Standard Operating Procedure

Idaho State Department of Agriculture
Organic Program

Revised: April 26, 2021

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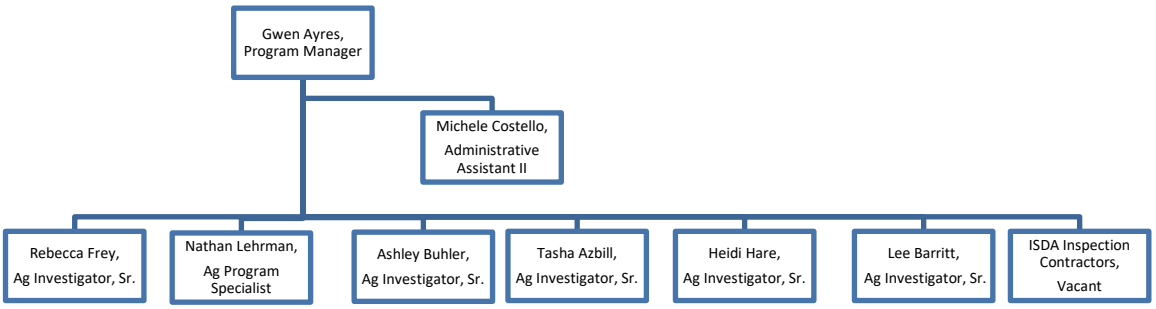


Department Management

- Celia Gould, Director
- Chanel Tewalt, Deputy Director
- Pamela Juker, Chief of Staff
- Jared Stuart, Division Administrator
- Laura Thomas, Bureau Chief
- Kyle Wilmot, Bureau Chief

Administrative Staff

- *Gwen Ayres, Agricultural Program Manager*: Overall program management and oversight. Initial reviews, final reviews, inspections (crop, livestock, and handler), material reviews, staff evaluations.
- *Nathan Lehrman, Agricultural Program Specialist*: Initial reviews, final reviews, inspections (crop, livestock, and handler), material reviews, data quality oversight, Integrity Database management, sampling oversight.
- *Rebecca Frey, Agricultural Investigator, Senior - Boise*: Initial reviews, final reviews, inspections (crop, livestock, and handler), material reviews, sampling.
- *Tasha Azbill, Agricultural Investigator, Senior - Twin Falls*: Initial reviews, final reviews, inspections (crop, livestock, and handler), sampling.
- *Heidi Hare, Agricultural Investigator, Senior -Burley*: Initial reviews, final reviews, inspections (crop, livestock, and handler), sampling, unannounced inspection oversight.
- *Ashley Buhler, Agricultural Investigator, Senior - Blackfoot:* Initial reviews, final reviews, inspections (crop, livestock, and handler), sampling.
- *Lee Barritt, Agricultural Investigator, Senior - Boise:* In training (start date 3/8/2021). She will be trained to perform initial reviews, final reviews, inspections (crop, livestock, and handler), sampling.
- *Michele Costello, Administrative Assistant II*: Webpage maintenance, payment inputs, processing and receiving.

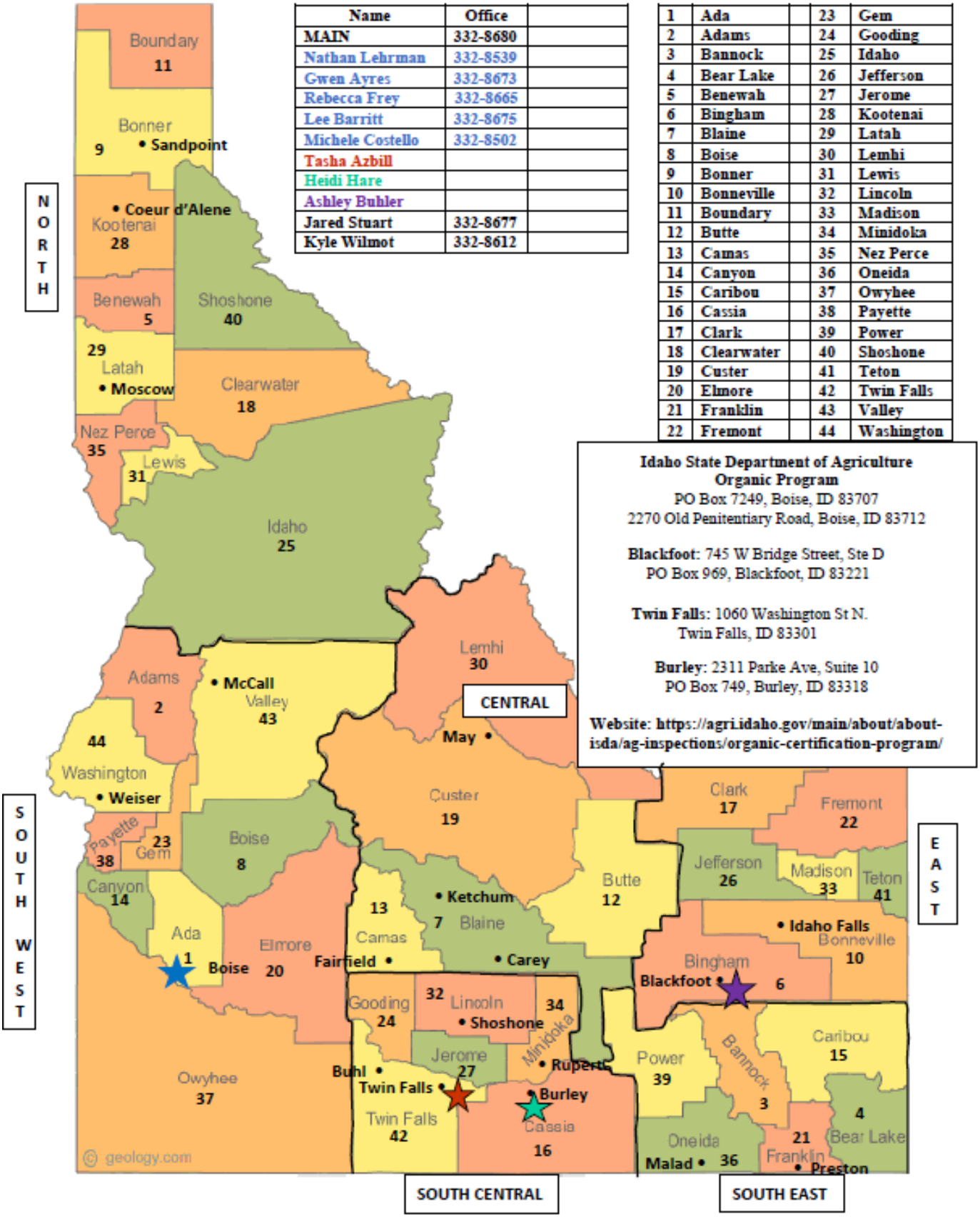
Contract Inspectors

- *Vacant*

II. Contact Information and Locations

Name	Office	
MAIN	332-8680	
Nathan Lehrman	332-8539	
Gwen Ayres	332-8673	
Rebecca Frey	332-8665	
Lee Barritt	332-8675	
Michele Costello	332-8502	
Tasha Azbill		
Heidi Hare		
Ashley Buhler		
Jared Stuart	332-8677	
Kyle Wilmot	332-8612	

1	Ada		23	Gem
2	Adams		24	Gooding
3	Bannock		25	Idaho
4	Bear Lake		26	Jefferson
5	Benewah		27	Jerome
6	Bingham		28	Kootenai
7	Blaine		29	Latah
8	Boise		30	Lemhi
9	Bonner		31	Lewis
10	Bonneville		32	Lincoln
11	Boundary		33	Madison
12	Butte		34	Minidoka
13	Camas		35	Nez Perce
14	Canyon		36	Oneida
15	Caribou		37	Owyhee
16	Cassia		38	Payette
17	Clark		39	Power
18	Clearwater		40	Shoshone
19	Custer		41	Teton
20	Elmore		42	Twin Falls
21	Franklin		43	Valley
22	Fremont		44	Washington



Idaho State Department of Agriculture
Organic Program
PO Box 7249, Boise, ID 83707
2270 Old Penitentiary Road, Boise, ID 83712

Blackfoot: 745 W Bridge Street, Ste D
PO Box 969, Blackfoot, ID 83221

Twin Falls: 1060 Washington St N.
Twin Falls, ID 83301

Burley: 2311 Parke Ave, Suite 10
PO Box 749, Burley, ID 83318

Website: https://agri.idaho.gov/main/about/about-isda/ag-inspections/organic-certification-program/

III. Training Personnel

ISDA Employees:

In order to meet the requirements outlined in § 205.504 "Evidence of expertise and ability," all Idaho State Department of Agriculture (ISDA) organic personnel who will conduct inspections and reviews must participate in one of the following trainings for each operational category (scope) of inspection. Note that wild crop inspections are covered under the crop scope:

A. When time and budget allow, the ISDA will send organic personnel to International Organic Inspector Association (IOIA) webinar training for the following: Basic Crop, Basic Handler Inspection, Basic Livestock Inspection, and Advanced Inspection Trainings.

