Instruction
Accreditation Policies and Procedures

1. Purpose and Scope

This instruction provides general policies and procedures for organizations seeking accreditation to the U.S. Department of Agriculture (USDA) organic regulations, which are administered by the National Organic Program (NOP). Organizations that are accredited are called accredited certifying agents, or certifiers. The NOP Accreditation Division applies policies and procedures to determine and maintain certifier accreditation. This instruction applies to U.S. and foreign organizations who wish to obtain, maintain, or renew accreditation. In 2023, the Strengthening Organic Enforcement final rule (88 FR 3548) updated many sections of the organic regulations, including the requirements for accreditation.

2. Responsibilities

2.1 AMS Administrator

The AMS Administrator is responsible for executing the USDA organic regulations and making final appeals decisions affecting certifiers and certified operations located in States without established State Organic Programs.

2.2 NOP Deputy Administrator

The NOP Deputy Administrator is responsible for accrediting and assessing certifiers, providing guidance and training to certifiers, and reinstating suspended accreditations. The Deputy Administrator may assign specific tasks related to these activities to qualified NOP personnel but retains final responsibility for their proper execution.

2.3 Accreditation Division (AD)

The AD is responsible for administering the NOP's accreditation activities. These activities include, but are not limited to:

a. Determining, planning and managing audits of certifiers and applicants for accreditation;
b. Directing Accreditation Committee activities pursuant to NOP 2012 Accreditation Committee Instruction;
c. Recommending accreditation, suspension, or revocation of certifiers to the NOP Deputy Administrator;
d. Notifying applicants for certification of accreditation decisions; and
e. Making publicly available all certifiers' current accreditation statuses.

The AD Director may delegate specific tasks related to these activities to qualified NOP personnel, other AMS Programs, or qualified State or private organizations, but retains final responsibility for their proper execution.

2.4 Accreditation Committee

The Accreditation Committee reviews new and renewal accreditation applications as well as other select decisions, including, but not limited to, corrective actions, scope expansion or reduction, and proposed suspensions and revocations. The Accreditation Committee prepares recommendations to the NOP Deputy Administrator for final accreditation decisions.

The Accreditation Committee is comprised of NOP personnel who have experience with applying the USDA organic regulations, agricultural production and processing practices, and/or evaluating audit-based certification programs.

2.5 Auditors

Auditors conduct accreditation audits under the direction of the AD Director. Auditor responsibilities include:

a. Planning, conducting and reporting the results of pre-onsite quality manual audits (desk audits);
b. Planning, conducting, and reporting the results of pre-decisional, mid-term, and renewal audits, and notifying applicants for accreditation in advance of the names of the audit team members, to allow any certifier to object to the appointment of any team member;
c. Providing audit estimates based on published hourly user fees and travel expenses for accreditation-related services provided by the NOP; and
d. Other duties as determined appropriate by the AD.

2.6 Certifiers

Certifiers are responsible for:

a. Meeting the applicable requirements of the USDA organic regulations;
b. Providing access to information, documents, and records as necessary for the audit and maintenance of accreditation;
c. Providing access to documents that provide insight into a certifier's level of independence and impartiality from its related bodies, where applicable;
d. Arranging witness and/or review audits and operational visits of certified operations or applicants as requested by the NOP or authorized auditors; and
e. Attending required NOP trainings.

3. Accreditation Process

This section outlines the accreditation procedures for applicants for accreditation and certifiers that certify organic operations pursuant to the USDA organic regulations.

3.1 Eligibility

Accreditation services are available regardless of the number of certifications to be issued by an applicant for accreditation. Accreditation is not conditioned on the number of certifications issued, agency size, or membership in any association.

a. Nondiscrimination

USDA prohibits discrimination on the bases of race, color, religion, sex, age, national origin, marital status, sexual orientation, familial status, disability, limited English proficiency, or because all or a part of an individual's income is derived from a public assistance program. Persons with disabilities who require alternative means for communication of program information (Braille, large print, audio tape, etc.) should contact USDA's TARGET Center at (202) 720-2600 or (844) 433-2774 (toll-free nationwide). To file a complaint of discrimination, write to USDA, Director, Center for Civil Rights Enforcement, 1400 Independence Avenue SW, Washington, DC 20250-9410, or call (202) 632-9992. USDA is an equal opportunity service provider and employer.

b. Travel restrictions

NOP accreditation is not available to certifiers that are based only in or conduct key activities in areas where the U.S. Department of State has issued travel warnings, travel alerts, or other restrictions that could affect the health, safety, or security of Federal employees. Applicants for accreditation that are affected by such warnings, alerts, or restrictions will be denied consideration and have their applications and fees returned.

