

# GUIDANCE DOCUMENT: WHAT TO DO WHEN YOU RECEIVE A PROPOSED SUSPENSION

Receiving a Proposed Suspension can be stressful, but don't panic! This document will guide you through the steps to handle the situation properly and protect your certification.

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## 1. Always Read the Letters We Send

- ✓ Every Notice issued by OCIA outlines your options.
  - ✓ Carefully review all details, including deadlines and required actions.
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## 2. Respond Promptly

- ✓ Always respond by the deadlines, but preferably before.
  - ✓ If you have questions, contact your coordinator well in advance of the deadline.
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## 3. Know Your Options for a Proposed Suspension

The letter will note that you have only three choices:

- **Request Mediation** – Work directly with OCIA to try to resolve the issue.
- **Appeal to the NOP** – File a formal appeal to the National Organic Program (NOP).
- **Do Nothing** – If you take no action, your operation will be suspended after the date indicated in the letter.

⚠ At the proposed suspension stage, you **CANNOT** simply provide missing information or surrender your certification. You must choose an option in the letter or face suspension.

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## 4. Mediation

- ◆ To request mediation, you must submit a written request (a form is available for this and has been provided with the Notice of Proposed Suspension).
- ◆ If OCIA accepts mediation, you must pay a \$300 mediation fee before the process moves forward.
- ◆ If mediation is accepted and paid for, OCIA will offer a **Settlement Agreement (SA)**.

The Settlement Agreement will outline required compliance actions, such as:

- Providing documents
- Adhering to deadlines
- Allowing unannounced inspections

#### **Key Facts About Mediation:**

- Once you receive the draft SA, you will have a short time to propose changes.
  - OCIA must finalize the SA within **30 days** of sending the initial draft.
  - If mediation fails, you **can still appeal** to the NOP.
  - If you request mediation but do not pay, OCIA will consider it a **failed mediation attempt**.
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## 5. Appeal to the NOP

- **Appeals must be submitted in writing** and a copy must be sent to OCIA.
- **The NOP will reject late appeals.**
- If accepted, the NOP will review your case and may allow you to submit additional information.

#### **Possible Outcomes:**


- The NOP may **deny the appeal**.
- The NOP may **uphold the suspension**.
- The NOP may **refer the case back to OCIA** for mediation.

 **This process can take months.**

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## 6. Important Reminders

- ✓ **Mediation is often the fastest resolution.**
- ✓ If mediation fails, you **still have the option to appeal** to the NOP.
- ✓ Always **read the letters** and **respond promptly** to deadlines.
- ✓ If you have questions, **ask!**

 OCIA **cannot** consult with you on fixing certification problems, but we **can explain the standards and process**.

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Handling a Proposed Suspension correctly is crucial to protecting your certification.

**Stay informed, take timely action, and seek clarification when needed.**