

# **USDA Agricultural Marketing Service National Organic Program (NOP) U.S.-India Recognition Arrangement Transition Update for USDA-Accredited Certifiers**

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January 14, 2021**



# Overview



- The USDA has notified India's APEDA (Agricultural and Processed Food Products Exports Development Authority) that we are ending U.S.-India Organic Recognition.
- This was done because India's organic control system has been determined to be insufficient to adequately protect the integrity of the USDA organic seal.
- A transition period will help minimize market disruption by allowing organic operations previously certified by APEDA-accredited certifiers to apply for direct certification to NOP.
- Once transition is complete, organic certification in India will operate like any country that does not have a trade arrangement with the U.S.

# Timeline

**January 11, 2021:**  
APEDA  
Notified

**July 12, 2021:**  
Any India organic business wanting to export to U.S. must have APPLIED for USDA/NOP certification (TIP: Maintain your certification throughout USDA process!)

**Mid-March 2021:**  
Certifiers are to report any certification **Applicants in India** in Organic Integrity Database (Will be Public Data) – Only report applicants who are currently certified with APEDA

**July 12, 2022:**  
To export to U.S., ALL India organic products/ ingredients across supply chain must be certified USDA organic with USDA/NOP certificate

Throughout this period, USDA-accredited certifiers may issue USDA/NOP certification to any organic business verified to fully comply with the USDA organic regulations



# During the Transition: For All USDA-Accredited Certifiers

- Any currently USDA-accredited certifier may begin providing organic certification services in India **IF** you:
  - Can demonstrate the administrative capacity to do so.
  - Notify the NOP if you open a new satellite office to provide services.
  - Agree to update the Organic Integrity Database with information about applicants and certified organic operations. This needs be done when receiving applications or granting certification: U.S. buyers will be looking.
  - Agree to provide NOP with a plan for how you plan to ensure full compliance with the NOP by all operations – recognizing the risks involved.
  - Recognize that NOP will issue Directives throughout the transition that you will need to follow to help protect the market.
  - Agree to follow India government requirements for exports.
- **If you don't agree to these items, don't choose to enter the market in India!**

# During the Transition: For APEDA & USDA-Accredited Certifiers



- In addition to the previous slide.... For certifiers currently accredited by APEDA and directly accredited by USDA:
  - You may provide your NPOP/NOP-certified and compliant operations with direct certification to the USDA organic regulations for the scope(s) covered by the recognition arrangement **IF and ONLY IF all aspects of the operation’s certification and your certification process fully comply with the USDA organic regulations.** This includes the adverse action process, and any element of the regulations administered differently under recognition.
  - **You must separately assess and verify whether an operation complies with all requirements of the USDA organic regulations before issuing a new NOP organic certificate and reporting them to Organic Integrity Database as certified. NOP certification is not an add-on, it is an independent certification.**
  - You may need to update your organic certification procedures to ensure full compliance with the USDA organic regulations.



# What About *NPOP* and *COR* Certification in India?

- Questions about new or ongoing APEDA certification to the NPOP/NOP, or COR certification, need to be directed to those governments.
- Indian organic businesses may be certified by multiple certifiers certifying to different standards. This is the case in many countries.
- **The Organic Insider was clear about what the recognition transition means:**
  - India businesses wanting to export organic product to the U.S. must apply for USDA/NOP certification by July 12, 2021.
  - As of July 12, 2022, to be exported to the U.S., ALL India organic products/ ingredients, across the full supply chain, must be certified as USDA organic, with a USDA/NOP certificate.



# What About *APEDA-Accredited Certifiers*?

- APEDA-accredited certifiers may apply for direct accreditation to the USDA organic program at any time.
- Information on how to apply for USDA-accreditation is on the AMS website: [FAQ: Becoming a Certifying Agent | Agricultural Marketing Service \(usda.gov\)](#)
- Any questions about APEDA's oversight of its certifiers, and its plans with respect to NPOP or NOP certification, should be directed to APEDA.



# As of July 12, 2022 - *After Transition Ends*

- To come to the U.S., India organic products/ingredients, across the full supply chain, are to be certified as USDA organic, with a USDA/NOP certificate.
- All products and all ingredients in a product being shipped as organic to U.S. from India are to be certified to NOP. This means all ingredients in all products from multiple suppliers: all must be certified to NOP.
- This process is the same as for any country without an organic trade arrangement with the U.S.
  - Any business can apply for USDA organic certification at any time during or after the transition, just like in any other country.
- The NOP will continue to work closely with equivalency partners to determine appropriate scopes of those arrangements – in ways that protect organic integrity and ensure robust organic control systems worldwide.