BRITISH COLUMBIA CERTIFIED ORGANIC PROGRAM

COABC COR COMPLIANT ACCREDITATION

BOOK 1

Annex 2-Part B – Accreditation Criteria

Version 5

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Part B. Accreditation Criteria

For Certification Bodies Operating within the COABC COR Compliant Accreditation Program

Note this document is a compilation of the requirements of ISO 17065, the Canada Organic Regime Operating Manual and the rules specific to the COABC Accreditation Program.

1. Scope

1.1 General Requirements

a) This document specifies general requirements that a third-party organic certification program shall meet if it is to be accredited under the British Columbia Certified Organic COR Compliant Accreditation Program. These requirements aim to give confidence to all interested parties.
b) This document uses the term "certification body" or "CB" to cover any body managing a product certification system. In organic agri-food production, the term certification system is understood to include certification of the compliance to production standards relative to organic production systems.
c) In 1SO 17065 the word "product" can be read as "processes" and "services" but readers should be aware that under the COR it is the actual product that is certified not the process; the word "standard" is used to include other normative documents such as specifications or technical regulations.

1.1.1 Fees and Levies

Membership fees and certification fees shall be levied in accordance with a schedule described in the certification body's Certification Manual.

1.1.2 Certification Scope and the Chain of Custody

1. The CB shall not allow the use of its certification mark or issue certificate for any product unless it is assured of the chain of custody of the product.

2. Any entity in the chain of custody that has produced or prepared an organic product shall have been certified. Contracted production shall have been inspected. Where steps in the production chain have been certified by other CBs, all previously certified products or ingredients shall have been certified under the OPR requirements by a CB recognized by the COR, or if for the BC market only, by a CB accredited by COABC.

3. CBs shall conduct a risk assessment to determine the necessity for, or frequency of, inspection of all storage facilities in order to protect organic integrity. Where this risk assessment reveals a need for inspection to protect organic integrity, inspection shall be done.

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

1.2 References

1) Canada Organic Regime Operating Manual
2) Organic Certification Regulation (under the authority of the BC Food and Agricultural Products Classification Act)

3) SOR/2018-108 Safe Food for Canadians Regulation (SFCR) Part 13(under the authority of the Safe Food for Canadians Act)
4) ISO/IEC Guide 17065 Conformity Assessment - Requirements for bodies certifying products, processes and services.

1.3 Definitions

1) For the purposes of these criteria, the relevant definitions given in COABC Operation Policies and Procedures Book 1 apply, together with the following definitions:

2) Supplier: The party that is responsible for ensuring that products meet and, if applicable, continue to meet, the requirements on which the certification is based.

a) Every supplier claiming that the products it markets meet the requirements covering designation "Canada Organic" and "Biologique Canada" and "British Columbia Certified Organic" within the scope of the Organic Products Regulation, and the Organic Products Certification Regulation (BC) must submit an application to certify those products. In this document, the terms "supplier" or "operator" or "client" are used interchangeably and refer to a person or company.
b) Suppliers of certified products (operators) and approved service providers can be distinguished as follows: certified product suppliers have full control over and are responsible for the production or manufacturing process, supplying of the raw materials and the sale of certified products. Service providers only carry out a particular activity (packaging, transportation, slaughtering, etc.) within the production or manufacturing chain, according to specifications provided by the supplier (operator), who maintains legal ownership over the product throughout the entire process.

3) Certification requirement includes requirements imposed on the supplier by the CB or the certification scheme e.g. completing the agreement, paying fees, providing information and access.

4) Product requirement is a requirement specified in CAN/CGSB 32-310/311/312 or regulations relating directly to a product.

2. Certification Bodies (CBs)

2.1 General Provisions

2.1.1 Legal Entity

The CB shall be a legal entity such that the legal entity can be held responsible for all its certification activities. (Note that COABC is only authorized to provide accreditation services to not for profit societies registered in British Columbia)

2.1.2 Access to Program (ref: ISO 4.4)

1) The policies and procedures under which the CB operates shall be non-discriminatory and shall be administered in a non-discriminatory manner. Procedures shall not be used to impede or inhibit access by applicants, other than as provided for in the Accreditation criteria of the organic program. Speeding up or delaying the processing of some applications are considered hidden discrimination.

2) The CB shall make its services accessible to all applicants whose activities fall within its declared field of operation. There shall not be undue financial or other conditions. Access shall not be conditional upon the size of the supplier or membership of any association or group, nor shall certification be conditional upon the number of certificates already issued. Note: A CB can decline to accept an application or maintain a contract for certification when demonstrated reasons exist such as client participating in illegal activities or having a history of repeated non-compliances with certification/product requirements.

2.1.3 Clarity of Scope

1) The criteria against which the products of a supplier are evaluated shall be those outlined in British Columbia Certified Organic Production Operation Policies and Management Standards and CAN/CGSB CAN 32.310 & CAN/CGSB 32.311 (current versions). If interpretation is required as to the application of these normative documents for a specific certification program, it shall be formulated by relevant and impartial committees or persons possessing the necessary technical competence.

2) The documents pertaining to product conformity requirements shall be understandable by the supplier, the certification body, and all interested parties.

3) When a subjective judgment is required to determine compliance, the CB shall document explanatory information, assuring consistent and uniform application of the requirements and certification decisions.

4) The CB shall confine its requirements, evaluation and decision on certification to those matters specifically related to the scope of the certification being considered.

2.2 Management of Impartiality (ref: ISO 4.2)

The CB shall be responsible for the impartiality of its certification activities and not allow commercial, financial or other pressures to compromise impartiality.

1) The CB shall manage impartiality according to the requirements of IS0 17065 4.2.1 – 4.2.12 *(these requirements are listed in the Document Review* template).

The CB shall not offer or provide consultancy or management system consultancy to its clients. Specific advice given to the client (by the CB or VO) should be limited to explanations of the standards or certification requirements. This information shall not be offered for additional fees and shall not prescribe solutions. CBs may provide general information (training, newsletters, seminars, advice concerning regulatory requirements etc.) for additional fees, provided this service shall be offered to all operators in a non-discriminatory manner. CBs may provide a list of certification consultants (not employed by the CB) as a service to their members.

2) Within a period specified by the CB, personnel (employees or contractors) shall not be used to review or make a certification decision for a product or operation where they have provided consultancy. The period should be long enough so impartiality is not compromised (2 years is recommended).

2.3 Liability & Financing

1) The CB shall have adequate arrangements (e.g. insurance or reserves) to cover liabilities arising from its operations and/or activities.
2) The CB shall the financial stability and resources required for the effective management of its certification system.

2.4 Structural Requirements (ref: ISO 5)

Certification activities shall be structured and managed so as to safeguard impartiality and foster confidence.

2.4.1 Documented Structure

1) The CB shall document its organizational structure showing duties, responsibilities and authorities of management, other personnel and any committees.
2) The CB shall identify the board, committee, or person having overall authority and responsibility for:

    i. Formulation of policies relating to the operation of the certification body;
    ii. Supervision of the implementation of its policies;
    iii. Supervision of the finances of the body;
    iv. Development of certification activities;
    v. Development of certification requirements;
    vi. Evaluation;
    vii. Review;
    viii. Decisions on certification;
    ix. Delegation of authority to committees or individuals as required to undertake defined activities on its behalf;
    x. Contractual arrangements;
    xi. Provision of adequate resources for certification activities;
    xii. Responsiveness to complaints and appeals;
    xiii. Personnel competence requirements;
    xiv. The management system of the CB

(Note that program administrators shall not act as verification officers or make decisions pertaining to certification.)

3. The CB shall have formal rules and structures for the appointment and operation of any committees which are involved in the certification process; and shall retain authority to appoint and withdraw members of the committees. Such committees shall be free from any commercial, financial and other pressures that might influence decisions. A structure where members are chosen to provide a balance of interests where no single interest predominates will be deemed to satisfy this provision.