If an audit of a certifier cannot be conducted as required by the regulations due to U.S. Department of State travel warnings, travel alerts, or other restrictions, the NOP may suspend the certifier's accreditation until conditions change and/or restrictions are lifted. The NOP will explore alternative methods for conducting audits but if no viable alternatives exist, accreditation will be suspended.

c. Accreditation Audit Cycle of Certifiers

Table 1 below illustrates the type and frequency of AD accreditation audits during the five-year accreditation cycle. Actual timeframes during which the audits occur may differ based on the certifier's previous audit. Renewal audits are conducted as close as possible to the five-year accreditation anniversary date.

Table 1 – Audit Cycle

Application Stage		Initial 5-Year Cycle	Subsequent 5-Year Cycles
0-3 months: Documentation adequacy review	3-9 months: Pre-decisional audit	0-24 months: Initial audit	24-36 months: Mid-term audit
		54–72 months: Renewal audit	54–72 months: Renewal audit

4. Accreditation Applications

Initial accreditation applicants and certifiers seeking accreditation renewal must submit an application package to the AD according to procedures described below.

4.1 Application Package

The application package must be submitted in English, and must include:

a. All supporting documents and procedures required by §§ 205.503-505,[1] and fees required by § 205.640;
b. A signed copy of TM-10CG Application for Accreditation;
c. A signed copy of LPS-109 Application for Service; and
d. A $500 application fee in the form of a check or money order made payable to "AMS." Contact the NOP for submission of electronic payments.

Submit the application package to AIAInbox@ams.usda.gov.

Contact the NOP for instructions on submitting electronic documents to an approved USDA cloud computing system.

If the application cannot be submitted electronically, it may be submitted to:

USDA, AMS, National Organic Program
c/o NOP Accreditation Division
1400 Independence Avenue, SW
Room 2648, Mail Stop 0268
Washington, DC 20250
Email: AIAInbox@usda.gov

[1] Section 205.503(e) includes countries where operations are certified through cooperative agreements and inspections are contracted with other certifiers.

4.2 Renewal Application Planning

Certifiers must renew their accreditation or surrender their certificate of accreditation pursuant to § 205.510 of the regulations. Certifiers must apply to renew their accreditations 1 year to 6 months prior to the anniversary date of their accreditation period, or risk a lapse in their accreditation.

4.3 Processing Applications

The AD reviews all initial and renewal applications to determine whether all the required information was submitted, and whether the applicant is affected by any of the travel restrictions described in Section 3.1 above. The NOP will notify the applicant whether the application is accepted or denied. If it is accepted, it will be referred to auditors to conduct a document adequacy review.

4.4 Accepted Applications

The objective of the documentation adequacy review is to evaluate the applicant or certifier's documented quality manual's compliance with the Organic Foods Production Act of 1990, as amended (OFPA), the USDA organic regulations, the National Organic Program Handbook, and any other identified requirements. The review is conducted before an onsite audit. Its scope is based on the scope of each audit.

The documentation adequacy review for initial and renewal applications is conducted as follows:

a. The AD Director selects and assigns auditors to conduct the review. The auditors may request additional information from the applicant. The applicant must respond to an auditor's request for additional information within the designated timeframe. All auditor requests must be adequately addressed for the applicant to be further considered for accreditation.
    i. If the applicant does not respond, or submits inadequate information, the auditor will notify the AD Director that they are unable to complete the review due to insufficient information. The AD will then send the applicant a Notice of Denial of Accreditation citing § 205.502 as the reason, and stating that the review has been discontinued due to insufficient or inadequate information.
    ii. For initial applicants, the auditor will complete the review and submit a report for review within 90 days of receipt of the application package. The AD Director will review the report for content and clarity, and will contact the auditor for clarifications if necessary. Based on the results of the review, a pre-decisional onsite audit, or renewal audit, as applicable, will be scheduled. Or, denial of accreditation will be issued.
    iii. For renewal applicants, the auditor will schedule an onsite audit and present all findings to the renewal applicant at the completion of the onsite audit.

