

Criteria Committee Commentary on 1st Revision Draft of the 2002 IFOAM Accreditation Criteria Guidance Notes

Introduction

This document compiles the responses of the Criteria Committee (CC) on the stakeholder comments received on the first revision draft of the **Guidance Notes** of the IFOAM Accreditation Criteria. This documents comprises the first revision draft text, the comments received on the first revision draft of the **guidance notes** and the responses (commentaries) of the CC on these comments. The document follows this order: Criterion as in first revision draft – stakeholder comment (in green/Times New Roman) – CC response (in purple/Times New Roman).

In general, the stakeholder comments follow directly after the guidance note or section they are referring to. If appropriate, the comment might be placed before the referring section, e.g. if a comment deals with a whole section. Acronyms (if applicable) of the commenter name are assigned to every comment. The acronym can be found in the overview of commenters below.

The changes resulting from the comments and the CC responses can be found in the 2nd revision draft of the IAC Guidance Notes.

Overview of Commenters

Commenter	Acronym
Swedish Ecological Farmers Association	SEFA
Chaoda Modern Agriculture, China	CHAODA
ACB'S	ACB
COOBI, France	COOBI
CHC, China	CHC
John Macharia Kiama	KIAMA
International Certification Services DBA: Farm Verified Organic	ICS
International Organic Accreditation Service	IOAS
Advice Network	ADVICE
GROLINK	GROLINK
KRAV	KRAV
Naturland	NATURLAND
Soil Association	SA

III b. IFOAM Accreditation Criteria Guidance Notes

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For an explanation of the purpose of these Guidance Notes, see the Introduction to the IFOAM Accreditation Criteria.

Introduction

~~These guidance notes are provided to explain the meaning and purpose of the criteria, and to provide background information to explain the context of a particular section of criteria or a particular criterion. In short that are provided to enhance understanding of the criteria.~~

~~Certification bodies are required to implement the criteria in line with the guidance notes unless the same effect can be shown to have been achieved by alternative methods. The guidance notes do not constitute binding interpretations or remove an accreditation body's rights and responsibilities to exercise its judgment in applying the criteria.~~

~~The criteria require that the certification body has an effective quality system in accordance with the relevant elements of the criteria and which is appropriate for the type, range and volume of work performed. It is recognized that new programs, and programs operating in economically less favored areas may have less developed quality systems. It is also recognized that cultural, traditional and social conditions may result in varying solutions. Regulations or other official demands may also make it difficult or even illegal to fulfill a certain criterion. In such cases it is the prerogative of the accreditation body to determine the acceptability of the certification body's alternative solution, based on whether the integrity of organic production and certification is maintained, and whether the purpose of the specific criterion is met.~~

1 Structure

1.2 Responsibility

1.2.2 An outside body or person would normally include anybody that is a separate legal entity even if linked in some way. This would not mean that assessment and evaluation cannot be undertaken by a contracted party, but that the formal certification decisions mentioned may not.

1.3 Impartiality and Objectivity

1.3.3 The purpose of this criterion is expressed in 1.3.1. It is meant to ensure by structural means, that vested interests are unable to exert undue influence

This can be provided by a system of participatory democracy where the Board is elected by a broad based constituency of stakeholders. Stakeholders would generally be understood to mean more than only the certified operators- in the case of organic certification consumers, environmentalists, researchers and the like would also be considered stakeholders.

In the absence of a Board elected by stakeholders the certification body would need to institute some other method of ensuring sufficient influence of the stakeholders over the certification system. An Advisory Board with sufficient powers to achieve the purpose would be one such method.

1.3.5 The procedure should specify the nature of the information that may be supplied, limiting this to information related to the certification of the product as opposed to the marketing of the product.

1.3.6 Related bodies would mean any separate entity that is structurally linked to the certification body by, for example, common ownership, shared directors etc. In the case of organic certification bodies this could be a producer association or other association responsible for establishing the certification body. The criterion does not prohibit the relationship but requires analysis of whether the other body may exert influence in manner that compromises the impartiality and objectivity of the certification decisions. If so, measures must be taken to ensure this does not occur.

1.3.7 A structure where members are chosen to provide a balance of diverse stakeholder interests and where no single interest predominates shall be deemed to satisfy this provision; Such diversity shall include that at least one general interest is represented such as consumers, scientists or environmentalists.

