



Oregon Tilth National Organic Program (NOP) Certification Manual

OTCO NOP Certification Manual
Version: September 2023



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KEY TERMINOLOGY

Key terminology includes OTCO definitions and a partial list of terminology from the NOP.

[Subpart A -Definitions, 205.2 Terms Defined.](#)

OTCO Definitions

- **Additional Inspections.** In addition to mandatory inspections, OTCO reserves the right to perform additional inspections that are announced or unannounced of the operators.
- **Administrative Capacity.** OTCO 's ability to provide certification services for all the programs and scopes of services offered by OTCO.
- **Cancellation of Certification.** When OTCO issues a suspension or revocation of services, or when the operation withdraws an application or surrenders certification, the operator's rights to sell or represent any product produced or handled as certified organic are canceled, and the operation must immediately cease use of the OTCO logo, NOP seal and all references in labeling, advertising, or otherwise to organic production. Operations that are revoked are ineligible to reapply for certification for a total of 5 years with OTCO or with another certifying agent.



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- **Certification Office.** The legal site of the organization that is responsible for the certification activities conducted by OTCO; except for certification activities that occur at certified operations or applicants for certification, such as inspections and sampling. (7 C.F.R. §205.2) This includes any home office that is used as the certifier's primary location from which certification activities are conducted and any contracted third parties. It does not include the location of an individual person working remotely, unless it is the primary office from which the certifying agent conducts certification activities, or it is the only site where records used for organic certification activities are accessible.
- **OTCO Certification Office Activities.** Activities; including but not limited to: policy formulation and approval, process and procedure development and approval, initial assessment of competence and approval of technical personnel, contractors and subcontractors, control of monitoring or competence of personnel, contractors and subcontractors and outcomes. Contract review; including technical review of applications and determining the technical requirements for certification activity in new technical areas or areas of limited sporadic activity, decision on certification, including technical review of evaluation tasks (such as design and documentation review, sampling, testing, inspection and audit, client liaison and other).
- **Geographical Proximity.** A common geographic area with common environmental and climate characteristics and is within sufficient proximity to the ICS headquarters to allow for adequate ICS monitoring and control. In some cases, OTCO may allow production located farther away from headquarters by monitoring the groups control over resources (economic, time, distance, personnel, etc.) and/or by establishing production units.
- **Hybrid Inspection.** Evaluations performed by Inspectors using a combination using both onsite and remote components. Participants at minimum must include the inspector and an authorized representative of the operation.
- **Remote Inspection.** Evaluations performed by Inspectors using advanced technology to perform a desk inspection of an operator's documents and records. These inspections are typically used during unannounced inspections. Remote inspections are not allowed for service additions. Participants at minimum must include the inspector and an authorized representative of the operation.
- **Self-Reporting.** When an operation suspects contamination or has concerns about the status of any incoming organic or in-conversion products, the operator verifies that the supplier certificate, labeling and all available audit trail documents are accurate and applicable to the product. If the operation suspects contamination or has concerns about the organic status of their own product, the operator immediately investigates the potential cause of any contamination and notifies OTCO. If the operator is able to substantiate (i.e., positive test or detections) or if suspicion cannot be eliminated, operations immediately notify OTCO to further investigate.



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- **Support Office.** The legal site of the organization that is responsible for the general support, customer service and the liaison of activities with a certification office.
- **Support Office activities.** Activities including: the administration of an office, maintaining data, liaison with government agencies, the certification office and local events and meetings, and clerical and financial activities that support the certification office.
- **Unannounced Inspections.** An inspection of all or a portion of the production or handling activities of a certified operation without advance notice to determine compliance with regulations.

NOP Subpart A - Definitions, 205.2 Terms Defined

- **Accreditation.** A determination made by the Secretary that authorizes a private, foreign, or State entity to conduct certification activities as a certifying agent under this part.
- **Adverse Action.** A noncompliance decision that adversely affects certification, accreditation, or a person subject to the Act, including *a proposed suspension or revocation; a denial of certification, accreditation, or reinstatement; a cease-and-desist notice; or a civil penalty.*
- **Certification Review.** The act of reviewing and evaluating a certified operation or applicant for certification and determining compliance or ability to comply with the USDA organic regulations. This does not include performing an inspection.
- **Conformity Assessment System.** All activities, including oversight, accreditation, compliance review, and enforcement, undertaken by a government to ensure that the applicable technical requirements for the production and handling of organic agricultural products are fully and consistently applied.
- **Organic Exporter.** The final certified exporter of the organic agricultural product, who facilitates the trade of, consigns, or arranges for the transport/shipping of the organic agricultural product from a foreign country to the United States.
- **Organic Fraud.** Deceptive representation, sale, or labeling of nonorganic agricultural products or ingredients as “100 percent organic,” “organic,” or “made with organic (specified ingredients or food group(s)).”
- **Organic Importer.** The operation responsible for accepting imported organic agricultural products within the United States and ensuring NOP Import Certificate data are entered into the U.S. Customs and Border Protection import system of record.



