



# CCOF

Advancing organic agriculture through certification, education, advocacy, and promotion.

## Requesting Mediation when you have a Proposed Adverse Action

You can request mediation of a Proposed Adverse Action (Suspension or Revocation) or Denial of Certification. The goal of mediation is to reach a mutually agreed upon Settlement Agreement.

### **Mediation Process:**

**1. Request mediation in writing within 30 days of your receipt of the Proposed Adverse Action or Denial notice.**

Requests that include the Mediation Request Form below are more likely to be accepted.

**2. Await written notification of acceptance or rejection from CCOF.**

We may accept your mediation request if it appears we may come to an agreement in a timely manner and the agreement will meet the requirements of all applicable standards and/or regulations. We may reject your mediation request if we have evidence that you are not acting in good faith, you have provided false or fraudulent information or documentation, you have not shown a willingness to comply, there is no possibility of coming to an agreement that meets the requirements of all applicable regulations, or other reasons at our sole discretion.

**3. If your request is accepted, we will schedule a mediation session. You will be billed a fee for each mediation session per CCOF Certification Services Program Manual.**

CCOF may elect to offer a proposed settlement agreement as the initial mediation session.

**4. All unresolved issues on the Compliance Report must be addressed as part of mediation.**

CCOF generally offers informal mediation, let us know if you would like to request formal mediation.

**5. We have 30 days to reach a Settlement Agreement following the start of mediation.**

There may be multiple mediation sessions via video conference, phone, or email within the 30-day deadline to reach an agreement. If mediation is unsuccessful, you have 30 days from termination of mediation to appeal. Any agreement reached during, or as a result of, the mediation process must be in compliance with organic regulations and standards.

**6. Reach a mutually agreed upon Settlement Agreement.**

A Settlement Agreement may include terms such as additional inspections, pesticide testing at your expense, employee trainings, additional recordkeeping systems, or surrender of part or all of your certification. Settlement agreement terms may result in additional fees as described in the CCOF Certification Services Program Manual. CCOF will generally provide a draft Settlement Agreement, but you are encouraged to suggest revisions or additional terms to ensure ongoing compliance.

**7. Maintain ongoing compliance.**

You must meet the terms of the Settlement Agreement for the duration of the agreement. Failure to meet the terms of the Settlement Agreement may result in immediate proposed adverse action, such as proposed suspension or revocation, by CCOF.

**See Page 2 for Mediation Request Form**



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## Mediation Request Form

To request mediation, you may complete this form and return to CCOF.

Please write legibly and attach additional sheets as necessary.

Operation Name: \_\_\_\_\_

Name of Person Completing Form: \_\_\_\_\_

**A.** What issues are you requesting mediation for? List Action item numbers or attach a copy of your Compliance Report.

\_\_\_\_\_

**B.** Provide any proposed Settlement Agreement terms &/or reasons/justifications for why mediation is appropriate.

\_\_\_\_\_

**C.** Describe any actions taken to address unresolved issues listed on the Compliance Report. *Attach documents as necessary to provide evidence.*

\_\_\_\_\_

**D.** Describe your plans for ongoing compliance or additional changes you have made since receiving the Proposed Adverse Action or Denial notice.

\_\_\_\_\_

I am requesting mediation for the issues above with the intent of reaching a Settlement Agreement with CCOF. The statements above are true and correct.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_