

BRITISH COLUMBIA CERTIFIED ORGANIC PROGRAM

BOOK 1 VERSION 15

Operation Policies and Procedures

*Certified Organic
Associations
Of British Columbia*



*British Columbia
Certified Organic*

BRITISH COLUMBIA CERTIFIED ORGANIC PROGRAM

BOOK 1 Version 15

Operation Policies and Procedures

Published by:

Certified Organic Associations Of British Columbia

202-3002 32nd Ave. Vernon, BC Canada V1T 2L7

T. 250-260-4429

Fx. 250-260-4436

>Office@certifiedorganic.bc.ca< >www.certifiedorganic.bc.ca<

Forward

This document replaces the one entitled "British Columbia Certified Organic Operation Policies and Farm Management Standards, Version 14 Book 1 Operation Policies and Procedures".

The "British Columbia Certified Organic Program" contains two books. Book 1 (this document) is titled "Operation Policies and Procedures" and details the structure of the British Columbia Certified Organic Program. The annexes of Book 1 describe the different requirements for the Regional and COR compliant certification programs.

The standards used by the British Columbia Certified Organic Program are those published by the Canadian General Standards Board (CGSB) with the title "Organic Production Systems –General Principles and Management Standard". Book 2 describes the management standards required for certification of organic enterprises under the British Columbia Certified Organic Program and provides details of any standard which is not covered by the scope of the CGSB organic production standard.

About the COABC

The Certified Organic Associations of British Columbia is the Administrator of the *Organic Certification Regulation* under the *Food and Agricultural Products Classification Act*. The COABC works to maintain a credible set of organic production and processing standards. The COABC ensures compliance with the standards by administering the accreditation and auditing process (the British Columbia Certified Organic Program) in partnership with the British Columbia Ministry of Agriculture.

The COABC acts as a Conformity Verification Body for the Canadian Food Inspection Agency with respect to the Organic Products Regulations and the Canadian Organic Regime (COR). Detailed information regarding the COR can be obtained from the CFIA website.

The COABC is committed to representing the British Columbia organic sector in provincial, national and international forums. In order to do this, the COABC endeavours to collect information and communicate issues that affect the provincial organic sector. The British Columbia Ministry of Agriculture provides critical support to the COABC in formulation of positions to deal constructively with these issues.

Consumer recognition and support of the organic sector and the British Columbia Certified Organic Program is vital to the development of the organic sector. The COABC actively seeks out opportunities to educate consumers about what it means to be "British Columbia Certified Organic." The COABC has developed a program and promotional materials that encourage use of the Program Symbol by licensees and provides program information to consumers.

Table of Contents

1.	Introduction	1
1.1.	British Columbia Certified Organic Program	1
1.2.	Prescribed Phrase and symbol	2
1.3.	Purposes of COABC	2
2.	Definitions	3
3.	COABC Operations	6
3.2.	Amendments to Program	7
3.3.	Accreditation of Member Certification Programs	7
3.4.	Appeals	8
3.5.	Complaints and Disputes	9
3.6.	Market Development	10
3.7.	Research and Extension	10
3.8.	Public Information	10
3.9.	Confidentiality and Conflict of Interest	10
3.10.	Annual Report	11
3.11.	Use of the COABC Name and Program Symbol	11
4.	COABC Membership and Application Requirements	12
4.1.	Membership Criteria	12
4.2.	Fees and Levies	14
4.3.	Offence and Penalty	14
5.	COABC Accreditation Board	15
5.1.	Purpose of the COABC Accreditation Board	15
5.2.	Annual Report to the COABC	15
5.3.	Reference Documents	15
5.4.	COABC Accreditation Board Structure	15
5.5.	Board Criteria and Responsibilities	16
5.6.	Board Operations	17
5.7.	Committees	18
5.8.	Policy Development	19
5.9.	Subcontracting	19
5.10.	Internal Audits and Management Reviews	20
6.	List of Related Documents	21

1. Introduction

1.1. British Columbia Certified Organic Program

- 1) This is the system of accreditation and certification administered by the COABC using the *Organic Certification Regulation* under the Food and Agricultural Products Classification Act. This program is documented in a two-part manual titled "British Columbia Certified Organic Program". This document is Book 1 "Operation Policies and Procedures". Book 2 is the "Certified Organic Management Standards."

1.1.1. Competent Body for Accreditation

- 1) The Certified Organic Associations of British Columbia (COABC) is empowered by the Organic Certification Regulation under the Food and Agricultural Products Classification Act to carry out the function of accrediting certification bodies operating in BC.

1.1.2. COR Compliant

- 2) The Certified Organic Associations of British Columbia Accreditation Program provides voluntary conformity assessment and accreditation service under International Standards Organization (ISO) Guide 17011 to organic certification bodies to facilitate the marketing and distribution of certified organic agricultural products. The COABC is an independent third party and strives to provide services in accordance with accepted industry practices and internationally recognised guidelines. All services are provided on a cost-recovery basis with fees as nearly equal as possible to the actual cost of providing the service.

1.1.3. Accreditation Programs

- 3) The COABC operates two accreditation programs:
 1. BC Certified Organic Regional Program for product marketed only in BC
 - BC Certified Organic COR Compliant Program for bodies operating certification systems under the Organic Products Regulation (Canada)
- 4) The policies and procedures for each program are outlined in Annex 1 and Annex 2 of this document and apply when providing accreditation service to organic product certification bodies requesting conformity assessment.