B. When time and budget allow, ISDA will send organic personnel to IOIA in-class training for the following: Basic Handler Inspection, Basic Livestock Inspection, and Advanced Inspection Trainings. ISDA employees will not be sent to these trainings until their probationary period has passed successfully and internal approvals have been obtained.

C. When the above-mentioned trainings are not available or not feasible for any reason, when time and budget allow, ISDA will contract an IOIA instructor or member to provide in-house training in Boise or other location convenient for organic personnel. Each in-house training will be comprised of at least one day of in-class instruction per operational category. Following the in-class training, each inspector will be accompanied by the Program Manager, Program Specialist, or Agricultural Investigator, Senior on at least three actual inspections of each operational category. Upon completion, organic personnel will be issued a certificate by IOIA or ISDA for each operational category completed.

D. When the above options are not available or not feasible for any reason, ISDA will conduct in-house training in Boise or other location convenient for organic personnel. Each in-house training will be composed of at least three days of instruction covering ISDA policy, NOP Regulations, and specific information regarding each operational category. Following the training, each inspector will be accompanied by the Program Manager, Program Specialist, or Agricultural Investigator, Senior on at least three actual inspections of each operational category.

In addition to the above, staff with little or no previous experience with organic regulation or organic inspections will undergo further training. Staff who will conduct organic inspections will observe at least three inspections conducted by an experienced inspector in each scope (crop, livestock, and handler) and be observed by an experienced inspector on at least three inspections in each scope before being allowed to conduct inspections unsupervised for each applicable scope. Staff who will perform initial and/or final reviews will observe at least three total initial and three total final reviews conducted by an experienced reviewer and be observed by an experienced reviewer conducting at least three total initial and three total final reviews before being allowed to conduct an initial or final review unsupervised. These requirements may be extended if the staff person, observer, or Program Manager deems additional training necessary. These trainings and observations will be tracked in the staff member's Training Log.

Organic Program administrative staff will participate in trainings, seminars, and conferences made available by the United States Department of Agriculture National Organic Program (USDA-NOP), the Accredited Certifiers Association (ACA), and other reputable organizations when time and budget allow. Also, when time and budget allow or when needed, annual refreshers will be provided to all organic personnel through in-house training in Boise and/or other duty stations throughout the state.

Initial and annual refresher in-house training curriculum will be composed of the following: 7 CFR Part 205, Rules and Regulations, ISDA Organic Program Policies and Procedures, Opening Meeting, Organic System Plan (OSP) Verification, Field Inspection, Labels, Material Review, Sampling, Record Checks, Audits, Exit Interview and Report Writing. Topics of the curriculum may be added or deleted depending upon the needs of staff. Materials of the in-house training will be based on the NOP Program Handbook, ISDA SOP, IOIA Manual, and other applicable publications.

Contract Inspectors:

In order to meet the requirements outlined in § 205.504 "Evidence of expertise and ability," all contract organic personnel will provide evidence of successful completion of the following trainings for each operational category of inspection in order to be considered for contract work with ISDA:

- IOIA training: Basic Crop Inspection, Basic Handler Inspection, Basic Livestock Inspection.
  *Applicants who have Completed IOIA Advanced Inspection Trainings will be provided with preferential consideration, when completed in addition to basic inspector training in the category of inspection they are applying to perform as a contractor for ISDA.

When a contract inspector has not received the above training experience, ISDA will consider education and experience in organic inspections. Contractors who have completed IOIA training will receive preferential consideration, but alternative experience and training may be considered.

ISDA will conduct in-house training in Boise or other location convenient for organic contract inspectors or ISDA staff. Contract inspectors are required to undergo annual training on ISDA inspection policies and procedures once minimum qualifications have been confirmed to perform ISDA organic inspections. Each potential inspector will observe an inspection in each category of inspection they are to perform by ISDA personnel, and will be observed performing two inspections per category of inspection by ISDA personnel prior to being assigned contract inspections in that inspection category for the agency.

Annual training for contract inspectors will include updated policy communication, in addition to an observed inspection. When possible, the inspector will also be scheduled annually to observe an inspection performed by an ISDA staff member.

IV. Evaluating Personnel

In order to meet the requirements outlined in §205.504 "Evidence of expertise and ability," and NOP 2027 Instruction on Personnel Performance Evaluations, performance evaluations of personnel and contract staff will be conducted annually. The Program Manager will conduct, or assign qualified staff to conduct, field evaluations to evaluate all inspectors during an on-site inspection at least annually. In addition to on-site evaluations, all inspectors will be evaluated on their ability to schedule and submit inspection reports within a reasonable time as described in Section VI.

Organic Program staff will be evaluated on internal work plans based on ISDA and NOP standards, developed by the Program Manager. These Personnel Performance Reviews (PPR's) will be conducted at least yearly at the conclusion of each Review Period. The PPR form will be completed and signed by the evaluator. Two copies of the evaluation form will be made. One copy will be given to the personnel and the other kept in the personnel files. When a PPR uncovers a deficiency, the area(s) of improvement will be cited along with instructions on how to implement NOP standards more effectively. The Program Manager will be evaluated on internal work plans based on ISDA and NOP standards, developed by Department Management with input from the Program Manager.

Personnel with consistent poor evaluations or who consistently do not comply and implement NOP Standards will not be used in the Organic Program. ISDA will prevent conflicts of interest in accordance with §205.501(a)(11-12). Confidentiality and conflict of interest affidavits will be acquired from all staff annually by the Program Manager. Personnel that willfully violate the confidentiality or conflict of interest standards will be immediately removed from participation in the Organic Program. All actions will be documented and filed in the organic personnel file.

V. Fee Schedule

In accordance with § 205.642 "Fees and other charges for certification" the ISDA only charges the following fees for certification as described in IDAPA 02.06.33 *et seq*.

Application Base Fee Schedule:

Producer/Handler with annual gross income more than $15,001 .....$200
Producer/Handler with annual gross income less than $15,000 .....$125

Application Graduated Gross Sales Fee Schedule:

Based on gross organic sales from January 1st- December 31st of previous year*

***New applicants will base the fee on their projected gross organic sales for the first year**

$0 – 2,000…….....$10.00
2,001 – 5,000…….....25.00
5,001 – 10,000…….....50.00
10,001 – 15,000…….....75.00
15,001 – 20,000…….....100.00
20,001 – 25,000…….....125.00
25,001 – 30,000…….....150.00
30,001 – 35,000…….....175.00
35,001 – 50,000…….....250.00
50,001 – 75,000…….....375.00
75,001 – 100,000…….....500.00
100,001 – 150,000…….....750.00
150,001 – 200,000…….....1000.00
200,001 – 280,000…….....1400.00
280,001 – 375,000…….....1875.00
375,001 – 500,000…….....2500.00
500,001 and up…….....0.5% up to $5,000

Certification application fees are non-refundable.

In rare circumstances ISDA may process a refund with approval from the Bureau Chief or Administrator. Refund requests must be in writing and include all information required by the ISDA Fiscal Division. Each request will be reviewed on a case by case basis. For example, refunds may be given in cases where the operation accidentally over-paid, if ISDA staff made a mistake in billing, if an application cannot be accepted for certain reasons, or if an operation withdraws soon after the application was submitted and when ISDA has not begun any work on the file. Specific instructions about processing refunds can be found in Internal Instruction 14.Additional instructions for managing fee deadlines can be found in Internal Instruction 15.

Inspection Fee Description:

- The hourly rate is $35.00 including travel time.
- Travel time is calculated as the round trip from the inspector's normal duty station to the inspection site.
- There is a minimum charge of $35.00 plus mileage for any inspection.
- A mileage rate as approved by the Idaho State Board of Examiners will be included in the inspection fees (as of January 1, 2021, the approved mileage rate is $0.56 per mile).
- Inspections conducted on weekends, holidays, or after normal office hours are charged at an hourly rate of $47.50 including travel time with a minimum charge of $47.50 plus mileage, unless an exception is granted by the Administrator of Agriculture Inspections Division or the Director.
- Upon approval by the Department, private inspectors may be utilized. The applicant shall bear the total cost of the private inspection.

VI. Evaluate Certification Applicants, Make Certification Decisions, and Issue Certification Certificates

A work flow diagram summarizing the actions taken in this section can be referred to in Appendix A. In addition, ISDA has created more detailed work instructions for Organic Program staff to help improve consistency and quality. These "Internal Instructions" are referred to throughout this SOP and a list of the Internal Instructions can be found in Appendix C.

Send Application/Renewal Packet

Application packets will be sent upon request to interested parties and potential new applicants. If ISDA has implemented a limit on the number of operations that can be certified due to limited administrative capacity, potential new applicants will be notified of this capacity, directed to other certifiers, and added to a wait-list until a space opens up at a later time. Specific instructions can be found in the Internal Instruction 1.

Renewal packets will be sent to all operations certified organic by the ISDA by the end of February each year. Application and renewal packets will include:

1. Instructions.
2. Fee estimate (based on previous year's fees or a comparable operation's fees).
3. Application or a link to it on the ISDA webpage.
4. Organic System Plan(s) and supporting forms or a link to these documents on the ISDA webpage.
5. Current rules or a link for the operation to download the rules.
6. Any other information deemed necessary by USDA-NOP or ISDA.

Receive Application

The Administrative Assistant is primarily responsible for receiving and processing applications; however, any Organic Program staff member can receive and process the application and payment. Once application and renewal materials are received, hard copies are date stamped, scanned and saved electronically, electronic submissions are saved electronically, and Tracker is updated with the necessary information. If payment is received, it is processed. If payment is not received, the operation will be invoiced. Specific instructions for inputting application information can be found in the Internal Instruction 2. Instructions for creating accounts for new applicants can be found in Internal Instruction 3. Information about managing deadlines and granting extensions can be found in Internal Instruction 15. New applicants will be assessed to see if they have ever been certified or have ever applied for certification. Those who have previously been certified or have applied for certification in the past will be referred to the Program Manager for follow-up to determine if another certifier must be contacted and if reinstatement must occur.

Receive Checks/Payments

There is specific ISDA protocol that must be followed for the receipt of payments. Certification costs may be paid by check or electronically. Cash payments should be avoided and can only occur in person in the Boise office during regular business hours. Inspectors should avoid accepting check payments for previously invoiced fees on inspection. However, in the rare cases that this may happen, the inspector should fill out an Evidence Receipt Form with the check information and give a copy to the producer. After the inspection, the inspector should put the check and the Evidence Receipt Form in an envelope and mail it to the Boise office immediately after the inspection, or hand deliver it to the Boise office the same day before 5:00pm to be placed in the safe. The inspector should not keep the check overnight.

Most payments are paid by check. Specific information about receiving payments can be found in Internal Instruction 4.

Review Application

The Program Manager assigns the Initial Review to the initial reviewer. The default assignee is the assigned inspector, unless other arrangements are made. All assignments are made based on staff qualifications and availability. Assignments are recorded in Tracker. Within a reasonable time, the initial reviewer conducts the review and documents findings in the Initial Review Form for each scope. The Initial Review is to determine whether the applicant appears to comply or may be able to comply with the regulations. Initial Reviews must be conducted before an annual inspection, unannounced inspection, and before the first inspection of each year. If the annual inspection has already occurred, and staff needs to return for a follow-up or a spot-inspection, a new Initial Review is not needed unless it has been determined that there have been significant changes since the last Initial Review.

The initial reviewer verifies:

1. Application packet is complete, including application, application fee, OSP(s), and other supporting documents.
2. All fees are current for the applicant.
3. Applicant appears to comply or may be able to comply with the national standards, including:
    a. Inputs and ingredients comply with the standards.
    b. Multi-ingredient products are compliant.
    c. Labels are compliant.
4. If the applicant was previously certified organic by another ACA, that all noncompliances and subsequent adverse actions were correctly reported and successfully corrected.

Applicants will be notified if the application packet is incomplete or does not appear to comply with the regulations. If minor deficiencies are not addressed prior to the inspection, then the inspector may collect this information during the inspection. If the applicant fails to provide significant information, appropriate compliance actions will be taken. Specific details for conducting Initial Reviews can be found in Internal Instruction 5.

Initial reviewers, who most likely will also be conducting the corresponding inspections, should ensure they have access to the applicant's file during the inspection. This can be through VPN access, saving it onto a thumb drive or to their laptop for the inspection, or accessing paper copies. For non-staff inspectors, the initial reviewer will create and send an inspection packet. The inspection packet should be reviewed to ensure that all information is contained, and should also indicate any particular areas of focus that the inspector should be aware of for inspection. Inspection packets contain the following as applicable:

1. Initial review form.
2. Application.
3. Organic System Plan(s) and supporting documents.
4. Current organic certificate.
5. Compliance related documents from the previous year, as applicable.
6. Final review form from previous year.
7. Inspection report from previous year.
8. Other information as deemed necessary by ISDA.

Inspection

The Program Manager assigns inspections to inspectors, with help from the Program Specialist. All assignments are made based on staff qualifications, location, and availability. Inspection assignments are recorded in Tracker.

To prepare for the inspection, inspectors should do the following:

1. Staff inspectors review the file and Initial Review to ensure they are prepared for the inspection.
2. Contract inspectors review the inspector packet to ensure that they have received all items needed to prepare for the inspection. If any information is missing, the initial reviewer should be contacted immediately for the missing information.
3. Schedule the inspection:
    a. Schedule only 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 the operation's compliance with or capability to comply with the rules. All crop inspections should be finished in

September, but no later than October, unless the operation has a facility or location that can grow crops outside of the typical growing season for the area.

b. Initial on-site inspections are conducted within a reasonable time following the initial review, but may be delayed for up to six (6) months in order to conduct the inspection when the land, facilities, and activities can demonstrate compliance or capacity to comply with the rules.
c. Annual inspections should be conducted within 14 months of the previous organic inspection. If in rare circumstances this is not possible, the situation should be communicated with the Program Manager. The inspection should be performed as soon as possible while still meeting the requirements in section 3a above.
    i. If an operation is unresponsive to scheduling requests, after a reasonable amount of time has passed (e.g. 2-3 weeks), an appropriate compliance letter should be initiated and sent to the operation.
    ii. Unannounced inspection may also be used as an option to ensure timely inspections for locations that are not responding to scheduling requests.
d. Confirm location, date, and time.
e. Review any issues of concern identified by the inspector and/or the initial reviewer in preparing for the inspection.

Inspections are conducted based on 7 CFR Part 205.403, the NOP Program Handbook, and the IOIA/IFOAM Manual, including the following:

1. Opening meeting:
    a. Establish inspection authority (e.g. show identification, such as a business card or ISDA ID badge).
    b. Define role of inspector.
    c. Communicate the confidentiality of all information.
    d. Note the names and titles of all individuals that will participate during the inspection.
    e. Explain the flow of the inspection.
    f. Remind them that there will be a charge for the inspection (if applicable).
    g. Determine limitations (such as availability of staff, weather, etc.).

2. Review Organic System Plan and supporting documents.

3. Assess each production unit, facility, and site where organic products are produced and handled including:
    a. For organic crop producers – evaluation of soil management, adjoining land use, buffers, land history, production capacity of the land, seeds and planting stock used, crop rotation practices, pest control practices, harvest, labeling and shipping.
    b. For organic wild crop harvest producers – evaluation of designated harvest areas, sustainable harvest practices and procedures that ensure an adequate audit trail.
    c. For organic livestock producers – evaluation of soil management, adjoining land use, buffers, land history, seeds and planting stock used, health care practices, origin of livestock, livestock living conditions, evaluation of conditions for temporary confinement of livestock, feed rations, grazing season, and pasture management practices.
    d. For organic handlers – evaluation of receiving, processing, pest control, storage, product composition, labeling and shipping, as well as practices to prevent commingling and contact with prohibited substances.

