



What Comes After the Inspection

After an, at times, long awaited inspection, many handlers are anxious to hear back from their certifier. This article explains the process that happens after the organic inspector leaves your facility. It outlines the certifier's review process, how to handle their typical follow-up requests, and explains the spectrum of certification outcomes from conditions for continued certification, to Notices of Noncompliance, and adverse actions.



What You'll Learn

- What happens between the inspector's report and the certifier's final determination.
- How to handle typical certifier follow-up requests for additional information or clarification.
- Types of certification decisions like granting certification, minor issues, and proposed adverse actions.

There will come a time, after all your planning and preparation, when the inspector will drive off, leaving your facility after your first organic inspection! Hopefully you and your team are beaming with pride, but however you feel, the process of organic certification will continue with the transition from inspector to certifier. After a review process that likely includes follow-up questions for you, your certifier will make a "determination," their official word on your certification status, ranging from certified organic on one end to revocation on the other, with several categories in between.¹ This article will walk you through the after-inspection process and how to make sense of your determination letter.

THE REVIEW PROCESS

The Inspector's Report

Once the on-site audit is complete, the inspector writes a comprehensive inspection report describing their observations and any issues they found. Because the inspector acts only as an impartial observer, they don't make any certification decisions themselves. They simply submit the report to your certifying agent, who uses it to make a determination.

The Certifier's Review

In their review of your operation, your certifier will evaluate the inspector's report, review your Organic System Plan (OSP), and possibly review the results of any sample testing. They use all of this collected information to make a final certification determination.

During their review process (after the initial inspection but before a final decision is made), it is very common for certifiers to request further clarification and information. These requests may be for things like missing documents or clarification regarding the inspector's notes in their report. Your prompt, complete, and collaborative responses to these requests, and keen attention to any deadlines set by the certifier, are essential to keep your certification process moving smoothly and avoid unnecessary escalations or delays.

DETERMINATIONS FROM THE CERTIFIER

Your certifier will issue their decision on your certification status once they complete their review process, and when they've reviewed any additional information you provided in response to their follow-up questions.

Timeline for Determination

The USDA organic regulations state that the certifier must review the inspector's report and make a final determination "within a reasonable time" after the inspection is completed.¹ In practice, that can take a while: your file gets in line behind other organic handlers and farmers waiting on the same certifier, so depending on their review times, you may not hear back quickly.

If you're under a strict deadline for a product launch, talk to your certifier ahead of time to work out a timeline. Some certifiers offer expedited service and can issue a decision in as little as eight business days after the inspection, though that comes at an extra cost. In general, certifiers will try to meet a reasonable first-sale date if you've communicated it to them well in advance.

Certification With or Without Conditions

If the certifier determines that your operation is compliant with the USDA organic regulations, they'll issue a letter confirming your certified status along with an organic certificate.² Congratulations, that's a real milestone.

However, it's very common for a certification letter to also include specific terms and conditions that must be met to remain certified. This means certification is active, but conditional on correcting the listed issues and reporting back to the certifier by a given deadline. These terms or conditions often require an operation to correct minor and easily resolvable issues, like a minor lapse in recordkeeping or updating an OSP to reflect a new pest control practice. These minor issues do not disqualify you from certification, but they must be corrected by the deadline.

Denial of Certification

After reviewing the inspector's report, a certifier may determine that you are denied certification. This happens most often when a handler stops communicating with their certifier in the certification process without explanation. In organic handling, most issues are correctable, so timely communication with your certifier is crucial.

If your certification is denied, you still have options.³ Denied handlers can:

- Reapply for certification (starting from the beginning of the process).
- Request mediation between you and the certifier by a third-party mediator.
- File an appeal to the NOP.

Notice of Noncompliance

If your certifier's review shows a significant issue at your operation, the certifier will issue a noncompliance.⁴ Handlers can receive a noncompliance for things like selling a product as organic before their certifier has added it to their organic certificate, or if they fail to correct a previous minor issue by the deadline.