1.1.3 Conditions of the BC Certified Organic Program

- 1) The responsibility to certify individual enterprises remains the domain of the certification bodies that are accredited under the BC Certified Organic Program.
- 2) The COABC grants to the British Columbia Ministry of Agriculture the right to audit the process of accreditation carried out by COABC.
- 3) The COABC is incorporated as a society in the province of British Columbia.
- 4) The COABC requires as a condition of membership in the program that its members and any enterprises enrolled in the British Columbia Certified Organic Program adhere to all provincial, federal, and municipal laws, regulations, and standards affecting the agriculture industry.
- 5) The COABC does not require that any of the policies or standards of this program be applied to any other program that a member or licensee participates in.

1.2. Prescribed Phrase and symbol

1.2.1. Symbol Use

- 1) The phrase prescribed under the Food and Agricultural Products Classification Act (the Act) and adopted by the COABC is "British Columbia Certified Organic". No other descriptive phrases, including already existing labels or trademarks, and the descriptive phrase "transitional" are covered, prescribed, or adopted by this program.
- 2) The Program symbol prescribed under the Act and adopted by the COABC is the composite mark consisting of the phrase "British Columbia Certified Organic" and the symbol (the 'checkmark' logo portrayed on the cover of this document) as presented in the British Columbia Certified Organic Program Symbol User's Guide Revision 2.
- 3) Specific rules governing use of the Program Symbol are described in Section 3.11 of this document.

1.3. Purposes of COABC

In addition to administering the British Columbia Certified Organic Program (the core function of COABC), the purposes of the COABC as stated in the constitution are:

- 1) to promote organic agriculture and to provide public education on organic agriculture and organic foods;
- 2) to represent members in matters relating to the Food and Agricultural Products Classification Act of British Columbia;
- 3) to develop and administer an organic certification accreditation program for members;
- 4) to grant permission for use of the phrase "British Columbia Certified Organic" on product labels by agri-food enterprises certified by members;
- 5) to develop and implement a verification officer training program;
- 6) to facilitate research and marketing activities on behalf of members;
- 7) to provide information to the public on behalf of the members;
- 8) to develop and maintain an approved list of materials for use in the production of organic agricultural products by agri-food enterprises certified by members; and
- 9) To be responsible for incidental matters related to the above-referenced activities.

By entering in to an agreement with the Canadian Food Inspection Agency, COABC has the additional purpose to provide access to the Canadian Organic Regime.

2. Definitions

- 1) **Accreditation** means a process by which a certification body is approved under this program.
- 2) **Accreditation Board** (COABC Accreditation Board) –An independent body appointed by the COABC to carry out accreditation according to the BC Certified Organic Program.
- 3) **Accreditation Certificate** - A document issued by the COABC Accreditation Board; used to confirm a certification body's accredited status.
- 4) **Accredited Certification Body** means a Body accredited by the COABC, according to established criteria, procedures, and requirements, for administering a certification program in British Columbia.
- 5) **Agri-Food Choice and Quality Act** – Act of the British Columbia legislature to which the COABC subscribes.
- 6) **Appeal** - A procedure whereby a certified enterprise or a member of the public requests a review of a certification decision. The appeal may also be filed against a Certification Body or by a CB against the COABC Accreditation Board.
- 7) **Auditor** – The official appointed by the BC Ministry of Agriculture to the COABC Accreditation Board. The Auditor will provide “on site” evaluations of the certification programs operated by COABC member bodies.
- 8) **British Columbia Certified Organic Program** means the system of accreditation and certification administered by the COABC using the *Organic Agricultural Products Certification Regulation* under the *Agri-Food Choice and Quality Act*.
- 9) **Board of Directors (Board)** - The Board of Directors of the COABC, elected by the representatives of the members of the COABC at the Annual General Meeting of the COABC.
- 10) **Canada Organic Regime (COR)** - Means the documented framework of standardization and control measures necessary for the implementation of the Organic Products Regulation (Canada). In practice, the COR refers to all parts of the national organic regulation that is managed by the Canadian Food Inspection Agency.
- 11) **Certificate** – The document (issued by the CB) that describes the organic status of an enterprise. May also be called the ‘Certificate of Conformity’.
- 12) **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 specific products conform to specific requirements.
- 13) **Certification Body** means a society incorporated under the Society Act, one of whose functions is to provide a third party certification process to its members.
- 14) **CB** means a Certification Body – also called a Certification Agency, Certifying Body, Certifying Agency, or Certification Agent.
- 15) **Certification Committee** means a group of persons delegated by the membership of the certification body the responsibility of assessing applications for certification.
- 16) **Certification Program** - A system operated by a certification body with its own rules and procedures and management for carrying out certification.
- 17) **Certification Scope** - The parameters defining the certification granted including the product and product types certified, where applicable the acreage and volumes.
- 18) **Chain of Custody** - The concept that all relevant steps in the production chain including the growing, handling, processing and other processes have been inspected and certified as appropriate.
- 19) **COABC** – The Certified Organic Associations of British Columbia. The administrator of the *Organic Certification Regulation* under the Food and Agricultural Products Classification Act (BC). A competent body for accreditation to ISO Guide 17011 compliant standards.

