



All certification documents are published on the Bioagricert website [www.bioagricert.org](http://www.bioagricert.org) or sent via ordinary mail to **the Applicant without access to internet**; Applicants for certification are advised to consult the documents published on the NOP official website.

**NOP Official Standard** (Organic Regulation), **NOP Handbook** (NOP Policies; Guidance) and **NOSB Recommendation** are available on NOP website: <http://www.ams.usda.gov/AMSV1.0/nop>; please visit NOP website or request to Bioagricert NOP documents

**Program Handbook - Overview.** The goal of the Handbook is to provide those who own, manage, or certify organic operations with guidance and instructions that can assist them in complying with the USDA organic regulations. It is important to note that the National Organic Program (NOP) Handbook is non-binding and any citation issued needs to reference the USDA organic regulations.

### Bioagricert - NOP Certification Steps

#### Step 1 – Application (NOP §205.401) and Fees

Producers and/or handlers adopts organic practices and submit Application (including OSP) and fees to Bioagricert.

The Bioagricert Application documents are:

**1. Application Form**

Ref. Master: 083-A (IT; EN;ES): Producers or livestock; 083-C (IT; EN;ES): Processors; 080 Producers and/or livestock (IT; EN;ES);

**2. Organic system plan (NOP §205.201):** it is a detailed description of the farm activity.

Ref. Master: 81-C(IT; EN) 79 (ES); processors; 080 Producers and/or livestock (IT; EN; ES);

These documents specify the rules to be followed in order to comply with the NOP regulations.

**Annex to OSP:** M 24 - Recipe (EN; ES;IT); M 27 – Suppliers List ((EN; ES;IT)

**3. Request of NOP certification:** the Operator, with this document, specify the product to be certificated.

Ref. Master: 082-A Producers and/or livestock (EN; ES); 082-B livestock (IT); 082-C processors (IT; EN;ES).

#### IMPORTANT NOTE: ACCESS TO THE CERTIFICATION AND CONTROL SYSTEM

If Bioagricert believes it is not able to certify the operator, due to the field of application, the location or any other particular reason as the language used, it communicates to the Operator that his application request is rejected, according to Bioagricert Regulation.

For the other countries (except Mexico), Bioagricert requires that there would be a qualified person in the staff of the company who speaks English and local language.

## BIOAGRICERT - ITER TO OBTAIN NOP CERTIFICATION – Issue date: 15-05-2014

### Step 2 - Review of the Application, including Organic System Plan (OSP) (NOP §205.402)

Bioagricert Evaluator reviews the application for completeness and determines if the OSP appears to comply with the regulations, e.g.:

- all inputs and ingredients listed in the OSP
- all ingredients listed as organic
- verify the use of any nonorganic ingredients or processing aids to determine that they are allowed (commercial availability and any restrictions on substances as indicated on the National List of Allowed and Prohibited Substances (7 CFR §§ 205.601 – 205.606).
- review all retail product labels for compliance with the labeling requirements outlined in 7 CFR §§ 205.300–205.311.

Bioagricert communicates to the applicant in a timely fashion whether the application appears complete and whether the OSP appears to comply with the regulations. If the initial review shows that the applicant appears to, or may be able to, comply with the regulations, then Bioagricert schedules an onsite inspection (see Step 3).

If the applicant fails to submit all of the required information or minor items prior to the inspection, then Bioagricert instructs the inspector to collect this information onsite. If the operation fails to provide or willfully withholds significant information, then Bioagricert takes appropriate compliance actions.

If the initial review shows that the applicant does not comply, Bioagricert evaluator issues a **Notice of Noncompliance** (for correctable violations). A Notice of Noncompliance allows the Operation to submit a response with proposed corrective actions, typically within 30 days of the date of issuance. Bioagricert evaluates the corrective actions to determine whether the operation complies with the regulations. If the operation appears to comply, then Bioagricert evaluator schedules the **Onsite inspection** (see Step 3).

If the operation does not appear to comply, then the Bioagricert evaluator recommends **Denial of certification** or **Combined Notice of Noncompliance and Denial of Certification** (for Non-correctable violations).

Any Adverse actions will be in accordance with NOP 4002 Enforcement and with the Regulations §205.405 - Denial of certification.

### Step 3 –Onsite inspection (NOP §205.403)

The first inspection must be scheduled within six months from the first application.

The Operator must allow the inspector complete access to the operation, including all production facilities and offices.

During the on-site inspection of an operation the Bioagricert Inspector verifies:

1. The operation's compliance or capability to comply with NOP regulations .
2. That the information, including the organic production or handling system plan, accurately reflects the practices used or to be used by the applicant for certification or by the certified operation;
3. That prohibited substances have not been and are not being applied to the operation through means which, at the discretion of Bioagricert, may include the collection and testing of soil; water; waste; seeds; plant tissue; and plant, animal, and processed products samples.

During the exit interview, the inspector communicates any potential non compliances observed, and requests any additional information that may be missing from the OSP.

### Step 4 – Review of Inspection Report (NOP §205.404 ( a ))

Within a reasonable period of time, Bioagricert evaluator evaluates the inspection report, the OSP, the results of any analyses conducted, and any additional information provided.