5. Types of Onsite Accreditation Audits

5.1 Pre-decisional Audit

a. A pre-decisional audit is conducted within six months of completion of the document adequacy review to determine if the applicant is capable of complying with the OFPA and USDA organic regulations.
b. The audit team reviews key activities, conducts witness and review audits, interviews certification personnel, and reviews certification files.
c. This audit is conducted in accordance with the procedures described in this instruction.
d. Accreditation may be granted as a result of the pre-decisional audit. If granted, AMS will issue the accreditation certificate at this time.

5.2 Initial Audit

a. After accreditation is granted, an initial audit is conducted to determine if the certifier is complying with the audit criteria and has the competence required by the audit criteria scope. The initial audit also verifies the implementation and effectiveness of any corrective actions. It includes a review of the certifier's key activities, witness audits, review audits, certification personnel interviews, and certification file reviews.
b. The initial audit is conducted within two years of the date of accreditation during the initial five-year accreditation cycle (see Table 1).

5.3 Mid-term Audit

a. At the mid-term audit, the audit team reviews the certifier's key activities, verifies the implementation and effectiveness of corrective actions, conducts witness audits and review audits, interviews certification personnel, reviews certification files, and conducts any other activity as directed by the AD.
b. A mid-term audit is normally conducted between 24 and 36 months from the date of accreditation or accreditation renewal.
c. This audit is conducted in accordance with the procedures described in this instruction.

5.4 Renewal Audit

a. The renewal audit is conducted to determine if the certifier is complying with the regulations, to verify the implementation and effectiveness of any corrective actions taken, and to determine whether the certifier has maintained the competence required by the regulations.
b. The renewal audit is conducted between 6 months before and 12 months after the anniversary date of the certifier's accreditation.
c. This audit is conducted in accordance with the procedures described in this instruction.

5.5 Audit Planning Guide

The Audit Planning Guide in Table 2 may be used as a tool to estimate the number of days to complete an audit. The presence of additional auditors may decrease the audit time.

Table 2 – Audit Planning Guide

Standard Duration (days)				Total
Pre-Onsite	2			
Onsite	2			
Witness inspection and/or review audits	1			
Time Increase Factors				
Number of countries with certified operations	1	additional countries		
	+ 0 days	+ 1 day per country		
Number of certified operations	< 100	100-1000	> 1000	
	+ 0 days	+ 1 day	+ 2 days	
			TOTAL DAYS	
Number of auditors	1	1 -2	2	

Example:
Certifier has:

- 4 countries where certified operations are located
- 1,500 operations

Audit Planning Guide- Example

Standard Duration (days)				Total
Pre-Onsite	2			2
Onsite	2			2
Witness audit and/or review audits	1			1
Time Increase Factors				
Number of countries with certified operations	1	additional countries		4
	+ 0 days	+ 1 day per country		
Number of certified operations	< 100	100-1000	**> 1000**	2
	+ 0 days	+ 1 day	**+ 2 days**	
			TOTAL DAYS	**11**

Example:
Certifier has:

- 1 country where certified operations are located
- 75 operations

Audit Planning Guide- Example

Standard Duration (days)				Total
Pre-Onsite	2			2
Onsite	2			2
Witness audit and/or review audits	1			1
Time Increase Factors				
Number of countries with certified operations	1	additional countries		0
	+ 0 days	+ 1 day per country		
Number of certified operations	< 100	100-1000	**> 1000**	0
	+ 0 days	+ 1 day	**+ 2 days**	
			TOTAL DAYS	**5**

6. Onsite Audits

The objective of the onsite audit is to verify that the certifier has sufficient expertise in organic production and handling, and has the ability to comply with the USDA organic regulations. The audit team assesses a combination of certification offices (defined as "any site or facility where certification activities are conducted, except for certification activities that occur at certified operations or applicants for certification, such as inspections and sampling" under § 205.2) and certification files, and conducts witness inspections or operational visits to make this determination.

6.1 Pre-onsite review

Planning and preparing for the onsite audit can improve the efficiency of the audit. Numerous items can be reviewed prior to the onsite audit, including:

a. Quality Manual;
b. Policy and Procedure Manual;
c. Annual Reports;
d. Previous audit report; and
e. Certification files (at least one file should be selected onsite).

