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Global Organic Alliance



POLICY MANUAL

PREAMBLE

GOA policies set forth herein are established by means of agreement and consensus of the Executive Body of Global Organic Alliance, Inc.; hereafter, known as GOA. Policies apply to all clients, members, chapters, and affiliates certified through GOA. Policy changes and additions may be recommended or requested by members, Board of Advisors, staff, or as required to maintain compliance with accreditation provisions.

TABLE OF CONTENTS

1. STRUCTURE3

2. ADMINISTRATION3

3. CONFIDENTIALITY4

4. CONFLICT OF INTEREST4

5. REGISTRATION, CERTIFICATION & ROYALTY FEES5

6. INSPECTION FEES6

7. SUBCONTRACTORS6

8. INSPECTORS6

9. ON-SITE INSPECTIONS7

10. STANDARDS8

11. CERTIFICATION8

12. WITHDRAWAL FROM ORGANIC CERTIFICATION (initial application)9

13. SURRENDER OF ORGANIC CERTIFICATION (continued certification)9

14. CERTIFICATE TERMS10

15. APPEALS10

16. COMPLAINTS10

17. COMPLAINTS RECEIVED BY CERTIFIED OPERATIONS10

18. LABELING AND MARKETING10

19. ETHICS11

20. TESTING AND INSPECTION12

21. EXCLUSION FROM ORGANIC SALE12

22. EMERGENCY PEST OR DISEASE TREATMENT13

23. ACCESS TO INFORMATION13

24. RECORD RETENTION13

25. INTERNAL AUDIT14

26. EXPORT PROGRAMS14

DEFINITIONS

Accreditation: A procedure by which an authoritative body (i.e. USDA, ISO) gives formal recognition that a body or person is competent to carry out specific activities.

Accreditation Certificate: A document issued by an accreditation body to confirm a certification body's accreditation.

Appeal: Procedure where an applicant or certified operation or member of the public contests a certification decision and requests a review.

Certificate: The document issued by GOA that identifies the organic status and organic products of an applicant or certified operation.

Certification: Procedure by which a third party gives written assurance that a clearly identified process has been methodically assessed, such that adequate confidence is provided that specified products conform to specified requirements.

Certification Decision: Systematic assessment based on all relevant information obtained, including the inspection, in order to make a decision.

Certification Program: System operated by a certifying agent with its own policies, procedures and administration to carry out certification activities.

Certification Scope: The areas in which the certifying body has been accredited to provide certification services.

Certifying Body: A body that provides third-party certification services that is independent from inspections.

Complaint: An objection to policies, procedures, or performance of the certifying agent or an objection to the performance or activities of an applicant or certified operation.

Conflict of Interest: The situation where an individual's capacity for objectivity is put at risk by financial or personal interests that are in conflict with their interest in conducting fair and impartial inspection or certification.

Declaration of Interest: A statement of direct, indirect, or perceived personal and/or commercial interests in the organic industry made by those individuals involved in inspections or the certification decision process.

Handling Operation: Any operation or portion of an operation (except final retailers of agricultural products that do not process agricultural products) that receives or otherwise acquires agricultural products and processes, packages, or stores such products.

Inspection: The act of examining and evaluating the production and handling operation of an applicant for certification or certified operation to determine compliance.

Inspector: Any person retained or used by GOA to conduct inspections or certification applicants or certified production or handling operations.

Internal Audit: A periodic self review and self assessment of the objectives and performance of the GOA certification program.

ISO: International Organization for Standardization.

Quality System: Documented procedures that are established, implemented, and audited to assure that production, handling, management, certification, and other systems meet specific requirements and results.

Responsibly Connected: A person that is a partner, officer, director, holder, manager, or owner of ten (10) percent or more of voting stock of an applicant or a recipient of certification.

State Organic Program: A state program that meets the requirements of section 6506 of the Act, is approved by the Secretary, and is designed for the purposes of certifying organic production and handling operations in the State.

1. STRUCTURE

- 1.1 GOA is an Equal Opportunity Employer (EOE) and certification agency. GOA does not require membership of any entity seeking certification. Please contact the GOA office for further information regarding clients.
- 1.2 GOA is open to all production and handling operations that fall within its areas of accreditation and/or standards and will certify all qualified applicants, to the extent of its administrative capacity regardless of size, income, creed, color, religion, gender, sexual orientation, or membership in any association or group, nor is certification conditional upon the number of certificates already issued. Policies and procedures shall not impede or inhibit access to certification.
- 1.3 GOA has utilized a standard "For Profit" incorporation set of Bylaws for the State of Ohio and specific GOA Bylaws. The specific GOA Bylaws are distributed in the annual certification renewal packet.
- 1.4 GOA is open to individuals or companies who desire to utilize GOA certification services providing the operation meets applicable standards, criteria, policies, and procedures of the selected certification program(s).
- 1.5 GOA conducts certification business in:
 - North America (USA, Canada)
 - US Territories (Guam, North Marianna Islands, Puerto Rico, US Virgin Islands, Samoa Islands)
 - Mexico and Africa
 - Central America (Panama, Belize, Costa Rica, El Salvador, Guatemala, Nicaragua, Panama)
 - South America (Argentina, Bolivia, Brazil, Chile, Columbia, Guyana, French Guyana, Peru, Paraguay, Uruguay, Venezuela)
 - Europe and Russia
 - Asia (Philippines, South Korea, Indonesia, Taiwan)

2. ADMINISTRATION

- 2.1 The organizational structure of GOA is designed to build confidence and provide for impartiality and transparency in the efficient execution of the certification process.

