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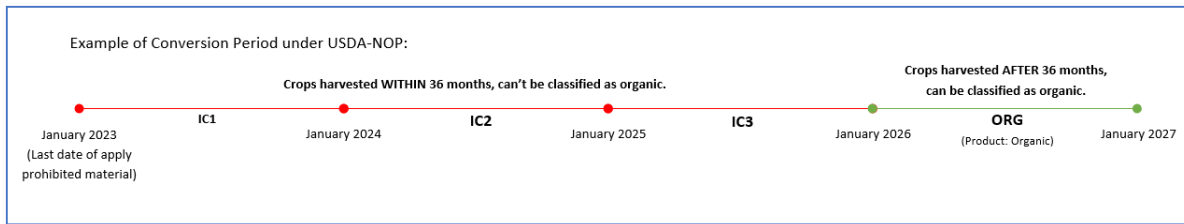
**Annex III: Additional rules for the certification program: Organic Production Methods (USDA NOP)**

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<b>Article 3.1 Classification of non-conformities for USDA NOP certification</b>	
<b>Please see Annex 1 - Catalogue of measures</b>	
<b>Article 3.2 Import and transaction certificates</b>	
1	CU clients that are certified for the certification programmes 'Organic Production Methods EU 834/2007 and 889/2008' and/or 'USDA/ NOP' and/or 'JAS' and/or 'GOTS' have the right to apply for transaction certificates for a specific lot of certified products.
2	Import/transaction certificates will be issued by <b>Control Union</b> .
3	<b>205.273 Each shipment of organic agricultural products imported into the United States must be accompanied with a valid NOP import certificate. NOP import certificates are issued by Control Union from the Organic Integrity Database.</b>
4	<b>Transaction Certificate and NOP Import certificate request must be sent through the CIS client portal. Control Union may request any information from the client, which deemed to be necessary to evaluate the application.</b>
5	CU shall assess the application and, if the decision is positive, issue the import/transaction certificate within maximum ten working days after receipt of the application.
<b>Article 3.3 Administration</b>	
1	The client shall keep records of the following information on certified <u>incoming</u> goods: <ul style="list-style-type: none"> <li>- Copies of packing lists and/or other transport documents;</li> <li>- Invoices;</li> <li>- A copy of valid Certificates stating that the products have been produced according to the applicable organic regulation;</li> </ul>
2	The client shall keep records of the following information on <u>outgoing</u> certified products: <ul style="list-style-type: none"> <li>- Copies from packing lists and/or other transport documents;</li> <li>- Copies of the CU Transaction or Import Certificates, and</li> <li>- Invoices.</li> <li>- The invoices and transport documents must contain a reference to the organic production method, clearly related to the certified products, and CU followed by the client number.</li> </ul>
3	The client shall have on all labels, invoices, packing-lists and transport-documents a traceable identification code which enables to identify production date/year and lot number to trace down the product at least to the last producer.  Original traceability documents must be in the unit during the inspection to be verified by the auditor.
4	The invoices and transaction documents must contain a reference to the organic production method, clearly related to the certified products, and the name and identification code of the inspection body.
5	Operator must inform immediately to CUC any irregularity or infringement affecting the organic status of their product or organic products received from other operators or subcontractors.
<b>Article 3.4 On-and-off product statements</b>	
1	The client is responsible that all on- and off product statements for certified products that are transported between units within the same project, contain at least the following information: <ul style="list-style-type: none"> <li>- The name of the product;</li> <li>- The name "CU", followed by the client number;</li> <li>- A reference to the organic production methods;</li> <li>- A traceable identification code referring to the specific lot of products (e.g. lot number, date of production).</li> </ul>
2	The client is responsible that all on- and off product statements for certified products that are transported to units outside the project, contain at least the following information <ul style="list-style-type: none"> <li>- The name of the product;</li> <li>- The clients name and address (city and country);</li> <li>- The name "CU", followed by the client number;</li> <li>- A reference to the organic production methods;</li> <li>- A traceable identification code referring to the specific lot of products (e.g. lot number, date of production).</li> </ul>

**Article 3.5 Land requirements**

- 1 **The classification of the fields depends on the last dates of application of disallowed substances such as chemical herbicides, pesticides, fungicides, and fertilizers. The period of conversion starts from that date.**


**Land requirements 7CFR 205.202(b):**

Any field or farm parcel from which harvested crops are intended to be sold, labeled, or represented as organic must meet the following criteria:

(b) No prohibited substances, as listed in 205.105, should have been applied to the land for a period of 3 years prior to crop harvest.

**On-site inspection 7CFR 205.403(a):**

The initial on-site inspection should occur when the land, facilities, and activities demonstrating compliance or capacity to comply can be observed.

The USDA-NOP regulation does not explicitly use the terms "conversion" or "transition." However, 205.202 specifies that no prohibited substances (such as chemical fertilizers, pesticides, and sewage sludge) should have been used on the respective plots for a minimum of three years before harvesting organic products. The following forms of evidence may be accepted to demonstrate compliance with 205.202(b):

- Internal farm records indicating the non-use of prohibited substances (chemical fertilizers, insecticides, fungicides, herbicides, treated seeds), or any excluded methods listed in 205.105. A detailed field history for each plot, including information on crops, their management practices, and inputs used (including non-treated seeds), spanning at least three years. Or,
- A written confirmation from a third party verifying that the land parcel has not been treated or exposed to any disallowed substances in the three years leading up to the contracting date with CUC. This letter must be validated and verified by CUC during the OSP review, or in the case of virgin land, evidence that the land has not been cultivated before.
- These declarations must contain:
  - ✓ The name of the farmer/operator.
  - ✓ Area, crop, and location.
  - ✓ Last date of farmer using prohibited substances according to Organic Regulations.
  - ✓ The name and contact details designation of the person issuing the declaration.
  - ✓ Clear description, how the issuing institution evaluates, if the fields are compliant with the requirements and what kind of evidence can they provide upon request.

