

**USDA**

**National Organic Program**

# **U.S.-Mexico Import Certificate Requirement**

**Miles McEvoy, Deputy Administrator  
USDA Agricultural Marketing Service  
National Organic Program  
January 10, 2017**



# Background

## Global Market and Organic Control System



- Organic trade expanding
- U.S. and EU organic market over \$80 billion

### **USDA National Organic Program**

- Ensure that all organic products sold in the United States comply with USDA organic regulations

### **Certification and Accreditation**

- Certifiers verify that organic farmers and handlers comply with organic standards
- Accreditation body (AMS) ensures that certifiers are verifying production practices, conducting production/sales audits, and ensuring complete audit trail.

### **Compliance and Enforcement**

- Certifiers enforce the standards under their authority  
(Notice of Noncompliance, Notices of Suspension/Revocation)
- Competent authorities (governments) provide oversight and enforcement

# Organic Trade with Mexico



- Trade of organic products with Mexico is significant and growing
- In 2015...
  - **U.S. exports** of selected organic products to Mexico totaled \$154 million.
  - **U.S. organic imports** from Mexico totaled \$141 million, led by coffee, avocados, and bananas.
  - Harmonized Trade Codes do not track many organic products.
    - Organic import and export values are undoubtedly much higher.
- Traded products are currently certified to the USDA organic regulations
  - NOP accredited certifiers operating in Mexico
  - NOP certified organic operations in Mexico (1635)

# Organic Trade with Mexico

## Evaluating Organic Control Systems



- Technical exchange of information
  - SENASICA observed certifier audits
  - NOP observed apiculture, grower groups
- Peer review assessments
  - ISO 17011 criteria for competent authority (government)
  - ISO 17065 for control body (certifier)
- Negotiations
  - Identify, discuss, resolve issues

# Protecting Organic Integrity

## Joint Organic Compliance Committee



Established by AMS Administrator Starmer and SENASICA Director Sanchez Cruz in October 2016

### Primary Goals

- Strengthen compliance and enforcement
- Improve oversight and integrity of organic products

### Key Activities

- Track complaints
- Monitor trends in non-compliances
- Training for certifiers
- Market surveillance residue testing
- Support certifiers working in high security risk areas
- **Implement the use of import certificates in both countries**





# Import Certificates



## Current requirements

- Codex Guidelines
- IFOAM
- EU – Certificate of Inspection
- NOP Import Certificate

## Importance

- Verifies organic integrity of individual shipments
- Provides clear audit trail information to buyers and certifiers
- Provides organic inspectors with tools to verify compliance
- Provides AMS with ability to quickly trace organic products when residues or other issues are identified.

# NOP Import Certificate



## Development

- First developed for U.S. – European Union Organic Equivalency Arrangement (2012)
- Required for all organic imports coming from the 23 EU member countries, Japan, South Korea, and Switzerland

## Organic Imports from Mexico

- Implementation delayed until later this year
- Certified organic handlers:
  - in the U.S. – should receive import certificate
  - in Mexico – should make import certificate available
- Mexico plans to implement its requirement in early 2017

# NOP Import Certificate



REPRODUCE LOCALLY. Include form number and date on all reproductions. FORM APPROVED - OMB NO. 0581-0191

**USDA** U.S. DEPARTMENT OF AGRICULTURE  
AGRICULTURAL MARKETING SERVICE  
NATIONAL ORGANIC PROGRAM

**NOP IMPORT CERTIFICATE**

A knowingly false entry or false alteration of any entry on this certificate may result in a fine of not more than \$11,000 or imprisonment for not more than five years or both (18 USC 1001).

1. CERTIFIED TO \_\_\_\_\_ ORGANIC STANDARDS

2. CITY AND STATE OF PRODUCT DESTINATION \_\_\_\_\_

3. DATE \_\_\_\_\_

4. IMPORT CERTIFICATE NUMBER \_\_\_\_\_

5. EXPORTED BY (NAME AND ADDRESS)  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

6. PRODUCT EXPORTED FROM  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

7. RECIPIENT IN THE U.S. (NAME AND ADDRESS)  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

8. CERTIFYING BODY ISSUING CERTIFICATE (NAME AND ADDRESS)  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

9. TOTAL NET WEIGHT \_\_\_\_\_

10. TOTAL CONTAINERS \_\_\_\_\_

11. PRODUCT AS LABELED	12. HARMONIZED TARIFF CODE AS APPLICABLE	13. SHIPPING IDENTIFICATION	14. FINAL HANDLER	15. CERTIFYING BODY OF FINAL HANDLER
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

16. REMARKS AND ATTESTATIONS  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I CERTIFY that the agricultural products specified herein have been certified under an organic certification program that is at least equivalent to the requirements of the Organic Foods Production Act of 1990 (OFPA) (7 U.S.C. Sec. 6501 et seq.) and are therefore deemed by USDA to have been produced and handled in accordance with the OFPA and USDA organic regulations under the National Organic Program 7 CFR part 205.

