

# Criteria Committee Commentary on 1<sup>st</sup> Revision Draft of the 2002 IFOAM Accreditation Criteria

## Introduction

This document compiles the responses of the CC on the stakeholder comments received on the first revision draft of the IFOAM accreditation criteria. This document comprises the first revision draft text, the comments received on the first revision draft and the responses (commentaries) of the CC to 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 norm 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 2<sup>nd</sup> revision draft of the IAC.

## 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

## General Comments on 1<sup>st</sup> Revision Draft

**SEFA:** None

**CHAODA:** We have distributed this Revision Draft of the 2002 IFOAM Accreditation Criteria to the technicians and experts of our company, who thought that the revision is very reasonable and the terminologies are more accurate. We are looking forward to the final version.

**ACB:** None. Note MFe: Changes proposed by the ACB's accepted unanimously at ACB Meeting in Guiglia, Italy.

**CHC:** We have learned carefully the first revision draft of the 2002 IFOAM Accreditation Criteria.

The standards of CHC is basically in consistence with IFOAM Basic Standards. But there is a little difference as following ; the inspection frequency is no less than annual in all certified farms and industries.

**KIAMA:** I am glad while writing the comments to your good offices that I do support the whole documents stated as per the subject in reference above and i do contend that the implementation of IFOAM Accreditation Criteria 1<sup>st</sup> revision draft 2002 ought to be supported. I also thank the criteria committee for the big work that they are doing and may God bless them. The table of content if pursued effectively there shall be success in organic movement for the economic development and initiate capital generating projects in organic farming movement for the welfare of group members and the society in the world. Thanks and may God bless.

**IOAS:** The guidance notes fulfill two different purposes: - they either provide explanations of the criteria or they provide details that are open to some flexibility. We would like the Criteria Committee to consider whether there should be some differentiation of these two types within the guidance notes themselves.

CC agrees that there are currently different types of statements in the IAC and the Guidance Notes. There are the criteria themselves and two different forms of guidance notes. Some guidance notes are flexible requirements most of them are only explanatory notes. Certification bodies are required to implement the flexible requirements unless the same effect can be shown to have been achieved by alternative methods. To improve the logic and the usability of the criteria the CC decided to incorporate the flexible requirements into main text of the criteria. These flexible requirements are still called guidance notes. The explanatory notes remain as an extra section and are named accordingly. See also amended introduction section in the second revision draft.

**IOAS:** Nowhere do the criteria specify the necessity of having an appeals mechanism and we feel that this should be clearly spelt out possibly by having a guidance note for C.1.2.2 stating that appeals is part of the granting, maintaining, extending, suspending or withdrawing of certification. We would also recommend that the CC consider whether the criteria should specify requirements on the composition of an appeals body (at present it is perfectly acceptable for

appeals to be considered by one person within an organisation which seems somewhat inconsistent with the need for the decision making body to be stakeholder based).

The CC agrees that an appeals body should be established. It also agrees that this should be committee instead of a single person. Taking into consideration the structure of the IAC the CC decided to incorporate a new criterion under 1.2.7. This criterion is accompanied by explanatory note explaining that the task of dealing with appeals can be performed either by an ad hoc body or the board.

The IOAS staff use the accreditation criteria on a daily basis - we would greatly appreciate the inclusion of an index.

The CC agrees that an index is a helpful tool. Additionally, the CC feels that references unnecessarily clutter the text of the IAC and easily become incorrect. For these reasons, the CC decided to incorporate an index that replaces the references within the IAC. Considering that the revision drafts are work in progress the CC also concluded to incorporate the index only in the final revision draft of the IAC.

**ADVICE:** None

**NASAA:** NASAA would like to congratulate IFOAM for the proposed changes outlined in the Draft IAC and Guidance Notes, in particular the changes outlined in section 9 “Acceptance of Prior Certification”, which will enable a more streamline system of reviewing the certification status of prior certification decision, whilst maintaining product integrity.

**NATURLAND:** Please try to use simple wording where possible in order to make the Criteria (or Norms in general) easier to handle for none-native speakers. References to related chapters where certain contents are determined in more detail should stay in the Criteria and not be dropped. It makes the Criteria easier to handle, especially for new ACB’s that are not so experienced with the content. Since the numbering of many requirements has changed the numbering of all references to these respective requirements has to be checked and adjusted where necessary. I have enclosed the cases with outdated numbers that I found in the text but I may have overlooked others

CC: Please see response to IOAS comment regarding references above.

**SA:** Would it be possible to have the guidance notes directly underneath the actual criteria? It would be a far easier document to use if you could do this. Perhaps have the GN in boxes or in Italics?

CC: Please see response to IOAS comment regarding guidance notes above.

**SA:** Also I find some of the language used in both the criteria and the standards difficult to understand at times! English is my language so it must be really difficult to understand for those whose English is not their first language. We are trying to Plain English a lot of our

documentation at the moment including our standards, this is a huge job but one that we think is well worth doing. Perhaps this is something that IFOAM should consider in the future?

**GROLINK:** In order to offer some simplification some criteria could be dropped completely. Unless we have very strong feelings about them, we just comment “drop” as a suggestion. That doesn’t mean that we have a big problem with the criteria, but that it doesn’t contribute much either.

**KRAV:** We are also happy to be provided with the opportunity to provide comments at this time. We appreciate and would like to extend our thanks to the committee members who have produced this first draft. KRAV welcomes many of the changes. Specific comments are made in the draft document, to provide best input and easy handling for you. Since it is the first draft, we also take the liberty of making more general comments. The general comments are provided below. In general, KRAV supports criteria which are not commented otherwise. All criteria have been reviewed.

Unfortunately we have not found time to review and comment the Guidance Notes to the same extent at this time. We will have to assume that this can be done at a later stage in the process, as we know what the criteria will look like.

***General comments***

Getting Product Acceptance to work in the IFOAM Accredited Programs is paramount. KRAV firmly believes that the issue of the troubles in Product Acceptance in the IFOAM Accredited Programs is by far the most urgent matter in this revision of the IAC. If the problems are not solved, we are convinced IFOAM Accredited certification will lose volumes quickly and IFOAM accordingly lose influence on global standard setting. The ACBs spent considerable time and effort to address this problem in Guiglia, and we believe the resulting texts are a solution. These texts have also been proposed by us in the attached document, with some amendments.

***Re-organise with a starting point in ISO65***

***Proposal:*** KRAV would like to propose that IAC is restructured so that it includes ISO 65 by reference and then adds industry specific criteria (in line with the introduction of ISO 65). This would mean a major re-structuring of the IAC, which has not been incorporated in the attached document. We would however be happy to assist in such re-structuring of the document.

***Rationale:*** Many or most ACB’s need to fulfill ISO65 (or equivalent) regardless of their IFOAM Accreditation. Surveillance is carried out on these bodies according to ISO 65 and non-compliances issued. It seems very strange that ISO 65 cannot be used as is by IFOAM – it would simplify discussions on interpretations of criteria and also clarify what the differences between ISO 65 and IFOAM really is. Also it would clarify that things set out in ISO 65 cannot be changed by IFOAM, but by procedures installed in ISO.

Inclusion of ISO65 could be done in two ways:

1. Include ISO65 by reference. Stating that fulfilment of ISO65 is the basis and whatever is in IAC is on top.
2. Include the text of ISO65 in IAC and then add the IFOAM extras.

We would prefer the second option (so as to have everything in one document), but realise there will be problems with copyright and maintenance, which leaves us with option 1 – include by reference.

We believe this change would make it clearer to non-IFOAM certifiers what the extra requirements are. Thereby it would be easier for them to see what they need to amend to their systems (if anything). Thereby the system becomes more accessible.

The CC decided not to include ISO 65 by reference. The reason is that in the course of its work the CC has already removed some ISO 65 requirements as inappropriate for the IAC. In addition the CC has received comments supporting this standpoint by specifically requesting the removal of some ISO 65 requirements.

***Make the IAC to a global organic certification norm***

*Proposal:* Ensure that IAC may be applied to other standards than those based on the IBS. As we understand it, the current language in 2.3.1 and onwards allows for certification according to other standards than those covered by the IBS. If so, it constitutes a change strongly supported by KRAV. If not, it is a change we would like to see. No particular changes have been made to the attached document.

*Rationale:* Many ACB's maintain their IFOAM accreditation because they believe the expertise in the CC and the accreditor gives them a guarantee for a high level certification scheme. The IAC as it is today allows only for IBS based standards to be used within the system (however the CC:s proposal is different). ACBs may be certifying to many other standards (private and governmental) and it is hard to understand why IAC could not be applied to for example (EEC) 2092/91 or a private standard on fisheries. Allowing for this might also facilitate harmonisation discussions.

This is not how the CC is understanding IAC 2.3.1. IAC 2.3.1 means that a certifier shall not have hidden standards. By deleting section 10 the CC unintentionally deleted the requirement 10.1.1 which explicitly refers to the IBS. It was not the intention of the CC to deviate from the current understanding that the criteria are to be considered in the context of the IFOAM norms and that the criteria are currently seen as part of IFOAM accreditation. Extending the scope of the criteria beyond IFOAM accreditation lays outside the scope of discretion of the CC. So as to clarify the issue the CC has added an amended version of IAC 10.1.1 to IAC 2.3.1.

***Add requirements on the accreditor***

*Proposal:* Include requirements on the accreditor.

A suggestion could be:

- Fulfillment of ISO Guide 61
- Fullfillment verified by a peer or widely recognized organization for such evaluations
- Accreditation and deciding staff with extensive experience fro organic production, processing and certification.
- Agreement with IFOAM allowing for performance evaluation.

The proposal is incorporated in the attached document as section 0.

*Rationale:* IOAS does a good job, but it is now strong enough to meet competition. We believe IFOAM should spell out what is required and start opening up for other accreditors to work to IAC. We believe this would create a stronger, more wide spread and more widely accepted system.

The CC feels that this issue lies outside the scope of its mandate

***Merge criteria and guidance notes wherever possible***

*Proposal:* Work through the guidance notes and include them in the criteria wherever they require something from the ACB. Replace remaining Guidance Notes with Explanatory Notes. Explanatory Notes shall not be used in the accreditation situation. Unfortunately we have not found time to perform this operation ourselves. However, we will be happy to assist in such restructuring.

*Rationale:* Guidance Notes as they are and as proposed contains requirements on the CB. They are used in the accreditation process. It is confusing that they are separated from the criteria. To the extent that they are explanatory or gives backgrounds or examples, they would be justified as explanatory notes. We feel merging Guidance Notes which contains requirements with the criteria would increase user friendliness, as all you need to consider is in one document.

CC: Please see response to IOAS comment regarding guidance notes above.

***General comment to the section on GMO***

The risk of GMO contamination is changing and in some of the sectors of the conventional area different GMO control systems are set up. In order not to lose credibility the organic sector needs to develop better criteria. Conceptually it is hard to see in what ways the proposed criteria for GMO-inspection differs from other kinds of contamination and one could consider dropping the section and incorporate in other criteria. But the need for capacity building concerning GMO control systems in the organic sector may be aided by a specific discussion on criteria for how certification bodies should develop GMO control systems. As a contribution to such a discussion we enclose in the appendix the current KRAV guidelines and risk list.

Appendices:

- GMO products – How these shall be inspected (GMO\_rutin040421eng.doc)
- Risklist of possible GMO products (gmo\_risk\_products\_english\_040421.xls)

The CC doesn't see a way to deal with this issue in the current IAC revision because KRAV is not making a specific proposal for specific changes. However, the CC would support and contribute to the discussion within either IFOAM and/or the ACBs.

***Try to move the product acceptance out of the IAC***

*Proposal:* We believe that in the long run, we propose that acceptance of prior certification could be considered an IBS issue. Acceptance of products from other certification programs using a IBS based standard should be made mandatory.

*Rationale:* Section 9 concerns itself with quality of a products of organic processing (primarily). Processing is within the scope of the IBS. What raw materials can be used in

a product should be part of the processing standards. It should be more the responsibility of the operator to ensure the organic quality of the final product.

The CC does not agree with this argument. Section 9 is much more about the quality of previous certification rather than standards. Section 9 leaves the entire decision on product acceptance to the certification body.

***To the point of mandatory acceptance***

A standard, or even more, a basic standard, is established to make possible a trade with products that meet certain requirements. Once it does, it fulfils the standard and can be used and replaced with other products meeting that same standard. That's the whole point. By allowing for additional requirements and such phenomena, IFOAM allows for actions that counter the very idea of standardisation. Not only between sets of standards but also within its own system. This problem urgently needs to be removed. Legal problems, of course, are beyond the control of IFOAM, and it is generally accepted that legislation overturns voluntary standards.

The CC feels that most of the CB's would not agree with a respective change. Furthermore, also this change would lay beyond the **mandate** of the CC.

**COOB:** Nous avons le plaisir de vous informer que nous avons aucun commentaire a fair rapport a ce document que vous nous avez envoye.

### III. IFOAM Accreditation Criteria for Bodies Certifying Organic Production and Processing

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## Introduction

~~This is the 4th edition of the Criteria, which The IFOAM Accreditation Criteria (IAC) were first approved by the General Assembly in 1992. IFOAM seeks to continually improve these criteria. Revision occurs every few years and includes opportunity for input by interested parties. The current edition was distributed for public comment on two occasions. The revision process for these Criteria is described in IFOAM Policies. Generally speaking, the IAC establishes requirements for conduct of organic certification by the certification. it may also include body, including procedures and practices of the operator that the certification body must verify.~~

In addition to these criteria, IFOAM has established Basic Standards for Organic Production and Processing. First published in 1980 and subsequently subject to continuous review, the IFOAM Basic Standards have been adopted as the basis for national, regional and international organic standards throughout the world.

The IFOAM Criteria together with the IFOAM Basic Standards establish the requirements for certification bodies seeking IFOAM accreditation. IFOAM accreditation is carried out under contract by the International Organic Accreditation Service Inc. (IOAS), a US based company. The structure of the IOAS and procedures for IFOAM accreditation are laid down in the IFOAM Accreditation Program Operating Manual published by the IOAS. More detailed policies and procedures are set down in the IOAS Quality Manual and the IOAS Policy Manual.

The criteria have been ~~strictly~~ based upon the requirements in ISO/IEC GUIDE 65:1996(E) "General requirements for bodies operating product certification systems". However, organic certification is certification of a process and not a product and this has required some adaptation. In addition these criteria include specific requirements concerning issues confronted by a certification body operating within the organic sector.

The criteria are ~~accompanied followed~~ by guidance notes which provide further explanation of the requirements. ~~Sections with corresponding guidance notes are marked with an asterisk (\*)~~. ~~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, they are provided aim 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 (Flexibility). 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.~~

**GROLINK:** The status of the guidance notes are not so clear. In order to simplify the criteria the guidance notes could be considered to be dropped altogether. We would prefer the statement above to apply to the criteria as a whole and not only to the guidance notes.

**CC:** Please see response to IOAS comment on guidance notes above in the section dealing with general comments. Please see also amended introduction section in the 2<sup>nd</sup> revision draft of the IAC.

**KRAV:** Propose to move requirement to implement according to guidance notes to 3.2.X

CC thinks that moving this sentence would limit its application to the quality system for certification only. Whereas, by placing it in the introduction it can be applied to all 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.

**GROLINK:** The paragraph above is just to be moved two paragraphs above (before The criteria are followed...) as it seems to fit much better here than later on. The later text is about the guidance, so by having the statement there is might be understood to only apply to the guidance and not to the criteria.

CC agrees and has amended the introduction accordingly.

In order to facilitate usage of the Guidance Notes, ~~Sections~~sections of the Criteria with corresponding guidance notes are marked with the note: *\*See also guidance notes.* The current version of the IAC and the guidance notes ~~can also be found~~ is located on IFOAM's website.

## Definitions

The following definitions apply within the context of these criteria:

**Acceptance of Prior Certification:** The procedure by which a certification body accepts the certification of a product by another certification body, thereby enabling the use of or further processing by the certification body's own operators.

**Accreditation:** Procedure by which an authoritative body gives a formal recognition that a body or person is competent to carry out specific tasks.

**Appeal:** Request by an operator for reconsideration of any adverse decisions made by the certification body related to its desired certification status.

**Certificate of conformity:** Document issued by a certification body, declaring that an operation is in conformity with the organic production or processing standards.

**Certification:** The procedure by which a third party gives written assurance that a clearly identified process has been methodically assessed such that adequate confidence is provided that specified products conform to specified requirements.

**Certification body:** The body that conducts organic certification.

**Certification Mark:** A certification body's sign, symbol or logo which identifies product(s) as being certified to the ~~rule~~requirements of a program operated by that certification body.

**ADVICE:** Certification Mark: A certification body's sign, symbol or logo which identifies product(s) as being certified to the requirements of an inspection and evaluation program (certification program see below) operated by that certification body. It does not express a certain quality of the product. This is done according to the assessed standards requirements.

The CC does not think that the proposed change provides more clarity and is of the opinion that certification marks indeed are a statement expressing the quality of a product.

**Certification Program:** System operated by a certification body with its own ~~rule~~requirements and procedures and management for carrying out certification of conformity

**KRAV:** Add “according to a specified standard”

**Comment:** *If “requirement” is used as a synonym to “standard”, the definition is OK. However, then the word “own” needs to be deleted. Our point is that to our understanding, a cert program is an activity where a CB awards an operator a certificate according to a[ny given] production standard, based on inspection and certification to a[ny given] set of accreditation criteria.*

CC: In this context the word “requirements” is not used as synonym for standards. It refers to standards plus other requirements (e.g. of contractual nature). The wording “its own” refers to the certification program and as the CC feels that this wording is misleading it decided to replace the it with the word defined.

**Certification Scope:** The parameters defining the certification granted including the product or product types certified, where applicable the acreage and the applicable standards and certification program.

