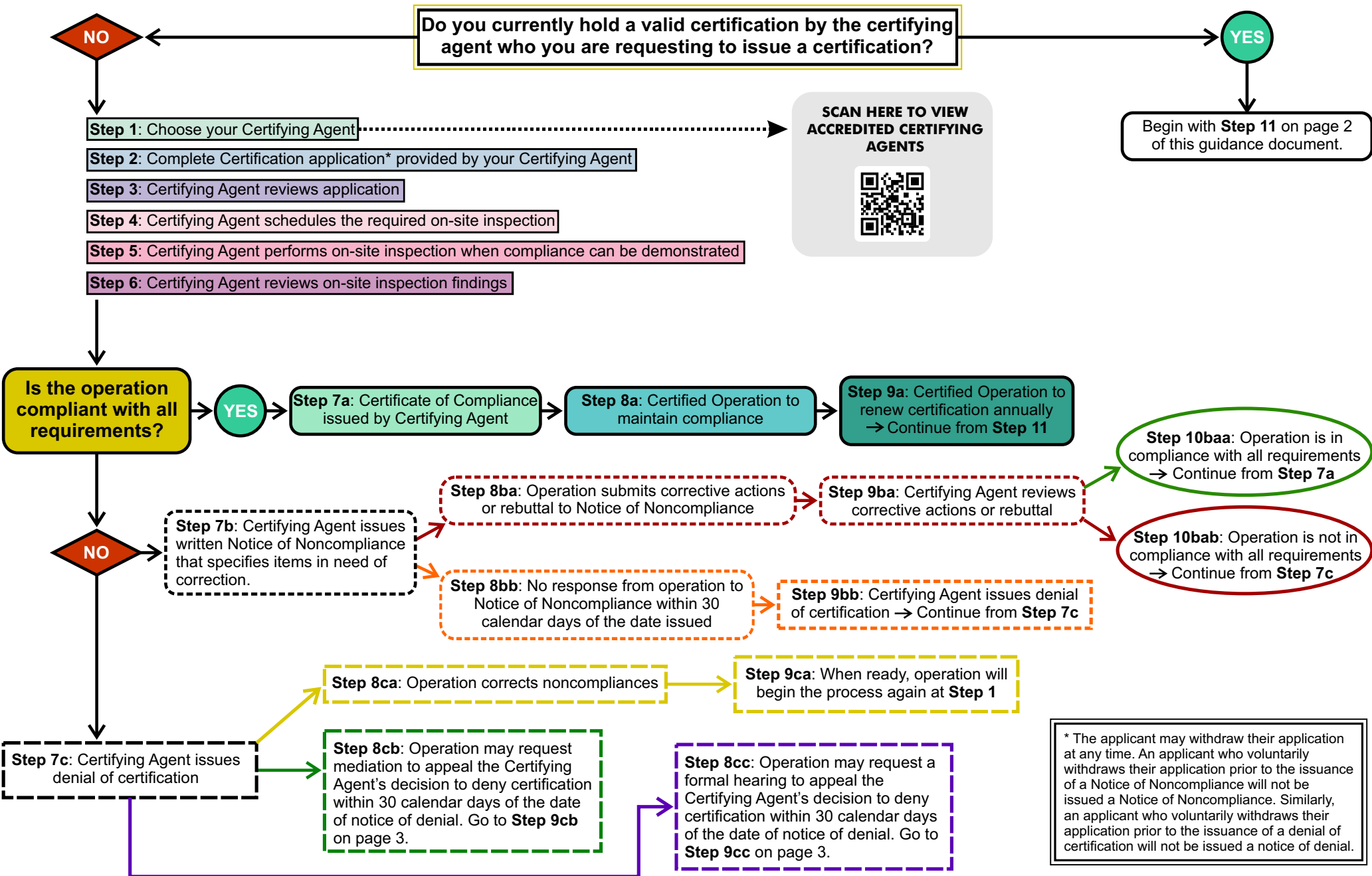




CERTIFICATION PROCESS UNDER ANIMAL CONFINEMENT REGULATIONS

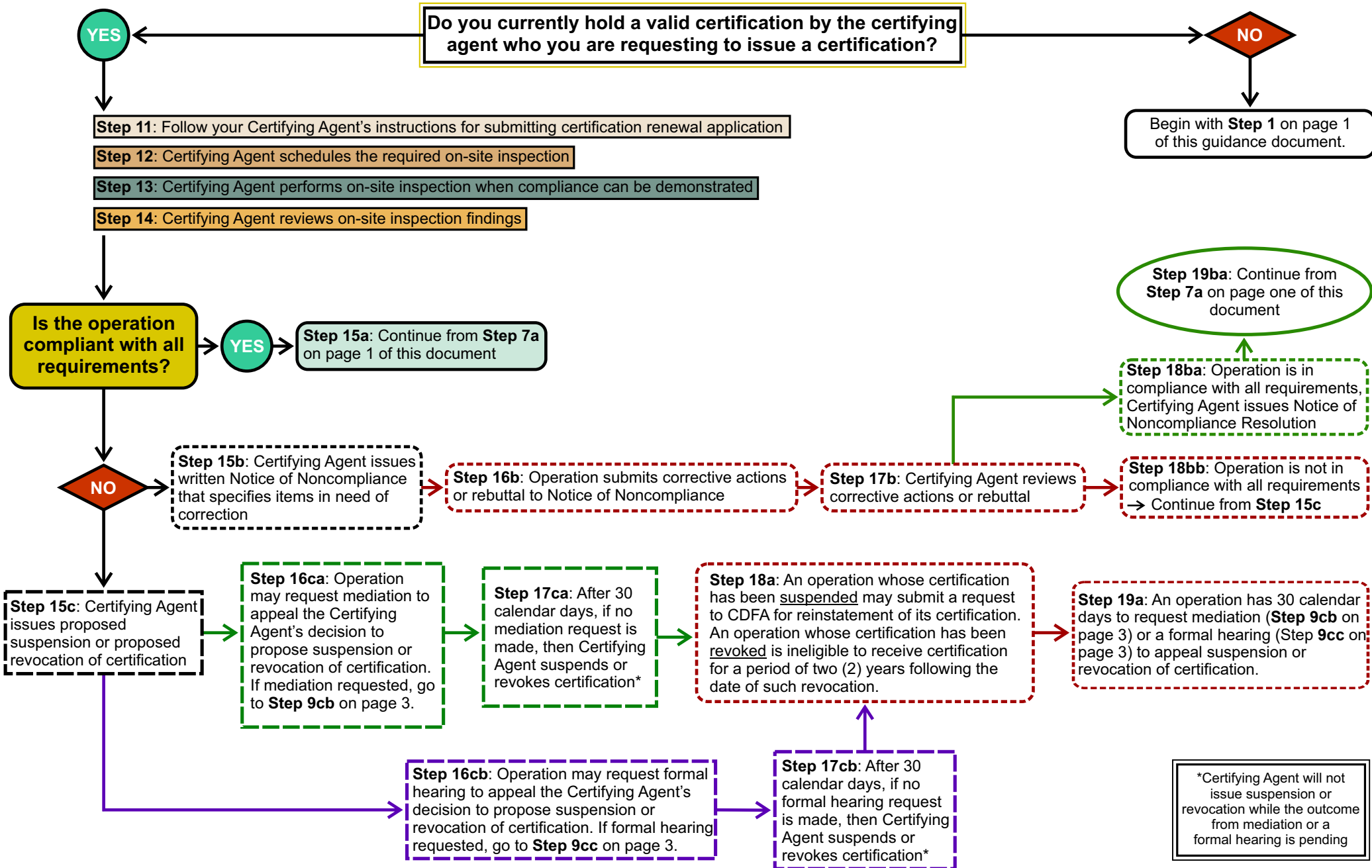
Please review pages 1-3 in conjunction with the detailed descriptions provided on page 4 and onwards.





