**Agreement**

between the International Federation of Organic Agriculture Movements (IFOAM), and

\_\_\_name of the AB (thereafter referred to as “the Accreditation Body”.

**1. Purpose of the Agreement**

This Agreement sets out the conditions for operating the IFOAM Accreditation Program (accreditation program established under the IFOAM Organic Guarantee System and based on the IFOAM Norms) by the Accreditation Body (AB). Through this agreement, IFOAM grants to the Accreditation Body the non-exclusive right and authority to operate the IFOAM Accreditation Program.

**2. Identification of the Parties**

The International Federation of Organic Agriculture Movements (IFOAM) is a non-profit association, registered in Germany.

\_\_\_name of the AB, status and country of registration.

**3. The IFOAM Accreditation Program**

The IFOAM Accreditation Program is established for accreditation of certification bodies on the basis of the IFOAM Norms. The basis for accreditation is compliance of certification bodies with the IFOAM Accreditation Requirements for Organic Certification, for the scope of one or several standards that are approved in the IFOAM Family of Standards. The Accreditation Body administers the IFOAM Accreditation Program according to this Agreement and the following documents, in their current version, which form part of this agreement:

- the IFOAM Accreditation Requirements for Bodies Certifying Organic Production and Processing

- the list of standards approved in the IFOAM Family of Standards

- the IFOAM Standard for Organic Production and Processing

- the ISO 17011 General Requirements for Accreditation Bodies Accrediting Conformity Assessment Bodies..

**4. Objectives of the IFOAM Accreditation Program**

1. To implement a private sector global organic guarantee system.
2. To contribute to the global harmonisation and equivalence of public and private organic standards and certification criteria based on IFOAM' s norms.
3. To facilitate mutual recognition between certification bodies that have voluntarily applied for and achieved accreditation under the IFOAM Accreditation Program.
4. To encourage certification bodies to improve their operations through the process of accreditation.

***5. The IFOAM Seal***

The IFOAM Seal is a specific indication of IFOAM Accreditation by certification bodies and for use on a product indicating that a certification body for the product has achieved an accredited status under the IFOAM Accreditation Program. The IFOAM Seal is managed and administered by IFOAM.

***6. Fees for IFOAM accreditation***

1. The Accreditation Body will set fees to certification bodies for its services.
2. The Accreditation Body will pay to IFOAM an annual fee as defined in the annex IV. of this agreement.

**7. Obligations of the Accreditation Body for Operation of the IFOAM Accreditation Program**

1. The Accreditation Body agrees to: Operate the IFOAM Accreditation Program according to the documents listed in paragraph 3 and the objectives given in paragraph 4 above.
2. Respect the following documents, as revised from time to time, as being binding for the operation of the IFOAM Accreditation Program:

IFOAM Policy 28 on the Interpretation of Norms

IFOAM Policy 42 on Approval of Standards

IFOAM Policy 12 on the use of the IFOAM name, logo and seal

IFOAM Policy 41 on the use of the IFOAM Standard

IFOAM Policy XX on complaints regarding accreditation bodies operating the IFOAM Accreditation Program

The IFOAM Family of Standards Frame (up to date list of standards approved in the IFOAM Family of Standards)

