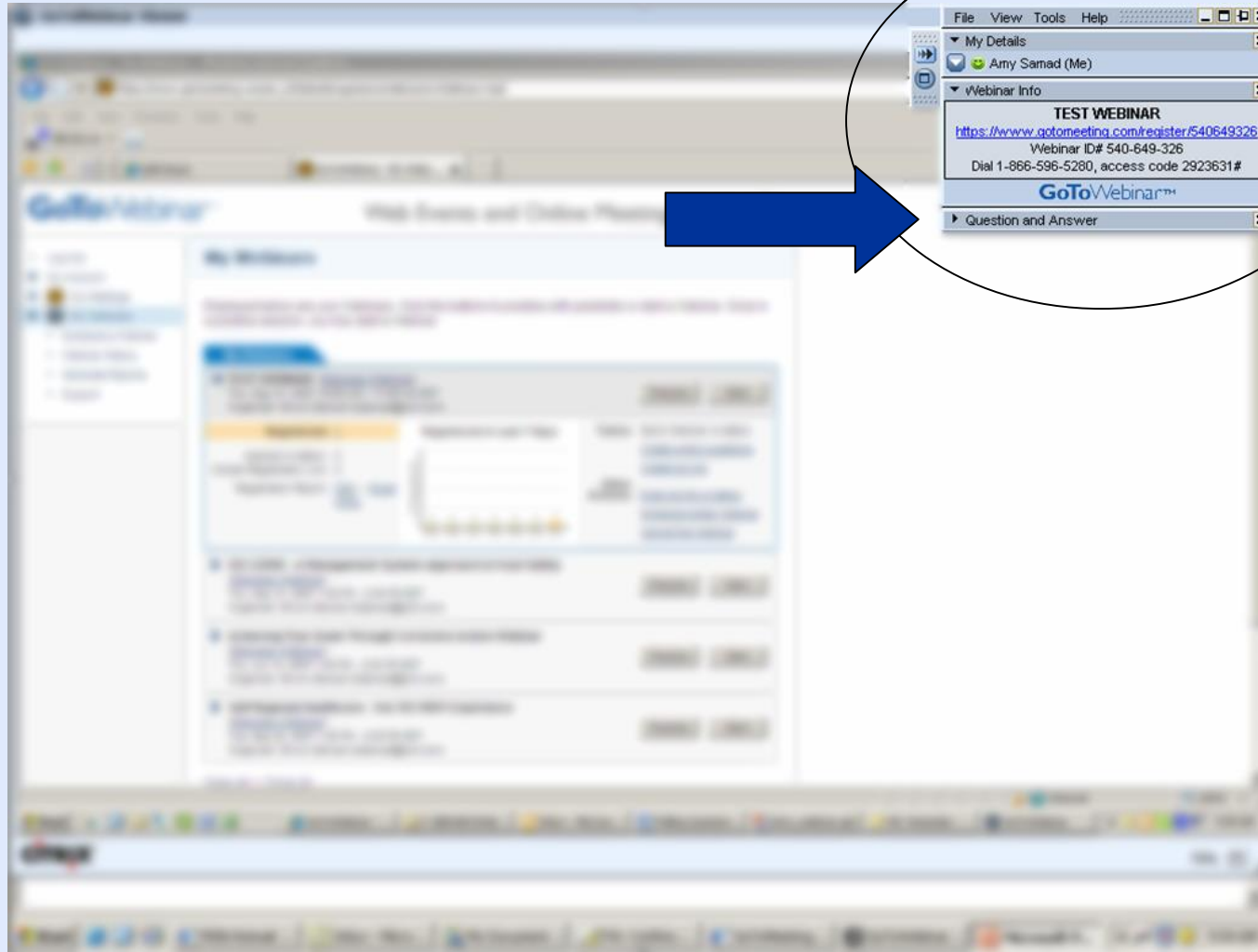




**Rachel Winter**  
PJRFSA Organic Program  
Manager



# Preparing for Organic Certification & SOE



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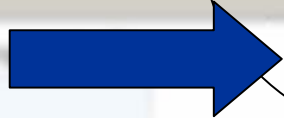
