



**OnMark Certification Services (hereby referred to as “OnMark”)
Organic Certification Policies & Procedures Manual**

Updated November 2019

Purpose and Goals

The purpose of this manual is to provide details and instruction for better understanding of the organic certification process, and to share OnMark Certification Services’ (OnMark) policies and procedures.

OnMark is an independent, private entity that provides certification services in accordance with the USDA National Organic Program (NOP) regulations. This set of rules provides guidance for the production, handling, and labelling of organic agricultural products in the United States. A copy of the USDA National Organic Program (NOP) Standards is also provided by OnMark. The OnMark policies outlined in this manual serve to interpret and clarify certain sections of the NOP rules. Copies of all standards, guidance documents, and recommendations referenced in this manual are available upon request.

OnMark provides an organic certification program that strives to establish integrity for both the certified products and the reputation of the organic industry. OnMark was established with the intention of providing an efficient, fair, and high-quality service that utilizes the team’s combined 40 years of organic certification experience, farming experience, and local knowledge. This is to be achieved by strong collaboration between the OnMark team and the crop and livestock producers we serve.

OnMark does not provide consultation on overcoming identified barriers to certification. Consultation by an organic certification agency is prohibited by NOP regulation 7 CFR §205.501(a)(11)iv. OnMark also does not provide individual counselling, consultation on organic production, or referrals to commercial providers of products/services. We do not engage in the buying, selling, brokering, or marketing of products.

As described in NOP regulation §205.501(a)(10), OnMark does not release confidential information without signed permission, documented within the operator’s file.

Please contact us with any questions you may have on this manual.

OnMark Certification Services

60324 Missouri Avenue
Goshen, IN 46528

Phone: (574) 971-8479

Fax: (574) 971-5424

Email: office@onmarkcertification.com

TABLE OF CONTENTS

Organic Certification Process

I. Steps to organic certification through OnMark (Flowchart)

II. The Five Steps of the Certified Process

- A. The Organic System Plan (OSP)
- B. Pre-Inspection Review
- C. On-Site Inspection
- D. Final Review
- E. Certification Decision

III. Forms to submit for the organic certification process

Policies & Procedures

I. Definitions

II. Recordkeeping

- A. Recordkeeping requirements
- B. Multiple individuals and/or multiple sites on one OSP
- C. Certificate additions
- D. Transitional verification
- E. Transaction Certificates (TCs)

III. Organic Production - Crops

- A. Annual seedlings
- B. Seed & planting stock sourcing
- C. Manure, Compost, & Compost Tea
- D. Application of secondary nutrients & micronutrients for soil fertility
- E. Soil & water testing
- F. Crop rotation
- G. Buffer zones
- H. Equipment cleaning

IV. Organic Production - Livestock

- A. Dairy herd conversion
- B. Physical alterations
- C. Teat dips & udder washes
- D. Vitamins & minerals
- E. Removal of livestock from organic production
- F. Outdoor access for livestock & poultry

TABLE OF CONTENTS (continued)

V. Labels, Labeling, and Market Information

- A. Use of the “USDA Organic” seal, “OnMark Certified Organic” seal, & OnMark logo
- B. International trade & marketing

VI. Certification with OnMark

- A. Description of current certification activities
- B. Contact details (organization unit)
- C. Personnel
- D. Confidential & public information
- E. Conflicts of interest
- F. Certificate effective date & anniversary date
- G. Service area
- H. Timeline of certification
- I. Responsibilities as a Certifying Agency

VII. Administrative

- A. General Inputs and Materials
 - 1) Input evaluation by OnMark for compliance with NOP standards (“Materials Review”)
 - 2) Cleaners & sanitizers
 - 3) Pest management in facilities & storage
 - 4) Treated lumber
- B. Certification Fees
- C. Inspection, Testing Reporting and Residue Non-compliances
 - 1) Inspection scheduling
 - 2) Unannounced inspections & sampling
 - 3) Review of residue test results and notifications
- D. Non-compliances and Adverse Action Process
 - 1) Notification of Non-compliances and Notification of Adverse Action
 - 2) Evaluating Responses and Rebuttals of Noncompliances
 - 3) Adverse Action Mediation
- E. Withdrawal of Application

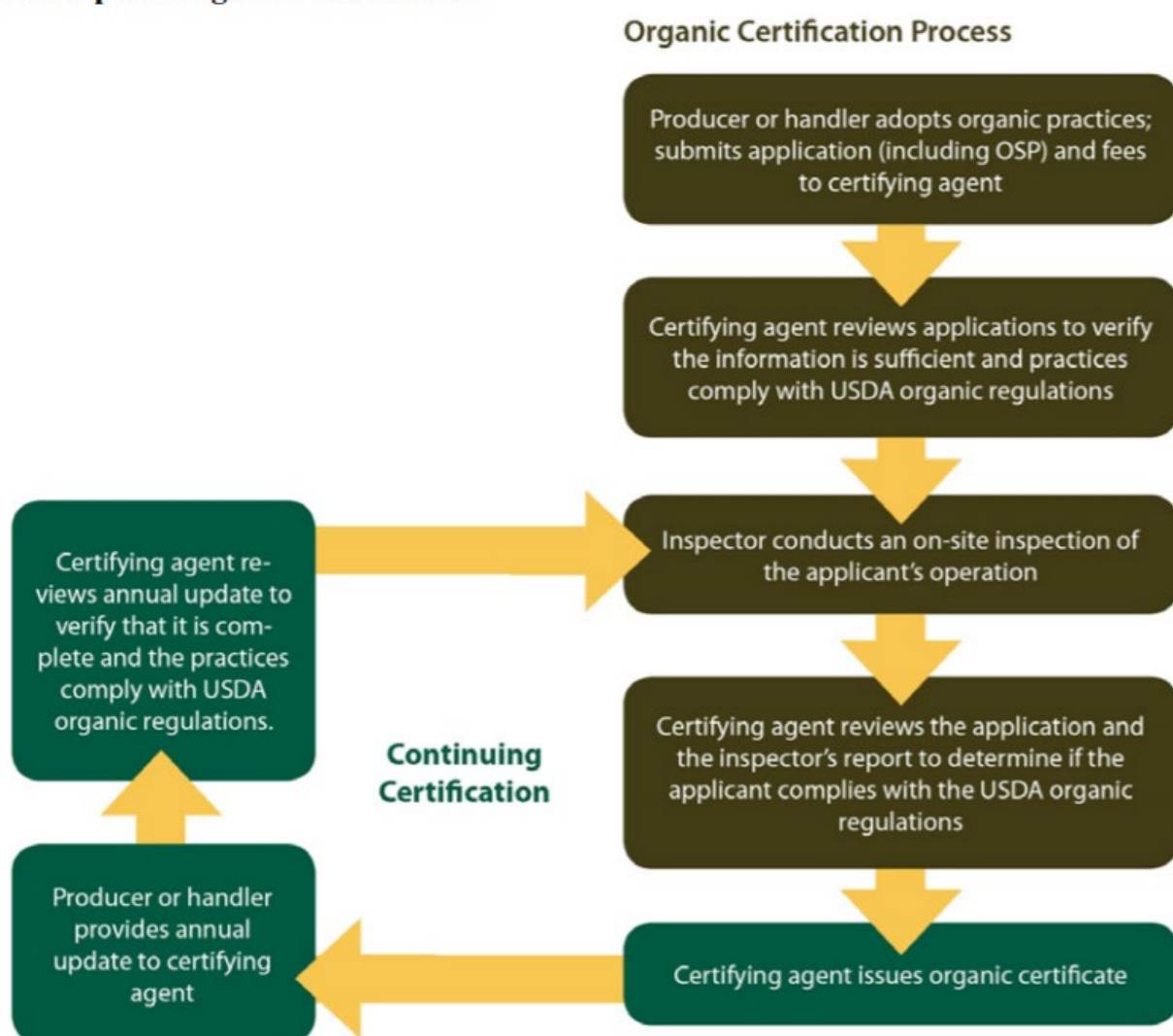
OnMark Certification Services

Organic Certification Process

I. Steps to Organic Certification through OnMark (Flowchart)

Certifying your operation to the National Organic Program (NOP) standards is a partnership between you and OnMark. We are responsible for verifying compliance with the organic standards, providing technical assistance, upholding the integrity of the organic label, and providing the best service possible. It is your responsibility to comply with the standards, provide requested information in a timely fashion, and implement your Organic System Plan. Communication at every step of the process is essential for success. We intend to make the process as straightforward and transparent as possible.

The Five Steps to Organic Certification



Note: Annual update to include a summary of any changes or amendments to the previous year's organic system plan.

