A. PURSUANT TO §205.680 EVERY CLIENT HAS THE RIGHT TO APPEAL TO THE ADMINISTRATOR REGARDING DECISIONS MADE BY ECOGLOBE AS CERTIFYING AGENT IN THE EVENT THAT ECOGLOBE DETERMINES THAT THE CLIENT'S OPERATION IS NOT IN COMPLIANCE WITH THE NOP FINAL RULE.

B. TYPES OF APPEALABLE DECISIONS
1. Denial of certification
2. Proposal to suspend certification
3. Proposal to revoke certification

C. THE CLIENT MAY APPEAL ANY OF THE ABOVE LISTED TYPES OF DECISIONS

The client has to send an appeal letter to the Administrator of the NOP in order to appeal a decision made by ECOGLOBE.

D. ADMINISTRATOR'S DECISION TO SUSTAIN THE APPEAL

If the Administrator sustains a certification applicant's or certified operation's appeal, the applicant will be issued organic certification or the certification will be continued respectively. The act of sustaining the appeal by the Administrator is final and cannot be appealed by the certifying agent.

E. ADMINISTRATOR'S DECISION TO DENY THE APPEAL

If the Administrator denies an appeal, a formal administrative procedure will be initiated to deny, revoke or suspend certification. This proceeding will be conducted according to the US Department of Agriculture Uniform Rules of Practice.

General requirements and timelines for appeals:

An appeal of a noncompliance decision must be filed within the time period provide in the letter of notification or within 30 days from receipt, whichever occurs later. The appeal will be considered "filed" on the date received by the Administrator. If the appeal is not filed in a timely manner, the decision to revoke, suspend or deny certification will become nonappealable.

The appeal has to be in writing and addressed to the following address:

Administrator, USDA, AMS
c/o NOP Appeals Team
STOP 0203, Room 2095-S
1400 Independence Ave., SW
Washington, DC 20250

All appeals have to include:

1. A copy of the adverse decision
2. The appellants reasons why the decision was not proper or was not made in accordance with applicable program regulations, policies, or procedures.