



United States Department of Agriculture

Agricultural Marketing Service

National Organic Program

Tse-Xin Organic Certification Corporation (TOC)

Taipei, TAIWAN, R.O.C.

meets all the requirements prescribed in the National Organic Program Regulations

7 CFR Part 205

(Updated December 15, 2010)

as an Accredited Certifying Agent

for the scope of

Crops, Wild Crops, and Handling 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: **AIA101711LMC**
Effective Date: **February 01, 2012**
Expiration Date: **January 31, 2017**


Miles V. McEvoy
Deputy Administrator
National Organic Program



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NATIONAL ORGANIC PROGRAM REPORT

AUDIT AND REVIEW PROCESS

Tse-Xin Organic Certification Corporation (TOC) was accredited as a USDA organic certifying agent on February 1, 2012. An onsite Initial assessment of TOC occurred January 8 through 10, 2014. Verification of corrective actions for previous non-compliances was conducted and new non-compliances were identified. TOC submitted noncompliance corrective action measures and the National Organic Program (NOP) reviewed them and made a determination either to accept or not accept the measures. This report records NOP's decision.

GENERAL INFORMATION

Applicant Name:	Tse-Xin Organic Certification Corporation (TOC)
Physical Address:	N/A
Mailing Address:	7F, No. 75, Sec 4, Nanjing East Rd., Taipei 105, Taiwan R.O.C.
Contact & Title:	7F, No. 75, Sec 4, Nanjing East Rd., Taipei 105, Taiwan R.O.C.
E-mail Address:	Amy Chen, Administrative Staff and Inspector
Phone Number:	Toaf007@gmail.com
Auditor(s):	Lars Crail, NOP Reviewer and Onsite Auditor.
Program:	USDA National Organic Program (NOP)
Audit Date(s):	Review of the TOC's submitted corrective actions occurred on April 15, 2014.
Audit Identifier:	NP4008LCA
Action Required:	None
Audit Type:	Initial Accreditation Assessment
Audit Objective:	To evaluate the conformance to the audit criteria; and to verify the implementation and effectiveness of TOC's certification system.
Audit Criteria:	<i>7 CFR Part 205, National Organic Program as amended</i>
Audit Scope:	TOC's certification services in carrying out the audit criteria during the period: February 1, 2012 through January 10, 2014.

TOC is accredited by the U.S. Department of Agriculture (USDA), Agricultural Marketing Service, NOP to the scopes of crops, wild crops, and handling. TOC's office is located in Taipei, Taiwan (R.O.C.). In addition to USDA organic certification, TOC certifies operations to the Taiwan national organic standards. TOC currently certifies eight operations (4 crop and 4 handlers) in Taiwan to the USDA organic regulations.

NOP DETERMINATION

NOP's assessment and accreditation decision of the TOC's compliance to the USDA organic regulations is based on a sample of its certification system records and activities.

Prior Non-compliance Corrective Actions

The NOP auditor reviewed information during the assessment to verify that the certifying agent effectively implemented the corrective actions from previous assessment non-compliances or the period since the last assessment. NOP determinations of those corrective action measures are as follows:

AIA101711LMC.NC1 – Cleared

AIA101711LMC.NC2 – Cleared

AIA101711LMC.NC3 – Cleared

Current Non-Compliances – Certifying Agent Response Accepted

The items below are new noncompliances identified during the 2014 Initial assessment. The NOP has reviewed the corrective actions submitted by the certifying agent and determined that they demonstrate sufficient compliance. Verification for effective implementation of the corrective action measures will be conducted during the next onsite assessment.

NP4008LCA.NC1 – Accepted - NOP §205.403(e)(1) states, “At the time of the inspection, the inspector shall provide the operation's authorized representative with a receipt for any samples taken by the inspector.” *TOC is not providing operators a receipt when samples are taken.*

Corrective Action: TOC submitted for NOP's review a two page form (TOC-NOP-F33) that inspectors will complete and provide a copy to operations where sampling occurs. The procedure for providing the operator a receipt is described in TOC's Quality Manual.

NP4008LCA.NC2 – Accepted - NOP §205.403(e)(2) states, “A copy of the on-site inspection report and any test results will be sent to the inspected operation by the certifying agent.” *TOC is only providing the clients a copy of the Exit Interview Summary which is a portion of the inspection report.* **Corrective Action:** TOC created and submitted an inspection report form called the “USDA Organic Check List” (TOC-NOP-F31). Inspectors will record their inspection on this form and the inspected operation will receive a copy of it. There are sufficient sections in the form to allow inspectors to record sufficient descriptions and details of the inspection. The procedure for providing the operator an inspection report is described in TOC's Quality Manual.

NP4008LCA.NC3 – Accepted - NOP §205.642 states, “... a certifying agent shall charge applicants for certification and certified production and handling operations only those fees and charges that it has filed with the Administrator.” *TOC certification fees charged to applicants or certified operations include a fee based on the operation's sales information. The fee schedule filed with the Administrator does not indicate that fees are charged based on sales information.*

Corrective Action: TOC submitted for NOP's review a revised fee schedule (issued 2014/03/12) listing certification charges based on sales.