- 20) **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 licensee lodged with the certification body by a third party.
- 21) **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 or accreditation.
- 22) **COR Compliant Accreditation** – Refers to the British Columbia Certified Organic COR Compliant Accreditation Program, administered by the COABC Accreditation Board. This accreditation enables certification bodies to operate COR compliant certification programs if they so choose.
- 23) **Enterprise** means a production or processing business or establishment.
- 24) **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.
- 25) **Handling** (handler) means any operation or portion of operation that receives or otherwise acquires agricultural products for resale, except that such a term shall not include final retailers of agricultural product, who do not process and substantially transform, repack, or re-label such products.
- 26) **International Organic Inspectors Association (IOIA)**-The body (recognised by the COABC) responsible for training and upgrading of verification officers under the BC Certified Organic Program. Information regarding the IOIA is available at www.ioia.net.
- 27) **Inspection** - On-site visit to premises for the verification of compliance with standards.
- 28) **Inspector** – A person appointed by the BC Ministry of Agriculture, under the auspices of the *Agri-Food Choice and Quality Act*. In extraordinary circumstances, the BC Ministry of Agriculture may appoint an inspector to monitor the British Columbia Certified Organic Program.
- 29) **Internal Audit/Management Review** - A systematic periodic review and assessment of the objectives and performance of a program that is undertaken by the certification body itself.
- 30) **ISO** - International Standards Organisation.
- 31) **Licensee** – An operator (or enterprise) that is in possession of a valid certificate.
- 32) **Materials List** - A register of production and processing materials indicating their status for use in organic food production. Materials lists are not complete, and are continually being updated, as new information becomes available.
- 33) **Membership of the COABC** means:
 - a) The individual societies (certification bodies) that have applied and become accredited by the COABC.
 - b) Associate members of the COABC.
- 34) **Membership of Certification Bodies** means the individual persons (operators) or enterprises that have joined the certification body.
- 35) **Operator** means any person, firm or organisation that produces, handles or processes with a view to subsequent marketing thereof, products referred to as BC Certified Organic in accordance with this standard. In general, the term operator refers to a person; the term enterprise refers to an entity.
- 36) **Organic** means a method of food production conforming to the standards described by the British Columbia Certified Organic Program provided by the COABC and amended from time to time.
- 37) **Organic Products Regulation** – refers to a federal regulation under the Canada Agricultural Products Act.

- 38) **Processing** - cooking, baking, heating, drying, mixing, grinding, churning, separating, extracting, cutting, fermenting, slaughtering, eviscerating, preserving, dehydrating, freezing, drying, sewing, or otherwise manufacturing, including packaging, canning, jarring, or otherwise enclosing in a container, other than normal post harvest packing of crops performed by producers.
- 39) **Production Unit**- A portion of an enterprise that produces an agricultural product under a specific management plan.
- 40) **Quality System** – Documented procedures that are established, implemented, and periodically audited to assure that production, handling, management, certification, and other systems meet specified requirements and outcomes by following standardised protocols. The information contained in this document provides the Quality System for the British Columbia Certified Organic Program.
- 41) **Regulation** – *Organic Agricultural Products Certification Regulation* under the *Agri-Food Choice and Quality Act* (BC).
- 42) **Sanctions** - Measures taken against certified operators who have failed to comply with the standards or other requirements of the certification body.
- 43) **Standards** – British Columbia Certified Organic Management standards.
- 44) **Third party** means the decision-maker has no direct financial interest in the affairs of the enterprise being certified, and no direct interest in the marketing of that operator's products.
- 45) **Verification Officer** means a person contracted by the certification body to gather information relating to a member's application for certification. A verification officer must be a member in good standing of the International Organic Inspectors Association.
- 46) **VO** - Verification Officer.
- 47) **Witness Audit** - an operator inspection performed under normal certification body procedure in the presence of the COABC/BC Ministry of Agriculture evaluator.

3. COABC Operations

3.1.1. COABC - Legal Structure

- 1) The COABC is incorporated as a society in the Province of British Columbia. The members of the COABC are charged to continue to do all things necessary to maintain COABC as a society.

3.1.2. Administrator

- 1) The COABC is the administrator of the program established by the *Organic Certification Regulation* (the regulation) under the *Food and Agricultural Products Classification Act*; called the British Columbia Certified Organic Program.

3.1.3. Liaison with the BC Ministry of Agriculture

- 1) The COABC acts as a liaison between its members and the BC Ministry of Agriculture is charged under the Constitution Act of the Province of British Columbia with administering the *Food and Agricultural Products Classification Act*.

3.1.4. Authority for Providing Accreditation Service

- 1) British Columbia Certified Organic accreditation services are provided under the authority of the Organic Agricultural Products Certification Regulation under the *Food and Agricultural Products Classification Act* of British Columbia.
- 2) The assessment and monitoring of certification bodies for compliance with the Canadian Organic Regime is carried out under agreement with the Canadian Food Inspection Agency under subsection 14(1) of the Canadian Food Inspection Act.

3.1.5. No Restrictions to Program

- 1) All British Columbia Certified Organic accreditation services are provided without bias toward race, colour religion, age, gender, national origin, sexual orientation, and marital or familial status. Services are available without regard to membership in any organisation and are not contingent upon the number of certificates issued.
- 2) British Columbia Certified Organic accreditation is available to all applicants whose activities fall within the scope of the COABC's mandate.

3.1.6. Organic Management Standards

- 1) The COABC will use the CGSB Organic Production Systems –General Principles and Management Standard (CAN/CGSB-32.310-2006 (current version)) as the reference document for the organic management standards of the British Columbia Certified Organic Program.

3.1.7 Materials List

- 1) The COABC will use the CGSB Organic Production Systems- Permitted Materials Lists (CAN/CGSB -32.311 -2006 (current version)) as the reference document for materials lists in the British Columbia Certified Organic Program.

3.1.8. VO Training Program

- 1) COABC will be responsible to ensure that an adequate, suitable, and dependable training, certification, maintenance, and upgrading program for VOs is available. The COABC may choose to use the training services provided by the IOIA.

3.2. Amendments to Program

3.2.1. Amending Procedure for Policies and Procedures

- 1) Members wishing to propose changes to the Regulation, this document or the constitution and bylaws of COABC must submit proposals in writing to the COABC.
- 2) Proposals will be distributed to COABC members for review at least four weeks in advance of a general meeting.
- 3) Decisions to amend policies and procedures will be made by a majority (75%) vote at a general meeting. A quorum is defined as 75% of members in good standing at the time of the general meeting.
- 4) Amendments to the scope of accreditation must follow the above procedure and include approval by the British Columbia Minister of Agriculture.