- 2.2 Committees will be established as needed by the Chief Executive Officer for a specific, defined task whose activities will be documented. Committees must be composed of members that provide a balance of interests where no single interest predominates.
- 2.3 GOA recruits, when necessary, and selects the most qualified individuals for open positions. Responsibly connected persons, employees, and subcontractors that have analysis, inspection, or decision-making responsibilities must be competent and have sufficient expertise to carry out the assigned task(s).
- 2.4 Responsibly connected persons and employees with analysis, and decision-making responsibilities are required to attend workshops, seminars, etc. to enhance their knowledge and expertise in organic production, handling, and certification.
- 2.5 An annual performance evaluation will be performed of all persons who review and/or evaluate applications/documents for certification, perform on-site inspections, or make certification decisions.
- 2.6 Management continually monitors the Quality System and activities, reviews, and major events involving the Quality System are recorded. Preventive or corrective actions are implemented without delay when a non-conformance or potential non-conformance is identified.
- 2.7 Error and omissions insurance is maintained to prevent financial loss in the event of a lawsuit against GOA.
- 2.8 GOA uses a variety of recruitment efforts, when necessary, to attract qualified applicants and hires and promotes individuals solely on the basis of their job related qualifications. GOA prohibits discrimination in the hiring process on the basis of race, color, religion, disability, age, sex, sexual orientation, national origin, or veteran status.
- 2.9 The Chief Executive Officer (CEO) or President coordinates recruitment and selection processes to fill new or vacant staff positions in consultation with employing departments.
- 2.10 The Board of Advisors will serve as the committee for safeguarding impartiality. The Board of Advisors is comprised of business persons, quality professionals, or consumers with no single interest dominating and who are all external to the certification body. Any change in the structure for safeguarding impartiality should take into account advice from the Executive, Administrative, and Certification Staff, when applicable.
- 2.11 The Board of Advisors will assist in developing policies relating to impartiality of certification activities, counteract activities that affect or prevent impartial or objective certification decisions, advise on matters that affect confidence in the certification program, including openness and public perception, and review the impartiality of the annual internal audit, certification and decision making processes.
- 2.12 Senior management and decision-makers shall not own, operate, manage, nor work in any capacity at a certified organic operation and must be free from commercial, financial, or other pressures that may influence the certification process.

3. CONFIDENTIALITY

- 3.1 GOA will maintain strict confidentiality with respect to its applicants and certified operations under the applicable organic certification program and will not disclose to third parties (with the exception of the Secretary or the applicable State organic program's governing State official or their authorized representatives) any business-related information obtained while implementing the applicable certification or compliance program.
- 3.2 All certification files are confidential. Access is only permitted to staff, inspectors, file clerks, outside evaluators or accreditation agents, or law officers who have signed a Confidentiality Statement.
- 3.3 Individuals that review and/or evaluate applications/documents for certification or perform on-site inspections, make certification decisions and all parties responsibly connected to GOA must complete a Confidentiality Statement annually.
- 3.4 Individuals serving on the governing body of GOA (e.g. executive, Board of Advisors) or committees shall annually sign a Confidentiality Statement and declare all conflicts of interests – direct, indirect, or perceived. The signed documents shall be maintained in the GOA master file.

4. CONFLICT OF INTEREST

- 4.1 Individuals that review and/or evaluate applications/documents for certification, perform on-site inspections, make certification decisions and all parties responsibly connected to GOA must complete an annual Conflict of Interest disclosure report (direct,

indirect, or perceived). Failure to disclose a conflict of interest by inspectors or certification staff is sufficient cause to be removed from the inspector list or dismissal from certification activities.

- 4.2 No staff member, including a subcontracted individual or body, shall actively solicit for or against certification of any individual or entity seeking certification. In the event of such an occurrence, the contacted individual shall report the incident in writing to the Executive and Board of Advisors.
- 4.3 Individuals that perform on-site inspections or involved in the certification decision-making process of a production or handling operation may not have had a commercial/financial interest, including immediate family interest or the provision of consulting services, within 12 months prior to the application for certification; *except* for JAS who requires 24 months (2 years) prior to the application for JAS certification.
- 4.4 No responsibly connected persons with decision-making responsibilities shall be engaged in the purchasing and reselling of organic products.
- 4.5 No staff member, committee member, or Board of Advisor may promote specific crops and/or buyers from a marketing standpoint. This includes individuals in their capacity as a GOA representative at Food Expos, Food Fairs, etc.
- 4.6 No staff member, inspector, subcontract, or other personnel may accept payment, gifts, or favors of any kind, other than prescribed fees, from any business inspected.
- 4.7 No staff member, committee member, subcontract, or other personnel may provide consultancy services to certification applicants or certified operations to overcome identified barriers to certification. Specific advice shall be limited to explanations of the standards or certification requirements. This information shall not be offered for additional fees and shall not prescribe solutions.
- 4.8 The decision to certify an operation must be made by a qualified person other than those individuals who conducted the initial review of certification documents or executed the on-site inspection.
- 4.9 GOA shall reconsider a certified operation's application for certification and, if necessary, perform a new on-site inspection when it is determined within 12 months of certifying the operation, that any person participating in the certification process has or had a conflict of interest involving the applicant. All costs involved with a reconsideration of application, including onsite inspection costs will be borne by the certifying agent.

