

Selected Cases Relating to Using the USDA Certified Organic Seal

- In APL-047-19 (ApaxUSAInc) Oregon Tilth Certified Oregon(OTCO) suspended the license of APAX USA Inc on the ground that Turmeric, Ginger, Garlic and Omega 3-6-9 products sold under brand name Feel Good Superfoods do not use an organic capsule. Moreover these four products along with Echinacea and Vita-Fruit Veggie Product were not produced by NOP compliant co manufacturer and therefore non compliant with NOP standards. The court denied the APAXUSA Inc appeal and held its organic certificate to remain suspended.
- In APL-005-19 (ConsciousCoconutLlc) The Conscious Coconut LLC sold its coconut oil with USDA organic seal during the suspension of its organic license. The court held that company's certification remains in suspension for minimum 120 days and also required to pay civil penalty of \$12,000 for selling under USDA Organic label during the suspension of license.
- In APL-70-20 (EpigeneticLabsLlc) NOFA-NY issued a notice of Denial of Certification after finding that Organixx had falsified documentation submitted with its certification application, misrepresented that all of its products are certified organic and used USDA organic seal on its products when Organixx isn't certified organic. The court affirmed the notice of denial and denied organic certificate to Organixx.
- In APL-082-20 (FincaNava) The Nava continues to sell its products specifically mangoes with USDA organic seal during the suspension of its organic license. Nava held that it sold mangoes as conventional and not as organic. The court held that company's certification remains in suspension and cannot be reinstated.
- In APL-007-18 (HakanOrganics) The Hakan Agro DMCC sold fugated non organic soybean and non organic corn as organic for sale in united states. The soybean have previously exported from Ukraine to Turkey and re exported from Turkey to United States. The court denied the appeal and revoked the certification of Hakan Organics.

- In APL-0027-18 (MCAOrganics) The certification of MCA Organics have been suspended on ground that its ROMA tomatoes certified as organic are handled as uncertified site and labeled as organic and sold under the box which has USDA Organic label and also label stating that ROMA tomatoes are organic. The court denied the Appeal of MCA Organics and held its certification to be suspended.
- In APL-002-18 (RusAgroExportsLtd) The Rus Agro Exports Ltd sold fugated non organic soybean and non organic corn as organic for sale in United States. The soyabean have previously exported from Ukraine to Turkey and re exported from Turkey to United States. The court denied the appeal and revoked the certification of Rus Agro Exports Ltd.
- In APL-043-20 (GemEmpacadora) It was observed that Tierra's staff packing and labeling as organic the saladette tomatoes and brussel sprouts received from an external operation and Tierra did not produce an organic certificate for the supplier. The court ruled that proposed suspension is affirmed and appeal is denied.