3.2.2. Amending Procedure for Management Standards

- 1) If the COABC identifies a need to develop organic production standards outside of the scope of the federal regulation, the COABC Board of Directors shall appoint a Standards Review Committee from among their number, COABC licensees, or members of the public. The Standards Review Committee shall consist of at least five members; however, the Board of Directors may appoint more members if they see fit.
- 2) The Standards Review Committee shall be responsible for making recommendations to the COABC Board of Directors on amendments and additions to the management standards of the BC Certified Organic Management Standard.
- 3) Detailed procedures covering the workings of this committee are developed by the COABC Board of Directors and amended from time to time.

3.2.3. Criteria for Organic Management Standards Revisions

- 1) Additions and amendments to the COABC Organic Management Standards shall comply with provisions of the Canada Organic Standard (CAN/CGSB-32.310-2006 Organic Production Systems – General Principles and Management Standards and CAN/CGSB-32.311-2006 Organic Production Systems – Permitted Materials Lists).
- 2) Procedures for developing and proposing recommendations to the CGSB for revisions to the Canadian standard are developed by the COABC Board of Directors.

3.3. Accreditation of Member Certification Programs

3.3.1. COABC Accreditation Board

- 1) In order for the COABC to provide advocacy services for the British Columbia organic sector, and to provide competent accreditation services to the same class of persons, the COABC has devolved its accreditation functions to an "arms-length" body called the COABC Accreditation Board.

3.3.2. Accreditation for BC organic certification bodies is provided in two categories:

- 1) Regional Accreditation to BC Certified Organic – this process provides accreditation under the Food and Agricultural Products Classification Act for certification bodies operating in the province of British Columbia with licensees who only market organic product within BC.
- 2) Accreditation to BC Certified Organic COR Compliant – this process allows the COABC to recommend to the CFIA accreditation under the *Canada Organic Regime* for certification bodies with licensees who require use of the *Canada Organic* logo, and access to national and international markets.

3.3.3. Scope of Accreditation

- 1) The COABC Accreditation Board provides accreditation for organic certification bodies under direction of the Certified Organic Associations of British Columbia. The COABC Accreditation Board may provide no other accreditation services.
- 2) BC Certified Organic Regional accreditation and BC Certified Organic COR accreditation services are available to British Columbia organic certification bodies operating in British Columbia that certify organic agricultural products or systems that produce, process, or distribute agricultural products.

3.3.4. Accreditation Review

- 1) The BC Ministry of Agriculture or any COABC accredited certification body may request an extraordinary review of the COABC accreditation process at any time.

3.4. Appeals

3.4.1 Appeal by Members

- 1) Certification Bodies (members of the COABC) have the right to appeal decisions of the COABC Accreditation Board. The appeal procedure is a two-step process. CB's must pursue the step 1 process before initiating the step 2 process.

3.4.2 Appeals Procedure Step 1

- 1) The first avenue for appeal of a decision of the COABC Accreditation Board by a Certification Body shall be to appeal directly to the COABC Accreditation Board. The Certification Body shall:
 - a) File the notice of appeal within thirty days of receiving the decision from the COABC Accreditation Board.
 - b) In order for an appeal to be admissible, the certification body must give evidence to a justifiable procedural error, misinterpretation, or inconsistency relative to the Board's previous decisions.
 - c) The COABC Accreditation Board shall study the appeal according to the reasoning submitted by the applicant. The COABC Accreditation Board then makes a decision and informs the appellant in writing.

3.4.3 Appeals Procedure Step 2

- 1) In the event that the certification body still does not agree with the COABC Accreditation Board, they may pursue an appeal to the COABC Board of Directors. Certification bodies shall proceed as follows:
 - a) It shall request in writing, an emergency meeting of the COABC board at which the appeal will be heard.

- b) A deposit of \$250.00 shall accompany this request.
- c) The deposit is returned only if the COABC board finds the COABC Accreditation Board has not provided a fair process for the assessment of the certification body in question.
- d) The director representing the certification body is not eligible to vote on its appeal.
- e) The COABC Board is restricted in its decisions on appeals of the COABC Accreditation Board to determining only whether a fair process was in place with regards the accreditation decision of the certification body in question.
- f) If the COABC Board finds that fair process was in place during the accreditation review in question, then the affected certification body has no further right of appeal.
- g) If the COABC Board finds that a fair process did not take place during the accreditation review of the certification body in question, the COABC Board may:
 - i. Direct the COABC Accreditation Board to repeat the accreditation process of the certification body in question.
 - ii. In extraordinary circumstances, the COABC Board may remove and replace appointments to the COABC Accreditation Board. This may only take place by action on an appeal to the COABC Board by a certification body, or because of verified evidence that an Accreditation Board member has not acted according to Accreditation Board policy.

3.4.1. Records of Appeals

- 1) The COABC will keep records of all appeals for inspection and audit by the BC Ministry of Agriculture.

3.5. Complaints and Disputes

3.5.1. Dispute Resolution Committee

- 1) The Board will appoint a Chair for the Dispute Resolution Committee from among its number or from the membership or from the public. The Dispute Resolution Committee shall have the responsibility to provide recommendations to the COABC Board regarding all complaints and disputes. The Dispute Resolution Committee shall also provide recommendations on complaints from the public.
- 2) The Dispute Resolution Committee shall convene only when there is a need for its services. The Chair of the committee shall appoint two COABC board members or members of the public to serve on the Dispute Resolution Committee. COABC board members so appointed shall be obligated to serve on the committee.
- 3) The COABC Administrator shall ensure a record is kept of all complaints and disputes.