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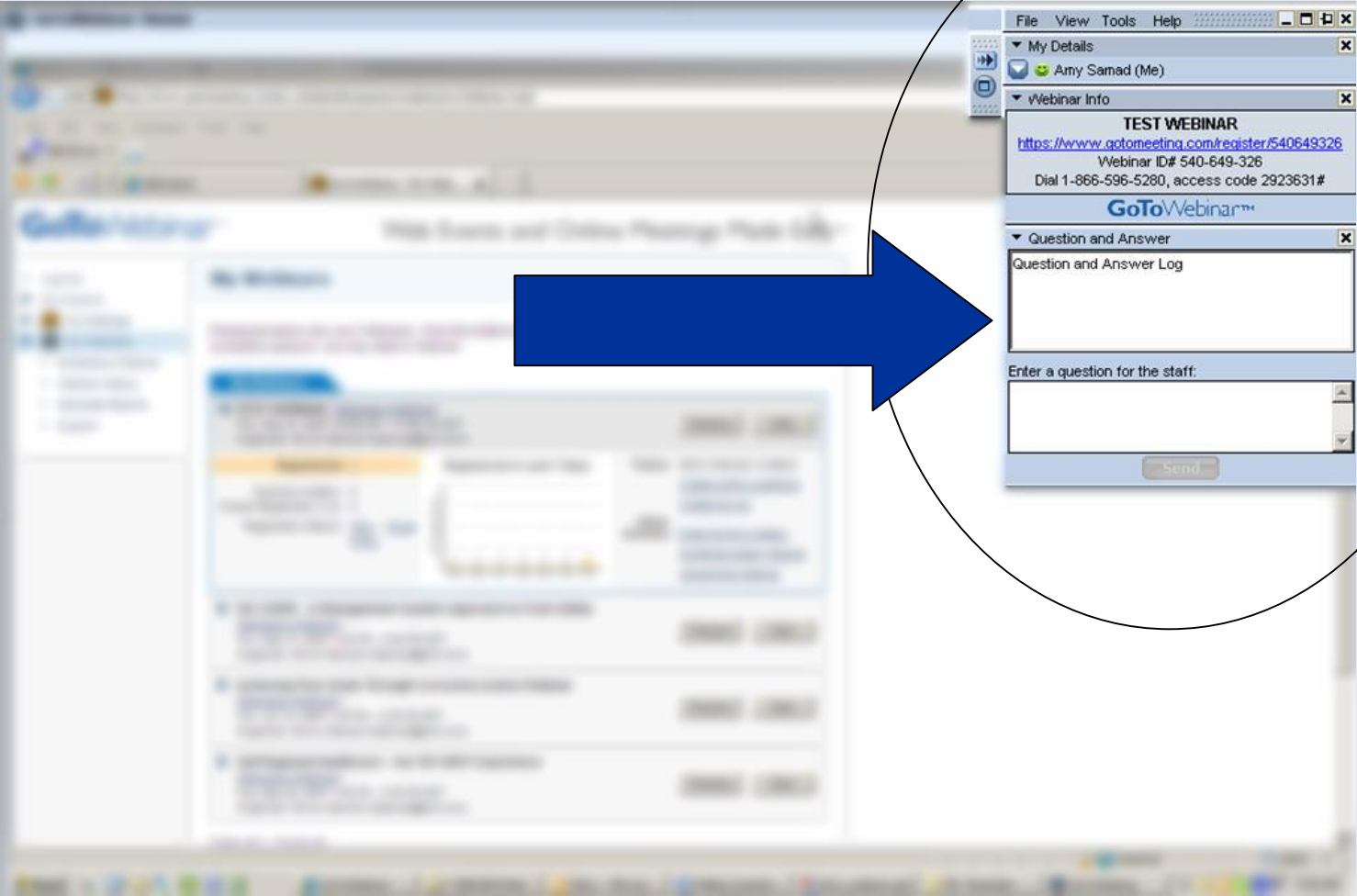
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PJRF SI Organic Program  
Manager