The IFOAM Norms

1. Consult with IFOAM, and the clients, before making significant changes in the operation of the IFOAM Accreditation Program or the Accreditation Contracts
2. Operate the IFOAM Accreditation Program in compliance with the Quality Requirements for Accreditation Bodies Operating the IFOAM Accreditation Program (Annex I. of this Agreement) and the Requirements for Operating the IFOAM Accreditation Program (Annex II. Of this Agreement).
3. Provide IFOAM with information regarding any contradictions between the different IFOAM Norms or other problems encountered by the accredited certification bodies in fulfilling the IFOAM Norms.
4. Provide to IFOAM all current operational documents related to operating the IFOAM Accreditation Program including the standard accreditation contract between the accreditation and certification body, operating manual(s), quality manual(s) and policy manual(s). This includes periodic updates of these documents.
5. Notify IFOAM within 10 business days of all new applications for IFOAM Accreditation and all changes to the accreditation status of clients in the IFOAM Accreditation Program, including new and renewed accreditations, suspensions, revocations and withdrawals, and any change or addition of standards or categories in the scope of their IFOAM Accreditation.
6. Maintain a public (website) list of IFOAM accredited and applicant certification bodies and immediately update it after any changes in status are made. Inform IFOAM, in advance of those changes wherever possible.
7. Compile annual data on the operators certified under the IFOAM Accreditation Program, as per the reporting requirements laid down in Annex III of this Agreement.
8. Communicate in line with IFOAM positioning of its accreditation program when promoting IFOAM Accreditation towards potential clients and other programs or authorities.
9. Submit to IFOAM an annual report of its activities for operating the IFOAM Accreditation Program as per Annex III. of this Agreement.
10. Report any formal complaints lodged with the Accreditation Body pertaining to operation of the IFOAM Accreditation Program and the resolution of such complaints in regular communications with IFOAM.
11. Abide by IFOAM official interpretations of IFOAM Norms.
12. Inform and enforce on IFOAM Accredited certification bodies, any additional requirement officially adopted by IFOAM in addition to those laid out in IFOAM Norms.
13. Provide to IFOAM copies of its newsletters and other publications and updates relevant to IFOAM Accreditation.
14. Assess the proper execution of the IFOAM Seal licensing agreements that binds its IFOAM Accredited clients, including the correct use of the IFOAM seals
15. Upon request, share with IFOAM any information related to CB non-conformities and the Accreditation Body’s corrective action requests related to the IFOAM Accreditation Program.
16. Permit a full review of its activities related to the IFOAM Accreditation Program by any designated IFOAM representative upon request of IFOAM (See paragraphs 13 and 14 below) and cover costs associated with the review (see Annex IV.)
17. Abide by IFOAM’s complaint procedure regarding accreditation bodies operating the IFOAM Accreditation Program.
18. Implement any corrective actions requested by IFOAM iin relation to the operation of the IFOAM Accreditation Program or to the reporting to IFOAM. Such corrective action requests may originate from IFOAM’s review of annual accreditation reports, from onsite visits, or from information gathered through the complaint procedure.

**8. Obligations of IFOAM for Operation of the IFOAM Accreditation Program and the Seal System**

IFOAM agrees to:

1. Ensure that the IFOAM Norms are reviewed and revised on a regular basis and immediately inform the Accreditation Body of any changes to the IFOAM Norms.
2. Set the timeline for accredited certification bodies to come into full compliance with any change to the IFOAM Norms, and communicate this timeline to the Accreditation Body.
3. Safeguard that the IFOAM Norms provide a sound basis for an accreditation program.
4. Perform all assessments of organic standards related to the IFOAM Accreditation Program applications and maintenance of accreditation.
5. Provide official interpretations of IFOAM Norms whenever requested by the Accreditation Body or accredited certification bodies
6. Provide an Urgent Standards Revision Procedure which can be requested by the Accreditation Body and which will be invoked at the discretion of IFOAM.
7. Consult with the Accreditation Body before making significant changes in policies that impact the IFOAM Accreditation Program.
8. Subscribe the Accreditation Body to any IFOAM newsletter or regular publication, as relevant to IFOAM Accreditation and/or as requested by the Accreditation Body.
9. Advocate for and promote the IFOAM Accreditation Program and the IFOAM Seals in the widest sense.
10. Administer the IFOAM Accreditation Seal with accredited certification bodies and protect the seal against misuse by any party.

***9. Protection of the Seal***

The Accreditation Body is responsible to ensure that accredited and applicant certifiers and their clients appropriately use the IFOAM Seal, and do not misuse it.

**10. Communication between the Parties**

Communication related to amendments to this agreement shall be in the form of written correspondence by a designate member of the Boards or by the Executive Directors of the two bodies, directed to the official addresses of the respective bodies.

Each party agrees to inform the other party of key issues that may have an impact on the IFOAM Accreditation Programs. Routine communication about the implementation of this agreement shall be directed to, or copied to, the IFOAM Value Chain Manager on the IFOAM side, and to \_\_\_name of function the on the Accreditation Body’s side.

**11. Right of Review**

The Accreditation Body grants IFOAM the right at any time to review the Accreditation Body’s compliance with the terms and conditions of this Agreement and the operation of the IFOAM Accreditation Program. Review may include on-site visits to the Accreditation Body. The Accreditation Body shall bear costs associated with on-site visits for such reviews, in accordance with the fee schedule in Annex IV.

***12. Access to Information***

IFOAM or its designated agent shall have access to documents, files, etc. to the extent needed for review and for other legitimate purposes. Such access shall comply with the Accreditation Body’s confidentiality policy.