A notice of noncompliance will require you to submit a formal corrective action plan and supporting documentation by a specified deadline, showing how you're bringing your operation back into compliance.⁵

"If you get a notice of noncompliance, that's an opportunity to come back into compliance. It's fixable ... Noncompliances happen all the time in organic certification ... But if you don't follow along with the deadlines, things can become more serious."

Lynne Haynor
Organic Conservation Specialist
Organic Trade Association

Adverse Actions

This is where things get severe. Adverse actions are taken by a certifier when a handler shows a systemic failure to comply with the regulations or ignores previous warnings.

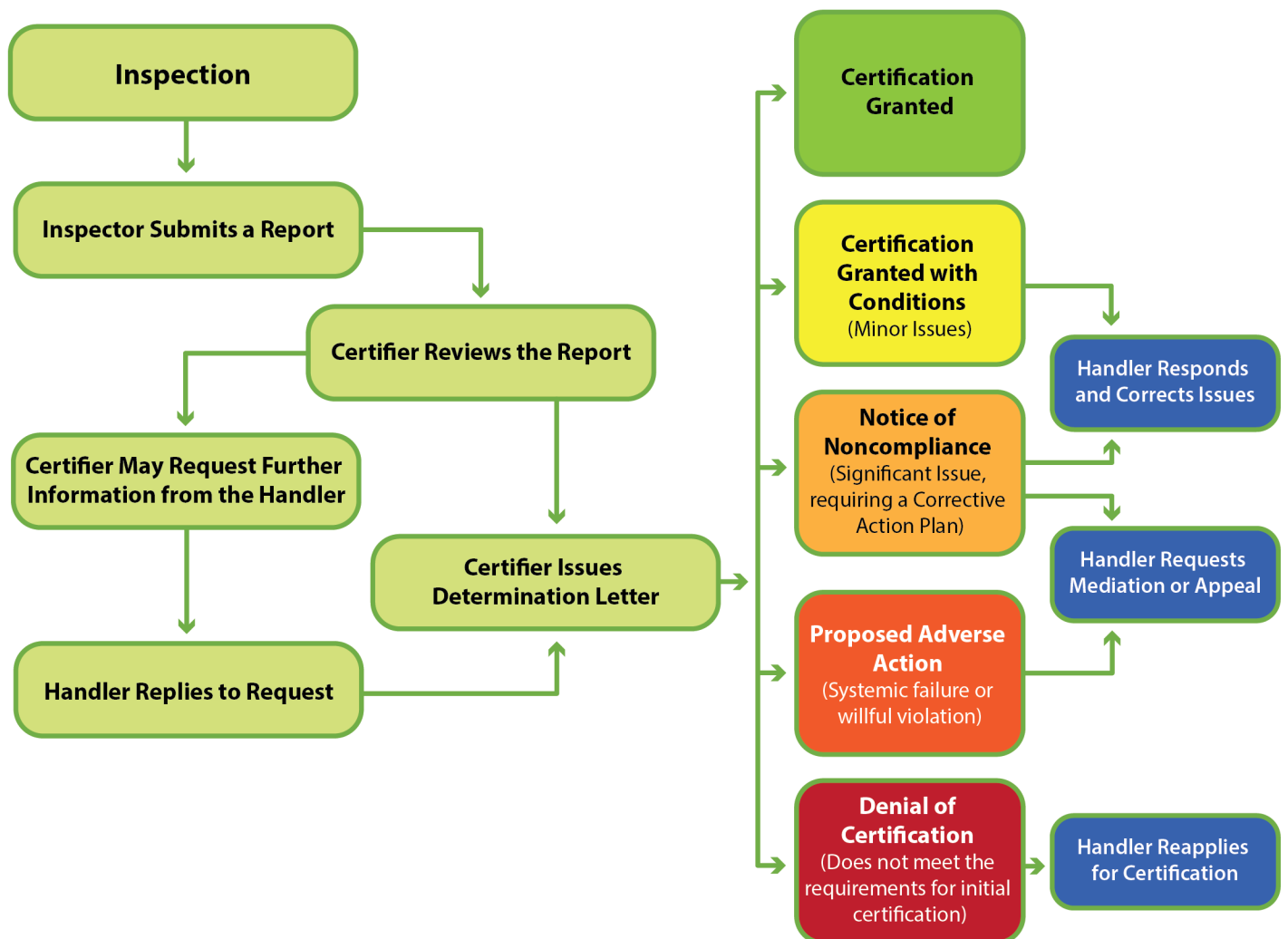
There are two kinds of adverse actions:

- **Proposed Suspension** is most commonly issued when an operation fails to sufficiently resolve a noncompliance that came from a systemic failure. If an operation is suspended, they must immediately cease making organic claims and must undergo a rigorous reinstatement process before they can be certified again.⁴
- **Proposed Revocation** is the most severe action and is reserved for cases of willful or knowing violations. These would be the things that deeply degrade organic integrity and consumer trust, like deliberately using prohibited substances, falsifying records, or concealing information from an inspector. These could all cause revocation of your certificate. Operations whose certification is revoked are ineligible to be certified again for five years.⁴

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There are additional options for navigating Noncompliances and Adverse Actions, including requesting mediation or filing an appeal.

The Certification Process After Inspection



WHAT COMES AFTER CERTIFICATION IS DETERMINED?

Once you've received the news in your determination letter, your certifier will enter your new certification status in the [Organic Integrity Database \(OID\)](#). This is the publicly available and official directory of all currently USDA certified organic producers and handlers. Your entry in the database includes your company's contact details and the specific products you are certified to handle.

Your certifier may also issue an addendum to your certificate that provides more detail about your certified organic products. Only with your organic certificate can you now sell organic products. You can also now give this certificate to buyers, just as you have collected certificates from your suppliers.

Managing Mid-Year Changes

Certification is not a one-and-done event. Just as your OSP is a living document that needs to grow over time along with you, so will your certification. If you decide to change anything about your operation, you must immediately notify your certifier.⁶ This would be for things such as a product reformulation, adding a new facility, or redesigning a label. You must wait for certifier approval before implementing these changes to make sure they do not jeopardize your organic compliance.

The Annual Renewal Cycle

Once you've earned your organic certificate, you enter an ongoing annual cycle. To maintain your certification, you'll be required to submit an annual update to your Organic System Plan during your certifier's specific renewal window, pay the annual certification fee, and have an on-site inspection at least once per calendar year. You must also maintain all organic records for at least five years.³

CONCLUSION

Getting your certification determination isn't the finish line, it's the beginning of an ongoing cycle. Whether your first letter comes with conditions to address or a clean certificate, what matters most is how you respond and how you operate going forward. Stay in communication with your certifier, keep your OSP current, correct issues promptly, and treat annual renewal as a routine rather than a scramble. Organic certification is a commitment you make and remake every year, and the operations that do it well are the ones that never really stop preparing.



ACTION ITEMS

- Respond promptly to any certifier follow-up requests.
- Address any conditions in your determination letter by the deadline.
- Look up your listing in the Organic Integrity Database and confirm it's accurate.
- Notify your certifier before making any changes to your operation.
- Mark your annual renewal window on the calendar now.
- Make sure your records retention system keeps documents for at least five years.

SOURCES CITED

1. USDA National Organic Program, 7 CFR §205.404(a).
2. USDA National Organic Program, 7 CFR §205.406(d).
3. USDA National Organic Program, 7 CFR §205.400(d).
4. U.S. Department of Agriculture, Agricultural Marketing Service. (2024, March 20). NOP 4002: *Enforcement of the USDA Organic Regulations: Penalty Matrix*. Retrieved from <https://www.ams.usda.gov/sites/default/files/media/4002.pdf>
5. USDA National Organic Program, 7 CFR §205.405.
6. USDA National Organic Program, 7 CFR §205.400(f).



United States Department of Agriculture
Agricultural Marketing Service
National Organic Program

