

Bonn, 25 April 2006

Notification about Urgent Criteria Revision IAC 9.4.2 and 9.4.4
- "Acceptance of applicants currently certified by another certification body"

Background

In December 2005 IOAS informed OGS staff that there might be an inconsistency in section 9.4 of the IFOAM Accreditation Criteria 2005.

The Norms Management Committee during its meeting in June 2006 acknowledged that there are obvious contradictions within the IAC, decided to take up the issue as an urgent criteria revision and started a consultation according to Policy 43 (Policy and Procedures for Revision of the IFOAM Accreditation Criteria).

The Criteria Committee proposed a new wording and the membership was asked to comment within a 60 day period. Comments received have been considered by the CC and lead to the CC's decision to suggest its initial proposal to the World Board for decision.

The World Board at its meeting in March 2008 approved the urgent criteria revision.

Revised Section IAC 9.4 (changes are highlighted in yellow)

9.4 Acceptance of Applicants Currently Certified by Another Certification Body

9.4.1 Certification of an operator may be transferred from another certification body provided both of the following requirements are met:

- a. the other certification body is currently under the register indicated in 9.2.2;
- b. the operator is certified by the other certification body up to the point of transfer.

9.4.2 Where the requirements of 9.4.1 **a** are not met, certification of the operator may be awarded on the basis of information contained in the current inspection report of the previous certification body. The certification body shall ensure that the standards and requirements for a certification are met. In case of missing information a full inspection of the operator has to be carried out prior to certification.¹

9.4.3 An operation that meets the conditions in 9.4.1 or 9.4.2 may be certified without prior inspection, provided that an inspection according to the

¹ Explanatory Note 9.4.2: This requires compliance with and not equivalency of the standards.

certification body's own standards takes place within 12 months after transfer of certification.

9.4.4 Where the requirements of 9.4.1 or 9.4.2 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.

Rationale for Urgent Revision of IAC 9.4.2

IAC 9.4.1 lays down the circumstances under which the certification of an operator may be transferred from one certification body to another:

- the other certification body must be on the register according to IAC 9.2.2
- the operator must be certified up to the point of transfer.

The former wording of IAC 9.4.2 implied that even if both these conditions are not met the certification may be awarded, hence even to operators, who do not hold a valid certification (they are not certified up to the point of transfer).

The former wording of chapter 9.4 is a result of the last revision of the IFOAM Accreditation Criteria and when analyzing the situation the Criteria Committee confirmed that it had never been its intent to support transference of certification in cases where the operator does not hold a valid certification.

This also becomes clear from the former wording of IAC 9.4.2 which requires a current inspection report, which can only exist if the operator is currently certified (certified up to the point of transfer).

Hence, IAC 9.4.2 in its previous version was contradictory in itself because on the one hand a current inspection report was needed and on the other hand it seemed to allow transference of certification of operators for whom a current inspection report cannot exist because they are not certified up to the point of transfer.

The revision of IAC 9.4.2 above clarifies that operators need to be certified up to the point of transfer to be awarded certification according to IAC 9.4.2.

Rationale for Urgent Revision IAC 9.4.4

In its previous version IAC 9.4.4 allowed the limited acceptance of the operator's current or prior certification if the requirements of IAC 9.4.1 were not met. In these cases the acceptance was limited to the exemption from conversion

periods. Hence, operators may have been exempt from conversion periods if the operator was not certified up to the point of transfer.

According to the previous version of 9.4.2 operators that are certified up to the point of transfer may have been awarded certification under specific conditions, e.g. they need to meet additional requirements, e.g. the standards and requirements for a certification are met.

IAC 9.4.4 did not refer to IAC 9.4.2 and therefore did not cover situations, where the operator is certified up to the point of transfer. Therefore, it was not possible to exempt operators from conversion periods that are certified up to the point of transfer but do not meet the additional requirements of IAC 9.4.2.

The previous wording of IAC 9.4.4 was contradictory in itself because it allowed exempting operators from conversion periods that are not certified up to the point of transfer but prevented exempting operators that are certified up to the point of transfer.

The revision of 9.4.4 clarifies that operations that do not meet the requirements of 9.4.1 or 9.4.2 shall require a complete inspection (of the operation) before the operation can be accepted by the new CB. The only exemption provided by 9.4.4 is that such operations may not have to go through the standard conversion period.