**13. Dispute Resolution**

In the case of a dispute arising from this Agreement, the Parties agree to seek an amicable solution. In case no amicable solution can be found the parties agree to submit the dispute to arbitration in lieu of litigation. In such cases, a three-person arbitration panel will be used. Each Party will select one member of the panel and those two panel members will select the third panel member. The Parties agree to be bound by the decision of the arbitration panel.

***14. Term of the Agreement***

This agreement shall be valid until it is terminated by one or both of the parties in accordance with the terms of this Agreement.

**15. Revision of the Agreement**

This Agreement can be revised at any time by agreement of the parties. All revisions to the Agreement shall be in writing and signed by both parties. The parties shall review the contract every three years for possible revisions.

**16. Termination of this Agreement**

1. Either party may terminate this Agreement with one year written notice to the other party.
2. Upon default by one party, the other party may terminate the agreement upon written notice if the defaulting party fails to correct the default within three months of written notice by the other party.
3. Upon termination of the Agreement, the Accreditation Body will cease to provide IFOAM Accreditation and any related services, unless otherwise agreed with IFOAM.
4. Within sixty days of termination of this Agreement, the Accreditation Body shall transfer to IFOAM all documents, data and other materials used for IFOAM Accreditation.
5. In the event of termination, IFOAM shall assume all responsibilities of the Accreditation Body related to the IFOAM Accreditation Program towards the IFOAM accredited certification bodies and those applying for IFOAM accreditation.

***17. Effective date***

This Agreement becomes effective on the date when both parties have signed it.

***18. Replacement of Previous Agreements***

This Agreement merges and replaces any previous agreement signed by the two parties regarding the operation of the IFOAM Accreditation Programs and the management of the Seal.

Signed at …. , on ……, 2014

|  |  |
| --- | --- |
| For IFOAM  | For the accreditation body |
| Markus ArbenzIFOAM Executive Director  | \_\_\_\_ |
|  |  |

**ANNEX I.**

**Quality Requirements for Accreditation Bodies**

**Operating the IFOAM Accreditation Program**

**A. Introduction**

This document is a description of the criteria related to the qualifications of accreditation bodies eligible to operate the IFOAM Accreditation Program.

Organic standards govern the process and production methods of organic farming, wild collection, processing and labeling. The specific methods and inputs will vary among operations, but in total they must fall within the parameters of the organic standards. Certification of these process and production methods generally require assessment of the operator’s whole system of farm, wild collection or processing management. Certification bodies must therefore employ specific and targeted organic sector expertise in inspecting, reviewing and deciding on organic certification of operators, as well as to meet general performance requirements for certification such as ISO 17065. Likewise accreditation bodies must employ similar expertise in assessing and deciding whether certification bodies meet organic sector-specific performance requirements. The IFOAM Accreditation Requirements include both general certification performance requirements and sector-specific requirements.

**B. General Requirements**

An accreditation body participating in the IFOAM Accreditation Program shall

* be a signatory to the IAF MLA for product certification or otherwise peer reviewed or supervised in a system recognized by IFOAM as signifying compliance with ISO Guide 17011;
* for initial application for the IFOAM Accreditation Program, provide IFOAM with reports of its most recent peer reviews/supervision reports and documented corrective actions;
* demonstrate that it employs sufficient expertise in organic sector conformity assessment in all relevant aspects (see Part C) of its auditing, review and decision activities for IFOAM Accreditation. Guidelines for sufficient expertise are listed in Part D;
* be prepared to make reference where relevant to the applicable organic standard during the accreditation process and particularly in the witness audits. Audits must emphasize that the CB adequately addresses all the requirements of the relevant standard with the operators;
* participate in IFOAM Accreditation Program trainings as requested by IFOAM.
* Adhere to IFOAM’s technical requirements and guidance for conducting IFOAM Accreditation of organic certification bodies and reporting to IFOAM.

**C. Sections of the IFOAM Accreditation Requirements for which sector expertise is indicated for the IFOAM Accreditation Process**

|  |  |
| --- | --- |
| **Section Number** | **Topic** |
| 1.6.2 | Qualifications of certification body personnel |
| 6.1.5 | Documentation to be maintained by operator |
| 6.1.6 | Documented procedures |
| 6.2. | Review and acceptance of application |
| 6.3 | Information for the inspector |
| 6.4 | Visit procedures |
| 6.5 | Sampling and testing |
| 6.6 | Inspection reports |
| 6.7 | Specific requirements for conversion period |
| 6.8 | Specific inspection for split and parallel production |
| 7.2 | Certification decision |
| 7.4 | Certificates |
| 7.5 | Frequency of scheduled inspections |
| 7.6 | Unannounced inspections |
| 8.1 | Wild products |
| 8.2 | Inputs |
| 8.3  | Group certification |

