2 – Cleared.**

**NP5187PZA.NC4 – Cleared.**

**NP5187PZA.NC1 – Accepted.** 7 CFR §205.662(a)(3) 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: The date by which the certified operation must rebut or correct each noncompliance and submit supporting documentation of each such correction when correction is possible."

**2015 Comments:** *ODAFF's Notice of Noncompliance template does not include the right for the operator to rebut the noncompliance.*

**2015 Corrective Actions:** ODAFF amended its notice of noncompliance template to include the right to rebut the noncompliance. The current noncompliance template now states, "The Oklahoma Department of Agriculture, Food, & Forestry must receive a written response to correct each noncompliance when correction is possible or the operation can rebut the noncompliance(s) listed above by close of business on 00/00/0000, so we can ensure proper consideration for the ongoing certification."

**2018 Verification of Corrective Action:** The auditor reviewed two notices of noncompliance and found both notices did not include the statement identified in the corrective actions informing the operation of the opportunity to rebut noncompliances.

**2019 Corrective Action:** ODAFF submitted a revised notice of noncompliance template including the operators right to rebut noncompliances. ODAFF implemented and informed staff of the new template changes at a meeting held on July 15, 2019.

**NP5187PZA.NC3 – Accepted.** 7 CFR §205.501(a)(3) states, “A private or governmental entity accredited as a certifying agent under this subpart must: ... (3) 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.”

**2015 Comments:** *Below are two examples identified during the onsite audit where ODAFF did not verify requirements of the USDA organic regulations:*

- a) **Cleared - Recordkeeping systems are not described in ODAFF’s Crops and Livestock OSPs.** 7 CFR §205.201(a)(4) states, “The producer or handler of a production or handling operation, except as exempt or excluded under §205.101, intending to sell, label, or represent agricultural products as “100 percent organic,” “organic,” or “made with organic (specified ingredients or food group(s))” must develop an organic production or handling system plan that is agreed to by the producer or handler and an accredited certifying agent. An organic system plan must meet the requirements set forth in this section for organic production or handling. An organic production or handling system plan must include: a description of the recordkeeping system implemented to comply with the requirements established in §205.103.”
- b) **Outstanding - Buffer zones and adjoining land uses are not described in the OSP.** 7 CFR §205.202(c) states, “Any field or farm parcel from which harvested crops are intended to be sold, labeled, or represented as “organic,” must: have distinct, defined boundaries and buffer zones such as runoff diversions to prevent the unintended application of a prohibited substance to the crop or contact with a prohibited substance applied to adjoining land that is not under organic management.”

**2015 Corrective Action:** ODAFF amended the OSP templates for Farm, Livestock, Poultry and Re-Certification Short Forms to include a description of the operator’s recordkeeping system that complies with §205.103. The ODAFF Farm Application OSP now includes a question regarding buffer zones. The question asks “Are buffer zones in place between organic and non-organic fields? If yes, please describe the prohibited substance applied to the adjoining land and illustrate your buffer zones on your farm maps.” All livestock and poultry operations are also required to complete the Farm OSP.

**2018 Verification of Corrective Action:** The auditor found that ODAFF’s revisions to OSP templates requiring a description of the operations record keeping system were effectively implemented. ODAFF’s implementation of the corrective actions to gather and verify an operation’s buffer zones has not been effective. ODAFF revised a form that operations must submit every 5 years (scheduled to be submitted in 2020) and hence has not gathered or verified buffer zone information since the last onsite assessment.

**2019 Corrective Action:** ODAFF submitted its revised organic farm re-certification short form to include the question, “Are buffer zones in place between organic and non-organic fields?” The new form was implemented and replaced on staff computers on August 28, 2019.

## **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.

**NP8345MMA.NC1 – 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.” §205.304(a)(1)(ii) states, “Agricultural products in packages described in §205.301(c) may display on the principal display panel, information panel, and any other panel and on any labeling or market information concerning the product: The statement: “Made with organic (specified food groups)”: Provided, That, the statement does not list more than three of the following food groups: beans, fish, fruits, grains, herbs...; and, Provided further, That, all ingredients of each listed food group in the product must be organically produced.”

**Comments:** *One of three labels reviewed which included the “made with organic grains” statement did not meet the labeling requirements. A label stating “made with organic grains” included the ingredients Organic Unbleached All-Purpose Flour, Organic Whole White Wheat Flour, and Raw Wheat Germ. Not all three grain ingredients are organically produced.*

**Corrective Action:** ODAFF has informed the processor of the noncompliant “made with organic” label. The language on the front of the label has been changed from “made with organic grains” to “made with organic flour” because the two flour ingredients in the product are certified organic.

**NP8345MMA.NC2 – Accepted.** 7 C.F.R. §205.404(b)(1-4) states, “The certifying agent must issue a certificate of organic operation which specifies the: (1) Name and address of the certified operation; (2) Effective date of certification; (3) Categories of organic operation, including crops, wild crops, livestock, or processed products produced by the certified operation; and (4) Name, address, and telephone number of the certifying agent.”