5. REGISTRATION, CERTIFICATION & ROYALTY FEES

- 5.1 Applicants and certified operations must pay an annual registration and certification fee based on their association with GOA (i.e. member or client) and the applicable certification or compliance program(s) and category or categories (i.e. farm, livestock, processor, handler, repacker, etc.) of certification being requested. A full refund of the Registration Fee will be returned to initial applicants who are not accepted by GOA.
- 5.2 Applicants and certified operations are responsible for the registration, certification, and royalty fees associated with the certification of a contracted operation certified under their operation.
- 5.3 The annual certification fee must be submitted with the applicable Organic Plan(s).
 - 5.3.1 Applicants seeking initial organic certification, who submit the applicable Organic Plan(s) within 30 days from the date the New Member Booklet is mailed from the office, are not be subject to the submission deadline for certified operations. However, applicants seeking initial organic certification, who do not submit the applicable Organic Plan(s) within the 30 days, may be subject to late fees.
 - 5.3.2 Certified operations seeking renewal certification are subject to the submission deadline of the renewal year to avoid additional late fees regardless of the date of the last inspection.
- 5.4 Non-payment of registration, certification, and/or royalty fees or any open invoice over ninety (90) days old is cause for loss of membership and/or certification (if a client), as well as Product Inventory Certificate (PIC) services.
 - 5.4.1 Invoices for the registration fee and/or certification fee will be sent via US Mail with the net due within 30 days from the invoice date. A reminder notice will be sent via US Mail on outstanding accounts of 60 days. Accounts in arrears of 90 days will be notified via certified, return receipt. Membership and/or certification rights/privileges will be suspended or revoked for accounts in arrears of 90 days when payment is not made within 14 days from the date of the certified letter.

6. INSPECTION FEES

- 6.1 An applicant or certified operation shall not pay certification or inspection fees directly to the inspector. GOA assumes the responsibility of securing payment from the applicant or certified operation for the inspector.
- 6.2 An inspection fee as specified in the GOA Schedule of Fees or, when applicable, a JAS inspection fee as specified in the JAS Certification Program Fees must be paid to the GOA office prior to assigning a qualified inspector. Applicants and certified operations who are direct Licensees of GOA are responsible for the inspection fees associated with the announced or unannounced on-site inspection of a contracted operation certified under their operation.
- 6.3 Inspection fees and expenses are the responsibility of the applicant or certified operation being inspected. Fees and expenses may vary due to the distance that must be traveled by the assigned inspector, complexity of the operation to be inspected, and the location of the operation as living cost vary depending on the region.
 - 6.3.1 Overpayment of inspection fees will be reimbursed within two weeks from receipt of the invoice, inspection, report, and inspection affidavit and exit interview.
 - 6.3.2 Outstanding inspection fees are invoiced to the inspected operation. Payment must be made to the GOA office within one (1) week from the invoice date. Certification review will not continue until full payment of inspection fees has been made.
 - 6.3.3 Nonpayment of outstanding inspection fees within 14 days from the invoice date will result in publicly suspending or revoking membership and assessing additional late fees allocated by the inspector and/or GOA.

7. SUBCONTRACTORS

- 7.1 GOA takes full responsibility for subcontracted work (i.e. inspection or testing) and maintains full responsibility for granting, maintaining, extending, suspending, or revoking certification.
- 7.2 The subcontracted individual or operation must comply with applicable provisions of ISO Guide 65 and other standards and criteria relevant to testing and inspection or as required by the applicable certification program..
- 7.3 The subcontracted individual or operation shall abide by GOA confidentiality and conflict of interest policies and when applicable sign the Confidentiality Statement (F005) and the Conflict of Interest Declaration (F006).
- 7.4 Applicants and certified operations are informed of GOA's intent to hire a subcontractor to perform a specified task. The applicant and certified operation may exercise their right to refuse the contracted individual/operation with just cause. The rejection of the selected subcontractor must be in writing and provide the reason for refusal and include supporting documentation.