4. Conduct audits (review and dialogue with ISDA staff regarding areas of focus, if needed). Audits should be conducted on organic product. However, if no organic products were produced or if the inspector deems it necessary for any other reason, audits can be performed on conventional product handled or produced by the company:
    a. Trace back.
    b. Mass balance.
        i. NOTE: If a trace back or mass balance cannot be completed, this issue must be cited on the exit interview. A trace back or mass balance exercise is required the first year and every subsequent year, to demonstrate the applicant has a recordkeeping system in place to conduct these exercises adequately moving forward.

5. Exit interview:
    a. Confirm the accuracy and completeness of inspection observations and information.
    b. Review additional information needed.
    c. Review issues of concern.
    d. Complete the Exit Interview Form, obtain required signatures, and provide a copy to the applicant. For electronic exit interviews, verify the applicant's preferred method of documentation receipt.

Inspection reports are to be completed on ISDA forms. The staff inspector should upload an electronic version of all inspection documents to the ISDA files by the next business day that the inspector is in the office. Finalized inspection reports, and attachments, are to be submitted to the ISDA electronically within ten (10) business days following the date of inspection for both staff and contract inspectors. Any variation from these practices should be communicated to the Program Manager, with a plan to bring report turnarounds back in line with the policy.

Inspection fees are to be invoiced by the inspector when the inspection report is completed. They should double check the charges noted in the report, and verify that they match the fees charged on the invoice (amount, times, etc.). The inspector, unless other arrangements are made, mails (and emails, if applicable) the invoice to the applicant. The inspector should also verify there are no outstanding unpaid invoices in fiscalSYS. If there are, unpaid invoices should be printed, marked "past due" and mailed along with the inspection fee invoice. Specific details for pre- and post-inspection tasks can be found in Internal Instruction 6.

Certification Decision Procedures

The Program Manager oversees the allocation of Final Review assignments. Final Reviews are to be conducted in the order of the date the inspection report is received, oldest being conducted first. However, some files may be prioritized at the Program Manager's discretion, if needed (e.g. new operations, investigations, etc.) All assignments are made based on staff qualifications and availability. In addition, the person who conducted the onsite inspection cannot conduct a Final Review of documents or make a certification decision for that inspection. Final Reviews should be performed as close as possible to the time that the inspection report is submitted by the inspector. ISDA has a current goal of completing Final Reviews within 60 days of the inspection report's submission. Any Final Reviews that are outside of that timeline should be communicated with the Program Manager.

The final reviewer evaluates the inspection report, the Organic System Plan, the results of any analyses conducted, and any additional information provided. The findings of the Final Review are documented on the Final Review form. Every Final Review shall verify that scopes, crops, animals, and products requested for certification meet requirements for certification, including inspection, as applicable. If a scope, crop, livestock, or handling process has not been inspected, or information is insufficient to certify on the initial or annual inspection, the scope, partial scope, crop, livestock, or handling process shall not be included on the updated certificate until certification issues have been resolved. The operation shall be notified of the certification decision. This may include a letter appropriate to the review (AIN, FYI, DEN, NONC, etc., as described below). Specific details for Final Review tasks can be found in Internal Instruction 7.

Based on the review, one of six certification decisions are made. In order to achieve consistent certification decisions, final reviewers should reference NOP Instruction 4002, Enforcement of the USDA Organic Regulations: Penalty Matrix. If there is difficulty in determining the correct certification decision, the Program Manager should be consulted.

1. Certification (no issues of concern), if the operation is fully compliant.
2. Certification with conditions, if there are minor or non-violative issues.
    a. A certificate may be issued listing only the scopes, partial scopes, or items determined adequate on final review to comply with USDA NOP certification requirements. The operation shall be notified of the reason for item(s) not being granted certification, and shall be provided with options to remedy, along with the appropriate letter for missing certification information for partial scopes, specific crops, etc.
3. Noncompliance, for operations with more serious but correctable violations.
4. Denial of certification, for a first-year operation with an uncorrectable violation.
5. Notice of Proposed Suspension, for operations with an uncorrectable noncompliance or systemic failures
6. Notice of Proposed Revocation, for operations with a deliberate, willful violation.

Following the review, the final reviewer will do the following:

1. Update Tracker
2. Create and mail a certificate packet containing, as applicable:
    a. Organic certificate (ensuring the most current certificate template is used).
    b. Any unpaid invoices.
    c. Receipts of any recently paid fees.
    d. Copy of inspection report.
    e. Copy of analysis report (as applicable).
    f. Letter (as applicable).

Letters and Adverse Action Procedures

Letters are written to communicate information with producers. Most letters are sent as a result of the Final Review process and the certification decisions made as noted above. However, they can be sent at any time. Any Organic Program staff may send letters as part of their work. If compliance issues are found, a letter is sent outlining the details of the issue and what, if any, actions need to be taken. Serious issues that may affect certification are considered Adverse Actions.

It is an accreditation requirement to send certain letters to USDA NOP simultaneous to sending the letter to a producer. The NOP regulation requires this in §205.501(a)(15)(i). Any notice of denial of certification, notification of noncompliance, notification of noncompliance resolution, notification of proposed suspension or revocation, and notification of suspension or revocation must be sent to the NOP Adverse Actions at NOPACAAdverseActions@usda.gov.

All letters should copy the Division Administrator. The Program Manager should also be copied on all letters sent to the NOP. Letters should be proofread before sending and letters should be mailed and emailed, if applicable. Further detailed instructions regarding letters and adverse actions can be found in Internal Instruction 8.

If a letter is written, the staff member who writes the letter is responsible for managing the response and follow-up to the letter until all issues are finalized or the operation loses certification. The writer will add details about the letter in the ISDA Organic Program's Letter Tracker. This spreadsheet should be appropriately filled out and include the deadline for a response to the letter as well as other details specified in the spreadsheet. This staff person should regularly check the Letter Tracker in order to be aware of due dates. Soon after a due date has passed, the original letter writer should review the producer file to see if any response has been received.

- If a response is received, the staff member should review the response to ensure it addressed all issues in the letter. If all items were sufficiently addressed, the letter should be closed and, if applicable, any required follow-up letter notification sent to the operation.
- If the response is insufficient or requires further questions, the letter writer should communicate with the producer in order to obtain the necessary information. This may be through informal emails, phone calls, or through further compliance letters.
- If there is no response, the letter writer should communicate with the operation regarding the overdue letter, which may lead to an escalation of the type of compliance letter sent, up to suspension or revocation.

The following types of compliance related letters may be issued to applicants:

- Additional Information Need (AIN)
- For Your Information (FYI)
- Notice of Noncompliance (NONC)
- Notice of Proposed Suspension or Revocation (NOS/NOR)
- Notice of Suspension or Revocation (SUS/REV)
- Notice of Denial of Certification (DEN)
- Notice of Resolution (RES)

Letters should include the following required information, as applicable:

- Description of the compliance issue and/or additional information needed.
- Reason for the action.
- Facts.
- Cite specific regulations.
- Indicate what documentation/information is needed.
- Response date (typically at least thirty (30) days after the letter date).
- Proposed effective date of suspension or revocation (thirty (30) days after the date of letter).
- Impact of suspension or revocation on future eligibility for certification.
- Right to respond, rebut, request mediation, file an appeal, or reapply (as appropriate).
- Proposed length of suspension/revocation.
- Summary of actions taken that resolved the issue.

Other letters not related to compliance issues may be sent as well. These include:

- For Your Information (FYI) – for non-compliance related notices, including Letter of Good Standing (LOGS)
- Notice of Unannounced Inspection (NUI)
- Acknowledgement of Surrender (SUR)

Other types of letters may need to be written in unique circumstances to address very specific situations. If a letter other than one that was listed above needs to be written, consult with the Program Manager to ensure it is the appropriate course of action and includes any specific requirements that may apply.

Timelines for Suspensions and Revocations

Suspensions: All suspensions will be for 1 year. Fields that had an unintentional application of a prohibited substance will not be eligible for 3 years from the last prohibited substance application, in accordance with §205.202(b).

Revocations: All revocations will be for 5 years.