**Comments:** *ODAFF issued organic certificates to operations missing the required elements. Two organic scopes were incorrect. The Handler scope was identified as “Organic Processing Certificate.” The Crops scope was identified as “Organic Farm Certificate.” Additionally, ODAFF issued organic certificates to operations missing required elements identified in NOP 2603 – Organic Certificates. Certificates have a “Renewal Date” in place of the anniversary date. One handler certificate did not include the labeling category for products produced by the operation. The certificate listed 35 different products but did not differentiate products between the “organic” and “made with” labeling categories. The operation produced products in both labeling categories.*

**Corrective Action:** ODAFF has corrected and submitted examples of correctly issued organic certificates. ODAFF has developed and submitted an “Organic Certification Summary” listing an operation’s “organic” and “made with organic” products and product information. The “Organic Certification Summary” accompanies all organic certificates. Staff discussion of the new policies was held, and the policy was implemented on August 28, 2019.

**NP8345MMA.NC3 – Accepted.** 7 C.F.R. §205.501(a)(9) states, “Maintain all records pursuant to §205.510(b) and make all such records available for inspection and copying during normal business hours by authorized representatives of the Secretary and the applicable State organic program's governing State official;” **Comments:** *The auditor’s review of labels and files, found no verifiable records to indicate which labels were reviewed for compliance and approved by ODAFF.*

**Corrective Action:** ODAFF has implemented a new label review procedure. The label reviewer will recommend approval or denial of the labels as well as include their initials and date each label. The policy change is included in the “ODAFF Organic Certification Procedures” document, 3rd version. This procedure was implemented on October 24, 2019.



## NATIONAL ORGANIC PROGRAM: CORRECTIVE ACTION REPORT

### AUDIT AND REVIEW PROCESS

The National Organic Program (NOP) conducted a mid-term assessment of Oklahoma Department of Agriculture, Food & Forestry. An onsite audit was conducted, and the audit report reviewed to determine Oklahoma Department of Agriculture, Food & Forestry's capability to continue operating as a USDA accredited certifier.

### GENERAL INFORMATION

<b>Applicant Name</b>	Oklahoma Department of Agriculture, Food & Forestry (ODAFF)
<b>Physical Address</b>	2800 North Lincoln Boulevard, Oklahoma City, OK 73152
<b>Mailing Address</b>	2800 North Lincoln Boulevard, Oklahoma City, OK 73152
<b>Contact &amp; Title</b>	Bryan Buchwald, Organic Director
<b>E-mail Address</b>	<a href="mailto:Bryan.buchwald@ag.ok.gov">Bryan.buchwald@ag.ok.gov</a>
<b>Phone Number</b>	405-522-5898
<b>Reviewer &amp; Auditor(s)</b>	Jason Lopez and Rebecca Claypool, NOP Reviewer; Penny Zuck and Lars Crail, Onsite Auditors.
<b>Program</b>	USDA National Organic Program (NOP)
<b>Review &amp; Audit Date(s)</b>	NOP corrective action review: April 4, 2016 NOP noncompliance report issued: November 3, 2015. Onsite audit: July 6-10, 2015.
<b>Audit Identifier</b>	NP5187PZA
<b>Action Required</b>	None
<b>Audit &amp; Review Type</b>	Mid-Term Assessment
<b>Audit Objective</b>	To evaluate the conformance to the audit criteria; and to verify the implementation and effectiveness of ODAFF's certification system.
<b>Audit &amp; Determination Criteria</b>	<i>7 CFR Part 205, National Organic Program as amended</i>
<b>Audit &amp; Review Scope</b>	ODAFF's certification services in carrying out the audit criteria during the period: May 2012 through July 2015.

### Organizational Structure

Oklahoma Department of Agriculture, Food & Forestry (ODAFF) is a state government agency accredited as a certifying agent, to the United States Department of Agriculture (USDA) National Organic Program (NOP) in December 2002 for crops, and June 2003 for livestock and handling operations. A scope expansion for wild crops was granted in January 2010.

In 2015 ODAFF issued 119 certificates to the USDA organic regulations: 92 are Crops, 20 are Handlers (Processors), 6 are Livestock, and 1 is Wild Crops. Many operations are certified for

multiple scopes. The most recent client list was dated May 14, 2015. The majority of NOP certified clients are located in Oklahoma, Arkansas, Kansas, Missouri, and Texas.

### **Certification Process**

The ODAFF organic program staff consists of the Organic Director, Organic Program Coordinator and one staff inspector. The majority of the inspections (95%) are done by the Organic Program Coordinator. Files reviewed for personnel indicated they have the required education and experience in organic agricultural production and handling techniques to perform the duties assigned. Records reviewed verified that ODAFF was meeting the requirements for annual performance evaluations, confidentiality, and annual conflicts of interest disclosure reports for all personnel. There were no conflicts of interest within the organization or certified operations.

When requests for certification are received, the applicants are provided an application package. The application package consists of a cover letter, an application (based on scope) which includes the appropriate organic system plan(s), fee schedule, an estimate of the inspection fees, an organic fact sheet, and copies of the ODAFF Rules and Regulations and USDA organic regulations. When the completed documents are returned to the ODAFF office, the application documents and files for initial and continuing certification are reviewed by the ODAFF Organic Program Coordinator prior to the on-site inspection. The Organic Program Coordinator will then conduct the inspection himself, or assign it to the other ODAFF inspector. The decision to assign the inspection to the staff inspector is made based on geography and availability. Once the inspection is completed and inspection report submitted to the office, the final review and decision for certification is made by the Organic Director. It was noted that ODAFF has a very efficient certification process, with the entire process typically concluded within one month's time.

All submitted labels and inputs are reviewed by the Organic Program Coordinator or the Organic Director and verified by the inspector during the on-site inspections. All inputs reviewed during the on-site assessment were in compliance with the USDA organic requirements. Two labels reviewed were not in compliance (See Findings).