8. INSPECTORS

- 8.1 GOA takes full responsibility for contracting inspectors to conduct the on-site inspection and maintains full responsibility for granting, maintaining, extending, suspending, or revoking certification. Inspectors shall not be hired by the applicant or certified operation.
- 8.2 Inspectors are independent contractors engaged by GOA to perform specific duties and to submit reports documenting their observations and discussions on the operations' compliance to the applicable certification program.
- 8.3 Inspector assignment is based on education (past and continuing), experience or expertise in a specific area of production or handling, geographic location, and review of the Conflict of Interest Declaration. When the nearest inspector is not qualified to perform the inspection or there is a conflict of interest that inspector will not be hired.
- 8.4 Inspectors must complete a 5 hour JAS training course before being eligible to conduct JAS inspections and complete the training every 4 years thereafter. More frequent training may be required when there are changes in the JAS certification program and/or for inadequate inspection work or reporting, or as directed by authorized representative of MAFF. The training will spend 2 hours covering the JAS Law and JAS organic certification and 3 hours covering the JAS Standards and Technical Criteria for each certification category. It is up to the discretion of GOA to accept JAS training from another organization.
- 8.5 Applicants and certified operations are notified who the assigned inspector is and have the right to refuse the inspector with just cause. The request for a different inspector must provide the basis for refusal, supporting documentation (when applicable) and submitted in writing. The final decision to reassign a different inspector rests with GOA. (Applicants may not refuse one inspector after another.)

- 8.6 Inspectors are evaluated annually based upon their performance and evaluations received from inspected operations during the past year.
- 8.7 Inspectors shall annually sign a Confidentiality Statement, declare all conflicts of interests, provide a c.v./resume, and evidence of continuing education (when applicable). These documents shall be maintained in the GOA office.
- 8.8 Inspectors must conduct an exit interview with the individual(s) who are knowledgeable in the organic production/handling practices and recordkeeping of the operation to confirm accuracy and completeness of inspection observations and information gathered during the on-site inspection utilizing the applicable GOA document(s). The inspector must address the need for any additional information as well as any issues of concern.
- 8.9 GOA will provide the inspector with the applicants or certified operation completed Plan, supporting documentation (i.e. maps, histories, labels, flow charts, etc.), previous inspection report and assessment form.
- 8.10 Inspectors shall submit an inspection report as a result of the inspection, within the timeframe designated in the Inspector Contract and provide additional information when requested by Certification Staff.
- 8.11 GOA will notify the inspector of the certification decision and requirements to correct non-compliances of the inspected operation.

9. ON-SITE INSPECTIONS

- 9.1 An on-site inspection of each production unit, facility, and/or site that produces or handles organic products and that is included in an operation for which certification is requested.
 - 9.1.1 Operations seeking initial certification or maintaining certification must permit on-site inspections with complete access to the production or handling operation, including non-certified production and handling areas, structures, and offices.
- 9.2 An on-site inspection shall be conducted annually for each certified operation that produces or handles organic products to determine whether the certification of the operation should continue.
- 9.3 The on-site inspection must occur at a time when land, facilities, and activities that demonstrate the operation's compliance with or ability to comply with the applicable requirements can be observed, except that this requirement does not apply to unannounced on-site inspections.
- 9.4 On-site inspections must be conducted when individuals who are knowledgeable of the organic production/handling practices and recordkeeping of the operation being inspected are present and available to accompany the assigned inspector. This does not apply to unannounced on-site inspections.
- 9.5 The initial on-site inspection must be conducted within a reasonable time upon determination by GOA that all required documentation has been submitted and the operation appears to be able to comply with the certification requirements. GOA may delay the initial inspection up to 6 months to ensure the inspection is conducted when the land, crops, facilities, and/or activities requested for certification can be observed and verified to be in compliance with the certification requirements.
- 9.6 Announced and unannounced visits may take place at the discretion of GOA or as required or directed by an authorized representative of the accreditation program.
- 9.7 The on-site inspection of an operation must verify:
 - 9.7.1 Compliance to the applicable certification programs standards and requirements;
 - 9.7.2 The information supplied in the Organic Plan accurately reflects the management practices employed, materials in use, field histories, maps/floor plans, and product flow charts accurately depict the operation and/or movement of product, and field histories, field maps, and acreages are accurate;
 - 9.7.3 Prohibited substances have not been and are not being applied to the operation, which may include the collection and testing of soil, water, waste, seeds, plant tissue, or plant, animal or processed product samples.
 - 9.7.4 Verification that corrective actions to bring previously identified noncompliances into compliance have been implemented.

- 9.8 A copy of the on-site inspection report, the certification decision with the areas needing improvement or that require corrective action identified, and test results when applicable, will be sent to the inspected party by Global Organic Alliance upon payment of all applicable fees.
- 9.9 EU Compliance applications received after the on-site inspection has been scheduled or has occurred are subject to an additional on-site inspection to verify compliance with the EU regulations at the operation's expense.
- 9.10 JAS Certification applications received after the on-site inspection has been scheduled or has occurred are subject to an additional on-site inspection to verify compliance with JAS Law, Standards, and Technical Criteria at the operation's expense.

10. STANDARDS

- 10.1 GOA will furnish every member, company, group, cooperative, or affiliate with a copy of the certification program standards/requirements requested.
- 10.2 A copy of the applicable certification program standards/requirements are sent to applicants at the time they apply for certification and annually to certified operations seeking continued certification.