**PJRF SI – Your Partner for Food Safety**



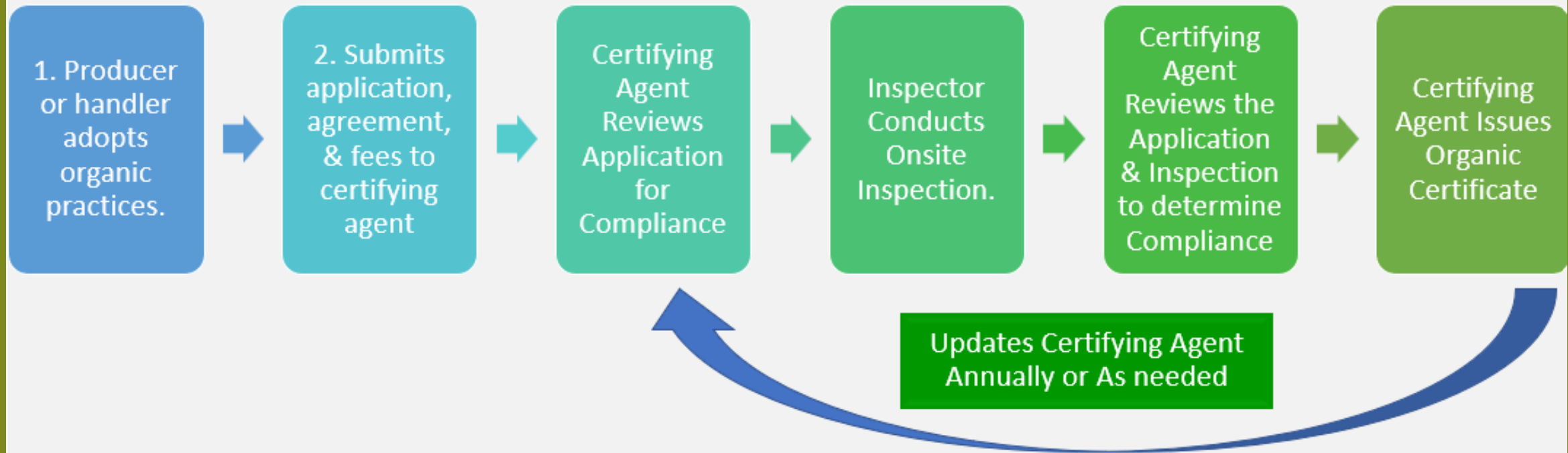
# Organic Certification & SOE - Strengthening Organic Enforcement

*2023 Webinar*





## Organic Certification Process



Suggested Time Frame is 3-6 Month to Certification





# Prepping for Processing

- Labels
- Organic Certificates
- Broker Certificate if applicable
- Specification- Ingredient
- SDS Ingredient
- Lot Code Procedure
- Pest Control Documentation
- Pest control SDS
- Pest Control Contract Operation Profile (if not done by client)
- Chemical SDS Sheets-
- Sanitation Standard Operation Procedure
- Business License
- Article of Organization or Incorporation
- Water Documentation
- Facility Map
- Facility Flow Diagram
- SOP's on organic processing
- Private Label Agreements





# Prepping for Crop

- SDS, TDS, Labels
- Pesticides
- Fertilizers
- Post- harvest treatment
- Cleaners
- Soaps
- Crop tags
- If purchased seed from original owner - proof of purchase
- Organic certificates of seed
- Organic certificates of broker if applicable
- SOP and SSOP
- Farm Layout
- Land Affidavit
- Contract such a pet service
- Other Contract for fertilizer, farm labor contractors, custom harvesting, or planting services
- Recordkeeping\*\*\*





# Why the SOE?

- The SOE is the largest update since the organic regulation came into affect in 1990.
- These updates were made to protect organic integrity
- Updates included
  - Organic control system
  - Improving farm to market traceability
  - Providing robust enforcement of the USDA organic regulations.





When was the final ruling of the SOE?

January 2023

When is the SOE implemented?

March 19<sup>th</sup> 2024





## Strengthening Organic Enforcement (SOE) Final Rule

The **Strengthening Organic Enforcement (SOE)** final rule reduces fraud in the organic marketplace; strengthens oversight of organic producers, handlers, and certifiers; and improves USDA's enforcement mechanisms. USDA used public comments to refine this final rule and maximize benefit to the organic industry.

### Why is SOE Needed?

Organic supply chains have become increasingly complex, reducing transparency in the market and leading to documented cases of organic fraud.

### Who is Impacted by SOE?

- USDA accredited certifying agents
- Organic inspectors
- Producers
- Processors
- Brokers, traders, exporters, and importers who are not certified organic

### What Does SOE Do?

The SOE rule protects organic integrity and bolsters consumer confidence in the USDA organic seal.