**Chain of Custody:** The concept that all relevant steps in the production chain including the growing, handling, processing and other processes detailed in section 2.3 of these criteria, have been inspected or certified as appropriate.

**Complaint:** An objection to the policies, procedures or performance of the certification body. A complaint may also be an objection to the performance or activities of a certified party lodged with the certification body by a third party.

**Conflict of interest:** The situation where an individual's capacity for objectivity is put at risk by financial or personal interests in conflict with their interest in conducting fair and impartial inspection or certification.

**Contracted Production or Processing:** The utilization of third parties by the operator for performing specific production or processing tasks

**Conversion period:** The time between the start of the organic management and the certification of crops and/or animal husbandry as organic.

**Declaration of interest:** A declaration of personal and/or commercial interests in the organic industry made by those involved in the certification process to enable determination of an individual's objectivity.

**Dual or multiple certification:** Certification of an operation by two (dual) or more (multiple) certification bodies.

**Evaluation:** Systematic assessment based on all relevant information obtained in order to make a decision. With reference to a certification decision this includes, but is not limited to, the inspection.

**Exception:** Permission granted to an operator by a certification body to be excluded from the need- to comply with ~~normal~~ requirements of the standards. Exceptions are granted on the basis of clear criteria, with clear justification and for a limited time period only.

**Genetic Engineering:** A set of techniques from molecular biology (such as recombinant DNA) by which the genetic material of plants, animals, micro-organisms, cells and other biological units may be altered in ways or with results that could not be obtained by methods of natural reproduction or natural recombination.

**IFOAM Basic Standards:** International standards for standards of organic production and processing, established by the International Federation of Organic Agriculture Movements.

~~**Input manufacturing:** Manufacturing of production or processing inputs.~~

**Input/output reconciliation:** An audit that assesses the output of organic product against the supply of ingredients or in the case of trading operations, the volume of sales against the volume of purchases.

**Inspection Body:** Body that performs inspection services on behalf of a certification body.

**Inspection:** Visit on site to verify that the performance of an operation is in accordance with the production or processing standards.

**Inspector:** Person appointed by a certification body or by an inspection body to undertake the inspection of an operator.

**Internal Audit:** A systematic periodic review and assessment of the objectives and performance of a program that is undertaken by the certification body itself.

**IOAS:** There is a need for a definition of an internal control system

The CC agrees and incorporated a definition based on the IFOAM ICS compilation.

**License:** An agreement or contract that grants a certified operator the right to use certificates or certification marks in accordance with the rules-requirements of that program.

**Operator:** An individual or business enterprise, responsible for ensuring that products-production meets and, if applicable, continues to meet, the requirements on which the certification is based.

**Parallel Production:** Any production where the same unit is growing, breeding, handling or processing the same products both in a certified organic quality and a not certified or non-organic quality. A situation with “organic and “in conversion“ production of the same product is also parallel production.

**ICS:** Change “same products” to visually indistinguishable products.”

The CC did not follow the proposed change because the term parallel production simply refers to the same product, e.g. Carrots, that exists in two different qualities (organic and not respectively non certified organic) in a unit. Whether they are distinguishable or not is a question of how you deal with the products.

**Pre-assessment:** An inspection for the purpose of assessment, that is not intended to result in a certification decision.

**Precedent:** A certification decision concerning a new situation or set of circumstances that may serve to guide future decisions.

~~**Product Category:** A type of production defined in certification scope, such as crop production, input manufacturing, or aquaculture.~~

**Quality System:** Documented procedures which are established, implemented, and periodically audited to assure that production, handling, management, certification, accreditation and other systems meet specified requirements and outcomes by following standardized protocols.

**Sanctions:** Measures taken against ~~certified~~ operators who have failed to comply with the standards or other requirements of the certification body.

**Smallholder Group:** An organized group of small-scale producers with similar farming and production systems. The criteria in section 78.3 apply only to such groups when the certification applies to the group as a whole and when special inspection arrangements have been applied.

**Split Production:** Production, breeding, handling or processing of conventional, in conversion and/or organic in the same unit.

**Surveillance:** The measures undertaken to provide ongoing monitoring of an operator's compliance with standards and certification requirements.

**Traceback audits:** An audit to verify that a product or its ingredients may be traced back to the original suppliers.

**Transaction Certificate:** Document issued by a certification body or by the operator, declaring that the specified lot or consignment of goods is derived from production that has been certified.

**Violation:** Infringement by a licensed operator against the standards, certification procedures or contractual obligations to the certification body

-.

**KRAV:** Add new section

## 0 Requirements for the accreditor

0.1 The accreditor used for assessing the certification body in relation to these criteria shall fulfil ISO Guide 61 [ISO 17011(?)].

0.2 The fulfilment shall be verified by a peer or by a widely recognised organization for such verifications.

0.3 Assessing and decision making staff shall have extensive experience from organic production, processing and certification.

0.4 Shall sign an agreement with IFOAM. The agreement shall allow for IFOAM's performance evaluations of the accreditor and the accreditors right to license out the IFOAM Seal.

*Comment: See also our general comments*

Please see CC reply to respective general comment by KRAV above.

## 1 Structure

### 1.1 General Requirements

1.1.1 The certification body shall have a documented and effective structure and organization that ~~provides fosters~~ confidence in its certification ~~results~~.

1.1.2 The certification body shall have documents which demonstrate ~~that~~ it is a legal entity.

1.1.3 The certification body shall identify the management (~~committee, group or person~~) which shall have overall responsibility for all of the following:

- a. performance of ~~testing~~, inspection, evaluation and certification as defined in the ~~these Guide~~ ~~criteria~~,
- b. formulation of policy matters relating to the operation of the certification body,
- c. decisions on certification,
- d. supervision of the implementation of its policies,
- e. supervision of the finances of the body,
- f. delegation of authority to committees or individuals as required to undertake defined activities on its behalf,
- g. technical basis for granting certification.

**IOAS:** This criterion implies, particularly with the deletion of the bracket, that such management could like with the Board of Directors. However, the IOAS feels that it is the management that is the key word here and although overall responsibility always resides with the governing body, the management can be designated. We feel that this should be clarified either in the criterion itself or in a guidance note.

The CC agrees and has developed a clarifying explanatory note.

### 1.2 Responsibility

1.2.1 The certification body shall take full responsibility for all activities operated or sub-contracted out and maintain its responsibility for granting, maintaining, extending, suspending or withdrawing certification.

1.2.2 The certification body shall not delegate authority for granting, maintaining, extending, suspending or withdrawing certification to an outside person or body. *\*See also guidance notes*

**GROLINK:** There is repetition, this is also stated in 1.4.14

*Further comment: under certification transference section we introduce some concepts which are actually partly contradicting this criteria, which means that we are not in favour of it as written. See argumentation under that section.*

The CC agrees and has deleted IAC 1.4.14.

**KRAV:** Add after body “However, in the situation of sub-contracted inspection, the certification body may delegate authority to temporarily de-certify according to its standards and/or contract with the operator.”

*Rationale: In some certifiers, inspectors are authorized to temporarily de-certify an operator under certain conditions. This practice can be useful if the CB wishes to be able to respond without delay to obvious neglect of its standards and where products are about to be distributed. This mechanism must also be transferable.*

The CC regards this as an issue of IAC 7.7.5 and has addressed this by amending the guidance note of IAC 7.7.5.

1.2.3 ~~The certification body shall have a documented description of its administration, including officers and responsibility.~~ The certification body shall ~~define document~~ clear lines of authority and responsibility and the accountability of ~~staff personnel, officers~~ and committees.

1.2.4 The Governing Board shall remain responsible for certification decisions but may delegate authority for taking certification decisions to one or more certification committees.

**KRAV:** Add “or individuals” after “committees”

CC: Please see comment on IAC 1.2.6

1.2.5 ~~When activities are delegated to committees, such e~~Committees shall have clear responsibilities and rules of procedures.

1.2.6 Where decisions are further delegated to individual certification officers, the certification body shall have reporting and review procedures that enables the ~~Board~~Governing Board or the certification committee to exercise control over and responsibility for such decisions.

**KRAV:** 1.2.4 and 1.2.6 taken together makes a strange result. It seems the Board is not allowed to delegate directly to an individual – there needs to be a certification committee in between. For no obvious reason as far as we can see.

The CC feels that the word “further” in IAC 1.2.6 has created the confusion.

Following the KRAV proposal to include “individuals” in 1.2.4 would only create the opposite confusion suggesting that a certifier cannot have a two tier system of delegation (Governing Board or Committee). So as to clarify this, the CC deleted the word “further” in 1.2.6 and drafted an explanatory note to IAC 1.2.4 to allow for either situation. Furthermore, so as to better structure this section the CC has moved IAC 1.2.6. The new numbering is now IAC 1.2.5.

### **1.3 Impartiality and Objectivity**

1.3.1 The certification body shall have structures and procedures to enable it to be free to operate without undue influence from vested interests.

1.3.2 The certification body shall be impartial. Inspection and certification shall be based on an objective assessment of relevant factors, following documented procedures.

1.3.3 The certification body structure shall enable the participation of all parties significantly affected by the principles and policies, ~~principles and functioning~~ of the certification system, in their development. \* See also guidance notes

1.3.4 The certification body shall not provide any product or service which could compromise the confidentiality, objectivity or impartiality of its certification process ~~and decision making~~, unless these product/service and certification programs are clearly separated in a manner that ensures that such compromise cannot occur.

1.3.5 The certification body shall not engage in the marketing of certified products or promotion of individual products and shall have a procedure for responding to product inquiries from the trade or consumers. The procedure shall ensure an equal treatment for all certified product. The certification body shall not solicit individual applications based on the needs of individual buyers. *\* See also guidance notes*

**IOAS:** Change 'equal treatment of certified product' to 'equal treatment of operators'.

**GROLINK/KRAV:** Change 1<sup>st</sup> and 2<sup>nd</sup> sentence to "The certification body shall not engage in the marketing of certified products or promotion of individual products and shall have a **policy and if relevant** procedures for responding to product inquiries from the trade or consumers. The **policy** shall ensure an equal treatment for all certified product."

*Comment GROLINK: some certifiers have as a policy to not do anything with such inquiries, and therefore they have a policy but no procedures. An alternative is to scrap everything except for the first part of the first sentence, that could save quite some problems.*

*Comment KRAV: However – perhaps review language in this criterion or at least in second sentence; the Criteria are for certifying production and processing, not for products.*

CC has amended the wording of 1.3.5. It feels that the new wording addresses all three comments. Furthermore, the CC has developed an explanatory note to clarify when a procedure is actually appropriate.

1.3.6 Certification bodies shall ensure that activities of related bodies do not affect the confidentiality, objectivity and impartiality of its certifications. *\*See also guidance notes*

1.3.7 The body making or ratifying certification decisions shall be free from any commercial, financial and other pressures that might influence decisions; ~~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.~~  
*Remark: Deleted part moved to guidance notes \* See guidance notes*

~~1.3.8 Payment of inspection fees and expenses shall be made through the certification body or contracted inspection body and not directly to the inspector by the operator.\*~~

~~1.3.9 The fee structure shall be such that a decision to not grant certification does not result in unreimbursed costs to the certification body~~

1.3.8 Fee structures and other issues related to payment should not compromise objectivity.  
*\*See also guidance notes.*

**IOAS:** Replace "should" with "shall".

The CC agrees and has amended accordingly. Furthermore, following a respective comment by the IOAS the CC has also amended the guidance note to IAC 1.3.8.

1.3.9 The certification body or its personnel shall not accept a substantial gift or favor. \*See also guidance notes

~~1.3.10 The certification body shall have procedures for appeals and complaints. See section 3.5 and 7.8.\*~~

#### **Division of function**

1.3.~~118~~**10** The certification body shall have clear division of the functions of inspection, certification and appeals.

1.3.~~129~~**11** Persons responsible for a decision that is being appealed may not be involved in the decision on that appeal. *\*See also guidance notes*

~~1.3.1310 The certification body shall ensure that each decision on certification is taken by person(s) different from those who carried out the inspection.~~

~~1.3.14 1112 Where pre-assessment of production to identify areas of nonconformity is performed as an optional fee paying part of the certification process, different personnel shall carry out the inspection and the pre-assessment.~~

#### **GROLINK/KRAV: Delete**

*Comment GROLINK/KRAV: There is a lack of understanding of terminology here. Some certifiers know that for certain types of production there will never be the possibility to certify already after the initial visit. They may prefer to call that a “pre-assessment” to clarify for the operator that there is no chance that they will get certified. Others just make the same thing but it is called “inspection” – but they also keep the door open for immediate certification. By making special criteria for pre assessment there is a risk that the certifiers that run a more transparent and credible system actually are penalised for this and the others that make the same, but call it inspection, is not penalised. Even if the terminology is clear it is hard to understand the rationale for asking for different inspectors. If this is seen as consultancy, it is not allowed anyway under the criteria. If it is not consultancy – what is then the problem? Also there is a big problem with competence. These kind of pre-assessments are most likely to take place in special situations, new areas etc. In those situations there is not likely to be two inspectors with the right competence.*

The CC has deleted the criterion. However, the CC feels that there is still potential for problems resulting from pre-assessment activities and has therefore inserted a new criterion in the following section.

#### **Consulting and advising**

1.3.~~1512~~**123** Certification bodies shall not provide consultancy services to operators.

1.3.~~163~~**14** Specific advice given ~~by inspectors~~ to operators shall be limited to explanations of the standards or certification requirements. This information shall not be offered for additional fees and shall not prescribe solutions.

1.3.~~17 415~~ Certification bodies may provide general information (~~training, newsletters, seminars, advice concerning regulatory requirements etc.~~) for additional fees, provided that this service shall be offered to all certified operators in a nondiscriminatory manner. *\*See also guidance notes .*

#### **Conflicts of interest of individuals**

1.3.~~158~~**16** ~~The CB shall ensure that a~~ declaration of interest is updated annually by ~~the Board Governing Board and~~ all persons involved in certification, inspection and appeals and shall be on file ~~at the certification body's (or inspection body's) office~~. Such declarations

shall take into account both direct and indirect interests and the certification body shall review decide on what constitutes a conflict. \*\*See also guidance notes

**IOAS:** The language is unclear - please clarify who this refers to and that the Governing Board is not responsible for the updating.

The CC agrees and has amended wording to provide more clarity.

1.3.~~469~~<sup>17</sup> All persons with a conflict of interest shall be excluded from work, discussion and decisions in all stages of the certification process related to the potential conflict. The exclusion of such persons should be recorded in minutes or other records. \*\*See also guidance notes

1.3.~~270~~<sup>18</sup> The certification body shall require persons engaged in inspection or certification to agree in writing to abstain from participating in work ~~fe~~regarding-operators with whom they have personal relations or ~~to~~ those with whom they have had business relationships (either trade or advisory) in the past two years. The certification body shall require persons engaged in inspection to report on any new interests regarding the operation for a period of one year after the inspection. The certification body shall determine whether the new relations may have affected the impartiality of any work submitted by inspectors or certification personnel. \*See also guidance notes

## 1.4 Resources

**KRAV:** KRAV believes these criteria (1.4.1 and 1.4.2) are all important and relevant and should definitely remain in the IAC. However, it may be difficult for certifiers as well as accreditors to understand what the limits really are. What is (for example) sufficient financial stability? It is obviously important to guarantee the CB's independence, but what is it? If the CC can provide clarification or seek advice on this, it would be appreciated.

ICS: 1.4.1, 1.4.2 – How are these criteria to be assessed? We request that guidance notes be added.

Regarding above comments the CC concluded that it is up to the accreditor to determine the specific indicators of financial instability. Furthermore, it is the understanding of the CC that the accreditor does not de-accredit merely based on the financial instability without additional evidence that the financial instability is leading to serious non-compliances with the criteria.

### Financial resources

1.4.1 The certification body shall have the financial stability and resources required for the operation of a certification system.

1.4.2 The certification body shall make adequate provision to cover liabilities which may arise from its operational activities.

**GROLINK:** Delete

*Comment: This is creating a lot of problems. It may be theoretically important and relevant, but in reality it is not, In addition it is difficult to get it and it increases the costs for all parties.*

The CC recognizes that in some situations compliance with this criterion is onerous and/or unnecessary. But it also feels that in other situations compliance is necessary to ensure financial stability. Therefore, the CC has deleted the criterion and addressed the issue in a new guidance note to IAC 1.4.1.

### Personnel resources

1.4.3 The certification body personnel shall ~~employ or contract a sufficient number of personnel who~~ have the necessary education, training, technical knowledge and experience for performing functions relating to the type, range and volume of work performed.

**IOAS:** The phrase “sufficient number of personnel” should be reinserted in the criteria - otherwise the criterion fails to address the issue of capacity which is not dealt with elsewhere.

The CC feels that the term “volume” covers the issue of the presence of a sufficient number of personnel. Furthermore, IAC 1.4.1 demands that the certification body not only has the financial stability but also the necessary resources, required for its operation. This also covers the issue of a sufficient number of personnel.

**GROLINK:** Drop, implicit in 1.4.1

The CC feels that it is important to maintain 1.4.3 as this criterion is more specific than 1.4.1 and therefore provides additional clarity.

1.4.4 ~~The certification body shall have documented recruitment requirements for senior staff and inspectors regarding necessary education, training, technical knowledge and experience in organic agriculture and/or processing. In the case of For inspectors- T~~the certification body shall specify the type of inspections for which thean inspector ~~has been~~may be employed based on ~~these factors~~1.4.3.

**IOAS:** Suggest that this refers to inspector "assignment" rather than "employment".

**GROLINK:** Drop or move to guidance

**KRAV:** It seems to us that 1.4.4 is superfluous if you also consider 1.4.3 and 1.4.5. Unless the criterion is aimed at sub-contracted inspectors who are not considered personnel. If so, this should be clarified.

The CC doesn't feel that this requirement is superfluous because even though a certification body might have the appropriate personnel it might not be assigned with tasks according to its qualifications. Taking all three comments into account the CC decided to replace IAC 1.4.4 with a guidance note to new 1.4.2 (former 1.4.3).

