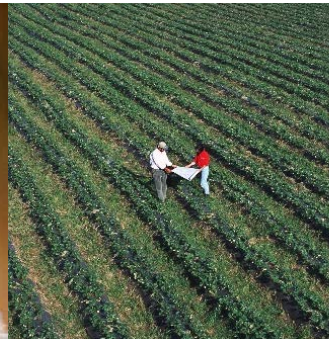




# Accreditation and International Activities Reminders

February 6, 2018

USDA Agricultural Marketing Service  
National Organic Program





## Reminders for Certifiers:

- Internal Program Review
- Annual Reports
- Mediation
- Settlement Agreements
- Switching Certifiers
- Sharing Information
- NOP Contacts

# Internal Program Review



§205.510(a)(4)

- Include NOP noncompliances and the implemented corrective actions.

NOP 2025 Internal Program Review 3.2

- (d) Assess prior findings and implemented corrective actions of prior program reviews.



## NOP 2025 Internal Program Review 3.1

- ❑ Internal program reviews are conducted by personnel different from those who perform certification activities.



§205.510(a)(3) 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;

- Annual Reports – Include status of NOP submitted corrective actions



## ☐ NOP 2024-1 Annual Report Checklist

### ***(e) Other information***

- Update on previous corrective actions accepted by NOP on issued noncompliances.

*Ex: NPXXXXA.NC1 – The updated Certificate template was incorporated and is being used to issue new certificates.*

- New satellite office: Provide the name, address, main contact person, and key certification activities being conducted for each new satellite office.

# Mediation



## §205.663

- Mediation requests are in writing
- 30 days to appeal from rejection or termination notification date
- Settlement agreements are the outcome of mediation

# Settlement Agreements



- ❑ Outcome of mediation – formal and informal mediation
- ❑ Settlement agreements must bring operations into full compliance.
  - Ex: Operator needs time to install fencing to provide outdoor access to livestock over 6 months of age.      3 weeks vs. 6 months



# Switching Certifiers



Ex: Sandy runs Eagle Fly Farm. She is certified by Patriotic Certifiers, and this year is switching to PhillyFan certification agency.

- When PhillyFan receives Eagle Fly Farm's application, what should they do....?
  - Contact Patriotic Certifiers
- When Patriotic Certifiers learns of the switch, what should they do... ?
  - Contact Eagle Fly Farm

# Sharing Information



## Certifier Protection of Confidential Information:

Do certifiers have permission to get information from other certifiers?

- *The regulations require certifiers to protect the confidentiality of their client business-related information.*
- *Certifiers are agents of the Secretary, so for enforcement purposes, they can exchange any compliance-related information that is credibly needed to certify, decertify, or investigate an operation.*
- *If a certified operation's proprietary business information is compliance-related and thus credibly needed to certify, decertify, or investigate that operation, certifiers may exchange that information for the purposes of enforcing the Act, but the information in question still retains its proprietary character even after it is exchanged and all of the certifiers that are involved in the exchange still have a duty to preserve the confidentiality of that information after the exchange.*

# NOP Contacts



- ❑ Noncompliance & Adverse Actions – [NOPACAAverseActions@ams.usda.gov](mailto:NOPACAAverseActions@ams.usda.gov)
- ❑ Compliance & Enforcement - [NOPCompliance@ams.usda.gov](mailto:NOPCompliance@ams.usda.gov)
- ❑ Appeals - [NOPAppeals@ams.usda.gov](mailto:NOPAppeals@ams.usda.gov)
- ❑ Accreditation Reports - [AlAinbox@ams.usda.gov](mailto:AlAinbox@ams.usda.gov)
- ❑ Accreditation Questions – AM email