The final SOE rule:

-  Reduces the number of uncertified entities in the organic supply chain.
-  Requires use of electronic import certificates.
-  Strengthens recordkeeping and supply chain traceability.
-  Clarifies AMS's authority to oversee and enforce organic trade.
-  Strengthens oversight of accredited certifying agents.

### SOE History

#### Proposed Rule

- SOE implements three provisions from the 2018 Farm Bill.
- SOE implements many National Organic Standards Board recommendations.
- Published as proposed rule in October 2020.

#### Public Comment

- 60-day public comment period.
- 1,525 comments received.

#### Final Rule

- Policy updated based on public comment.
- Final rule published in January 2023.

#### Enforcement

- 14-month implementation period.

### How Does the Industry Benefit?

- ✓ Stronger tools and processes that help ensure **compliance**.
- ✓ Robust and consistent **enforcement** of the organic regulations.
- ✓ Improved farm to market **traceability**.
- ✓ Strong consumer and farmer **trust** in the organic label.
- ✓ **Level playing field** for organic farms and businesses.



# Who does the SOE affect?

- USDA accredited certifying agents
- Organic inspectors
- Producers
- Processors
- Brokers
- Traders,
- Exporters
- Importers who are not certified organic



# SOE Updates Included

- Import certificate
- Brokers
- Nonretail Labels
- Organic Certificates will be pulled from OID
- Operations must be inspected at least once within the calendar year.
- Producer Group Requirements
- Improve Recordkeeping





**What does it mean to handle? Anything that has physical contact with agricultural products**

- Combining
- Aggregating
- Culling
- Treating
- Packaging conditioning
- Containing
- Packaging
- Labeling
- Storing receiving
- Loading

**Example from Grain Elevators, Central Bakeries.**



# Import Certificates

- If you are purchasing importing organic goods, they will need to be accompanied by an import certificate generated by the importer's certification body.
- The import certificate must be present at the U.S. Customs & Border Protection (CBP) through the CBP Automated Commercial Environment (ACE) – electronically
- Certificate Includes
  - Origin
  - Destination
  - CA Issuing Certificate
  - Tarif Code
  - Total Weight
  - Organic Standard was Certified
- Currently the only Import Certificates used in organic regs are with equivalence determinations





# Import Certificates

- Purpose: Document the organic status and quantify of imported products as they travel from exporter into the USA.
- Import Certificates are generated by the Exporting USDA Certifying Agent (PJRFSA) or equivalent organic certifying agent - in the organic integrity database
  - This will be in affect by the time the rule if fully implemented (2024)
- The exporter (company) is responsible to maintain organic standards throughout transportation
- Information will ne needed to be verified by the CA-via documentation.



# Import Certificates

- A 10-digit code is generated in the OID for the certificate
- Certificate will be given to the exporter
- The certificate can be canceled or voided at any time
- The exporter is responsible for providing the importer the certificate
- The importer provides the certificate to the specific entity responsible for enter import certificate info into the ACE system. ( importer or designed customers broker).
- The broker or whomever applicable must enter the certificate data into the ACE system which is governed by the CBP.
- Organic CA do not have access to the ACE.





# Labels

*Non-Retail Labels- Used to ship or store*

*“Used for shipping or storing product not used in the retail/consumer display or sale of the product”*

- *Must be labeled with organic identity (100% organic, organic, Made with Organic)*
- *Traceable to an audit trail documentation*
  - Lot Number
  - Shipping Information
  - Unique identifier for shipment
- *Crates, Boxes, Totes, Trailers*
- *Master cases and pallets are not required to ID organic status if USDA Seal/ organic status is visible to retail units.*





# On- Site Inspections

- *Are required to be annually*
- *Unannounced inspection occur \*reminder*

*During and onsite inspection the following occurs*

- *Mass balance exercise*
- *Verify traceability of Products and Ingredients*
- *Verify traceability of Product in an operation supply chain back to the last certified production*





# Supply Chain Traceability & Fraud

*Certified operations are responsible for traceability within their operation, back to their suppliers, and forward to their customers.*

*Documentation including but not limited to Receipts, invoices, shipping or receiving manifest, bill of lading, and transaction certificates*

*Fraud Protection Plan - Needs to be in OSP*

*Simple - Varies purchased inputs comply with regulations  
Complex - Detect, prevent, minimize, and mitigate organic fraud in supply chain*





# QUESTIONS?

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