

# CUSTOMER INFORMATION 24-06

## 11 JUNE 2024



### Strengthening Organic Enforcement (SOE) final rule - NOP Import Certificates (NIC) & Regulatory discretion ending.

Dear valued customers,

With this customer information we would like to inform you about important changes in the NOP import certificate procedure. Furthermore, we created a download link for all relevant documents (OSP, Application) for your easy reference. Additionally, our international service team is happy to assist you in any questions you may have.

## 1 STRENGTHENING ORGANIC ENFORCEMENT (SOE) FINAL RULE - NOP IMPORT CERTIFICATES (NIC) & REGULATORY DISCRETION ENDING

Last week, the NOP informed certification bodies during a training about changes in the NOP Import Certificate procedure.

#### Date of issue

The NOP has stressed that from now on, NOP Import Certificates (NIC) must be **requested AND issued PRIOR** to the products leave the exporting country. Please, consider enough time for this process, when planning to export your products as Kiwa BCS needs time to verify the authenticity of the organic product. NICs requested AFTER the product has already left the exporting country will not be processed anymore.

#### Regulatory Discretion Ending – effective September 19<sup>th</sup>, 2024

- Imports to the USA with Organic HTS codes must have a NIC or will be rejected upon shipment filing in ACE (CBP system).
- Customs Brokers are no longer allowed to use temporary (999) code.
- Certifiers may only issue NICs identifying certified importers.
- Each exporter or importer of organic products MUST have a valid NOP certificate and be listed in the OID until September 19<sup>th</sup>, 2024 latest.

Please consider that each exporter and importer must be certified under the USDA organic regulation by an USDA-accredited certifier. This includes importers physically located outside of the United States, that are acting as the importer of record for such shipments.

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Be reminded that your operation must comply with the new requirements. This means, Kiwa BCS will issue non-compliances if your operation does not comply. Compliance may be verified at any time, including the possibility of conducting additional inspections, announced or un-announced.

### Further important information on Kiwa BCS procedure:

With the introduction of the OID for issuing NICs for NOP, the time required in our company for the creation and approval of NOP import certificates has increased significantly, as we generally have to create a separate document for each product. Specifically, the volume of import certificates created by Kiwa BCS has increased significantly, which has a noticeable impact on our capacities. Unfortunately, we are currently unable to guarantee that we will be able to meet our time target for processing express and standard applications (2 and 5 working days respectively). Please send your applications to [de.tc.in.bcs@kiwa.com](mailto:de.tc.in.bcs@kiwa.com) with as much advance notice as possible so that the import certificate can be issued on time **before** the products are dispatched.

We will only charge you a percentage of our time and effort, as we offer a combined price for 5 products in accordance with the current price list. This applies if these products are applied for at the same time and relate to one process for you. **All pricing details can be found in our current price list attached to this mail.**

### Validity period of NIC

The validity period should capture the **export time** frame for associated shipment(s).

- Small buffers are appropriate.
- Allow for extension of NIC if unforeseen delays occur.

### Importer ID Due Diligence – Accurate Information

- Recipient = Importer
  - NOT ultimate consignee/physical recipient
- Name, address, contact information should all relate to the importer!

### Continuity of Operations Plan for OID System Outages

All certifiers will be receiving a unique 9-digit certifier ID code that will be used as the NIC number that will be used in outages. Once a system outage has been identified, the NOP will issue an email notification to all certifiers alerting them to begin issuing manual certificates – using the paper NOP Import Certificate Form NOP-2110-1.

**IMPORTANT:** The process itself will NOT change in case of an OID system outage.

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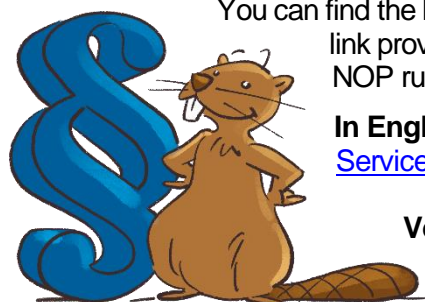


### 2 NOP - GOOD TO KNOW (REFER TO NOP Q&A – SEE LINK BELOW)

#### Q21. What happens with shipments in transit to the U.S. prior to March 19, 2024?

The rule implementation date of March 19, 2024, marks the date on which all departing exports must have an approved NOP Import Certificate. Products shipped from the exporter before March 19, 2024, may arrive after the implementation date without the certificate. These products are considered in the stream of commerce. Organic products shipped and filed with U.S. Customs and Border Protection after the SOE implementation date must have an NOP Import Certificate.

#### Where can I find further information about SOE and a link to the final rule?



You can find the link to the final rule as well as other supporting information under the link provided below, including a side-by-side comparison sheet of the former NOP rule and SOE as well as a SOE fact sheet and the SOE Primers.

