

UNITED STATES DEPARTMENT OF AGRICULTURE  
BEFORE THE SECRETARY OF AGRICULTURE

In re: ) OFPA Docket No. 04-0001  
)  
Michael Northrop, )  
an individual, d.b.a. )  
Michael Northrop & Sons, )  
) Consent Decision  
Respondent ) and Order

This proceeding was instituted under the Organic Foods Production Act of 1990, as amended, 7 U.S.C. § 6501 et seq. (the "Act"), alleging that the respondent violated the National Organic Program Regulations issued thereunder, 7 C.F.R. § 205.1 et seq. (the "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 respondent admits the jurisdictional allegations as set forth herein and specifically admits that the Secretary has jurisdiction in this matter, neither admits nor denies the remaining allegations of the complaint, waives oral hearing and further procedure, and consents and agrees, 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 Michael Northrop is an individual whose principal place of business is 20202 Caird Road, Adams Center, New York 13606. Respondent Northrop does business as, and is the sole proprietor of, Michael Northrop & Sons, located at the same address.

2. At all times material hereto, respondent was engaged in business as a certified organic producer in New York, and was subject to the NOP Regulations.

3. At all times material hereto, respondent was certified by a United States Department of Agriculture{"USDA"}accredited certifying agent, NOFA-NY Certified Organic, LLC ("NOFA-NY"), located at 840 Upper Front Street, Binghamton, NY 13905 under the NOP regulations.

4. At all times material hereto, respondent was notified by NOFA-NY during its inspections and through letters of noncompliance and revocation of certification that respondent was in alleged violation of the NOP regulations.

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

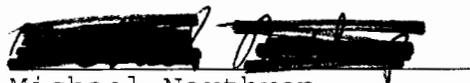
### Order

1. Respondent, his agents and employees, successors and assigns, directly or through any corporate or other device, shall not violate the Act and the Regulations issued thereunder.

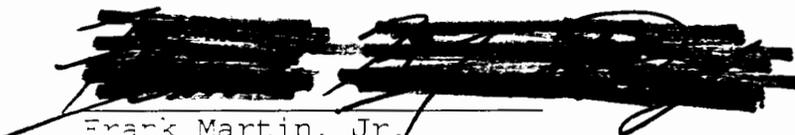
2. The respondent's certification is revoked, and respondent is ineligible to receive certification for a period of five years from the effective date of this Order.

The provisions of this order shall become effective upon issuance.

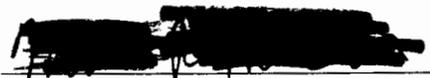
Copies of this decision shall be served upon the parties.

  
Michael Northrop  
Respondent

  
John Parmeter, Jr.  
Attorney for Respondent

  
Frank Martin, Jr.  
Attorney for Complainant

Done at Washington, D.C.  
this 23rd day of July, 2004

  
Administrative Law Judge