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- **Organic Integrity Database (OID).** The National Organic Program's electronic, web-based reporting tool for the submission of data, completion of certificates of organic operation, and other information, or the tool's successors.
- **Producer Groups.** Multi-site operations established as a single legal entity and managed by an internal control system (ICS). **An internal control system** is an internal quality management system that establishes and governs the review, monitoring, training, and inspection of the producer group operation, and the procurement and distribution of shared production and handling inputs and resources, to maintain compliance.
- **Producer Group Production Unit.** A defined subgroup of producer group members in geographic proximity within a single producer group operation that uses shared practices and resources to produce similar agricultural products.
- **Supply Chain Traceability Audit.** The process of identifying and tracking the movement, sale, custody, handling, and organic status of an agricultural product along a supply chain to verify the agricultural product's compliance with this part.
- **Support Office.** The legal site of the organization that is responsible for the general support, customer service and the liaison of activities with a certification office.
- **Support Office activities.** Activities: including the administration of an office, maintaining data, liaison with government agencies, the certification office and local events and meetings, and clerical and financial activities that support the certification office.
- **Unannounced Inspections.** An inspection of all or a portion of the production or handling activities of a certified operation without advance notice to determine compliance with regulations.



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OTCO NOP CERTIFICATION MANUAL

This manual is an overview of the OTCO NOP Program.

The OTCO NOP Program provides organic certification to operators in the United States, Mexico, Canada (outside of COR scopes) and Iceland. The OTCO NOP Program is qualified to certify crops, wild crops, livestock, and handling.

This program is accredited by the [United States Department of Agriculture, Agricultural Marketing Service, National Organic Program](#), as of July, 2023, expiry of accreditation is 2027. Operators comply with the USDA NOP [Regulations](#).

This manual is implemented to comply with the regulations of the [NOP regulations](#), which were updated with the [Strengthening Organic Enforcement or “SOE”](#) effective on March 20, 2023 and will be fully implemented as of March 19, 2024. For more information visit [tilth.org](#) and [esp.tilth.org](#).

This manual is an extension of [the OTCO Certification Terms and Conditions - Oregon Tilth Certification Services and Trademark Use](#) providing responsibilities between OTCO and the operator for access to OTCO certification services.



OREGON TILTH, INC.

The mission is to “work to make our food and agriculture biologically sound and socially equitable.” Our efforts continue to shape food systems that benefit people and the planet together. Oregon Tilth is organized as a 501(c)(3) non-profit corporation that is governed by the Tilth Board. As part of Tilth’s leadership in advocacy, Oregon Tilth offers the Oregon Tilth Certified Organic (OTCO) certification services.

OTCO is a premier organic certification agency recognized by the USDA for applying the NOP organic certification both domestically and internationally.



OREGON TILTH CERTIFIED ORGANIC (OTCO)

OTCO is the certification body organized by Oregon Tilth, Inc. OTCO’s purpose is to impartially provide organic certification services to its operators and be supportive of its constituents in the organic industry.

The responsibilities of certification services are associated with the certification office in the United States and local administration and representation is provided by the support office in Mexico.

OTCO Certification Office:

Oregon Tilth Certified Organic (OTCO)

Physical:
301 SW 4th St, Ste. 110
Corvallis, OR 97333
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OTCO Support Office:

OTCO Mexico

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OTCO National Organic Program (NOP)

Certification Body Certificate Number: 815

Operators in the OTCO NOP program comply with the NOP [Regulations](#). The OTCO NOP program provides organic certification to operators located in the United States, Mexico, Canada (outside of COR scopes) and Iceland.

The OTCO NOP program is qualified to certify crops, wild crops, livestock, and handling. This program is accredited by the [United States Department of Agriculture, Agricultural Marketing Service, National Organic Program](#). For more information visit tilth.org.

The OTCO NOP program facilitates international trade in accordance with the multiple [trade agreements and arrangements](#) with the following countries: **Canada, European Union, Japan, Korea, Switzerland, Taiwan, and the United Kingdom of Great Britain and Northern Ireland**. These agreements and arrangements require products imported into the United States to be certified to the NOP and accompanied by an NOP Import Certificate.

Beginning March 19, 2024, OTCO will require all products entering the United States to be accompanied by a [NOP Import Certificate](#).



The image displays the USDA NOP 2110-1 Import Certificate form and a graphic. The form is titled "USDA NATIONAL ORGANIC PROGRAM NOP IMPORT CERTIFICATE" and includes fields for product information, importer details, and certification body information. The graphic features the USDA logo and the text "NOP 2110-1 IMPORT CERTIFICATE".

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

NOP IMPORT CERTIFICATE

1. CERTIFIED TO: ORGANIC STANDARDS

2. CITY AND STATE OF PRODUCT ORIGIN

3. DATE

4. IMPORT CERTIFICATE NUMBER

5. EXPORTED BY NAME AND ADDRESS

6. PRODUCT DESCRIPTION

7. RECEIPT IN THE U.S. NAME AND ADDRESS

8. CERTIFYING BODY ISSUING CERTIFICATE NAME AND ADDRESS

9. TOTAL NET WEIGHT

10. TOTAL CONTAINERS

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

16. REMARKS AND ATTESTATIONS

WARNING: This agricultural product specified herein has been certified under an organic certification program that is not recognized by the requirements of the Organic Foods Production Act of 1990 (OFPA) (7 U.S.C. Sec. 4201 et seq.) and as therefore deemed by USDA to have been produced and handled in accordance with the OFPA and USDA organic regulations under the National Organic Program (NOP). (20)

17. SIGNATURE OF CERTIFYING BODY

18. DATE

USDA

NOP 2110-1

IMPORT

CERTIFICATE

OTCO Offers an Array of Organic Programs in the U.S.