11. CERTIFICATION

- 11.1 All certification activities, including decision-making, must go directly through the GOA Certification Staff delegated to make certification decisions. The Chapters are not authorized to conduct decision-making activities related to certification. Certification decisions are based upon the standards and requirements of the certification program to which application has been made.
- 11.2 GOA recognizes and accepts certification decisions made by other certification agencies accredited or accepted by the applicable certification program.
- 11.3 Applicants and certified operations are responsible for providing the current standards, policies, and other documents required by the applicable certification program to a contracted operation certified under their operation.
- 11.4 In the event of changes to a certification or compliance program, GOA will provide written notification to certified operations affected by the changes and specify an effective date of the change. Changes to a certification program will also be published in the GOA newsletter. The effective date will be as directed by the accreditation body, relevant international body, or the registration body when provided. Affected policy and procedures, work instructions, and forms will be revised to reflect the change.
- 11.5 Operations must be in compliance with the standards/regulations of the applicable certification and/or compliance program to which application has been made. Certification requirements and decisions related to granting, maintaining, extending, suspending, or revoking certification is based upon the information supplied and obtained during the certification and inspection process.
 - 11.5.1 Minor non-compliances do not affect the organic integrity of the crop/product that are usually discovered during the annual inspection/certification process and identified in the form of a requirement in the Certification Assessment form sent to the entity. Non-compliances shall be brought into compliance within the specified time period.
 - 11.5.2 Major non-compliances affect the organic integrity of the crop/product making the crop/product non-certifiable. Certification of the operation is withheld until the major non-compliance is brought into compliance. A second inspection and review of the entire entity may be required to verify compliance.
- 11.6 Applicants or certified operations seeking certification of a production or handling operation must submit:
 - 11.6.1 Organic production or handling plan with field/facility map, three-year field histories, process flow charts and product composition sheets (handling), ingredient labels for inputs, and seed/planting stock documentation and additional information when requested to determine compliance.
 - 11.6.2 Name(s) of organic certifying agent(s) to which application has previously been made; the year(s) of application, outcome of the application(s), including any notification of noncompliance or denial of certification.
- 11.7 Applicants seeking initial certification or certified operations maintaining certification must notify GOA immediately of any:
 - 11.7.1 Application, including drift, of a prohibited substance to any field, production unit, site, facility, livestock, or product that is part of the operation.

- 11.7.2 Change in a certified operation or any portion of a certified operation that may affect compliance or ability to comply, including the discontinuation of business activities.
- 11.8 Producers - Operations that have not submitted a renewal organic plan by the due date or have not notified Global Organic Alliance of their intent to withdraw from certification will be subject to noncompliance proceedings. If the operation does not respond to the notification of noncompliance, Global Organic Alliance will proceed with measures to suspend certification.
- 11.9 Handlers - Operations that have not submitted a renewal organic plan no later than 30 days prior to the inspection date recorded on the organic certificate or have not notified Global Organic Alliance of their intent to withdraw from certification will be subject to noncompliance proceedings. If the operation does not respond to the notification of noncompliance, Global Organic Alliance will proceed with measures to suspend certification. In the event, the interval between inspections exceeds 12 months, subsequent inspections must be scheduled over a set period of time to make the number of inspections and number of certified years uniform.
- 11.10 Operations requesting JAS certification must ensure that those in charge of managing certified production processes, as well as the subdivision, distribution, storage, and grading have the education and/or experience required by JAS Technical Criteria for Certification applicable to the operation.
- 11.11 GOA will offer regional JAS trainings throughout the year. Operations wanting JAS certification must complete a 5 hour JAS training course before they are eligible to for JAS certification. Additional training may be required when there are changes in the JAS certification program or as directed by authorized representatives of MAFF. The training must spend 2 hours covering the JAS Law and JAS organic certification and 3 hours covering the JAS Standards and Technical Criteria for each certification category. It is up to the discretion of GOA to accept JAS training from another organization.
- 11.12 Operations must notify GOA immediately of any changes in the operation or portion of the operation that may affect its compliance with the applicable certification or compliance program. Additional on-site inspections at the operation's expense may be required to determine continued compliance.
- 11.13 GOA may publicly announce the surrendering, withdrawal, suspension or revocation of certification by an operation.

12. WITHDRAWAL FROM ORGANIC CERTIFICATION (initial application)

- 12.1 Applicants who wish to withdraw from organic certification must notify the GOA office in writing.
- 12.2 Applicants may withdraw from organic certification at any time; however, the applicant is liable for costs and/or services provided by GOA up to the time the withdrawal notification is received in the GOA office.
- 12.2.1 Withdrawal notifications received during the certification and/or inspection process, will be assessed costs for time, expenses incurred (i.e. phone, copying, etc.), and inspector fees billed by the inspector. Applicants are responsible for all inspection fees and expenses in the event an inspector has arrived at the farm or facility regardless if the inspection has commenced or not.
- 12.2.2 Withdrawal notifications received after an inspection has occurred and before a certification decision has been made are responsible for all applicable certification and inspection fees and expenses; however, a written certification assessment will not be forthcoming.

13. SURRENDER OF ORGANIC CERTIFICATION (continued certification)

- 13.1 Certified operations who wish to surrender their organic certification must notify the GOA office in writing or sign the Notification of Surrender form (F040).
- 13.2 Certified operations may surrender their organic certification at any time; however, the certified operation is liable for costs and/or services provided by GOA up to the time the notification of surrender is received in the GOA office.
- 13.2.1 Surrender notifications received during the certification and/or inspection process, will be assessed costs for time, expenses incurred (i.e. phone, copying, etc.) and inspector fees billed by the inspector. Certified operations are responsible for all inspection fees and expenses in the event an inspector has arrived at the farm or facility regardless if the inspection has commenced or not.
- 13.2.2 Withdrawal notifications received after an inspection has occurred and before a certification decision has been made are responsible for all applicable certification and inspection fees and expenses; however, a written certification assessment will not be forthcoming.

- 13.3 Certified operations who voluntarily surrender their organic certification must immediately discontinue selling, labeling, or representing product as organic, identifying GOA as the certifying agent, and use of the applicable program seal/mark.

14. CERTIFICATE TERMS

- 14.1 Organic certification is effective as of the date that certification is granted by GOA. GOA issues an organic certificate at the time certification is granted and annually thereafter upon successful completion of the inspection and certification process and full payment of all applicable fees.
- 14.2 Once certified, a production or handling operation's organic certification continues in effect until surrendered by the organic operation or suspended or revoked by GOA or the Administrator of the National Organic Program.
- 14.3 The certificate will specify:
- 14.3.1 Name and address of the certified operation;
 - 14.3.2 Certification or Compliance Program;
 - 14.3.3 Effective date of certification;
 - 14.3.4 Categories of organic operations, including crops, wild crops, livestock, or processed products produced by the organic operation; and
 - 14.3.5 Name, address, and phone number of GOA.

15. APPEALS

- 15.1 Applicants, certified operations, and third parties have the right to appeal or dispute a certification decision. The appeal must be made in writing to the GOA office within thirty (30) days of the date of the certification decision notification. Disposition of the appeal must be completed within 120 days of receipt of the written appeal. Please contact the GOA office for a copy of the appeal procedure and application form.

16. COMPLAINTS

- 16.1 A Complaint Procedure is in place to encompass "problems", concerns, disputes, etc., other than certification appeals. Complainants must request a copy of the Complaint Procedure and Application from the GOA office. Complaint applications must be made within thirty (30) days of the "alleged offense" and the case resolved within one hundred twenty (120) days from the receipt of the complaint date.
- 16.2 Written complaints received against a certified operation will be investigated and investigation activities and results documented. Investigations that result in finding a potential major noncompliance may result in an additional inspection at the expense of the certified operation or noncompliance proceedings applicable to the certification program. Anonymous complaints without sufficient documentation cannot be investigated.

17. COMPLAINTS RECEIVED BY CERTIFIED OPERATIONS

- 17.1 Certified operations are required to develop and maintain a register of complaints for the organic portion of the operation that are received from buyers or consumers of the crop(s) grown, product manufactured, crops or products sold, service that is offered, or certified production/handling systems owned by the operation.
- 17.2 On receipt of the complaint, the certified operation must investigate the complaint; document the results of the investigation, and the action taken to remedy the complaint. Investigations that result in changes to the Organic Plan or finding a potential major noncompliance must be reported immediately to GOA. GOA may determine an additional inspection at the expense of the certified operation is required.
- 17.3 Certified operations must report all complaints regarding their operation or product annually with the applicable Organic Plan(s) and make the complaint log available to the inspector during the inspection or when requested by authorized representatives of GOA or the applicable accreditation body.
- 17.4 Compliance to the complaint policy will be assessed during the annual on-site inspection.

18. LABELING AND MARKETING

- 18.1 GOA does not require use of the seal/mark on any product sold, labeled, or represented as organically produced as a condition of certification. Operations that voluntarily use the GOA seal/logo must submit samples or copies of labels that are in use or are

intended for use for approval by GOA. Approval must be obtained before the label is applied to product entering the stream of commerce.

- 18.2 An organic seal/mark may only be used by GOA certified operations holding a valid certification certificate for the certification or compliance program of the seal/mark being displayed. Use of the seal/mark must be in compliance with the regulations, laws, and/or standards of the applicable certification or compliance program.
- 18.3 Use of the GOA seal/mark is subject to the following conditions:
 - 18.3.1 The certified operation must be in good standing, including payment of all applicable fees.
 - 18.3.2 The certified operation must have a valid current certificate. The certificate is reissued annually.
 - 18.3.3 The certified operation must have signed and returned the GOA Licensing Agreement.
- 18.4 Operations who surrender certification or whose certification is suspended or revoked must immediately discontinue identifying GOA as the certifying agent and applicable seal/mark.
- 18.5 Certified operations found to be utilizing the NOP or GOA name, seal, or derivative thereof, in an inappropriate, illegal, or fraudulent manner, or in any way that is inconsistent with GOA Labeling Standards or the National Organic Program (NOP) requirements and the alleged violation is found to be true, the following penalties apply:
 - 18.5.1 Certification and, when applicable, membership will be suspended or revoked for a period determined by GOA. This includes an individual or operation that reapplies for GOA certification under a new company name or name change.
 - 18.5.2 Entities not certified by GOA or clients using the GOA name, seal or derivative thereof, will be notified via mail that they are in error, and are invited to apply for GOA certification. Should the entity or client not commence with certification application, they will be required to cease and desist immediately or GOA will take legal action as deemed necessary.
 - 18.5.3 NOP/USDA Seal misuse, NOP §205.100(c)(1)&(2) applies: *“(c) Any operation that:*
 - (1) Knowingly sells or labels a product as organic, except in accordance with the Act, shall be subject to a civil penalty of not more than \$10,000 per violation.*
 - (2) Makes a false statement under the Act to the Secretary, a governing State official, or an accredited certifying agent shall be subject to the provisions of section 1001 of title 18, United States Code.”*
- 18.6 Abuse of the GOA name and/or seal must be resolved within sixty (60) days from the initial notification date of the alleged infraction.
 - 18.6.1 Members convicted of seal/mark fraud or abuse while certified by GOA will be removed from membership and certification revoked.
 - 18.6.2 Clients convicted of seal/mark fraud or abuse while certified by GOA will have their certification revoked and notice made to the USDA.

