

2024 Evaluation Report on the United States National Organic Program

I. Objective

As specified in Appendix I of the Organic Equivalence Recognition Letter from Taiwan to the United States Department of Agriculture (USDA), "[f]ollowing advance written notice from AFA through TECRO, the USDA permits AFA officials to conduct onsite evaluations in the United States to verify that the relevant regulatory authorities and certification bodies of the U.S. organic program are carrying out the requirements of that program. USDA is to cooperate with and assist AFA, to the extent permitted, in carrying out these on-site evaluations, which may include visits to offices of relevant regulatory authorities, certification body offices, production facilities, and farms that NOP-accredited certification bodies have certified in the United States."

The purpose of this on-site evaluation was to verify the evaluated foreign competent authority's compliance with the requirements outlined in the Organic Equivalence Recognition Letter. This included evaluating USDA authorities' capacity for system control under the country's organic certification program, including the management of organic product imports and exports.

II. Evaluation Team

Representatives from the Organic Agriculture Section, Farming and Soil Support Division, Agriculture and Food Agency (AFA), Ministry of Agriculture, Taiwan:

- Ms. Chen Judia Tung, Section Chief
- Ms. Pei-Jung Hsu, Specialist
- Ms. Chiung-Hsuan Huang, Technical Specialist
- Ms. Ming-Ju Chen, Technical Specialist

III. U.S. Counterpart

The United States Department of Agriculture (USDA) Agricultural Marketing Service (AMS) National Organic Program (NOP) officials and AIT staff members accompanied the evaluation team throughout the onsite evaluation.

IV. Itinerary (September 23-27, 2024)

Date	Person(s) Visited/Location	Description of Work
9/23	1. NOP/Office of USDA Farm Service Agency (FSA) in Minnesota	Opening Meeting: NOP officials provided an overview of NOP organization; U.S. organic regulatory framework and updates; accreditation and oversight of certification bodies; complaint handling procedures; organic operator inspections; violation handling; management of imported organic agricultural products.
	2. Certifier A/Certifier A's Headquarters, Minnesota	On-site visit to gain insight into Certifier A's scope of work; staffing and training programs; interactions with NOP; certification implementation; and export certificate review process. The visit aimed to evaluate the organization's compliance with NOP regulations.
9/24	1. Organic Operator A (Organic Grain Processor)/Minnesota	Observed NOP's witness audit of Certifier B inspecting Organic Operator A.
	2. Certifier B/FSA Minnesota Office	Online interview covering Certifier B's scope of work; staffing and training programs; interactions with NOP; certification implementation; and export certificate review process. The interview aimed to evaluate the organization's compliance with NOP regulations.
9/25	Organic Operator B (Organic Soybean Producer) /Minnesota	Observed NOP's witness audit of Certifier A inspecting Organic Operator B.
9/26	1. Organic Operator C (Organic Dairy Processor)/Wisconsin	Observed NOP's witness audit of Certifier C's inspection of Organic Operator C.
	2. NOP/FSA Wisconsin	NOP officials provided information on the U.S.

	Office	National List, including classification systems, determination processes, use restrictions, and amendment procedures for listed allowed and prohibited substances.
9/27	1. Certifier C/FSA Wisconsin Office	Online interview covering Certifier C's scope of work; staffing and training programs; interactions with NOP; certification implementation; and export certificate review process. The interview aimed to evaluate the organization's compliance with NOP regulations.
	2. NOP/FSA Wisconsin Office	Closing Meeting: Taiwan evaluation team presented evaluation outcomes (including observations and findings); both parties confirmed the follow-up actions for the evaluation report.

V. Evaluation Outcomes

1. Observations

1) All participants demonstrated exceptional expertise in accreditation and certification, including NOP staff, certifiers, inspectors, and organic operators. Their professional approach and commitment were evident throughout the evaluation.