Two suspensions were reviewed during the on-site assessment, and some documents were not in compliance (See Findings). There have been no denials or revocations since the previous assessment. ODAFF has received no appeals or requests for mediation since the previous assessment. Records reviewed verified that notification of noncompliances submitted to clients were not in compliance with the USDA organic regulations (See Findings).

### **Summary of Witness Inspections and Review Audits Conducted**

One review audit was conducted in Missouri and two witness audits were conducted in Oklahoma. The review audit was certified to the scopes of Livestock (beef), Crops (pasture, hay, and grains) and Processing/Handling (milling of wheat). The first witness audit was of an operation certified to the scope of Crops (vegetables). The second witness inspection took place at an operation certified as a handler (processor) for the co-packing of pet treats. Both witness inspections were conducted by the Organic Program Coordinator and all areas requiring



verification including labels and inputs were adequately reviewed by the inspector. Thorough exit interviews were also conducted by the inspector at each inspection.

#### **NOP DETERMINATION:**

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

**AIA15078RK.NC1 – Cleared.**

**NP2115AKA.NC1 – Cleared.**

**NP2115AKA.NC2 – Cleared.**

**NP2115AKA.NC3 – 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.

**NP5187PZA.NC1 – Accepted** - 7 CFR §205.662(a)(3) 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: The date by which the certified operation must rebut or correct each noncompliance and submit supporting documentation of each such correction when correction is possible."

**2015 Comments:** *ODAFF's Notice of Noncompliance template does not include the right for the operator to rebut the noncompliance.*

**2015 Corrective Actions:** ODAFF amended its notice of noncompliance template to include the right to rebut the noncompliance. The current noncompliance template now states "The Oklahoma Department of Agriculture, Food, & Forestry must receive a written response to correct each noncompliance when correction is possible or the operation can rebut the noncompliance(s) listed above by close of business on 00/00/0000, so we can ensure proper consideration for the ongoing certification."

**NP5187PZA.NC2 – Accepted** - 7 CFR 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.” Additionally, 7 CFR §205.311(b)(1) states, “The USDA seal must replicate the form and design of the example in figure 1 and must be printed legibly and conspicuously: On a white background with a brown outer circle and with the term, “USDA,” in green overlaying a white upper semicircle and with the term, “organic,” in white overlaying the green lower half circle...”

**2015 Comments:** *ODAFF staff reviewed and approved an organic label that included the USDA logo in green and white, with a black outer circle.*

**2015 Corrective Action:** On November 5, 2015, the ODAFF staff reviewed and trained on Subpart D – “Labels, Labeling, and Market Information” of the USDA organic regulations (§205.300 -§205.312-§205.399). ODAFF provided a training attendance sheet listing all staff that received the training on compliant labeling.

**NP5187PZA.NC3 – Accepted** - 7 CFR §205.501(a)(3) states, “A private or governmental entity accredited as a certifying agent under this subpart must: ... (3) 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.”

**2015 Comments:** *Below are two examples identified during the onsite audit where ODAFF did not verify requirements of the USDA organic regulations:*

- a) *Recordkeeping systems are not described in ODAFF’s Crops and Livestock OSPs. 7 CFR §205.201(a)(4) states, “The producer or handler of a production or handling operation, except as exempt or excluded under §205.101, intending to sell, label, or represent agricultural products as “100 percent organic,” “organic,” or “made with organic (specified ingredients or food group(s))” must develop an organic production or handling system plan that is agreed to by the producer or handler and an accredited certifying agent. An organic system plan must meet the requirements set forth in this section for organic production or handling. An organic production or handling system plan must include: a description of the recordkeeping system implemented to comply with the requirements established in §205.103.”*
- b) *Buffer zones and adjoining land uses are not described in the OSP. 7 CFR §205.202(c) states, “Any field or farm parcel from which harvested crops are intended to be sold, labeled, or represented as “organic,” must: have distinct, defined boundaries and buffer zones such as runoff diversions to prevent the unintended application of a prohibited substance to the crop or contact with a prohibited substance applied to adjoining land that is not under organic management.”*

**2015 Corrective Action:** ODAFF amended the OSP templates for Farm, Livestock, Poultry and Re-Certification Short Forms to include a description of the operator’s recordkeeping system that complies with §205.103. The ODAFF Farm Application OSP now includes a question regarding buffer zones. The question asks “Are buffer zones in place between organic and non-organic fields? If yes, please describe the prohibited substance applied to the adjoining land and illustrate your buffer zones on your farm maps.” All livestock and poultry operations are also required to complete the Farm OSP.

**NP5187PZA.NC4 – Accepted** - 7 CFR §205.501(a)(7) states, “A private or governmental entity

accredited as a certifying agent under this subpart must: have an annual program review of its certification activities conducted by the certifying agent's staff, an outside auditor, or a consultant who has expertise to conduct such reviews and implement measures to correct any noncompliances with the Act and the regulations in this part that are identified in the evaluation.” Additionally, 7 CFR §205.501(a)(21) states, “A private or governmental entity accredited as a certifying agent under this subpart must: (21) Comply with, implement, and carry out any other terms and conditions determined by the Administrator to be necessary.” Instruction NOP 2025 *Internal Program Review*, Section 3.1 states, “Internal program reviews are conducted by personnel different from those who perform certification activities.”

**2015 Comments:** *The 2014 annual program review was conducted by the Organic Director, who is involved with ODAFF's certification activities.*

**2015 Corrective Action:** Internal program reviews are now conducted by the ODAFF Administrative Director who is knowledgeable of certification, auditing, and the USDA organic regulations. The Administrative Director does not make certification decisions.