**In English:** [Strengthening Organic Enforcement | Agricultural Marketing Service \(usda.gov\)](https://www.ams.usda.gov/rules-regulations/strengthening-organic-enforcement/service)

**Very helpful may be the FAQ section:**

<https://www.ams.usda.gov/rules-regulations/strengthening-organic-enforcement/faq>

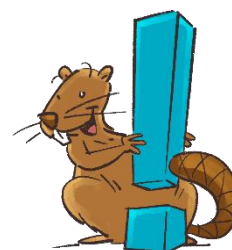
To be highlighted are the NOP SOE Primers which you can find under the following link ([Strengthening Organic Enforcement - Final Primers \(usda.gov\)](https://www.ams.usda.gov/rules-regulations/strengthening-organic-enforcement/faq)) as well as a consecutive Q&A published by the NOP. The primers provide a detailed description of the final rule as well as comments and key takeaways from the NOP. The Q&A is addressing frequently asked questions and concerns.

In addition to the information provided by the NOP, Kiwa BCS will publish relevant articles concerning the different SOE sections on its official website and LinkedIn profile as well as other official accounts. Please check these and the NOP website regularly to be up to date.

### 3 NEW CUSTOMER DOWNLOAD AREA

In our customer download area, you will find important documents for organic inspections. We provide you all latest OSP documents as well as additional useful documents to prepare for inspection. This download area will grow soon so that you can find all relevant information for all schemes at one place.

<https://www.kiwa.com/de/en/downloads-kiwa-bcs/important-documents-for-your-organic-certification/>





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You can notify us of changes in your production processes/QM procedures/responsible persons at the latest before the next annual inspection with the OSP.

### 4 OUR INTERNATIONAL SERVICE TEAM IS HAPPY TO SUPPORT YOU



Today we would like to introduce you our international service team.

Beate Erlbeck and Roxana Cruz are happy to support you in several topics - e.g. for

- OSP updates
- company name/ address change
- tour-planning
- submission of documents for correction of non-conformities.

Both can be reached via the email address: [de.service-international.bcs@kiwa.com](mailto:de.service-international.bcs@kiwa.com)

Or by phone:

Beate Erlbeck: +49 911 424 39 – 33

Roxana Cruz: +49 911 424 39 68

Kind regards,  
**Kiwa BCS Öko-Garantie GmbH**

i. V. Karlo Zeljko  
-Head of Team Operations international-

i. V. Ronald Wesner  
-Technical Management-

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If you have any queries or general questions about the control procedures, we will be happy to help you during our office hours by telephone (+49 911 42439 - EXT) or all day by e-mail. All contact details can be found on our website, too: <https://www.kiwa.com/de/en/about-kiwa/subsidiaries/contact-persons-kiwa-bcs-oko-garantie-gmbh/>

### Office hours (Central European Time)

Monday to Thursday: 9:00am to 16:00pm

Friday: 9:00am to 14:00pm

**Service: OSP updates, company name/ address change/ tour-planning/ submission of documents for correction of NCF (non-conformities)**



[de.service-international.bcs@kiwa.com](mailto:de.service-international.bcs@kiwa.com)



#### Contact persons

- Beate Erlbeck (EXT -33)
- Roxana Cruz (EXT -68)

**Quotations, additional certification services, contracts**



[de.sales.bcs@kiwa.com](mailto:de.sales.bcs@kiwa.com)



#### Contact persons

- Oliver Altwasser (EXT -37)
- Kristina Grocholl (EXT -76)

**Request / creation of import control certificates (COI), transaction certificates (TC)**



[de.tc.in.bcs@kiwa.com](mailto:de.tc.in.bcs@kiwa.com)



#### Contact persons

##### Applications Germany, Eastern Europe and Africa

- Tobias Süß (EXT -53) Deputy: Claudia Valencia (EXT -54)

##### Applications Asia, Saudi Arabia

- Claudia Valencia (EXT-54) Deputy: Tobias Süß (EXT -53)

##### Applications China and Turkey

- Liping Zou (EXT -77) Deputy: Roxana Cruz (EXT -68)

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### Invoicing

For questions  
about your  
invoice



[Dimitri.regel@kiwa.com](mailto:Dimitri.regel@kiwa.com)



#### Contact person

- Dimitri Regel (EXT -63)

### Residues cases



[de.residues.bcs@kiwa.com](mailto:de.residues.bcs@kiwa.com)



#### Contact persons

- Marlene Radolf (EXT -29)
- Natalia Redam (EXT -49)

### Head of Team Operations International 49702 & 49703

Coordination of  
control  
implementation,  
certification,  
technical support  
of control  
procedures



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#### Contact person

- Karlo Zeljko (EXT -62)

### Technical Management



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#### Contact person

- Ronald Wesner (EXT -14)

### General Management



[ivonne.wimmer@kiwa.com](mailto:ivonne.wimmer@kiwa.com)



#### Contact person

- Ivonne Wimmer (EXT -10)