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Please review pages 1-3 in conjunction with the detailed descriptions provided on page 4 and onwards.



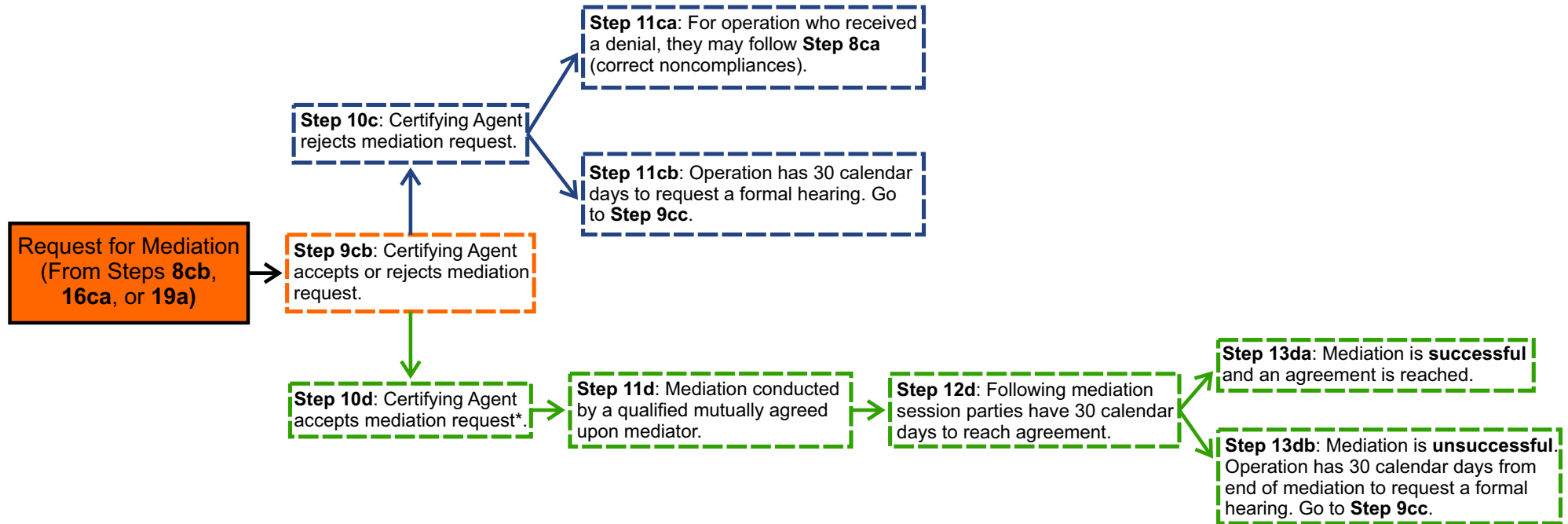
*Certifying Agent will not issue suspension or revocation while the outcome from mediation or a formal hearing is pending