II. The Five Steps of the Certified Process

A. Step One: The Organic System Plan (OSP)

The certification process begins when an operation submits an Organic System Plan (OSP) to OnMark. Application forms, current deadlines, and a list of fees are available on our website or by contacting the office. The OSP is the cornerstone of the certification process. It should present a complete and accurate picture of your plans for the current year and beyond. It is used by OnMark staff and inspectors to verify compliance with NOP rules. As your plans change, updates can be made either directly to the OSP or as supplementary documents submitted throughout the year. **Keep a copy of the OSP and supporting documentation you send to OnMark.** The “scopes” of certification are as follows: Crop, Wild Crop, and Livestock. Different forms are used for different types of operations. The OSP must be reviewed and updated annually. We will automatically send you the forms required to renew your certification. Each year, certified operations must submit appropriate certification fees along with the updated OSP including a summary of any deviations from, changes to, modifications to, or other amendments made to the previous year’s organic system plan.

Application Timeframe

OnMark strives to provide professional and timely service at a reasonable cost. The time it takes from application to decision varies according to several factors. In all cases, the process will be faster and smoother if you submit a complete and accurate OSP, and if you have complete, organized, and accurate supporting documentation ready for your inspector to review. Each time information is found to be incomplete or a noncompliance is issued, more time and costs are added to the process. If certification is required by a certain date, please notify us at the time of application. You may request expedited service if necessary. If situations arise during the certification process which result in a request for prioritization, we will do our best to accommodate you. We prioritize the inspection of new applicants, as new applicants must receive a certificate before selling organic products. A certificate can generally be issued to a new applicant within three months, provided the OSP is complete upon submission and the operation meets NOP standards. Inspection must take place prior to crop harvest or animal/animal product sales, and no products may be marketed as organic prior to certification.

B. Step Two: Pre-Inspection Review

When we receive your OSP, OnMark Certification Officers will review it for completeness and compliance with NOP rules. Incomplete OSP documents will be returned without being processed. Any timing requirements must be stated to accommodate any expedited needs. You may be asked to supply additional information to complete the OSP, to verify compliance with the rules, or to correct areas of noncompliance. The letter of request will explain what OnMark needs from you in order to move your file to the next step. You will be given a deadline by which to provide the requested information, correct the non-compliances or rebut the non-compliances. OnMark will notify you in writing when your application is complete and ready to be sent to an inspector to arrange inspection. (Please see procedure for further information on OnMark procedure for evaluating rebuttals in Section D, below.)

C. Step Three: On-Site Inspection

We assign operations with complete OSPs to certain inspectors based on several factors. These factors include the types of products requested for certification, the nature of the operation, the geographic location of the operation, and previous issues. Although the timing of your inspection may be affected by these factors, considering them helps to keep certification fees low and to largely avoid the need to bill inspection costs separately. The first inspection must occur before harvest or production in order to verify your OSP. However, additional inspections may occur before, during, or after harvest/production in order to observe relevant activity of the operation each year. An inspector will contact you to schedule an on-site inspection of

your operation at a time that is convenient for both you and the inspector. Please try to schedule this inspection in a timely manner and keep the appointment. During the inspection the inspector will tour the operation, review your records and recordkeeping practices, ask for documentation to verify compliance with the standards and complete a report verifying the information in the OSP you submitted. An audit will be conducted by the inspector to verify traceback and mass balance documentation. The inspector does not make the final certification decision and cannot directly assist you in complying with NOP rules.

D. Step Four: Final Review

The inspector will send a report to OnMark following the inspection. Staff will review your OSP, the inspector's report, and supporting documents. Additional information may be requested in order to fulfill requests by the inspector, clarify items or issues noted at the time of inspection, or correct areas of noncompliance. A copy of the updated OSP, the Inspection Report referencing the OSP and the Exit Interview will be provided to the operator with the certification decision letter. The letter will include a list of application materials with material decisions, including any restrictions in the use of those materials.

E. Step Five: Certification Decision

A decision to grant, deny, renew, suspend, or revoke organic certification will be made based on the information. If certification is granted or renewed, a letter summarizing any issues for the year will accompany the certificate. This letter may also describe areas to improve upon before your next inspection. If certification is denied, or if OnMark proposes to suspend or revoke your certification, you have the right to request mediation or appeal our decision as detailed in the NOP standards. Any costs incurred by the applicant during the process of mediation or appeal are the responsibility of the applicant. Additional costs to the applicant may also include costs for the mediators, travel costs and additional OnMark administrative charges, billed at \$60/hr.

III. Forms to submit for the organic certification process

Forms for Submission - Which Forms to Complete

We will automatically send the appropriate forms to renew certification to operations certified with OnMark the previous year. A separate Organic System Plan (OSP) is required for each legal entity (i.e. operation or business) that requests certification. All applicants must complete a Producer OSP as well as a Livestock OSP, if required. If you do not have the necessary forms, or have questions about which forms apply to your operation, please contact us immediately.

Forms Available to support the OSP, as required

CROPS - Required

CYCP	Current Year Crop Summary (part of OSP)
CYFH	Current Year Field History (part of OSP)
FHYR	Field History by Year – last 3 years (part of OSP)
MAP	Farm Facility and Storage Map (part of OSP)
S	Seed Lists (part of OSP)
CM	Crop Material Input List (part of OSP)
CS	Annual Crop Production (Harvest & Field Activity) Summary
PCS	Annual Produce Crop Production (Harvest & Field Activity) Summary

CROPS – If relevant to operation’s OSP:

- C1 Field History/Previous Land Use Declaration (New Land)
- C2 Lime & Gypsum Statement
- C3 Off-Farm Manure/Bedding Verification
- C4 Compost Production Record
- C5 Manure Application/Food Crop Harvest Interval Record
- C6 Seeds, Non-organic Seed or Planting Stock – Organic Seed Search
- C7 Untreated and Non-GMO Seeds and Planting Stock Verification
- C8 Seed-Saving and Planting-Stock Propagation Record
- C9 Equipment/Transport Clean-out Log
- C10 Off-Site Storage Statement
- C11 Inventory Record of Organic Product Movement
- C12 Buffer Crop Disposition Records
- C13 Transitional Crop Disposition Records
- C14 Neighbor Notification Letter (sample template)
- C15 Adjoining Land Use Verification

CROPS - Optional

- C16 Land Use History Verification
- C17 Field Activity Log
- C18 Field Activity Calendar
- C19 Planting and Harvest Record
- C20 Crop Rotation Record
- C21 Input Application Record

LIVESTOCK - Required

- LL Livestock/Flock List (part of OSP)
- LM Livestock Material Inputs (part of OSP)

LIVESTOCK - Optional

- L1 Animal Health & Breeding Record
- L2 Animal Purchases & Sales Record
- L3 Feed Usage Record
- L4 Livestock Bedding Verification

RUMINANTS/DAIRY – If part of the operator’s OSP

- L5 DMI Summary Sheet (part of OSP)/DMI Calculation Worksheets/Feed Ration Record
- L6 Annual Livestock Production Summary
- L7 Grazing Record/Pasture Record

POULTRY - If part of the operator’s OSP

- L8 Pullet Flock Summary
- L9 Layer Flock Summary
- L10 Broiler Flock Summary
- L11 Poultry Outdoor Access Record

OTHER

- ADD Certificate Addition Request Form
- IRF Information Release Form
- TC Transaction Certificate Instruction/Application

OnMark CERTIFICATION Policies & Procedures

I. Definitions – NOP Term Definitions take precedence (7 CFR Part 205)

Certified operation- A crop or livestock production, wild-crop harvesting, or handling operation, or portion of such operation that is certified by an accredited certifying agent as utilizing a system of organic production or handling as described by the USDA National Organic Regulations.

Certifying agent - Any entity accredited by the USDA as a certifying agent for the purpose of certifying a production or handling operation as a certified production or handling operation.

Crop Rotation – The practice of alternating the annual crops grown on a specific field in a planned pattern or sequence in successive crop years, so that crops of the same species or family are not grown repeatedly without interruption on the same field. Perennial cropping systems employ means such as alley cropping, intercropping, and hedgerows to introduce biological diversity in lieu of crop rotation.

Inspection - The act of examining and evaluating the production or handling operation of an applicant for certification, or certified operation, to determine compliance with the USDA National Organic Regulations.

Farm Management – the daily monitoring and activity of fields and/or animals.

On-Farm—On the site of the certified organic land managed by the producer who is certifying the land.

Organic System Plan (OSP) - A plan of management that has been agreed upon by the producer and the certifying agent, and that includes written plans concerning all aspects of agricultural production and/or handling. The OSP must be negotiated, enacted, and amended through an informed dialogue between the certifying agent and the producer or handler, and it must be responsive to the unique characteristics of each operation. The OSP is the forum through which the producer and certifying agent collaborate to define, on a site-specific basis, how to achieve and document compliance with certification requirements. The OSP commits the operator to a set of practices and procedures that, when executed, results in compliance with the regulations.

Production Unit - The part of an organic operation where products are produced and/or handled after harvest, including any sub-units located within geographic proximity. A production unit operates under the operation's organic system plan, and is managed through an internal control system to ensure compliance with all applicable provisions of the regulations. Each production unit within a production or post-harvest handling operation has defined location, practices, management, and/or products.

Site - The location of management activities for a given production unit.