Mediation Policy and Procedures

Any operation may request mediation pursuant to 7 CFR § 205.663. Requests for mediation must be received by the Boise Office, in writing within the indicated timeframe. In most cases, ISDA will accept mediation requests. The Program Manager may consult with other ISDA staff when determining whether to accept a mediation request. Mediation requests for adverse actions resulting from a violation of an active Settlement Agreement with ISDA or requests stemming from adverse actions due to fraud or other willful violations may be rejected, subject to the Program Manager's discretion. If ISDA rejects any request for mediation, operations will be notified and may file an appeal to the USDA-NOP within thirty (30) days of the date of the written notification of mediation rejection.

Upon ISDA's decision to accept the mediation request, the operation should be notified in writing of their options and describe the process. This can be sent via email, mail, or by phone. The following is an example of what can be communicated:

> *ISDA has agreed to your mediation request. Please specify if you prefer a formal or informal settlement meeting. The default mediation format is informal, if a preference is not communicated. All formal settlement meetings will be conducted at the ISDA Boise Office. Informal settlement meetings/mediation may be conducted in-person or remotely via phone, email, or other means. Please let us know if you have a preference in the communication format. You have the option to be represented by an attorney during a settlement meeting; however, you are not required to have an attorney present. During settlement meetings, the ISDA will review the facts of the case, including any additional information provided during the meeting. After reviewing the facts, the ISDA will discuss with the authorized representative(s) of your operation an appropriate course of action, decided by the Program Manager. The parties to the mediation shall have no more than thirty (30) days to reach an agreement following a mediation/settlement meeting. If ISDA accepts a request for a settlement meeting and the meeting is unsuccessful,*

you will have thirty (30) days from termination of settlement meeting to appeal the adverse action. If a Settlement is reached, ISDA and the representative of your operation will sign a Settlement Agreement outlining the agreed upon terms. If your operation fails to sign and return the Settlement Agreement in a reasonable timeframe, ISDA will notify your operation of mediation termination for failure to return a signed Settlement Agreement. In this case your operation will be notified that you have 30 days to appeal the adverse action with USDA.

After mediation has been agreed to, all operations have the option to request a formal or informal settlement meeting with the ISDA to discuss any denial, proposed suspension or revocation. All formal settlement meetings will be conducted at the ISDA Boise Office, located at 2270 Old Penitentiary Road, Boise, Idaho 83712. Informal settlement meetings/mediation may be conducted remotely. For example, the informal settlement terms may be agreed to via phone or email, and may be summarized in a letter. ISDA's Deputy Attorney General, the Program Manager or authorized agent of the Organic Program, and the operation will sign the letter, which outlines the agreed upon terms of the informal mediation.

USDA NOP training for settlement meetings will be referenced for settlement meetings and procedures. ISDA representatives involved in settlement meetings may include: Director, Agricultural Chief of Staff, Division of Agricultural Inspections Administrator, Agricultural Inspections Bureau Chief, Organic Program Manager, Organic Program Specialist, Organic Agricultural Investigator, Senior, Deputy Attorney General and any involved organic inspectors. Operations have the option to be represented by an attorney during a settlement meeting; however, operations are not required to have an attorney present. During settlement meetings, the ISDA will review the facts of the case, including any additional information provided during the meeting. After reviewing the facts, the ISDA will discuss with the authorized representative(s) of the operation an appropriate course of action, decided by the Program Manager. The parties to the mediation shall have no more than thirty (30) days to reach an agreement following a mediation/settlement meeting. If an agreement cannot be made and the mediation is deemed to be unsuccessful, ISDA will send a letter to the operation notifying them of the termination of mediation. The operation will have thirty (30) days from termination of the mediation to appeal the certification denial, proposed suspension or revocation.

Successful formal and informal mediations will likely result in a Settlement Agreement which includes the agreed upon terms. A copy of the Settlement Agreement will be sent to the NOP Adverse Actions Team and the ISDA Division Administrator. The operation will also be given a copy of the fully signed Settlement Agreement and the ISDA Organic Program will keep a copy in the operation's file. If an operation fails to sign and return the Settlement Agreement in a reasonable timeframe (typically 30 days), ISDA will notify that operation of mediation termination for failure to return a signed Settlement Agreement, and will provide the operation with thirty (30) days to appeal the certification denial, proposed suspension or revocation with USDA.

VII. Product and Label Reviews

Product Composition

Any operation that wishes to label a product as "100 percent organic", "organic", or "made with organic (specified ingredients or food group(s)") pursuant to §205.303 or §205.304 must submit an ISDA Organic Product Profile (OPP), or equivalent form, for each product. Single ingredient products that don't have processing aids do not have to submit an OPP, but do need to identify the product and declare that there are no additives. The OPP must list all ingredients and processing aids used in the production of that product. The total and organic weights or volumes must also be accurately listed for each ingredient. Producers must also provide adequate documentation to support the allowance of each ingredient and processing aid (e.g. certificates for organic ingredients, excluded method statements, commercial availability, verification for non-agricultural ingredients, etc.). Product composition will be determined based on the OPP pursuant to §205.301 "Product Composition" and §205.302 "Calculating the percentage of organically produced ingredients." Approval or Denial will be signified by a date stamp signifying "Approved" or "Denied", and will be electronically signed by the reviewer of the OPP.

Label Review

All labels used by ISDA certified operations must be submitted to the ISDA Organic Program and approved prior to use. Label reviews may be conducted by any trained Organic Program personnel; however final decision authority lies with the Organic Program Manager. Approval or Denial will be signified by a stamp signifying "Approved" or "Denied", and will be electronically signed by the reviewer of the label. The Organic Program will review all labels to ensure compliance

with 7 CFR, Part 205, Subpart D "Labels, Labeling and Market Information." The ISDA Organic Program accepts the responsibility and reserves the right to review and approve all labels prior to labeling and distribution of all certified products by any ISDA certified operation. Any time that an ISDA certified operation surrenders its certification, ISDA relinquishes all responsibility. Therefore, the certified operation must immediately modify all labels to reflect the change in certifier or lack of certification.

"Certified Organic by Idaho State Department of Agriculture" or any similar phrase must be displayed below the information identifying the handler or distributor of the product to be labeled pursuant to §205.303 and §205.304. ISDA will ensure that the name of the certifier is never listed as USDA or NOP. If another organic certifier is listed on the label, as part of a Private Label Arrangement, ISDA will verify with that certifier that the label is approved by them. Any percentage statement will be examined to ensure that the size does not exceed one-half the size of the largest type size on the panel on which the statement is displayed and that it appears in its entirety in the same type size, style, and color without highlighting. Labels for non-retail containers will be reviewed in detail to ensure that the production or lot numbers are listed, when applicable, and that information is traceable to documentation supporting the organic status of the product pursuant to §205.307 "Non-retail Containers."

Products, which are determined to be "100 percent organic" or "organic" and display the USDA Organic Seal, will be reviewed in detail to ensure that the USDA Organic Seal appears as described in §205.311 "NOP Seal." Variations of the USDA Organic Seal, determined to be distinguishable, will not be approved. ISDA will also perform reviews such that labels will not be approved if the USDA Organic Seal appears smaller than the ISDA seal. A more detailed instruction for label reviews can be found in Internal Instruction 9.

When an error is discovered during a draft label review, ISDA will notify and require the certified operation to make the necessary corrections and submit the amended draft label prior to approval. Certified operations may be notified formally or informally for approval or denial of draft labels that have not entered the stream of commerce.

At any time, when labels that have entered the stream of commerce are discovered to be non-compliant, ISDA will notify the certified operation in accordance with ISDA's Adverse Action Procedures. ISDA will assess the severity of the noncompliant labels by referencing the ACA Best Practices for Developing Consistency in the Product Label Review Process document and consulting trainings or other guidance provided by NOP. Through the Adverse Action Procedures, ISDA will require that any serious errors in labeling be corrected immediately and that any incorrect labels, that have not yet entered the stream of commerce, not be used. Minor errors, such as incorrect formatting or placement of information, may be allowed to continue to be used for the time necessary to procure corrected labels or for a prescribed set of time noted in a letter or email after request is made by the operation.