OTCO Mexico Ley de Productores de Organicos (MX LPO)

Certification Body Certificate Number: OC-220622-22-CPAA-001

Export Codes: US/EU Equivalency: US-ORG-042

Mexico: MX-BIO-116

OTCO Mexico Ley de Productores de Organicos is offered to operations located in the United States and Mexico.

In the United States, as of January 1, 2022, OTCO provides the [OTCO Mexico Ley de Productores Organicos \(LPO\) program](#) for those operations importing organic agricultural products per tables b-f of Annex 1 to Mexico, all imports entering Mexico must be certified to Mexico's Organic Products Law and accompanied by an official OTCO Mexico Transaction Certificate. For more information visit tilth.org/certification/our-services/international.

In Mexico, OTCO is qualified to provide certification for the scopes of producer, wild harvest, mushrooms, processing and marketing in Mexico. The OTCO MX LPO Program does not offer certification of livestock. This program is recognized by SADER/SENASICA and accredited by the [Committee on Accreditation for Evaluation of Quality \(CAEQ\)](#). Products exported to the United States must be certified to Mexico's Organic Products Law and the NOP. As of May 12, 2023, products exported to Canada, must be certified to Mexico's Organic Products Law and products must be accompanied by an official OTCO Mexico/Canada Transaction Certificate. On March 19, 2024, all products exported to the United States must be accompanied by a NOP Import Certificate. For more information visit <https://tilth.org/certification/our-services/international/> and esp.tilth.org.



Global Organic Textiles

The Global Organic Textile Standard (GOTS) are scheme standards published by GOTS that define worldwide recognised requirements for organic textiles. From the harvesting of the raw materials, environmentally and socially responsible manufacturing to labeling, textiles certified to GOTS provide a credible assurance to the consumer. For more information visit tilth.org/help-center/gots.



OTCO NSF/ANSI 305 Personal Care Products

The NSF/ANSI 305 Personal Care standards are scheme standards published by NSF and ANSI that define requirements for manufacturers of personal care products that are labeled with the claim, "contains organic ingredients." For more information visit tilth.org/help-center/nsf-ansi-305.



Bee Better

The Bee Better standards are scheme standards published by the Xerces Society that define requirements for farmers that are transforming their landscape into a habitat that nourishes pollinator populations. For more information visit <https://tilth.org/help-center/bee-better/>.



Certified Grass-Fed Organic Livestock

The Certified Grass-Fed Organic Livestock Program are scheme standards published by the Organic Plus Trust (OPT) that define requirements for farmers and handlers of grass-fed livestock products. For more information visit <https://tilth.org/help-center/opt-grass-fed-organic-certification/>.



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OVERVIEW of NOP

OTCO operates the OTCO NOP Certification Program in accordance with the [United States Department of Agriculture NOP regulations](#).

The Aim of NOP¹

The NOP is a federal regulatory program that develops and enforces [consistent national standards](#) for organically produced agricultural products sold in the United States.

The NOP also accredits third-party organizations to certify farms and businesses to the National Organic Standards. Accredited certifiers and the United States Department of Agriculture (USDA) work together to enforce the standards, ensuring a level playing field amongst organic operations, and protect consumer confidence and the integrity of the [USDA Organic Seal](#).

Key Points²

The NOP, under the direction of the Agricultural Marketing Service (AMS), an arm of the USDA establishes the regulations for production and handling of agricultural produced products effective under the Organic Foods Production Act of 1990, including the National List of substances approved for and prohibited from use in organic production and handling.

Changes to Regulations

Upon NOP's release of changes to regulations, OTCO sends correspondence to staff and operators to notify of timelines and provide guidance for implementation.

For more information on public input to regulation changes visit ams.usda.gov/rules-regulations/organic/nosb.

¹ <https://www.ams.usda.gov/about-ams/programs-offices/national-organic-program>

² NOP Final Rule, Introduction



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OVERVIEW OF SOE

The [Strengthening Organic Enforcement or “SOE”](#) Final Rule amends the United States Department of Agriculture National Organic Program (NOP) organic regulations.

The Aim of SOE³

The aim of SOE is to strengthen oversight and enforcement of the production, handling, and sale of organic agricultural products by reducing the types of uncertified entities in the organic supply chain that operate without USDA oversight, require the use of NOP Import Certificates for all organic products entering the United States and clarify the NOP’s authority to oversee certification activities. For more information, including webinars with information for how to understand and implement these updates, visit tilth.org/soe.

Overview of OTCO’s SOE State of Play

Effective date: March 20, 2023.

Implementation Date is March 19, 2024.

³ Federal Register/Vol.88, No. 12 Thursday January 19, 2023/Rules and Regulations, p.3548



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CODE OF CONDUCT

OTCO operates its certification program in a nondiscriminatory, impartial, and confidential manner.

