

**Texas Department of Agriculture
Organic Certification Program Policy**

Effective date: November 2, 2018

1. Purpose

The purpose of this document is to promote consistent application of the USDA National Organic Program Regulations by the Texas Department of Agriculture (TDA) Organic Certification Program. This instruction is based upon guidance received from the USDA NOP.

2. Applicability

This instruction applies to all certified organic operations with TDA.

3. Scope

Continuation of organic certification – annual inspection

4. Authority

TDA is accredited by the USDA NOP under the authority of the Organic Foods Production Act of 1990, as amended (7 U.S.C. §§6501 et seq.) as described in 7 CFR Part 205, NOP. As such, TDA must carry out the provisions of the Organic Foods Production Act of 1990 and the NOP Regulations (§205.501(a)(3)). Per §205.406, Continuation of certification, organic operations must annually pay the certification fees and submit updated organic system plan information and documentation. Additionally, §205.403 states that an on-site inspection shall be conducted annually once an operation is certified to determine whether the certification of the operation should continue.

5. Policy

Operations who fail to submit all annual update information and documentation as detailed in §205.406 are subject to receiving partial inspections to ensure that TDA does not become noncompliant with §205.403, which requires that we conduct an inspection of your operation annually. Additionally, operations who fail to submit all annual update information and documentation as detailed in §205.406 will be subject incurring re-inspection fees should TDA determine that a partial inspection is necessary.

Operations who fail to submit all annual update information and documentation within 6 months of the annual update due date shall be considered to be in major noncompliant status and shall not receive and updated organic certificate the noncompliance is corrected and a complete on-site inspection of the operation is conducted.