Furthermore, ~~this does not mean that individuals on the Board or committee (the decision making body) cannot have commercial, financial or other interests. It means that the committee as a whole may not. To ensure this a balance of interests is necessary.~~

1.3.8 The criterion requires the reduction of risk to compromising integrity. Risk reduction includes avoiding at least the following: direct payment of fees to inspectors, incurring significant costs such as inspections that are not readily reimbursed, and a fee structure/function that results in high leverage of certification body finances by only one or a few clients. ~~is not referring to future income which is clearly effected by a decision to not certify. The criterion means that costs already incurred, such as the inspection, should have been charged and not be linked to whether the applicant is certified or not.~~

IOAS: We feel that the guidance note is too restrictive. There may well be instances such as restrictions on currency exchange or other practical measures may require payment to be made directly to the inspector.

The CC agrees and has amended the GN accordingly.

1.3.9 The certification body shall establish a policy on what are/are not substantial gifts. Substantial gifts are those that have a value that could potentially affect opinion, attitude, or decision of the certification body, including any of its inspectors, employees or officers.

~~1.3.10 This does not preclude a procedure where the decision is first referred back to the certification committee for review prior to enacting the formal appeals procedure.~~

1.3.~~12~~11 This does not mean that the certification committee or personnel that made the decision being appealed may not be heard at the appeal, but they may not sit on the appeal committee.

IOAS: Poor language - remove double negative.

The CC agrees and improved the formulation.

1.3.15: General information might refer to training, newsletters, seminars, advice concerning regulatory requirements etc.

1.3.~~18-16~~ The declaration should be of all interests that relate to the organic sector. The certification body should decide which, if any, of these interests are of sufficient concern to question the individual's ability to be impartial and therefore to warrant the precautionary measure of declaring them to result in a conflict of interest.

1.3.~~19-17~~ The certification body's responsibility is not only to determine conflict of interest, but to then use this list in its operation to ensure exclusion of the individual in cases where conflict exists.

1.3.~~18-16~~ to 1.3.~~2018~~: In Criteria 1.3.~~18-16~~ and 1.3.~~19-17~~ the certification body takes responsibility for managing any conflict of interest. In 1.3.~~20-18~~ the individual is also required to be responsible. The purpose of the second sentence in 1.3.~~20-18~~ is to prevent an individual from contracting to do future work while engaged in the inspection or certification process (a clear conflict of interest) without this immediately being known to the certification body, so that others may be assigned to the case. The is most likely to occur in the case of contracted inspectors.

1.4 Resources

1.4.7 The certification body should ensure that there is competence on all categories for which certification is granted. This may be on the certification committee itself or at staff level.

1.4.14 This can be stated in the application documents and be part of what the applicant agrees to in signing the application.

~~1.4.16 In the same way that the certification body remains responsible for subcontracted work, it also is responsible when it accepts previous certification. It exercises that responsibility by the measures in 1.4.12 to 1.4.15. The criteria in section 8 have elaborated these requirements for specific forms of acceptance.~~

2 Accessibility and Scope

2.3 Certification scope

2.3.2 to 2.3.8⁷: This section of the criteria regulates the requirements for certification bodies with regard to the whole production chain. The production chain includes the farmers, storage units, processing units, packers, brokers, wholesalers, transport companies and retailers. These criteria establish when either certification or inspection is required. These functions shall either have been carried out by the certification body itself or their certification should be approved in accordance with the criteria in section 8.

NATURLAND: Change Section 8 to Section 9

The CC has improved the wording accordingly.

2.3.3 The certification body is not obliged to have a system for inspection of products that are further handled after being packed in the final consumer package. For certified product not in its final packaging the certification body's responsibility shall extend to the point where the product is sold to an operator certified by a different entity. The certification body shall however take action where there is reason to believe that the certifier's own standards have been or may be violated in later handling stages. An example of such a situation is fumigation in import harbors, etc.

~~2.3.5 Any entity that has previously sold the product would normally mean any entity that has issued an invoice.~~

2.3.6-4 Exceptions to the requirement for inspections may be made if a risk assessment based on the kind of storage, the product, the packaging, the prevailing storage practices (e.g. fumigation) and the period of storage has determined that further inspections are not necessary. Exceptions may also be made in the case of storage by common carriers and storage in customs houses

~~2.3.8 The certification body shall however take action where there is reason to believe that the certifier's own standards have been or may be violated in later handling stages. An example of such a situation is fumigation in import harbors, etc. Remark: Moved to guidance note 2.3.3~~

2.3.9 to 2.3.14: This section establishes criteria applicable when a certified entity (or applicant) has sub-contracted production to an operation which is not certified. (For example, a certified processor subcontracts with a storage, handling, or processing facility which is not certified in its own right.) It also applies to situations where a processor or trader has subcontracted producers.

2.3.12 The contract between the certification body and the operator should specify the liability with respect to sanctions, unless this is already stated in the general sanctions policies.

2.3.13 Where the certification body chooses not to have a direct contract with the contracted party it should ensure that the contract between the operator and contracted party legally binds the contracted party to the certification body and the specified requirements. This shall mean that the contracts between the operator and the subcontractor shall be obtained in order to verify these points.

3 Quality System for Certification

3.2 ~~3.2~~ **Quality System**

3.2.1 The quality system must include a system for continuous quality improvement. The certification body must demonstrate effective implementation of the quality system, including competency and consistency in the application of policies and procedures.

3.2.2

3.2.3 This may be the Executive Director or other senior personnel provided this responsibility is clearly stated.

3.4 Internal Audits

3.4.1 Periodic would normally mean at least annual. In a planned and systematic manner would mean according to a procedure similar to that used by external bodies in evaluating an organization. Examples would be the evaluation process used in IFOAM Accreditation, ISO 10011-1 etc.

IOAS: The IOAS have found that CBs are conducting their complete internal audit over more than one year. Each year an internal audit is done, but it only covers part of the policies and procedures of the CG, with all being covered over a cycle of 2 - 3 years. Would like the guidance note to reflect this possibility.

NATURLAND: we would suggest to add to the guidance note that not the whole system has to be checked each year but that this may occur over a longer period of time.

The CC agrees to these comments and has therefore deleted this guidance note.

3.4.1 and 3.4.2: The first of these criteria requires auditing to check that the system is being implemented. The second calls for review of whether the policies and procedures are effective in achieving the goals.

3.4.3 Where work is organized in teams this may be team review

3.5 Complaints

3.5.4b&c These criteria require that complaints should not merely be resolved but that the certification body should review the complaint to determine whether the complaint indicates a structural or procedure fault and, if so, to remedy it. 3.5.4b requires the certification body to review whether the corrective action taken has solved the identified problem.

4 Confidentiality provisions

4.1 Confidentiality provisionsGeneral

4.1.1 The system shall be transparent while records pertaining to operators remain confidential

4.1.3 Certification bodies subject to voluntary (non regulatory) accreditation should specify in their policy and in papers signed by the operator (such as the application form) that the accreditation body shall have access to their documentation.

5 Documentation and Document Control

5.2 Public access to information

5.2.1 Make available does not mean these have to be distributed only that they should be supplied if requested. It also does not mean that a charge may not be levied. Note that point b, e, f and g refer to descriptions or summaries and not necessarily the formal policies or procedures themselves

IOAS: The IOAS would wish that there be a guidance note stating that where fees are charged for the provision of the information in 5.2.1, they must be reasonable for an individual consumer i.e. affordable.

The CC agrees and has amended the wording accordingly.

5.2.1a This authority may be regulatory where a certification body has been approved under a government regulation. Authority may also be derived from the voluntary nature of the program or from linked producer or trader associations.

5.3 Document control

5.3.1 A procedural document would normally need to be in place in order to ensure these requirements are met.

5.4 Records

5.4.2 The certification body shall have available relevant data for all certified production units, including any contracted parties and members of grower groups.

5.4.~~5-4~~ Such information should be available both in the producer's file as well in a separate record, or registered in a database system. (8.4.2). The purpose of this criteria is for those involved in certification to have access to the file in order to ensure consistency in decision making.

5.4.~~6-5~~ The records that should be maintained for the specified period would include not only the operator's records, but also records of the certification body's personnel and relevant activities such as internal audits.

5.4.~~7-6~~ This may be an electronic signature.

5.4.~~10-8~~ This right should be communicated to operators.

6 Application and Inspection Procedures

6.1 Application procedures

6.1.2 a. This also includes the production and area to be certified, and in cases where the certification body offers more than one certification program, the standards against which the product is to be certified

6.1.4b The criterion requires the right of access, but does require that this right be exercised in all cases. Certification bodies should be able to inspect any part of an operation whether organic or not if they have reason to do. The criteria requires that the right be fully exercised in cases of parallel production.

NATURLAND: (wording change) “..the right of access, but does not require that this right be exercised...”

The CC agrees and has amended the wording accordingly.

6.1.5 These criteria refer not only to the required documentation but also to the way in which it is kept. This must allow for the specified audits to be carried out within the timeframe of an inspection.

6.1.6 Although this is more likely to apply in processing operations it may also apply to farming operations. Conversion plans, farm plans and management plans to reduce dependence on restricted products would constitute such procedural documents

NATURLAND: Need to clarification: “..Conversion plans, farm plans and management plans to reduce dependence on restricted products would constitute such procedural documents”. It is not clear what the underlined part of the sentence means.

The CC agrees and has amended the formulation to clarify the meaning of the explanatory note.

6.2 Preparation for inspection

6.2.1 An example of assessment of the scope of certification sought is that an application for group certification is from an applicant that meets the criteria in 8.3.2.

6.2.83 This includes at least the application form, previous inspection findings, a description of activities/processes, maps/plans, product specifications, and used inputs, previous conditions and sanctions.

NASAA: NASAA believes that the guidance notes for 6.2.3 should have after “application form” (initial inspection only)

NATURLAND: Change numbering to 6.2.3

SA: Guidance note should probably be 6.2.3 and the application form should only be sent to the inspector in the initial year. There should be no need to send this annually.

It is the CC’s opinion that in some certification systems the application form includes relevant information whereas in other systems the application form does not include relevant information. The CC has amended the wording of the guidance note to cover both situations.

6.3 Visit procedures

6.3.3 An exception to this may be made in the case of unannounced visits that are made in addition to the scheduled visit. Such visits may be targeted to specific concerns or to check compliance with conditions of the certification.

NATURLAND: See also our comment on 7.5.6: The guidance note should say that there is no exception to the rule of the responsible person being present (this is obligatory in all countries that Naturland is operating in to get legally binding information from an operator).

In opposition to the comment of Naturland on IAC 7.5.6 and above guidance note the CC concluded that the requirements of IAC 6.3.3 do not apply to unannounced visits. The current guidance note to IAC 6.3.3 clearly points out that an exemption to IAC 6.3.3 is made in the case of unannounced visits.

Furthermore, it is not clear to the CC which regulations Naturland is referring to when saying that IAC 7.5.6 is contradicting legal requirements. Annex 3 Clause 5 of EEC 2092/91 clearly allows announced visits. The same applies to NOP 205. 403a 2 III. Additionally, the OGS is a private system based on a contractual agreement in which a certifier voluntarily has obligated itself to comply with the requirements of the system. Therefore, the CC doesn't see a reason why consent with the requirements of the norms cannot be a condition of application for certification within the private system OGS.

6.3.4 Examples are: Parallel production and systems that are so similar that there might be undeclared parallel production, and any situation revealing high risk of cross-contamination.

6.4 Sampling and testing

Testing is not the basis of organic certification as it is certification of process not products. However testing is of value and the certification body shall have documented policies and procedures on residue testing, genetic testing and other analyses that meet these requirements

6.4.1b The "use of" means the deliberate utilization of a substance. For issues related to unintentional contamination, refer to the IFOAM BS as well as criteria 6.4.1c, 6.7.5 and 6.7.12.

NATURLAND: Adjust numbering of references

The CC has corrected the numbering.

6.5 Inspection Report

6.5.5 The criterion prohibits requiring an inspector to make an overall judgment of whether the unit should be certified or not. The overall judgment is a function of certification and not of inspection and would contravene criterion 1.3.11 if it was required of the inspector. The criterion does not prohibit the inspectors from providing an overall recommendation but does prohibit the certification body from requiring this of them. The actions in 6.7.5 are an exception based on the emergency nature of the case and the overriding need to prevent fraud.

NATURLAND: Adjust numbering of references

The CC has corrected the numbering.

6.7 Additional requirements and inspection regime for particular standards

NATURLAND: (wording change): Additional requirements and inspection regime for particular **circumstances**

The CC agrees and has amended accordingly.

These criteria apply to situations, where product is being sold as organic.

6.7.1 Full application of standards should normally mean active organic management not just absence of use of prohibited materials. Full application shall as a rule require active management.

~~6.7.2~~The IFOAM Basic Standards define organic as a management system. Certification should not occur unless this organic management system is fully in place. In order to verify this the certification body should normally not grant retrospective conversion prior to the application for certification and should require the conversion period stated in the standards to monitor the system.

NATURLAND: (wording/structural change): ... In order to verify this the certification body should normally not grant retrospective conversion prior to the application for certification and should require during? the conversion period stated in the standards to monitor the

system by regular inspection?. Full application of standards shall as a rule require active organic management not just absence of use of prohibited materials.

The CC has not followed the proposed change because it does not think that this would improve the guidance note.

6.7-~~43~~ If exceptions to the criterion 6.7-~~2-1~~ are granted it shall be on the basis of sound and incontrovertible evidence that full application of the standards has occurred for a period at least as long as the minimum conversion period specified in the IFOAM Basic Standards. Sound evidence shall, in addition to documentation, include an inspection visit prior to certification in which the existing and prior management system is evaluated. Affidavits and other documentary evidence shall not on their own be considered sufficient evidence.

NATURLAND: Adjust numbering to 6.7.2

CC: This guidance note refers to IAC 7.6.3

6.7.5-4 to 6.7.8-7 Split production and parallel production.

The criteria includes requirements for two situations that may occur in organic operations. Split production is the term used when a unit is not fully dedicated to organic production processing or handling and is also producing, processing or handling conversion or non organic produce. This is regardless of whether these are the same product or different product. If they are the same product this is termed parallel production. Parallel production is a particular form of split production. As parallel production is a higher risk situation when a product is sold as organic, specific criteria in addition to those for split production have been specified. The requirements for parallel production are in addition to those for split operations. These criteria apply to situations where product is being sold as organic.

6.7-~~7-6~~ and 6.7-~~8-7~~ In all parallel production on farms 6.7-~~7-6~~ b and c shall be required. In addition ~~5-7-7a~~6.7.6a must be enforced or - if an exception is granted to this provision - then the operator must be subject to the requirements in 6.7-~~8-7~~.

NATURLAND: Please see comment on 6.7.6 and 6.7.7 above (IAC). The guidance note does not make sense like this and has to be adjusted accordingly.

CC: Please see response to Naturland comment in the IAC commentary.

7 ~~7~~—Certification Procedures

7.1 General requirements

7.1.2.c re-evaluation is indicated in the event of changes significantly affecting the product's specification, or changes in the standards to which compliance of the product is certified, or changes in the ownership, structure or management of the supplier, if relevant, or in the case of any other information indicating that the product may no longer comply with the requirements of the certification system.

7.3 The certification process

7.3.1 This criteria requires that the current certification status (certified, conversion, non-organic) of all product or production, is stated on all forms and document used through the certification process. Where the certification body operates more than one certification program, the applicable scope should also be stated.

7.4 Certificates

~~Certificates are the final and essential results of the certification body's services. Certificates are issued for different purposes, e.g.~~

- ~~a) confirm conformity of an operation for its production or processing activities (certificates of conformity);~~
~~b) confirm conformity for a defined transaction of products, referring to specified standards. This could be other than the certifiers own standards in the case of export to regulated markets.~~

7.4.2h Transaction certificates

~~Where for logistic or other reason this is not possible at the time of issuance of the certificate, this shall be obtained and integrated into the certification body documentation within six weeks.~~

NATURLAND: Change numbering to 7.4.2 i.

The CC has corrected the numbering.

7.5 Surveillance

7.5.1 Annual means the calendar year.

7.5.2 This could be done on a case by case basis or according to the type of operation.

7.5.4 This should be at least 5%.

IOAS: The IOAS would like the CC to consider whether the number of unannounced visits could be capped. While it is agreed that these are a useful instrument for instilling consumer confidence, it is not clear that hundreds of such inspections (in the case of large CBs) are more effective than a smaller sample and organising them is an administrative burden. The reality is that most, if not all, the larger CBs do not achieve this percentage - and if achieved once, cannot maintain it.

The CC thinks that due to using a percentage the burden is relative depending on the size of the certifier. Furthermore, the CC has deleted the guidance note and incorporated the 5% requirement into the criterion (new numbering IAC 7.5.5).

SA: This should be at least 5%. If less than 5% justification should be provided for the % inspected.

The CC is unclear about what kind of justification SA is having in mind and has therefore refrained from moving away from the 5% rule.

7.5.5 This should be included in agreements or other documentation signed by the operator.

~~7.5.10 - 7.5.11 The operator shall not be allowed to release certified products resulting from such changes until the certification body has granted permission.~~

7.7 Sanctions

~~7.7.1 The certification body will make the determination of whether a violation of the regulations is minor. Minor infractions do not, by themselves, preclude the certification or continued certification of an otherwise qualified organic operator. The certification body would be free to modify the time period for correction should it believe it to be appropriate. Infractions of the standards are considered "minor" only if they do not:~~

- ~~• Compromise health or safety of workers, or~~
- ~~• Involve flagrant violation of Standards.~~

~~Typically, minor infractions result from shortcomings in record keeping. Minor infractions may be considered to be flagrant if they are not addressed within a year of being identified.~~

7.7.5 This may include immediate withdrawal by the inspector as an emergency measure especially where fraud is suspected or where this is required by law, provided this is ratified

by the certification body at the earliest possibility. The procedure for such withdrawal must be clearly documented.

7.8 Appeals

7.8.1 Appeals may be lodged by the operator subject to a decision or by a third party. However in the context of these criteria appeals refers to decisions regarding certification status. Third party statements concerning compliance of operators with the requirements may be considered complaints and dealt with under the complaints procedures.

8 Inspection and Certification for particular circumstances or scope

8.1 Certification of Wild products

8.1.1 ~~de~~ Middlemen in this context refers to agents or tribal authorities who may act as initial collection or storage points.

8.2 Approval or Certification of inputs

Certification bodies are required under the IFOAM standards to have lists of generic inputs. The criteria 8.2.1 and 8.2.3 apply to certification bodies who have produced lists of branded (proprietary) products to assist their operators in determining whether they meet the generic list. The criterion 8.2.4 and 8.2.5 are additional requirements applicable when the certification body certifies the product, allowing the operator to indicate the certification status on product, and thereby making a claim to the general public.

8.2.1e The statement should include the limitations of the approval - for example that it does not imply effectiveness of the product.

8.2.4b The inspection should verify compliance with relevant standards such as those related to separation of product, pollution resulting from the process and contamination.

8.3 Group Certification of smallholder groups

This system of certification is evolving from the need to devise a system of control and certification of small farmer groups towards a system of combined internal and external control which in situations specified in 8.3.2 appear to be more appropriate than external control alone.

~~This system of certification has evolved from the need to devise a system of control in economically disadvantaged regions that takes account of the economic realities and the risk. It should be applied only in cases where production from the individual operations is small and the organizational criteria of 8.3.2 are met.~~

8.3.2a This criterion does not limit the arrangement to farmers. Small scale processing organized collectively may also be included provided the other criteria in 8.3.2 are met. Typical production units shall not be included in the inspection arrangements for such groups and shall be inspected annually by the certification body and be individually certified.

IOAS: It is not at all clear what a "typical production unit" is.

NATURLAND: Need for clarification: We do not understand the following meaning of this sentence: .." Typical production units shall not be included...". What are typical production units? A clear definition is necessary or the sentence has to be dropped.

The CC has changed the wording of the guidance note to "atypical" and has defined the meaning of the term "atypical" in an explanatory note.

Large farming units, processing units and traders shall not be included in the inspection arrangements for such groups and shall be inspected annually by the certification body and be individually certified. Simple processing and storage units may be included

IOAS: The IOAS agrees that larger farmers should be inspected annually by the external CB but not that they necessarily be individually certified. If they are, then they will not be included in the Group certificate and therefore could be unable to market under the group name (because that name won't appear on their certificate)

The CC agrees and has amended the wording accordingly.

~~8.3.2b This does not mean that these excluded units may not be part of the structure of the group – for example be part of the cooperative. The criterion refers to the way in which they shall be treated by the certification body with respect to inspection and certification.~~

~~The criteria do not specify what “large” means as this will differ from country to country and depend on the type of production. The certification body must determine this on a case by case basis and whether to establish the limit by acreage or sales.~~

8.3.2~~ce~~ The criterion refers to the ~~two~~ factors that the size of the group should ensure - sufficient resources, transparency and impartiality. The certification body must determine whether the group is large enough to satisfy these factors.

8.3.3b The system shall include a documented management structure of the internal control system.

8.3.3c. This does not mean that those personnel responsible for the internal control must have visited the individual at least once during the year - it means they must have done so with the specific purpose of checking compliance with standards.

8.3.-6 The following are considered essential requirements, although a certification body may list additional requirements.

- There are competent personnel implementing the internal control system.
- The core documentation is complete, which includes:
 - complete farm or site maps/sketches
 - a complete list of group members
 - farm/field records
- signed member agreements
 - ~~○ yield estimates~~
- The internal inspection protocol is described & implemented.
- A monitored and documented conversion period is in place.
- A mechanism to remove non-compliant farmers from the Growers' List is in place and executed.
- There are procedures to accept new members
- Risk assessment

8.3.10:

The risk assessment identifies the critical aspects to the functioning of the group, from farm level through processing, transporting, etc. that is under responsibility of the group. The critical aspects must be addressed by the internal standards and internal control system. Risk assessment within the internal standards and internal control system must be regularly updated in relation to each other.

For further information reference is made to the IFOAM Group Certification Guidance Manual, March 2004

8.3.1412 The IFOAM Accreditation Program accepts the ISO 62 Square root approach, which is based on a simple formula ($x=\sqrt{y}$). The following table is derived from this approach. Note that these are minimum number of re-inspections. Additional inspections may be added and should be added when necessary.

<u>Minimum amount of growers to be inspected by external inspectors</u>			
<u>Number of group members</u>	<u>Normal risk factor 1</u>	<u>Medium risk risk factor 1.2</u>	<u>High risk risk factor 1.4</u>
<u>Minimum</u>	<u>10</u>	<u>12</u>	<u>14</u>
<u>50</u>	<u>10</u>	<u>12</u>	<u>14</u>
<u>100</u>	<u>10</u>	<u>12</u>	<u>14</u>
<u>200</u>	<u>14</u>	<u>17</u>	<u>20</u>
<u>500</u>	<u>22</u>	<u>27</u>	<u>31</u>
<u>1000</u>	<u>32</u>	<u>38</u>	<u>44</u>
<u>2000</u>	<u>45</u>	<u>54</u>	<u>63</u>
<u>5000</u>	<u>71</u>	<u>85</u>	<u>99</u>

Certification bodies must have written rationale for other approaches to calculating re-inspection rate.

8.3.15 The form shall include identification, name, location (at least on an area map), year of entrance into the certification system, date of last internal and external inspection, number of hectares, cash crops, and yield estimates. (from the IAC)

NATURLAND: Delete (from the IAC)

The CC agrees and has deleted the respective wording.

9 Acceptance of prior certification

9.1 General requirements for all methods of acceptance

It is not a requirement of organic certification that all elements of the production chain or that all inputs be certified by the same certification body. Feedstuffs, ingredients in multi-ingredient products, bulk food for prepacking may all have been certified by a certification body different from that determining the certification of the product at the end or in the middle of the food chain. This section of the criteria establishes the acceptable methods for the acceptance of the prior certification, and the requirements for each of these methods.

These requirements may also be applicable where a certification body operates more than one organic certification program according to different standards. In such cases, the acceptance of products certified under one program for use by operators under the IFOAM accredited program shall be subject to the criteria in so far as a document review to check compliance with the appropriate standards is necessary.

The general requirements apply to both acceptance based on recognition of a certification body and acceptance based on document review.

9.1.3 Criteria 9.2 and 9.3 establishes the requirements for permitting use by the certification body's certified operators of a product previously certified by another certification body. There is a measure of equivalency of procedures, policies and standards. This does not confer certification rights to the original operator. The criteria in 9.4 establish the requirements when an operator certified by another certification body seeks full certification and the associated rights.

NATURLAND: We feel that the following sentence in this guidance note (the CC thinks that Naturland is referring to the first sentence in this guidance note) is a clear contradiction to the IOAS guidance note from 9th December 2002 on in-house recertification: “..These requirements may also be applicable where a certification body operates more than one organic certification program according to different standards. In such cases, the acceptance of products certified under one program for use by operators under the IFOAM accredited program shall be subject to the criteria in so far as a document review to check compliance with the appropriate standards is necessary.”

It should be changed accordingly.

The CC agrees and has therefore amended the wording accordingly.