**D. Guidelines for Sufficient Organic-Sector Expertise of Persons Engaged in the IFOAM Accreditation Process**

|  |  |
| --- | --- |
| **Position/Experience** | **Comments** |
| Current staff of IOAS with audit experience | Joint auditing arrangements may be made with IOAS  |
| Current or former member of IOAS Accreditation Committee  | Should have had at least three years experience on Accreditation Committee and audit experience. |
| Consultants with Organic Conformity Assessment Experience | Several consultants provide services to organic certification bodies to assist them to acquire/maintain accreditation for organic certification. These could include former highly qualified staff of organic certification bodies. Should have recommendations from authoritative sources.  |
| Highly Qualified Persons with Organic Inspector/Auditor Experience  | Indications of qualification would include: IOIA Accreditation, additional experience such as training/mentoring of inspectors, broad scope and deep experience in organic farming/processing inspection. Experience in the region in which the certification body operates. Should have recommendations from authoritative sources.  |
| Other Persons Approved by IFOAM | Some qualified persons may not fit the particular categories above. This could include, for example, accreditation body staff who have acquired experience in conducting audit/reviews of organic certification bodies, but have no other prior sector experience. In this case, the accreditation body may submit a request for approval by IFOAM, including the requisite information.  |

**ANNEX II.**

 **Requirements for Operating IFOAM Accreditation**

1. Application for Accreditation

In addition to all information and documents normally required of a certification body under general requirements for operating certification, the following apply:

* 1. Standards Scope:
		1. The CB shall be required to submit a list of all standards to be used in its IFOAM Accredited certification activities. All standards in the scope of IFOAM Accreditation must be in the IFOAM Family of Standards (FOS). The AB shall verify that the standards are in the FOS and subsequently use the information to accept accreditation applications, plan the site evaluations and issue the accreditation documents.
		2. *Example: A CB may apply to use the following standards:*

*• IFOAM Standard: applied globally, and as requested by CB applicants*

*• NOP: applied globally, and as requested by CB applicants*

*• South African National Standard: applied in South Africa*

* 1. A current list of certified organic operators, including operator name and contact information, countries, standards applied, scope of certification related to each standard applied (crops, animal husbandry, aquaculture, wild collection, processing), and note if this is a group certification, providing the approximate number of operators in the group. The list shall include certified operator subtotals per certification body and total certified operations.
1. Review of Application:

The application review shall include consultation as necessary with an organic expert (per Annex I. Section D of the Agreement for Operating IFOAM Accreditation) on organic-sector related documents and information related to topics in Annex I. Section C of the Agreement for Operating IFOAM Accreditation. This person shall not be the same expert assigned to the audit of the operation.

1. Site evaluation:
	1. Site evaluation shall include at least one auditor with organic sector expertise (per Annex I. Section D of the Agreement for Operating IFOAM Accreditation). The expert(s) shall be included in visits to all locations visited by the AB. Auditors must visit the main office and all critical locations. [[1]](#footnote-1) Where the CB sub‐contracts inspection to separate bodies, visits to at least a sample of these offices will be required, the focus being management of inspection. The number and choice of bodies to visit will depend on uniformity of operation, proportion of CB business and location.
	2. Site evaluation shall include sampling of inspection reports and other documents required of operator plus witness and review audits to determine if the certification body is adequately addressing all applicable requirements of the relevant standard(s) with the operation.
2. Witness and Review Audits[[2]](#footnote-2)

 The AB shall conduct at least one witness or review audit for each scope of certification (crops, animal husbandry, aquaculture, wild collection, processing) and additional audits depending on the size and geographic scope of the certification body’s operations. [[3]](#footnote-3)

1. Review and Decision

The review and decision process on accreditation shall include consultation as necessary with the organic expert on any organic-sector related requirements affecting the accreditation decision. [[4]](#footnote-4)

1. Continuing Accreditation
	1. IFOAM Accredited Certification Bodies shall undergo a reevaluation every four years, which include site evaluations, witness audits and review audits [[5]](#footnote-5)
	2. Certification Bodies shall receive a minimum of one surveillance evaluation in each accreditation cycle, which shall include site evaluations and witness/review audits.[[6]](#footnote-6)
	3. The Certifications Bodies shall be required to submit annual updates, which include information on changes in certification including:
		1. Updated list of operators
		2. Changes in the scope of the organic standards to which the CB provides certification and the certification scope (crops, animal husbandry, aquaculture, wild collection, processing).
		3. Quantitative and qualitative information on non-compliances and sanctions administered in the reporting period.