17. SIGNATURE OF CERTIFYING BODY \_\_\_\_\_

18. DATE \_\_\_\_\_

- Fillable form
- Form and instructions available online:
  - NOP Handbook
  - International trade web pages



# Requests for NOP Import Certificate



U.S. certified organic handlers, importers and others will request NOP Import Certificate from the certifying agent.

## Steps:

- Identify the certified organic handler in Mexico.
- Determine certifier of the final certified organic handler.
- Contact the certifier and request an NOP Import Certificate.
- Provide the certifier with information necessary to complete the certificate.



U.S. DEPARTMENT OF AGRICULTURE  
AGRICULTURAL MARKETING SERVICE  
NATIONAL ORGANIC PROGRAM

## NOP IMPORT CERTIFICATE

A knowingly false entry or false alteration of any entry on this certificate may result in a fine of not more than \$11,000 or imprisonment for not more than five years or both (18 USC 1001).

1. CERTIFIED TO \_\_\_\_\_ ORGANIC STANDARDS

2. CITY AND STATE OF PRODUCT DESTINATION

3. DATE

4. IMPORT CERTIFICATE NUMBER

5. EXPORTED BY (NAME AND ADDRESS)

6. PRODUCT EXPORTED FROM

7. RECIPIENT IN THE U.S. (NAME AND ADDRESS)

8. CERTIFYING BODY ISSUING CERTIFICATE (NAME AND ADDRESS)

9. TOTAL NET WEIGHT

10. TOTAL CONTAINERS

11. PRODUCT AS LABELED

12. HARMONIZED TARIFF  
CODE AS APPLICABLE

13. SHIPPING IDENTIFICATION

14. FINAL HANDLER

15. CERTIFYING BODY OF  
FINAL HANDLER

16. REMARKS AND ATTESTATIONS

I CERTIFY that the agricultural products specified hereon have been certified under an organic certification program that is at least equivalent to the requirements of the Organic Foods Production Act of 1990 (OFPA) (7 U.S.C. Sec. 6501 et seq.) and are therefore deemed by USDA to have been produced and handled in accordance with the OFPA and USDA organic regulations under the National Organic Program 7 CFR part 205.

17. SIGNATURE OF CERTIFYING BODY

18. DATE

# Role of Certifiers



**When an NOP Import Certificate is requested, the certifier:**

1. Confirms organic certification status of the handler and each organic product.
2. Completes information on the NOP Import Certificate.
3. Signs the certificate.
4. Provides the signed certificate to the requestor.



## **No changes will occur at the Port of Entry!**

- No new documentation required at the port
- U.S. Customs and Border Protection (CBP) does not review NOP Import Certificates
- USDA's Animal and Plant Health Inspection Service (APHIS) does not review NOP Import Certificates

## **NOP Import Certificates are:**

- Checked at the certified handler
- Maintained as part of the certified handler's recordkeeping requirements

# US Certified Organic Handlers



- Certified organic handlers must have procedures in place to verify all organic products/ingredients received comply with USDA organic regulations.
- Implement processes to request an NOP import certificate for organic products shipped from Mexico
- If procedures are not in place, or not being followed, then the certifier will take appropriate action to ensure compliance with NOP Import Certificate requirements.

# Implementation Recap

## Organic Imports from Mexico



- Implementation delayed
- Certified handlers in Mexico should make an NOP Import Certificate available for organic products shipped to the U.S.
- Certified handlers in the U.S. should receive an NOP Import Certificate for organic imports from Mexico
- To locate certified handlers, access the Organic INTEGRITY Database at <https://organic.ams.usda.gov/Integrity>





- **International Trade Page for Mexico**  
<https://www.ams.usda.gov/services/organic/certification/international-trade-mexico>
- **Joint Organic Compliance Committee**  
<https://www.ams.usda.gov/services/enforcement/organic/joint-committee>
- **NOP Handbook** (includes Import Certificate)  
<https://www.ams.usda.gov/rules-regulations/organic/handbook>