Sub-unit - A smaller, discrete portion of a production unit, such as a field, plot, wild-crop harvest area, or distinct processing area.

II. Recordkeeping

A. Recordkeeping Requirements [(NOP §205.103, §205.201(a)(4))]

All organic producers and handlers are required to keep detailed records of the production and handling of organic products. A recordkeeping system that is easily understood and auditable must be developed and maintained in a way that demonstrates full compliance with the NOP standards. Records may be hand-written, visual (such as drawings or photographs), and/or electronic. In some instances, standard operating procedures may be used to substitute for or augment records of ordinary activities. All records must be made available at the time of inspection, and upon request by OnMark staff or by a representative of the USDA NOP. Records must be kept for at least 5 years after they are created.

The NOP sets a high standard for recordkeeping. Records should trace crops through production from seed to sale or use, livestock from birth or purchase to death or sale, and products from raw ingredients through production/handling to sale (and/or from a final product back to the ingredients). Your inspector will conduct a traceability audit and an in/out (“mass balance”) audit. If complete and accurate records are not in place and effectively maintained, a noncompliance may be issued which delays the certification process.

B. Multiple Individuals and/or Sites on One OSP

Each operation certified by OnMark must submit an OSP and the appropriate fees each year. An “operation” must be a single legal entity, and may be an individual/sole proprietorship, family, partnership, cooperative, LLC, trust or non-profit, public entity, association, or corporation. For operations with multiple sites and/or individuals involved, the OSP must describe the management of the entire operation. This includes all crops, livestock, and products during all phases of production, as well as all inputs, infrastructure and equipment, conservation practices, pest management, transportation, sales, and marketing. Decision-making and finances must be centralized and coordinated. Records for all parts of the operation must be available for inspection.

C. Certificate Additions [(NOP §205.102(a)&(b))]

In order to represent or label any raw or processed product as organic, or with other organic labeling Claims (for example “Made with organic”), the product must first be reviewed, approved, and added to your certificate by OnMark. For new products to be certified outside of the annual application, inspection, and review cycle, each of the following documents must be submitted:

- Crop(s)/Land:
 - Certificate Addition Request Form (for producers)
 - Field history information for the previous 3 years, and plans for the current year
 - Prior Land Use Statement or equivalent documentation (for crops grown on land not managed by you for 36 continuous months)
 - A map of the new field
 - Seed documentation (organic or non-GMO/untreated status verification and the purchase receipts)
 - A list of inputs used to produce the crop
- Livestock:
 - Certificate Addition Request Form (for livestock)

D. Transitional Verification

OnMark supports transitional operators by offering a service to review an Organic Transitional System Plan for compliance with National Organic Program Standards. Certification staff will work with an operation to identify areas where the plan is incomplete and/or does not comply with the standards. This review service does not include an on-site inspection. If the operation submits a complete and compliant plan, or adjusts the initial plan to demonstrate compliance, then certification staff will write a letter to the operation (and/or an entity of their choosing) which indicates that OnMark has reviewed and verified the Organic Transitional System Plan. The verification letter does not imply or guarantee organic certification. Transitional operations are prohibited from marketing their products as organic before certification. Fees for transitional verification are specified on OnMark Certification's Producer Fee Sheet and are due with the submission of an Organic Transitional System Plan.

E. Transaction Certificates (TC)

A TC can be part of the audit system to track certified organic products from the grower to the end user. A TC shows the origin of the product and confirms that the specific product was produced and handled in accordance with NOP standards. A TC may also verify additional information such as the "100% Organic" status of a specific load or batch of organic product. TCs are not required by OnMark Certification, but they are available if requested by the buyer or preferred by the seller. OnMark charges a fee for the issuance of every TC. To begin the process, an OnMark-certified operation must complete a Transaction Certificate Application and submit it with the appropriate fee, as outlined in the OnMark Fee Schedule. A TC is prepared, the original is sent to the buyer, and a copy is sent to the seller. There is a limit of five transactions with a single buyer per TC. Please note that Transaction Certificates may take up to one week to process from the time the complete information is received.

III. Organic Production - Crops

A. Annual Seedlings [(NOP §205.204(a))]

Organic producers must use organically grown annual seedlings (except under the conditions outlined at NOP §205.204(a)(3) & (a)(5)).

If the seedlings are grown off-farm, they must be grown either:

(a) by a certified organic operation

-OR-

(b) in a facility where the organic producer is ultimately responsible for the management of the

Seedlings. Complete information about this facility must be included as part of the producer's OSP.

Facilities where seedlings are grown must be managed following the NOP standards, documented in the OSP, and inspected. The certified producer must source and supply input materials, including but not limited to seeds, soil mixes, fertility products, foliar sprays, and pest and disease management inputs. All inputs must be approved by OnMark Certification and must be documented in the OSP.

All seedlings used to produce certified organic crops must be organically grown except in very rare circumstances (see standard citations above). It may be acceptable under some circumstances for seedlings to be grown organically in an off-farm facility, but that facility must be included in the OSP and inspected each year. The organic producer should have a formal lease agreement with the non-certified seedling supplier, specifying the specific greenhouses or other facilities leased for organic seedling production, the duration fo

the organic producer's control over the facilities and clarifying the organic producer's control over management decisions (specifically all inputs) affecting the organic seedlings. Annual planting stock is subject to the same rules as seed (see the Seed & Planting Stock Sourcing policy for details). Some examples of planting stock include: onion sets, sweet potato slips, seed potatoes, cloves of garlic, fruit tree saplings, asparagus crowns, and mushroom spawn.

B. Seed & Planting Stock Sourcing [(NOP §205.204(a)(1))]

NOP §205.204(a)(1) states that non-organically produced, untreated, non-GMO seeds and planting stock may be used to produce an organic crop when an equivalent organically produced variety is not commercially available. When purchasing nonorganic seeds or planting stock, each grower must first document a search for organic seed/stock. Once you have decided on the crops and varieties to plant, contact at least three sources that sell organic seed/stock and ask for a variety that has the characteristics you are looking for. If none of these dealers carries the organic version with the qualities or in quantities you need, you may purchase nonorganic seed/stock that is documented as untreated and non-GMO. Under the NOP, cost may not be a factor in deciding whether to purchase organic or untreated and non-GMO seed/stock. Trials and test strips may be used by producers to evaluate organic varieties for equivalency with preferred non-organic varieties documented within the operator's OSP/OSS. In some instances, OnMark may require operators to perform on-farm trials to demonstrate that available organic varieties are not functionally equivalent to commonly used conventional varieties.

C. Manure, Compost, & Compost Tea

Producers using animal manure as a fertility input must follow the restrictions set forth in NOP §205.203(c)(1) unless it is composted according to the definition in NOP §205.2 and meets criteria described in NOP §205.203(c)(2). Additional ways to comply are described for compost and vermicompost in NOP guidance 5021 and for processed manures in NOP guidance 5006.*

Pursuant to NOP §205.203(c)(3), "compost" containing no animal manure may be used as uncomposted plant matter if it is not made from prohibited feedstocks. Compost made with manure and other allowed feedstocks (e.g. allowed nonsynthetic substances, synthetic substances on the National List as plant or soil amendments, etc.) is allowed without restrictions if the compost pile is mixed or managed to ensure that all the feedstock heats to the minimum of 131° F for a minimum of three days. Vermicompost must be made from allowed feedstocks with aerobic conditions and 70-90% moisture maintained throughout the composting process; duration must be adequate to produce a finished product that does not violate §205.203(c).

All on-farm composting should be documented in the OSP and verified during the inspection. OnMark will require documentation from certified operations that compost and vermicompost meet the above criteria for approval. Certified operations can demonstrate compliance noting feedstock ingredients, measuring temperature, time, number of turnings, etc. Equivalent documentation is required for all off-farm compost reviewed by OnMark for use by certified operations.

Compost extracts or "teas" must be produced from an approved compost (see above) and may be used for fertility (NOP §205.203(c)(2)) or pest (NOP §205.206(b)(1)) and disease control (NOP §205.206(d)(2)). If made without additives, compost tea may be applied without further restriction except that foliar applications to leafy greens are not permitted unless testing conclusively demonstrates that crops will not be contaminated with pathogenic organisms. If additives are used, the tea must meet the conditions set forth in the National Organic Standards Board's (NOSB) recommendations of November 9, 2006. A tea made from a product that

does not meet the criteria for compliant compost or vermicompost in this policy shall be subject to the restrictions of 90 days before harvest if applied as a soil drench for crops with no soil contact, or 120 days otherwise.

All manure and compost applications must follow NOP §205.203(c) and must not “contribute to contamination of crops, soil, or water by plant nutrients, pathogenic organisms, heavy metals, or residues of prohibited substances.” If manure is applied to frozen ground, careful attention must be paid to slope, proximity to a waterway, drainage, ground cover, presence of snow, and any factors that may encourage contamination of waterways. Crop producers should verify that manure sourced from conventional operations does not contain prohibited treatments or additives such as odor and fly control substances or prohibited lime and gypsum products. Inputs used by the conventional operation during production (feed additives, bedding, etc.) are not considered when evaluating compliance. Treatments and additives added directly to the manure should be disclosed in the OSP and approved by OnMark before manure is applied.