Nondiscriminatory⁴

OTCO makes its certification services accessible to all applicants and operators whose activities fall within the scope and administrative capacity of its operations. Operations can be of any size and have additional certifications with other certifying agents, conditional upon the size of the client or membership of any association or group, including that Oregon Tilth certification is not conditional upon the number of certificates already issued.

OTCO accepts all operations that fall within the scope of its certification program to the extent of its administrative capacity to adequately provide service, and to do so without regard to size or membership in any association or group, race, color, national origin, gender, religion, age, disability, political beliefs, sexual orientation, marital or family status.

Safeguarding Impartiality⁵

OTCO safeguards the impartiality of certification activities. OTCO takes responsibility for its management and certification activities at all levels of the organization to ensure certification is handled in an objective and transparent manner. OTCO monitors the risk to impartiality, takes preventive actions and takes appropriate measures to minimize or eliminate any risk to the impartiality of services offered to its operator.

⁴ ISO/IEC 17065 4.4

⁵ ISO/IEC 17065 4.2



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Responsibility of OTCO⁶

OTCO also maintains its responsibility for granting, maintaining, suspending, or revoking certification of an operation. OTCO has the right to outsource work related to certification (e.g., testing and/or inspection) to an external body or person; in which case, OTCO takes full responsibility for such contracted and subcontracted work, including confidentiality. Upon applying for organic certification with OTCO, applicants consent to the use of contractors and subcontractors during the certification process.

For subcontractors, OTCO accepts the material review decisions of other agencies: [Organic Material Review Institute \(OMRI\)](#), the Washington State Department of Agriculture (WSDA) Organic Material Review Program, Pennsylvania Certified Organic (PCO) Material Review Program, the California Department of Food and Agriculture (CDFA); providing that the bodies meet and maintain requirements of the [USDA NOP Handbook](#).

OTCO accepts the third-party pesticide residue testing from laboratories accredited to ISO/IEC 17025. OTCO currently utilizes the laboratory services of the Pacific Agricultural Laboratory (PAL), Matrix Sciences Company for pesticide residues and GMO testing services from OMIC USA Inc.

Confidentiality & Public Information Procedure⁷

OTCO has a duty to maintain certification information in a confidential manner. Where information is not publicly available, OTCO maintains strict confidentiality with respect to its operators and does not disclose business-related information to third parties that are not involved in the regulation or certification of the operation.

OTCO provides access to publicly available information via the [NOP Organic Integrity Database \(OID\)](#), which is a directory of all operations certified to the NOP; including the status of the operation's certification. In cases of revocation, operators remain listed for 5 years. Operators may request scope certificates issued by OTCO and the results of laboratory analysis for residues of pesticides during the current and three preceding calendar years from the date of the request.

Upon application, operators agree to the [Certification Terms and Conditions - Oregon Tilth Certification Services and Trademark Use](#), which includes the provisions for confidentiality and public information, including OTCO's right to release information on operations as required by local, state, or federal law, to accreditation authorities.

⁶ ISO/IEC 17065

⁷ ISO/IEC 17065, NOP 205.504(b), NOP 205.501(a)(10), OFPA (7U.S.C.6515(f))



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The [Certification Terms and Conditions - Oregon Tilth Certification Services and Trademark Use](#)

obligates OTCO to exchange information necessary with another certification body to determine status of compliance, including information to certify, decertify or investigate an operation for the purpose of verifying compliance with supply chain traceability and audit trail documentation and other information as required by the NOP regulations. Other regulatory and certification bodies involved in the exchange of information are upheld to the same requirements of confidentiality.

OTCO is required to report information in various submissions to the USDA NOP, state organic programs and/or international regulatory agencies. These submissions are submitted in a confidential manner. Types of reporting include the Organic Integrity Database, NOP Annual Report, any national or international government agency Pesticide Residue Reports and other information as requested by directives, memos, investigations, and other requests.

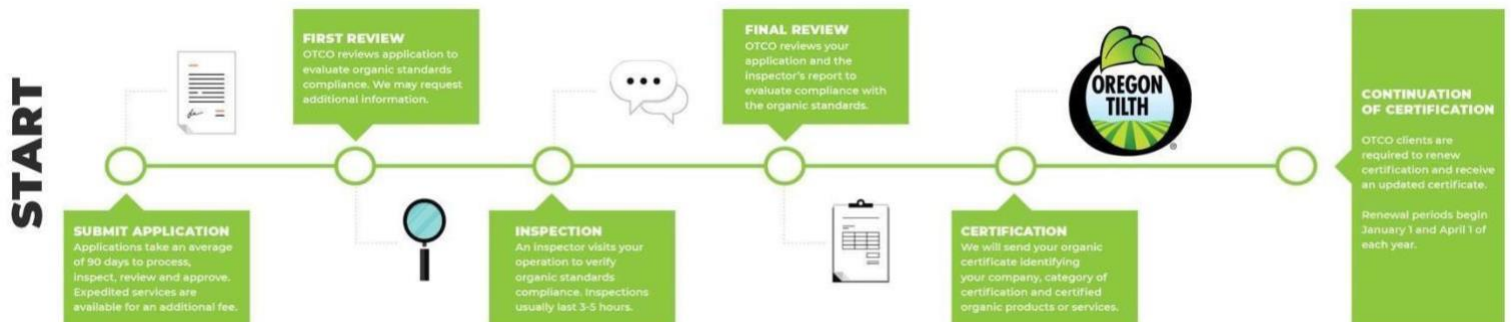


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CERTIFICATION OVERVIEW

Understanding the certification steps is the first step in pursuing organic certification. The journey of certification includes making an application or renewing services followed by an inspection and concluding with a decision on certification.

The OTCO website is a wealth of information to explain the process and make connections with OTCO certification services. This manual provides an overview of the certification process and extends requirements of the [Certification Terms and Conditions - Oregon Tilth Certification Services and Trademark Use](#) for services offered by OTCO to operators for carrying out compliance to the NOP.



Transitional Certification



OTCO assesses crop operators that are transitioning from conventional to organic practices. For operations that have yet to implement organic practices, the transition period begins when the operation submits their application for certification and begins to implement organic practices. During transition, all organic regulations apply. For more information visit tilth.org/help-center/transitional-certification.

Operations transitioning to organic can apply at 9 months and obtain certification only after the operator has successfully implemented organic practices for 12 months or 12 months prior to harvest. Operations may market their products as “transitional” once a transitional certificate is issued.



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United States Department of Agriculture
Agricultural Marketing Service
National Organic Program
Transition to Organic Partnership Program



Oregon Tilth's education and advocacy is leading a coalition of partners with the [TOPP Mentorship Program](#). This program builds connections between experienced organic producers and producers that are transitioning to be certified organic.

The aim is to support operations transitioning to organic by providing mentors, technical assistance, and other wraparound support to create a stronger network of organic producers across the country.



APPLICATION

OTCO provides organic certification services for operations that produce crops and livestock and/or handle organic products. A single operation may be certified under more than one service.

Applying⁸

To apply for organic certification, OTCO requires an applicant to submit legal and logistical information, including the completion of an Organic System Plan (OSP). The Organic System Plan describes the operation, the products, the practices, and various activities conducted by the producers and handlers of organic products. Operators can contact OTCO or request an application from the [Oregon Tilth website](#).

Upon submission of the Organic System Plan (OSP) along with payment per the [Fee Schedule](#), OTCO sends an acknowledgment of receipt to the applicant. OTCO then reviews the application for completeness and the operation's ability to comply with the regulations. OTCO ensures that review of the application and any further requests for information to determine compliance are communicated to the applicant within a reasonable time.

Applicants Transferring Certification to OTCO

OTCO processes operations that transfer from another certification body as new applicants. The previous certification body and OTCO must exchange relevant compliance information about the operation. Relevant information must establish that the operation and products are capable of being certified organic to the OTCO NOP Program.

Applicants are required to disclose previous certification history, including any denials, suspensions, revocations, and any unresolved noncompliances. If certification history indicates a notice of noncompliance or a notice of denial of certification, a description must be provided on how the corrective actions have been implemented. With any history of adverse actions, OTCO is obligated to provide information to the NOP and/or any regulatory body with oversight.

⁸ NOP 205.400(b)



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Application Review

The application review ensures the Organic System Plan (OSP) is applicable to the type of operation and is complete with supporting documents demonstrating the ability to comply with all applicable regulations, including any international verifications requested for exporting of products. If the information appears to comply with regulations, OTCO assigns the operation an inspection.

If the OSP is incomplete or fees are not paid, OTCO issues requests for information, or issues a notice of noncompliance and/or a denial of certification.

- **Applicant Notice of Noncompliance**

When OTCO has reason to believe that an applicant is not able to comply or is not compliant with the regulations, OTCO provides a written notice of noncompliance to the applicant.

The notice of noncompliance provides a description of each noncompliance, the facts upon which the notice of noncompliance is based, and the date by which the applicant must reply and either rebut or correct each noncompliance and submit supporting documentation of each such correction when correction is possible.

When correction of a noncompliance is not possible, a notice of noncompliance and a notice of denial of certification may be combined in one notice. OTCO issues a notice of Denial of Certification if any prohibited materials or practices are described in the Organic System Plan.

- **Applicant Denial of Certification**

OTCO issues a written notice of denial of certification to an applicant who fails to respond to the notice of noncompliance, and/or fails to sufficiently apply corrective actions. A notice of denial of certification states the reason(s) for denial, the applicant's right to reapply for certification with OTCO or any other NOP accredited certifying agent, and the right to request mediation or appeal the denial of certification with the NOP or an applicable State Organic Program.

Applicant Withdraw of Application

Applicants may withdraw the application at any time. An applicant who withdraws an application is liable for the costs of services provided up to the time of the voluntary withdrawal. If the withdrawal of application happens prior to a certification decision being made, any notice of noncompliances or denial of certification are not issued to the operation.

Applicant's Willful False Statements or Misrepresentation

If OTCO has reason to believe that an applicant has willfully made a false statement or otherwise purposefully misrepresented the applicant's operation or its compliance with the regulations, a denial of certification is issued without first issuing a notice of noncompliance.

