



# Certifying Agent Accreditation Application



California Department of Food and Agriculture  
State of California

## Applicant Information

**Legal Business Name**

<b>Primary Office</b>	Street address		Unit #
	City	State	Zip
	Phone	Email	

**Web Address**

**Employer ID# /Tax ID #**

<b>Legal Status</b>	<input type="checkbox"/> Gov	<input type="checkbox"/> For Profit	<input type="checkbox"/> Not For Profit	<input type="checkbox"/> Other (specify):
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<b>Contact Person</b>	Name	Title
	Phone	Email

<b>Accreditation Type(s)</b>	<input type="checkbox"/> Cultivation	<input type="checkbox"/> Distribution	<input type="checkbox"/> Cultivation & Distribution
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<b>Expected Annual Certifications</b>	<input type="checkbox"/> Cultivation	<input type="checkbox"/> Distribution
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<b>Business Structure (check one)</b>			
<input type="checkbox"/> Corporation	<input type="checkbox"/> Limited Liability Company (LLC)	<input type="checkbox"/> Sovereign Entity	
<input type="checkbox"/> Joint Venture	<input type="checkbox"/> Limited Liability Partnership (LLP)	<input type="checkbox"/> General Partnership	
<input type="checkbox"/> Trust	<input type="checkbox"/> Limited Partnership (LP)	<input type="checkbox"/> Sole Proprietorship	

## Signature of Applicant or Representative

Under penalty of perjury, I hereby declare that the information contained within and submitted with this application is complete, true, and accurate. I understand that a misrepresentation of fact is cause for denial of the application, or revocation or suspension of the accreditation issued.

Signature	Date
Title	

## Receipt (for internal use only)

Date received	Received by	Recipient signature
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**Certifying Agent**  
**Accreditation Application Attachments Checklist**  
(submit all attachments and checklist with application)

ATCHD	Item
<b>A. Business Information</b>	
	1. A list of each subsidiary office(s) physical address(es), mailing address(es), phone number(s), and a contact name(s) and number(s) for each subsidiary office;
	2. A copy of the fee schedule for all services to be provided under these regulations by the applicant;
	3. For a local jurisdiction, a copy of the official's authority to conduct certification activities under the OCal regulations;
	4. For a private entity, copies of all formation documents, which may include articles of incorporation, operating agreement, patronship agreement, and fictitious business name statement;
	5. All documents filed with the California Secretary of State, which may include, but are not limited to, articles of incorporation, certificate of stock, articles of organization, certificate of limited partnership, and statement of partnership authority. If the applicant is a foreign corporation, a certificate of qualification issued by the California Secretary of State; and
	6. A signed Affirmation.
<b>B. Personnel Information</b>	
	1. A copy of the policies and procedures for training, evaluating, and supervising personnel;
	2. A list of names and position descriptions for all personnel to be used in the cannabis certification operation, including administrative staff, inspectors, certification review and evaluation committees, contractors, and all parties responsibly connected to the applicant;
	3. A description of qualifications, experience, training, and education in agriculture, organic production, and organic handling for each inspector and each person that reviews or evaluates applications for certification; and
	4. A description of trainings the applicant has provided or will provide to personnel to ensure they meet the requirements.
<b>C. Administrative Policies and Procedures</b>	
	1. A copy of the procedures to be used to evaluate certification applicants, make certification decisions, and issue certificates.
	2. A copy of the procedures used to review and investigate certified operation compliance and report violations to the department.