*“Processed manure products must be treated so that all portions of the product, without causing combustion, reach a minimum temperature of either 150° F (66° C) for at least one hour or 165° F (74°C), and are dried to a maximum moisture level of 12%; or an equivalent heating and drying process could be used. In determining the acceptability of an equivalent process, processed manure products should not contain more than 1×10^3 (1,000) MPN (Most Probable Number) fecal coliform per gram of processed manure sampled and not contain more than 3 MPN Salmonella per 4-gram sample of processed manure.”

- Manure that is not composted to meet the guidelines in the NOP standards and guidance is considered “raw” and its use is restricted. If this input is to be used on crops for human consumption, it must be applied 90 or 120 days before harvest depending on the crop. (Crops used only for livestock feed are exempted).

D. Application of Secondary Nutrients & Micronutrients for Soil Fertility

[(NOP §205.200, §205.203(b), §205.601(j), §205.602(c))]

Organic operations must maintain or improve soil quality, must manage soil fertility through the application of plant and animal materials, and may use mined substances. Under limited circumstances, NOP rules allow for certain synthetic sources of secondary nutrients and micronutrients to be used to support the current crop and maintain production while soil improvement is underway. All formulated input products must be on your OSP and must be approved by OnMark before use. All ingredients must be compliant with NOP rules.

Secondary Nutrients (Ca, Mg, S)

Natural sources of these nutrients are allowed, except that calcium chloride produced through the brine process is allowed only “as a foliar spray to treat a physiological disorder associated with calcium uptake” (i.e. bitter pit, blossom end rot). Documentation to support the use of calcium chloride may include plant tissue tests or recorded observations. Elemental sulfur may be used as a synthetic sulfur source. Synthetic magnesium sulfate (Epsom salt) is “allowed with a documented soil deficiency.”

Micronutrients (B, Zn, Cu, Fe, Mn, Mo, Se, Co)

Natural sources of micronutrients are allowed unless listed at NOP §205.602. Synthetic micronutrients are only allowed to maintain crop health while soil improvement is ongoing, and with the restriction that “soil deficiency must be documented by testing.” Nitrate and chloride compounds are prohibited.

Documenting Deficiencies

NOP rules require documented soil deficiencies to use most synthetic forms of these nutrients, as noted above. OnMark accepts current soil tests within the last 3 years (for a specific field) as adequate documentation. Soil tests must show deficiencies of all synthetic micronutrients planned for use in all areas where they will be used. Nutrient levels detected in soil samples should be below the “desired,” “minimum,” “good,” “normal” (or equivalent language) reference values displayed on the tests to support the use of an allowed synthetic input. OnMark will verify that reference values are consistent with scientific research and industry consensus. When no reference values are included on the test or an associated recommendation, OnMark will use standard values established by these same sources to determine if use is compliant.

Alternative forms of documentation may also be considered on a case-by-case basis. These include recommendations for certified crop advisors, plant tissue tests from the current crop, observations/monitoring, the use of check strips or test plots, or some combination thereof. We also recognize that soil pH, CEC, and balancing nutrients relative to each other are often important considerations and documentation supporting allowed synthetic input use for these purposes may also be considered on a case-by-case basis.

Beyond the basic soil fertility components of N, P, and K, monitoring and applying secondary nutrients and micronutrients are an important part of a successful management plan. When soils are out of balance or lack certain necessary nutrients, NOP rules allow for the limited use of non-synthetic and synthetic micronutrient fertilizers that appear on the National List to support the health of the current crop. Foliar feeding and applying approved liquid fertilizers through irrigation are examples of acceptable methods of supporting crop health. However, these practices alone do not make up a comprehensive fertility management plan. Organic growers must demonstrate that they are maintaining or improving the quality of the soil with plant and animal materials. Furthermore, NOP rules do not allow for preventive or “insurance” use of synthetic secondary nutrients or micronutrients. A wide range of soils, crops, production systems, theories of soil fertility management, and testing methods can make it difficult to determine when exactly something is “deficient.” We aim to be flexible with the documentation accepted as proof that an input is needed, but producers are responsible for having site-specific information to demonstrate compliance with NOP rules.

E. Soil & Water Testing [(NOP §205.200; §205.105(a); §205.204(a)(1) §205.201(a)(3); §205.203(a, c, d); §205.205; §205.601)]

Soil and water tests can help operations manage soil quality and promote food safety. These tests can help verify compliance with several areas of the rule and may be necessary to demonstrate that restrictions on certain inputs have been observed.

Water Tests

Water tests are necessary when there is reason to believe that the source of water for irrigation, foliar feeding, cleaning of organic products or equipment, livestock, or otherwise in contact with organic products, is contaminated with prohibited substances or pathogenic organisms. A notable potential source of contamination is runoff from other farms or facilities. Water tests may also be useful in ensuring that practices on a certified operation do not contaminate surface water. OnMark certification staff will determine on a case-by-case basis when a water test is necessary to verify compliance.

Soil Tests

Soil tests may:

- Be part of a required monitoring program per NOP §205.201(a)(3)
- Demonstrate maintenance or improvement of soil quality per NOP §205.200 and §205.203(a)

- Be used to show that plant and animal materials are not contaminating the soil as per NOP §205.203(c, d)
- Be used to show that crop rotation practices are maintaining or improving soil organic matter content and managing deficient or excess plant nutrients as per NOP §205.205(a, c)
- Provide documentation that fixed copper and copper sulfate are being used in a way that minimizes accumulation in the soil per NOP §205.601(i)
- Document the deficiency of a micronutrient to justify the use of a synthetic micronutrient per NOP §205.601(j)(6)

OnMark Certification may require soil tests:

- To demonstrate a “documented deficiency” of a micronutrient before a synthetic micronutrient fertilizer may be applied as per NOP §205.601(j)(6)
- When there is reason to believe that inputs have caused an accumulation of restricted or prohibited materials in the soil such as copper, chloride, or heavy metals

F. Crop Rotation [(NOP §205.1), (§205.205)]

Understanding compliance with the NOP standards for crop rotation requires attention to multiple sections of the rule. First, crop rotation is defined in part as: “The practice of alternating the annual crops grown on a specific field in a planned pattern or sequence in successive crop years so that crops of the same species or family are not grown repeatedly without interruption on the same field.” The operator must include a plan with the OSP that shows the sequence of different crops to be planted over time, and then must implement the approved plan on their certified organic fields. The same crop may not be grown in the same place for two consecutive growing seasons without interruption (without cover crops).

Additionally, the crop rotation practice standard requires that the crop rotation include sod, cover crops, green manure crops, and catch crops that perform several functions for the operation. These functions include soil building, pest management, nutrient management, and erosion control. Cover crops, green manures, and/or sod are necessary for building soil organic matter and managing nutrients. In addition, crop diversity is necessary for maintaining soil fertility and preventing the proliferation of pests, weeds, and diseases over time. Perennial systems must use alternative means of introducing biological diversity into their operations, such as alley cropping, intercropping, and hedgerows. If a grower’s crop rotation plans do not appear to perform these functions, then s/he may be asked for documentation illustrating the effectiveness of efforts to improve the soil, control pests, and conserve natural resources.

G. Buffer Zones [(NOP §205.2, §205.202(c))]

A buffer zone is defined as an area located between a certified organic production operation (or portion thereof) and an adjoining land area that is not under organic management. Buffer zones are often needed to protect organic crops from contamination by prohibited substances applied near production areas. A buffer zone must be sufficient in size or include other features (e.g. windbreaks or a diversion ditch) to prevent the possibility of unintended contact and “drift.” “Drift” is defined by the NOP as “the physical movement of prohibited substances from the intended target site onto an organic operation or portion thereof.”

Under normal circumstances, industry standard calls for maintaining at least a 25’-30’ buffer zone adjoining non-organically managed land. If windbreaks or other barriers are present, OnMark may approve a smaller buffer zone based on details in the OSP and/or Inspection Report. Wide buffers may be needed in the case of neighboring conventional crops with prevailing winds and/or a slope toward the organic crops. A narrower

buffer may be acceptable in cases where treated lumber or treated seed is used next to organic fields. If roadsides, oil wells, or power lines are sprayed, then a buffer will be required.

Management strategies (e.g. planting corn with different pollination times) may help reduce the need for extended buffers. These measures must be described in the producer's OSP. See the Treated Lumber Policy for details regarding when buffers are necessary around structures, facilities, and fences that have been built or repaired with treated wood.

Note that land and crops within the buffer zone are not certified organic, meaning that crops harvested cannot be sold as organic or fed to organic livestock. All buffer crop harvest, storage, end use, and applicable equipment cleaning must be documented. Buffer land may be grazed by nonorganic livestock.