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Please review pages 1-3 in conjunction with the detailed descriptions provided on page 4 and onwards.

MEDIATION AND FORMAL HEARING PROCESS



Request for Formal Hearing
(From Steps 8cc, 11cb,
13db, or 16cb)

Step 9cc: Formal Hearing conducted by State
of California Office of Administrative Hearings*

*Certifying Agent will not
issue suspension or
revocation while the outcome
from mediation or a
formal hearing is pending



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Mission of Animal Care Program

To serve animal agriculture producers and California consumers by promoting and protecting the welfare and care of animals in agriculture in order for Californians to have access to food that is sourced from humanely and sustainably raised animals.

Purpose

This guidance outlines the *certification* steps for a new *certification* (page 1) and continuation of *certification* (page 2), mediation and formal hearing processes (page 3) for *egg producers*, *veal producers*, *pork producers*, and *distributors* under [Animal Confinement Regulations](#), Chapter 10 (commencing with section 1320) of Division 2 of Title 3 of the California Code of Regulations (3 CCR) for compliance with Proposition 12 ([Health and Safety Code \(HSC\) sections 25990-25994](#)).

Key terms *italicized* are described on [Key Terms for Stakeholders](#) guidance document.

Step 1: Choose your Certifying Agent

Operation applicant for new *certification* chooses the *certifying agent* they want to work with to obtain *certification* under [Animal Confinement regulations](#). Select a *certifying agent* that is *accredited* to *certify* the applicant's operation type. Refer to [the list of Certifying Agents](#) on Animal Care Program's website.

Step 2: Complete Certification application provided by your Certifying Agent

Once an operation applicant has selected a *certifying agent*, they will contact the *certifying agent* directly and request a copy of the application for *certification*. Each *certifying agent's* contact information is listed on the [Certifying Agents page](#) on Animal Care Program's website. The operation applicant will complete the application and return it to their selected *certifying agent*.

Refer to [3 CCR section 1326.3\(a\)](#) for a list of the minimum required information that will be submitted through the *certifying agent's* application. If an operation applicant is uncertain about the application or has questions, they may reach out to their selected *certifying agent* for additional information and guidance.

The operation applicant may withdraw their *certification* application at any time. An operation applicant who voluntarily withdraws their *certification* application prior to the issuance of a Notice of Noncompliance will not be issued a Notice of Noncompliance. Similarly, an operation applicant who voluntarily withdraws their *certification* application prior to the issuance of a denial of *certification* will not be issued a notice of denial. [3 CCR section 1326.4\(c\)](#)

Step 3: Certifying Agent reviews application

Once an operation applicant submits a completed application for *certification*, the *certifying agent* will review the application to ensure all required information was submitted. If application is not complete, the *certifying agent* will contact the operation applicant.



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If an operation applicant has previously applied for *certification* to another *certifying agent* and received a notification of noncompliance, denial, or revocation of *certification*, the *certifying agent* will verify the operation applicant has included documentation to support the correction of any issues of noncompliance identified in the notification of noncompliance, denial, or revocation of *certification*.

Based on this information, the *certifying agent* will determine whether the operation applicant appears to comply or may be able to comply with the applicable *certification* requirements.

[3 CCR section 1326.4\(a\)](#)

The *certifying agent* will provide sufficient information to the operation applicant to enable them to comply with the applicable *certification* requirements. This is most commonly achieved by the *certifying agent* sharing relevant guidance documents with the operation applicant which are found on [Animal Care Program's website](#). If the operation applicant has questions or concerns about the *certification* requirements, they may reach out to their selected *certifying agent* for assistance.