VIII. Material Review

ISDA accepts the decisions of approved Material Review Organizations: OMRI, WSDA, and CDFA. ISDA also accepts pesticides that have been determined by the U.S. Environmental Protection Agency (EPA) to comply with the USDA organic regulations. Materials that have been approved by these organizations are accepted by ISDA in accordance with the scope of approval and any applicable restrictions. ISDA may also accept the material review decisions of other ACA's on a case by case basis. If a material has not been approved by another organization, ISDA will conduct a Material Review upon request. Requests for material reviews must be made by an ISDA certified operation or new applicant. All requests must be made in writing, preferably through the submission of the Material Review Request Form. All materials must be reviewed and approved prior to use. Material Reviews will be completed as staff time allows and will depend on the amount of information provided by the submitter or the company. Material Reviews may be conducted by any trained Organic Program personnel; however, the final approval or denial decision oversight will be made by the Organic Program Manager.

Material Reviews will be conducted in accordance with the regulations and will consult the National List at §205.601-205.606, NOP Handbook for applicable guidance documents or instructions, OMRI resource documents, ACA Best Practices, USDA NOP's Technical Advisory Panel (TAP) reports, and other federal guidelines to analyze the allowance of substances on an organic operation. In the case of commercial animal feed (as defined by ISDA Commercial Feed Program and Idaho law), all products should be reviewed by the ISDA Feed and Fertilizer Program for compliance with the Idaho statutes and rules and the Association of American Feed Control Officials (AAFCO) Official Publication prior

to approval by the Organic Program. ISDA may ask for additional information in order to determine compliance of the input material. If the necessary information cannot be obtained, the product will not be allowed for use. More detailed instructions for conducting material reviews can be found in the Internal Instruction 10.

ISDA will conduct re-reviews of ISDA approved materials every 5 years. Items found to no longer be compliant will be prohibited and removed from the ISDA approved list. Input materials for which the manufacturer does not respond to information requests or for those which a definitive review decision cannot be made will also be removed from the list. ISDA may also employ independent contractors, within their scope of expertise for the specific material. The scope of contracted Material Reviews will include, but are not limited to, drafting operations and manufacturers letters requesting additional information, and making recommendations of approval or denial of materials in accordance with 7 CFR Part 205. Material Reviews, conducted by independent contractors, will result in recommendations to the Organic Program Manager as to whether a material could be approved. Recommendations may also include requests to obtain more information about the material and instructions on where to request the information. These recommendations will be based on 7 CFR Part 205, the OMRI Standards Manual/Generic Materials List and the AAFCO manual, as well as other reputable sources.

Notices of approval or denial of a material will always be made in writing. These notices can be made formally through official letters or informally through email. Materials reviewed by ISDA will be documented in an electronic folder for future reference. A Material Tracker will be used to track both Approved and Denied Materials. Annually, and as needed, a list of ISDA approved products may be made available to ISDA certified operations.

ISDA also has a Material Registration Program in which material manufacturers can apply for an official approval. This Material Registration Program is outlined in the Idaho Organic Food Product Rules 02.06.33 section 201. Specific information about this program can be found in the Material Registration SOP.

IX. Complaints and Unannounced Inspections

ISDA will only investigate complaints against ISDA certified operations. Those operations, within the State of Idaho, certified by other agencies will not be investigated. Complaints against non-certified operations will also not be investigated. Due to conflict of interest, these non-investigated complaints will be referred to the NOP Compliance and Enforcement Branch or to the certifier of the operation in question.

ISDA will accept qualified complaints from any interested or aggrieved party. Anyone within the ISDA Organic Program may process and investigate complaints alleging violations of any NOP regulations. All complaints will be logged in a "Complaint Tracking" Excel spreadsheet. ISDA will investigate all complaints received either through in-office file reviews or field investigations. In-office file reviews will be composed of analysis of documentary evidence as well as witness interviews, if necessary. If an in-office file review determines that further investigation is necessary, then a field investigation may be conducted at a time when it is deemed to be most appropriate. Field investigations will be composed of witness interviews and onsite evaluations. Complaint driven field investigations may or may not be announced. If an in-office file review determines that a complaint is unfounded or in error, the case will be closed by the Program Manager.

At the conclusion of any complaint investigation, a case summary or an investigation report will be written. Investigations and investigation reports may be conducted based on the entirety of the Organic System Plan or on just the facts of the complaint. Complaint investigations will follow the NOP Regulations and any guidance given by NOP. Upon substantiating a complaint, ISDA will follow the appropriate ISDA Adverse Action Procedures, including sending a notification to NOP.

Complaints received from the National Organic Program's Compliance and Enforcement Branch (NOP C&E) will be handled and investigated appropriately. Upon completion of the investigation, findings will be reported back to the NOP C&E within the indicated timeframe. ISDA will refer or forward any complaint to NOP C&E where ISDA cannot effectively resolve the case, ISDA lacks expertise or authority, or at any time when requested by the complainant.

ISDA may participate in investigations with USDA authorities, as needed. Prior to participation in an investigation, ISDA Organic Program will convene with internal administration and verify acceptability of participation with the USDA NOP Accreditation Manager.

Policies and Procedures for Conducting Unannounced Inspections

Unannounced inspections will be conducted on not less than 5% of the operations ISDA certifies, and pursuant to §205.403(a)(2)(iii) "On-site inspections," and according to the requirements of NOP 2609 "Unannounced Inspections." Unannounced inspections may be conducted by any qualified staff within the ISDA Organic Program. The decision to conduct an unannounced inspection may be made by the Organic Program Manager, Organic Program Specialist or Organic Agricultural Investigator, Senior. Unannounced inspections and inspection reports may be based on the entirety of the Organic System Plan or only specific sections. Unannounced inspections can either be in-person or as a virtual or desk audit. A desk audit consists of notifying the operation of the requested information, providing the NUI letter, and setting a timeline to submit the requested information.

ISDA may charge for an unannounced inspection. In the event that an unannounced inspection takes the place of the usual annual inspection, the unannounced inspection will be charged pursuant to ISDA inspection fee policy.

After an operation has been selected for an unannounced inspection, the following will occur:

1. The Unannounced Tracker will be updated with the operation selected and the assigned inspector.
2. An Initial Review will be completed and may be based on the entirety of the Organic System Plan or only applicable sections.
3. A Notice of Unannounced Inspection (NUI) letter will be written to the operation. This letter will be saved in the unannounced letter folder.
4. An unannounced inspection should not include prior notification of the inspector's arrival. Upon arrival the inspector must identify themselves, explain how the operation was selected for the unannounced inspection, present the operation the NUI letter and a copy of the NOP Instruction 2609. However, in some circumstances, a very short notification of a few hours in advance (less than 4 hours) may be allowed in order to ensure the presence of required staff, etc. This should be communicated with the Program Manager in advance if it is determined the prenotification is needed.
5. The inspector performs the unannounced inspection, and provides an exit interview with the representative present at the inspection.
6. Unannounced inspection reports may be based on the entirety of the Organic System Plan or only specific sections which were observed. Inspection reports will be saved in the operations electronic folder.
7. A Final Review of the unannounced inspection will be completed at the same time as the annual Final Review if possible, otherwise it will be performed in accordance with normal Final Review procedures.

Contract inspectors will not conduct unannounced inspections without explicit direction from the ISDA Organic Program Manager. In the event that a contract inspector conducts an unannounced inspection on behalf of ISDA, the following procedures will be effect:

1. The ISDA Organic Program will direct the scope/focus of the unannounced inspection;
2. The Contract inspector will be provided with a Notice of Unannounced Inspection (NUI), which must be provided to the applicant contact on arrival;
3. The Operation will be provided with a copy of USDA Instruction #2609.

The Notice of Unannounced Inspection (NUI) Letter will outline the operation to be inspected, who is conducting the inspection (and anyone accompanying the inspector, as applicable) on behalf of ISDA, the reason for the unannounced inspection, and whether or not the inspection will be charged. Every letter will provide clear communication that refusal of entry will result in issuance of a Notice of Noncompliance for violation of §205.403, and the contact for the Organic Program Manager or Bureau Chief, in the event that the unannounced inspection is conducted by the Program Manager.

X. Sampling and Residue Testing

ISDA may conduct applicable residue testing on certified organic products or products requested for certification:

- When it is suspected that a prohibited substance has been applied.
- When it is suspected that contamination from genetically modified organisms, antibiotics, or prohibited substances may have occurred.
- When pesticide drift may have occurred.
- To gather evidence as part of an investigation.
- As part of a surveillance sampling program.
- To comply with NOP Rules and Regulations.