## AUDIT INFORMATION

<b>Applicant Name:</b>	Oklahoma Department of Agriculture, Food, & Forestry (ODAFF) Poultry, Egg & Organic Section
<b>Est. Number:</b>	N/A
<b>Physical Address:</b>	2800 N. Lincoln Blvd., Oklahoma City, OK 73152
<b>Mailing Address:</b>	2800 N. Lincoln Blvd., Oklahoma City, OK 73152
<b>Contact &amp; Title:</b>	Bryan Buchwald, Section Director – Poultry, Egg & Organic Section
<b>E-mail Address:</b>	<a href="mailto:bryan.buchwald@ag.ok.gov">bryan.buchwald@ag.ok.gov</a>
<b>Phone Number:</b>	405-522-5924
<b>Auditor(s):</b>	Julie Hartley, Accreditation Manager; Betsy Rakola, Agricultural Marketing Specialist
<b>Program:</b>	USDA National Organic Program (NOP)
<b>Audit Date(s):</b>	July 16 – October 23, 2012
<b>Audit Identifier:</b>	NP2115AKA
<b>Action Required:</b>	No
<b>Audit Type:</b>	Corrective Action Assessment
<b>Audit Objective:</b>	To verify continuing compliance to the audit criteria; and to verify the implementation and effectiveness of corrective actions in addressing the previous non-compliances from the Mid-Term Audit.
<b>Audit Criteria:</b>	7 CFR Part 205 National Organic Program, Final Rule, dated December 21, 2000; updated March 15, 2012.
<b>Audit Scope:</b>	Proposed corrective actions submitted by ODAFF.
<b>Location(s) Audited:</b>	Desk

Oklahoma Department of Agriculture, Food, & Forestry (ODAFF) is a state government agency that was accredited as a certifying agent on December 6, 2002, to the United States Department of Agriculture (USDA) National Organic Program (NOP) for crops and June 2003 for livestock and handling operations. A scope expansion for wild crops was granted in January 2010.

ODAFF currently certifies 99 operations to the USDA organic regulations, of which 82 are Crops, 18 are Handlers (Processors), 3 are Livestock, and 1 is Wild Crops. Four operations are certified for multiple scopes. The most recent client list was dated March 13, 2012. The majority of the NOP certified clients are located in Oklahoma with some in Arkansas, Kansas, and Missouri.

Representatives of the NOP conducted an accreditation renewal assessment of ODAFF's organic certification program from April 24 – May 18, 2012. The assessment report indicated three new noncompliances. The NOP issued a Notice of Noncompliance to ODAFF with a copy of the assessment

report on July 2, 2012. ODAFF provided corrective actions for all three noncompliances on July 16, 2012. The NOP requested additional information on October 23, 2012. ODAFF replied on November 1, 2012. On December 12, 2012, the NOP Accreditation Committee met to review ODAFF's submitted corrective actions and voted to recommend renewal of accreditation.

## **FINDINGS**

Observations made, interviews conducted, and procedures and records reviewed verified that ODAFF is currently operating in compliance to the audit criteria, except as identified below. The corrective actions for the five non-compliances identified during the Mid-Term audit were verified and found to be implemented and effective; therefore, the non-compliances were cleared. There were three (3) new non-compliances identified during the assessment.

**NP0130LLA.NC1 – Cleared**

**NP0130LLA.NC2 – Cleared**

**NP0130LLA.NC3 – Cleared**

**NP0130LLA.NC4 – Cleared**

**NP0130LLA.NC5 – Cleared**

**NP2115AKA.NC1 – Accepted.** NOP §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. The notification of noncompliance shall provide: (1) A description of each noncompliance; (2) The facts upon which the notification of noncompliance is based; and (3) The date by which the applicant must rebut or correct each noncompliance and submit supporting documentation of each such correction when correction is possible.” NOP §205.405(d) states, “A notice of denial of certification must state the reason(s) for denial and the applicant’s right to: (1) Reapply for certification pursuant to §§205.401 and 205.405(e); (2) Request mediation pursuant to §205.663 or, if applicable, pursuant to a State organic program; or (3) File an appeal of the denial of certification pursuant to §205.681...” *During the review of two Notices of Denial of certification, it was found that Notices of Noncompliance had not been issued prior to or combined with the issuance of the Notice of Denial of certification. Within the Notices of Denial, the reasons for denial, the facts upon which the denial was based, the right of the applicant to reapply for certification, and the right of the applicant to file an appeal of the denial of certification were included. A Notice of Noncompliance or combined Notice of Noncompliance/Notice of Denial must also include §205.405(a)(3), date by which applicant must rebut or correct each noncompliance. A Notice of Denial or combined Notice of Noncompliance/Notice of Denial must also include §205.405(d)(2), right to request mediation.*

**Corrective action:** ODAFF submitted selections of the revised language in Section 5 of its quality manual. The procedures incorporate the requirements of §205.405. In addition, ODAFF conducted training for its staff on July 10, 2012 to ensure implementation of the new procedures. Training on the quality manual shall be conducted annually.