1.4.5 Personnel shall have ~~available clear~~ job descriptions describing their duties and responsibilities.

1.4.6 Personnel shall have ~~the competence and up-to-date,~~ documented work instructions to enable them to perform their ~~various~~ functions.

**GROLINK/KRAV:** Drop. There are already mentioned in a lot of places various procedures that can serve as work instructions. This statement is not qualified and could be a call for that all work that is done has to be done according to written work instructions.

**GROLINK:** Don't think anybody likes to work in such a work place.....

The CC agrees to this comment and has changed the wording into a qualified statement. Furthermore, the CC has clarified in an explanatory note that also procedures can serve as work instructions (New numbering: 1.4.4).

1.4.7 The body ~~or committee~~ responsible for ~~making~~ certification decisions shall ensure that all certification decisions are based on competence in all areas for which certification is granted. ~~\*\*See also guidance notes.~~

1.4.8 The certification body shall require all personnel<sub>s</sub> involved in the certification process to sign a contract or other document by which they commit themselves to the rules and procedures of the certification body.

~~1.4.9 Records of the qualifications, training and performance reviews of all personnel shall be maintained by the certification body in accordance with the requirements in 5.4.6.~~

**IOAS:** There is an incorrect reference - should be 5.4.5

**GROLINK:** Drop. In addition the reference seems to be wrong.

The CC decided to maintain an amended version of this criterion. It feels the criterion is necessary to make sure that the certification body is able to show that it meets various criteria in the IAC (e.g. new 1.4.2 and 1.4.8). The reference was deleted. (New numbering: 1.4.7)

### Training

1.4.109 The certification body shall have a documented training policy, including initial and ongoing training, for all personnel<sub>s</sub> including, ~~both employed and contracted~~ ~~contracted inspectors~~, and committee members, ~~that is~~ sufficient to ensure continued competence.

**IOAS:** Leaving "contracted" in the text when "employed" has been removed, could prove confusing. Suggest that it just be "including inspectors"

The CC wants to make sure that subcontracted inspectors are subject to this criterion. They are not like employed inspectors covered by the term "all personnel".

**GROLINK/KRAV:** Change to - The certification body shall ensure that all personnel, including contracted inspectors, and committee members are trained sufficiently to ensure continued competence.

The CC understands that this comment is based on the rationale that training should only be required when necessary. However, a policy can be written to fulfill this aim. The CC does not agree with the proposed amendment because without a policy training could easily drop entirely from agenda of the certification body. It would become very difficult for the accreditor to prove that incompetencies result from the lack of training. (New numbering: 1.4.8)

~~1.4.10-11~~ The certification body shall ensure that ~~prior to before~~ undertaking inspection, new inspectors have ~~at least~~ successfully completed a training course in inspection of organic operations and undergone a defined on-site apprenticeship period.

### Personnel records

~~1.4.11 Records of the qualifications, training and performance reviews of all personnel shall be maintained by the certification body in accordance with the requirements in 5.4.6. Remark: Moved to 1.4.9~~

### Subcontractors

1.4.12 The integrity, competence and transparency of any sub-contracted components of the certification system remain the responsibility of the certification body.

1.4.13 When a certification body subcontracts work related to certification to an external body, or person, an agreement covering the arrangements shall be drawn up. This shall include the requirement to comply with all relevant aspects of these criteria.

1.4.14 The certification decision shall not be subcontracted. *\*\*See also guidance notes IOAS/ICS/NATURLAND: Guidance note at 1.4.14 actually pertains to 1.4.15 – therefore there is no guidance note. GROLINK: See earlier comment KRAV: Add “However, see also 1.2.2” after “subcontracted”.*

The CC has deleted this criterion because it is a repetition of 1.2.1. Please see also CC responses to comments on IAC 1.2.2

1.4.15 The certification body shall ensure that operators are informed of subcontracting arrangements prior to application.

IOAS: Feel that this could be deleted.

GROLINK: Delete

*Comment: Difficult to see the need for this. What is the rationale? This doesn't work in reality. E.g. a certifier that use sub-contracted labs or even inspectors should not be required to inform operators prior to application.*

CC agrees and has deleted this criterion.

~~1.4.16 The certification body shall apply the requirements in 1.4.12 to 1.4.15 above when it uses, for granting its own certification, work performed by another certification body. Specific criteria for such cases are set down in section 9 of this document.\*~~

## 2 Accessibility and Scope

### 2.1 Nondiscrimination

2.1.1 The policies and procedures which govern the operation of the certification body shall be non-discriminatory. ~~The administration of those policies and procedures shall not discriminate in any way against particular applicants~~

### 2.2 Access to Services

2.2.1 The certification body shall make its services accessible for all applicants whose activities fall within its declared field of application. Certification requirements, inspections and decisions shall be confined to the scope of the certification being granted.

2.2.2 Access to certification shall not be conditional upon the size of the supplier or membership of any association or group, nor shall certification be conditional upon the number of certificates already issued by the certification body.

2.2.3 The fee structure shall be standardized and available on request.

2.2.4 The certification body shall state under its declared field of application, those languages in which it operates.

GROLINK: Drop

The CC agrees and feels that the concern of this criterion is that a certification body may exceed its language capacities and that this issue is better covered in IAC 6.2.2. Please see also CC response to comment on IAC 6.2.2

## 2.3 Certification scope

2.3.1 Organic certification shall be granted solely on the basis of conformity with specified published standards. The standards used by the certification body shall cover all production systems or product categories certified.

**KRAV:** Please see also our general comments.

The CC has amended this criterion. See also CC response to general KRAV comment regarding global certification norm

### Certification Scope and the chain of custody

2.3.2 The certification body shall not issue any license to affix its mark on or issue any certificate for any product unless it is assured of the chain of custody of the product to the ate point of certification. Where steps in the production chain have been certified by other certification bodies, the criteria in section 9 shall be applied. *\*\*See also guidance notes*

**IOAS:** The first sentence doesn't read well – should it not be "...issue any license or affix its mark to or issue any certificate...."

**NATURLAND:** (wording change in 1<sup>st</sup> sentence): ... custody of the product to the point of certification of initial production.

The CC has not adopted the proposed changes because it feels that these proposals do not reflect the intent of this criterion. The CC has changed the language in a way that clarifies the intent of this criterion.

2.3.3 Any entity in the chain of custody that has produced, processed, packaged ~~or affixed a label referring to the organic production method to a product an organic product~~ shall have been certified. ~~Sube~~Contracted production (see below) shall have been inspected. *\* See guidance notes*

**IOAS:** Insert "or" between "processed" and "packaged"

The CC agrees and has amended the criterion accordingly.

**NASAA:** (wording change) "Any entity in the chain of custody that has produced, processed, packaged an organic product shall be certified. Contracted production (see below) shall be inspected."

The CC did not adopt the proposed amendments because they would mean that the certifier is required to undertake these certifications. Actually, some of these might have happened prior in the chain of custody. The criterion is therefore formulated in the past tense.

~~2.3.4 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. moved to 2.3.3 guidance notes.~~

~~2.3.5 Any entity that has previously sold the product shall have been certified except when the product had been received packaged for final consumer use.\*~~

2.3.46 Certification bodies shall conduct a risk assessment to determine the necessity for, or frequency of, inspection of all storage facilities including port facilities. Where this reveals a need for inspection to protect organic integrity, inspection shall be done. *\*See also guidance notes*

2.3.57 The certification body shall require that the party owning the product at the point of transport be responsible for maintaining the organic integrity in the transport process, unless transport operations are certified in their own capacity.

~~2.3.8 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.~~  
Remark: Moved to guidance note 2.3.3

**Certification scope and contracted production or processing** *\*See also guidance notes*

2.3.9 The certification body shall have policies and procedures for regulating contracted production or processing, where the contracted party is not required to be certified in their own right. A certification body may not issue a certificate of any type to the contracted operator. \*

**ICS:** At the end of this statement, add, "...unless the contracted operation applies for certification in its own right."

(New numbering 2.3.6) The CC agrees with the intent of the proposed change and has addressed this by adding an explanatory note to IAC 2.3.7 (former 2.3.10).

2.3.10 The policy shall prescribe the circumstances where the contracted party is not required to be ~~themselvesitself~~ certified ~~itself~~. This shall preclude the contracted party from marketing certified products ~~themselvesitself~~ and require ~~the manufacturing process~~, the raw materials supply, and the sales to be under the control of the certified licensee. This shall normally mean that the contracted party does not take title of the product. \*

**NASAA:** Change in 2<sup>nd</sup> sentence: This shall preclude the contracted party from marketing certified products itself and require the raw materials supply, and the sales to be under the control of the certified operator.

The CC has improved the language of this criterion.

2.3.11 The contracted party shall be inspected at least annually according to the certification body's normal inspection procedures.;

**GROLINK:** Drop or amend "Contracted parties shall be inspected as part of the operation of the certified operator."

**Comment:** note that this is contradicting the group certification criteria.

The CC concluded that if the contracted parties qualify for group certification then the criteria for group certification apply. If they don't qualify for group certification (e.g. if the contracted party is a single processor or if the group does not meet the group criteria) then these criteria may be used.

**KRAV:** Change to "The contracted party shall be inspected before the first use by a certified operator. Subsequent inspections shall be made at a frequency determined on a case by case risk assessment of the contracted party.

The CC has amended the language of this criterion and feels that this amendment addresses both the changes proposed by GROLINK and KRAV.

2.3.12 The certification body shall require that the certified operator shall be held fully responsible for the contracted production or processing and be subject to sanctions in the event of noncompliance of the contracted parties.;

*\*See also guidance notes*

2.3.13 The certification body shall require that the contracted party have a contractual relationship with the certification body that includes clauses regarding compliance to the standards, obligation to provide information, and access to the certification body. This may either be achieved through a direct contract between the parties or by an agreement between the operator and the contracted party in which the contracted party binds itself directly to the certification body. *\*See also guidance notes*

2.3.14 The certification body shall require that each contracted party has the current version of the applicable standards and a general description of the certification program. *\**  
**IOAS:** It would be preferable that operators *understand* current standards requirements rather than focus on whether they have a copy of the relevant standard.

The CC agrees and has amended the wording accordingly.

### 3 Quality System for Certification

**GROLINK:** We are of the opinion that 3.1. and 3.2. can be skipped altogether. The practical experiences of organisations with such quality policy and quality systems are not convincing. Obviously the theories behind are OK, it is just that most of these things de facto only becomes papers with little relevance. Most quality policies we have seen are of little value for how the certification is performed. In addition it is very difficult for certifiers to work it out without external assistance, which costs them (and their clients) a lot. The big risk is that they spend more time on drafting the documents than doing their job, in which case the net effect is negative.

The CC feels that there is a need for a quality policy and a quality system because both mechanisms support the certifier in doing a good job. The quality policy defines the objectives in regard to quality and is the base from which the quality system derives. The quality system is the tool to achieve the objectives laid down in the policy. The quality policy can be a simple statement and does therefore not necessarily consume extensive resources. So as to clarify these points the CC has amended both sections and has developed an additional explanatory note to IAC 3.1.1

#### 3.1 Quality Policy

**KRAV:** 3.1 might be redundant. If the very term “quality” is not well defined by either IFOAM or the certifier, these two criteria are really only words. In one sense the minimum quality of the CB’s certification service is defined by these criteria. If so, the actual function of 3.1 is covered by other criteria (e.g. 3.2)

The CC has amended the wording of IAC 3.1.1 to make clear that the certifier is required to define the term quality for its operation. See also previous comment regarding new explanatory note.

3.1.1 The management of the certification body having executive responsibility for quality systems shall define and document its quality policy ~~for quality~~ and its objectives for, and commitment to, quality.

3.1.2 The management shall ensure that this policy is understood, implemented and maintained at all levels of the organization.

### 3.2 Quality System

3.2.1 The certification body shall operate an effective quality system in accordance with the relevant elements of these criteria and appropriate for the type, range and volume of work performed. This quality system shall be documented and the documentation shall be available to, and understood by, the certification body ~~staff/personnel~~. *\*\*See also guidance notes*

~~3.2.2 The certification body shall ensure effective implementation of the documented quality system, procedures and instructions. Certification bodies shall demonstrate a high degree of competency and consistency in the practical application of their policies and procedures.~~

**KRAV:** Insert new 3.2.2: 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.

*Comment: If the Guidance Notes are mandatory in any way, it should be clearly indicated in the Criteria. If the nature of the guidance notes is changed, this proposal might be superfluous.*

CC: Please see response to general comment by IOAS regarding guidance notes above.

**KRAV:** Insert new 3.2.3: The current IFOAM Accreditation Criteria are always found on the IFOAM website.

CC: A respective statement can already be found in the introduction to the norms.

3.2.3 The certification body shall designate a person having direct access to its highest executive level who, irrespective of other responsibilities, shall have defined authority for ensuring that a quality system is established, implemented and maintained in accordance with these criteria, and reporting on the performance of the quality system to the body's management for review and as a basis for improvement of the quality system.

**GROLINK:** Delete.

*Comment: this particular criteria is really redundant*

The CC has deleted this criterion and has taken up the topic again under internal audits.

~~3.2.4 The certification body shall demonstrate adequate arrangements for continuous quality improvement~~

### 3.3 Quality Manual

**GROLINK:** The latest tendencies in quality management as reflected in ISO 9001:2000, has taken a different route than the ISO 65. It is emphasising a process approach instead of a structural approach. ISO 9001:2000 has a very limited requirement for the quality manual (see 4.2.2 in ISO 9001:2000). Also the last version of ISO 17011 (for accreditors) that we have doesn't demand a quality manual. So why should a CB have to have that if accreditors don't? Iso 17011 says: The accreditation body shall operate a management system appropriate to the type, range and volume of work performed.

3.3.1 The quality system shall be documented in a ~~comprehensive Quality Manual and associated quality procedures, and the manual~~ which shall contain or refer to at least the following:

**GROLINK:** Replace quality with certification

- a) a quality policy statement;  
**GROLINK: Delete.**

The CC has deleted this criterion because it is a repetition of the former requirement to have a quality policy.

- b) a brief description of the legal status of the certification body, including the names of its owners and, if different, names of the persons who control it;  
**GROLINK: Delete.**

*Comment: Obviously this information needs to be available, but it is hard to see why it needs to be a part of a manual. If owners change or persons change you have to re-issue the manual.*

The CC has amended the leading sentence of this criterion so that instead of a quality manual now merely a quality documentation is necessary. It is the freedom of the certifier to decide how it documents its quality system.

- c) the names, qualifications, experience and terms of reference of the ~~Board~~Governing Board-of Directors, senior executive and other certification personnel, both internal and external;

**GROLINK: Delete “names, qualifications, experience and”**

*Comment: As the previous point*

Please see previous CC response

- d) an organization chart showing lines of authority, responsibility and allocation of functions stemming from the senior executive;  
e) a description of the organization of the certification body, including details of the management (committee, group or person) identified in 1.1.3;

**GROLINK: Delete “details”**

The CC agrees and has amended the criterion accordingly.

- f) the policy and procedures for conducting management reviews;  
g) administrative procedures including document control;  
h) the operational and functional duties and services pertaining to quality, so that the extent and limits of each person's responsibility are known to all concerned;

**GROLINK: Delete “pertaining to quality”**

The CC agrees and has amended the criterion accordingly.

- i) the procedure for the recruitment, selection and training of certification body personnel and monitoring of their performance;

**GROLINK: Delete “selection”**

The CC agrees and has amended the criterion accordingly.

- j) a list of its approved subcontractors and the procedures for assessing, recording and monitoring their competence;  
k) its procedures for handling nonconformities and for assuring the effectiveness of any corrective and preventive actions taken;  
l) the procedures for evaluating products and implementing the certification process, including the conditions for issue, retention and withdrawal of certification documents, and the controls over the use and application of documents employed in the certification of products;

- m) the policy and procedure for dealing with appeals and complaints;
- n) its procedures for conducting internal audits.

GROLINK: Delete

The CC agrees and has deleted the criterion because it thinks that a documentation on the different elements of an internal audits as per 3.4 rather as for a procedure.

GROLINK: It would be possible to take out quite a lot of the points above and just state that the manual shall contain or refer to all policies and procedures as required in this criteria. In that way repetition could be avoided.

### 3.4 Internal Audits

GROLINK: Change heading to Internal Review

*Comment: The newer version of ISO 9001:2000 has skipped the previous explicit requirements for Internal Audits (although one could argue that they are implied). Internal Audits is a similar thing like the Quality Policy. Something that is costing a lot to do, difficult for most people to understand, and often a quite useless exercise. Also a formal review is not something that most CBs are doing in any good way. Could surely be helpful, but then again they are reviewed by the IOAS, by their governments, by accreditors and have probably less energy to do a proper review themselves. An Internal Review and Internal Audits, properly done, could be used a a chip in the accreditation process, whereby CBs that have that in place could get a lower rate of surveillance visits in return – then it would make sense.*

Suggest dropping 3.4.1. at least and possibly also the others.

The CC decided not to delete IAC 3.4.1 because it thinks that internal audits are likely to uncover issues in addition to or different from those uncovered through external audits especially when they are carried out in the right spirit. Furthermore, the internal audit requirements are not prescriptive and therefore need not be onerous.

The CC finds it an interesting idea to use internal audits to reduce the need for external surveillance. However, the CC feels not entitled to carry out such a change of the IAC. It therefore, decided to enquire the IOAS to consider this issue.

KRAV: KRAV believes that good internal audits and reviews are key to good management and effective accreditation surveillance.

3.4.1 The certification body shall conduct periodic internal audits ~~such that covering~~ all procedures are covered in a planned and systematic manner over time, to verify that the certification system is implemented and ~~is~~ effective.

