

## **POLICY      Use of the Global Organic Mark**

NO: 43

MODIFIED DATE: Dec 2010

### **Purpose**

The purpose of this policy is to describe the conditions and processes under which operators can use the IFOAM Global Organic Mark on their products and the clients can sign contracts with IFOAM for the use of this mark.

### **Scope**

This policy has no scope limitation and will be effective as soon as the Global Organic Mark service is available.

### **Policy**

The Global Organic Mark is a registered trademark owned by IFOAM. The Global Organic Mark is one of the services provided by IFOAM under its Organic Guarantee System to operators that are certified organic according to a certification system that is recognized by IFOAM.

### **Criteria for the use of the Global Organic Mark**

To use of the Global Organic Mark, operators need to comply with the following criteria:

- Be certified organic according to an organic standard that has been approved as part of the IFOAM Family of Standards.
- Be certified under a certification system that complies with and has been officially accepted under at least one government organic regulation<sup>1</sup> or be certified by a certification body that has the IFOAM or system accreditation by the IOAS.

The use of the Global Organic Mark shall be limited to products that fall under the scope of compliance of the above criteria, and to products that are traded and sold to the end consumer within the boundaries of the scope for which the organic certification is delivered. The use of the global organic mark shall be granted only under the condition that the public law requirements for organic labeling are met.

### **Application for the use of the Global Organic Mark**

Application to IFOAM for the use of the Global Organic Mark is open to:

- Operators applying directly and individually to IFOAM.
- Operators applying collectively through an association (legally registered).
- Certification bodies applying to subcontract the use of the Global Organic Mark to the operators they certify under a given certification scope.

In all three cases, the application must include the following:

- An exact description of the nature and scope of the organic certification(s) of all operators covered under the application. This description must bear exact names of standards and regulations related to the certification, as well as exact names of certification body, accreditation agency/conformity verification body and any other body involved in the chain of control to which the certification process is subject to. This description must demonstrate the compliance of all the concerned operators with the criteria for the use of the Global Organic Mark.
- All operator-related data as required under the procedure related to this policy.
- An estimation of the total yearly sales of organic products covered under the scope of their application and an estimation of the total yearly sales of organic products that will bear the Global Organic Mark after approval of the application is granted.

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<sup>1</sup> This may include, e.g. certification by a certification body with accreditation by the competent authority under the national organic program, certification by a public control authority mandated under the national organic law, certification by a Participatory Guarantee System registered with the competent authority and approved under the national organic law, certification body accredited under a provincial organic program for the scope of inter-provincial trade, etc.

**Decision and signature of the contract**

The decision to grant the use of the Global Organic Mark is taken by the IFOAM Head Office under the responsibility of the Executive Director, based on the application submitted and in accordance with this policy. After approval of applications the IFOAM Head Office will sign a contract with each approved applicant. Signature of the contract will be subject to prior payment by the applicant of a contract signature fee to IFOAM, according to fee scheme established in the procedure 43 corresponding to this policy.

The contract will define the operator(s) concerned, the scope of approval of the use of the Global Organic Mark, data sharing obligations from the part of the applicant and the yearly fee system applicable to these operators. The yearly fee system shall be based on a fee scheme described in procedure 43 approved by the Executive Director. IFOAM shall reserve the right to request copies of the organic certificates of operators using the mark.

Continued use of the Global Organic Mark depends upon payment of the annual fee by the applicant. The annual fee is due following a timeframe defined under procedure 43 and indicated in each contract. In case these payment duties are not complied with, IFOAM will request the applicant to ensure that all operators concerned under the contract stop of the printing of new labels bearing the Global Organic Mark on their products. The applicant must report positively on the implementation of this measure within a period of 2 months following the request from IFOAM. Moreover, IFOAM shall, if it decides appropriate, make public announcement about operators that are no longer authorized to use the Global Organic Mark on their products.

**Inclusion of IFOAM affiliation**

IFOAM affiliation shall be included in all contracts for the use of the Mark, so that all operators using the mark shall automatically become direct IFOAM member, affiliate or supporter (according to their affiliation eligibility status) at no extra cost.

**Illegal use of the Global Organic Mark**

In case contracts are breached, or in case illegal use of the Global Organic Mark is detected, IFOAM reserves the right to prosecute fraudulent operators or organizations in the legal system. Moreover, IFOAM shall reserve the right to terminate contracts for the use of the Mark with any operator upon decision of the IFOAM World Board, without obligation of justification. In case of serious violation of standards or risks for the consumers (such as proven presence of pesticide residues), IFOAM reserves the right to call for immediate recall of products bearing the Global Organic Mark.

**Approval of this Policy:** IFOAM World Board.

**Responsible for revisions of this Policy:** The IFOAM World Board.

*First approved by the IFOAM World Board on 13<sup>th</sup> December 2010.*