



TEXAS DEPARTMENT OF AGRICULTURE COMMISSIONER SID MILLER

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.

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, an on-site inspection must be conducted annually (at least once per calendar year) 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 a Notice of Noncompliance, which can lead to further adverse action, such as Proposed Suspension and Suspension of certification. 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 additional inspections are necessary.