

1 **FINAL REPORT** OF THE USDA REVIEW OF THE US/CANADA EQUIVALENCE

2 ARRANGEMENT

3 DATES OF REVIEW –June 20-24, 2011

4 1. INTRODUCTION

5 1.1. The U.S. Department of Agriculture (USDA) is engaged in an equivalence arrangement
6 with the Canadian Food Inspection Agency (CFIA). This arrangement includes periodic
7 peer review assessments of the USDA/National Organic Program and CFIA/Canada
8 Organic Office.

9 1.2. On June 20-24, 2011, representatives of the USDA Agricultural Marketing Service
10 (AMS) reviewed organic accreditation and certification activities in the Quebec province
11 of Canada, which represented the Canada Organic Regime (COR) activities. This report
12 is an account of those activities and observations of the review.

13 1.3. Review team was comprised of:

14 1.3.1. Miles McEvoy, Deputy Administrator, AMS – NOP

15 1.3.2. Meg Kuhn, Agricultural Marketing Specialist – Regulatory, AMS – NOP

16 2. OBJECTIVES OF REVIEW

17 2.1. The objective of the review was to evaluate the system capabilities and performance of
18 CFIA authorities in controlling the proper application and enforcement of the Organic
19 Products Regulations (OPR) and oversight of the US/CAN equivalency Arrangement
20 (USCOEA) for organic products.

21 3. LEGAL BASIS FOR THE REVIEW

22 3.1. The review was conducted based on USCOEA conditions of periodic peer review
23 assessments.

24 3.2. The following statutes, regulations, and standards were considered in the review:

25 3.2.1. U.S. Organic Foods Production Act of 1990

26 3.2.2. U.S. Code of Federal Regulations (CFR) Part 205, National Organic Program

27 3.2.3. ISO/IEC 17011:2004(E) Conformity assessment — General requirements for
28 accreditation bodies (identified as Conformity Verification Bodies (CVBs) within
29 the COR) accrediting conformity assessment bodies (identified as Certification
30 Bodies (CB) within the COR).

31 3.2.4. Canada Organic Product Regime standards on organic production and labeling of
32 organic products.

33 3.2.5. US/CAN Equivalence Arrangement (USCOEA), Appendices 1 and 2.

34 4. PROTOCOL

35 4.1. The review was accomplished by observing the competent authority (Canada Organic
36 Office, COO) a Conformity Verification Body (CVB), certification bodies (CBs), and
37 certified organic operations (CO) in Canada in the province of Quebec. In selecting the
38 CVB, CB, and certified operations to be reviewed, the review team worked with
39 representatives of the COO to select operations representative of organic products
40 produced in Quebec.

41 4.2. The team reviewed each phase of the organic production, certification, and accreditation
42 system to determine if the responsible authorities had the necessary controls in place to
43 ensure traceability and compliance with the referenced organic standards.

44 4.3. At the Conformity Verification Body (CVB) office reviewed, the team observed
45 processes used to evaluate the competence of the certifying bodies. The review team
46 observed procedures relating to the certification of organic operations according to OPR

47 in order to determine how compliance with the referenced organic production and
48 handling regulations would be carried out. The review team also interviewed personnel
49 to determine their knowledge of organic production, handling and certification practices
50 and their qualifications with respect to their duties and responsibilities.

51 4.4. The team visited two (2) organic handling operations to observe production, handling
52 and labeling practices in order to determine the level of compliance accomplished by the
53 certified operations. The review team interviewed responsible parties at each site, and
54 participated in meetings with the production managers.

55 4.5. The review team was accompanied by representatives of the COO throughout the
56 review.

57 5. SUMMARY OF PREVIOUS REVIEWS

58 5.1. This was the NOP's second on site peer review of the COR program for the purpose of
59 determining implementation and ongoing compliance of the US/CAN Equivalence
60 Arrangement. There were no previous onsite review observations, from the NOP to
61 COO, to consider for follow-up response.

62 6. OBSERVATIONS

63 6.1. Report on Canada Organic Office (COO) Competent Authority and Control System

64 The Canada Organic Regime, managed by the COO, is well organized and effective.
65 The oversight over the CVBs is solid with good communication and regular audits. The
66 COO conducts regular meetings with the CVBs (every 8 months) to ensure consistent
67 application of the COR.

