

Why should I care about the requirements of importing and exporting of organic products?

International supply chains for organic products can be complex, often involving multiple businesses (certified and uncertified) working across international borders. The NOP is strictly enforcing its regulations on operations that are importing and exporting organic products throughout the world.

What does the NOP require?

The NOP requires all organic operations to maintain and implement an Organic System Plan (OSP), maintain records that demonstrate compliance, and undergo annual on-site inspections.

OSP

§ 205.201 Organic production and handling system plan indicates that an organic production or handling system plan must include a:

- + Description of the practices and procedures to be performed and maintained, include their frequency.
- + List of each substance to be used as a production or handling input.
- + Description of the recordkeeping system.
- + Description of the management practices and physical barriers established to prevent commingling and contamination.

Records

Those records maintained for your operation must:

- + Be adapted to your particular operation.
- + Be “readily understood”, “Fully disclose all activities and transactions”, have “sufficient

§ 205.103(b)(2) Recordkeeping by certified operations....Records must “Fully disclose all activities and transactions of the certified operation in sufficient detail as to be readily understood and audited”.

detail” to be “audited”.

- + Be maintained for not less than 5 years.

It may be necessary to track the physical movement of the product separately from sales transactions. Both audit trails must meet the requirements.



On-Site Inspection

All traceability documentation must be made available for transactions completed by your operation at time of inspection.

What type of documentation should I maintain?

The below traceability documents are required from each supplier:

- + Current organic certificate or copy of USDA OID page for supplier, if applicable**
- + Purchase records from supplier*
- + Incoming shipping records*
- + Storage records*
- + Sales records*
- + Outgoing shipping records*

*Transaction documents must clearly link each document to the next and all documents to the labeled product. Examples include a lot number, production code, container number, seal number, or other identifying information.

**If product is not specifically listed on the organic certificate ask the certifier to confirm they have verified the organic status of the product. If the certifier can't verify organic status of the product, then we consider that supplier to be uncertified with respect to that product and they must submit an Uncertified Handler Declaration.

What if there is an uncertified handler in my supply chain?

If your organic supply chain includes an uncertified handler, an Uncertified Handler Declaration must be completed. If your supply chain includes multiple uncertified handlers, submit a declaration form for each.

The following must be documented to verify the product's organic integrity:

- + Copies of records that fully disclose all activities and transactions while under the uncertified handler's control. The records must also document the movement of the product from the last certified operation to the next certified operation. Any gap in those records means that the product cannot be verified as organic.
- + Products must be labeled in compliance with § 205.303 or §205.304, as applicable.

** Continue to ask each uncertified handler the same questions until the organic product can be traced back to a certified entity as there may be more than one uncertified handler in the organic supply chain.

What are some common red flags that can be found in the supply chain?

- + Product labels that do not identify the product as organic and/or do not display the name of the certifier.
- + Inconsistent quantities
- + No organic designation of products
- + Variations in purchase order numbers, lot numbers, etc.
- + Documentation shows payment to one entity and shipment from another
- + Chronology issues (Document dates out of order, etc.)

Are there any unique requirements for imported products?

- + Phytosanitary documentation
- + If you are sourcing from an uncertified importer, you may need to request copies of import records showing that no phytosanitary treatment was required.
- + If the organic product is not certified to the NOP, obtain equivalency confirmation:
 - o USCOEA Attestation Statement (Canada)
 - o Import certificates (EU, Korea, Japan, Switzerland, and eventually Mexico) or TCs (India), as applicable
 - o If product has not yet been imported, the importer should obtain verification from the supplier's certifier:
 - Product complies with NOP or equivalency arrangement
 - They will issue applicable NOP Import Certificate or TC

Do my organic product labels comply?

Products that are intended to be sold, labeled, or represented as "100% organic", "organic", or "made with organic (specified ingredients or food group(s))" must be labeled according to § 205.303 or §205.304. If the product is to be sold as bulk/wholesale, it must be labeled according § 205.303 or §205.304 and §205.307.



What if I'm exporting under a US equivalency arrangement?

🌀 US-Canadian Equivalency

Retail (* = must meet additional Canadian labeling requirements):

- + must state the name of the US certifying agent
- + must be in English and French*
- + may use the USDA Organic seal or the Canada Organic Biologique logo*
- + for products containing 70-95% organic ingredients, a % organic content statement may be displayed*
- + "100% Organic" products may only be labeled as "Organic"

Wholesale (all are required):

- + name and address of certified operation
- + name of product and its organic status
- + name of certifier (or logo)
- + lot number

Canadian Labeling Requirements

Bilingual Requirements

- + All mandatory information must be in both official languages of Canada: English & French.
 - Numbers are considered bilingual
 - Measurements must use the metric system

Mandatory:

- + For non-food products:
 - Product Identity
 - Product Net Quantity
 - Dealer's Name and Principal Place of Business
- + For food products:
 - Common name
 - Net quantity declaration
 - Dealer name and address
 - List of ingredients (including food allergens)
 - Nutrition Facts table
 - Durable life date

🌀 US-European Equivalency

Retail:

- + Must meet EU labeling requirements
- + Must state the name of the US certifying agent
- + May use the USDA Organic seal or the EU organic logo
- + For products containing less than 95% organic ingredients, a % organic content statement may be displayed
- + "100% Organic" products may only be labeled as "Organic"

WHOLESALE (all are required):

- + Name and address of certified operation
- + Name of product and its organic status
- + Name of certifier (or its EU control number)
- + Lot number

EU Labeling Requirement:

- + The use of the logo and country code number shall be optional for products imported from third countries. This means organic products imported from the US are exempt and don't require the logo and country code number.

🌀 US-Korean Equivalency

RETAIL:

- + Must meet Korean food labeling requirements
- + May display the Korean organic food label and/or USDA organic seal

WHOLESALE (all are required):

- + Name and address of certified operation
- + Name of product and its organic status
- + Name of certifier (or logo) and operation/certification number
- + Lot number
- + Meets Korean food labeling requirements

Korean Food Labeling Requirements:

The Korean Food Labeling requirements are specific to the use of the seal, text (typeface)/color/size, and must comply with the requirements set forth in Standards for Labeling of Organic Food.

US-Japan Equivalency

Retail:

- + Must comply with the Japanese Ministry of Agriculture, Forestry and Fisheries requirements for the use of the JAS seal (including rules regarding who applies the seal)

Wholesale (all are required):

- + Name and address of certified operation
- + Name of product and its organic status
- + Name of certifier (or logo)
- + Lot number

Requirements for the use of the JAS seal:

- + Products sold as organic in Japan are requirement to display the JAS seal.
- + The seal may be applied in Japan by a JAS-certified importer, exporter, or processor, or applied by foreign companies through a consignment contract.
- + The JAS seal is unique for every JAS accredited certifier. Be sure to check with your certifier for the correct seal.
- + All traded retail products' labels or stickers must state, "Certified Organic By (insert name of Japan recognized or USDA-accredited body) below the information identifying the handler or distributor of the product.
- + Check with your certifier for any additional requirements

Where can I go to learn more?

- + [NOP Regulations](#) (7 CFR Part 205)
- + [NOP International Trade Partners](#) webpage
- + [NOP 4013: Interim Instruction Maintaining the Integrity of Organic Imports](#)
- + Contact OneCert with questions

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