3.5.2. Public Complaints

- 1) Complaints from the public shall be handled immediately. In all cases, the complainant shall be given a written report of the actions of the Dispute Resolution Committee. The Chair will have the responsibility to ensure this report is given to the complainant.
- 2) Complaints from the public regarding licensees shall be directed to the appropriate Certification Body. The COABC shall ensure that the CB provides an immediate and sensitive resolution of all public complaints.

- 3) The COABC office shall oversee complaints regarding use of the Program Symbol. If the misuse is by a certified operator the complaint is dealt with initially by the appropriate certification body. Swift and appropriate action shall be taken to protect the integrity of the Program Symbol. The COABC Board is notified when there is no resolution by the required date. If necessary, the COABC may involve the BC Ministry of Agriculture, the Canadian Food Inspection Agency or the Competition Bureau of Canada.

3.5.3. Dispute Resolution

- 1) Dispute resolution is a friendly alternative to the formal appeal course. The dispute resolution process is designed to provide any member of the COABC the opportunity to have a decision of the COABC reconsidered when the member believes the decision was not made in accordance with the applicable principles, standards, and/or procedures. The dispute resolution process encourages detailed discussions of the case and endeavours to reach a decision at the conclusion of the process that is both equitable and clearly defensible.
- 2) The Dispute Resolution Committee shall provide a hearing on any matter of dispute between the COABC and its membership. Certification bodies (COABC members) must handle disputes from individual licensees. The Dispute Resolution Committee shall provide recommendations regarding disputes to the COABC Board of Directors. The COABC Board must acknowledge recommendations from the Dispute Resolution Committee. If the COABC Board chooses not to implement such recommendations, they must provide written reasons for their decision.

3.6. Market Development

- 1) COABC may undertake market development activities on behalf of its membership.

3.7. Research and Extension

- 1) COABC may undertake research and extension activities on behalf of its membership independently, in co-operation with the BC Ministry of Agriculture, or with other appropriate agencies.

3.8. Public Information

3.8.1. Member Database

- 1) The COABC will maintain at its head office a register providing the name and address of every certification body for which accreditation has been granted and the name of every enterprise to which a certificate has been issued (licensees). COABC will make this information available to the public via the COABC website and by:
 - a) making the register available for public inspection during normal business hours, and
 - b) answering inquiries from the public respecting the register.
- 2) The COABC will provide copies of its Operation Policies and Management Standards to the public for a reasonable fee.

3.9. Confidentiality and Conflict of Interest

3.9.1. Confidentiality Agreement

- 1) The COABC shall develop and maintain a confidentiality and conflict of interest agreement. Such an agreement will be adequate for the protection of confidentiality and for the disclosure of conflict of interest.

- 2) All personnel: contract workers, employees or volunteers, will be required to sign a confidentiality agreement.
- 3) All directors and alternates will be required to sign a confidentiality agreement.

3.9.2. Conflict of Interest

- 1) Directors, contractors, employees, committee members, and other volunteers shall be required to disclose any direct or indirect conflict of interest in their relationship with the COABC.
- 2) All persons with a conflict of interest shall be excluded from work, discussion, or decisions regarding the potential conflict. The exclusion of such persons shall be recorded in minutes or other records.
- 3) The confidentiality agreement shall contain a disclosure of interest clause.

3.10. Annual Report

- 1) The COABC will report annually to the Minister of Agriculture providing information that the minister requires, including a report on the COABC's activities of the past year, a list of current officers, directors, committees and committee members and a financial report.

3.11. Use of the COABC Name and Program Symbol

- 1) The descriptive phrase "British Columbia Certified Organic" and the program symbol may only be used by enterprises certified by member certification bodies.

3.11.1. Rules Governing Use of the Program Symbol

- 1) A Certification Body, which has been accredited by the COABC, may grant the use of the BC Certified Organic Program Symbol to certified organic enterprises enrolled in its certification program, subject to the following conditions:
 - a) The enterprise must have a valid 'certificate' issued by the Certification Body. This must be re-issued annually.
 - b) The enterprise must sign and return a "Consent to Use Official Marks" form to their CB. This need only be completed initially.
 - c) The enterprise must be in good standing (COABC membership fees) with the Certification Body.
 - d) Physical use of the BC Certified Organic Program Symbol is governed by the "Symbol Users Guide", issued by the COABC, and amended from time to time.
- 2) When a Certification Body uses or permits any of its members to use Official Marks in connection with a Membership Promotion:
 - a) the Certification Body will ensure that all Use of the Official Marks in connection with the Membership Promotion is conducted in a manner that communicates clearly a connection between the Official Marks Used and the Certification Body, which may include but not be limited to prominent use of one or more of the Certifying Agency's own certification marks in close proximity to the Official Marks.

4. COABC Membership and Application Requirements

4.1. Membership Criteria

4.1.1. Classes of Membership

- 1) **Certification Body members** - organic certification bodies that are accredited members in good standing in the BC Certified Organic Program. These are voting members.
- 2) **Certification Body supplementary members** - Certification Body members may appoint one Supplementary member for every 50 (beyond the first 50) operators enrolled in their organic certification program as of the date of the COABC annual general meeting. These are voting members.
- 3) **Consumer/environmental organisation member** - the board of directors may appoint one consumer/environmental organisation member. This is a voting member.
- 4) **Associate members** - The directors may appoint Associate members as they see fit, although Associate members must be organisations and, according to the Societies Act, there may not be more Associate members than non-Associate members. The BC Ministry of Agriculture is a permanent Associate member. Associate members do not vote.