An Adjoining Land Use Statement may be accepted in lieu of a buffer; such situations will be reviewed on a case-by-case basis. An Adjoining Land Use Statement is a written agreement with an adjoining landowner indicating that s/he will not apply any prohibited substances within a defined area away from organic land.

H. Equipment Cleaning [(NOP §205.272(a)), (§205.103(a))]

If you use equipment for both organic and non-organic production or handling, you must verify and document that equipment is clean before use with organic products or land. There are many ways to accomplish this, but guidelines for adequately cleaning some types of farm equipment are as follows:

- If there is potential for contamination from prohibited substances, then equipment with soil contact must be adequately cleaned.
- Spray equipment previously used with prohibited spray material, or equipment in contact with seed treatments (such as planter boxes), should be washed with water and a cleaning agent followed by a clean water rinse. Nozzles and meters should be removed and manually cleaned of any chemical residue.
- Equipment that is not readily washable (such as combines, square balers, augers, feed grinders, and roasters) should be cleaned of residue manually or with high pressure air followed by a product purge that is adequate to remove all nonorganic material based on size of the machine.

IV. Organic Production – Livestock

A. Dairy Herd Conversion

A dairy herd conversion is intended to be a one-time opportunity for producers to convert an established, entire, distinct dairy herd in conjunction with the land resources that sustain it over the period of one year. It is critical that the producer develop an organic management plan prior to beginning conversion. This is to clearly identify the feed program, the land resources that will sustain the herd, and the healthcare inputs that will be utilized. It is recommended that a converting operation submit an OSP to OnMark for transitional review (at which point it will be reviewed for compliance with the NOP standards) to avoid unexpected delays during the certification process. When converting a dairy operation in accordance with NOP §205.236(a)(2), all animals of all ages must be identified and listed on the OSP. During the conversion, records must be maintained of feed (including the grazing areas) and health care products. A converting herd must be managed exactly like an organic herd with the exception that, during the conversion, third year transition crops and forages from the producer's own land may be utilized. Dairy producers growing their own feed are advised to consider certifying land that is eligible for organic certification ahead of their herd. If this is not possible, then producers are advised to carefully review the timing of the planned conversion to ensure that there will be enough certified organic feed on-hand for all animals in the herd as of the conversion date.

A herd of dairy cattle may be converted from conventional to organic over a single, defined, one-year period on an organic or third-year transitional farm. The herd must include all animals of all ages, and all animals should convert to organic on the same date.

B. Physical Alterations

NOP §205.238(a)(5) states that physical alteration of livestock must be accomplished in a manner that minimizes pain and stress.

Poultry

Minimal beak trimming is allowed for protection of the flock and must be done in a manner that minimizes pain and stress. It must be done no later than at 10 days of age. De-beaking (severe beak trimming) is prohibited. Toe clipping/clubbing or other surgical alterations are prohibited.

Mammals

All planned materials and procedures must be listed in the Organic System Plan. Materials used for dehorning, relieving pain, etc. must be on the National List to be allowed for use. There are no synthetic dehorning substances listed at NOP §205.603 at this time.

C. Teat Dips & Udder Washes [(NOP §205.238, §205.603)]

Teat dips may be used daily as a treatment for chapped or damaged teats, to protect animals from post-milking infection, and for the promotion of food safety. Udder washes, pre-dips, and post-dips are classified as livestock drugs; all active ingredients must be non-synthetic or listed at NOP §205.603 for this purpose. Non-active ingredients may be considered approved if they meet the criteria of NOP §205.603(f). Common soap and water may also be used for an udder wash if the udder is thoroughly rinsed or wiped before milking.

D. Vitamins & Minerals

Vitamins and minerals necessary to meet the nutritional requirements of organic livestock must be provided as part of the feed ration per NOP §205.238(a)(2). Non-synthetic and synthetic vitamins and minerals are allowed as feed additives in organic livestock feed and in healthcare and drug products if FDA approved per NOP §205.603(d)(3). The Association of American Feed Control Officials (AAFCO) Annual Publication may also be used to identify acceptable vitamin and mineral feed additives. Injectable electrolytes, vitamins, and minerals may be used in drug applications to treat an identified condition. All non-active ingredients in these formulations must meet the requirements at NOP §205.603(f). Synthetic vitamins are not on the National List for external use.

A list of vitamins and minerals approved as feed additives by FDA/AAFCO is available in the appendix of the OMRI Generic Materials List. Anything on this list may also be part of a healthcare product that is ingested orally. Injectable vitamins and minerals may be used as drug treatments, and injectable electrolytes may be used to treat milk fever. However, OnMark must review and approve the complete product list before use.

E. Removal of Livestock from Organic Production

Per NOP §205.238(c)(7), treatment may not be withheld from a sick animal to preserve its organic status. All animals treated with prohibited drugs, including young stock, will permanently lose organic status and may never return to organic production (animals cannot be reconverted). Animals treated with prohibited drugs must be clearly identified as separate from organic animals. All meat, milk, or milk products from treated animals must be segregated from organic products, and there must be clear documentation of the separation. Any dairy animal treated with prohibited drugs may not return to the milking herd, even if the animal is

managed organically and remains on the organic farm after treatment. Animals that are taken to a location that is not part of the OSP and/or is not certified lose their organic status and may not be returned to organic status. Immediate (within 24 hours) notification to OnMark of organic status change is required.

F. Outdoor Access for Livestock & Poultry [(NOP §205.239(a)(1)), (NOP §205.239(b)(1))]

NOP rules require livestock living conditions that accommodate the health and natural behavior of animals including year-round access for all animals to the outdoors, shelter, shade, and clean water. Outdoor access involves both infrastructure and management practices. Infrastructure concerns include adequate outdoor space for animals to leave the structure, adequate outdoor space for all animals to be outside without crowding, appropriate fencing, and improvements that encourage animals to use outdoor areas. Management practices include developing a plan for temporary confinement, executing that plan, and recordkeeping.

Poultry

Each poultry operation is required to submit an outdoor access plan as part of their OSP. Producers must maintain continual outdoor access records that demonstrate they followed that plan, identifying when the birds were allowed access to the outdoors, when they were confined, and for what purpose. Under certain circumstances, animals may be temporarily confined to maintain their health, safety, or well-being. Appropriate conditions for temporary confinement are as follows (note that additional considerations are described in the NOP rules cited above):

- Treatment of illness or injury. The illness or injury must be well-documented in both health records and the outdoor access records.
- Weather. The National Organic Standards Board recommends that poultry have access to the outdoors between the temperatures of 50° and 85° Fahrenheit. These temperatures can vary slightly based on the conditions at each operation. Other inclement weather that can cause physical harm may also be considered and should be described in the OSP. Production yields or growth rates of livestock lower than the maximum achievable do not qualify as physical harm.
- Stage of life. Pullets under the age of 16 weeks may be denied outdoor access while still under a heat lamp and feathers are still growing; thereafter, access to the outdoors should be available. Layers may additionally be denied outdoor access during an approved and documented 5-week nest training period, for a combined maximum of 21 weeks of denied outdoor access.
- Protection of soil and water quality. Outdoor access may be limited if there is a risk to soil or water quality due to the presence of poultry, including the case of recently seeded pasture.

Dairy

All certified organic animals must have year-round access to the outdoors. Animals must have outside access for a substantial portion of the day. Dairy producers with tie stall barns must make every effort to get animals outdoors during the winter -- an hour of exercise is not considered adequate outdoor access. Planning ahead is essential to complying with the organic standards, especially for operations applying for certification for the first time. Confinement is allowed only per the exceptions described at 205.239(b). For example, animals may be denied outdoor access if there is a risk to health or to soil and water quality. The producer must document the conditions under which animals will be confined and document their adherence to that plan.

V. Labels, Labeling, and Market Information

A. “USDA Organic” Seal, “OnMark Certified Organic” Seal, & OnMark Logo Usage [(NOP §205.303-.304, §205.311)]

Use of the USDA organic seal is optional. The use of the seal must be according to NOP regulations and must be pre-approved by OnMark Certification. It may only be included on organic raw or processed agricultural products, or in marketing information for those products. The USDA seal may only be used on products that fall in the “organic” or “100% organic” categories. It may not be used on products that fall in the “made with organic [ingredients]” category. Usage must comply with NOP §205.311 and the font must be Helvetica Neue Condensed. Other forms of the seal are noncompliant.

The OnMark Certified Organic seal is also optional, and also intended for use only on organic raw or processed agricultural products or in marketing information for those products. The use of the OnMark seal must be according to NOP regulations and must be pre-approved by OnMark Certification. The OnMark Certified Organic seal may be used on products labeled as “100% organic,” “organic,” and “made with organic [ingredients].” The OnMark Certification seal may be used to satisfy the “Certified Organic by...” statement requirement per NOP §205.303(b)(2) if the words, “OnMark Certified” are clear and the seal is placed directly below the certified operation’s identification information on the information panel. If the OnMark Certified Organic seal is used on the same product as the USDA seal, the OnMark seal must not be displayed more prominently than the USDA seal (i.e. the OnMark seal cannot be larger than the USDA seal, the OnMark seal cannot be on the front of the package (principal display panel) while the USDA seal is on the side or back of the package, etc.). The OnMark logo may not be used to imply OnMark certification or approval of any product.