6.2 Onsite Audit Process

Onsite audits include activities described in § 205.508. The audit team consists of a lead auditor and may include additional auditors or technical experts as determined by the scope of the audit. Employees and technical experts who have provided consultancy services or were employed by the certifier within two years of the audit may not participate in the audit.

Onsite audits are conducted in accordance with clause 6 of "ISO/IEC 19011: 2011 Guidelines for auditing management systems," clause 7 of "ISO/IEC 17011: 2004 Conformity assessment—

General requirements for accreditation bodies accrediting conformity assessment bodies," these accreditation policies and procedures, and other applicable documents.

6.3 Onsite Review

If the certifier operates certification offices in addition to its main office, then all of its offices are assessed to ensure that sufficient objective information is collected to verify that the certifier's program quality manual system and NOP certification requirements are effectively implemented and requirements are met.

a. The audit team assesses the certifier at the location(s) where it performs certification activities. Certification activities include, but are not limited to:
   i. Certification management;
   ii. Administration;
   iii. Application review;
   iv. Inspection planning;
   v. Inspections;
   vi. Sampling;
   vii. Inspection report review;
   viii. Material review;
   ix. Label review;
   x. Records retention;
   xi. Compliance review;
   xii. Investigating complaints and taking adverse actions;
   xiii. Certification decisions;
   xiv. Issuing transaction certificates;
   xv. Policy formulation;
   xvi. Process and/or procedural development;
   xvii. Contract review;
   xviii. Review, approval, and decision-making on the results of inspections;
   xix. Adverse action decisions;
   xx. Material, ingredient, and input review, approval and decision-making; and
   xxi. Label review, approval, and decision-making.

b. Pre-decisional Audits
   i. The audit team visits all certification offices under the scope of the accreditation.

c. Mid-term and Renewal Audits
   i. The audit team visits the certifier's main office during each onsite audit.
   ii. The audit team also selects other certification offices to visit based on the certifier's total number of certification offices.
   iii. All of the certifier's certification offices are assessed during the five-year accreditation cycle.

7. Witness and Review Audits

Witness and review audits are typically part of a larger onsite audit of the certifier. These can also be conducted independently of onsite accreditation audits. Examples include inspections to support complaint investigations, corrective action verifications, or those directed by the AD Director.

Witness and review audits are selected based on the number of certified operations per scope and the geographical areas of operation. For certifiers with certification offices in addition to the main office, a witness inspection or a review audit will ultimately be conducted at each office. For certifiers with broad geographic reach, audits will be conducted at representative sites across that area. If a certifier certifies grower groups, at least one grower group must be selected as a witness or review audit within the 5-year accreditation cycle.

7.1 Witness Audits

Witness audits assess the performance of the certifier and the inspector(s) in verifying an operation's compliance with the regulations, and determine whether the operation's Organic System Plan (OSP) accurately reflects its practices. Specifically, a witness inspection ascertains whether the inspector(s) conducted the activities required by § 205.403(d)-(f).

a. A witness audit of an operation must be an actual inspection, not a demonstration.
b. One operation may be selected to witness audit multiple scopes of accreditation.
c. A representative of the operation must be present at all times during the witness inspection.
d. In addition to practices and procedures, the audit team should assess whether the inspector reviewed the operation's corrective actions for any previously cited noncompliances.
e. Except for brief introductions, the audit team should refrain from asking questions or making comments during a witness audit. Questions or comments from the operation are to be directed toward the inspector or certifier's representative.
f. The audit team may choose to leave a witness audit before the inspection is complete if sufficient information has been collected.

7.2 Review Audits

Review audits assess a certifier's ability to fully comply with and implement an NOP certification program, assess the certifier's oversight of the operation, and determine whether the operation's compliance with the regulations observed during the review audit matches the findings in the inspection report.

a. A review audit is not a witness audit. Rather, it is a broadly scoped visit by the NOP audit team with the operator to assess the certifier's certification and oversight of the operation.
b. Auditors lead the review audit, conducting interviews with the operation's representatives and other relevant persons.

c. Auditors should conduct a brief introductory meeting describing the purpose of the review audit, and a brief exit meeting with the operator to thank them for their participation. Auditors are to conduct a separate exit interview with the certifier to discuss the auditors' findings.
d. Auditors may use the review audit to investigate issues identified during the pre-onsite review or the onsite audit.
e. The audit team may interview the operation's personnel to ask about the certifier's oversight activities.
f. When possible, auditors should assess whether the operation has implemented corrective actions for noncompliances identified by the certifier, and how the certifier oversees the corrective action process.
g. Auditors can follow up with the certifier to clarify review audit events.
h. The audit team must complete NOP 2005-6 Audit Checklist – Review Audit when conducting a review audit.