NP4008LCA.NC4 – Accepted - NOP §205.642 states, “The certifying agent may require applicants for certification to pay at the time of application a nonrefundable fee which shall be applied to the applicant's fees-for-service account. The certifying agent may set the

nonrefundable portion of certification fees; however, the nonrefundable portion of certification fees must be explained in the fee schedule submitted to the Administrator.” *TOC charges nonrefundable fees; however, its fee schedule does not explain what fee amounts are nonrefundable or at what stage during the certification process the fees become nonrefundable.*

Corrective Action: On page two of TOC’s submitted revised fee schedule (issued 2014/03/12); it states that the applicant who withdraws its application shall be liable for the costs of services up to the time of application withdrawal.

Applicant Name:	Tse-Xin Organic Certification Corporation (TOC)
Est. Number:	N/A
Physical Address:	7F, No. 75, Sec. 4, Nanjing East Rd., Taipei, Taiwan, R.O.C.
Mailing Address:	Same
Contact & Title:	Amy Chen, Administrative Staff and Inspector
E-mail Address:	Amy7507@gmail.com
Phone Number:	011+886.2.2546.0654 Ext. 507
Auditor(s):	Lars Crail, NOP AIA Accreditation Manager
Program:	USDA National Organic Program (NOP)
Audit Date(s):	January 12, 2012
Audit Identifier:	AIA101711LMC
Action Required:	No
Audit Type:	Corrective Action Audit
Audit Objective:	To verify review and approve corrective actions addressing the noncompliances identified during the Pre-decisional Assessment.
Audit Criteria:	7 CFR Part 205, National Organic Program; Final Rule, dated December 21, 2000; updated December 15, 2010.
Audit Scope:	TOC's response materials to the Pre-decisional Assessment.
Location(s) Audited:	Desk

AUIDT INFORMATION

Tse-Xin Organic Agriculture Foundation (TOAF) applied with the National Organic Program (NOP) on October 4, 2010 for accreditation as a USDA NOP certifying agent. During March of 2011, the certification division of TOAF became a separate legal entity as Tse-Xin Organic Certification Corporation (TOC).

NOP staff conducted a three and a half day on-site Pre-decisional Assessment between October 17 through 20, 2011 in Taiwan. Two witness audits were conducted on one processing (handler) operation and one farm (crop)/processor (handler) operation.

On January 12, 2012, TOC was issued a Notice of Noncompliance for three noncompliances (AAI101711LMC.NC1-3). TOC subsequently submitted corrective measures that were reviewed and accepted by the NOP. Accepted corrective measures will be verified for implementation and effectiveness during the next onsite assessment.

FINDINGS

AIA101711LMC.NC1 – Accepted - NOP §205.504 states, “A private or governmental entity seeking accreditation as a certifying agent must submit the following documents and information to demonstrate its expertise in organic production or handling techniques; its ability to fully comply with and implement the organic certification

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program established in §§205.100 and 205.101, §§205.201 through 205.203, §§205.300 through 205.303, §§205.400 through 205.406, and §§205.661 through 205.662; and its ability to comply with the requirements for accreditation set forth in §205.501: (b) Administrative policies and procedures. (1) A copy of the procedures to be used to evaluate certification applicants, make certification decisions, and issue certification certificates;” *The following templates do not exist as part of TOC’s program manual: Organic Certificate (§205.404 (b)); Notification of noncompliance, proposed suspension, suspension, proposed revocation, revocation, combined adverse actions, and resolution (§205.662); Notice of Certification Denial (§205.405). Furthermore, no procedures exist for the submission of notifications to the NOP pursuant to §205.501(15)(i).* **Corrective Action:** TOC submitted for NOP review templates for organic certificate and adverse action notifications. TOC’s program manual was updated to reflect the addition of these templates and procedures.

AIA101711LMC.NC2 – Accepted - NOP §205.501 states, “(a) A private or governmental entity accredited as a certifying agent under this subpart must: (11) Prevent conflicts of interest by (vi) Ensuring that the decision to certify an operation is made by a person different from those who conducted the review of documents and on-site inspection.” *In the TOC “Organic Farming” and “Organic Processing/Handling” Inspector Check Lists, Section 3 of the Exit Interview Summary, inspector findings are identified as either “major” or “minor” noncompliances. This action suggests that certification decisions, i.e. noncompliances, are determined and issued by the inspector.* **Corrective Action:** TOC modified and submitted their inspection template forms. The term “Noncompliance” was changed to “Potential noncompliance.” TOC conducted staff inspector training on October 25, 2010 covering the updated inspection forms and clarification of inspector roles.

AIA101711LMC.NC3 – Accepted - NOP §205.670 states, “Inspection and testing of agricultural product to be sold or labeled “organic.” (b) ...Such tests must be conducted by the ...certifying agent at the ... certifying agent’s own expense.” *TOC’s 2010 Fee Schedule, Annex III of the program manual, indicates that “test fees” are charged to the operation and are not the expense of the certifier.* **Corrective Action:** TOC submitted a revised Fee Schedule removing “test fees.”