Both the USDA and OnMark Certification seals are intended to be used to represent organic products. You must ensure that seal versions are compliant, and that usage does not misrepresent non-certified aspects of your operation. If using on marketing materials (i.e. websites, brochures, signs, etc.), the seal(s) must not be used in association with nonorganic products. Contact OnMark to have seal and logo usage approved prior to printing, displaying, etc.

B. International Marketing

For applicants seeking to market NOP-certified products as organic in other countries, please request a copy of the OnMark International Trade & Marketing Policies.

VI. Certification with OnMark

A. Description of Current Certification Activities

OnMark Certification Services (OnMark) is an independent organization that provides certification services in accordance with the USDA National Organic Program (NOP) regulations. Currently, OnMark is focusing on crops, livestock and poultry production. In addition to “OnMark Organic” certification, OnMark also provides additional certification services for “OnMark 100% Grassfed” Certification and “OnMark Organic DM60+” Certification (DMI% from pasture > 60%).

B. Contact Details

OnMark Certification Services operates out of the Goshen, Indiana headquarters at:

60324 Missouri Avenue

Goshen, IN 46528

Phone: (574)-971-8479

Fax: (574)-971-5424

Email: office@onmarkcertification.com

Website: www.onmarkcertification.com

C. Personnel

OnMark Certification Services is led by Mark Seeley, a former agriculture teacher, farmer, administrator, and veteran organic inspector with extensive knowledge of the industry. Our team of staff and advisors is made up of dedicated experts in national organic policy, crop and livestock production, agricultural education, auditing, business, and project management. All team members have personal farming backgrounds, and all share a passion for upholding the integrity of organic farming and supporting producers in the industry.

OnMark Certification Officers collaborate with clients by conducting extensive review of applications. Certification Specialists guide applicants through the certification process as they strive to meet federal organic standards. Certification Officers and Certification Specialists participate in policy development, educational programming, and other special projects as they arise.

Inspectors will be assigned to clients seeking organic certification and will conduct on-farm inspections. Our inspectors have International Organic Inspector Association (IOIA) Training for either crop or livestock scopes, have several years of experience conducting organic inspections throughout the US, and have local knowledge of the Upper Midwest area.

D. Confidential & Public Information [(NOP §205.504(b)(5)); (§205.670(f))]

All information shared with OnMark Certification is considered strictly confidential, except for information that we are required to release to representatives of the USDA National Organic Program (NOP) or that is considered public information by the NOP. OnMark will submit to the NOP administrator annually a list including the name, address, and telephone number of each operation granted certification during the preceding year.

Information may also be shared with other USDA-accredited certifiers as necessary. The NOP requires that certificates for the current year and three previous years, and all the information contained therein, be available to the public. OnMark Certification provides information listed on the current certificate to the USDA monthly to be listed in the Organic Integrity Database. Anonymized results of all analyses and testing performed per §205.670 are available for public access, unless the testing is part of an ongoing compliance investigation. Confidential information from an operation's file may be released to the public only with written permission from the operation.

If you would like the details of your file to be discussed with someone other than yourself for any reason, please list this person in the box on your OSP that reads "Name(s) of others who can discuss this OSP," or contact us and ask for an Information Release Form.

E. Conflicts of Interest

All OnMark personnel are required to complete an annual Conflict of Interest Disclosure Statement listing any food, agriculture, or related business interests, including business interests of immediate family members, that could cause a conflict of interest in accordance with 7 CFR 205.501. All personnel (staff, contractors, advisors etc.) are required to commit to OnMark Conflict of Interest, Disclosure & Confidentiality Agreement.

Any individuals with conflicts of interest, including contractors, will be excluded from discussions, reviews, and decisions at all stages relating to the certification process 12 months before and after the certification decision. The OnMark certification process ensures that the individual(s) making the certification decision is/are different from those who review the documents and make the on-site inspection.

F. Certificate Effective, Anniversary Dates and Annual Reporting to NOP

Certificates are valid until surrendered (voluntarily given up), suspended, or revoked. The certification cycle is an annual process.

- The effective date of certification is the date by which a NOP-accredited certifier first verified the operation's compliance with NOP standards.
- The anniversary date is the date by which an operator must submit his/her annual renewal paperwork and fees to OnMark in order to remain in compliance. It is not an expiration date.
- The issue date stated on an annual certificate reflects the date OnMark completed the certification process. It does not necessarily reflect the effective date.

Although organic certification is an annual process, you must renew your certification by OnMark's application deadlines to remain in good standing. If you do not plan to renew, you must surrender your certificate to avoid being suspended.

G. Service Area

OnMark currently offers certification services in the Upper Midwest, focusing on the Midwest area (Michigan, Indiana and Illinois). OnMark intends to expand to additional states as the business develops and there is sufficient demand of services to justify travel and staffing in additional regions.

H. Timeline of Certification [(NOP §205.202(b)), (§205.403(a)(1-2))]

This policy describes the order of activities for several scenarios wherein new applicants, or new facets of a certified operation, are requested for certification. To request the addition of items on the organic certificate outside of the annual application, inspection, and review cycle, additional documentation must be sent to OnMark. See the following "Certificate Additions" policy for a list of these items. OnMark cannot list any item on an organic certificate until compliance with the organic standards is verified. Crops, animals, and products may not be marketed as organic until they are listed on an operation's organic certificate. Although in limited cases a desk audit is adequate to verify compliance, an on-site inspection is generally necessary. The effective date of certification will be listed on the organic certificate. The effective date is usually the date of inspection, unless organic integrity of crops harvested and/or products produced between inspection and certification cannot be verified. In these cases, the effective date will be the date OnMark can ensure full compliance with organic standards.

- 1) A farm requesting certification with OnMark for the first time must be inspected at a time when activities demonstrating the operation's ability to comply can be observed, and before crops requested for certification are harvested. In order to certify a crop as organic, it must have been harvested at least 36 months (3 years) since the last prohibited substance was applied to the land.

- 2) A new crop grown on land that was 1) previously inspected and 2) included in an OSP may be added to the certificate upon request, provided there is adequate documentation on all inputs. These inputs include seeds, fertilizers, and pest control products. Adding a new crop to the certificate may be accomplished by submitting the necessary documentation along with the annual OSP. If a producer would like to add a new crop to the certificate outside the regular application and inspection cycle, s/he may do so by requesting a certificate addition. OnMark staff will review the information submitted, and a revised certificate will be issued after compliance is verified. For a new crop to be added without an inspection, it must be substantially similar to those previously certified by the operation and the portions of the operation pertinent to the organic integrity.
- 3) A crop grown by a certified operation on land that was not previously included in an OSP, inspected, or certified will only be added to the organic certificate after an inspection has occurred. The crop must not be marketed, fed, or grazed as organic until the updated certificate is issued. If the land was managed by anyone other than the certified entity at any time during the preceding three-year period, then the request for certification must be accompanied by a Prior Land Use Statement. In lieu of a Prior Land Use Statement, an equivalent signed and dated documentation may be submitted. This equivalent documentation must state that the land has received no application of a prohibited substance during the three-year period. In most cases, inspection must take place during the current growing season and before the harvest of the crop requested for certification, except:
 - Land coming out of transition that has been listed on the OSP and previously inspected may be added to the organic certificate after the transition period has passed and OnMark has verified compliance.
 - The land is in hay or pasture, the operation is currently certified to manage the crop requested for certification on the new land, and the inspector is able to verify that the land was free of prohibited substances for three years before the date of harvest. Hay harvested from such fields may not be fed or marketed as organic until after the fields are added to the organic certificate. Under high-risk or time-sensitive circumstances, a spot inspection may be recommended by OnMark or requested by the producer rather than waiting for the annual inspection. Spot inspections are at the producers' expense.
- 4) A certified organic livestock producer or livestock operation that is certifying for the first time may use pasture land that is eligible for certification but not yet inspected only if the OSP 1) lists the land and 2) includes supporting documentation that it has been free of prohibited substances for three years. Under some circumstances, livestock may also be housed in facilities that are included on the OSP but have not yet been inspected. In these cases, the producer assumes the risk of suspension or denial of certification if OnMark finds during the inspection and certification decision-making process that livestock were fed non-certifiable crops, or that livestock were housed in noncompliant facilities. Livestock will not be added to the organic certificate until an inspection is conducted with animals present and a final certification decision is made by OnMark. Livestock may not be slaughtered, marketed, or represented as organic until they have been added to the certificate.