19. ETHICS

- 19.1 Certified operations must treat each other with respect. This includes honoring all contracts, written and/or verbal, and payment of fees owed to each other.
 - 19.1.1 Repeated offenses of nonpayment between members and/or clients will be dealt with by the peers of the offender and the Executive, with a specific member of the Board of Advisors via GOA's "general" Complaint Procedure.
- 19.2 Applicants and certified operations shall not submit false or misleading documentation or reject, obstruct, or avoid inspections.
- 19.3 Certified operations must cooperate with investigations undertaken by GOA or authorized representatives of accreditation programs administered by GOA.
- 19.4 Certified operations shall only make claims regarding organic certification in respect to the scope for which certification has been granted or renewed.
- 19.5 Certified operations must not use the product certification in such a manner that brings GOA or the applicable certification program into disrepute and must not make any statement regarding product certification that GOA considers misleading or unauthorized.

Operations shall immediately comply and respond to directives to correct, improve, or discontinue marketing materials or labeling from GOA or governing official of the certification program.

- 19.6 Persons(s)/companies convicted of standards violations or seal/mark fraud or abuse by any certification agency will not be considered for membership and/or certification by Global Organic Alliance.
- 19.7 Certified operations who are convicted of Standard violations may be removed from membership and their certification suspended or revoked and notice made to the applicable certification program.

20. TESTING AND INSPECTION

- 20.1 GOA reserves the right to request the collection and testing of soil, water, waste, seeds, plant tissues, and plant, animal, and processed product samples if historical land use, inspector observations, or other information indicates possible contamination by prohibited substances. The individual in charge of the organic program of the operation will be supplied with a receipt for any samples taken by the inspector at GOA's request. There will be no charge to the inspector for the samples taken.
- 20.2 The Certification Department may request a random soil test by an inspector who is in the area for another applicant/certified operation or from the inspector of record, in the event GOA receives written information that justifies such action.
- 20.3 Samples will be taken by the inspector in the presence of the operator. The inspector will take charge of the evidence, document the collection, and mail it to the designated lab. Documents must include the name or initials of the individual collecting the specimen, name of person having custody of it throughout the chain, the collection date, mailing date and where it was sent, and brief description of the specimen.
- 20.4 The sample will be split into three parts with one part given to the operator. The second will be kept for record purposes at the GOA office and the third will be sent to a qualified, designated lab.
- 20.5 The laboratory used for testing is: Logan Labs, 184 West Main Street, Russells Point, OH 43348 Phone: 937-842-6100 Fax: 937 842 2433. For operations certified to the Canadian Organic Regime (COR) testing will be handled by the closest accredited lab.
- 20.6 Inspection and testing of Agricultural Products to be sold or labeled organic:
 - 20.6.1 All agricultural products that are to be sold, labeled or represented as "100 percent organic", "organic" or "made with organic (specified ingredients or food group(s))" must be made accessible by certified organic production or handling operations for examination by GOA.
 - 20.6.2 GOA may require pre-harvest or post-harvest testing of any agricultural input used or agricultural product to be sold, labeled or represented as "100 percent organic", "organic" or "made with organic ingredients or food group(s)" when there is reason to believe that the agricultural input or product has come into contact with a prohibited substance or has been produced using excluded methods. Such tests must be conducted at GOA's own expense.
 - 20.6.3 An inspector appointed by GOA must perform the pre-harvest or post-harvest tissue test sample collection pursuant to 11.2.2 of this section. Sample integrity must be maintained throughout the chain of custody, and residue testing must be performed in an accredited laboratory. Chemical analysis must be made in accordance with the methods described in the most current edition of the Official Methods of Analysis of the AOAC International or other current applicable validated methodology determining the presence of contaminants in agricultural products.
 - 20.6.4 Results of all analyses and tests performed under this section:
 - 21.6.4.1 Must be provided to GOA, and
 - 21.6.4.2 Will be available for public access, unless the testing is part of an ongoing compliance investigation.
 - 20.6.5 If test results indicate a specific agricultural product contains pesticide residues or environmental contaminants that exceed the Food and Drug Administration's or the Environmental Protection Agency's regulatory tolerances, GOA must promptly report such data to the Federal Health Agency, whose regulatory tolerance or action level has been exceeded.

