

# INSTRUCTIONS FOR APPLICATION FOR ORGANIC CERTIFICATION FORM NO. ROR-600

## INTRODUCTION

This application should be completed by the person applying for certification to produce, and/or handle organic agricultural products in Texas. **A copy of all applications and supporting documentation should be duplicated and maintained on file.** For assistance in completing this application, call toll free 1-800-TELL TDA (1-800-835-5832). For the hearing impaired: 1-800-735-2988 (voice) or 1-800-735-2989 (TDD/TT).

## GENERAL REQUIREMENTS OF APPLICATION AND CERTIFICATION

- a. Submission of an incomplete or inaccurate application and/or supporting documentation may result in denial of certification (7 CFR Part 205, § 205.401).
- b. Organic certification is a process certification; therefore, issuance of an organic certificate is not guaranteed (7 CFR Part 205, § 205.404).
- c. Issuance of certification will require an on-site inspection of the production and/or handling operation to verify compliance to the applicable organic regulations (7 CFR Part 205, § 205.403).
- d. If certification is granted, you must submit an updated organic system plan and applicable fees each year for each scope of certification. Failure to submit an updated organic system plan and applicable fees prior to or by the due date will result in TDA taking corrective action against the operation, which may lead to the suspension of your operation's certification (7 CFR Part 205, § 205.404).
- e. Businesses that are required to be certified and are found to be operating without certification may be subject to civil penalties from the United States Department of Agriculture (USDA). Each day a violation continues may be considered a separate violation for penalty assessment (7 CFR Part 205, § 205.100(c)).

## SECTION A

### 1. TYPE OF APPLICATION

Check the box that identifies the type of application you are submitting.

- a. A new application is an application for an operation or a portion of an operation that is not currently certified organic by TDA.
- b. A change of ownership application is an application where a currently certified operation is changing the business type so as to have a tax identification number that is specific to the business.
- c. Organic certification is not transferable for operations classified as a sole proprietorship. If a certified operation that is classified as a sole proprietorship is sold to another entity, the new owner must submit a new application.

### 2. CERTIFICATION SCOPES

Check the applicable scope(s) for which application is being made and fill out the appropriate section. Refer to §205.100 of the NOP Regulations (7 CFR 205) if you have questions about which certification scope(s) are applicable.

### 3. SPLIT OPERATION INFORMATION

Check the applicable box that clarifies whether your operation intends to produce and/or handle both organic and nonorganic product upon receipt of organic certification or only produce and/or handle organic product upon organic certification.

### 4. BUSINESS TYPE

Check the box that identifies your type of business. Check "Other" and specify the business type if not listed. Once submitted, this information cannot be changed.

### 5. CLIENT INFORMATION

- a. Enter the full legal business name as it is registered. If applicable, enter a Doing-Business-As (DBA) name.
- b. A Comptroller Taxpayer ID Number may be used for In-state businesses,
- c. Federal Taxpayer ID Number is required for operation's whose headquarters are located outside of Texas,

- d. A Driver License/State Identification Number is required for sole proprietorships. Social Security Numbers will not be accepted in place of a driver license number or state issued identification number.

## SECTION B

### 1. RESPONSIBLE PERSON

- a. List the full legal name (no aliases or nicknames) of the primary person responsible for the business, as indicated:
- i. For a corporation or cooperative – the president or CEO
  - ii. For a limited liability company, the manager(s) or managing member(s)
  - iii. For a limited or general partnership – the general partner or managing partner
  - iv. For a sole proprietorship – the owner's full legal name
  - v. For any other type of business – the general manager, executive director, chief executive officer or equivalent

### 2. RESPONSIBLE PERSON MAILING ADDRESS

Enter mailing address for indicated responsible person.

### 3. OPERATION WEBSITE ADDRESS

If applicable, enter the website address for the operation.

The Responsible Person will receive correspondence from TDA, including licenses and other documents, ONLY if a separate Person to Contact, named below, becomes unavailable. Otherwise, the Responsible Person will not receive any correspondence or documentation from TDA.

## SECTION C

### 1. PERSON TO CONTACT FOR CERTIFICATION-RELATED MATTERS

- a. Enter the name of a designated person, along with that person's contact information, who can discuss and answer questions about certification-related issues.
- b. All correspondence, including corrective action notices issued pursuant to §§ 205.405 and 205.662 of the NOP Regulations will be sent to the Person to Contact at the mailing address listed in Section D of this form.
- c. The Texas Department of Agriculture provides important information and time-sensitive notices to licensees and license applicants by email. Failure to provide an email address may result in the licensees or applicant not receiving such information or notices.
- d. The Person to Contact, named by the business, is the preferred signatory of this application. That person may be the Responsible Person.