Applicants Re-applying for Certification

An applicant for certification who received a written notice of noncompliance, or a written denial of certification may apply for certification again at any time with OTCO or another certifying agent.



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An applicant who is applying after suspension may re-apply at any time with OTCO or another certifying agent, unless the suspension specifies a time period for eligibility. Suspended operations are required to undergo reinstatement.

An applicant who is applying after revocation is not eligible to reapply for 5 years after the previous certificate is canceled. The revoked operator must submit an application accompanied by evidence demonstrating correction of each noncompliance and corrective actions taken to comply with and remain in compliance with regulations.



INSPECTION

Understanding the inspection

OTCO performs inspections of applicants and certified operations for the purpose of determining the operation's compliance with the regulations. Inspectors submit written reports describing the operation and organic management practices for review by OTCO for organic certification.

Inspector Assignment

OTCO assigns an inspector who is qualified with the appropriate education, training and experience matching the operation's activities. OTCO also considers the size and complexity of the operation, the type of operation to be inspected, and the proximity and availability of the inspector.

To safeguard impartiality, OTCO screens inspectors for any potential conflicts of interests that may conflict with the ability to provide operators an objective inspection. As a best practice, OTCO prefers to rotate inspectors often to avoid over-familiarity.

If the operator objects to the assignment of a particular inspector to evaluate their operation, OTCO considers the request is sufficient to reassign the inspection. The operator may not choose or recommend a specific inspector.

Onsite Inspection

All operations must be inspected every calendar year. All inspections are performed when Inspectors have complete access to the production and/or handling operation, including non-certified production areas, structures, and all documentation and records (including financial) associated with organic and nonorganic production. All inspections are conducted when an authorized representative of the operation who is knowledgeable about the operation is present and at a time when land, facilities and activities that demonstrate compliance or capacity to comply can be observed.



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For **initial inspections**, OTCO performs onsite inspections within a reasonable time following a determination that the applicant appears to comply or may be able to comply with the regulations, *except*, That, the initial inspection may be delayed for up to 6 months when the land, facilities, and activities that demonstrate compliance or capacity to comply can be observed.

For **annual inspections**, OTCO performs onsite inspection of operators and reserves the right to conduct hybrid inspections. A hybrid inspection is when the majority of the operation is visited onsite, and the remaining portions are visually inspected using advanced technology and/or by performing a document review as a Remote Inspection.

OTCO inspectors conduct the inspection to verify information provided by the operator in the Organic System Plan, describe onsite observations, evaluate and confirm the completeness and accuracy of the Organic System Plan and to document any changes to the organic system plan.

After the inspection, OTCO Inspectors conduct an exit interview with an authorized representative of the operation to confirm the accuracy and completeness of observations and information gathered during the inspection. The inspector also addresses the need for any additional information as well as any issues of concern.

Within a reasonable time after the inspection, OTCO provides the operator with a copy of the inspection report and any test results of samples performed during the inspection.

Additional Inspections

All operations are subject to additional inspections. OTCO performs additional inspections to verify any changes, corrective actions, issues with the operation's compliance with regulations, investigate high risk crops (known to concentrate soil pesticide residues or GMO detections), and/or per recommendations from staff or inspectors, etc. These inspections may be announced or unannounced and may include sampling events, as deemed necessary.

- **Announced Inspections**

In addition to the annual inspection, inspections may be assigned based on random selecting, high risk assessments, or for any potential risk to the organic integrity of the products and/or activities. *Announced inspections may be performed onsite, hybrid or as a remote inspection.*

- **Unannounced Inspections**

In addition to an annual inspection, all operations are subject to unannounced inspections. inspections may be assigned based on random selection, high risk assessments, or for any potential risk to the organic integrity of the products and/or activities. *Unannounced inspections may be performed onsite, hybrid or by a remote document review without advance notice.*

OTCO is required to perform Unannounced inspections on a minimum of 5% of the total number of OTCO operations every year.



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- **Producer Group and Member - High Risk Inspections⁹**

Producer Groups are potentially high-risk operations due to the nature of their complex supply chain that includes an Internal Control System with oversight of membership. As such, during the mandatory inspection, the inspector visits the membership as calculated at 1.4 times the square root or 2% of the total number of members in the Producer Group, whichever is higher.

Furthermore, all producers within the Producer Group that are assessed as high risk must be inspected at inspection. Producer Groups may also have one or more production units, which are determined by geographical proximity. For each of the determined production units, OTCO inspects at least one member per each of those units. OTCO reserves the right to inspect additional members based on any potential risks to organic integrity.

- **Compliance Investigations**

OTCO may perform an additional inspection for the purpose of investigations due to complaints, suspected fraudulent activity, positive residue results, detections of GMOs, verification of supply chain traceability, fulfillment of regulatory directives and/or other concerns with the integrity of the organic certification.



GRANTING CERTIFICATION

After applicants receive an inspection, OTCO performs a certification review of the inspection report and makes a certification decision. Applicants are granted certification based on their ability to comply with regulations based on the operator's Organic System Plan and the inspection report. Operations that comply with regulations are granted an organic certificate and listed on the OTCO Directory.