8. Certification File Review

The audit team conducts full and partial certification file reviews. This process should be started before the onsite audit. All of the following items will be reviewed for full file reviews; for partial reviews, the audit team will determine which item(s) to review based on findings identified during the audit:

a. File documentation (e.g., signed contracts, updated OSPs, inspection reports, decision sheets, label approvals, copies of certificates of organic operations, and other correspondence) is complete and up to date;
b. Reports include sufficient information needed to make a certification decision, and decisions made by the certifier are appropriate with the evaluation of the certified operations' OSPs, as applicable, and inspection reports;
c. The certifier has monitored the implementation of all necessary corrective actions that it requested from each certified operation; and
d. The certifier is operating in accordance with relevant audit criteria, such as using appropriate personnel in the certification process, label compliance, handling of adverse actions, etc.

8.1 Certification File Review Requirements

- Pre-decisional Audit Certification File Review

Certification files are selected for the purpose of verifying the applicant's ability to comply with its quality manual procedures, as required by §§ 205.503 and 205.504 of the regulations.

- Initial or Renewal Audit Certification File Review

The audit team selects certification files for review based on:

i. The scopes of certification conducted by the certifier. If the certifier certifies producer groups ("grower groups") at least one complete producer group file should be reviewed during the pre-decisional review, initial, mid-term and renewal audits;
ii. The geographic area(s) where the certifier certifies operations;
iii. Files the AD Director requests for review; and
iv. A number of files, based on the number of certified operations, as outlined in Table 3.

Table 3 – Initial or Renewal Audit Certification File Review

Number of certified operations	Number of files to be reviewed
100 or less	Between 7 and 10, 6 of which must be full reviews
101 - 240	11 or 12, 10 of which must be full reviews
241 - 400	Between 13 and 15, 10 of which must be full reviews
401 - 1000	Between 16 and 20, 10 of which must be full reviews
More than 1000	Between 21 and 25, 10 of which must be full reviews

- Mid-Term Audit Certification File Review

The audit team selects certification files for review based on:
i. The scopes of certification conducted by the certifier;
ii. The geographic area(s) where the certifier certifies operations;
iii. Files the AD Director requests for review; and
iv. A number of files, based on the number of certified operations, as outlined in Table 4.

Table 4 – Mid-term Audit Certification File Review

Number of certified operations	Number of files to be reviewed
100 or less	Between 5 and 7, 5 of which must be full reviews
101 - 240	Between 8 and 10, 6 of which must be full reviews
241 -400	11 or 12, 6 of which must be full reviews
401 - 1000	Between 13 and 15, 6 of which must be full reviews
More than 1000	Between 16 and 20, 6 of which must be full reviews

9. Audit Reports

Within 30 days of completing the audit, the audit team must prepare and submit to the AD Director a detailed report of the audit using the audit report template. The report must provide information on General Agency Information, Personnel, Certification Process, Administrative

Procedures, Fee Structure, Witness Inspections, and Findings, including the status of the effectiveness and implementation of corrective actions for previously cited noncompliances.

9.1 Review and Approval of Audit Reports

The AD Director reviews and approves the audit report and ensures the certifier receives a copy.

a. If the audit report identifies noncompliances, a Notice of Noncompliance is issued to the certifier requesting proposed corrective actions within 30 days of receiving the Notice.
b. If no noncompliances are identified, then reports associated with pre-decisional or renewal audits are forwarded to the Accreditation Committee. For Mid-term audits, a Notice of Continued Accreditation is issued to the certifier.