GROLINK: Replace “audits” with “review”

*Comment: normally it is the task of the review to ensure that the system is effective, and the job of the audit to ensure that it is properly implemented.*

The CC agrees but feels that this is already clarified in the Explanatory Note for IAC 3.4.1 and 3.4.2.

The certification body shall ensure that:

- a. personnel responsible for the audited functions are informed of the outcome of the audit;
- b. corrective actions are taken in a timely and appropriate manner;
- c. the results of the audit are documented. *\*\*See also guidance notes*

**KRAV:** We are not sure where to put this, but it seems the IAC as they are today require the CB to cover all procedures and all activities in a year. This is unreasonable. One point of an internal audit is that you generally know where to look for the problems. The CB should be left with the liberty to cover the whole system over a longer time as preferred by the CB, be but required to audit weak areas often.

The CC agrees and has deleted the former guidance note requiring that periodic means at least annual.

**KRAV continued:** We seem to understand the proposed 3.4.1 so that the liberty is given the CB, but there is no requirement to actively seek out weak areas. We believe there should be such a requirement, combined with the liberty.

The CC agrees to this sentiment but does not see a way to make sure that certifiers approach internal audits in the right spirit. Furthermore, the CC cannot think of a way to verify this.

3.4.2 The program's management shall review its system at defined intervals. Records of such reviews shall be maintained. *\*\*See also guidance notes*

3.4.3 The certification body shall conduct performance reviews of all personnel including employed inspectors at least annually. Records of the outcome shall be maintained. *\* See also guidance notes*

**IOAS:** All personnel would include cleaners and drivers - suggest that it is restricted to relevant personnel

The CC agrees and has amended the criterion accordingly.

3.4.4 In the case of frequently used contracted inspectors the inspector shall be given periodic feedback on performance

**IAOS:** If "employed" were omitted from 3.4.3 so that it read "including inspectors" then 3.4.4 could be removed.

CC concluded not to follow this proposal because in some countries this might cause legal problems with so called "self-employed" persons. These persons might lose their status and may be considered employees instead if they become subject to 3.4.3.

### **3.5 Complaints**

3.5.1 The certification body shall have procedures for consideration of complaints brought by operators or third parties concerning its own performance or concerning the compliance of certified operators with the standards.

**IOAS: Criterion 3.3.1m refers to policy and procedures and 3.5.1 refers only to procedures - t he two criteria need to be reconciled.**

CC: This criterion is referring to the need to deal with 2 types of complaints (by operators or third parties). Certification bodies procedures to deal with different types of complaints, not necessarily a policy for every type of complaint. Therefore, the CC decided to adhere to above wording.

3.5.2 Complaints shall be dealt with in a timely and efficient manner

3.5.3 When a complaint is resolved, a documented resolution shall be made. The complainant shall be informed of the general outcome of the complaint in a way which does not prejudice the confidentiality of the party concerned."

**KRAV:** KRAV suggests that 3.5.3 be dropped. It is time consuming for a CB to feed back complaints. It is more important for the CB to have and monitor mechanisms that traces and addresses systematic problems indicated by complaints.

The CC feels that it is intransparent not to reply to a complaint. This criterion enables complainants to contact the accreditor or regulator if the CB does not respond or responds inappropriately.

3.5.4 The certification body shall *\*See also guidance notes*

- a. keep a record of all complaints and resulting corrective actions related to certification;
- b. take appropriate subsequent action; \*
- c. document the action taken and its effectiveness. \*

**KRAV add:**

- d. maintain reporting procedures that allows for analysis of the nature of the most common complaints.
- e. if deemed relevant systematically address the problems behind the most common complaints.

The CC has not added the proposed subsection d) because it feels that the proposed requirement is partly covered by the current subsection b. Furthermore most certifiers would not receive enough complaints for such an analysis.

The CC agrees to the rationale that underlies the proposed subsection e) and has amended the current b. to address this issue.

## 4 Confidentiality provisions

**GROLINK/KRAV:** Lack of transparency is a much bigger problem than lack of confidentiality. All these rules are really written to enforce confidentiality and might be seen as an obstacle for CBs wanting to do a transparent work.

KRAV proposes the confidentiality criteria be removed.

The CC feels that there is a need for a balance between confidentiality and transparency. The CC has not removed the criteria because the absence of confidentiality requirements would seriously impair the ability of the certification body to obtain information needed for certification.

### 4.1 General

4.1.1 The certification body shall have adequate arrangements to ensure confidentiality of the information regarding specific operators obtained in the course of its certification activities at all levels of its organization, including committees, contracted bodies and individuals. *\*\*See also guidance notes*

4.1.2 This shall include the establishment of a confidentiality policy and the requirement for all personnel to sign a confidentiality agreement. This policy shall specify the type of information that is not covered by confidentiality, such as name and address, and third parties that may have access to the information such as accreditation bodies.

**GROLINK:** Add "operators" after "address"

The CC agrees and has amended the criterion accordingly.

4.1.3 Except as required in these criteria or by law, or otherwise permitted in the certifier's published ~~rule~~requirements, information gained in the course of certification activities about a particular product or supplier shall not be disclosed to a third-party without the written consent of the supplier. ~~Where the law requires information to be disclosed to a third-party, the supplier shall be informed of the information provided as permitted by the law.~~ \*\*See also guidance notes

## 5 Documentation and Document Control

### 5.1 General

5.1.1 The certification body shall document its certification system, make appropriate documents available to the public on request and demonstrate control over all documents issued.

**GROLINK:** Replace appropriate with relevant

The CC agrees and has amended the criterion accordingly.

### 5.2 Public access to information

5.2.1 The certification body shall make publicly available, through print and or electronic media, ~~up to date~~current information on the following: \* See also guidance notes

- a. information, where relevant, describing the authority under which the certification body provides its certification service ; \*\*See also guidance notes
- b. the ~~rule~~requirements and procedures, or a description of the procedures for evaluation of the inspection report and approval, continuation or extension of certification;
- c. the ~~rule~~requirements and procedures for suspension and withdrawal of certification
- d. the standards;

**GROLINK:** Add “to which certification is granted” after “standards”

The CC agrees and has amended the criterion accordingly.

- e. a description of the certification body's sources of income and clear indications of the fees charged to applicants and current licensed operators;
- f. a description of the rights and duties of applicants and suppliers of certified products, including requirements, restrictions or limitations on the use of the certification body's logo and on the ways of referring to the certification granted;
- g. procedures for handling complaints and appeals;
- h. a current list of certified operators, including name and location and the scope of the certification;

**IOAS:** The IOAS is concerned that, with the extension of group certification, the public list will not have sufficient transparency unless either a) group lists are also public or, at the very least, b) the operator list identifies which operators are actually groups.

The CC agrees and has amended the criterion accordingly.

- i. a current listing of contracted production, ~~shall also be available~~ although this may be a general list without linkage to the certified operator. — \*\*See also guidance notes

**IOAS:** Does the CC actually intend this to refer to subcontracted production or do they mean subcontracted parties? The IOAS have always interpreted this to mean a list of subcontracted operators, but we have recently been challenged on this and would appreciate clearer language.

The CC feels that this requirement refers to parties and has amended the wording accordingly.

**NASAA/NATURLAND: (i) refers to guidance notes however there are none**

The CC has deleted the reference to the guidance note.

### 5.3 Document control

5.3.1 The certification body shall maintain a documented system for the control of all documentation relating to the certification system and shall ensure that: \*See also guidance notes

a. the ~~current~~ issues of the appropriate documentation are available at relevant locations;

**IOAS, NATURLAND: Suggest that "current" is useful and should be left in**

Even though the CC thinks that the word “appropriate” actually covers the intent of the word current it has reinserted “current”.

- b. all changes of documents are covered by the correct authorization;
- c. all changes are processed in a manner which will ensure direct and speedy action;
- d. superseded documents are removed from use throughout the organization and its agencies;
- e. all affected parties are notified of changes;
- f. there is a register of all appropriate documents with the respective issue identified;
- g. there is a determination of which documents are available to the public and which are not;
- ~~h.~~ documentation clearly indicates its date of implementation. \*

### 5.4 Records

**GROLINK: Requirements for records should apply also to computerised systems.**

The CC agrees and has added an explanatory note to IAC 5.4

5.4.1 The certification body shall maintain a records system and have policies and procedures governing their management. The records shall be identified, managed and disposed of in such a way as to ensure the integrity of the process and the confidentiality of the information.

~~5.4.2 The certification body shall produce and make publicly available an annual report summarizing the certification activities of the previous year including elements such as the extent of the certification activities.~~

~~5.4.3-2 Operator files shall be up to date and contain all relevant information, including history, and product specifications. \*See also guidance notes The certification body shall have available relevant data for all certified production units, including any contracted parties and members of grower groups. Remark: Sentence moved to guidance notes.~~

~~5.4.4-3 The records shall demonstrate the way in which each certification procedure was applied, including inspection reports and outcome of imposed sanctions.~~

**NATURLAND: Please add guidance note here to explain in more detail.**

**GROLINK: Maybe you could improve the language in this one. It sounds like all records are dealing with this. Also the use of “certification procedure” is not very clear.**

Taking above comments into account the CC has amended the wording to clarify the aim of this criterion, which is to ensure that a certification body demonstrates how it arrived at a decision.

~~5.4.5-4~~ Separate records shall be kept for major violations and resulting sanctions, precedents, exceptions, appeals, and complaints, in a way that enables easy retrieval of data.

~~\*\*See also guidance notes~~

**IOAS:** It is our experience that exceptions are not well understood by CBs – does this mean exceptions to their own norms but still in line with IFOAM or does it mean an exception to IFOAM norms as well.? Suggest that this is clarified in the guidance notes as well as a clarification of what is meant by easy retrieval of data.

The CC is of the opinion that the term exception refers to the standard of the certifier. The CC has amended IAC 7.2.5 (now 7.2.4) so that in the future it should be clearer that the term “exceptions” is referring to the certifiers standard.

~~5.4.6-5~~ All records shall be safely stored and held secure and in confidence to the operator, for a period not less than five years ~~or for the period stipulated in relevant governmental and regional regulations where this exceeds five years.~~ ~~\*\*See also guidance notes~~

**GROLINK:** Add - Computerised records shall regularly be backed-up

The CC agrees and has amended the criterion accordingly.

~~5.4.7-6~~ Inspection reports, certification decisions, certificates and other relevant records shall be signed by the authorized person. ~~\*\*See also guidance notes~~

~~5.4.8~~ ~~The certification body shall have a policy and procedures concerning access to these records consistent with its confidentiality requirements.~~

~~5.4.9-7~~ The record keeping system shall be transparent and enable easy retrieval of information

~~5.4.10-8~~ Operators shall have the right to have copies of inspection findings and other documentation related to the certification of their production, unless the documents are confidential (i.e. filed complaints, confidential section of inspection reports). ~~\*\*See also guidance notes~~

## 6 Application and Inspection Procedures

### 6.1 Application procedures

#### Information for applicants

6.1.1 The certification body shall ensure that each applicant or ~~re-applicant~~ certified operator has ~~at the time of application:~~

- a. a current version of the applicable standards;
- b. an adequate description of the inspection, certification and appeals procedures;
- c. a ~~contract or~~ sample copy of the contract or license agreement;

**GROLINK/KRAV:** Change to - an adequate description of the contractual conditions. Or drop completely

**KRAV Comment:** our amendment to 6.1.1.d seems more appropriate than a sample copy. Law lingo does not always do the trick to explain to people what they are about to sign.

The CC agrees to the comment and the proposal but wants to enable the certifier to choose between both options and has therefore amended the requirement appropriately.

- d. a copy of the fee schedule;

#### Application form

6.1.2 The certification body shall require completion of an official application form, signed by the applicant ~~or a duly authorized representative of the applicant~~. This shall determine at least the following information:

- a. the scope of the desired certification ~~including 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. *\*\*See also guidance notes. Remark: Deleted part moved to guidance notes*~~
- b. Sufficient information about the production system to enable appropriate assignment of the inspector and proper preparation by the inspector
- c. ~~A statement as to whether~~ If they have been denied certification by another certification body, ~~and reasons therefore and the requirement to submit information regarding actions taken to correct the deficiencies leading to the denial.~~

**NATURLAND:** 6.1.2c There should be a guidance note asking the CB to check whether these “reasons” are still relevant for application. If so the CB has to ask for actions that have been taken to correct the deficiencies.

The CC opinion is that this is self-evident and it has therefore not added a guidance note as proposed.

**GROLINK:** Add “organic” after “denied”. Could consider dropping this

The CC agreed to the proposed wording change and has amended the criterion accordingly

**KRAV:** Add “Where relevant” before “If”

*Comment: where only one organic certifier operates in a region, it seems superfluous to require signing re previous denials.*

The CC agrees to the wording change and has additionally added an explanatory note to the criterion.

#### Operator obligations

6.1.3 The certification system shall be based on written agreements and clear responsibilities with all parties involved in the chain of production of a certified product.

6.1.4 The certification body shall require ~~the operators~~ to sign statements in the application form or elsewhere, obliging them to:

- a. agree to comply with the requirements for certification including a commitment to comply with the standards, and to supply any information needed for evaluation of the production to be certified;
- b. provide the right of access to all appropriate facilities including any non-organic production in the unit, or related (by ownership or management) units in ~~the~~ proximity, to both certification and accreditation personnel. ; *\*See also guidance notes*
- c. provide access to all relevant documentation, including financial records, to both certification and accreditation personnel. \*

### Operator documentation

6.1.5 The certification body shall specify, ~~in application documentation or elsewhere,~~ the documentation to be maintained by the operator to enable verification of compliance. ~~This and shall specify which records shall be available and require that they be~~ held in a form that enables verification to take place. *\*\*See also guidance notes*

6.1.6 The certification body shall require documented procedures defining the manner of production or processing where the absence of such procedures could adversely affect the organic quality. *\*\*See also guidance notes*

**ICS comment:** CC has moved the comment to section 6.5.

6.1.7 Documents required by 6.1.5 and 6.1.6 shall be kept for a minimum of five years.

**IOAS:** Suggest that this is a detail which could be left to the certification body to determine as they see fit.

The CC has deleted this criterion because it is of the opinion that the certification bodies have most of the information in their own documentation.

## 6.2 Preparation for inspection

### Review

6.2.1 ~~Before proceeding with the evaluation,~~ the certification body shall conduct a review of the application for certification to ensure that the requirements for certification are clearly understood ~~and that the scope of certification sought is appropriate to the applicant.~~ *\*see also guidance note.*

6.2.2 In some circumstances (*e.g.* operation of multiple certification programs, international operations located in regions not usually covered by the certifier), the certification body shall assess whether it has the capability to perform the certification service with respect to the scope of the certification sought and, if applicable, the location of the applicant's operations and any special requirements such as the language used by the applicant.

**NATURLAND:** (wording/structural change): Everything after “sought” should go in a guidance note: “There may be circumstances (*e.g.* operation of multiple certification programs, international operations located in regions not usually covered by the certifier) where it is of particular interest to consider the location of the applicant's operations and any special requirements such as the language used by the applicant.”

The CC has shortened and amended the wording. The CC feels that the new wording is clearer and that therefore an explanatory note is not necessary.

6.2.3 The certification body shall provide the inspector with sufficient information to properly prepare for the inspection. ~~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.~~

*\*See also guidance notes*

### Assignment of inspector

6.2.4 ~~The certification body, or the sub-contracted inspection body shall assign personnel appropriately qualified to perform the tasks for the specific inspection. Operators shall have neither the right to choose nor to recommend inspectors.~~

6.2.5 The assignment of the inspector shall take into account any possible conflict of interest ~~in line with criterion 1.3.19.~~

6.2.6 The assignment of the inspector shall ensure that the same inspector shall as a rule not be assigned to an operator for more than 3 consecutive years and under no circumstances for more than 4 years.

**GROLINK:** Replace 3 with 4 and 4 with 5

*Comment:* Not so happy with this one. Is it supposed to primarily address corruption? If so, are there no other ways to regulate this (e.g. random inspections made by another inspector)? Think CBs should be allowed to handle this. Consider dropping.

It is the opinion of the CC that this criterion is not aiming at corruption but at achieving variance in inspector observations and is therefore a valuable requirement. However, the CC agrees to the proposed change and has amended the criterion accordingly.

6.2.7 Operators shall have neither the right to choose nor to recommend inspectors.

Operators shall have the right to be informed about the identity of the inspector before the inspection visit, and to raise objections related to any potential conflict of interest. This shall not apply to unannounced inspections.

Based on a letter received from the Japan Organic and Natural Foods Association questioning that objections related to conflict of interest can not be raised in cases of unannounced visits the CC has decided to amend the wording of the above criterion. The CC feels that also in the case of unannounced visits operators have the **right** to raise objections related to potential conflict of interest.

### 6.3 Visit procedures.

6.3.1 The management systems of the ~~applicant-operator~~ shall be evaluated against the ~~specified~~ standards and certification requirements.

6.3.2 Inspection procedure shall follow a ~~decided-specific~~ protocol to facilitate a nondiscriminatory and objective inspection procedure.

6.3.3 The routine inspection procedure shall be documented and shall at least include: ~~\*\*See also guidance notes~~

- a. assessment of production or processing system of operator by means of visits to facilities, fields, and storage units;
- b. identification and investigation of areas of risk;
- c. review of records and accounts;
- d. production/sales reconciliation on farms; and input/output reconciliation, and traceback audits in processing and handling;

**GROLINK:** Delete.

*Comment:* While this is indeed a very important component of the inspection it is also very resource demanding. Would suggest that this is moved from routine, but mentioned in a separate point that is should be done regularly.

**KRAV:** 6.3.3.d is at times very resource demanding, but never the less important.

We would offer two options for re-writing:

- either make the requirement risk based, ie require that the CB have criteria for identifying high risk operators and that these have full reconciliations every year. For other operators, less strict inspections may be allowed, or
- require that an in depth reconciliation be made every three years.

If neither of our proposals is accepted, please consider clarifying 6.3.3.d; is input/output recon required on farms as well or only on non-farming operators?

The CC agrees that fulfillment of this requirement can be an onerous task and that the proposed methods are important tools for certification. However, what and how often these tools are used also depends on the type of the certified organization. It is the opinion of the CC that on the farm level only production/sales reconciliation is necessary and that this is not necessary annually. On the processing level input/output reconciliation is an essential tool for detecting fraud and should be carried out every year. The CC has amended the wording of the criterion to reflect this opinion.

- e. interviews with responsible persons including an exit interview;
- f. verification that changes that have taken place in the standards and ~~rule~~ requirements of the certification body have been effectively implemented by the operator;
- g. residue sampling in accordance with the certification body's sampling policy;
- h. verification that previously imposed conditions have been fulfilled.

6.3.4 The inspection, including document review, shall include non organic units where there is reason for so doing. *\*See also guidance*

## 6.4 Sampling and testing *\*See also guidance notes*

6.4.1 The certification body shall have documented policies and procedures on residue testing, ~~genetic testing (see 6.7.11)~~ and other analysis that shall at least include:

NATURLAND: Don't drop the reference: "genetic testing (see 6.7.11)"

The CC concluded that maintaining the reference would create a conflict with IAC 6.7.10. IAC 6.7.10 refers to genetic test as an **option** whereas maintaining the reference in IAC 6.4.1 would impose a **requirement** to have a policy and procedures for genetic testing.

- a. indication of the cases in which samples shall be taken;
- b. the requirement that where use of a substance prohibited by the standards is suspected ~~and samples may provide corroborating evidence, then samples may shall~~ be taken for analysis; *\*See also guidance notes*

NATURLAND: Find an easier English word for corroborating.

The CC has amended the criterion accordingly

- c. the requirement that where standards set limits on residues or contamination in products, inputs or soil, analysis shall be made as appropriate;

**IOAS:** Suggest that this might have a guidance note. It is not clear what is meant as "appropriate". For example - the IFOAM BS limits the use of amounts of copper - does this mean that samples must be taken of every operator who has used copper on his ground to ensure that the limit has not been exceeded? No CB does this - but by the same token, no one seems clear as to what would be appropriate, so in effect, this criterion is ignored.

The CC is of the opinion that this criterion is not referring to limits regarding the application of inputs. The criterion refers to limits of contamination. The CC has drafted an explanatory note to clarify this intent.

- d. instructions to inspectors on sampling requirements and methods;
- e. post-sampling procedures;
- f. indication of responsibility for payment of sampling.

~~6.4.2 Analyses shall be done by competent laboratories, (accredited laboratories, where official accreditation exists).~~

## NATURLAND: Don't drop

The CC thinks that this criterion cannot be applied worldwide and therefore decided against reinserting it.

~~6.4.3 If laboratory procedures are employed, the certification body shall document the following:~~

- ~~a. the sampling protocol;~~
- ~~b. the testing procedures;~~
- ~~c. acceptable labs used to conduct such analysis.~~

## 6.5 Inspection Report

**ICS:** Additional wording should be added to this criterion, either here or in the guidance notes, that specifically requires the certification body to make the evaluation of all operator activities, rather than relying on blanket statements from the operator and having the inspector simply verify them. For example, it is inappropriate for the operator to simply state on the application that they comply with a certain requirement, and then have the inspector agree. The certifier must be able to know how the compliance is achieved. We have seen certain certification bodies whose applications and inspection reports are mere checklists that essentially prevent the certifier from being able to make any real assessment from such information. This must be avoided.

ICS submitted this statement as a comment on IAC 6.1.6. The CC thinks that the comment is placed more appropriately in this section. The CC feels that the issues raised in the comment are covered in this section, e.g. in IAC 6.5.1, 6.5.4 and 6.5.5.

6.5.1 Inspection reports shall cover relevant aspects of the ~~production~~ standards, adequately validate the information provided by the operator and indicate any non-conformities.

6.5.2 Inspection reports and written documentation shall indicate the applicable standard(s) and provide sufficiently comprehensive information for the certification body to make competent and objective decisions.

6.5.3 Inspection reports shall follow a decided format to facilitate a non-discriminatory, objective and comprehensive analysis of the production system.

6.5.4 Reports shall be designed to allow for elaboration and analysis by the inspector in cases of partial compliance or lack of clarity in the standards.

**Additional change:** The CC has decided to move the part of sentence beginning after inspector to the explanatory notes because the described cases represent only a limited number of conceivable cases.

6.5.5 ~~The r~~Reports shall contain an assessment of risk as well as the inspector's observations regarding conformity with standards. Inspectors shall be able to make recommendations regarding nonconformities but shall not be required to make an overall judgment of whether the operator should be certified. *\*\*See also guidance notes*

**IOAS:** The inspector's observations are already covered in 6.5.1

It is the CC opinion that IAC 6.5.1 is dealing with conformity whereas IAC 6.5.5 is referring to risk assessment.

**KRAV:** Add “of losing organic integrity” after “risk” in first sentence.

The CC agrees and has amended this criterion accordingly

6.5.6 The operator shall be informed of the findings of nonconformities by the inspector in the inspection report.

**IOAS:** Suggest that a guidance note accompany this criterion which makes it clear that the inspectors are merely informing of their findings, not setting the conditions.

**NASAA:** NASAA believes that “inspector” should be replaced with “Certification Committee, or Inspection Review Committee” as the Review Committee may deem that the inspectors non conformities are not correct.

Furthermore NASAA believes this is in conflict with section 1.2.2 if using contracted inspectors.

The CC has addressed both of the above comments by amending the criterion and adding an explanatory note to this criterion.

## **6.6 Record of Inspection**

6.6.1 The certification body shall require inspectors to record what occurred during the inspection visit. This shall at least include:

- a. date and duration of inspection;
- b. persons interviewed;
- c. fields and facilities visited;
- d. Type of document audits conducted (input/output; yield/sales; traceback etc).

## **6.7 Additional requirements and inspection regime for particular standards** *\* See also guidance notes*

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

The CC agrees and has amended the wording accordingly.

### **Conversion period**

6.7.1 The certification body shall verify full application of the standards for a period no less than that stated in the IFOAM Basic Standards, ~~prior to certification. Full application shall as a rule require active management. 6.7.2 Verification of full application of standards shall normally require that at least the minimum period stated in the IFOAM Basic Standards. This shall take place following the application for certification, except in the case of 6.7.3. \* See also guidance notes~~

**IOAS:** This criterion is at odds with all regulatory standards and is more or less impossible to verify. The difficulty lies with the phrase "full application of standards" which would exclude any land in a set aside scheme or that has been neglected for a period of years. The IOAS would prefer to have it removed, or at the very least, amended to something that can be verified.

The CC feels that this criterion is in line with the respective requirements of the IBS the deletion or amendment is therefore not necessary.

~~6.7.3-2~~ Inspection shall occur during the conversion period to verify compliance with standards.

6.7.4-3 Exceptions to 6.7.2-1 above shall be on the basis of indisputable documented evidence that full application of the standards has occurred. This shall be verified by inspection. **\*\*See also guidance notes**

**Split production **\*\*See also guidance notes****

6.7.5-4 ~~When split production occurs, the~~ certification program shall have additional requirements and inspection regimes ~~when split production occurs~~ to safeguard that the products are not be mixed or contaminated.

**NASAA:** ... products are not mixed or contaminated” (remove “be”)

The CC agrees and has amended this criterion accordingly.

6.7.6-5 The certification body shall require and verify by inspection:

~~a. that prohibited materials are stored in separate locations from those where organic products are handled; Remark: standards, not criteria.~~

~~b.a.~~ that the documentation regarding the production or processing and sales is well managed and makes clear distinctions between certified and not certified products;

**NASAA:** numbering incorrect and in the first point “.....certified and non certified products.” Change not to non

The CC agrees and has amended this criterion accordingly.

**NATURLAND:** Include “storage” after processing

The CC agrees and has amended this criterion accordingly.

~~e.b.~~ that the measures taken to safeguard against the risk to the organic integrity is understood at all levels of the operation.

**KRAV:** It is difficult to see why 6.7.5.a or [former] 6.7.6.a is less of a criteria than 6.7.5.b. They both require verification of organic production standards which are part of most standards. Propose you keep or drop them both. If you keep, clarify in the criterion that the requirement refers to inspection of split production (the heading is not part of criteria). If you drop, consider if other criteria on inspection need to be clarified.

The CC’s opinion is that (old) IAC 6.7.5a lays down which measures an operator has to take to prevent contamination and is therefore a standard. Old IAC 6.7.5b (now IAC 6.7.5a) lays down requirements that allow the certifier to verify the organic status.

Old IAC 6.7.5c could be either a standard or a criterion.

The CC feels that the heading is part of the criteria. However, the CC has amended the wording of the criterion to clarify that it refers to split production.

**Parallel production **\*\*See also guidance notes****

6.7.6-7 If a farm is engaged in parallel production, the certification body shall require that in addition to the requirements for split production above: **\*\*See also guidance notes**

~~a. non organic (or conversion) crops, livestock and produce and organic crops, livestock and produce are of different varieties and are visually distinguishable. Exceptions shall only be granted on a case by case basis in accordance with the requirements in 6.7.8 Remark: standards, not criteria.~~

NATURLAND: don't drop but change to: "the production of different and visually distinguishable varieties has to be verified by inspection. Where exceptions are granted this shall be in accordance with the requirements in 6.7.7." If you drop 6.7.6.a then 6.7.7. does not make sense any more and has to be dropped as well.

The CC agrees and has reinserted the deleted section.

~~b.a.~~ accurate production estimates are recorded and shall be checked against sales records;  
~~e.b.~~ the inspection includes visits to the non-organic fields and/or processing units

6.7.7.8 In cases where an exception has been granted to the requirements ~~for producers~~ in ~~"6.7.7a6a":~~\*

a. Inspections shall occur at more frequently than once a year and at critical times. This shall normally include inspections at the time of harvest or during processing. *\*See also guidance notes*  
~~b. Inspections shall occur more frequently than once a year whether scheduled or unannounced.~~

**IOAS:** 6.7.6 and 6.7.7 - These criteria have become confused. If 6.7.6a is moved to standards then the exception reference is no longer correct. Currently the criteria is allowing exceptions to production estimates - which surely cannot be what is intended.

CC: See comment below

NATURLAND: If you drop 6.7.6a then the exception in 6.7.7. cannot be related to that reference of the "new" 6.7.6.a since the exception that may be granted refers to the distinguishable varieties and not to the accurate production/sales estimates!

The CC has reinserted IAC 6.7.6 a

#### Genetically engineered products

**GROLINK:** Not sure that this section is so helpful. The GMO area needs guidance and capacity building in the organic sector. These criteria are on the one hand prescriptive on the other hand not really helping people out. Suggest that IFOAM did something similar as for the ICS for GMO contamination.

The CC agrees to comment and proposal and has informed the NMC accordingly.

6.7.9-8 Based on risk assessment The certification body shall implement a system to inspect and verify that genetically engineered organisms and their products or derivatives are not used in certified organic production and or/processing as required by the IFOAM Basic Standards.

**SA:** Should clarify that this includes organic products and ingredients plus the non-organic element of any products, additives and processing aids. Also there should be a guidance note detailing what should be included in the risk assessment.

**KRAV:** Add "of GMO contamination" after "risk assessment"

**Rationale:** *To clarify that Risk assessment in this case do not refer to health and environmental risk assessment*

The CC has developed an explanatory note addressing both of the above comments.

6.7.~~40-9~~ The certification body shall make available to operators information regarding those products, varieties, species and ingredients ~~known by the certification body to be~~ at risk of being genetically engineered.

**IAOS:** IOAS request that this criteria is removed. CBs find it impossible to keep this information up to date.

**KRAV:** Change to - The certification body shall make available to operators information regarding those products (e.g species, varieties, ingredients, inputs, processing aids) at risk of being genetically engineered. The certification body shall collect information on approved GMO:s and on field trials if possible.

**Rationale:** *If a listing of products is included in the criteria it should list all kind of products covered by the IBS. Official list of approved products are needed to do this and in the cases where information on field trials are available it should be used.*

The CC has deleted this criterion because it thinks that it is not the role of a certification body to provide this kind of information.

6.7.~~44-10~~ For ~~each of these~~ GMO contamination -risk areas, the certification body shall adopt one or more of the following measures:

- a. review of supplier's signed statements verifying that the product is not genetically engineered;

**GROLINK:** This one is not so much about "contamination" as about a product is a GMO or not. Belongs more to 6.7.8

The CC agrees but feels that the requirement should not be removed because this is one out of a number of options that can be used by the certifier and the CC would like to maintain as many options as possible. Additionally the CC has amended the leading sentence of this criterion to be more appropriate. (New numbering 6.7.9)

- b. and/or testing to defined limits;

**GROLINK:** Delete.

**Comment:** *this is hardly practical proposition*

CC: See comment above.

- c. and/or inspection of suppliers.
- d. and/or other measure(s) determined by the certifier to be more appropriate than a. through c., and as defined in the certifier's policies and procedures, consistent with this criterion

**KRAV:** Change to

6.7.10 Using the GMO contamination risk assessment the certification body shall require and check that operators shall adopt one or more of the following measures:

- a. review of supplier's valid statements verifying that the product is not genetically engineered;
- b. and/or analytical testing at critical control points using appropriate methods;
- c. and/or documentation and evaluation of suppliers GMO control systems.

d and/or other measure(s) determined by the certifier to be more appropriate than a. through c. (e.g agricultural measures at the farm level), and as defined in the certifier's policies and procedures, consistent with this criterion

**Rationale:** *The draft proposal for 6.7.10 seems to be intended to develop criteria 6.7.8 with criteria for specific measures but the proposal is not very practical. The certification body itself is not in position to develop sufficient analytical testing routines or make inspections of suppliers. Instead focus should be that the inspection body do have a system to check that operators have appropriate measures in places, depending on the risk of contamination in each case. Certification bodies could verify these systems by their own sampling and testing but that should be covered by a general criteria, not specific for GMO.a) The demand for signed statements in a. is unpractical, valid documents could be used without signature.b) The text "testing to defined limits" can be misinterpreted as the IBS do not contain any limits. The intended meaning should be "testing to defined levels", e.g. the certifier should be able to define to operators at what level of detection they are supposed to report analytical test results. To introduce such "defined levels" in the criteria at this point may be difficult and we suggest a more general text under b.c) operators do have the possibility to demand either third part control or make their own evaluation of their suppliers GMO control system. Operators should be able to show documentation to the certification body when motivated by the risk assessment.d) The draft proposal under d. is very unclear. Introducing "(e.g agricultural measures at the farm level)", gives an idea on what kind of measures this could refer to.*

The CC has adopted some of the changes proposed by KRAV into new wording for this criterion (New numbering: 7.6.9)

6.7.42—11 Where the certification body identifies substantial risk of certain crops contamination with genetically modified organisms, they shall require measures to minimize it.

**IOAS:** Should have "processing" added - it's not only relevant to crops. Also the reference to "they" is ambiguous.

CC: See below

**GROLINK:** Delete.

**Comment:** *this is a standard, even if it is phrased as a criteria. It is also hard to see why this should apply to GMOs only and not to other kinds of contamination.*

CC: See below

**KRAV:** Drop 6.7.11: This is repeating what is stated in 6.7.8 and 6.7.10 that measures has to be related to risk of contamination, but introducing the concept that when risks are substantial they only have to be minimized. That is an issue that should be covered by the IBS and in a general way, not specifically for GMO.

Following the argument of GROLINK and KRAV the CC has decided to delete this criterion.

## 7 Certification Procedures

### 7.1 General requirements

**GROLINK:** The requirements here could be included in the description of the system under 3.3 Part of it is already mentioned there anyway.

The CC wants to maintain the logic that underlies the structure of criteria document and has therefore not included these criteria under section 3.3.

7.1.1 The certification body shall specify conditions under which it grants, and the procedures for granting, certification

**GROLINK/KRAV:** could be merged with 3.3.1.1)

CC: See above

**GROLINK:** What is really meant with “conditions” in this para?

The CC has replaced “conditions” with a clearer wording.

7.1.2 The certification body shall have procedures to

- a. grant, maintain, withdraw and, if applicable/practiced, suspend certification,;
- b. extend or reduce the scope of certification,;
- c. re-evaluate the operation. \*See also guidance note, Remark: moved to guidance notes 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.

**GROLINK/KRAV:** 7.1.2c could be merged with 3.3.11

CC: See above

**IOAS:** Please reconcile 7.1.2 with 7.7.5 - suspension must be practiced in this one instance.

The CC has incorporated a new explanatory note for IAC 7.1.2a addressing this issue.

7.1.3 The documented certification policies and procedures shall include all procedural steps in processing the application, until final certification.

**GROLINK/KRAV:** Could also be merged (3.3.11)

CC: See above

**ADVICE:** The process of evaluation within the certification body is missing. If this standard should be in line with ISO 65 the processing of inspection reports may not be part of the certification process as the certification decision must be separate from any evaluation procedure (ISO 65 4.2.f). Evaluation process is evaluating the products / product groups or systems on the basis of the findings in the inspection report plus any other information such as results from analyses.

The certification decision then completes with the “4 eyes principle” the certification process by checking the plausibility of the preceding evaluation. The certifier itself

will not take any evaluation decision. If there are unclear / open findings with regard to conformity the evaluation / inspection procedure must be restarted / completed.

The CC feels that drawing the line between fact gathering and decision making is somewhat subjective. The CC does not feel bound to a **particular** ISO interpretation.

~~7.1.4 The certification body shall execute its certification activities in compliance with all its stated procedures and standards~~

**IOAS:** Would prefer that this criterion remain - it is utilised when the CB has procedures and then doesn't follow them.

The CC agrees and has reinserted this criterion.

