



TEXAS DEPARTMENT OF AGRICULTURE COMMISSIONER SID MILLER

All currently certified organic operations and all operations in application status for organic certification are subject to unannounced inspections. TDA will conduct unannounced inspections pursuant to 7 CFR Part 205, §§205.403(b), NOP 2609 Instruction for Unannounced Inspections, and 205.670 as follows:

- TDA will conduct unannounced inspections on at least 5% of those operations currently certified by and in application status with TDA on an annual basis.
- An unannounced inspection will not include prior notification of the inspector’s arrival. However, certain conditions, including but not limited to distance of travel by the TDA inspector, frequency of personnel at operation, and biosecurity issues, may make it impossible to conduct an unannounced inspection of the operation without prior notification. In such cases, TDA may notify the operation up to 4 hours prior to the inspector arriving onsite to ensure that appropriate representatives are present.
- The TDA inspector will disclose to the operation the reason that the operation was chosen for the unannounced inspection prior to the start of the inspection.

Criteria for conducting a risk-based unannounced inspection of an operation may include, but are not limited to:	
Random selection by the TDA Organic Certification Program	Previously identified and/or outstanding noncompliance issues
Receipt of a complaint that an operation is conducting noncompliant activity	Investigation to determine if a noncompliance has occurred
Organic and non-organic production or handling, especially of visually indistinguishable varieties or processed products	Risk of an organic product or ingredient coming into contact with a prohibited substance or commingling with a nonorganic product during handling
Risk of an organic product coming into contact with a prohibited substance from adjoining land use	Complexity of operation

- Unannounced inspections may fulfill the requirements for annual on-site monitoring inspections, required by 7 CFR Part 205, §205.403, only if the inspector is able to conduct a full inspection of the operation as required by that section.
- Unannounced inspections may be limited in scope, depth, and breadth, and may cover only certain aspects of the operation, such as fields/units/parcels, facilities, products, etc.
- A copy of the inspection report will be provided to the client pursuant to 7 CFR Part 205, §205.403(f), §205.404(a), and TDA’s internal protocol.
- Inspectors may conduct sampling pursuant to 7 CFR Part 205, §205.670 during an unannounced inspection. Operations will not incur a fee for any samples collected by a TDA Organic Inspector unless the collection of one or more samples is expressly requested by the operation.