**ANNEX III.**

**Annual Reporting Requirements for Accreditation Bodies**

**Operating the IFOAM Accreditation Program**

Accreditation Bodies operating the IFOAM Accreditation Program shall prepare and submit an annual report on their status and activities to IFOAM. The report shall cover the 12 month period from the date of the Agreement to conduct accreditation and annually thereafter. The annual report shall contain the following information.

1. An overview of accreditation activities in the reporting period, including:
	1. list of accredited and applicant certification bodies, contact information, scope of standards employed under IFOAM Accreditation (e.g. private standard, EU standard, NOP standard, others…), categories in the scope of IFOAM Accreditation (e.g. crop production, livestock, processing and handling, Input manufacturing, grower group, etc.), geographic scope (list all countries of operations of each IFOAM Accredited CB, where they currently have operators in their IFOAM-Accredited program), additional offices.
	2. description of status of accreditations in process, and decisions on accreditation taken in the reporting period.
2. A list of experts used in application review, site auditing, and review/decision for each certification body, and their experience and qualifications.
3. A master list of certified operations under the IFOAM Accreditation Program, associated to the respective accredited certification bodies. The information for each operator shall include the operation name, location, contact information, standard(s) applied, scope of certification (crops, animal husbandry, wild collection, aquaculture, processing), and note if this is a group certification, providing the approximate number of operators in the group. The list shall include certified operator subtotals per certification body and total certified operations.
4. Summary of key changes in the AB structure/function during the reporting period (e.g. changes in the Board of Directors, new offices). Note: Critical changes must be notified immediately.
5. The updated (if any) Program Manual for operating the IFOAM Accreditation Program, or indication that no change has occurred in the reporting period.
6. Fee scheme applied to CB clients.
7. Number of staff days used for directly operating IFOAM Accreditation in the review period. (This includes application processing and review, inspection, review and decision. It does not include indirect functions such as accounting, reporting, management, training).
8. A summary of accreditation activities in the reporting period, including number of site evaluations, witness and review audits, accreditation decisions taken, sanctions/conditions applied for non-compliances, and any complaints lodged with the AB and their resolution.
9. A description of any IFOAM accreditation process trainings provided to personnel (staff or contractors) in the reporting period.
10. Description of key challenges, including where training or information sharing on the IFOAM Accreditation Process is desirable.
11. Recommendations for continuous improvement in the IFOAM Accreditation Program. (Optional).

The report shall be submitted in electronic format to the IFOAM Value Chain Manager.

**ANNEX IV.**

**Fees**

**Annual Fee Schedule for IFOAM Accreditation Bodies**

The following annual fee shall be remitted to IFOAM within 30 days of submission of the Annual Report

|  |  |
| --- | --- |
| Flat fee | € 1000 |
| Variable fee | € 700 per IFOAM Accredited Certification Body |

**Fees and Costs for Review of IFOAM Accreditation Bodies**

The following fees and costs shall apply if IFOAM conducts a review of the Accreditation Body for cause.

|  |  |
| --- | --- |
| Personnel time | € 650/day for onsite evaluation including travel time |
| Travel costs | Actual documented costs  |

1. Critical locations are offices where policies and procedures are formulated, including those for personnel and their qualifications, and/or from which the certification decisions are taken. [↑](#footnote-ref-1)
2. Witness and review audits are specific audit tools of accreditation bodies. In a witness audit the accreditation body is accompanying an inspector / inspection team to an on-site inspection and assesses the performance. In a review audit the accreditation body is auditing an inspected/certified entity with the previous inspection report at hand without the inspector / inspection team being present to assess the performance. [↑](#footnote-ref-2)
3. Planning of witness and review audits will reference IFOAM Accreditation Body Guidelines for Planning Review, Site Evaluations and Audits. [↑](#footnote-ref-3)
4. Guideline: Is it advised to use a committee structure that includes one or more persons with organic sector expertise for decisions on accreditation. [↑](#footnote-ref-4)
5. Planningof site evaluations, and witness and review audits will reference IFOAM Accreditation Body Guidelines for Planning Review, Site Evaluations and Audits. [↑](#footnote-ref-5)
6. Planning of surveillance evaluations will reference IFOAM Accreditation Body Guidelines for Planning Review, Site Evaluations and Audits. [↑](#footnote-ref-6)