4.1.2. Certification Bodies

- 1) Membership in the COABC is open to a certification body, which meets the membership criteria of the COABC, as set out below.
- 2) Certification Bodies shall have as one of their functions, an organic certification process for their licensees that meets the minimum requirements of the BC Certified Organic Program.
- 3) Certification Bodies must have a minimum of five enterprises enrolled in their certification program to apply for membership in the COABC.
- 4) Certification Bodies shall not have a direct financial interest in the affairs of any of its members.
- 5) A certification body whose members wish to use the phrase "British Columbia Certified Organic" and/or the program symbol shall conform to these policies and management standards. A certification body shall require its members enrolled in the BC Certified Organic Program to conform to these policies and management standards.

4.1.3. Consumer/Environmental Member

- 1) A representative from a consumer or environmental organisation shall not have a financial interest in the organic food industry. This member must have as a principal purpose the advocacy of consumer or environmental issues.

4.1.4. Associate Members

- 1) Associate membership in COABC is open to any group, which meets the associate membership criteria of the COABC.

- 2) The Minister's designate from the BC Ministry of Agriculture is an associate member in the COABC. The BC Ministry of Agriculture representative sits in an advisory capacity only, does not vote, and is not liable for membership fees.
- 3) The Minister's designate is entitled to nominate an alternate to act on his/her behalf at general meetings of the COABC. The Minister's designate is a non-voting member of the board of directors.
- 4) Associate members are not liable for membership fees.

4.1.5. Representatives and Directors

- 1) Representatives attend general, extraordinary, and annual general meetings, and directors attend directors meetings.
- 2) Each member shall designate one representative (may be called delegate) and one alternate representative to attend general meetings of the society. The alternate may act in the absence of the designate, and otherwise may attend meetings in an observatory capacity only. Except for Associate members, the representative of a member is entitled to vote at a general, special or annual meeting of the COABC.
- 3) Each Certifying Agency member appoints a director at the annual general meeting. Terms are for two years and persons may only serve two consecutive terms. After one-year's absence, a person may be re-appointed.
- 4) Each Certifying Agency Supplementary member appoints a director at the annual general meeting (members may appoint the same person as both representative and director). Terms are for one year and a person may only serve four consecutive terms. After one-year's absence, a person may be re-appointed.
- 5) The consumer/environmental organisation member appoints a director at the annual general meeting. The term is for two years and a person may only serve two consecutive terms. After one-year's absence, a person may be re-appointed.
- 6) Associate members may appoint ex-officio directors if authorised by the directors to do so. The Ministry of Agriculture (the Ministry) is a permanent associate member of the society with the right to name a representative to attend meetings of members. The Ministry also has the right to name a person to sit as an ex-officio director.
- 7) Representatives of associate members are entitled to fully participate and advise.
- 8) The board of directors may nominate individuals to sit as non-voting directors.

4.1.6. Committees

- 1) The board may establish an executive committee or any other committee it may determine as necessary following the constitution and bylaws.
- 2) A committee formed by the directors shall conform to any rules imposed on it by the directors and shall report every act or thing done in exercise of those powers to the earliest meeting of the directors to be held next after it has been done.

- 3) If a member of a committee is an ex-officio director of the society or a designate from a member or associate member, or an individual designated by the directors, that committee member can vote and speak at committee meetings in the same way as any other committee member.

4.1.7. Voting Rules

- 1) Except for Associate Members, each member of the COABC has one vote.
- 2) All decisions by the COABC Board of Directors and general membership will be determined by a majority vote. A majority is described for this purpose as seventy-five percent (75%) of members in good standing. A quorum for any decision-making process shall be 75% of members in good standing. The directors may from time to time fix the quorum necessary to transact business, and unless so fixed the quorum shall be a 75% majority of the directors then in office.
- 3) Organic operators (licensees) may belong to (and be certified by) more than one COABC accredited certification body but may only cast one vote for a COABC representative or director from one certification body.

4.2. Fees and Levies

4.2.1. Administration Fees

- 1) A fee for administration purposes will be charged to each member on an annual basis.
- 2) The Board of Directors of the COABC shall determine the membership fees at the annual general meeting.
- 3) The membership fees will be determined for the next calendar year and will take effect on January 1st of the next calendar year.
- 4) Certification bodies will remit membership fees according to the fee schedule provided by the COABC.
- 5) Each certification body may participate in other activities of the COABC. Participating certification bodies shall be billed on a cost benefit basis.

4.3. Offence and Penalty

- 1) Compliance with the program is a preferred outcome to prosecution. Withdrawal of certification by a Certification Body for non-compliance is the penalty of choice but prosecutions under Part 5 of the Food and Agricultural Products Classification Act may be initiated by a request from COABC to the BC Ministry of Agriculture where necessary.

5. COABC Accreditation Board

5.1. Purpose of the COABC Accreditation Board

- 1) The purpose of the Accreditation Board is to fulfil the obligations for accreditation devolved to the COABC as administrator of the British Columbia *Organic Certification Regulation* under the Food and Agricultural Products Classification Act.
- 2) The COABC Accreditation Board is responsible for all decisions relating to the granting, maintaining, extending, reducing suspending and withdrawing of British Columbia Certified Organic Accreditation (both Regional and COR Compliant). Procedures governing the aforementioned activities can be found in this manual.
- 3) The COABC Accreditation Board acts as a Conformity Verification Body under the Canadian Organic Regime and is responsible for assessment, monitoring and recommending CBs for accreditation under the Organic Products Regulations.