In cases of misapplication or drift, the ISDA Organic Program will first refer the applicant to report the drift / misapplication to the Division of Agricultural Resources, for investigation under that authority. The Division of Agricultural Resources of the ISDA works to promote, direct and ensure safe agricultural and environmental practices. Through education and enforcement, the Division ensures compliance with federal and state rules and laws governing pesticide use in Idaho. Notification of misapplication or drift will also be documented to the operation's file, and an organic compliance process will be followed, appropriate to the individual circumstance. The operation will be informed of their options under the NOP standard for the crop, product, or parcel of land in question. In the event that the applicant does not withdraw the field, or product suspected to be contaminated by the misapplication or drift is destined for the organic marketplace, a sample will be pulled according to NOP 2610, and sent to a lab selected according to NOP 2611.

ISDA's Organic Program will conduct annual pesticide residue screens on not less than 5% of the operations ISDA certifies pursuant to §205.670(d). These screens will be conducted in accordance with NOP 2611 and will be tested for all pesticides noted in NOP 2611-1. ISDA may test more samples for the full pesticide screen or individual pesticide residues as deemed necessary.

If an operation requests that ISDA take a sample for them for their own purposes, the request will need to be approved by the Program Manager. This service is not guaranteed and is subject to the Program Manager's discretion. In cases where an operation requests that ISDA take a sample for their own purposes, the operation will be charged for the travel time, mileage, and sampling/processing time. ISDA will instruct the lab to bill the operation directly for the lab tests.

Authority
7 CFR §205.670 Inspection and testing of agricultural product to be sold or labeled "organic", authorizes the ISDA Organic Program to enter, during normal business hours, any ISDA certified organic establishment or other place or property for the purpose of inspecting and obtaining samples.

Objective
ISDA will collect samples of organically produced agricultural products for testing to detect the presence of residues in violation of the NOP regulations as specified under §205.105 or other applicable laws as provided for at §205.670(e). To ensure consistency in sampling approach used, the ISDA Organic Program will follow all NOP Rules and Handbook Instructions, or the selected laboratory policies, for the collection, sample amounts, proper documentation, and chain of custody for samples collected as part of meeting the residue testing requirements under §205.670 and §205.504(b)(6) of the NOP regulations.

Policy
Sample collectors should collect a sample of a given organic agricultural product, selected from a single location/area in a field, bin, or pallet. A single sample analyzed for residues using sensitive test procedures should provide enough information to determine if residues are present. A sample of a crop could consist of the raw agricultural commodity (RAC) or processed commodity from the RAC. Samples may be selected to detect contamination where it is most likely to occur due to risk factors present at a given operation. Samples maybe also be selected at a location within an operation. For raw commodities, the portion which should be sampled is generally the whole commodity. Adhering soil, decomposed outer leaves, and inedible root and tuber vegetable tops should be excluded from the sample. Sample amounts will be specified by the selected laboratory. The list of analytes tested will be based on the NOP recommendation.

All samples will be pulled according to ISDA defensible sampling practices. Inspectors pulling samples will receive sampling training. Samples will be collected using the appropriate equipment and techniques to prevent contamination and in order to maintain the necessary chain of custody. Operations where a sample is taken are to be provided with an Evidence Receipt Form summarizing information regarding the sample taken. Samples must be appropriately shipped in order to preserve the quality of the sample. Specific details regarding the collection, handling, and analysis of samples can be found in Internal Instruction 11.

Results
ISDA will receive results from the laboratory and assess the results. The review of pesticide residue results should be given priority in order to be reviewed promptly. Copies of results are to be given to the producer soon after they have been received and analyzed. Unless exempt, all results will be made public, upon request via ISDA's Public Records Act Policy, unless they are part of an active investigation. Results will also be available to the NOP during audits and upon request.

Along with providing copies of the results, operations will be notified that commodities that have no detected residues or those detected at less than 0.01 ppm can be sold as organic. Detections of less than 0.01 ppm will also be investigated to determine the source. Detections above 0.01 ppm will be assessed and ISDA will follow the appropriate actions in accordance with NOP Instruction 2613. This instruction should be referenced by staff whenever a lab result is being analyzed. In cases where the residue is detected above 5% of the EPA Tolerance Level, above the EPA Tolerance Level, above the FDA Action Level, or when the positive residue result is above 0.01 ppm and an FDA Action Level or EPA Tolerance Level does not exist, immediate reporting is necessary. ISDA will notify producers and, if necessary, the appropriate federal agency the same business day that sample results are verified to need an immediate reporting based on NOP Instruction 2613. Operations will be contacted via phone about the results and notified to cease selling the product as organic. The appropriate compliance letter will be issued at a shortly later date to the operation based on the situation surrounding the sample's results.

Service Samples:
The ISDA Organic Program may, at its discretion, utilize ISDA staff from other programs to pull service samples that require specific training that program staff has not received. Non-Organic Program ISDA staff that pull service samples for the ISDA Organic Program will sign a nondisclosure and confidentiality agreement and will provide an affidavit of methodology used in collection of the sample, including materials used, sampling standard followed, method, whether equipment was cleaned ahead of sampling and how, and any other information relevant to the sample collection. The sample collection will be observed by a representative of the ISDA Organic Program, and the total cost of the service sample collection will be borne by the Organic Program.

XI. Import or Export Agreements

The ISDA Organic Program will work to assist operations in importing and exporting organic commodities while verifying that the applicant follows applicable requirements and trade agreements between the USA and the foreign country. ISDA's Organic Program Specialist will be the primary specialist on imported and exported commodities and requirements. The Program Manager will be the secondary contact for issues related to foreign trade. Clients will be referred to the Program Specialist to help facilitate complicated export situations. Staff members will obtain a basic understanding of importing and exporting products. Staff can also be referred to the USDA Organic Export page to obtain basic knowledge of import requirements (https://www.ams.usda.gov/services/organic-certification/international-trade). Staff can find more information about import and export requirements in the Internal Instruction 12.

Import

The ISDA Organic Program expects that their certified operations keep documentation tracing organic ingredients to the last certified entity. When the last certified entity is foreign, the USDA expects those operations keep documents that verify the validity and integrity of the product throughout the importation process. That could include foreign organic certificates, invoices, bills of lading, custom documents, etc. ISDA will refer to NOP Instruction 4013, ACA Best

Practices, and other trainings provided by the NOP when assessing import documents. ISDA will also refer to the document requirements listed in the equivalency agreements, and other tools provided by NOP, for importing products from select foreign nations. Currently, specific guidance exists for Canada, E.U., India, Israel, Korea, Japan, Mexico, New Zealand, Switzerland, and the U.K. If product comes from a country that is not on the list, staff will work with the Program Specialist and Program Manager to determine documentation expectations.

Export

ISDA will assist in export to countries that either have an equivalency agreement with USDA or recognize the USDA NOP Organic Program. However, ISDA will not issue certificate of inspections to the European Union (E.U.). Operations wishing to export to the E.U. will be referred to other accredited certifiers for certification. The Program Specialist will be the primary staff member overseeing the exporting of organic products but can be assisted by other staff members as needed.

The Organic Program Manager is the designated staff person authorized to issue the export certificate and attest to its authenticity by affixing his/her signature to the certificate. The Organic Program Specialist is the secondary staff member authorized to issue the export certificate in situations where the Program Manager is unavailable. During a situation where neither the Program Manager or Program Specialist is able to sign the export certificate, they can direct another ISDA Organic Program staff member to affix the staff's signature on the document after the Program Manager or Program Specialist reviews the certificate.

XII. Confidentiality and Record Keeping

The ISDA Organic Program maintains strict confidentiality with respect to its clients. Any requests concerning a certified operation will be handled in accordance with Idaho Public Records Law, Idaho Code §§ 74-101 through 74-126 and the NOP Regulations. In accordance with 7 CFR §205.504(b)(5), organic certificates and laboratory analyses for residues of pesticides and other prohibited substances conducted during the current and three (3) preceding calendar years will be provided upon request. However, in accordance with §205.670(f), lab results which are part of an ongoing compliance investigation will not be provided. Requests for a list of operations will be directed to the USDA Organic Integrity Database (OID). ISDA does not disclose any other business-related information concerning any client, obtained while implementing the NOP Regulations, to third parties; with the exception of making information available to the Secretary pursuant to 7 CFR § 205.501(a)(10), or other parties when approved in writing by that certified operation.