## SECTION D

### 1. FACILITY INFORMATION

Enter the facility name if different from the Legal Business Name. The facility name will be the name that appears on your operation's organic certificate.

### 2. PHYSICAL ADDRESS OF FACILITY

Enter the physical street address of the facility, including directions to this location if the address is difficult to locate. Do not enter a P.O. Box. This information will assist TDA inspectors in locating your business to conduct on-site inspections.

## SECTION E

### 1. OUT-OF-STATE APPLICANTS ONLY

If the address provided in section B is out-of-state, Texas resident agent information is required before a license can be issued.

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## SECTION F

### 1. PAYMENT

- a. Refer to the Sections H and I of the ROR-600 form to calculate the applicable fees for your operation. For a complete listing of the fee schedule for the TDA Organic Certification, go to § 18.702 Texas Organic Standards and Certification (4 TAC § 18.702).
- b. Per § 18.702(g) of the Texas Organic Standards and Certification, a portion of the certification fee may be refunded if the application is withdrawn prior to a certification decision. Refunds will be prorated based on the steps of the certification process that have been completed.
- c. Method of payment must be in the form of a check, cashier's check, or money order.
- d. The P.O. Box 12076 is to ONLY be used in conjunction with the ROR-600 Application for Organic Certification Form for the purpose of initial submission of a new application for Organic Certification, not for submission of annual update certification fees, change fees, or administrative fees.

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## SECTION G

### 1. PREVIOUS CERTIFICATIONS

Indicate if you have previously applied for organic certification or were certified organic. If so, provide the following information:

- a. List the name(s) of any organic certifying agent(s) to which application(s) were previously submitted.
- b. The year(s) when applications was submitted.
- c. The outcome of the application(s) submitted.
- d. If previously certified, a copy of the most recently issued certificate for your operation.
- e. If applicable, a copy of any notice of noncompliance or denial of certification that identifies outstanding areas of noncompliance at the time of suspension/surrender/withdrawal and a description of the actions you have taken to correct the noncompliance(s) noted in the notification of noncompliance and evidence of such correction.

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## SECTION H

### 1. PRODUCER CERTIFICATION.

- a. Producers of organic product must complete this section.
- b. If you are only handling organic product, you should leave this section blank and move on to Section I.

Steps for completing this section electronically:

- (1) Verify that the correct scope(s) of certification was marked in Section A. This will automatically enter the application fee, and if applicable, the livestock fee.
- (2) Enter the total number of acres under organic management in the provided space. You must make any unit conversions prior to entering your acreage amount, otherwise your fee will not calculate correctly.
- (3) Enter the total number of input products in the provided space.
- (4) Check the corresponding box if you desire TDA to review your operation's organic system plan to verify compliance with the equivalency agreement between the USDA National Organic Program and the Canadian Organic Regime (CORE) so harvested product may be exported to Canada.
- (5) Check the corresponding box if you desire TDA to review your operation's organic system plan to verify compliance with the equivalency agreement between the USDA National Organic Program and the European Community (EU) so harvested product may be exported to nations of the European Union.
- (6) The total cost of production certification will automatically calculate.

Steps for completing this section on a printed copy of the form:

- (1) Enter \$400 in the provided space for the new application fee.
- (2) Enter the total number of acres under organic management in the provided space.

- (3) If your operation has more than 5,000 acres of land, enter a maximum of \$600 in the provided space.
- (4) If your operation has 50 acres or less under organic management, enter \$1,000 in the provided space for organic crop production. Your operation's baseline of production inputs is 25.
- (5) If your operation has more than 50 acres under organic management, enter \$1,500 in the provided space for organic crop production. Your operation's baseline of production inputs is 5.
- (6) If you're adding the livestock production scope to your producer certificate, enter \$1,000 in the provided space. By adding the livestock scope, any operation with a baseline of 5 production inputs, increases their baseline to 25 inputs.
- (7) Enter the total number of input products used or planned for use on your organic operation.
  - a. Inputs include all seed and planting stock (different varieties of the same crop count as separate inputs), fertility inputs, cleaning materials, pest management inputs, disease management inputs, and weed management inputs.
  - b. To correctly calculate the fee for the review of your inputs, subtract your established baseline of production input products from your actual total of production input products used or planned for use. If the result is a zero or negative number, no fee is incurred. If the result is a positive number, multiply that number by \$100 to get the input review fee and enter it in the provided space.
- (8) Calculate the crop production subtotal by adding the inspection fee, the fee for crop production, and the input review fee. The certification fee for crop production for an operation that has less than 5,000 acres shall not exceed \$4,200. The certification fee for crop production for an operation that has more than 5,000 acres shall not exceed \$4,800.
- (9) Calculate the production certification fee total by adding the new application fee, the crop production subtotal, and the livestock production scope fee.
- (10) If you desire TDA to review your operation's organic system plan to verify compliance with one or more international organic trade agreements, this is an additional service fee of \$75 per trade agreement.
- (11) You must list each trade agreement that TDA is to confirm compliance with.
- (12) Add all requested additional service fees to get the subtotal for additional service fees.
- (13) The total cost of producer certification is the sum of the certification fee total and the subtotal for additional service fees.