9.2 Acceptance based on recognition of a certification body

9.2.2 b Verification of equivalence shall include elements such as the requirements for:

- Chain of custody (Section 2.3.2-2.3.8)
- Contracted production (Section 2.3.9-2.3.14)
- Inspection visit procedures (Section 6.3)
- Parallel and split production (Section 6.7)
- Genetically engineered products (Section 6.7)
- Group Certification if applicable (Section 8)

9.2.4. This refers to unilateral, bilateral or multilateral contracts. In addition to the requirements listed, the contract should also contain the right to review the other party's performance; the right to have access to relevant information; regulation of confidentiality and dispute settlement provisions.

9.3.2 In conducting document review for the purposes of accepting product previously certified by another certification body (Criteria Section 9.3) all processing and handling inspection reports must be obtained and reviewed. In the case of production inspection reports (farm reports) the certification body must either obtain these reports or conduct a risk analysis. The risk analysis shall be based on the equivalence of the certification body in question and the equivalence of the relevant standards. In addition the analysis must be product specific. The results of the analysis shall determine which reports need be obtained.

ACB: Amend Guidance note to: In conducting document review for purpose of accepting product previously certified by another CB excluding all those in the register made up under 9.2. The last inspection report shall be obtained for each ingredient and a risk analysis conducted to determine if further reports must be obtained and reviewed in addition.

The CC agrees and has amended the wording accordingly.

NATURLAND: Need for clarification: Would the inspection report of a plain trader not handling the product (which is not in its final consumer package) in any way but just trading it through be required in that case or would an EU-certificate of that trader stating correct product flow and that no commingling has occurred, etc suffice? Possibly clarify in the guidance note.

The CC does not fully understand the comment and hopes that the problem is solved with the new formulation of the guidance note.

KRAV: As agreed by the ACBs in Guiglia we also propose the following Guidance Note change:

In conducting document review for the purpose of accepting product previously certified by another CB (excluding those registered under 9.2.2). The last inspection report shall be obtained for each ingredient and a risk analysis conducted to determine if further reports are needed. The risk analysis shall be based on the equivalence of the relevant standards. In addition the analysis must be product specific. The results of the analysis shall determine which inspection reports need to be obtained.

Comment: This is a slight amendment to the motion agreed in the ACB meeting but the main gist is the same. The ACB proposal required the last inspection report to always be obtained and then a risk analysis undertaken. However there may be no need to obtain the last inspection report if there is no risk that the product / ingredient is not equivalent, this is just seen as a bureaucratic and pointless exercise. In other words the risk analysis is the important function in the first instance rather than the inspection reports. If the risk analysis reveals there is any possibility that products/ ingredients are not equivalent this is the stage inspection reports become important.

Without this amend you could potentially still end up requiring hundreds of inspection reports which are not needed – e.g. a flour miller who purchases wheat direct from hundreds of farms. If a risk analysis had been undertaken and products deemed equivalent there would be no need to obtain the reports.

The CC adheres to the ACB wording because it feels that it is unlikely that a multi ingredient product might consist of hundreds of ingredients coming from non-certified producers.

~~10—Standards Development~~

~~10.1—General requirements~~

~~10.1.1 Certification bodies may use standards established and published by themselves or by other parties. However, in the case of IFOAM accreditation, it is a requirement that these standards shall meet or exceed the IFOAM Basic Standards. As a consequence, IFOAM accredited certification bodies using standards published by other parties shall have contractual arrangements with the standard setting body, in which the standard setting body agrees to make any necessary amendments to ensure continued compliance~~

~~Whether using own standards or third party standards, the standard setting procedure must comply with the requirements of section of these criteria~~

~~10.1.2 The certification body shall make standards and relevant documentation available in these languages and shall itself have sufficient personnel to conduct certification in the same manner in all languages of operation. Certification bodies shall not certify operators who are not sufficiently conversant with the languages of operation. Standards shall be presented in a way congruent with the knowledge of the operators. In the case of illiterate operators this may mean tape recordings, illustrations or other non-written forms.~~

~~10.2—Standards Review~~

~~10.2.2 This does not include changes required by law where proposals from interested parties would be of no consequence.~~

~~10.2.5 This criterion requires the certification body to have a documented “normal” period for implementation of new standards by operators. However it is recognized that a specific new or amended standard may require a longer period. If this is the case this additional period must be clearly stated and communicated in the standards themselves.~~