2) The NOP's implementation of the regulatory updates, "Strengthening Organic Enforcement (SOE)," demonstrates an advanced management framework that requires systemic establishments and continual improvement for organic integrity. The program effectively employs a risk-based approach to compliance requirements for organic operators (OPs) and Accredited Certification Agencies (ACAs), with clear regulations that promote consistent understanding and implementation.

3) Following the implementation of SOE updates on March 19, 2024, certifiers and operators are actively working to meet the new requirements during this first year of implementation. While certifiers have taken steps to provide informational materials to operators, update inspection forms, and revise Organic System Plans (OSPs), there

is currently no formal requirement for operators to demonstrate the effectiveness of their internal monitoring systems during inspections.

USDA NOP notes: The USDA organic regulations, at 7 C.F.R. part 205.201(a)(3) specifically require operators to include in their organic system plans a description of the internal monitoring practices and procedures to verify that the plan is effectively implemented. This was a requirement prior to the SOE updates and has been regularly monitored by USDA NOP auditors during the regular accreditation audits of certifying agencies. The organic regulations, at 7 C.F.R. §205.403(d), further instruct organic inspectors to verify that the information included in the operation's OSP accurately reflects the practices used by the operator. In addition, the USDA NOP accreditation assessment checklist evaluates certifier compliance to both aforementioned regulations.

4) While Operator C is certified by Certifier C for handling operations, the certification certificates issued through the Organic Integrity Database (OID) do not specify whether a certified product is 100% organic, 95% organic, or contains 70-94% organic ingredients. Furthermore, certificates for multisite certification do not specify the certification scope or product list for each individual site.

USDA NOP notes: The organic certificates issued through OID provide an overall Operation Profile, which lists all certified organic products. If the operation has a need to specify which products are 100% organic, "organic" or "made with organic", the certifier must issue an addendum that indicates the product category for each item listed on the organic certificate. The USDA organic regulations allow flexibility for certifiers to identify facility- or site-specific certification scopes and/or products on the operation's certificate addendum. This information is also expected to be detailed in the operation's Organic System Plan (OSP), as it was for Operator C.

2. Findings

Certifiers issuing TM-11 certificates for organic product exports to Taiwan did not incorporate the terms of the Taiwan-U.S. organic arrangement in their on-site inspections.

Comment: During observations of Certifier B's inspection of Organic Operator A and Certifier C's inspection of Organic Operator C, we noted that their inspection checklists and procedures did not address the requirements specified in the Taiwan-US equivalence agreement even though both certifiers continue to issue TM-11

certificates, and Organic Operator C regularly applies for TM-11 certificates to export organic dairy products to Taiwan.

Reference: Taiwan-US Organic Equivalence Recognition Arrangement

USDA Response: Since establishing the equivalence arrangement with Taiwan, NOP has included in its Accreditation Assessment Checklist points for NOP auditors to assess whether certifiers are verifying the requirements of the arrangement. NOP has included the topic of verifying requirements related to equivalence arrangements as part of previous annual certifier trainings. However, given this finding, USDA NOP will take the following actions.

On January 28 and February 10, 2025, the USDA NOP will host training sessions for all USDA accredited certifiers. This annual training will be held in Richmond, VA and Nuremburg, Germany, and attendance is expected for all accredited certifiers. There is a remote attendance option at the Richmond training for those who cannot attend either session in person. The NOP training agenda will include the topic of certifier and operation responsibilities when verifying compliance with all NOP organic trade arrangements, with specific focus on the EU, Japan, Taiwan, and South Korea.

During the first quarter of 2025, the USDA NOP will provide a training session for all accreditation auditors. The session will cover NOP's expectations for how certifiers review and document operators' compliance with NOP each trade arrangement and what should be assessed during NOP accreditation audits, including verifying certifiers' procedures for issuing TM-11's.

3. Follow-up Actions

The Taiwan AFA accepts the USDA NOP's response to the evaluation outcomes. During the next onsite evaluation of the USDA NOP, the AFA will assess the implementation of the relevant accreditations and certifications. The AFA will post the final report on its website.