## 7.2 Certification decisions

7.2.1 All certification decisions ~~including those concerning the maintenance of certification,~~ shall be objectively and transparent and ~~be recorded in such a way as to enable the decision to be traced back.~~

NATURLAND (wording change): "All certification decisions shall be objective and transparent and shall be recorded". Please move the deleted part to a new guidance note: „This means specifically that records shall enable each decision to be traced back”.

The CC refrained from moving the deleted part to guidance note because this issue is already addressed in IAC 5.4.3. Based on the following comment the the CC also amended the wording to be more appropriate.

~~7.2.2 Compliance with standards shall result in the issue of a certification document which provides full information on the nature and validity of the certification.~~

7.2.3 Certification decisions, including the scope, shall be recorded and clearly communicated to the operator;

**IOAS:** The IOAS feels that what actually constitutes the certification decision needs further explanation. There are CBs who maintain the certification decision is made after the initial application and inspection and in subsequent years there is only maintenance of that certification (at least for the duration of the validity of the certificate). It is not clear in the criteria whether an annual certification decision is required. Merely tying the certification decision to the results of the inspection is not satisfactory, because many operators have routine multiple inspections during the year?

The CC agrees and has amended the wording of IAC 7.2.3 (New numbering: 7.2.2) and 7.2.1 accordingly. By adding a new sentence the CC has expanded the scope of new IAC 7.2.2 beyond the certification decision. The rationale is that operators are kept informed about their certification status. Additionally, for further clarification the CC has developed an explanatory note to new IAC 7.2.2.

7.2.4 When certification is denied, withdrawn or suspended, the reasons shall be clearly stated;

7.2.5 If exceptions are granted there shall be criteria and procedures for granting exceptions. Exceptions shall be clearly limited in time and the rationale for any exception shall be properly recorded (see also 5.4.5).

7.2.6 The certification body shall have the right to impose conditions. Where conditions require corrective actions subsequent to certification, timelines shall be imposed.—  
Mechanisms for monitoring compliance with conditions ~~and restrictions~~ shall be in place.

~~7.2.7 In cases where the certification body has permitted an operator frequent recourse to substances or practices that are restricted in standards, conditions to minimize such usage shall be imposed.~~

**NATURLAND:** Why drop this requirement?

The CC referred this to the SC because it feels that the IBS establish the concept of restricted substances and that therefore the standards should regulate this issue.

~~7.2.8 When a subjective judgment is required to determine compliance these shall be based on criteria and procedures.~~

### 7.3 The certification process

7.3.1 The procedures shall ensure that: \*See also guidance notes

- a. ~~that~~ the certification status of all operators and their production and, where relevant, the scope of existing certification, ~~beis~~ indicated throughout the certification process;
- b. ~~that~~ processing of inspection reports and certification decisions shall be done in a timely manner;
- c. ~~that~~ processing of any issue related to violations of standards shall be done with highest priority.— \*

### 7.4 Certificates \*

#### Certificates of conformity

7.4.1 The certification body shall issue certificates confirming conformity of a certified operation. These shall include at least:

- a. the name and address of the operator;
- b. the name and address of the certification body;
- c. the program under which the operator is certified;
- d. the scope of the certification including reference to the applicable standards, the products or product categories, and the certification status (conversion or organic) of each.

**ICS:** Add a guidance note or additional wording in the criterion itself, such as:  
“Where only product categories are noted on the certificate, the category must be specific enough so that the buyer or another reviewing certification body can clearly verify that the operator is certified for such goods as are being sold under the certification. For example, the category “apples” is sufficient and it may not be necessary to say “Red Delicious apples” or “Granny Smith apples,” but the category “tree fruit” or “fruit” or “agricultural products” would not be specific enough.”

The CC objective in this context is to be as specific as possible. It therefore has developed an explanatory note to this criterion

- e. the date of issuance;
- f. the period of validity.

**KRAV:** Add

g. when the certification is based on IFOAM Basic Standards – the certificate shall inform the operator of its right to use the IFOAM seal.

**Comment:** *KRAV believes that one of the few ways IFOAM and the private sector have for maintaining its influence is to spread its logo/seal and thereby increasing*

*its value as a global signal of the organic quality. We believe the proposed language in the new 7.4.1.g and 7.6.4 is a good start.*

The CC is of the opinion that this should not be a certification criterion. This is rather a component of the accreditation system and adding the proposed criterion lays therefore outside of the scope of responsibility of the CC.

### Transaction certificates

7.4.2 Where the certification body issues transaction certificates itself ~~(self-declarations)~~, or provides forms for operators to issue self declared certificates, the certification body shall ensure that certificates contain sufficient information to prevent fraudulent usage. This shall at least include:

- a. the seller;
- b. the buyer;
- c. the date of delivery and/ or date of transaction
- d. the date of issuing the certificate;
- e. a clear indication of the product and the quantity and its certification status;
- f. lot numbers and other identification (marks) of the products.
- g. reference to an invoice or bill of lading if present at the time of certificate issuance;
- h. ~~an indication of~~ the certification body and the applicable standard;
- i. a statement from the operator that the product is produced according to the applicable standards. *\* See guidance notes. ~~(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.)~~ Remark: Moved to guidance notes.*

**NASAA:** First line - delete the word "itself" – not necessary

The CC agrees and has amended the criterion accordingly

7.4.3 The certification body shall take reasonable measures to verify that the information provided is correct, including verifying accumulative totals of transaction certificates issued against production estimates.

7.4.4 In the case of operator self declarations the certification body shall require that copies of issued transaction certificates be ~~retained by the operator for 5 years and be available to the CB if required.~~ Such transaction certificates shall be audited at the annual inspection.

7.4.5 Copies of all issued transaction certificates shall be stored in a manner that enables easy retrieval and audit of information on each operator.

## 7.5 Surveillance

### Frequency of scheduled inspections

**GROLINK/KRAV:** New criteria 7.5.1. The certification body may accept operators' own self-control as a component of the surveillance program according to documented policies and procedures.

**Comment GROLINK:** *The purpose of this new criteria is to introduce the idea of self-regulation by the operators as an important component, which to some extent can take over the role of the inspections. It is about time that IFOAM opens up this door. Let the CBs start and evaluate it carefully.*

**Comment KRAV:** *Just as internal audit is a very effective tool for accreditors to make their surveillance more effective, a parallel system for certifiers could improve organic certification considerably. The quality of the operators' self control could very well be allowed to affect the inspection frequency to become less than annual.*

The CC is of the opinion that this is not a requirement as it says “may” it does also not suggest replacing inspections. It is therefore not really reducing the need for inspections. The CC agrees with the sentiment and thinks that it is happening anyway but also thinks it is not possible to support the proposed approach with criteria.

**Additional change:** The CC has added a new criterion under 7.5.1

7.5.1 The certification body shall have a written policy on inspection frequency which shall require that: inspection of certified and contracted operators ~~and of subcontracted operators~~ occurs at least annually; *\*\*See also guidance notes*

**NATURLAND:** The term contracted instead of sub-contracted to me seems misleading since certified operators are also contracted by signing a producer/processor’s contract with the CB. Subcontracted is a more definite expression.

The CC has used the term “contracted” throughout the document and wants to maintain consistency of the wording.

**GROLINK:** can’t see any reason for defining annually to mean calendar year as in the guidance note.

The CC has changed the wording. The new wording does not demand annual inspections anymore.

**KRAV:** Delete “occurs at least annually” and add:

- a. the frequency and type of inspections is based on the risks in the individual operator,
- b. the risk analysis take into account any relevant threat to the organic integrity of the production and products,
- c. the average number of inspections per operator is not less than 1,00 per calendar year,
- d. that no operator is inspected less than every three years
- e. the CB install mechanisms to monitor operators to assess their risk level between very spread out inspections.

***Comment:** KRAV believes that the principle of one visit per operator per year wastes CB and operator resources. We all know that the vast majority of operators that have been with us without problems for a number of years are very unlikely to cause any major trouble in the future. We also all know that the ones that do cause us trouble are very likely to diverge from standards again within a near future. The current requirement keeps us running to operators without problems while the troublesome ones can go on making mistakes or frauds with little risk of being caught. This problem needs to be addressed. Which is why we propose the above.*

The CC agrees and has amended the criterion to reflect KRAV's comments (New numbering: 7.5.2).

7.5.2 There shall be provisions for additional ~~scheduled~~ inspections. The criteria or circumstances ~~when for scheduling~~ more than one inspection ~~annually will be scheduled per year~~ shall be documented and shall be based on risk analysis taking into account factors such as ~~the type of production;~~ the operator’s record of compliance; ~~and~~ complexity of production, and risk of non-compliance. *\*\*See also guidance notes*

7.5.3 Timing of inspections shall not be so regular as to become predictable.

### **Unannounced ~~visits inspections~~**

7.5.4 The certification body shall have a documented policy requiring unannounced ~~visits inspections that, which~~ includes the minimum number (percentage) to be carried out annually. This is in addition to the scheduled inspections ~~referred to in 7.5.1 and 7.5.2 above.~~  
*\*See also guidance notes*

**NASAA:** If the requirement for a minimum of 5% unannounced inspections is to be mandatory it should not be in the guidance notes – it should be placed in the IAC

**KRAV:** If the 5% level is mandatory, the requirement should be in the criteria, not in the Guidance Notes.

The CC agrees and has amended the criterion accordingly (New numbering 7.5.5).

7.5.5 Certification bodies shall secure the rights to conduct ~~such~~ unannounced ~~visits inspections.~~ *\*See also guidance notes*

7.5.6 Unannounced inspections shall be without forewarning.

**IOAS:** In certain areas of the world, doing an unannounced visit with no prior warning at all is proving next to impossible either for cultural or geographic reasons. The IOAS would like the CC to consider a guidance note which allows some flexibility under certain conditions.

**NATURLAND:** Since we see a contradiction with 6.3.3.e we would suggest to add a guidance note saying: “Where it is necessary to have a certain responsible person present during the visit to get legally binding information a short term notification of not more than 3 hours before the visit may be done to secure that the responsible person will be present.” The rationale is that in all countries that Naturland is operating in it is not possible to get legally binding information from employees or staff of an operation and unannounced visits without the manager or legally responsible person being present cannot take place at all. This may cause the inspection and certification body as well as the certified operators substantial losses in time and money since all these unannounced inspections will have to be repeated until the responsible person is present. This means a particular hardship for grower groups or operators in developing countries.

**GROLINK:** isn't this a little redundant? Drop

**KRAV:** Replace with - The certification body shall establish what defines “unannounced” for its various types of inspections. The definition shall address the purpose that the possible forewarning shall not be so extensive as to allow for the operator to correct substantial nonconformities.

*Comment: Unless changed, 7.5.6 creates unnecessary problems. If you inspect during a time or for the purpose of tracing treated seeds, there is no point in giving no forewarning – once the seeds are in the ground they can most often easily be detected as treated or no. If before sowing, forewarning needs to be short or review of invoices will do the trick. If the unannounced inspection concerns bookkeeping – most operators are unable to tamper with the bookkeeping just because an inspector is coming by in a few days. In the case of large processing plants, no forewarning will mean that the inspector might have to turn around more than half the times – entering the premises without the appropriate guide (which might not be there) may be illegal.*

CC has amended this criterion and feels that the amended formulation addresses all the issues raised in the comments above (New numbering 7.5.7).

7.5.7 The basis for selection of operators to be subject to ~~such unannounced~~ inspections shall be defined and include both random and targeted selection.

**IOAS, SA:** The reference should be to "unannounced" not "announced".

CC: Corrected (New numbering 7.5.8)

7.5.8 A record of unannounced ~~visitsinspections~~ shall be maintained.

**GROLINK:** Drop. Difficult to see the need for a special record for that.

**KRAV:** KRAV proposes IFOAM consider dropping 7.5.8. Records would need to be kept anyway (if nothing else to demonstrate implementation of 7.5.6 to the accreditor). No need for special requirement.

Even though this requirement might seem to be obvious the CC decided not to delete because it is aware of cases in which ACB's have failed to comply (New numbering 7.5.9).

**Notification of changes in licensee's operation and extension of scope.**

**NASAA:** "Notification of change in Operator's operation and extension" – remove the word licensee for consistency

The CC agrees and has changed the heading accordingly.

7.5.9 The certification body shall have procedures for exten~~dsienn~~g and updating certification,

**IOAS:** This is largely a repeat of 7.1.2. The IOAS is not sure what the significance of the use of the word "updating" is here and the criterion is not understood.

**GROLINK:** think this is already in 3.3.1. or else it should be there.

**KRAV:** Already in 3.3.1?

The CC agrees and has deleted this criterion.

7.5.10 The certification body shall require operators to ~~sign contracts, agreements or affidavits obliging them to~~ notify ~~it the certification body~~ of any significant changes such as modification to the products, the manufacturing process, extension of acreage, management or ownership. \*See also guidance notes

**IOAS:** "notify" should be changed to "give notification".

The CC agrees and has amended the wording accordingly.

7.5.11 The certification body shall have procedures for assessing the announced scope changes as well as procedures for re-inspection when necessary. \*See also guidance notes. ~~The operator shall not be allowed to release certified products resulting from such changes until the certification body has notified the operator accordingly.~~ Remark: Deleted sentence moved to guidance notes.

**GROLINK:** Drop. Seems like a procedure too many

The CC agrees to the argument regarding procedures but thinks that this is an important requirement and decided therefore to amend the wording rather than deleting the criterion.

## **7.6 Use of licenses, certificates and mark certification marks of conformity**

**SA:** Addition in a guidance note that: Certification marks maybe applied by a subcontracted party of a licensed operator, providing adequate control over the application of the mark can be demonstrated.

The section under 2.3.9 - 2.3.14 also needs to be reviewed as this would presently exclude the application of the logo by a subcontracted party unless the licensed operator controlled the purchase of the raw material the manufacturing and sales. In many cases all the licensed operator wants to do is subcontract the application of the logo to an operator who is licensed by another certification body.

The product would need to be on the licence of both operators (the licensed operator and the sub contracted party applying the logo)

Normal product acceptance procedures would need to be applied by the ACB

The artwork would need to be checked and approved by the ACB

The application of the logo would need to be controlled by the licensed operator and this would be inspected by the ACB.

The CC Agrees with SA and has developed new criteria 7.6.2

7.6.1 The certification body shall exercise control over the use of its licenses, certificates and ~~and marks of conformity (logo, seal)~~ certification marks, including a requirement for pre-approval of labels.

**NASAA:** “.....including a requirement for **approval of labels prior to use**”.

**GROLINK/KRAV:** Delete after “marks”

**Comment GROLINK:** *While this is quite helpful procedure for new operators, it is silly for those certified for many years. CBs are starting to drop this as a redundant bureaucracy.*

**Comment KRAV:** *Preapprovalment of labels is not necessary as a criterion. We would prefer to have the option of checking label use at inspection for operators who have been with us for a while. The handling of these things tends to use a lot of resources for little protection of organic integrity.*

The CC agrees to GROLINK and KRAV and has amended the criterion accordingly.

7.6.2 The certification body shall have documents which demonstrate its ownership or control of the certification mark, when such a mark exists.

7.6.3 The certification body shall establish ~~rule~~ requirements concerning the use of its mark certification mark or other reference to the certification. These criteria shall require that the operator only makes claims regarding certification which are consistent with the scope of the certification that has been granted.

7.6.4 Certification bodies shall actively investigate suspected cases of fraud ~~fraudulent situations of which they gain knowledge~~.

**KRAV: NEW 7.6.4-** **For certification programs based on IFOAM Basic Standards, the certification body shall offer the operator to use the IFOAM Seal for such**

production. The certification body shall have signed the appropriate contracts with IFOAM or its agents.

CC: See CC response to KRAV comment on IAC 7.4.1 (New numbering: 7.6.5)

7.6.5 Incorrect references to the certification system or misleading use of licenses, certificates or ~~markcertification mark~~s shall be dealt with by suitable remedial actions.

7.6.6 The certification body shall have documented ~~detailed~~ procedures for responding to use of its name or ~~markcertification mark~~ or certificates by uncertified parties. Such procedures shall include all steps and include the possibility of legal action.

7.6.7 The certification body shall have documented procedures for withdrawal and cancellation of contracts, certificates and certification marks.

**GROLINK:** this is already stated in other places

The CC is of the opinion that this criterion is specifically referring to certification marks, contracts and certificates whereas the other criteria are referring to the certification itself (New numbering: 7.6.8).

These procedures shall require the operator to discontinue use of ~~certificati~~ones and certification marks.

7.6.8 Certification bodies shall ensure that corrective actions related to misuse of licenses, certificates and ~~markcertification mark~~s have been effective.

## 7.7 Sanctions

**GROLINK, KRAV:** There are many words used here for non-conformity. Only violation is defined, but then it is defined as an infringement. Suggest to clean up the terminology. Use non-conformity as the overarching term,

The CC agrees that there is a need for an overarching term. The CC decided not to use “non conformity” because it might be confused with the way that certifiers use the term which sometimes implies a certain level of severity. The CC decided to use the term infringements for non-compliances with standards.

7.7.1 The certification body shall have a documented range of sanctions including measures to deal with **minor infractions** of the standards. \*See also guidance notes

7.7.2 Documented procedures for imposing ~~such measure~~sansctions shall be in place.

7.7.3 Where an **infringement**, that affects ~~the~~ organic integrity is found, the certification body shall require that the certification mark or any other indication of ~~the~~ certification is removed from the entire production run affected by the infringement concerned.

**NASAA:** “.....from the product affected by the infringement concerned” – production run applies to processing only where it may be a farm based product

The CC has amended the criterion by adding the proposed wording. The CC has not deleted the wording “entire production run” because it thinks that in the case of processing it may only be a single production run (and not the entire product) that might be concerned by the infringement.

7.7.4 Where a **serious violation** is made by the operator, the certification body shall withdraw certification from the operator for a specified period.

7.7.5 The certification body shall have procedures for immediate ~~withdrawal/suspension~~ of certification in cases where the inspector detects **manifest infringements** or **fraudulent activity**.  
*\*\*See also guidance notes*

**NASAA:** If inspectors were employee's of the certification body then this may be appropriate – however in the case of contracted inspectors, this is not applicable. There should be clear mechanisms in place to enable immediate follow up by the certification body.

The CC has not changed the criterion because it feels that this is an exemption in order to achieve the important goal of preventing fraudulent product to reach the market and has clarified the wording of the explanatory note.

7.7.6 A record of sanctions imposed shall be maintained in line with criterion **45.4.5**

**NATURLAND:** Add a reference to 5.4.4.

The CC has deleted this criterion because the requirement is covered in IAC 5.4.4

7.7.7 The reasons for sanctions must be clearly provided to the operator.

**IOAS:** "Clearly provided" does not make sense - "clearly stated" perhaps?

The CC has amended the wording.

## **7.8 Appeals**

7.8.1 The certification body shall have procedures for the consideration of appeals against its certification decisions. ~~to grant or remove certification.~~ *\*\*See also guidance notes*

7.8.2 Appeals and complaints shall be dealt with in a timely and efficient manner

**IOAS:** The reference to complaints is unnecessary as these have already been dealt with at 3.5.2

**KRAV:** Delete "and complaints"

The CC agrees and has amended the criterion accordingly.

7.8.3 When an appeal is decided, a documented resolution shall be made and forwarded to the appellants

7.8.4 The certification body shall:

a. keep a record of all appeals (see also 5.4.5);

**IOAS:** The reference to 5.4.5 and 5.4.4 are not relevant. 5.4.4 deals with the registers that a CB must keep, not what the operator must keep. Possible reference could be 6.1.5.

The CC has removed the references

b. take appropriate subsequent action;

c. document the action taken and its effectiveness

## **7.8 Complaints to certified processors and handlers**

**GROLINK:** suggest to drop the whole 7.9 and especially 7.9.2

7.9.1 The certification body shall require that the operator takes appropriate action on complaints related to the compliance with certification requirements.

**KRAV:** Replace "appropriate" with "timely and efficient"

7.9.2 The certification body shall require the operator to keep a –record of the above complaints and the corrective action taken (see also 5.4.5).

**NATURLAND:** Adjust numbering of reference to 5.4.4

**GROLINK:** Delete

**KRAV:** Change to - The certification body shall require that the operator make it possible to trace corrective actions taken to resolve the above complaints (see also 5.4.5).

The CC has deleted section 7.8 because it is its opinion that complaints regarding non-compliances can directly be addressed to the certifier.

## **7.10 Risk Reduction between certifiers**

### **Dual or multiple certification**

7.10.1 The certification body shall require operators to notify it if they are certified by other parties for the same scope. The certification body shall inquire of the former certification body if there are any issues indicating problems.

7.10.2 In cases of dual or multiple certification with the same certification scope, the certification body shall supply the other certification body (or bodies) with copies of transaction certificates or information regarding sales and inform them in event of decertification. The certification body shall request the same information from the other certification body (or bodies).

~~7.10.1 The certification body shall require the operator to notify it if operator is certified by other certification bodies for the same scope.~~

~~7.10.2 In cases of dual or multiple certification with the same certification scope, the certification body shall supply the other certification body (or bodies) with copies of transaction certificates or information regarding sales and inform them in event of decertification. The certification body shall request the same information from the other certification body (or bodies).~~

7.10.3 The certification body shall require operators to notify it of all previous certifications within the scope. The certification body shall communicate with the previous certification body to ascertain if there were any major issues.

**GROLINK:** Comment: these three (7.10.1 to 7.10.3) paras are complicated. Why not just stick to the first one and let the CBs work out their procedures.

**ICS:** 7.10.1 and 7.10.3 – It seems that these two criteria can be combined into one. We suggest adding the wording, “or require the operator submit the most recent certification decision notification issued by the other certification body.” This serves the same purpose, and may make the work of the certification bodies more efficient.

**NATURLAND:** What is the difference between those two wordings? Should be combined into one requirement.

The CC has combined 7.10.1 and 7.10.3 as proposed and believes that the new wording also is less difficult to understand..

## **7.11 Changes in certification requirements**

**NATURLAND:** Don't drop this heading; Also leave numbering of 7.11.1 and 7.11.2

**GROLINK** Comment: these two paras seem to be displaced. Lost the title?

The deletion was not intended by the CC. The CC has re-inserted the heading.

~~7.44.410.~~ The certification body shall ensure that each certified operator be notified of changes in the ~~relevant procedures~~certification requirements without unnecessary delay.

~~7.44.210.~~ The certification body shall have procedures for the verification of operators' implementation of the required changes.

**NASAA:** 7.10.4 and 7.10.5 are not applicable to section 7.10 which refers to “Risk Reduction between certifiers”. These 2 points relate to a certifier’s responsibility of notification to its operators and verification of changes implemented.

**KRAV:** the two 7.10 above seem misplaced. Perhaps move to 6.1.1 if language is adapted?

CC: See above comment regarding deletion of section heading.

**GROLINK:** Delete.

*Comment: Don't really see what “procedures” are needed. Once a standard or certification requirement is changed it should be part of the verification system to assess it. What possibly is needed is a policy about timelines for the implementation by operators.*

The CC agrees and has amended the wording of the criterion accordingly.

## 8 Inspection and Certification for particular circumstances or scope

**NASAA:** Section 8 Heading - recommend change “particular” to “specific”.

The CC agrees and has amended the heading accordingly.

### 8.1 Certification of wild products

8.1.1 If the certification body includes wild product within ~~their~~its certification scope, ~~they~~it shall have documented requirements and an inspection regime that at least requires that:

~~a. The operator managing the harvesting or gathering of the products shall be clearly identified~~

~~b.a.~~ the operator issues instructions to the collectors and any local agents (middlemen), that at least defines the area of collection and informs them about the standards and other requirements for certification;

~~e.b.~~ the collectors sign statements that they have followed the instructions;

**ICS:** Add a guidance note or in the criterion itself that such signed statements are not required when they are not appropriate, such as in cases where collectors are illiterate.

The CC has transformed this sentence into a guidance note to IAC 8.1.1a (new numbering) thereby enabling the use of other methods to achieve the same goal.

~~d.c.~~ the operator has records of all collectors, and the quantities bought from each collector;

~~e.d.~~ any middlemen be under contract to the operator; *\*\*See also guidance notes*

~~f.e.~~ the area of production be properly identified on appropriate maps, and be large and distinct enough to reduce the risk of commingling with non certified production.

~~8.1.2 The certification body shall require that the responsible operator be subject to all the normal certification requirements.~~

8.1.3 The inspection regime shall at least include:

- a. document check
- ~~g.b.~~ interviews with the collectors, or a representative sample;
- ~~h.c.~~ visit to an appropriate proportion of the certified area;
- ~~i.d.~~ visits to and interviews with an appropriate proportion of ~~any~~ middlemen;
- ~~i.e.~~ gathering of relevant information about the area of collection from interviews of landowners and other parties (environment agencies, NGOs etc.).

## **8.2 Approval or Certification of inputs** *\*\*See also guidance notes*

GROLINK. it seems to be outside the scope of the IBS to regulate this. Drop the whole section. Seems to be outside the mandate of the OGS.

The CC feels that the issue raised lays outside the scope of responsibility of CC. The CC therefore, has passed it on to the Norms Management Committee.

### **Approval systems for brand name inputs**

8.2.1 Where a certification body issues lists or in any other way approves brand name products without formal certification it shall document at least the following measures:

- a. the application procedure, including the necessary documents to be submitted by the applicant;
- b. the procedure to be followed in evaluating the products compliance with the certification body's standards;
- c. the decision making authority;
- d. the length of time for which approval is granted and the requirements for the manufacturer to report changes in composition or other relevant factors;
- e. a clear statement of the nature and guarantee of the approval which ~~statement~~ shall appear in the listing. *\*\*See also guidance notes*

8.2.2 The certification body may receive payment for its work in assessment but shall not receive any non-work related payments such as advertising endorsement payments.

8.2.3 Approval systems shall not allow for any indication of the approval on the product itself.

### **Certification of brand name inputs**

8.2.4 Where a certification body issues certificates or allows the use of its certification mark on input products, in addition to the measures in 7.2.1 above, the certification body shall document the inspection and certification procedures. This shall clearly indicate:

**IOAS: Incorrect reference - should be 8.2.1**

The CC agrees and has amended criterion accordingly

- a. the inspection frequency which may be less than annual but no less than once every 3 years;

**ICS: Add a guidance note or in the criterion itself: "The certification body shall have a procedure for determining when/how annual inspections will be required less than annually.**

The CC does not think that in this case a procedure necessary and has therefore maintained the current wording.

- b. the requirements other than the composition of the product that will be checked during inspection and evaluated in making the certification decision. *\*\*See also guidance notes*

8.2.5 The ~~markcertification mark~~ used in 8.2.4 may not be the same logo as used for identification of organic ~~agricultural~~ product~~se~~ or suggest that it is organic~~ally produced~~ ~~(from biological origin)~~ unless it is.

**ICS:** This criterion puts an unnecessary burden on the certification body of garnering additional trademarks. The criterion should be changed to state that, “In cases where the product itself is not a certified organic product, the certification mark may only be used when it is accompanied by explanatory language that clarifies the nature of the certification/approval.”

The CC agrees to the intent of the proposal and has adopted the proposed wording with amendments.

### **8.3 Group Certification of smallholder groups** *\*See also guidance notes*

**NASAA:** There should be reference to the fact that group certification is applicable for developing countries and traditional agricultural systems only.

The CC decision to shift from smallholder certification to a less limited system of group certification was made intentionally after intense discussion by the CC. Other comments (see below) supported this decision. The CC therefore sees no reason to limit the scope again.

8.3.1 Certification bodies that ~~do not require annual inspection of~~ certify individual growers in smallholder groups that use internal control systems shall have policies and procedures to verify compliance of the group and the individual growersgroup members. The policy and procedures shall at least comply with the following criteria

**SEFA:** We find it very important that group certification is not restricted to smallholders only. The concept should be possible to apply to any organic producers with relevant criteria in common, irrespective of size or type of production.

**GROLINK:** we strongly support that the criteria are moving into generic group criteria and not only for small holders. A big progress. Maybe that the following texts are still too much reflect a farmer situation. We also want to introduce the idea that a group certification concept could also be used in situations where producers sell individually, under the condition that the ICS is also monitoring their sales. Then the group certification concept could also be used for bakeries, shops etc.

**KRAV:** we strongly support that the criteria are moving into generic group criteria and not only for small holders. A big progress. Then the group certification concept could also be used for municipalities, bakeries, shops etc. In our context this could find very good use in for example municipalities who run professional kitchens (hospitals, kindergartens, schools) – they cannot justify using tax money for individual certification. But since they all already have an ICS installed, and rather easily can add on organic requirements, they will be able to justify a group certificate (so they tell us). This could mean a great increase in volumes of certified organic food.

#### **Scope**

8.3.2 The certification body shall limit the scope of such systems to groups that fulfill the following criteria:

- a. the group shall be constituted of operations with similar production systems.; ~~\*\*See also guidance notes~~
- b. ~~smallholdings within the group members are in geographic proximity; arge 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.\*~~
- c. the group shall be large enough and have sufficient resources to support a viable internal control system that assures compliance of individual ~~operatorsmembers~~ with production standards in an objective ~~and transparent~~ manner; ~~\*\*See also guidance notes~~
- d. the group shall have coordinated marketing, ~~to enable oversight of the product flow.~~

#### **General requirements**

8.3.3 The policies and procedures for ~~smallholder~~ group certification systems shall require that at least:

- a. the certified entity shall be the group as a whole. This means that individual ~~operators~~ group members may not use the certification independently (by marketing as individual producers outside of the group)
- b. an effective and documented internal control system shall be in place. ~~\*\*See also guidance notes~~
- c. documented inspections of all group members for compliance with production standards shall be carried out by the internal control system at least annually. \*\*See also guidance notes

8.3.4 The certification body shall require the management ~~body~~ of the group to sign a written contract specifying the responsibilities of the group and of the internal control system. This shall include the requirement that the management obtain signed obligations from all ~~operatorsgroup members~~ to comply with the standards and to permit inspections.

8.3.5 The certification body shall ensure that all ~~operators have~~ group members have access to a copy of the standards or the relevant sections of standards presented in a way adapted to their language and knowledge.

~~8.3.6 The certification body shall maintain and enforce a set of minimum requirements of the group in order to undertake the certification. \*\*See also guidance notes~~

#### **Inspection by the certification body**

**NATURLAND:** Change wording of heading to: “External Re-inspection by the certification body” to make more clear what this chapter is about and to use same wording as in the requirements below the heading.

The CC has adopted the proposed wording with amendments.

8.3.~~76~~ Annual (or more frequent) external inspection of the group shall be carried out by the certification body.

~~8.3.98 The certification body shall assign only these inspectors who have had specific training on inspection of internal control systems or who can otherwise document competency in such inspection.~~

~~8.3.879 The inspection visit shall include an assessment of the internal control system, of its effective application and of compliance with the standards. The inspection visit shall include both an evaluation of the effectiveness of the internal control system and inspection for compliance with the standards and an evaluation of the effectiveness of the internal control system.~~

8.3.10 The inspection shall include an assessment of the risks to organic integrity within the grower-group itself and the environment in which it functions. **\*See also guidance notes**

~~8.3.118~~ Re-inspection of a sample of ~~operatorsgroup members~~ shall be undertaken to ~~fulfill both the function~~ evaluate the effectiveness of the internal control system in 8.3.7

~~8.3.129~~ The percentage of ~~operatorsgroup members~~ subject to re-inspection shall take into account ~~the results of the risk assessment the number of operations involved and their size as well as the degree of uniformity, the production system and the management structure.~~ The certification body shall specify how it determines the number of ~~growersgroup members~~ to be re-inspected. ~~\*See also guidance notes. In cases of groups with less than 1000 operators this shall not be less than 5% or 6, whichever is the higher. In cases of groups with more than one thousand operators this shall not be less than 5% or 100, whichever is the lower.~~

#### Evaluation of the Internal Control

~~8.3.130~~ In evaluating the internal control system the certification body shall assure that:

- ~~a~~ a all internal control documentation is in place
- ~~a.b~~ a.b internal inspections of all ~~operatorsgroup members~~ have been carried out at least annually;
- ~~b.c~~ b.c new ~~operatorsgroup members~~ are only included after internal inspections, according to procedures agreed with the certification body;
- ~~b.d~~ b.d sample inspections (see 8.3.8) shall be carried out with the relevant documents from the internal control at hand, and the methods and results of the internal control shall be compared with the results of the inspection to determine whether the inspections of the internal control system have adequately addressed the compliance of operators;

**GROLINK:** This bullet point doesn't really fit in this list. The others refer to things that shall be done or accomplished by the ICS, but this one prescript a method of evaluation by the CB. Move it somewhere else.

The CC agrees has transformed this requirement into new criterion IAC 8.3.14

- ~~e.d.e~~ e.d.e instances of noncompliance have been dealt with appropriately by the internal control and according to a documented system of sanctions;
- ~~d.e.f~~ d.e.f adequate records of inspections have been maintained by the internal control system;
- ~~e.f.g~~ e.f.g internal records match the findings of the certification body's own sample inspections;
- ~~f.g.h~~ f.g.h the ~~operatorsgroup members~~ understand the standards.

~~8.3.144~~ The evaluation shall include a witness audits ~~of internal control inspections. i.e. the inspector shall witness a number of internal control inspections.~~

**IOAS:** It is not clear whether the witness audits are meant to be singular or plural.

The CC agrees. It therefore, has corrected the wording and has furthermore added an explanatory note. (New numbering 8.3.15)

#### Grower Group Records

**GROLINK:** Delete Grower in heading

The CC agrees and has amended the heading accordingly

~~8.3.152 In addition to certification records of the groups as a whole, the certification body shall maintain basic data on all operators.~~

8.3.15 Certification bodies shall have a standardized form to be completed and updated by the ~~smallholder~~ group management. ~~\*See also guidance notes 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.~~

### Responsibility and Sanctions

8.3.174 The certification body shall hold the group as a whole (the certified entity) responsible for compliance of all operators.

8.3.185 The certification body shall have a clear sanctions policy in event of noncompliance by the group and/or its ~~operators~~ members. Failure of the internal control system to detect and act on noncompliances shall invoke sanctions on the group as a whole. This shall also include provisions for withdrawal of certification from the group where the internal control system has been found to be ineffective.

**GROLINK:** Accreditation is granted to CBs even if they in some instances have failed to detect a noncompliance. In reality it is probably quite common. Can't be stricter to an ICS, The two questions are. Did they detect and still took no action? And Do they often fail to detect non-compliances that rightly should have been detected?

The CC feels that the current wording of the criterion actually reflects the concerns of GROLINK and has therefore not reformulated the criterion.

## 9 Acceptance of prior certification

**SEFA:** We consider this is a key issue for the OGS future. It is necessary to develop an open system that facilitates trade and transference of products between different certification bodies.

**GROLINK Comment:** *We give some suggestions below. All of them in the direction of making the system more accessible. However, we would ultimately recommend that this whole section is taken out, i.e. that CBs are free to use whatever policies and procedures for the acceptance of other CBs. This is in the line of making the IFOAM system an open system and not a closed system. We are convinced that a more open approach will win in the long run.*

There should be two criteria, 9.1.1. and a new one saying:

~~“The basis for accepting the results of other organic certification bodies or accepting the work of other certification bodies shall be documented and communicated to any interested parties.”~~

That will give any other CB the possibility to judge if they are happy. If not they can restrict their approval to source-certified products.

The CC is of the opinion the proposed change cannot be carried out without broader consultation especially with the ACB's. The CC has passed the issue on the NMC

### **9.1 General requirements for all methods of acceptance** ~~\*See also guidance notes~~

9.1.1 The certification body shall take full responsibility for recognizing the certification as equivalent to its own.

~~9.1.2 The certification body shall ensure that any accepted product has been subjected to equivalent requirements as product certified by itself.~~

9.1.3 Acceptance of prior certification on the basis of the criteria in 9.2 and 9.3 shall only be for acceptance of product for use by the certification body's own operators and shall not confer certification status to the operator supplying the product. Acceptance of prior certification of operators seeking certification status shall only be granted on the basis of the criteria in 9.4. *\*See also guidance notes*

9.1.4 The procedures and responsibility for granting recognition shall be clearly documented

## **9.2 Acceptance of product based on recognition of a certification body**

**KRAV:** Replace in heading "body" with "program"

The CC agrees. The rationale is that a certifier might not want to accept all certification programs of the other certifier.

**ACB:** To accept the Criteria Committee proposal for revision of 9.1 and 9.2 as the preferred ACB proposal.

**KRAV:** As resolved at the ACB-meeting in Guiglia, KRAV supports the language in 9.2, with a few minor amendments.

9.2.1 The certification body shall maintain a formal register of recognized certification bodies. The register shall be subject to periodic review and updated when necessary and shall be available on request.

**KRAV:** Replace "bodies" with "programs"

The CC agrees and has amended the criterion accordingly. See also CC response regarding KRAV comment on heading of this section.

9.2.2 Inclusion in the register shall only be on the basis of at least one of the following:

a. IFOAM accreditation;

b. ISO 65 accreditation with an organic certification scope carried out by an accreditation body that participates in a peer review system. The certification body shall verify equivalency of standards and additional aspects by these criteria which are not covered in ISO 65. Certification bodies shall obtain and assess the protocol for acceptance of prior certification practiced by the recognized certification body. \*See also guidance notes

**IOAS:** the peer review system referred to needs to be defined - perhaps in a guidance note.

The CC agrees and has developed an explanatory note.

**SA:** Add Guidance note: To give examples of ISO 65 accreditors who participate in a peer review system – i.e. IAF accreditors etc.

~~b-c.~~ An assessment of equivalency to IFOAM norms based on a recent and adequate evaluation visit and report conducted either by the certification body granting acceptance or by an appropriate third party. The assessment shall include the equivalency of policies and procedures; relevant ~~production~~ standards and the performance of the other certification body ~~as noted during the visit~~. The assessment and decision to include a certification body on the register shall be documented, ~~and shall show that criteria equivalent to these criteria have been used.~~

**GROLINK:** this last sentence probably should apply to all options except for a

The CC agrees and has included the sentence in b. and c.

~~e.d. An equivalent accreditation performed by an IFOAM-accreditation body, including those other bodies that it recognizes, contracted to perform IFOAM accreditation or an accreditation body with whom the contracted body has signed an agreement. Where such accreditation does not include assessment of compliance with the IFOAM Basic Standards, the certification body shall conduct a standards equivalency assessment., including standards, inspection and certification procedures and evaluation reports, shall be kept~~

**NATURLAND:** Please add a guidance note to that requirement stating where one can get the information of who the “recognized bodies” are.

CC: At the moment there are no other recognized accreditation bodies. The information requested will be provided once there are other recognized bodies.

**SA:** I am afraid that I do not understand this new wording. I understood the previous wording to mean that where IFOAM contracts another accreditation body to perform IFOAM accreditation (other than IOAS) then such CBs can be accepted. What is this new wording trying to say? Is it that where IOAS undertakes ISO65 accreditation these bodies can be accepted? what does including those other bodies it recognises meant?

The CC has amended the wording and feels that the new wording is much clearer.

**GROLINK:** Delete.

*Comment: see proposal below, which gives two more options for determining that an accreditation is equivalent. The purpose here is mainly to delegate to the CBs to assess certain systems. It is not realistic that the IOAS should do all this. It is also nothing that says that the IOAS is the only one competent to determine this. Finally it is suggested that also IFOAM could do it.*

d. An equivalent accreditation. Where such accreditation does not include assessment of compliance with the IFOAM Basic Standards, the certification body shall conduct a standards equivalency assessment. An accreditation can be considered equivalent by either

- The certifier has assessed the accreditation system and found it equivalent to IFOAM Accreditation. The assessment shall include the equivalency of policies and procedures; relevant standards and the performance of the accreditation body. The assessment and decision to accept an accreditation shall be documented, and shall show that criteria equivalent to these criteria have been used.

- IFOAM has determined that another accreditation is equivalent to IFOAM Accreditation.

- The IFOAM accreditation body has determined that another accreditation is equivalent to IFOAM Accreditation.

e. Participation of the certification body to be recognized in the same approval/accreditation program when such program is seen as sufficiently stringent Where such approval/accreditation does not include assessment of compliance with the IFOAM Basic Standards, the certification body shall conduct a standards equivalency assessment.

*Comment: the idea is that if an accredited CB is covered by e.g. a governmental approval system that they find (through their own experience) is stringent enough they should be able to accept others approved in the same program,*

f. a close cooperation between the two organizations which has given the certification body full insight in the operations of the other body

The CC has as adopted the wording proposed by GROLINK for IAC 9.2.2d. The CC did not adopt the proposed new wording for IAC 9.2.2e because this issue was discussed and rejected at the ACB meeting in Guiglia and the CC wants to adhere to the unified ACB position. However, the CC decided to pass this issue on to the NMC. The CC has incorporated the proposed wording for IAC 9.2.2f in brackets because it is disinclined to include the proposal but would like to invite comments, particularly by the ACB's, on this issue.

~~9.2.3 Documentation of the registered certification bodies, including standards, inspection and certification procedures and evaluation reports, shall be kept.~~

**IOAS:** It is not clear whether this criterion has been deleted or has accidentally disappeared as it is neither crossed out, nor is the numbering changed to accommodate its removal. The IOAS would like to see this criterion deleted or at least amended to requiring only the evaluation reports for non ACBs.

The CC intentionally deleted this criterion in the first draft but unintentionally the change wasn't carried out in track mode. The criterion remains deleted.

9.2.4 A ~~comprehensive~~ contract (~~unilateral, bilateral or multilateral~~) with recognized certification bodies that regulates the obligations of the parties shall be drawn up. The contract shall at least contain the following provisions: *\*See also guidance notes*

- a. the scope of the mutual recognition, specifying the applicable programs of the certification bodies and any exclusions;
- b. the procedures and conditions for how a product certified by one party will be accepted by the other;
- c. obligation to inform the other party in case of loss of accreditation or approval by regulatory authorities;
- d. the obligation for parties to inform each other of major program or standards changes.

### **9.3 Acceptance of product based on document review**

9.3.1 In the absence of a equivalency agreement or contract of recognition, the certification body shall only accept previous certification on a case by case review of the product in question.

**GROLINK/KRAV: the texts below implies that when we are speaking about document review we are back to compliance. However also on this level the concept of equivalence should be allowed.**

9.3.2 The basis of the acceptance shall be an assessment of the information contained in the ~~previous-last~~ inspection report, last ~~inspection-certification~~ decision and other ~~\_~~relevant documents against the standards and certification requirements of the accepting certification body. Acceptance may only be granted if steps have been taken with the other responsible certification body to ensure that the information is accurate, complete and up to date and that no ~~late~~subsequent infringements have occurred. *\*see also guidance notes*

**SA: Amend to: To accept products or ingredients certified by a certification body who you don't have a contract with as detailed in 9.2, you must check the equivalence for each product or ingredient by:**

Making an assessment of the certifier and their standards.

If you decide that ingredients may not be equivalent following this assessment you must:

Obtain and assess inspection reports, certification decisions and other relevant documentation.

You can only accept products or ingredients if the information used for your assessment is accurate, complete and up to date.

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 and should be obtained.

Without this amend you could potentially still end up requiring hundreds of inspection reports which are not needed – eg 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.

Above is how we undertake equivalence assessments within our SA Cert Symbol Programme and works well for us. We find that this method is practical and at the same time ensures integrity.

I have also tried to change the wording to a 'Plain English' style which should be easier to follow.

The CCs opinion is that an assessment of the certification body and standards is to be done under the provisions of section 9.2. The criteria in this section refer to situations in which such an assessment does not exist. Given that section 9.2 is now far more open the need for document review should be much reduced. The CC therefore decided not change the criterion.

**KRAV:** Replace text of 9.3.2 with the following text:

To accept products or ingredients certified by a certification program who the accepting program don't have a contract with as detailed in 9.2, the accepting program must check the equivalence for each ingredient by:

- a) Undertaking an assessment of the certifier and their standards. If it is found that ingredients may not be equivalent following the assessment, inspection reports, certification decisions and other relevant documentation shall be obtained and used in deciding whether product is equivalent, or
- b) inspection reports, certification decisions and other relevant documentation shall be obtained and used in deciding whether product is equivalent

Products or ingredients may only be accepted if the accepting program can ensure that the information used for your assessment is accurate, complete and up to date and that no further infringements have been found

CC: Please see previous response to SA comment.

9.3.3 Minor ingredients that constitute less than 10% of the total weight of the product may be accepted on the basis of being certified by a certification body that has been approved by its government or has been accredited by a national accreditation body for the scope of organic

certification. The total of all ingredients accepted on this basis shall not exceed 20% of the total weight of the product.

Remark: 9.3.3 is a recent urgent standards revision, decided by the World Board,

**ICS:** We reiterate our objection to and disappointment in this change. IFOAM has devalued its own accreditation program!

**GROLINK:** Add after “its government” “or participate in a peer-review system”

*Comment: The existence of both the word “minor” and the percentage can cause confusion. Some people could argue that an ingredient is not minor even if it is eight percent.*

The CC has deleted the word minor.

9.3.~~3~~~~4~~ The procedures and responsibility for assessment and decision making shall be documented and follow the normal certification procedure.

9.3.~~4~~~~5~~ Acceptance of such products shall be for a defined period.

#### **9.4 Acceptance of applicants currently certified by another certification body**

**KRAV:** Replace in heading “body” with “program”

The CC did not change the wording because certification can only be carried out by a certification body not by a program.

**GROLINK:** we find this far too restrictive. We believe there should be simple options for joint certification of the same producer. To enable this an option should exist to delegate certification decisions. Another option is to see a difference between the certification decision and the use (licensing) of the mark, i.e. that a certification body should be able to license its mark to operators certified by other bodies (without taking a certification decision). Such a construction can possibly already now be made within the framework of the criteria (7.6. doesn't explicitly state that the mark can only be used on products certified by the CB), but most readers of the criteria would not be able to figure out how to come around the rules in this para.

It is the CCs opinion that if an operator is listed as a certified operator this must at a certain point mean that they are listed based on a certification against the standards of the certification body and not based on an equivalency mechanism.

9.4.1 Certification of an operator may be transferred from another certification body provided all of the following requirements are met:

a the other certification body is currently IFOAM accredited

**GROLINK:** Replace “IFOAM accredited” with “accepted under the criteria in 9.2.2.”

**KRAV:** Replace “body” with “program” and “IFOAM accredited” with “accepted under the criteria in 9.2.2.”

The CC agrees to replace “IFOAM accredited” with a reference to IAC 9.2.2 and has amended the criterion to reflect this. This is however limited through the new wording of IAC 9.4.2 which demands that the inspection has to be carried out within 12 months after the transfer.

b a contract as detailed in 9.2.4 has been established with the other certification body

The CC deleted this criterion because the issue is already covered in section 9.2

c the operator is currently certified by the other certification body and intends to remain certified by ~~the~~ them. (dual certification).

**IOAS:** The IOAS queries the necessity of the operator remaining certified by the other certification body. Also, what does this mean in practice - dual certified at the point of transfer or dual certified until inspection occurs or something else entirely? The criterion as written is not sufficient.

The CC believes that the intent of this criterion is to avoid gaps in certification. The CC has amended the wording of IAC 9.4.2 so as to reflect that intent.

**KRAV:** Replace “body” with “program”

*Comment: this provision is not often used by KRAV. However, 9.4.1.c seems difficult in the sense that if the object may be to transfer from one certification program to another, then what’s the point of requiring the operator to intend to remain certified by the first program?*

9.4.2 Where the conditions in 9.4.1 are met the operator may be certified without prior inspection provided that the requirements in 9.4.3 are met at the next scheduled inspection.

**GROLINK:** Delete sentence after “inspection”

The CC has amended the criterion.

9.4.3 Inspections of the operator shall be carried out by the certification body itself or may be subcontracted to the other certification body. In cases where the inspection is subcontracted the certification body shall identify any substantial differences between its standards and those of the other certification body and ensure that compliance with these different standards is verified at the inspection visit and documented in the inspection report.

**GROLINK:** Delete

In response to the changes in IAC 9.4.1 and 9.4.2 the CC has decided to delete this criterion.

9.4.4 The certification body shall make its own certification decisions based on inspection reports

**GROLINK:** Delete

The CC deleted this criterion based on the changes in IAC 9.4.2.

~~9.4.5 Appropriate records shall be kept.~~

9.4.56 Where the requirements of 9.4.1 and 9.4.3 are not met, acceptance of the operator's current or prior certification shall be limited to the exemption from conversion requirements. Exemption shall only be granted following assessment of relevant historical records, including a recent inspection report, obtained from the other certification body.

The CC has amended this criterion to bring it in line with the amended previous requirements.

## 9.5 Certification partnerships

**GROLINK:** We believe the future in the certification industry will see a lot of alliances and business cooperation. It is important that IFOAM is not seen as an

obstacle for a needed business development. In line with what we say under 9.4. we believe there should be possibilities to cooperate in a way that benefits the clients! Currently the IFOAM Criteria is an obstacle for cooperation. This means that the EcoCert and IMO business model (i.e. offices all over the world) is favoured as opposed to cooperation between independents CBs. With the suggestions below, operators could be offered multiple certification with only one process, and that is what the market is asking for.

**KRAV:** The current criteria seem to favour large certifiers with offices all over the world. We see no point in favouring such systems. Therefore this section should offer possibilities for other models that still serve the basic purposes and needs of a solid certification system.

9.5.1 Joint ventures, partnerships and similar forms of cooperation with other certification bodies shall comply with the relevant criteria for acceptance of product (9.1 to 9.4) and for subcontracting (1.4.12 to 1.4.15) .

**GROLINK:** Delete sentence after “(9.1 to 9.4)”

The CC has not delete the criterion but changed it in a way that it feels is more appropriate to achieve the same goal.

9.5.2 The certification body shall take full responsibility for any work done on their behalf by the partner.

9.5.3 The certification decision shall not be “subcontracted” to the partner.

**GROLINK:** Delete

Comment: It must be find a way to accept the certification of a CB, without doing an own assessment. Only through that can we provide producers with a good service with access to many markets. It is also a mechanism that can give the private sector some better role in the regulated markets (with or without amendments of the regulations.

The CC has not deleted this criterion because it feels that maintaining the ownership for the certification decision is necessary as an act of taking responsibility.

**GROLINK:** we hope that all our suggestions will be taken into account. Think we have proposed as many options you can have and still maintain some kind of rule bases system and accountability! But ultimately it may be as well to just drop the whole issue, and make clear that IFOAM accreditation is not really covering acceptance of prior certification. Guess that an ISO 65 accreditation doesn't really bother....

9.5.4 The arrangement between the certification bodies shall be documented.

## **~~10—Standards Development~~**

**IOAS:** Is it intended that this be removed to the IBS? If it is not, then we would suggest that something of this section be retained because stakeholder participation, notification changes to standards and implementation times are all important criteria and directly relevant to the accreditation.

CC: The topics of notification of standards changes and implementation times is still in the criteria (IAC 7.10). Stakeholder participation is not an issue of certification but **that of** standard setting.

**NATURLAND:** Why drop this part?

***KRAV: Comment:** IFOAM suggests that standards development should be excluded from the IAC, presumably because the IAC should contain certification requirements only - not requirements for standard setting. KRAV generally supports this line of thoughts. However, since the IBS is standards for standards and the process by which you turn them into production standards is crucial to the credibility of the production standard, there need to be some basic criteria for how this should be done. The best way is probably to include the standard setting process in the IBS or create a new Norm for Standard setting. However, until that is achieved, we suggest the section remains in the IAC. The point is that the standard setting is too important to just be dropped. If it is dropped, IFOAM needs to explain what criteria should govern the process.*

**Proposal:** KRAV proposes that the section on Standards development remains in the IAC until it has found a better place. As a suggestion for improvement, KRAV suggests that the ISEAL code of good practice for standard setting be included by reference. The standards development section could also be made voluntary, so that they only apply if the CB manages standards development.

CC to NATURLAND and KRAV: The CC is of the opinion that standard setting is not an integral role of certification bodies and many do not set standards themselves. The CC has passed on this issue to the NMC for further clarification.

## **10.1—General requirements**

~~10.1.1 Standards shall either meet or exceed the current IFOAM Basic standards.\*~~

~~10.1.2 Standards, or the relevant sections of standards, shall be presented in a way adapted to the language and knowledge of operators for all languages declared in the certification body's field of application (See also 2.2.4).\*~~

## **10.2—Standards Review**

~~10.2.1 The standards shall be reviewed regularly.~~

~~10.2.2 The certification body shall have adequate procedures for enabling input concerning revisions from affected parties and shall take these into account.\*~~

~~10.2.3 The body responsible for review of standards shall be clearly identified and shall evidence sufficient qualifications or experience to be competent to carry out its functions, or utilize external experts as a means to achieve competency.~~

~~10.2.4 The certification body shall ensure that each certified operator be notified of changes in the standards without unnecessary delay.~~

~~10.2.5 The certification body shall have a policy for the normal time periods allowed for implementation of new standards by the operators. Where necessary, an additional time period shall be allowed for operators to implement specific major changes to the standards. In such cases the time for implementation shall be clearly stated.\*~~