5.2. Annual Report to the COABC

- 1) The COABC Accreditation Board will provide an annual report to the COABC. The director will ensure the annual report contains the following information at a minimum:
 - a) Concise description of the activities of the COABC Accreditation Board
 - b) Details of any appeals or withdrawals of accreditation
 - c) List of approved subcontractors
 - d) Income and expense report and fees for services for the coming year

5.3. Reference Documents

5.3.1. ISO Guides

- 1) ISO Guide 17065-Requirements for bodies operating product certification systems
- 2) ISO Guide 17011 - Requirements for accreditation bodies.
- 3) ISO 19011: Guidelines for quality and/or environmental management systems auditing.

5.3.2. COR Documents

- 1) COR Memos and Guidance Documents

5.4. COABC Accreditation Board Structure

5.4.1. Balanced Representation

- 1) The structure of the Accreditation Board must provide for a balanced representation of interests without any sector predominating. [Sectors include conformity assessment (certification & inspection), operators (producers and processors), beneficiaries (trade, consumers, environmentalists,) and regulators].

5.4.2. Board Membership

- 1) The COABC Accreditation Board shall consist of:
 - a) The Director appointed by the COABC Board
 - b) One BC Certified Organic producer member appointed by the COABC Board;
 - c) One ex-officio member representing the BC Ministry of Agriculture;
 - d) One processor, handler or distributor representative appointed by the COABC Board;
 - e) One consumer/ environmental representative appointed by the COABC Board from nominations solicited from outside of BC certified organic program.

5.4.3. Additional Members

- 1) There must always be at least five persons on the COABC Accreditation Board as detailed above. The COABC Board of Directors may appoint additional persons to sit as members of the Accreditation Board to ensure adequate stakeholder participation and to avoid undue influence by any interested parties.
- 2) The term of office for Accreditation Board members shall be three years with positions staggered to ensure continuity.

5.5. Board Criteria and Responsibilities

5.5.1. Conflict of Interest

- 1) The members of the COABC Accreditation Board must declare any conflict of interest between themselves and applicants, or members of the COABC. Board members must stand down from decisions that may put themselves in a conflict of interest. Board members must not provide consulting services to applicants for accreditation and must not have provided such services for the previous 24 months before assessing such applicants.
- 2) COABC Accreditation Board members are subject to all sections of the *Society Act* of British Columbia regarding conflict of interest. COABC Accreditation Board members may be removed from their position for contraventions of the *Society Act*.

5.5.2. Confidentiality

- 1) COABC Accreditation Board members must sign a confidentiality agreement. Certification Body records and minutes of Accreditation Board meetings must remain confidential to the COABC Accreditation Board.

5.5.3. Qualifications

- 1) COABC Accreditation Board members shall have qualifications for their position. Such qualifications may include, but are not limited to, the following criteria:
 - a) Previous experience in quality control systems.
 - b) Previous experience in audit process.
 - c) Previous experience in public administration.
 - d) Previous experience in private administration/management.
 - e) Previous experience in volunteer boards of incorporated societies.
 - f) Previous experience in professions that require certification/accreditation.

5.5.4. Personnel Records

- 1) The Director (see Director, below) will maintain a record of the members of the COABC Accreditation Board, and all subcontractors to the COABC Accreditation Board. This record will be kept up to date and will contain:
 - a) Name and address
 - b) Professional qualifications and affiliations
 - c) Performance appraisals (if any)

5.6. Board Operations

5.6.1. Meetings

- 1) Meetings of the COABC Accreditation Board may be in person, through teleconference, or by any other method the COABC Accreditation Board may decide.

5.6.2. Voting Rules

- 1) Decisions of the COABC Accreditation Board must be approved by a minimum vote of a unanimous decision minus one vote, the actual number determined by the number of members present. A quorum consists of four members.
- 2) The BC Ministry of Agriculture ex-officio appointee and/or the Accreditation Board Auditor do not have a vote on the Accreditation Board but may participate in the discussion.

5.6.3. Duties of the Director

- 1) Duties of the Director:
 - a) To be responsible for the overall management of the Accreditation Board
 - b) Development of policies relating to the activity of the Accreditation Board
 - c) To supervise the development of a quality control system for the Accreditation Board and the management of its records and documents
 - d) To ensure that assessments (evaluations) of enterprise clients are carried out according to criteria supplied elsewhere in this manual.
 - e) To organise meetings of the Accreditation Board and chair such meetings.
 - f) Ensure the Secretary (or paid staff) completes the correspondence required for the Accreditation Board to carry out its mandate. The Director may choose to undertake this correspondence himself/herself.
 - g) Communicate directly with the treasurer of the COABC to ensure the financial solvency of the Accreditation Board.
 - h) Supervise all accreditation decisions.
 - i) Ensure that all committee members are supplied with all relevant technical information they may require. Ensure committee members are familiar with accreditation procedures, legal requirements, and any other regulations pertinent to their position.
 - j) Provide expertise for advising the Accreditation Board on matters directly relating to Accreditation and where required access and provide additional expertise for advising the Accreditation Board on matters directly relating to Accreditation.

5.6.4. Secretary

- 1) The Board shall elect a Secretary from among their number or delegate the tasks to a member of staff.

- 2) The duties of the Secretary are to ensure that:
 - a) Minutes of all Board meetings are recorded and circulated to the members of the Accreditation Board.
 - b) Documents required for the operation of the Accreditation Board are categorised and safeguarded. The secretary will develop and ensure implementation a quality control system for the management of Accreditation Board minutes, files, and forms. The secretary will ensure that files and correspondence are kept confidential and available only to current accreditation board members and to inspectors or auditors appointed by the Ministry of Agriculture or CFIA.
- 3) The secretary may be required to undertake correspondence on behalf of the Accreditation Board and as directed by the Director.