**NP2115AKA.NC2 – Accepted.** NOP §205.501(a)(15)(i) states, “A private or governmental entity



accredited as a certifying agent under this subpart must: Submit to the Administrator a copy of: Any notice of denial of certification issued pursuant to §205.405, notification of noncompliance, notification of noncompliance correction, notification of proposed suspension or revocation, and notification of suspension or revocation sent pursuant to §205.662 simultaneously with its issuance..." *A review of four files identified two operations which Notices of Noncompliance Resolution were issued. The Notices of Noncompliance Resolution were not recorded as having been sent to the Administrator.* **Corrective action:** ODAFF modified Subchapter 15 of its Organic Products Rules & Regulations to incorporate the NOP regulations on the submission of adverse action notices to the USDA AMS Administrator. ODAFF conducted training on this topic on July 16, 2012. Since that date, ODAFF has sent all adverse actions via email to the NOP.

**NP2115AKA.NC3 – Accepted.** NOP §205.662(c) states, "Proposed suspension or revocation: When...correction of the noncompliance is not completed within the prescribed time period, the certifying agent...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." *A review of four files identified two operations that Notices of Noncompliance were issued and included a date by which the certified operation must rebut or correct each noncompliance. In both instances, second Notices of Noncompliance were re-issued at later dates which covered the same noncompliance and included another date by which the certified operation must rebut or correct each noncompliance. Notices of Proposed Suspension or Revocation were not issued.* **Corrective action:** Both of the operations in question have since surrendered their organic certificates. ODAFF modified Subchapter 15 of its Organic Products Rules & Regulations to incorporate procedures from §205.662(c). ODAFF conducted training on this topic on July 16, 2012.



**Livestock and Seed Program  
Audit, Review, and Compliance Branch  
Quality System Audit Report**

**AUDIT INFORMATION**

<b>Applicant Name:</b>	Oklahoma Department of Agriculture, Food, & Forestry (ODAFF) Poultry, Egg & Organic Section
<b>Est. Number:</b>	N/A
<b>Physical Address:</b>	2800 N. Lincoln Blvd., Oklahoma City, OK 73152
<b>Mailing Address:</b>	2800 N. Lincoln Blvd., Oklahoma City, OK 73152
<b>Contact &amp; Title:</b>	Bryan Buchwald, Section Director – Poultry, Egg & Organic Section
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<b>Phone Number:</b>	405-522-5924
<b>Auditor(s):</b>	Alan Kohles
<b>Program:</b>	USDA National Organic Program (NOP)
<b>Audit Date(s):</b>	August 27, 2010
<b>Audit Identifier:</b>	NP0130LLA
<b>Action Required:</b>	No
<b>Audit Type:</b>	Corrective Action Audit
<b>Audit Objective:</b>	To verify that corrective actions adequately address the non-compliances identified during the mid-term audit.
<b>Audit Criteria:</b>	7 CFR Part 205 National Organic Program (NOP), Final Rule, dated December 21, 2000; revised February 17, 2010.
<b>Audit Scope:</b>	Submitted corrective actions
<b>Location(s) Audited:</b>	Desk

ODAFF submitted corrective actions to the National Organic Program for the non-compliances identified during the mid-term audit conducted May 10-14, 2010. The corrective actions were forwarded to the auditor on July 21, 2010.

**FINDINGS**

The corrective actions submitted by ODAFF adequately addressed the five non-compliances identified during the mid-term audit.

**NP0130LLA.NC1 – Adequately Addressed** – NOP §205.403(c) states, “The on-site inspection of an operation must verify: (2) That the information, including the organic production or handling system plan...accurately reflects the practices used or to be used by the applicant for certification or by the certified operation.” *During the onsite inspections of the certified operations, the inspector did not have the original long form of the OSP. ODAFF has an OSP short form that is used for recertification and that was the form that the inspector had. The short form does not include all of the required information*



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*that the inspector would need to verify all aspects of the organic system plans or the applicants' compliance with the Act during the onsite inspection. Therefore, all areas were not verified adequately. These areas included weed control procedures, the use and monitoring of Perilite (potting soil), and the pest control monitoring. **Corrective Action:** ODAFF has revised the short form (FS-5125) to include the additional required information that the inspector would need to verify all aspects of the organic system plan and the applicant's compliance to the NOP during the onsite inspection. The FS-5125 form was submitted for review.*

**NP0130LLA.NC2 – Adequately Addressed** – NOP §205.303(b) (2) states, “On the information panel, below the information identifying the handler or distributor of the product and preceded by the statement, “Certified organic by \* \* \*,” or similar phrase, identify the name of the certifying agent that certified the handler of the finished product and may display the business address, Internet address, or telephone number of the certifying agent in such label.” *During the file reviews for labels, the labels used by one of the meat processor clients did not include the correct statement in the form of, “Certified organic by”. The label statement only stated that the product was, “Certified by the ODAFF”. Also the statement was not below the information identifying the handler or distributor of the product as required. **Corrective Action:** ODAFF stated that they have contacted the processor and new labels will be printed to comply with NOP §205.303(b)(2). All other processor labels, which have been approved by ODAFF, have been reviewed to verify that the labels comply with NOP §205.303(b)(2).*

**NP0130LLA.NC3 – Adequately Addressed** – NOP §205.404(b) states, “The certifying agent must issue a certificate of organic operation which specifies the: (4) Name, address, and telephone number of the certifying agent.” *The reviews of the ODAFF final certificates found that the certificates did not include the telephone number of the certifying agent. **Corrective Action:** ODAFF has started to add the telephone number of the certifying agent to all organic certificates issued. An example of a final certificate was submitted for review, which include the telephone number.*

