



1400 Independence Ave. SW
Room 2642 - South, STOP 0268
Washington, D.C. 20250

Settlement Agreement

THIS SETTLEMENT AGREEMENT is entered into by the United States Department of Agriculture (USDA) Agricultural Marketing Service (AMS), and Mr. Citrus Organics and Vegetables (Mr. Citrus).

USDA, AMS and Mr. Citrus have decided to compromise and settle the issues among them related to alleged violations of the Organic Foods Production Act of 1990 (7 U.S.C. §§ 6501 et seq.) (OFPA) and the USDA organic regulations (7 CFR Section 205).

Accordingly, the parties agree to the following:

1. The Secretary of Agriculture has jurisdiction in this matter.
2. USDA, AMS agrees not to issue a formal Administrator's Decision charging Mr. Citrus with alleged violations of the OFPA and the USDA organic regulations for any actions disclosed by the investigation which gave rise to this agreement.
3. Mr. Citrus admits to the following:
 - A. Accredited Certifying Agent Quality Certification Services (QCS) issued an October 13, 2015, Combined Notice of Noncompliance and Proposed Partial Suspension to Mr. Citrus in Arcadia, Florida. Mr. Citrus was given the opportunity to appeal the Notice and this Settlement addresses this Notice.
 - B. Mr. Citrus has been given the opportunity to consult with legal counsel regarding this Settlement, is executing this settlement of its own free will, and understands and accepts the terms of this Settlement.
 - C. No alteration or variation of the terms of this Settlement shall be valid unless made in writing and signed by both parties.
 - D. Mr. Citrus agrees that failure to comply with the settlement agreement shall automatically void paragraph 2 above, and that USDA, AMS may thereafter reinstitute the current administrative process.
4. Mr. Citrus agrees to the following:
 - A. On January 20, 2016, Mr. Citrus surrendered its organic certification with QCS. If Mr. Citrus applies for organic certification again in the future, Mr. Citrus agrees to provide a full list of materials with their intended uses as part of the application package.
 - B. If Mr. Citrus is granted organic certification in the future, Mr. Citrus agrees it will not use any substances on its land without gaining written approval from its certifying agent to use

the substance. Any requests for material use must include the specific purpose for which the substance will be used.

This agreement will become effective upon the appellant's signature below.

(b) (6)

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Vegetables

Date: 6-27-2016

Date: 6/27/2016


Miles V. McEvoy
Deputy Administrator, National Organic Program
USDA, AMS

PROPOSED SETTLEMENT AGREEMENT

APL-003-16