[3 CCR section 1326.10\(a\)\(5\)](#)

Step 4: Certifying Agent schedules the required on-site inspection

The *certifying agent* will schedule and conduct an initial on-site inspection of the operation seeking *certification* to determine whether the applicant qualifies for *certification*. The initial on-site inspection must be conducted within three (3) months following a determination by the *certifying agent* that the operation applicant appears to comply or may be able to comply with *certification* requirements.

All on-site inspections must be conducted when an authorized representative of the operation who is knowledgeable about the operation is present, can access operation *records*, and at a time when facilities and activities that demonstrate the operation's compliance with or capability to comply with the applicable *certification* requirements can be observed.

[3 CCR section 1326.5](#)

Step 5: Certifying Agent performs on-site inspection when compliance can be demonstrated

The on-site inspection performed by a *certifying agent* for the purposes of *certification* of an operation must verify the operation's compliance or capability to comply with the requirements and that the information provided on the application for *certification* accurately reflects the practices used or to be used by the operation applicant for *certification*.

In order to grant *certification*, a *certifying agent* must conduct an initial on-site inspection of each production unit, facility, and site that produces or distributes *covered animals* or *covered products* that is included in an operation for which *certification* is requested.

The operation seeking *certification* must allow access to the *certifying agent* of areas of operation regarding the production or distribution of *covered animals* or *covered products* as described in [3 CCR section 1326.1\(a\)](#).

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Access must be allowed during normal business hours for review and copying of *records* as needed.

The *certifying agent* must conduct an exit interview to confirm the accuracy and completeness of inspection observations and information gathered during the on-site inspection. In the exit interview, the *certifying agent* must also address the need for any additional information as well as any issues of concern, which includes any noncompliances. The exit interview must be performed with an authorized representative of the operation who is knowledgeable about the inspected operation.

A copy of the on-site inspection report will be sent to the inspected operation by the *certifying agent*.

- It is recommended that an inspection report include, but not be limited to, the following:
 - *Certifying agent's* observations during the on-site inspection of the operation describing compliance with *certification* standards
 - A summary of the exit interview and what was discussed
 - A description of any noncompliances found during the on-site inspection
 - A description of how any noncompliances were resolved through corrective actions or rebuttal, as applicable
 - The *certifying agent's certification* decision on the outcome of the on-site inspection
 - Any other information *certifying agent* deems necessary to defend their *certification* decision of the operation

An on-site inspection must be conducted at least once every 12 months thereafter for each *certified operation* that produces or distributes *covered animals* or *covered products* for the purpose of determining whether to approve the request for *certification* or whether *certification* of the operation should continue.

For additional information regarding on-site inspections, including information specific to different operation types, see the available guidance documents on the [Animal Care Program webpage](#).

[3 CCR section 1326.5](#)

Step 6: Certifying Agent reviews on-site inspection findings

After completing the on-site inspection, the *certifying agent* will review the on-site inspection report as well as any additional information requested from or supplied by the operation applicant. The *certifying agent* will verify that confinement, distribution, and all other related procedures are in compliance with the applicable *certification* requirements.

[3 CCR section 1326.6\(a\)](#)

Step 7a: Certificate of Compliance issued by Certifying Agent

If the operation applicant is compliant with the applicable *certification* requirements, the *certifying agent* will grant *certification*.

When a *certifying agent* issues a certificate of compliance it specifies:

- The name and address of the *certified operation*;



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- Effective date of *certification*;
- Date of the most recent on-site inspection;
- Categories of operation, including whether the operation is a producer, *distributor* or both, a *split operation*, and the species of *covered animals* and/or types of *covered products* produced or distributed by the *certified operation*; and
- Name, address, and phone number of the *certifying agent*.

Refer to [Certificates Issued by the Animal Care Program](#) guidance document

[3 CCR section 1326.6\(b\)](#)

Step 8a: Certification Operation to maintain compliance

To maintain *certification*, *certified operations* must comply with Proposition 12 and applicable regulations of Animal Confinement regulations.

[3 CCR section 1326.1\(a\)\(1\)](#)

To maintain *certification*, *certified operations* must immediately report any changes that may affect compliance with *certification requirements* to their *certifying agent*.

[3 CCR section 1326.1\(a\)\(7\)](#)

Any change in ownership, change of business name, or change in business location, closure of business, or change of name, address, phone number or email of *person* authorized to act on behalf of the *certified operation* must be reported to the *certifying agent* within 30 calendar days of such change.

[3 CCR section 1326.8\(e\)](#)

Step 9a: Certified Operation to renew certification annually → Continue from Step 11

Step 7b: Certifying Agent issues written Notice if Noncompliance

If based on the applicable *certification* requirements, an operation applicant is not in compliance with a requirement, the *certifying agent* will issue a written notification of noncompliance. This will include a description of each noncompliance, the facts the noncompliance is based on, and the date by which an operation applicant must correct or rebut each noncompliance as well as submit supporting documentation.