**NP0130LLA.NC4 – Adequately Addressed** – NOP §205.662(a) states, “*Notification.* 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: (3) The date by which the certified operation must rebut or correct each noncompliance and submit supporting documentation of each such correction when correction is possible.” *The reviews of the letters of noncompliance indicated that two of the eleven letters reviewed did not include the date by which the certified operation must rebut or correct each noncompliance. **Corrective Action:** ODAFF did fail to include the date by which the certified operation must rebut or correct each noncompliance on two letters. After the mistake was made in August of 2009, all letters of noncompliance issued included the date by which the certified operation must rebut or correct each noncompliance.*

**NP0130LLA.NC5 – Adequately Addressed** – NOP §205.662(b) states, “*Resolution.* 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.” *The review of the ODAFF procedures indicated that ODAFF was not sending the certified operation a written notification of noncompliance resolution after the*



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*corrective actions were reviewed and deemed adequate. ODAFF stated that the corrective actions were verified during the next onsite audit and the client was notified at that time and it was documented on the inspection report. It was explained to ODAFF that this was not adequate to meet the NOP program requirements. **Corrective Action:** ODAFF revised their procedures and a written notification of noncompliance resolution will be sent to the certified operation when the certified operation demonstrates that each noncompliance has been resolved.*

## **NATIONAL ORGANIC PROGRAM: AUDIT & CORRECTIVE ACTION REPORT**

### **GENERAL INFORMATION**

- **Certifier Name** Oklahoma Department of Agriculture, Food and Forestry, (ODAFF)
- **Physical Address** 2800 N. Lincoln Blvd, Oklahoma City, Oklahoma 73152
- **Audit Type** Mid-term Audit
- **Auditor(s) & Audit Dates** Alicia Hudson, Joshua Lindau, & Colleen O'Brien  
10/18/2021 to 10/21/2021
- **Audit Identifier** NOP-57-21

### **CERTIFIER OVERVIEW**

Oklahoma Department of Agriculture, Food and Forestry (ODAFF) is a state government agency with headquarters in Oklahoma City, Oklahoma. ODAFF was originally accredited by the USDA National Organic Program (NOP) on December 6, 2002, to certify Crops, Livestock, Wild Crops, and Handling/Processing operations. All key certification activities are conducted at the Oklahoma City office. No satellite offices exist for ODAFF.

The ODAFF Organic Certification Program certifies 107 operations to the following certification scopes: Crops (78), Wild Crops (0), Livestock (8), and Handling/Processing (21). ODAFF provides certification services in the U.S. States of Oklahoma, Arkansas, Kansas, and Missouri.

The organic program is overseen by the Section Director. The Organic Program Manager is primarily responsible for the functions of the program, and conducts initial reviews, inspections, and final reviews as well as operational management of the program. The program utilizes two additional staff inspectors, and one administrative assistant. No witness audits were conducted.

## **NOP DETERMINATION:**

NOP reviewed the audit results to determine whether ODAFF's corrective actions adequately addressed previous noncompliances. The NOP also reviewed the findings identified during the audit to determine whether noncompliances should be issued to ODAFF.

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 the corrective actions were not effectively implemented. Any noncompliance labeled as “**Accepted**” indicates acceptance of the corrective actions and verification of corrective action implementation will be conducted during the next audit.

### **Noncompliances from Prior Assessments**

**AIA-6545-21 - Cleared.**

**AIA-7275-21 - Cleared.**

**AIA-7276-21 - Cleared.**

**AIA-7277-21 - Cleared.**

**AIA-7279-21 - Cleared.**

**AIA-3318-20 - Accepted.** 7 CFR 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:** *During the witness audit of a handling inspection, the auditors observed that the inspector did not fully verify the accuracy of the operation’s organic system plan. The inspector did not verify the accuracy of the sanitation inputs and the pest control map.*

**Corrective Action:** ODAFF conducted training for staff on February 10, 2020, that included review & training of ODAFF's Oklahoma Organic Products Rules & Regulations, Subchapter 15. “Organic Products 35:37-15-5, Inspections and Sampling for Certification.” This section reflects NOP standards 7 CFR 205.403. Also, annual training will be conducted for this section on an annual basis to ensure this noncompliance does not reoccur.

**Verification of Corrective Action:** ODAFF inspectors are still not consistently verifying the accuracy of organic system plans (OSP) at inspection. The auditors’ review of OSPs and inspection reports found that inspectors failed to identify discrepancies between product profiles and ingredients used, and product profiles with missing information.

**2023 Corrective Action:** ODAFF conducted training for staff that included review & training of ODAFF's Oklahoma Organic Products Rules & Regulations, Subchapter 15. “Organic Products 35:37-15-5, Inspections and Sampling for Certification.” This section reflects NOP standards 7 CFR 205.403.

**AIA-7278-21 - Accepted.** 7 C.F.R. §205.404(b)(1-4) states, “The certifying agent must issue a certificate of organic operation which specifies the: (1) Name and address of the certified operation; (2) Effective date of certification; (3) Categories of organic operation, including crops, wild crops, livestock, or processed products produced by the certified operation; and (4) Name, address, and telephone number of the certifying agent.”



**Comments:** ODAFF issued organic certificates to operations missing the required elements. Two organic scopes were incorrect. The Handler scope was identified as “Organic Processing Certificate.” The Crops scope was identified as “Organic Farm Certificate.” Additionally, ODAFF issued organic certificates to operations missing required elements identified in **NOP 2603 – Organic Certificates**. Certificates have a “Renewal Date” in place of the anniversary date. One handler certificate did not include the labeling category for products produced by the operation. The certificate listed 35 different products but did not differentiate products between the “organic” and “made with” labeling categories. The operation produced products in both labeling categories.