10. Corrective Action Review

a. The certifier is responsible for submitting sufficient corrective actions within designated timeframes when requested by the AD.
b. The AD reviews the certifier's proposed corrective actions and determines whether the noncompliances were adequately addressed. A corrective action report is prepared and a copy is provided to the certifier.
    i. Corrective action reports associated with initial or mid-term audits result in appropriate notices being issued.
    ii. Corrective action reports associated with pre-decisional and renewal audits are sent to the Accreditation Committee.
c. It is necessary to periodically conduct an onsite compliance audit to verify the implementation and effectiveness of corrective actions.
d. The NOP Deputy Administrator is responsible for either granting or denying accreditation, and may propose adverse actions for any unresolved noncompliances.

11. Accreditation Committee Review

The Accreditation Committee reviews new and renewal accreditation applications as well as other select decisions, including scope expansion and reduction, and proposed suspensions and revocations. The Accreditation Committee prepares recommendations to the NOP Deputy Administrator for final accreditation decisions.

12. Accreditation Decision

The NOP Deputy Administrator either grants or denies accreditation. Decisions are based on the Deputy Administrator's review of the information submitted in accordance with § 205.506(a)(3), the audit report, the Accreditation Committee's recommendation, and any other relevant supporting documentation.

a. Initial accreditation is granted for a period of five years from the date accreditation is approved.
b. An unexpired accreditation is renewed for a period of five years from the end date of the previous accreditation term.

The AD notifies the certifier of the decision and issues the appropriate notice.

13. Publication of Accreditation Status

Upon initial accreditation or any change in a certifier's accreditation status, the AD updates and makes publicly available the accreditation status on the NOP Web site at http://www.ams.usda.gov/nop. This includes:

a. The name and address of the accredited certifier;
b. The date of granting accreditation;
c. Scopes of accreditation;
d. The certificate of accreditation,
e. The most recent audit report; and,
f. Areas of operation (states and countries).

14. Submission of Information

Certifiers must submit changes to policies, procedures, and operating protocols to the AD, pursuant to § 205.510(a);

Certifiers must maintain current and accurate data in the Organic Integrity Database for each operation which they certify, pursuant to § 205.501(a)(15).

15. Changing the Scope of Accreditation

Certifiers may request to add or remove scopes of accreditation at any time by submitting a new application to the AD.

15.1 Extending the Scope of Accreditation

Certifiers must submit a new application that covers the added scope. A quality manual review is conducted and a pre-decisional onsite audit must be conducted prior to extending the scope. The pre-decisional onsite audit may be conducted independently or in conjunction with a mid-term, renewal, or other audit, as deemed appropriate by the AD Director.

15.2 Reducing the Scope of Accreditation

a. The AD reviews the request and prepares a report for review by the NOP Deputy Administrator.
b. Once approved, the certifier's certificate of accreditation, list of certified operations, and any other relevant information, is updated to reflect its reduction in scope.

16. Cessation of Certification Activities

A certifier whose accreditation is surrendered, suspended or revoked must adhere to the requirements described in § 205.665.

16.1 Suspending or Revoking Accreditation

When a certifier fails to comply with the regulatory requirements for accreditation, the NOP Deputy Administrator follows the noncompliance procedures described in § 205.665.

16.2 Proposed Suspension or Revocation (7 CFR 205.665(c))

When a rebuttal is unsuccessful or correction of a noncompliance is not completed within the prescribed time period, the NOP Deputy Administrator shall send a written notification of proposed suspension or revocation of accreditation to the certifier. The notification of proposed suspension or revocation shall state whether the certifier's accreditation or specified areas of accreditation are to be suspended or revoked. When correction of a noncompliance is not possible, the notification of noncompliance and the proposed suspension or revocation may be combined in one notification.

16.3 Contents of the Notification of Proposed Suspension or Revocation

The proposed suspension or revocation of accreditation will state:

a. The reasons for the proposed suspension or revocation;
b. The proposed effective date of the suspension or revocation;
c. The impact of a suspension or revocation on future eligibility for accreditation; and
d. The right to file an appeal pursuant to § 205.681.

16.4 Willful Violations

If the NOP Deputy Administrator has reason to believe that a certifier has willfully violated the OFPA or USDA organic regulations, the NOP Deputy Administrator will send a written notice of suspension or revocation of accreditation to the certifier.

16.5 Suspension or Revocation

When the certifier fails to file an appeal of the proposed suspension or revocation of accreditation, the NOP Deputy Administrator will send a written notice of suspension or revocation of accreditation to the certifier.

