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UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

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In re:)	OFPA Docket No. 10-0382
)	
Guaranteed Organic)	
Certification Agency, and)	Consent Decision
Charles Heermans,)	and Order
)	
Respondents.)	

This proceeding was instituted under the Organic Foods Production Act of 1990, as amended, 7 U.S.C. § 6501 et seq. (OFPA), alleging that the respondents willfully violated the National Organic Program Regulations issued thereunder, 7 C.F.R. § 205.1 et seq. (NOP Regulations). This decision is entered pursuant to the consent decision provisions of the Rules of Practice applicable to this proceeding (7 C.F.R. § 1.138).

The respondents admit the jurisdictional allegations as set forth herein and specifically admit that the Secretary has jurisdiction in this matter, neither admit nor deny the remaining allegations of the complaint, waive oral hearing and further procedure, and consent and agree, for the purpose of settling this proceeding and for such purpose only, to the entry of this decision.

The complainant agrees to the entry of this decision.

Conclusions

1. Respondent Guaranteed Organic Certification Agency (GOCA) is an California corporation whose business mailing address is 41911 5th Street, Suite 202, Temecula, CA 92590. On April 29, 2002, GOCA was accredited as a certifying agent for the United States Department of Agriculture's (USDA) National Organic Program (NOP). Respondent Charles Heermans is an individual whose principal place of business is 41911 5th Street, Suite 202, Temecula, CA

92590. Respondent Heermans is a responsibly connected party because he is the Director of respondent GOCA.

2. At all times material hereto, respondents were engaged in business as an accredited certifying agent for the NOP, and were subject to the NOP Regulations.

The respondents having admitted the jurisdictional facts and the parties having agreed to the entry of this decision, such decision will be entered.

Order

1. Respondents, their agents and employees, successors and assigns, directly or through any corporate or other device, shall not violate the OFPA and the Regulations issued thereunder.

2. Respondents voluntarily agree to surrender their NOP accreditation for a period of three (3) years from the date of issuance of this Order.

3. Respondents agree not to apply for a NOP accreditation and agree that a NOP accreditation will not be issued to them by the NOP for a period of three (3) years from the date of issuance of this Order.

The provisions of this order shall become effective upon issuance.

Copies of this decision shall be served upon the parties.

Guaranteed Organic Certification Agency, by

Administrator

Title -
Respondent

[Redacted Signature]

12/16/10

Charles Heerman
Respondent

[Redacted Signature]

Frank Martin, Jr.
Attorney for Complainant

Done at Washington, D.C.
this 16th day of December, 2010

[Redacted Signature]

Administrative Law Judge