**Corrective Action:** ODAFF has corrected and submitted examples of correctly issued organic certificates. ODAFF has developed and submitted an “Organic Certification Summary” listing an operation’s “organic” and “made with organic” products and product information. The “Organic Certification Summary” accompanies all organic certificates. Staff discussion of the new policies was held, and the policy was implemented on August 28, 2019.

**Verification of Corrective Action:** The auditors reviewed organic certificates issued by ODAFF and found that ODAFF is not consistently issuing the “Organic Certification Summary” with each organic certificate. Additionally, one handler certificate reviewed by the auditors did not include the labeling category for products produced by the operation.

**2023 Corrective Action:** ODAFF clarified that it is now issuing the organic certification summary with the organic handler certificate when the handler is producing more than one product. When the handler is only producing one product, the organic handler certificate is issued which includes the label category for the product produced by the operation. ODAFF submitted certificates demonstrating this policy.

### **Noncompliances Identified during the Current Assessment**

**AIA-8607-21 - 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:** ODAFF does not fully implement the NOP’s international organic trade arrangement policies and procedures, as outlined in the NOP’s International Trade Policies. The auditor’s review of import/export procedures, import/export documents, and interviews with ODAFF staff found the following:

1. ODAFF’s organic system plan (OSP) templates do not include questions about operations’ import or export activities and ODAFF’s inspection report templates do not prompt the inspector to verify whether the operation’s import or export activities are compliant.
2. ODAFF approved an operation’s products as being compliant with the US-Canada Organic Equivalency Arrangement without verifying that the products complied with the terms of the arrangement.

**Corrective Action:** ODAFF updated its OSP templates to address import/export activities. The inspector will address import/export activities on the inspection report under the “Other Considerations” section. ODAFF updated the Organic Certification Summary (OCC) for the operation in question to reflect that products were not approved for US-Canada Organic Equivalency. ODAFF also updated the OCC template to only reference the NOP standard and will modify the OCC to include statements about equivalence if an operation requests

verification against an equivalency arrangement.

**AIA-8608-21 - 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:** *ODAFF does not comply with the requirements of NOP 2610 Instruction Sampling Procedures for Residue Testing. The auditors’ review of ODAFF’s Quality Manual and interviews with the staff determined that ODAFF does not have procedures for sample collection and residue testing activities.*

**Corrective Action:** ODAFF created a “Residue Testing” policy document to comply with NOP 2610. ODAFF also refers to NOP 2610 for sample collection and residue testing in conjunction with this published policy.

**AIA-8609-21 - 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:** *ODAFF’s livestock organic system plan (OSP) and inspection report templates do not fully verify an operation’s compliance with the USDA organic regulations. The auditors’ review found the following:*

- 1. The templates do not record whether physical alterations will be performed in a manner that reduces pain and stress or if medical treatments are withheld from sick animals as required by §205.238.*
- 2. The templates do not record the total days grazed throughout the entire grazing season and the actual average dry matter intake over the entire grazing season calculated from actual feed fed values for all classes of animals as required by §205.240.*

**Corrective Action:** ODAFF updated its templates to address the performance of physical alterations as needed to promote the animal’s welfare and in a manner that minimizes pain and stress. ODAFF will attach DMD and DMI calculation worksheets to all applicable livestock OSPs.

**AIA-8610-21 - 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:** *ODAFF does not consistently demonstrate the ability to fully comply with the requirements for accreditation. The auditors’ review of ODAFF’s organic system plan (OSP) templates found that the templates do not prompt the operation to address the requirements of §205.202(c).*

**Corrective Action:** ODAFF updated its Crops OSP to comply with the requirements of §205.202(c) and improve the verification process for inspections regarding boundaries, adjacent land use and buffer areas. This additional information is requested from the producer for buffer zones on Page 5 of the OSP.

**AIA-8611-21 - Accepted.** 7 C.F.R. §205.403(c)(1) states, “The onsite inspection of an operation must verify: The operation’s compliance or capability to comply with the Act and the regulations in this part;”

**Comments:** ODAFF's inspectors do not fully verify an operation's compliance with the USDA organic regulations. The auditors' review of certification files and interviews with certification staff found that ODAFF's inspectors are not performing sufficient traceability audits during inspections.

**Corrective Action:** ODAFF conducted training on traceability audits covering all scopes that ODAFF certifies. ODAFF inspectors will perform traceability audits on random finished products for handlers and include that information in the file. Crop and livestock inspection reports have an audit control section that verifies traceability information. Crop producers' organic harvest information and sales records are reviewed during inspection. Livestock producers list all organic transactions and records for slaughter and are reviewed during the inspection. All audit traceability exercises are reviewed by the inspector and final reviewer.

**AIA-8612-21 - 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:** ODAFF is not consistently carrying out the provisions of §205.670 and **NOP 2613 Responding to Results from Pesticide Residue Testing**. The auditor's review of certification files and interviews with staff found that the laboratory used by ODAFF for residue testing has a reporting limit of 0.1 ppm for residue test results. This reporting limit does not allow ODAFF to determine whether the product sampled is eligible for organic sale.