CUC must confirm with the "third party" the validity of this document. This may happen through phone call or e-mail.

All of the above shall be verified during the OSP review and/or audit. The CUC inspector shall collect samples during the on-site inspection for residue analyses.

In case of initial application/new fields, the audit must be carried out during the growing season, if possible before or latest during harvest. In case of new application/new fields the products can not be certified as organic, if the audit happened after harvest.

**Article 3.6 Labelling**

<b>1</b>	<i>On top of the regulatory requirements, clients are requested to list the 6 digits CU number on the labels, below the COB statement.</i>
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**ANNEX 1 CUC Catalogue of Measures**

<b><u>NOP (7 CFR Part 205 of the National Organic Program)</u></b>			
<b><u>Sanction</u></b>	<b><u>General Description</u></b>	<b><u>Timeline to provide Corrective Action (CA) in calendar days.</u></b>	<b><u>Conclusion</u></b>
Minor (2)	A minor non- compliance (NC) is an NC that identifies non- compliant measures at an operation and or the OSP, however the NC does not identify any threats to the organic integrity of the product at the operation. Should a minor NC from the previous calendar year certification cycle be recurrent, then the minor NC needs to be upgraded to a major NC in the current certification cycle.	60 Days to provide CA	Once certified, a production or handling operation's organic certification continues in effect until surrendered by the organic operation or suspended or revoked by the certifying agent. Follow non- compliance and adverse action flowchart.
Major (1,1)	A major non- compliance (NC) is an NC that identifies non- compliant measures at an operation and or OSP. The NC is significant enough in nature to threaten the organic integrity of the production lot or product involved at the operation. Should a major NC from the previous calendar year certification cycle be recurrent, then the major NC from the previous certification cycle should be upgraded to a Critical Major as well.	30 Days to provide CA The certifier may decide to give shorter deadline.	Once certified, a production or handling operation's organic certification continues in effect until surrendered by the organic operation or suspended or revoked by the certifying agent. Follow non- compliance and adverse action flowchart.
Critical Major (1,0)	A critical major non- compliance (NC) is an NC that identifies non- compliant measures at an operation or OSP. The NC is significant and poses a major threat to the organic integrity of the production lot or product at the operation. The NC further demonstrate that the operation is not able to comply to the requirement of the regulation through deliberate actions (e.g.,	Combined notice will be issued	Once certified, a production or handling operation's organic certification continues in effect until surrendered by the organic operation or suspended or revoked by the certifying agent. Follow non- compliance and adverse action flowchart.

	application of a prohibited substance to a field and or the refusal to provide access to a site and or fraudulent activity). <i>The accidental application of prohibited substances to land also is considered an uncorrectable, critical major noncompliance.</i>		
<b>Impact</b>			
<b>Suspension</b>	A certified operation or a person responsibly connected with an operation whose certification has been suspended may at any time, unless otherwise stated in the notification of suspension, submit a request to the Secretary for reinstatement of its certification, or submit a request for eligibility to be certified. 7 CFR 205.662(f)(1)		
<b>Revocation</b>	A certified operation or a person responsibly connected with an operation whose certification has been revoked will be ineligible to receive certification for a period of 5 years following the date of such revocation, <i>Except</i> , That, the Secretary may, when in the best interest of the certification program, reduce or eliminate the period of ineligibility. 7 CFR 205.662(f)(2)		
<b>Denial</b>	An applicant, whose certification is Denied, can apply for certification any time.		

The certifier always has the opportunity to give a different deadline if applicable or grant deadline extension based on the request from the operator. It will be decided on a case-by-case bases.

<b>NOP (7 CFR Part 205 of the National Organic Program)</b>					
<b>Sanction</b>	<b>Timeline to provide Corrective Action (CA)</b>		<b>Impact on production unit and fields, including crops, livestock/ beekeeping</b>	<b>Processing unit including processed products</b>	<b>Effect on client</b>
Minor (2)	60 Days	Certification/ Application maintained, if CA is not provided in timeline, issue an Adverse Action notice.	Follow non- compliance and adverse action flowchart.	Follow non- compliance and adverse action flowchart.	Corrective action required within 60 calendar days. Once certified, a production or handling operation's organic certification continues in effect until surrendered by the organic operation or suspended or revoked by the certifying agent.
Major (1,1)	30 Days	Certification/ Application maintained, if CA is not provided in timeline, issue an Adverse Action notice.	Follow non- compliance and adverse action flowchart.	Follow non- compliance and adverse action flowchart.	Corrective action required within 30 calendar days. Once certified, a production or handling operation's organic certification continues in effect until surrendered by the organic operation or suspended or revoked by the certifying agent.
Critical Major (1,0)	0 Days	Combined Notice will be issued.	Follow non- compliance and adverse action flowchart.	Follow non- compliance and adverse action flowchart.	Once certified, a production or handling operation's organic certification continues in effect until surrendered

					by the organic operation or suspended or revoked by the certifying agent.
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