16.6 Surrendering Accreditation

Certifiers who no longer wish to maintain their NOP accreditation must surrender their accreditation by submitting a written notification to the AD Director.

Certifiers who discontinue certification services without notifying the NOP and do not surrender their certificate of accreditation or provide the NOP with records of their certification activities

will be issued a Notice of Noncompliance and Proposed Revocation for failure to comply with § 205.505.

16.7 Cessation of Certification Activities – Certification Clients

A certifier whose accreditation is suspended, revoked or surrendered must cease all certification activities in each scope and area of accreditation for which its accreditation is suspended, revoked or surrendered. Additionally, it must transfer its clients to USDA and make available any records concerning its certification activities that were suspended, revoked or surrendered.

The NOP will work closely with certifiers before the suspension, revocation, or surrender date to ensure that the certifier's clients have either found new certifiers or are in the process of surrendering their certification. Certification clients that do not respond will be issued the proper notices of noncompliance, proposed suspension, and suspension.

17. Appeals

Persons, as described in §§ 205.680 and 205.681 of the regulations, may appeal an adverse action such as a denial of certification or Notice of Proposed Suspension or Revocation to the AMS Administrator. Appeals must be filed in writing within 30 days of receipt of the Notice, and in accordance with the requirements described in §§ 205.680 and 205.681. They must be addressed to:

USDA AMS NOP
c/o NOP Appeals Team
1400 Independence Avenue, SW
Room 2642, Stop 0268
Washington, DC 20250

Appeals may also be submitted electronically to: NOPAppeals@usda.gov

18. Complaints

a. Complaints Regarding AD Accreditation Activities and Certifiers

Any person or organization may submit a formal complaint to the AD regarding the NOP's accreditation activities or an accredited certifier. By definition, a complaint is any expression of dissatisfaction, other than the appeal of an accreditation decision. Complaints regarding violations of the OFPA or USDA organic regulations by certifiers should be submitted to the Compliance & Enforcement Division.

To be accepted by AD as a formal complaint, the complaint must:

a. Be in writing;
b. State that it is a complaint;
c. Be submitted in English;

d. Be specific and include appropriate objective evidence to substantiate any claim of dissatisfaction with the NOP's accreditation activities and/or a certifier; and
e. Be submitted within 90 days of the date the facts giving rise to the complaint became known to the complainant.

Complaints should be submitted by email to AIA.Inbox@usda.gov, or by mail to the address in Section 4.1 of this Instruction.

Upon receipt of the complaint, AD will review the complaint to determine whether it meets the above criteria. If it does not, the complainant will be notified in writing, within 10 days of receipt, that the complaint has not been accepted along with the reasons why. If the complainant is informed that their complaint has not been accepted, the complainant may revise the complaint or provide additional information, and resubmit it.

Upon acceptance by AD as a formal complaint, AD will ensure that the complaint is addressed in a timely manner. The NOP will notify the complainant once the complaint has been resolved. The written notification may include an explanation of how the complaint was addressed and the actions taken to resolve the issues.

19. Accreditation Fees

Accreditation fees are assessed pursuant to §§ 205.640, 205.641, and 62.300, and 62.301, as appropriate.

20. Contact Information

For more information regarding NOP accreditation policies and procedures contact:

Director, Accreditation Division
USDA, AMS, NOP
1400 Independence Avenue, SW
Room 2648, Stop 0268
Washington, DC 20250
Email: AIAInbox@usda.gov

21. References

USDA Organic Regulations (7 CFR Part 205)

7 CFR 205.2 Terms Defined

> *Certification activity.* Any business conducted by a certifying agent, or by a person acting on behalf of a certifying agent, including but not limited to: certification management; administration; application review; inspection planning; inspections; sampling; inspection report review; material review; label review; records retention; compliance review;

investigating complaints and taking adverse actions; certification decisions; and issuing transaction certificates.

Certification office. Any site or facility where certification activities are conducted, except for certification activities that occur at certified operations or applicants for certification, such as inspections and sampling.

Person. An individual, partnership, corporation, association, cooperative, or other entity.