68 6.2. Report Observations from CVB (CAEQ)

69 CAEQ's oversight over the CBs is thorough and effective. The audits are regularly
70 conducted; however, there was one audit found for one CB that was not conducted on
71 the prescribed schedule. Documentation demonstrating experience, education, and
72 training was on file for applicable staff.

73 At the CVB office visit it was found that the CVB was providing COR
74 certification to clients located in the United States (specifically, Miami, FL). This is
75 inappropriate since implementation of the USCOEA.

76 Two observations were observed at the CVB (please see 8.1 and 8.2 below).

77 6.3. Report Observations from CB (Quebec Vrai)

78 One CB was evaluated, Quebec VRAI, which is accredited by CAEQ and operates in
79 Quebec. The certification files were complete and inspection reports were thorough and
80 well documented. Experience, education and training was verified to be current and on
81 file for review and inspection staff, with one exception. Certification records
82 demonstrated timely and thorough certification services provided by the CB. There are
83 multiple management controls in place to ensure effective implementation of
84 accreditation requirements.

85 One observation was observed at the CB (please see 8.3 below).

86 6.4. Report Observations from Certified Operations 1 and 2

87 Two organic processors were selected as a handling operation for observation.

88 The first operation, a milk plant, provided an overview of organic activities in place,
89 including a thorough tour of the facility and process flow. Some certification
90 documentation was reviewed for incoming suppliers, as well as the facility's organic
91 certification document from the CVB.

92 The second operation, a maple syrup processing plant, provided an overview of
93 organic activities in place, including a tour of the facility and process flow; however, the
94 tour was provided by the Director of Sales rather than Production Staff and, as such,
95 particular compliance areas could not be addressed. For example, NOP could not
96 determine if the processor had proper procedures in place from receiving through
97 production for the segregation and identification of NOP organic product vs. EU or JAS
98 organic product.

99 Two observations were observed at these operation (please see 8.4 and 8.5 below).

100 6.5. Report Observations from Certified Operation 3

101 The wild crop operation provided an overview of the organic activities in place,
102 including a tour of the collecting areas and processing facilities.

103 7. INTRODUCTION TO OBSERVATIONS

104 7.1. The assessment activities took place in one (1) of Canada's ten (10) provinces. The
105 assessment included visits to handling and wild crop operations only; crop and livestock
106 operations were not included.

107 7.2. The NOP would have liked to review organic livestock operations as part of the audit to
108 review the one US critical variance.

109 8. OBSERVATIONS

110 8.1. Observation 1. CVB, CAEQ: There was one audit of one CB that had not been
111 conducted according to the prescribed schedule.

112 8.2. Observation 2. CVB, CAEQ: CAEQ appeared to be scheduling a COR witness audit for
113 Miami, Florida. It is not appropriate for COR certification to be occurring within the
114 US.

115 8.3. Observation 3. CB, Quebec Vrai: One livestock inspection was conducted by an
116 inspector that had ten years of inspection experience; however, there were no indications
117 that this inspector had training or education specific to livestock operations.

118 8.4. Observation 4. CO: The organic certificate stated the operation was certified to the
119 Quebec standard (CARTV), but only equivalent to the COR and NOP equivalence
120 arrangement. The USCOEA applies to COR & NOP certified operations; the CARTV
121 standard is not included in the arrangement.

122 8.5. Observation 5. CO: The processor handles both organic and conventional products. The
123 identification of organic products at receiving is not tightly controlled. The only
124 indication that product received is organic is on the delivery schedule that indicates the
125 time and transport company (approved federation) who delivers the organic product. The
126 BOL does not indicate that the product is organic; there is no tag or identification on the
127 truck to indicate that the product is organic; and the processor does not verify that the
128 product is being received from certified organic farms, only that they ordered organic
129 product from the approved federation.

130 9. CLOSING MEETING

131 9.1. The review team conducted a closing meeting with COO officials in Quebec City,
132 Quebec, Canada on June 24, 2011. At the meeting, the U.S. review team provided a
133 complete summary and discussion of all observations in this report.

134 10. CONCLUSIONS AND RECOMMENTATIONS

135 10.1. It was generally observed that the accreditation and certification system implemented
136 through COPR is thorough and sufficiently oversees organic activities at COO, CVB and
137 CB levels.

138 10.2. The COO should prepare formal responses to the OBSERVATIONS portion of this
139 report, proposing actions to be taken to address any observations identified in this report.
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141 END OF REPORT