## SECTION I

### 1. HANDLER CERTIFICATION.

- a. Handlers and broker/traders of organic product must complete this section.
- b. If you are only producing organic product and are not conducting any post-harvest handling, you should leave this section blank and move on to Section J.

Steps for completing this section electronically:

- (1) Verify that the correct scope(s) of certification was marked in Section A. This will automatically enter the application fee, and minimum handler certification fee.
- (2) Enter the total number of product labels and/or product label templates to be reviewed for compliance with §§ 205.303 through 205.306 of the NOP Regulations in the provided space. To be classified as a label template, organic claims made on the main label and any information content, use of the TDA organic logo, use of the USDA organic seal, and certified by statement must remain the same (i.e. size, color(s), and location on the label on the product packaging).
- (3) If your operation conducts processing of multi-ingredient organic products, enter the total number of multi-ingredient products in the provided space.
- (4) Check the corresponding box if you desire TDA to review your operation's organic system plan to verify compliance with the equivalency agreement between the USDA National Organic Program and the Canadian Organic Regime (CORE) so harvested product may be exported to Canada.
- (5) Check the corresponding box if you desire TDA to review your operation's organic system plan to verify compliance with the equivalency agreement between the USDA National Organic Program and the European Community (EU) so harvested product may be exported to EU.
- (6) The total cost of handler certification will automatically calculate.

Steps for completing this section on a printed copy of the form:

- (1) Enter \$400 in the provided space for the new application fee.
- (2) Enter \$1,500 in the provided space for the minimum fee for certification as a handler of organic products.
- (3) Enter the total number of product labels and/or product label templates to be reviewed for compliance with § 205.303 through 205.306 of the NOP Regulations in the provided space. To be classified as a label template, organic claims made on the main label and any information content, use of the TDA organic logo, use of the USDA organic seal, and certified by statement must remain the same (i.e. size, color(s), and location on the label on the product packaging. To calculate the label review fee, multiply the total number of product labels and/or label templates by \$200.
- (4) If your operation conducts processing of multi-ingredient organic products, enter the total number of multi-ingredient products in the provided space.
- (5) If your operation conducts processing of multi-ingredient products and processes 25 or less multi-ingredient organic products, calculate the multi-ingredient processed product fee by multiplying the total of multi-ingredient products by \$250.
- (6) If your operation conducts processing of multi-ingredient products and processes 26 or more multi-ingredient processed products, calculate the multi-ingredient processed product fee by adding \$6,250 for certification of the first 25 products and \$100 for certification of each additional product.
- (7) Calculate the certification fee total by adding the new application fee, minimum certification fee, and any incurred labeling fee and multi-ingredient processed product fees.
- (8) If you desire TDA to review your operation's organic system plan to verify compliance with one or more international organic trade agreements, this is an additional service fee of \$75 per trade agreement.
- (9) You must list each trade agreement that TDA is to confirm compliance with.
- (10) Add all requested additional service fees to get the subtotal for additional service fees.
- (11) The total cost of handler certification is the sum of the certification fee total and the subtotal for additional service fees.

## SECTION J

### 1. SIGNATURE

- a. The Person to Contact, named by the business in Section C of this form, is the preferred signatory of this application. That person may be the Responsible Person.
- b. After reading the summary, print and sign your name, and date the form. Your signature here indicates that you have read the summary and that you are aware of your responsibilities regarding the issuance of the requested license.

## SECTION K

### 1. CHECKLIST

- a. Use this checklist to ensure all of the necessary information and documents are sent.
- b. The P.O. Box 12076 is to ONLY be used in conjunction with the ROR-600 Application for Organic Certification Form for the purpose of initial submission of a new application for Organic Certification, not for submission of annual update certification fees, change fees, or administrative fees.