When granted certification, the operator can sell the product(s) or perform the services listed on their certificate as certified organic. Organic products sold as certified organic must be labeled in compliance with the regulations. For labeling products as certified to the NOP, refer to the [OTCO NOP Labeling Guidelines](#), and for labeling information required for export to foreign countries use the [OTCO labeling guidelines](#). In addition to the organic certificate and proper labeling, operations selling products to foreign countries may be required to accompany the certified product with a [transaction certificate](#).

Information on all operations and certificates are listed and available at the NOP's [Organic Integrity Database \(OID\)](#). The OID lists the operator's name of the operation, the regulatory details for the types of activities and products evaluated for certification, the validity of the certification period, and details of type of activities performed and/or products they produce, quantity of products, information on the land/premises/units, and a list of subcontractors and certification status. OID also lists members of The Producer Groups.

⁹ Federal Register/Vol.88, No. 12 Thursday January 19, 2023/Rules and Regulations, p.3596



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CONTINUATION OF CERTIFICATION

To remain certified, operations are annually required to [renew certification](#) and undergo an inspection. OTCO carries out the renewal periods beginning January 1 and April 1 of each year. Operators are required to pay certification fees and submit any changes to the Organic System Plan (OSP). Examples of changes to submit could include but are not limited to: any changes in the operator's owners, farm/business name, principal responsible person, contact person, contact information including address and phone number; any deviations from, changes or modifications to or other amendments made to the previous year's OSP; and any additions or deletions to the previous year's OSP intended to be undertaken in the coming year. Other information may be deemed necessary by OTCO to determine compliance with regulations.

OTCO sends reminders to operators that are missing information and/or missing payment for renewal. If reminders are not addressed within the provided time period, OTCO sends a notice of noncompliance to the operator. Notice of noncompliances are also sent when OTCO has reason to believe, based on information specified in the organic system plan and/or the inspection report, that a certified operator is not in compliance with the regulations.

NONCOMPLIANCE PROCEDURE

Notice of Noncompliance

If an operation is found to be in violation of the regulations, OTCO issues a notice of noncompliance which provides a description of each noncompliance, the facts upon which the notice of noncompliance is based, and the date by which the operator must respond.

Operators must respond to the notice of noncompliance with corrective actions or an action plan to correct each noncompliance along with supporting evidence to demonstrate compliance. Operators may also rebut noncompliances. All notice of noncompliances must be responded to within the provided time period.

ADVERSE ACTION PROCEDURE

Notice of Proposed Suspension or Notice of Proposed Revocation

If a rebuttal of a noncompliance is unsuccessful or adequate corrective measures are not completed within the prescribed time period, a notice of proposed suspension or proposed revocation is issued. An operation that is issued a proposed suspension or proposed revocation has the option to request mediation or file an appeal with the NOP or applicable State Organic Program.



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Willful Violations

If violations are found uncorrectable or willfully violating the regulations, OTCO issues a notice of noncompliance combined with a notice of proposed suspension or a notice of proposed revocation.

Notice of Suspension or Notice of Revocation

A notice of suspension or notice of revocation is issued when mediation and appeal options are not successful.

If suspended, an operation can request reinstatement per the NOP Program Handbook 2605: Reinstating Suspended Operators. Upon successful reinstatement, operators [may reapply with OTCO](#) or apply to another certifying agent.

If revoked, an operation and all responsibly connected parties are ineligible to reapply for certification for a total of 5 years with OTCO or another certifying agent.

Once an operator's certification is suspended or revoked, the operator's certification is canceled by OTCO. Operators must not sell or represent any product produced or handled as certified organic and must immediately cease use of the NOP seal, OTCO logo, and any and all references in labeling, advertising, or otherwise to organic production.

MEDIATION AND FILING AN APPEAL

Mediation

Mediation is a collaborative process between OTCO and an operator where parties settle any dispute with respect to denial of certification, proposed suspension or proposed revocation.

Mediation may be requested by the applicant for certification or certified operation. The request must be submitted in writing to OTCO within 30 days of receipt of the applicable adverse action notice.

Following receipt, OTCO acknowledges the request for mediation and accepts or rejects the request for mediation:

- If OTCO accepts the request for mediation, such mediation is conducted by a qualified mediator mutually agreed upon by the parties. The parties have a maximum of 30 calendar days to reach an agreement from the scheduled date of mediation. Successful mediation results in a settlement agreement agreed to in writing by both parties. Any settlement agreement reached must comply with the regulations. If mediation is unsuccessful, the operation has 30 calendar days from receipt of a written notice of unsuccessful mediation to submit an appeal to the NOP or applicable State Organic Program.
- If OTCO rejects the request for mediation, the operator has 30 days to request an appeal with the NOP or relevant State Organic Program.

If the terms of the finalized settlement agreement are violated, OTCO issues adverse actions.



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Filing an Appeal with the NOP or State Organic Program

An operation may file an appeal with the NOP or applicable State Organic Program to dispute a notice of denial of certification, proposed suspension or proposed revocation within 30 calendar days of the date of receipt of the notice. Appeals must be sent and comply with the USDA NOP Handbook:

[NOP Organic Appeals procedures.](#)

Appeals to the Administrator and Requests for Hearing must be filed in writing and addressed to:

Administrator, USDA-AMS
1400 Independence Ave., SW
Room 2642-South, STOP 0268
Washington, S.C. 20250-0203
or NOPAppeals@usda.gov

Appeals to a State Organic Program (for operations in California only) must be filed in writing and submitted to:

Website: [California State Organic Program](#)
Email: inspection_services@cdfa.ca.gov
Phone: 916-900-5030
Fax: 916-900-5347

SURRENDER OF CERTIFICATION

A surrender of certification is when an operator **cancel**s certification services with OTCO. Without undue delay, when a certified operator wants to surrender their certification, OTCO acknowledges the request with the operator and cancels the requested certification services.

Depending on where the operator is in the process of certification, OTCO reviews and determines the options for course of action. Once an operation surrenders certification, OTCO cancels certification at which time, the operator must not sell or represent any product produced or handled as certified organic, unless the operator has already achieved organic certification with another certifying agent. Additionally, the operator cannot use any remaining labels that identify OTCO as the certifying agent. In the future, to be certified again by OTCO, the operator must apply for certification.



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CERTIFICATION CHANGES - ADDING/REDUCING/VIOLATIONS

Adding or Reducing Certification

Without undue delay, any additions or changes that affect the Organic System Plan (OSP) during certification must be communicated to OTCO, including changes to the program of services, products, product formulations, acreage, or facilities to be certified. Operators are required to immediately self-report any infringements or violations of the organic regulations, including any suspected contamination or commingling of land, products, or other situations that affect the organic integrity.

OTCO conducts a review of the request or self-reporting to determine the extent of the changes to the current production system. At OTCO's discretion, a decision is made whether an inspection is needed to approve the requested updates. If the changes to the system are minimal, consistent with existing practices described in the Organic System Plan and are clearly compliant with regulations, OTCO issues an amended certificate to the operator. If the changes are extensive or a document review is not sufficient, OTCO requires an inspection of the new production and/or handling system before adding the update to the certificate (i.e., adding new fields, sites and facilities).

CERTIFICATION INVESTIGATIONS

OTCO performs investigations due to complaints, suspected fraudulent activity, positive pesticide residue results, detections of GMOs, verification of supply chain traceability, fulfillment of regulatory directives and/or other concerns with the integrity of the organic certification.

OTCO accepts information or complaints about suspected violations from consumers, inspectors, farmers, distributors, brokers, government officials, or any other interested party. Details about the suspected problem must be submitted in writing before OTCO begins a formal investigation.

Following receipt, OTCO acknowledges the complaint to the sending party. Products under investigation may be excluded from organic sale until the suspicion. Following the investigation, the sending party is provided a courtesy letter confirming resolution.

Pesticide Residue Testing

OTCO, or other governing officials, may require soil testing and/or preharvest or postharvest testing of any agricultural product to be sold, labeled, or represented as organic under the regulation when there is reason to believe that the product has come into contact with a prohibited substance or has been produced using genetically engineered organisms. Additional cases could deem a pesticide residue test appropriate, including but not limited to the suspicion of material input usage not approved for use in organic production. Operators may also be subject to future monitoring events.



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When pesticide residue testing detects prohibited substances, OTCO conducts an investigation of the certified operation to determine the source of the prohibited substance. If OTCO finds adequate evidence that violation has occurred, then OTCO proceeds with a noncompliance and/or adverse actions.

Every year, a minimum of 5% of OTCO's operators in the NOP program are either randomly selected or selected based on results of the potential risk to organic integrity, and for other reasons deemed necessary.

Supply Chain Traceability Audit (SCT)

OTCO conducts supply chain traceability audits of products and operations with complex supply chains. These audits are performed when regulatory directives are issued to OTCO or in cases where OTCO has assessed high-risk operations and/or products that necessitate an investigation of the supply chain. In these audits, OTCO may collaborate with other certification agencies to fully identify and trace the movement, sale, custody, handling and organic status of a product along the supply chain. The supply chain traceability audit can be initiated when, but not limited to: a market concern, export or import activity, operations or products are determined to be high-risk, suspicion of fraud, compliance of high-risk products, patterns of activity, suspected contamination with prohibited substances or other compliance-related reasons. The number, frequency, type and extent of the audits conducted are appropriate to the number, scope and/or complexity of OTCO certified operations. .

Market Surveillance

OTCO periodically investigates marketplace establishments to monitor the use of the OTCO name and logo in the marketplace. Product label claims are evaluated for compliance with labeling provisions established in applicable organic regulations and provisions according to the Certification Terms and Conditions - Oregon Tilth Certification Services and Trademark Use. OTCO notifies operations of any discrepancies and takes the appropriate action.



WE BELIEVE FOOD AND AGRICULTURE SHOULD BE BIOLOGICALLY SOUND AND SOCIALLY EQUITABLE. THIS BELIEF HAS GUIDED OREGON TILTH FOR NEARLY FIVE DECADES.

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OUR MISSION

Support and promote biologically sound and socially equitable agriculture.

OUR VISION

Community-led food systems that enrich people and planet, together.

OUR VALUES

- Integrity
- Transparency
- Compassion
- Harmony
- Teamwork
- Knowledge
- Courage