Generally, the “order of operations” for organic certification is OSP submission, then on-site inspection, then certification, then sale or use. For operations certifying with OnMark for the first time, inspection must always take place before harvest or production. OnMark may use the date of inspection as the “effective

date” of certification if compliance is verified, or a later date if it is appropriate. If a certified operation wants to add something new to their OSP and ultimately their organic certificate, there are many pathways. The route to success begins by contacting OnMark and explaining your situation as soon as you know about the change. OnMark must ensure that all items on organic certificates are compliant before they can be added, which may require any combination of documentation, correspondence, and on-site inspection. Using any land or facilities that have not been inspected and certified as part of your operation carries a risk that the resulting products could be found to be noncompliant and could have serious implications for your operation.

I. Responsibilities as a Certifying Agency

- 1) OnMark will hold the USDA Secretary of Agriculture harmless for any failure on the part of the certifying agent to carry out the provisions of the Act and the regulations.
- 2) OnMark will furnish reasonable security, in an amount and according to such terms as the NOP Administrator may by regulation prescribe, for protecting the rights of production and handling operations certified by OnMark under the Act and regulations in this part.
- 3) OnMark will transfer to the NOP Administrator and make available to any applicable State organic program’s governing State official all records or copies of records concerning the person’s certification activities if OnMark dissolves or loses its accreditation as a certifying agent.
- 4) OnMark will not exclude from participation in or deny the benefits of the National Organic Program to any person due to discrimination because of race, color, national origin, gender, religion, age, disability, political beliefs, sexual orientation, or marital or family status.
- 5) OnMark will accept the certification decisions made by another certifying agent accredited or accepted by the USDA.
- 6) Records created by OnMark will be maintained for not less than 10 years beyond their date of creation.

VII: Administrative

A. General Inputs and Materials

1) Input Evaluation by OnMark for Compliance with NOP Standards (“Materials Review”)

All input products must be reviewed before a certified operation uses them. Use without pre-approval could lead to suspension or denial of certification of the affected land, animals, and/or products, depending on the nature of the product and the use. OnMark reviews inputs in the process of reviewing OSPs to protect the integrity of the organic food system, and for the benefit of the operations we certify. Documentation for approved inputs is to be updated at least every three years. Reviews of inputs are only conducted under one of the following conditions:

- a) the product is submitted in or with an application for certification or recertification
-OR-
- b) an operation submits a request directly to OnMark
-OR-
- c) a manufacturer submits a request with a substantiated claim that an OnMark-certified operation wishes to use the product

List all inputs you will use on your OSP. Before using new products, check the pre-approved lists (NOP National List, OMRI, WSDA, PCO) to see if they are already approved. If a product is not listed, contact us before use and we will review it for compliance. We are happy to conduct product reviews for you throughout the year, but please consider that these reviews often take some time to complete.

2) Cleaners & Sanitizers

Cleaners, disinfectants, and sanitizers used on equipment, surfaces, or facilities are allowed, provided cleaning procedures completely remove residues of cleaners before contact with organic products. Documentation must be in place to show that the procedures are proven to remove all residues of prohibited substances. Cleaning and sanitizing materials permitted for direct contact with organic product (those whose ingredients are listed on the National List of Allowed and Prohibited Substances) are excluded from this requirement (no rinse/purge/etc. is required). For some cleaners, a clear water rinse or product purge is enough. For quaternary ammonium (“quat”) sanitizers, a zero-test strip reading on food contact surfaces or a documented standard operating procedure that is proven to reliably produce a zero reading is required before contact with organic products. Cleaners and sanitizers used in aspects of organic facilities that do not contact any organic products (floor cleaners, employee sanitation, etc.) should be included in the OSP, but in most cases they do not need to meet the criteria described above.

3) Pest Management in Facilities & Storage [(NOP §205.271)]

Pest Prevention and Control in organic facilities requires a multi-tiered approach.

- a) Operations must use management practices to prevent problems before they happen. These include preventing pest access to facilities and organic products and removing food sources, shelter, and breeding areas for pests by maintaining clean production and storage areas.
- b) When prevention is not enough, mechanical or physical means may be used to control pests. Lures and repellents using nonsynthetic or synthetic substances consistent with the National List may also be used.
- c) If problems persist, nonsynthetic materials and synthetic materials listed in the National List may be used. Use of these substances must be such that contact with certified organic product is prevented.
- d) If the practices provided for above are not effective to prevent or control pests, a synthetic substance not on the National List may be used, provided that the certified entity and OnMark agree on the substance, method of application, and measures to be taken to prevent contamination of certified products. OnMark Certification allows the use of bait boxes, containing prohibited rodenticide, outside the facility or production area if there is no risk of contamination of organic products.
- e) Prior to using a pest management substance not on the National List (i.e. pesticides and rodenticides), a certified operation must first:
 - i) Document the need to use that substance. Include the specific preventative measures taken, any relevant pest monitoring results, etc.
 - AND-
 - ii) Document a plan to protect organic integrity while using the substance, including the name of the substance, where the substance will be applied and for how long, the method of application, and any other important details.

Other Regulations

If NOP or OnMark requirements conflict with any federal, state, or local health or safety regulations in any way, the certified operator should contact OnMark to resolve the issue. For details regarding federal and state emergency pest and disease treatment programs, see NOP §205.672. Managers of organic facilities must try to prevent rodents and other pests from accessing facilities and organic products. If this does not work, techniques (such as trapping), use of allowed substances (such as Vitamin D3 and boric acid) that are approved for organic production may be used, in that order. If these also do not work and additional measures to prevent or remedy infestation are necessary, you must contact OnMark for approval before use and prevent contact with organic products.

4) Treated Lumber [(NOP §205.206(f))]

Wood or lumber treated with prohibited materials may not be used for any application where contact with certified land, animals, or products may occur. Infrastructure made from or with treated wood that exists on the premises before organic management begins may remain, but all repair, replacement, and new construction must be done with compliant materials. Coatings and/or physical barriers that prevent contact of treated wood with certified land, animals, and products may be approved, on a case-by-case basis, if there is enough evidence that the coating or barrier will: a) prevent contact with treated wood over the life of the structure, b) not contribute to the contamination of any certified entity with prohibited substances, and c) not contribute to contamination of crops, soil, or water. If any of these conditions are not met, an appropriate buffer may be established between the noncompliant structure and the certified growing area, animal, or product. Adequate buffers will be determined based on the nature of the operation, potential for contamination, and on-site evaluation by the inspector. Sawdust or shavings from wood that is treated or that contains prohibited substances from gluing, staining, etc. are not allowed as animal bedding on organic operations. We have not reviewed any treated lumber product that is acceptable for use in organic production and handling. Use of treated lumber for new construction and replacement/repair will result in a noncompliance, and additional measures will be necessary to prevent contamination of organic products and land.

B. Certification Fees

Please see OnMark Fee Schedule to calculate annual fees or contact OnMark for further details.

C. Inspection, Testing Reporting and Residue Non-compliances

1) Inspection Scheduling [(NOP §205.403)]

An OnMark approved inspector will contact the operator by phone, email, or mail to schedule the operation's initial or annual on-site inspection. The operator and inspector should make every reasonable effort to find a time that is convenient for both. If the inspector is not successful in reaching an authorized representative within a reasonable period of time, s/he may choose to visit the operation without notice and proceed with inspection if an authorized representative is available. Cancellations of a scheduled inspection appointment should be reserved for emergency situations only and may result in additional fees. The operation may be issued a noncompliance if a scheduled inspection is cancelled by the operator, or if the operation fails to make an authorized representative available for full inspection of the operation. Increased inspection expenses may be incurred by the operation if an inspector must make multiple attempts to conduct the inspection.

2) Unannounced Inspections & Sampling

OnMark conducts unannounced inspections and takes test samples for residues of prohibited substances on at least 5% of OnMark-certified operations annually. Unannounced visits may count as the annual inspection if all aspects of the operation are inspected, but these are generally short visits which cover only a portion of the operation and which are held in addition to the annual inspection. Sampling can take place at the annual inspection or at an unannounced inspection. Operations are selected for unannounced visits and sampling based on perceived risk to organic integrity, previous compliance issues, to verify corrective actions have been implemented, or at random. Residue sampling may include, as appropriate, swab testing or the collection and testing of soil, water, waste, seeds, plant tissue, plant products, animal products, and processed products. 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 operations. We will issue a receipt for samples taken at the time of sample collection. OnMark conducts residue testing at our own expense. Operators consent to the use of a subcontracted laboratory to conduct residue tests as part of their certification agreement with OnMark.

3) Review of Residue Test Results and Notifications

Results of residue testing are shared with the operator. Residue test results are made available for public access, unless the testing is part of an ongoing compliance investigation. Copies of test results provided to the public will not identify the source of the sample unless the request is for a single, specific operation.

