



United States
Department of
Agriculture

Agricultural
Marketing
Service

STOP 0264 – Room 1098-S
1400 Independence Avenue, SW.
Washington, D.C. 20250-0264

Ms. Karen McIntyre
Executive Director
Agrifood, Meat and Seafood Safety
Floor 4, Room 239
1400 Merivale Road, Tower 1
Ottawa ON KIA 0Y9

Dear Ms. McIntyre,

The United States Department of Agriculture (USDA) has reviewed Canada's organic certification program as set out in the Canada Organic Regime.

Based on that review, I have determined pursuant to the Organic Foods Production Act of 1990 (OFPA) (7 U.S.C. Sec. 6501 *et seq.*) under authority delegated to me that agricultural products produced and handled in accordance with the Canada Organic Production Regulations (COPR), as in effect on June 30, 2009 are produced and handled under an organic certification program that provides safeguards and guidelines governing the production and handling of such products that are at least equivalent to the requirements of OFPA.

Accordingly, except as provided in Appendix 1, and subject to the conditions set forth in Appendix 2, agricultural products produced and handled in conformity with the COPR, as in effect on June 30, 2009 shall be deemed to have been produced and handled in accordance with the OFPA and USDA's National Organic Program (NOP) and may be sold, labeled or represented in the United States as organically produced, including by display of the USDA organic seal as well as the Canadian organic seal.

USDA's Agricultural Marketing Service (AMS), which administers the NOP, is committed to working with the CFIA to carry out the terms of this letter.

Sincerely,

A handwritten signature in black ink that reads "Barbara C. Robinson". The signature is written in a cursive style.

Barbara C. Robinson, Ph.D.
Deputy Administrator
Transportation & Marketing Programs

Appendix 1

1. Agricultural products derived from animals treated with antibiotics shall not be marketed as organic in the United States.

Appendix 2

USDA grants this equivalency determination under the following conditions:

1. The CFIA will notify USDA in a timely manner of any:
 - (a) changes with respect to the CFIA's competent authority and certifying agents;
 - (b) proposed legislation or rulemaking that would modify any of Canada's laws or regulations referred to in paragraph 1;
 - (c) instances of significant non-compliance with its organic certification program. For purposes of this equivalency determination, "significant" means any non-conformity that materially affects the integrity of the agricultural product.
2. Following advance notice from USDA, the CFIA shall permit USDA to conduct on-site evaluations in Canada to verify that the CFIA's certifying agents are carrying out the requirements of Canada's organic certification program, including through visits to agent facilities and to production facilities and farms that agents have certified. The CFIA shall cooperate and assist USDA, to the extent permitted under domestic law, in carrying out such evaluations.