	<p>3. A copy of the procedures to be used to maintain records according to the following schedule:</p> <ul style="list-style-type: none"> <li>a. Records obtained from applicants for certification and certified operations shall be maintained for not less than 5 years beyond their receipt;</li> <li>b. Records created by the certifying agent regarding applicants for certification and certified operations shall be maintained for not less than 10 years beyond their creation; and</li> <li>c. Records created or received by a certifying agent pursuant to the accreditation requirements of this chapter, excluding any records covered in b, above, shall be maintained for not less than 5 years beyond their creation or receipt.</li> </ul>
	<p>4. A copy of the procedures to be used to maintain strict confidentiality with respect to its clients under the OCal Program and not disclose to third parties, except for the department, business-related information concerning any client obtained while implementing the OCal regulations, except for when making the information in 5, below, available to the public upon request.</p>
	<p>5. A copy of the procedures to be used, including any fees to be assessed, for making the following information available to the public upon request:</p> <ul style="list-style-type: none"> <li>a. Copies of certificates issued during the current and 3 preceding calendar years;</li> <li>b. A list of operations certified during the current and 3 preceding calendar years, including certification status, city/cities in which the operation is located, products certified, and commercial cannabis license number(s);</li> <li>c. The results of laboratory analyses for prohibited substances during the current and 3 preceding calendar years; and</li> <li>d. Other business information as permitted in writing by the certified operation.</li> </ul>
	<p>6. A copy of the procedures to be used for sampling and residue testing of cannabis waste, pre-harvest cannabis, and post-harvest cannabis that is—or is a bi-product of cannabis that is—to be sold, labeled, or represented as OCal.</p>

**D. Conflicts of Interest**

	<p>1. A copy of the procedures to be implemented to prevent the occurrence of conflicts by:</p> <ul style="list-style-type: none"> <li>a. Not certifying an operation if a certifying agent or a responsibly connected party of such certifying agent has or previously held a commercial interest in the operation, including an immediate family interest or the delivery of consulting services, within the 12-month period prior to the application for certification;</li> <li>b. Excluding any person, including contractors, with conflicts of interest from work, discussions, and decisions at all stages of the certification process and the monitoring of certified operations for all entities in which such person has or previously held a commercial interest, including an immediate family interest or the delivery of consulting services, within the 12-month period prior to the application for certification;</li> <li>c. Not permitting any employee, inspector, contractor, or other personnel to accept payment, gifts, or favors of any kind, other than prescribed fees, from any business inspected. Except that a certifying agent that is a not-for-profit organization with an Internal Revenue Code tax exemption may accept voluntary labor from certified operations;</li> <li>d. Not giving advice or providing consultancy services to certification applicants or certified operations for overcoming identified barriers to certification;</li> <li>e. Requiring all persons who review applications for certification, perform on-site inspections, review certification documents, evaluate qualifications for certification, make recommendations concerning certification, or make certification decisions,</li> </ul>
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	<p>and all parties responsibly connected to the certifying agent, to complete an annual conflict of interest disclosure report;</p> <p>f. Ensuring that the decision to certify an operation is made by a person different from those who conducted the review of documents and on-site inspection;</p> <p>g. Reconsidering a certified operation's application for certification and, if necessary, performing a new on-site inspection when it is determined, within 12 months of certifying the operation, that any person participating in the certification process and covered under D1b, above, has or had a conflict of interest involving the applicant. All costs associated with a reconsideration of application, including onsite inspection costs, shall be borne by the certifying agent; and</p> <p>h. Referring a certified operation to a different registered certifying agent for recertification and reimbursing the operation for the cost of the recertification when it is determined that any person covered under D1a, above, at the time of certification of the applicant had a conflict of interest involving the applicant.</p>
	<p>2. A conflict of interest disclosure report for all persons who will review applications, perform inspections, review certification documents, evaluate qualifications for certification, make certification recommendations and decisions, and all parties responsibly connected to the applicant. The report shall identify, for each of these persons, any cannabis-related business interests, including business interests of immediate family members, that may cause a conflict of interest.</p>
<p><b>E. Current Certification Activities*</b></p>	
	<p>1. The number of operations certified (cannabis or other crop) during the current and 3 preceding calendar years;</p>
	<p>2. For each accreditation type requested, an OCal system plan (or equivalent), inspection report, and other relevant documentation for three or more operations certified during the current or previous year; and</p>
	<p>3. If the applicant underwent another accreditation process during the current or previous year, the name of the accrediting body and a copy of the written evaluation.</p>

**Fee Submission: There are no fees due at the time of application.** When the application is verified complete, payment instructions will be included in an application acceptance notification.

\*Applicant entities without certification experience will be contacted by program staff to discuss alternative means of demonstrating their ability to fully comply with the requirements for accreditation.