The review of the inspection report may lead to different paths, each of which may require additional evaluations or decisions. After assessing whether the operation appears to comply with the organic Regulations, Bioagricert evaluator makes one of the following certification recommendations:

1. **Certification, if the operation is fully compliant**
2. **Certification with conditions, if there are minor, non-violative issues**
3. **Notice of Noncompliance for correctable violations.**

A Notice of Noncompliance allows the Operation to submit a response with proposed corrective actions, typically within 30 days of the date of issuance. Bioagricert evaluates the corrective actions to determine whether the operation complies with the regulations. If the operation appears to comply, then Bioagricert evaluator recommends certification or certification with conditions. If the operation does not appear to comply, then Bioagricert proceed to **Denial of certification** ; or

4. **Combined Notice of Noncompliance and Denial of Certification for Non-correctable violations**

Any Adverse actions will be in accordance with NOP 4002 Enforcement and with the regulations §205.405 - Denial of certification.

### Step 5 – Certification Decision (NOP §205.404 ( b ))

The Bioagricert final Decision-maker determines which action is appropriate to the operation.

- If the operation complies or is capable of complying with the regulations, Bioagricert issues an Organic Certificate according to the NOP instructions (NOP 2603 Organic Certificates).
- If the operation does not comply with the regulations, then Bioagricert issues Adverse Actions in accordance with NOP 4002 Enforcement and with the Regulations § 205.660 through § 205.663

Once certified, the operation's certification remains in effect until it's surrendered, suspended, or revoked.

Bioagricert, the State organic program, or the NOP may initiate adverse actions, up to and including suspensions and revocations.

Certified Operation are advised to consult the documents published on the NOP official website:

<http://www.ams.usda.gov/AMSV1.0/nop> or request to Bioagricert NOP documents

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### Renewing Certification – the Annual Update (NOP §205.406)

NOP Certified operation must submit an updated OSP and fees (7 CFR § 205.406), to Bioagricert to continue its organic certification.

**To continue the NOP certification**, the certified Operator must submit the following documents:

Master: 082-A Producers (IT; EN; ES); 082-B livestock (IT); 082-C Processors (IT; EN; ES).

If the operation fails to submit its annual update and /or fees, Bioagricert issues a **Notice of Noncompliance**. If Bioagricert requires supporting documentation to verify these changes, then the operation will provide it.

If the certified Operator wants to surrender the NOP certification or to change the Certification Body, he must submit a written notice of Certification Surrender, together with the NOP Certificate before the "Anniversary date" reported on the NOP Certificate".

Operations must also notify to Bioagricert any ongoing changes (7 CFR § 205.400(f) that may affect its compliance with the regulations. If an operation plans to add new products, fields, operations, or labels to its OSP, then Bioagricert first approves these changes and issues an updated certificate. A request to add new fields, animal species, or facilities would require an additional onsite inspection.

**To revise the NOP certification**, the certified Operator must submit the following documents: Master: 082-A Producers (IT; EN; ES); 082-B livestock (IT); 082-C Processors (IT; EN; ES)

### Annual onsite inspection (NOP §205.406 (b))

The Operator must allow the inspector complete access to the operation, including all production facilities and offices.

During the on-site inspection of an operation the Inspector verifies:

1. The operation's compliance or capability to comply with NOP regulations.
2. That the information, including the organic production or handling system plan, accurately reflects the practices used or to be used by the applicant for certification or by the certified operation;
3. That prohibited substances have not been and are not being applied to the operation through means which, at the discretion of Bioagricert, may include the collection and testing of soil; water; waste; seeds; plant tissue; and plant, animal, and processed products samples.

During the exit interview, the inspector communicates any potential non-compliances observed, and requests any additional information that may be missing from the OSP.

### Review of Inspection Report

Within a reasonable period of time, Bioagricert evaluator evaluates the inspection report, the results of any analyses conducted, and any additional information provided.

The review of the inspection report may lead to different paths, each of which may require additional evaluations or decisions. After assessing whether the operation appears to comply with the organic Regulations, Bioagricert evaluator makes one of the following certification recommendations:

1. **Certification if the operation is fully compliant**
2. **Certification with conditions if there are minor, non-violative issues**
3. **Notice of Noncompliance for correctable violations.**
4. **Combined Notice of Noncompliance and Denial of Certification for Non-correctable violations**

Any Adverse actions will be in accordance with NOP 4002 Enforcement and with the Regulations § 205.660 through § 205.663

### Annual update of NOP certificate (NOP §205.406 (d))

Bioagricert certification decisions:

1. **Continuation of certification**, if the operation is fully compliant, including the issuance of a new certificate pursuant to 7 CFR § 205.406(d);
2. **Certification with conditions, if there are minor, non-repetitive, non-violative issues;**
3. **Notice of Noncompliance for correctable violations.**
4. **Combined Notice of Noncompliance and Proposed Suspension or Revocation for Non-correctable violations, including willful or fraudulent violations.**

Once certified, the operation's certification remains in effect until it's surrendered, suspended, or revoked.

Bioagricert, the State organic program, or the NOP may initiate adverse actions, up to and including suspensions and revocations

Any Adverse actions will be in accordance with NOP 4002 Enforcement and with the Regulations § 205.660 through § 205.663

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