If correction of a noncompliance is not possible, then a notification of noncompliance and a notice of denial of *certification* may be combined in one notice.

[3 CCR section 1326.7\(a\)](#)



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Step 8ba: Operation submits corrective actions or rebuttal to Notice of Noncompliance

When an operation applicant receives a notification of noncompliance they may:

- Correct noncompliances and submit a description of the corrective actions taken with supporting documentation to their *certifying agent*;
- Correct noncompliances and submit a new application to another *certifying agent*: Provided, they must include in the application, the notification of noncompliance received from the first *certifying agent*, and a description of the corrective actions taken with supporting documentation; or
- Submit written information to the issuing *certifying agent* to rebut the noncompliance described in the notification of noncompliance.

[3 CCR section 1326.7\(b\)](#)

Step 9ba: Certifying Agent reviews corrective actions or rebuttal

The *certifying agent* will evaluate the operation applicant's corrective actions and supporting documentation submitted or the submitted written rebuttal. The *certifying agent* may ask for additional information, corrective actions, or ask clarifying questions to ensure compliance. *Certifying agents* are verifying the operation applicant's ability to comply with applicable *certification* requirements and may perform another on-site inspection if necessary.

[3 CCR section 1326.7\(c\)\(1\)](#)

Step 10baa: Operation is in compliance with all requirements → Continue from Step 7a

When the corrective action or rebuttal is sufficient for the operation applicant to qualify for *certification*, the *certifying agent* will grant the operation applicant an approval of *certification* through issuing of a certificate of compliance.

[3 CCR section 1326.7\(c\)\(2\)](#)

Step 10bab: Operation is not in compliance with all requirements → Continue from Step 7c

Step 8bb: No response from operation to Notice of Noncompliance within 30 calendar days of the date issued

If an operation applicant has not responded to a notification of noncompliance within 30 calendar days of the date issued, then *certifying agent* will issue a notice of denial of *certification*.

[3 CCR section 1326.7\(d\)](#)

Step 9bb: Certifying Agent issues denial of certification → Continue from Step 7c



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Step 7c: Certifying Agent issues denial of certification

When noncompliances are not corrected, the rebuttal is insufficient, or the operation applicant has not responded within 30 calendar days of the date the notification of noncompliance is issued, then the *certifying agent* will issue a notice of denial of *certification*.

When correction of a noncompliance is not possible, a notification of noncompliance and a notice of denial of *certification* may be combined in one notice.

A notice of denial of *certification* must include the reason(s) for denial, as well as state the operation applicant's right to reapply for *certification*, request mediation within 30 calendar days of when the notice of denial was issued, or to request a formal hearing within 30 calendar days of the date the notice of denial was issued.

- The request for a formal hearing is made to the California Department of Food and Agriculture, Legal Office of Hearings and Appeals, 1220 N Street, Suite 315, Sacramento, California 95814 or to CDFA.LegalOffice@cdfa.ca.gov.

[3 CCR section 1326.7\(e\)](#)

If a *certifying agent* has evidence that an operation applicant for *certification* has made a false statement or otherwise misrepresented the applicant's operation or its compliance with the *certification* requirements, the *certifying agent* may issue a denial of *certification* as described above without first issuing a notice of noncompliance.

[3 CCR section 1326.7\(h\)](#)

Step 8ca: Operation corrects noncompliances

After being issued a denial of *certification*, an operation may then correct noncompliances and apply for *certification* again with the same *certifying agent* or the operation may select a new *certifying agent*.

An applicant for *certification* who has received a written notification of noncompliance or a written notice of denial of *certification* may apply for *certification* again at any time with any *certifying agent*.

When such applicant submits a new application to a *certifying agent* other than the *certifying agent* who issued the notification of noncompliance or notice of denial of *certification*, the applicant for *certification* must include a copy of the notification of noncompliance or notice of denial of *certification* and a description of the actions taken, with supporting documentation, to correct the noncompliances noted in the notification of noncompliance.

[3 CCR section 1326.7\(f\)](#)



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Step 9ca: When ready, the operation will begin the certification process again at Step 1

A *certifying agent* who receives a new application for *certification* from an operation applicant which includes a notification of noncompliance or a notice of denial of *certification*, must treat the *certification* application as new and begin a new *certification* application process.

[3 CCR section 1326.7\(g\)](#)

Step 8cb: Operation requests to mediate the Certifying Agent's decision to deny certification

An operation applicant may request mediation upon receiving a denial of *certification*. An operation applicant has the right to request mediation within 30 calendar days of the date the denial of *certification* was issued. Requests for mediation are made in writing to the *certifying agent* who issued the denial of *certification*.

[3 CCR section 1326.7\(e\)](#)

Step 9cb: Certifying Agent may accept or reject the request for mediation

The *certifying agent* may accept or reject any request for mediation to an adverse action such as denial of *certification*, proposed suspension or proposed revocation of *certification*, or noticed suspension or revocation of *certification* they issued to an operation.

Step 10c: Certifying Agent rejects mediation request

If the *certifying agent* chooses to reject the mediation request, they will provide the operation their decision in writing which includes:

- Date issued;
- Decision to reject mediation; and
- The operation may request a formal hearing to appeal against the adverse action within 30 calendar days from the date the rejection of mediation was issued.
 - The request for a formal hearing is made to the California Department of Food and Agriculture, Legal Office of Hearings and Appeals, 1220 N Street, Suite 315, Sacramento, California 95814 or to CDFA.LegalOffice@cdfa.ca.gov.

Step 11ca: For an operation who received a denial of certification they may return to Step 8ca

Step 11cb: Operation chooses to request a formal hearing

Operation applicant who has been issued a denial of *certification* has 30 calendar days to request a formal hearing after date of written rejection of mediation.



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A *certified operation* who has been issued a proposed suspension of *certification*, proposed revocation of *certification* or notice of suspension of *certification* or revocation of *certification* has 30 calendar days to request a formal hearing after date of written rejection of mediation.

[3 CCR section 1327.3\(c\)\(1\)](#)

Step 10d: Certifying Agent accepts mediation request

If the *certifying agent* accepts the mediation request, then the *certifying agent* will issue a written notification of acceptance of mediation to the operation.

[3 CCR section 1327.3\(c\)\(2\)](#)

Step 11d: Mediation is conducted by a qualified mutually agreed upon mediator

Mediation shall be conducted by a qualified mediator both parties agree on. The *certifying agent* and the operation should confer in good faith to identify a mediator with appropriate experience, neutrality, and relevant subject-matter knowledge. Once a mediator is selected, the mediator should coordinate with the *certifying agent* and operation to establish a mediation process to guide expectations of holding a mediation session, submission of relevant information, and any applicable fees.

Mediator then conducts a mediation session.

[3 CCR section 1327.3\(d\)](#)

Step 12d: Following mediation session parties have 30 calendar days to reach agreement.

The *certifying agent* and operation will have no more than 30 calendar days to reach an agreement following a mediation session. Any agreement reached during or as a result of the mediation process must be in compliance with Proposition 12 and Animal Confinement regulations.

[3 CCR section 1327.3\(e\)](#)

Step 13da: Mediation is successful and an agreement is reached

Any agreement reached during or as a result of the mediation process must be in compliance with Proposition 12 and Animal Confinement regulations.

[3 CCR section 1327.3\(f\)](#)

Step 13db: Mediation is unsuccessful

If mediation is unsuccessful, the operation has 30 calendar days from termination of mediation to appeal the *certifying agent's* adverse action of *certification* through request for a formal hearing.



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When mediation is unsuccessful, the certifying agent should communicate promptly in writing to the operation;

- Date of termination of mediation;
- The mediation was unsuccessful;
- For mediation due to a denial of *certification*, information about how to apply for *certification* again with them or another *certifying agent*;
- For mediation due to proposed suspension or proposed revocation of *certification*, the effective date of suspension or revocation of *certification* which is 30 calendar days after the date of termination of mediation; and
- The right to request a formal hearing.
 - The request for a formal hearing is made to the California Department of Food and Agriculture, Legal Office of Hearings and Appeals, 1220 N Street, Suite 315, Sacramento, California 95814 or to CDFA.LegalOffice@cdfa.ca.gov.

[3 CCR section 1327.3](#)

Step 8cc: Operation requests a formal hearing of the Certifying Agent's decision to deny certification

An operation applicant may request a formal hearing upon receiving a denial of *certification*. An operation applicant has the right to request a formal hearing within 30 calendar days of the date the denial of *certification* was issued. **Go to Step 9cc.**

- The request for a formal hearing is made to the California Department of Food and Agriculture, Legal Office of Hearings and Appeals, 1220 N Street, Suite 315, Sacramento, California 95814 or to CDFA.LegalOffice@cdfa.ca.gov.

[3 CCR section 1326.7\(e\)](#)

Step 9cc: Operation requests a formal hearing of the Certifying Agent's adverse determination

Formal hearing is conducted by State of California Office of Administrative Hearings.

Certifying agent will not issue suspension or revocation of *certification* while the outcome from formal hearing is pending.

[3 CCR section 1327.2](#) and [3 CCR section 1326.20\(c\)\(6\)](#)

Step 11: Follow your Certifying Agent's instructions for submitting certification renewal application

To continue *certification*, a *certified operation* must annually complete their *certifying agent's* renewal application.

At a minimum the application will include:

- A summary statement, supported by documentation, detailing any deviations from, or changes to,

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information submitted on the previous year's *certification* application, including but not limited to any additions to or deletions from the information submitted in the initial application for *certification*;

- An update on the correction of any noncompliances previously identified by the *certifying agent* as requiring correction for continued *certification*; and
- Any other information as deemed necessary by the *certifying agent* to determine compliance with *certification* requirements.

[3 CCR section 1326.8\(a\)](#)

Step 12: Certifying Agent schedules the required on-site inspection

For a *certifying agent* to renew *certification* each year, an on-site inspection must have been conducted during the previous 12-month *certification* period which began on the effective date listed on the current *certification*.

Following receipt of the information submitted through the renewal application, the *certifying agent* will arrange and conduct an on-site inspection of the *certified operation* to verify compliance with applicable *certification* requirements.

[3 CCR section 1326.8\(b\)](#)

All on-site inspections must be conducted when an authorized representative of the *certified operation* who is knowledgeable about the operation is present, can access operation *records*, and at a time when facilities and activities that demonstrate the operation's compliance with or capability to comply with the applicable *certification* requirements can be observed.

[3 CCR section 1326.5](#)

Step 13: Certifying Agent performs the on-site inspection when compliance can be demonstrated

The on-site inspection performed by a *certifying agent* for the purposes of continuing *certification* of a *certified operation* must verify the operation's compliance or capability to comply with the requirements and that the information provided on the renewal application for *certification* accurately reflects the practices used or to be used by the *certified operation*.

An on-site inspection must be conducted at least once every 12 months for each *certified operation* that produces or distributes *covered animals* or *covered products* for the purpose of determining whether *certification* of the operation should continue.

The *certified operation* must allow access to the *certifying agent* areas of operation regarding the production or distribution of *covered animals* or *covered products* as described in [3 CCR section 1326.1](#). Access must be allowed during normal business hours for review and copying of *records* as needed.

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The *certifying agent* must conduct an exit interview to confirm the accuracy and completeness of inspection observations and information gathered during the on-site inspection. In the exit interview, the *certifying agent* must also address the need for any additional information as well as any issues of concern, which includes any noncompliances. The exit interview must be conducted with an authorized representative of the operation who is knowledgeable about the *certified operation*.

A copy of the on-site inspection report will be sent to the *certified operation* by the *certifying agent*.

- It is recommended that an inspection report include, but not be limited to, the following:
 - *Certifying agent's* observations during the on-site inspection of the operation describing compliance with *certification* standards
 - A summary of the exit interview and what was discussed
 - A description of any noncompliances found during the on-site inspection
 - A description of how any noncompliances were resolved through corrective actions or rebuttal, as applicable
 - The *certifying agent's certification* decision on the outcome of the on-site inspection
 - Any other information *certifying agent* deems necessary to defend their *certification* decision of the operation

For additional information regarding on-site inspections, including information specific to different operation types, see the available guidance documents on the [Animal Care Program webpage](#).

[3 CCR section 1326.5](#)

Step 14: Certifying Agent reviews on-site inspection findings

The *certifying agent* reviews information submitted in renewal application, inspection report from on-site inspection, and any additional requested information.

[3 CCR section 1326.8](#)

Step 15a: Operation is in compliance with all requirements, Continue from Step 7a on page one of this document

If the *certifying agent* determines, based on the on-site inspection and a review of the information in the renewal application, that the *certified operation* is complying with *certification* requirements, the *certifying agent* will issue an updated certificate of compliance. [3 CCR section 1326.8\(d\)](#)

Step 15b: Certifying Agent issues written Notice of Noncompliance

If the *certifying agent* determines, based on the on-site inspection and a review of the information in the renewal application, that a *certified operation* is not complying with *certification* requirements, the *certifying agent* will issue a written notification of noncompliance to the *certified operation*.

[3 CCR section 1326.8\(c\)](#)



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A written notification of noncompliance will include the date issued, a description of each noncompliance, the facts the noncompliance is based, and the date by which a *certified operation* must correct or rebut each noncompliance as well as submit supporting documentation.

[3 CCR section 1326.20\(a\)](#)

Step 16b: Operation submits corrective actions or rebuttal to Notice of Noncompliance

Step 17b: Certifying Agent reviews corrective actions or rebuttal

Step 18ba: Operation is in compliance with all requirements, Certifying Agent issues Notice of Noncompliance Resolution

When a *certified operation* demonstrates that each noncompliance has been resolved within the prescribed time period, the *certifying agent* shall send the *certified operation* a written notification of noncompliance resolution.

[3 CCR section 1326.20\(b\)](#)

Step 19ba: Continue from Step 7a on page one of this document

Step 18bb: Operation is not in compliance with all requirements → Continue from Step 15c

Step 15c: Certifying Agent issues proposed suspension or proposed revocation of certification

If rebuttal is unsuccessful or correction of the noncompliance is not completed within the prescribed time period, the *certifying agent* will send the *certified operation* a written notice of proposed suspension or proposed revocation of *certification* of the entire operation or a portion of the operation, as applicable to the noncompliance.

When correction of a noncompliance is not possible, the notification of noncompliance and the notice of proposed suspension or revocation of *certification* may be combined.

The notice of proposed suspension or proposed revocation of *certification* will include:

- The date issued;
- The reasons for the proposed suspension or proposed revocation;
- The effective date of proposed suspension or proposed revocation;
- The effective date of proposed suspension or proposed revocation is 30 calendar days from the date issued.
- The impact of a suspension or revocation on future eligibility for *certification* including conditions for reinstatement; and
- The right to request mediation or a formal hearing within 30 calendar days of the date the proposed suspension or proposed revocation was issued.
 - A request for mediation is made in writing to the *certifying agent* who issued the



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denial of *certification*.

- A request for a formal hearing is made to the California Department of Food and Agriculture, Legal Office of Hearings and Appeals, 1220 N Street, Suite 315, Sacramento, California 95814 or to CDFA.LegalOffice@cdfa.ca.gov.

3 CCR section 1326.20(c)

If a *certifying agent* has evidence that a *certified operation* has willfully violated Proposition 12 or Animal Confinement regulations, the *certifying agent* will issue the *certified operation* a notice of proposed suspension or proposed revocation of the entire operation or a portion of the operation's *certification*, as applicable to the noncompliance.

3 CCR section 1326.20(d)

Step 16ca: Operation may request to mediate the Certifying Agent's decision to propose suspension or revocation of certification

A *certified operation* may request mediation within 30 calendar days of the date the proposed suspension or proposed revocation of *certification* was issued. Requests for mediation should be in writing to the *certifying agent* who issued the proposed suspension or proposed revocation of *certification*. **Go to Step 9cb.**

Step 17ca: After 30 calendar days, if no mediation request is made, then Certifying Agent suspends or revokes certification

If the *certified operation* fails to correct the noncompliance according to the prescribed time period, to resolve the issue through rebuttal, or request mediation or a formal hearing of the proposed suspension or proposed revocation of *certification* before the suspension or revocation goes into effect, the *certifying agent* will issue the *certified operation* a written notice of suspension or revocation of *certification*.

Certifying agent will not issue suspension or revocation while the outcome from mediation is pending. This means the proposed suspension or proposed revocation of *certification* remains in effect pending the outcome of mediation.

3 CCR section 1326.20(e)(1)

Step 18a: An operation whose certification has been suspended may submit a request to CDFA for reinstatement of its certification. An operation whose certification has been revoked is ineligible to receive certification for a period of two (2) years following the date of such revocation.

For a *certified operation* whose *certification* has been suspended, the request to CDFA for reinstatement of *certification* must be accompanied by evidence demonstrating correction of each noncompliance and corrective actions taken to comply with and remain in compliance with applicable *certification* requirements.



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- Requests are submitted to Animal Care Program, 1220 N Street, Sacramento, CA 95814 or to AnimalCare@cdfa.ca.gov

A *certified operation* or a person responsibly connected with an operation whose *certification* has been revoked will be ineligible to receive *certification* for a period of two (2) years following the date of revocation.

[3 CCR section 1326.20\(f\)](#)

Step 16cb: Operation may request a formal hearing to appeal the Certifying Agent's decision to propose suspension or revocation of certification

A *certified operation* may request a formal hearing of proposed suspension or proposed revocation of *certification* within 30 calendar days of the date the proposed suspension or proposed revocation of *certification* was issued. **Go to Step 9cc.**

[3 CCR section 1326.20\(c\)\(5\)](#)

- The request for a formal hearing is made to the California Department of Food and Agriculture, Legal Office of Hearings and Appeals, 1220 N Street, Suite 315, Sacramento, California 95814 or to CDFA.LegalOffice@cdfa.ca.gov.

Step 17cb: After 30 calendar days, if no formal hearing request is made, then Certifying Agent suspends or revokes certification

If the *certified operation* fails to correct the noncompliance according to the prescribed time period, to resolve the issue through rebuttal, or request a formal hearing of the proposed suspension or proposed revocation of *certification* before the suspension or revocation goes into effect, the *certifying agent* will issue the *certified operation* a written notice of suspension or revocation of *certification*.

[3 CCR section 1326.20\(e\)\(1\)](#)

A *certifying agent* must not send a notice of suspension or revocation to a *certified operation* that has requested a formal hearing while final resolution is pending. This means the proposed suspension or proposed revocation of *certification* remains in effect pending the outcome of the formal hearing.

[3 CCR section 1327.2](#)

Step 19a: An operation has 30 calendar days to request mediation (Step 9cb) or a formal hearing (Step 9cc) to appeal suspension or revocation of certification.

[3 CCR section 1327.3\(b\)](#)

[3 CCR section 1327.2\(a\)](#)