ISDA maintains an electronic database, local area network files, and paper files for each operation that it certifies. All records obtained from applicants for certification and certified operations are maintained for at least five (5) years beyond their receipt. Records created by the ISDA regarding applicants for certification and certified operations are maintained for at least ten (10) years beyond their creation.

The electronic database, Tracker, is used to manage finances, contact information, and to track the certification process of each operation.

The local area network files are organized by county in which the certified operation is physically located. Subfolders are labeled as the Facility ID of the certified operation. Certified operations with multiple categories (Crop, Livestock, and Handler/Processor) will have additional subfolders for each category of operation. In addition, each facility folder may contain an archive folder where documents submitted by the applicant, and are no longer current, are saved.

All documents created by this office, or submitted to this office will be saved electronically. Paper documents will be scanned and saved in the operation's electronic folder following the standard naming convention. Paper files will be saved in the operation's paper file.

Electronic files are saved with the following two components (see Appendix B for a list of common file name abbreviations and examples):

- YYYYMMDD: representing the date the document was created (finished) or received (for emails received on a weekend/holiday/after business hours then the date will be the next business day). Any items submitted with an inspection report will have the same date as the report which is the day the inspection was conducted.
- Document description: usually abbreviated for common documents (see Appendix B for common examples).

Paper files are organized by county in which the certified operation is physically located. Folders will be labeled as the Facility ID of the certified operation.

ISDA's Organic Program will follow the outlined requirements from the NOP regarding the uploading of information to the OID. An upload of updated information will be conducted at least once per year, completed by January 2nd. However, the Organic Program will endeavor to update the OID on a more routine basis in order to ensure more accurate information is available to the public. The Program Specialist will be the primary manager of OID updates. They will strive to update the OID at least monthly and to add or remove operations as they occur.

XIII. XIII. Emergency Operation Plan

There may times when normal operations are temporarily not possible due to extreme extenuating circumstances. Such situations may be the result of severe weather, animal or human health crises, war or unrest, etc. In these situations, ISDA will take actions that protect the health and safety of staff and producers, and comply with local, state, and federal laws, while doing everything possible to continue our responsibilities as an accredited certifying agent. Such actions may include delayed inspections, virtual inspections, or partial inspections. More details about actions to be taken in certain circumstances can be found in Internal Instruction 13.

XIV. XIV. Internal Program Review

As required in the NOP regulations at §205.501(a)(7), and in order to ensure continued compliance and program quality, ISDA will conduct an annual Internal Program Review/Internal Audit. This internal audit will be completed annually, usually in the winter or early spring so that findings can be shared with the NOP as part of ISDA's annual report, which is due at the end of April. NOP Instruction 2025 will be referenced for guidance regarding the internal audit. ISDA will use a qualified internal auditor to perform the audit. Qualified auditors must have the expertise to conduct such reviews, including knowledge of certification, auditing, and the USDA organic regulations. Internal audit will be conducted by personnel different from those who perform certification activities. This can include qualified auditors from another ISDA program if desired.

The internal auditor will write a report of the summary of any findings or observations found as part of the audit. The Organic Program Manager will write a response to the report and will include any necessary measures that will be taken in order to correct any noncompliances that are identified.

Appendix A: Work Flow Diagram

Receive Application AA, PM, PS, IS	Initial Review PM, PS, IS	Conduct Inspection PM, PS, IS	Final Review PM, PS, IS
1. Date stamp first page of each document. 2. Verify/update general information in Tracker. 3. Verify payment is correct. 4. Submit application to appropriate person for invoicing, if not already invoiced. 5. Process payment via FiscalSYS. 6. Enter fee received into Tracker. 7. Scan documents and save in e-folder. 8. File hardcopies. Update Tracker with receipt of document information. The initial reviewer is the inspector, unless otherwise noted. 9. If there are fees outstanding or no payment is included, invoice the fee and mail the invoice to the applicant with the total due highlighted.	1. Complete an initial review. Generally, the initial review will be conducted by the assigned inspector. 2. Divide up application packet into individual e-files. 3. Ensure all documents needed for inspection are in e-folder. 4. Send information to inspector a. For program staff, inspector copies operation's e-folder onto flash drive/laptop. b. For non-program staff, email required items to the inspector (save email in operation's e-folder). 5. Update Tracker and FiscalSYS with correct applicant information.	1. Inspector shall review information received from reviewer to ensure all needed documents were received. 2. Email or call operation to schedule inspection and review inspection plan. Also inform operation of any items needed to be collected or have available during the inspection. 3. Conduct inspection. 4. Review findings, and discuss with operation. Obtain signatures. 5. Provide copy of exit interview to operation. 6. Save report, exit interview and attachments individually in e-folder. 7. Invoice inspection and mail invoice upon completion of inspection report. Verify that inspection times and invoice times match, and are correct. 8. Update Tracker with inspection dates, inspection invoice, & report information.	1. Complete final review. 2. Verify all attachments and necessary information is in the file. 3. Review and verify completion of estimate, initial review, inspection report, exit interview, invoices, and attachments. 4. Verify fees charged and collected are correct. 5. Create certificate packet which includes: a. Certificate b. Inspection invoice, if applicable. i. Check for, print, and include unpaid invoices c. Inspection report d. Adverse action letter (as applicable) i. CC Administrator and NOP as applicable. 6. Update Tracker. 7. Update Letter Tracker, as applicable.

Appendix B. Common Naming Descriptions for Documents

Document Description	
Review Forms	**Name**
Initial Review: Crop	irevc
Initial Review: Dairy	irevd
Initial Review: Handler	irevh
Initial Review: Nonruminant	irevn
Initial Review: Ruminant	irevr
Final Review: Crop	frevc
Final Review: Dairy	frevd
Final Review: Handler	frevh
Final Review: Nonruminant	frevn
Final Review: Ruminant	frevr
Material Review	mrev

Inspection Reports	**Name**
Inspection Report: Crop	inspc
Inspection Report: Dairy	inspd
Inspection Report: Handler	insph
Inspection Report: Nonruminant	inspn
Inspection Report: Ruminant	inspr
Exit Interview	ei
Evidence Receipt	er

Letters	**Name**
Additional Information Needed	ain
For Your Information	fyi
Letter of Good Standing	logs
Notice of Noncompliance	nonc
Notice of Proposed Suspension	nos
Notice of Proposed Revocation	nor
Notice of Denial	den
Notice of Suspension	sus
Notice of Revocation	rev
Notice of Resolution	res
Notice of Unannounced Inspection	nui
Acknowledgment of Surrender	sur

Other Documents	**Name**
Certificate	cert
Certificate addendum	cert add
Fee Estimates	fee estimate
Inspector packets	insp pkt
Read receipt	rr
Delivery receipt	dr

Document Description	
Application Documents	**Name**
Organic System Plan: Crop	ospc (for individual section include #: ospc1)
Organic System Plan: Dairy	ospd (for individual section include #: ospd1)
Organic System Plan: Handler	osph (for individual section include #: osph1)
Organic System Plan: Nonruminant	ospn (for individual section include #: ospn1)
Organic System Plan: Ruminant	ospr (for individual section include #: ospr1)
Application	app
Organic Product Profile	opp product name
Field History Sheet	fh
Maps	map(s)
Label (submitted for review)	label product name
Label (approved)	label product name. a
Label (denied)	label product name. d
Input documentation	input name document description

Examples:

Inputs:

- 20191114.input sweet potato cert.pdf
- 20191225.input stericlean msds.pdf
- 20191031.input nitrogen gold omri.pdf

Labels:

- 20190911.label sourdough baguette.pdf (this would be a label not reviewed)
- 20190912.label Mexican espresso. a.pdf (this would be an approved label)
- 20180102.label hard white winter wheat. d.pdf (this would be a denied label)

Appendix C: Internal Instruction Documents

These documents serve to explain to staff internal procedures and protocols to help maintain program consistency. The documents can be found under the Internal Instruction Document folder housed in the SOP electronic folder.

Title
1. New App Inquiries & Wait List
2. Receiving an Application or Renewal
3. Entering New Applicants in Tracker
4. Receiving & Inputting Checks
5. Initial Reviews
6. Inspection Tasks
7. Final Reviews
8. Letters & Adverse Actions
9. Label Review
10. Material Reviews
11. Sampling
12. Imports & Exports
13. Emergency Operation Plan
14. Refund Requests
15. Managing Deadlines for Renewals & Fees