

## Certification Recommendations -- 1998-99

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February 10, 1999

Motion: Motion by Rod Crossley. Be it resolved that the National Organic Standards Board recommends that:

A certifying agent retains the authority to terminate its certification of a certified operation where the certifying agent has made a determination that a certified operation has violated the provisions of the Act and the certifying agent shall advise the certified operation of its action by written notice of the termination of certification.

This Termination Notice shall, in addition to terminating certification of all or any part of the certified operation, advise the certified operation of the following:

1. That a copy of this Notice has been forwarded to the Secretary [Administrator];
2. That the certified operation has 15/20/30 days [length of expedited appeals process] from the effective date of the Notice to appeal the action of the certifying agent to the Secretary [Administrator];
3. That if the certified operation fails to file an appeal within the prescribed time, the Secretary shall without further process and in addition to reaffirming the termination of the certification, terminate the Federal license of the certified operation, effective immediately, and shall enforce and prosecute to the fullest extent of the law;

Failure by the certifying agent to advise the certified operation of the consequences of the Notice of termination shall act as a bar to enforcement by the Secretary until such time as the certified operation has been so advised.

Second: Joan Gussow

Call for the vote

Vote:

Those in Favor: Unanimous

Those Opposed:

Those Abstaining: