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UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

In re:)	OFPA Docket No. 10-0381
)	
AGRECO R.F. GODERZ GmbH,)	
Richard F. Goderz,)	
)	Consent Decision
)	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 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 Agreco R.F. Goderz GmbH (Agreco) is a for profit business whose business mailing address is Mundener Strasse 19, D-37218 Witzenhausen, Germany. On January 20, 2006, Agreco was accredited as a certifying agent for the United States Department of Agriculture's (USDA) National Organic Program (NOP). Respondent Richard F. Godertz is an

individual whose principal place of business is the same as above. Respondent Richard F. Godertz is a responsibly connected party because he is the owner of respondent Agreco.

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.

AGRECO R.F. GODERZ GmbH, by

[Redacted signature]

Richard F. Goderz
Owner
Respondent

[Redacted signature]

Richard F. Goderz
Respondent

[Redacted signature]

Joseph E. Sandler
Attorney for Respondents

[Redacted signature]

Frank Martin, Jr.
Attorney for Complainant

Done at Washington, D.C.
this 2 day of MAY, 2012

[Redacted signature]

for

Administrative Law Judge
Peter M. Davenport
Chief Judge