7 CFR 205.403 On-site inspections.
7 CFR 205.503 Applicant information.
7 CFR 205.505 Statement of agreement.
7 CFR 205.508 Site evaluations.
7 CFR 205.510 Annual report, recordkeeping, and renewal of accreditation.
7 CFR 205.640 Fees and other charges for accreditation.
7 CFR 205.641 Payment of fees and other charges.
7 CFR 205.665 Noncompliance procedure for certifying agents.
7 CFR 205.680 General.
7 CFR 205.681 Appeals.

NOSB Recommendations

November 2008 Meeting, Final NOSB Recommendation on Certifying Operations with Multiple Production Units, Sites, and Facilities under the National Organic Program.

Other Laws, Regulations and Standards

7 CFR 62.300 Fees and other costs for service.
7 CFR 62.301 Payment of fees and other charges.

International Organization for Standardization (ISO)/International Electrotechnical Commission (IEC) 17011 – Conformity Audit – General requirements for accreditation bodies accrediting conformity assessment bodies: 2004

ISO 19011:2002, Guidelines for quality and/or environmental management systems auditing

NOP Program Handbook: Guidance and Instructions for Accredited Certifying Agents and Certified Operations

NOP 2005 NOP Accreditation Assessment Checklist
NOP 2005-4 Witness Inspection Checklist
NOP 2005-6 Audit Checklist – Review Audit
NOP 2012 Accreditation Committee Procedure
NOP 4001 Complaint Handling Procedures

Other References:

Form TM-10CG - Application for Accreditation
Form LPS-109 - Application for Service

Attachment A

Instructions for Completing TM-10CG Application for Accreditation

Form TM-10CG must be included in the accreditation application package for both initial and renewal applications. While the TM-10CG does not need to be submitted with annual updates, certifiers must notify the AD in writing any time information submitted on this form changes due to business relocations, personnel changes, or other events.

Except where noted, all applications must include the following basic business information:

a. Under "Business Name, Mailing Address, and Primary Office Location," print or type the name of the accreditation applicant, and the applicant's primary office location and address (include both mailing and physical addresses, if different).
b. Under "Name of person responsible for day-to-day operations" and "Title of person responsible for day-to-day operations," enter the name and title of the primary contact person responsible for the applicant's day-to-day operations.
c. Under "Tax ID," enter the applicant's tax identification number.
d. Under "Telephone Number" and "Fax Number," enter the telephone and facsimile numbers of the primary office location or of the primary contact person.
e. Under "E-Mail address," enter the applicant or primary contact person's email address.
f. Enter the estimated number of operations the applicant plans to certify annually for each area of operation (crops, livestock, wild crop, and handling).
g. Check the type of entity applying for accreditation (e.g., Government, For-profit Business, Not For Profit Business, or Other).
h. After reading the affirmation statements, print or type the name and title of the person signing the form, and sign and date the form.

Attachment B

Instructions for Completing LPS-109 Application for Service

Form LPS-109 must be included in the accreditation application package for both initial and renewal applications. It provides the USDA Livestock, Poultry and Seed Program, which conducts documentation adequacy reviews as directed by NOP, with the authority to charge for its services. While the LPS-109 form does not need to be submitted with annual updates, certifiers must notify the AD in writing any time the billing address or the responsible party for the certification body changes.

To complete Form LPS-109:

a. Under "Name of Applicant" and "Billing Address," enter the name and address of the person to whom accreditation billing information should be sent. This may be a street address or a post office box number.
b. Under "Physical Address of Service Location," print or type the street address where the certifier's office is located. Onsite audits will be conducted at this location. Do not use a post office box number. If the certifier maintains more than one office, this information should be included in another part of the application package.
c. Under "Tax ID Number" print or type the applicant's tax identification number.
d. Under "Telephone Number," print or type the phone number of the applicant or representative who signs the form.
e. Under "Email Address," print or type the email address of the applicant or representative who signs the form.
f. Under "Grading Services," "Type of Service Required," check the box next to "Other" and print or type "Organic Accreditation." Under "Verification Services," "Type of Service Required," check the box next to "Other" and print or type "Certifying Agent."
g. Leave the box labeled "Legal Status" blank. This information is collected elsewhere.
h. Leave the box labeled "Financial Interest in Product" blank. This information is not applicable to NOP accreditation.
i. Print the form, and under "Signature of Applicant or Representative," sign the completed form. Enter the date under "Date."
j. Under "Print or Type Name of Signee," print or type the name of the person who signed the form.