21. EXCLUSION FROM ORGANIC SALE

- 21.1 When residue testing detects prohibited substances at levels that are greater than 5 percent of the EPA's tolerance for the specific residue detected or unavoidable residual environmental contamination, the agricultural product must not be sold, labeled or represented as organically produced. GOA may conduct an investigation of the certified operation to determine the cause of the prohibited substance.

22. EMERGENCY PEST OR DISEASE TREATMENT

- 22.1 When a prohibited substance is applied to a certified operation due to a Federal or State emergency pest or disease treatment program and the certified operation otherwise meets the requirements of this part, the certification status of the operation shall not be affected as a result of the application of the prohibited substance, provided that:
- 22.1.1 Any harvested crop or plant part to be harvested that has contact with a prohibited substance applied as the result of a Federal or State emergency pest or disease treatment program cannot be sold, labeled, or represented as organically produced, and:
 - 22.1.2 Any livestock that are treated with a prohibited substance applied as the result of a Federal or State emergency pest or disease treatment program or product derived from such treated livestock cannot be sold, labeled or represented as organically produced: Except that,
 - 22.1.2.1 Milk or milk products may be sold, labeled or represented as organically produced beginning 12 months following the last date that the dairy animal was treated with the prohibited substance: and,
 - 22.1.2.2 The offspring of gestating mammalian breeder stock treated with a prohibited substance may be considered organic, if the breeder stock was not in the last third of gestation on the date that the breeder stock was treated with the prohibited substance.

23. ACCESS TO INFORMATION

- 23.1 Upon request, GOA shall make available to any member of the public:
- 23.1.1 Certification certificates issued during the current and three (3) preceding calendar years;
 - 23.1.2 A list of producers and handlers whose operations are certified by GOA, including the name of the operation, type(s) of operation, products produced, and the effective date of the certification during the current and three (3) preceding calendar years;
 - 23.1.3 Results of laboratory analyses for residues of pesticides and other prohibited substances conducted during the current and three (3) preceding calendar years; and
 - 23.1.4 Other business information permitted in writing by the producer or handler.
- 23.2 Updates to documents available on the GOA website are sent immediately to the webmaster for posting. The date the updated document is sent to the webmaster is documented and the GOA web site is monitored for access to the new documents.
- 23.3 Requirements for specific certification or compliance programs is available to the applicant and on request to the public. These may include documents defining activities such as sampling, testing, inspection, surveillance of the management system as appropriate. Scheme documents will be developed and maintained taking into consideration the views of interested parties.

24. RECORD RETENTION

- 24.1 Records are maintained according to the following schedule:
- 24.1.1 Records *obtained from applicants for certification and certified operations* are maintained for not less than 5 years beyond their receipt or as required by the applicable accreditation body.
 - 24.1.2 Records *created by GOA regarding applicants for certification and certified operations* are maintained for not less than 10 years beyond their creation or as required by the applicable accreditation body.
 - 24.1.3 Records created or received by GOA pursuant to *accreditation* requirements are maintained for no less than 5 years beyond their creation or receipt or as required by the applicable accreditation body.
- 24.2 Records from JAS applicants and JAS certified operations are retained for the duration the JAS certificate of the applicable certified operation is in effect, which may exceed the record retention period in 24.1 above.
- 24.3 Records for certified operations will remain in the active file for one year and replaced with updated plans and supporting documentation annually.

24.4 Records are available for inspection and copying during regular business hours by authorized representatives of the applicable accreditation body.

25. INTERNAL AUDIT

- 25.1 GOA will conduct an annual internal audit covering all procedures to verify that the quality system is implemented and effective.
- 25.2 Personnel responsible for the area audited are informed of the audit results and are responsible for proposing and implementing corrective actions in a timely manner.
- 25.3 Results of the internal audit is documented.
- 25.4 Executive management continually monitors the efficiency and effectiveness of the Quality System. Activities involving the Quality System are documented and preventive or corrective actions are implemented without delay when a non-conformance or potential non-conformance is identified.

26. EXPORT PROGRAMS

- 26.1 USDA/MAFF Export Arrangement
 - 26.1.1 Plant-based agricultural products must be verified not to have been grown or handled with alkali-extracted humic acid, to be in compliance with the USDA/MAFF Export Arrangement. Product is not JAS certified through this process.
 - 26.1.2 Export Certificates (TM-11) must state in the remarks section, "Products covered under this export certificate are not known to be produced with alkali-extracted humic acid."
- 26.2 Taiwan
 - 26.2.1 Export Certificates (TM-11) issued for Taiwan must only be issued for products that can carry the USDA organic seal. The Export certificate (TM-11) 'remarks' section must contain one of the following compliance statements applicable to the product covered under the Export Certificate:
 - a. For Processed Products and Crops: "Organic agricultural products and organic processed products, accompanied by this certificate, were produced or processed using zero prohibited substances."
 - b. For Livestock and Meat Products: "Organic livestock products, accompanied by this certificate, were managed and produced without the use of systemic pain killers or analgesics, including the use of Lidocaine or Procaine."