**Corrective Action:** The ODAFF laboratory is working on procedures to test to 0.01ppm and has set up a meeting with the ODAFF Organic Program Manager and Section Director on July 18, 2023. ODAFF has also contacted the USDA laboratory in Gastonia, North Carolina and is in the process of setting up an account for residue sampling in case the ODAFF laboratory cannot test to 0.01ppm. ODAFF plans to resolve this issue by July 31, 2023, and will inform the NOP of which lab will be conducting residue testing. No residue sampling or testing will be conducted until this new laboratory testing procedure is in effect.

**AIA-8613-21 - Accepted.** 7 C.F.R. §205.670(g) states, "If test results indicate a specific agricultural product contains pesticide residues or environmental contaminants that exceed the Food and Drug Administration's or the Environmental Protection Agency's regulatory tolerances, the certifying agent must promptly report such data to the Federal health agency whose regulatory tolerance or action level has been exceeded. Test results that exceed federal regulatory tolerances must also be reported to the appropriate State health agency or foreign equivalent."

**Comments:** ODAFF does not fully carry out the procedures of **NOP 2613 Instruction Responding to Results from Pesticide Residue Testing**. The auditor's review of pesticide residue analysis reports and interview with certification staff found ODAFF does not inform operations that their product may be sold as organic when residues are not detected or detected at less than 0.01 ppm.

**Corrective Action:** ODAFF will be including a statement on laboratory results that are sent to sampled operations that the product may be sold as organic when residues are not detected or detected within the approved limits. ODAFF is in process of updating their laboratory testing procedure by July 31, 2023 in order to test to 0.01ppm. No residue sampling or testing will be conducted until this new laboratory testing procedure is in effect. As a result, no residue testing notices will be issued to operations until the new testing procedure is in effect.

**AIA-8614-21 - Accepted.** C.F.R. §205.404(b)(1-4) states, “The certifying agent must issue a certificate of organic operation which specifies the: (1) Name and address of the certified operation; (2) Effective date of certification; (3) Categories of organic operation, including crops, wild crops, livestock, or processed products produced by the certified operation; and (4) Name, address, and telephone number of the certifying agent.”

**Comments:** *ODAFF’s organic certificates do not meet the requirements identified in NOP 2603 Organic Certificates. The auditor’s review of organic certificates issued by ODAFF found the following issues:*

1. *ODAFF’s organic certificates do not state “Certified to the USDA organic regulations, 7 CFR Part 205.”*
2. *ODAFF’s organic certificates identify more than one “person” under the name of the operation certified. NOP 2603 3.2 requires a certificate be issued to a single “person,” as defined in §205.2.*
3. *ODAFF’s organic certificates do not consistently include a physical address of the certified operation.*

**Corrective Action:** Beginning on April 3, 2023, ODAFF updated organic certificates to include: “Certified to the USDA organic regulations, 7 CFR Part 205.” ODAFF’s organic certificates will only identify one person or business name and will include a physical address of the certified operation.

**AIA-8615-21 - Accepted.** 7 C.F.R. §205.662(c)(1) – (4) 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. When correction of a noncompliance is not possible, the notification of noncompliance and the proposed suspension or revocation of certification may be combined in one notification. The notification of proposed suspension or revocation of certification shall state: The reasons for the proposed suspension or revocation; the proposed effective date of such suspension or revocation; The impact of a suspension or revocation on future eligibility for certification; and the right to request mediation pursuant to §205.663 or to file an appeal pursuant to §205.681."

**Comments:** *ODAFF’s notices of proposed suspension do not comply with the requirements of the USDA organic regulations. The auditor’s review of ODAFF’s notice of proposed suspension template found the following:*

1. *ODAFF’s notices of proposed suspension do not identify a proposed effective date.*
2. *ODAFF’s notices of proposed suspension allow the operation to submit corrective actions or surrender certification to resolve the proposed suspension.*

**Corrective Action:** ODAFF updated its notice of proposed suspension template to include a proposed effective date and remove the option for the operation to submit corrective actions or surrender certification to resolve the proposed suspension. ODAFF submitted the updated notice of proposed suspension template.

**AIA-8616-21 - Accepted.** 7 C.F.R. §205.501(a)(7) states, “A private or governmental entity accredited as a certifying agent under this subpart must: have an annual program review of its certification activities conducted by the certifying agent's staff, an outside auditor, or a

consultant who has expertise to conduct such reviews and implement measures to correct any noncompliances with the Act and the regulations in this part that are identified in the evaluation.”

**Comments:** *ODAFF did not conduct its annual program review according to NOP 2025 Internal Program Review Requirements. The auditors’ review of ODAFF’s internal program review found that the review did not include an assessment of findings from prior annual program reviews or an assessment of all certification activities.*

**Corrective Action:** ODAFF has updated the annual program assessment to meet the requirements of NOP 2025. ODAFF’s “Policy on Internal Annual Program Review” has been updated to require an assessment of findings from prior annual program reviews and an assessment of all certification activities.

**AIA-8618-21 - 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:** *ODAFF is not consistently carrying out the provisions of the Act and regulations. ODAFF does not consistently identify incomplete or inaccurate organic system plans (OSP). The auditors’ review of certification files identified handling/processing OSPs that contained inaccurate or missing supplier information and crops OSPs that contained conflicting information about the number of certified organic acres.*

**Corrective Action:** ODAFF conducted training for staff on the requirements of §205.402 through §205.406 so that staff understand how to ensure the completeness and accuracy of all OSPs. The training addressed missing information in initial reviews, inspections, etc. that will need to be completed in order for an operation’s OSP to be considered complete and covered both initial application and renewal processes. ODAFF concluded that it will not accept any blank spaces on its OSPs to ensure completeness of applicable information.