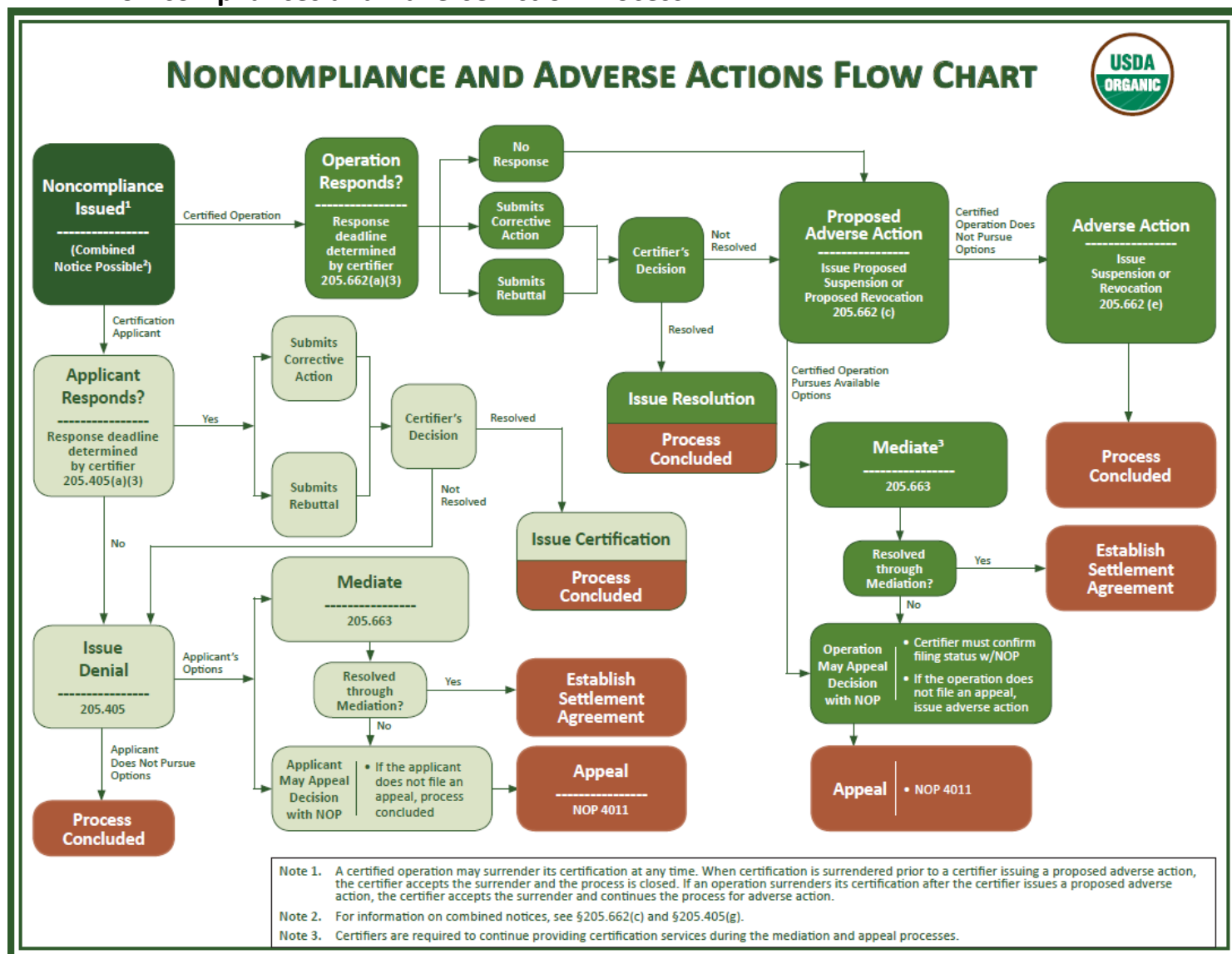
If residues of pesticides or other prohibited substances are found on organic products, further investigation may be required to qualify the non-compliance which may include but not limited to an additional site visit and further residue tests. Depending on the reason(s) for contamination, and the source, nature, and quantity of contaminants discovered, the certification of a specific product or the entire operation may be affected.

Following any further investigation and identification of non-compliances, the following actions will be taken, as appropriate based on NOP 2613:

- a) Application of prohibited substances, NOP §205.202 (b), would result in a Combined Notification of Non-compliance and Notification of Proposed Suspension or Notification of Proposed Revocation of the operation's certification.
- b) Inadequate buffer zones to prevent the unintended application of prohibited substances, NOP §205.202 (c), would result in a Notification of Non-compliance requiring corrective actions to prevent future contamination.
- c) Inadequate measures to prevent commingling or contamination of organic products, NOP §205.272, would result in a Notification of Non-compliance requiring corrective actions to prevent future contamination. If suspensions, revocations, or civil penalties are appropriate, the adverse actions will be coordinated with the NOP.

See the Non-compliance and Adverse Actions Flow Chart in the following section.

D. Non-compliances and Adverse Action Process



1) Notification of Non-compliances and Notification of Adverse Action [NOP §205.660, §205.662, §205.663, §205.665]

OnMark will send notification of noncompliances and notifications of adverse actions to the applicant's place of business via a delivery service which provides dated return receipts. OnMark will also submit a copy of any notices of denial of certification, non-compliances or adverse actions to the NOP administrator and the inspector who conducted the applicant's inspection.

a. Notification of Non-compliances

The applicant may respond in one of the following ways in accordance with NOP §205.662:

- 1) Correct the noncompliance(s) and send a description of the corrective action taken with supporting documentation to OnMark Certification Services. Please submit these items to our office by [Date + 1 month].

- 2) Submit written information to OnMark Certification Services to rebut the noncompliance(s). This means you can send a letter explaining why you disagree with our decision.

b. Notification of Proposed Adverse Actions or Denial (Proposed Suspension, Proposed Revocation, Denial)

The applicant may respond in one of the following ways in accordance with NOP §205.663:

- 1) Request mediation pursuant to NOP 205.663. A request for mediation must be submitted in writing by within 30 days of date of Notification of Adverse Action to OnMark Certification Services, 60324 Missouri Avenue, Goshen, IN 46528.
If we accept your request for mediation and mediation is unsuccessful, you will have 30 days from termination of mediation to appeal the adverse action (denial, suspension or revocation.)
- 2) File an appeal of adverse action pursuant to NOP 205.681. The appeal should be submitted in writing to: Administrator, USDA-AMS c/o NOP Appeals Staff, 1400 Independence Avenue S.W., Room 2095-S, Stop 0203, Washington, D.C. 20250, or by email at NOPAppeals@ams.usda.gov. The appeal must be filed within 30 days of receipt of this letter.
- 3) If you do not request mediation or file an appeal within the time frame indicated above, your entire organic farming operation certification will be denied/suspended/revoked.

2) Evaluating Responses and Rebuttals of Noncompliances [NOP §205.405(c)(1)]

Following an issuance of a notification of noncompliance, OnMark will:

- a) Evaluate the applicant's corrective actions taken and supporting documentation submitted or the written rebuttal,
- b) Conduct an on-site inspection if necessary,
- c) Issue the applicant an approval of certification, when the corrective action or rebuttal is sufficient for the applicant to qualify for certification

OR

Once the prescribed time period to submit corrective actions has passed, issue the applicant a written notice of adverse action (proposed suspension, revocation or denial), when the corrective action or rebuttal does not appear to be sufficient for the applicant to qualify for certification in accordance with NOP regulations, at which point the applicant may have up to 30 days to request mediation to OnMark or file an appeal in writing to the USDA-AMS NOP Appeals.

3) Adverse Action Mediation [(NOP §205.663)]

Any dispute with respect to denial of certification or proposed suspension or revocation of certification may be mediated at the request of the applicant and with the acceptance by OnMark.

- a) Mediation shall be requested in writing to OnMark within 30 days of receipt of the Notification of proposed suspension or revocation or denial of certification.
- b) Mediation request by the applicant will be reviewed and either rejected or accepted by OnMark
 - i. If OnMark rejects the request for mediation, OnMark will provide written notification to the applicant which will advise of the right to request an appeal, pursuant to NOP§205.681, within 30 days of the written notification of rejection of mediation.
 - ii. If OnMark accepts the request for mediation, the mediation will be conducted by a qualified mediator mutually agreed upon by the applicant and OnMark.

- c) Mediation participants will have no more than 30 days to reach an agreement following a mediation session. Any agreement reached during or as a result of the mediation process shall be in compliance with the NOP regulations. Any agreement can be reviewed by the Secretary of Agriculture or representatives for conformity to the NOP regulations.
- d) If Mediation is unsuccessful, the applicant will have no more than 30 days from termination of mediation to appeal OnMark's decision pursuant to NOP §205.681

E. Withdrawal of Application [NOP §205.402(c)]

The applicant may withdraw the application for certification at any time. An applicant who withdraws its application shall be liable for the costs of services provided up to the time of withdrawal of the application.

Fees relating to stages of withdrawal:

- 1) Prior to On-site Inspection would be eligible for a 75% refund on the full fee.
- 2) Prior to Final Review would be eligible for a 25% refund of the full fee, excluding any additional travel costs based on location.
- 3) At time of Final Certification Decision (prior to the issuance of a notice of certification or certification denial) would no longer be eligible for any refund of the full fee.

An applicant that withdraws application prior to the issuance of a notice of certification denial will not be issued a notice of certification denial.