5.6.5. Technical Assistance

- 1) The COABC Accreditation Board may at its discretion contract for or obtain extraordinary technical or legal assistance.

5.6.6. Insurance

- 1) The COABC Accreditation Board shall obtain liability insurance for all its Accreditation Board members, employees and when necessary, for contract evaluators.

5.6.7. Finances of the COABC Accreditation Board

- 1) As an independent appointed body of the COABC, the COABC finances the COABC Accreditation Board.
- 2) Upon approval of the COABC, the COABC Accreditation Board may set fees for services. Such fees must be based on a cost-recovery basis within the amount needed to maintain the operations of the COABC Accreditation Board.
- 3) The Accreditation Board has no authority to borrow money under its own name, or that of the COABC.

5.6.8. Record Retention

- 1) The Secretary of the COABC Accreditation Board shall be responsible to ensure that COABC Accreditation Board records are retained for a minimum of seven years or a later date stipulated by the COABC or the BC Ministry of Agriculture.

5.7. Committees

5.7.1. Dispute Resolution Committee

- 1) The Accreditation Board shall strike a Dispute Resolution Committee from among their number but may include other disinterested parties as they see fit.
- 2) The Dispute Resolution Committee will consist of no less than three members but may contain more than three.
- 3) The Dispute Resolution Committee must rule on matters arising from appeals to the COABC Accreditation Board according to criteria found elsewhere in this document.

- 4) The Dispute Resolution Committee shall elect a chair from among their number.

5.7.2. Internal Audit Committee

- 1) The COABC Accreditation Board shall strike an Internal Audit Review Committee from among their number.
- 2) The Internal Audit Review Committee will consist of no less than two members but may contain more than two.
- 3) The Internal Audit Review Committee shall undertake the annual internal audit of the Accreditation Board according to criteria found elsewhere in this document.
- 4) The Internal Audit Review Committee shall elect a chair from among their number. The chair shall be responsible to initiate the Internal Audit/Management Review process.

5.7.3. Other Committees

- 1) The COABC Accreditation Board may strike other committees as it sees fit.

5.8. Policy Development

- 1) The COABC Board of Directors shall determine the policy for the administration of the COABC Certified Organic Program and shall ensure the COABC Accreditation Board is immediately informed of any changes in policy. The Director of the COABC Accreditation Board shall be responsible to ensure that policy changes are implemented.
- 2) The Director will be responsible to maintain a COABC Accreditation Board Quality Manual. The Quality Manual shall describe detailed procedures for the operation of the Accreditation Program.

5.9. Subcontracting

5.9.1. Auditors

- 1) The Accreditation Board may contract auditors to perform assessments (evaluations) of certification bodies.
- 2) Auditors for the COABC Accreditation process may be supplied by the BC Ministry of Agriculture.
- 3) Auditors assigned to provide onsite evaluations must have qualifications for their position. The expertise criteria for an auditor or audit team, may include but are not limited to:
 - a) Knowledge and understanding of the Accreditation Board's program (accreditation criteria and procedures)
 - b) Knowledge of production standards and generally accepted practices (practical experience in production, processing, inspection or certification management would be a major asset) relative to the designation for which the certification body has applied to be accredited
 - c) Professional training (or equivalent work experience) in certification;
 - d) Knowledge of evaluation methods including interviewing techniques and the ability to write reports

- 4) Auditors must have signed conflict of interest statements, confidentiality, and appropriate disclosure agreements on file with the Accreditation Board before assignment to provide service to a specific applicant.
- 5) The Director will ensure that a contract is in place with every auditor or with another organization that employs auditors contracted by the Accreditation Board.
- 6) The COABC Accreditation Board will take responsibility for work performed by subcontractors.
- 7) If a conclusion can't be determined by the auditor regarding a finding, the Accreditation Board should be consulted to clarify.
- 8) The Director will prepare an evaluation report on the performance of subcontracted auditors. This report will be made available to the COABC Accreditation Board for review - at least annually.

5.10. Internal Audits and Management Reviews

5.10.1. Responsibility for Internal Audits

- 1) The Director shall ensure that an internal audit process is put in place and that audits are initiated at least annually.

5.10.2. Internal Audit Process

- 1) An Internal Audit shall be a review of the entire procedures of the COABC Accreditation Board. This will include the performance and activities of all personnel, including personnel on contract. The purpose of such a review shall be to ensure that the Quality System is performing effectively. Personnel affected by the audit shall be informed of the outcome of the audit. Records of all Internal Audit processes shall be retained by the COABC Accreditation Board for subsequent inspection by the COABC Board of Directors, BC Ministry of Agriculture, and external auditors as required.

5.10.3. Management review

- 2) A review of the management system shall take place annually to ensure the continuing adequacy and effectiveness of the accreditation program in satisfying requirements of the BC Certified Organic Program and Canada Organic Regime.

6. List of Related Documents

- 1) Annex 1 COABC Regional Accreditation Program
- 2) Annex 2 COABC COR Compliant Accreditation Program
- 3) Accreditation Agreement – COABC COR Compliant Accreditation Program
- 4) Accreditation Agreement – COABC Regional Accreditation Program
- 5) Official Mark License Conditions for Accredited Certification Bodies
- 6) Official Mark License Conditions for Program Administrator
- 7) Consent to Use Official Marks Declaration
- 8) Conditions For Consent to Use Official Marks
- 9) British Columbia Certified Organic Program Symbol Users Guide
- 10) Program Certificate Template
- 11) Application for COABC COR Compliant Accreditation
- 12) Application for COABC Regional Accreditation
- 13) Food and Agricultural Products Classification Act
- 14) Organic Certification Regulation

Contact the Program Administrator for copies of the above documents