

Fresh Products Branch Directive

FPB 705
3/2/11

USE OF AGREEMENT FOR PARTICIPATION IN THE VOLUNTARY GOOD AGRICULTURAL PRACTICES & GOOD HANDLING PRACTICES (GAP&GHP) AUDIT VERIFICATION PROGRAM

I. PURPOSE

To outline the use of the Agreement for Participation in Audit Verification Programs (Agreement) between the auditee and the USDA including Federal-State cooperators.

II. REPLACEMENT HIGHLIGHTS

This Directive supersedes FPB Directive 625 dated 11/15/07 to replace the original Agreement form with the OMB approved Agreement form FV 651 (Exhibit A).

III. AUTHORITY

On October 1, 2007, the Fresh Products Branch revised the GAP&GHP Program requirements to include unannounced audits as part of the verification process. The unannounced audits shall be completed after an auditee successfully passes an initial audit. In order to provide USDA with the authority to enter the auditee's facility and perform unannounced audits, an Agreement is needed between USDA and the auditee.

IV. POLICY

1. The auditor or local supervisor shall obtain a signed copy of the Agreement prior to providing any auditing services. A senior manager or owner shall be the signatory for the auditee to show management commitment in participating in the USDA GAP&GHP Program.
2. The local USDA officer-in-charge or federal-state licensee with supervisory authority shall sign on behalf of the Fresh Products Branch or Federal-State Inspection Program. Once both parties have signed the Agreement, a copy shall be given to the auditee and a copy kept on file in the local inspection office. It is not necessary to forward a copy of the Agreement to a Federal Program Manager or the Field Operations Section.

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POLICY
Continued

These Agreements shall be reviewed under the Branch Internal Quality Management System or Federal Office Reviews, respectively.

3. The Agreement between the auditee and USDA will remain in effect for the length of time the auditee remains a participant in the GAP&GHP program. Any auditee who signed an Agreement prior to March 2, 2011 issued under FPB Directive 625 will need to sign an updated Agreement using the new FV-651 Agreement form prior to their next scheduled yearly audit in order to comply with OMB policy.
4. A copy of this Agreement shall be kept on file while in effect, and once it has expired, discarded in accordance with Fresh Products Branch Directive FPB 104. Audit checklists and scoresheets shall be kept in the office of record for a period of three fiscal years after the year the audit was completed.



Cheri Courtney
Assistant Branch Chief

Attachments:

Exhibit A: FV-651 Agreement for Participation in Audit Verification Programs

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UNITED STATES DEPARTMENT OF AGRICULTURE
Agricultural Marketing Service
Fruit and Vegetable Programs
Fresh Products Branch

Good Agricultural Practice & Good Handling Practices Audit Program (GAP&GHP)
Identity Preservation Program (IP)
Partners in Quality Audit Program (PIQ)
& Other Audit Programs

AGREEMENT FOR PARTICIPATION IN AUDIT VERIFICATION PROGRAMS

Company Information

I _____ a duly authorized representative of
(Insert Name)

(Name of Company)

(Street Address, City, State, and Zip Code)

hereinafter referred to as the applicant, do hereby agree to be audited under the a voluntary USDA, AMS, Fresh Products Branch audit program. The audit shall include verification of the company's farm(s), packing facilities, storage facilities, wholesale distribution centers or other locations as applicable to the audit scope(s).

1. The applicant agrees that with respect to:

- a. **Laws, Regulation, Statutes** - To conform with all applicable Federal, State, and local government laws, regulations, or statutes, including, but not limited to: Regulations Governing Inspection and Certification of Fruits and Vegetables and Related Products (7 CFR, Part 52), any other pertinent regulations, and any such instructions covering inspection and certification of the products and verification of the processes as may be issued by AMS.
- b. **Audit Request** - To contact and schedule the audit with the appropriate federal or federal-state inspection office (using the FV-237A form). The request for the initial audit will be made no later than two (2) weeks prior to the end of the growing/harvesting/packing season.
- c. **Records** - To maintain all records required by the specific audit program including, but not limited to, quality manual, food safety manual, water test results, employee training records, manure use records, laboratory testing results and other records as required by the quality manual, food safety manual or specific audit program requirements. The applicant shall make these records available to USDA federal and/or federal-state auditors.
- d. **Access to Facilities** - To grant permission for AMS authorized personnel to enter any and all farms and/or facilities covered by the specific audit program for the purposes of conducting the audit. This includes the initial audit and any unannounced audits as may be required by the program.
- e. **Payment** - To pay by credit card, check, draft, or money order drawn to the order of the appropriate federal or federal-state agency for the services covered herein on or before the due date specified on the billing statement. Charges for GAP&GHP audits include, but are not limited to, the audit fee as listed in the fee schedule or Federal Register and travel expenses for the initial audit and any unannounced audits as may be required by the program.

2. AMS agrees that with respect to:

- a. **Perform Audit** – To provide objective third-party verification of the applicant's specific audit program using internationally recognized audit principles.
- b. **Opening & Exit Interviews** - To discuss the audit prior to and report the results and observations with the applicant after each audit and provide a copy of the completed audit report or checklist.
- c. **Reports** - To issue to the applicant reports of all audits and evaluations of the applicant's specific audit program and provide written notification of any deficiencies found, if any.
- d. **Confidentiality** - To consider and treat any trade secrets or confidential information as proprietary and confidential. To consider any records and related information provided to AMS as information that is voluntarily submitted to AMS because of their participation in the specific audit program.
- e. **Issuance of Certificate, Posting and Sharing Audit Results** - To issue a certificate to the applicant and to post audit results to the USDA website, (with the exception of the Preventative Food Defense Procedures scope), only when the applicant receives at least the minimum passing score for each scope being audited. To provide the specific applicant checklist and results of individual questions to other parties only at the written request of the applicant. NOTE: Reports containing a compilation of generic audit information may be shared with the Food and Drug Administration. Any personal information linking the audit results to the auditee shall be redacted prior to issuance.

3. It is mutually agreed that with respect to:

- a. Length of Service** - That the audit results for GAP&GHP audits are valid for one year from the date of the initial audit, provided that at least the minimum score is achieved on both the initial audit and any unannounced audits that may be required by the program. For all other audit programs, the length of service is outlined in the specific audit program policy guide. This agreement shall remain in effect for the length of time the auditee remains a participant in the specific audit program.
- b. Maintaining Certification** - That a company's information will only remain on the USDA website if any and all unannounced audits show satisfactory adherence to the program. If the minimum passing score is not achieved, the company's information will be removed from the website until a follow-up audit is conducted by AMS verifying that effective corrective actions have been taken and the company attains the minimum score on all appropriate scopes of the audit.

Approved By:

Should AMS personnel be at a facility for other purposes and notice issues that would jeopardize the company's standing on the specific audit program, AMS has the obligation to bring this to the attention of the company representative and, depending on the severity, withdraw certification.

Name of Applicant (Print): _____ **Title:** _____

Signature: _____ **Date:** _____

USDA Agricultural Marketing Service, Fruit & Vegetable Programs/ Federal or Federal-State Inspection Program Supervisor

Name of Representative (Print): _____ **Title:** _____

Signature: _____ **Date:** _____

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0581-0125. The time required to complete this information collection is estimated average 8.5 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

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