4. Where decisions are taken by a committee comprising among others representatives from one or more clients, the operational procedures should insure the representatives do not have significant influence on decision making e.g. by a distribution of voting rights.

2.4.2 Mechanism for Impartiality (ref: ISO 5.2)

1. The CB shall have a mechanism for safeguarding impartiality. In this context a mechanism is a committee or group of persons that provides input on: policies and principles relating to impartiality of its certification activities; any tendency on the part of the CB to allow commercial or other considerations to prevent consistent impartiality; and matters affecting impartiality and confidence in certification including openness.

2. The committee shall be formally documented to ensure a balanced representation of significantly interested parties such that no single interest predominates. A CB shall identify and invite significantly interested parties such as clients and customers of clients, representatives of industry trade associations, NGOs and government, conformity assessment experts. Internal and external personnel of the CB are considered a single interest.

3. The committee shall have access to all the information necessary to enable it to fulfil its functions.

4. If the top management does not follow the input of this committee, the committee shall have the right to take independent action such as informing accreditation bodies or stakeholders while respecting confidentiality requirements. Input that is in conflict with the operating procedures of the CB or other mandatory requirements should not be followed and the reasoning behind the decision to not follow the input documented.

2.5 Resource requirements

2.5.1 Certification Body personnel

1. The CB shall employ, or have access to, a sufficient number of personnel (includes employees, volunteers, and contracted Verification officers) having the necessary education, training, technical knowledge and experience for performing certification functions relating to the type, range and volume of work assigned to them.

2. The persons of the CB shall be competent for the functions they perform, including making required technical judgements, framing policies and implementing them.

3. Clearly documented instructions shall be available to the personnel describing their duties and responsibilities. These instructions shall be maintained up to date.

4. The CB shall require its personnel involved in the certification process to sign a contract or other document by which they commit themselves:

a) to comply with the rules defined by the CB, including those relating to confidentiality and independence from commercial and other interests.

b) To declare any prior and/or present association on their own part, or on the part of their employer, with a supplier of products, a provider of services or an operator of processes to the evaluation or certification of which they are to be assigned, and to reveal any situation known to them that may present them or the CB with a conflict of interest. CBs shall use this information as input to identifying risks to impartiality.

5. The CB shall establish, implement and maintain a procedure for the management of competencies of personnel. The procedure shall require the CB to:

   a) determine criteria for competence for each function in the certification process;
   b) identify training needs and provide as necessary training programs relevant to the certification scheme requirements;
   c) demonstrate that personnel have the required competencies for the duties and responsibilities they undertake;
   d) formally authorize personnel for functions in the certification process;
   e) monitor the performance of personnel.

6. Additional requirements for Verification Officers
   i. Verification Officers shall be members in good standing of the International Organic Inspectors Association. This requirement ensures that VOs have relevant professional training or experience in compliance with the certification program requirements. The CB shall ensure minimal qualifications include training with respect to the Canada Organic Regime.

   ii. The verification officer must have signed a formal agreement to refuse any work that would create a conflict-of-interest situation with the enterprise that is applying for certification, either because of a family link, or because of a business relationship with the applicant during the twelve months preceding its application to the certification body.

7. The CB shall maintain information on the relevant qualifications, training and experience of each member of the personnel involved in the certification process including:

a) name and address;
b) organization affiliation and position held;
c) educational qualification and professional status;
d) experience and training in each field of the certification body’s competence;
e) the assessment of competence;
f) performance monitoring;
g) authorizations held within the CB;
h) date of most recent updating of records.

2.5.2 External Resources (Subcontracting/Outsourcing)

1) The CB shall outsource evaluation activities only to bodies that meet the applicable requirements of the relevant international standards and/or as specified in this document. This can include outsourcing to other CBs. Use of external personnel under contract is not considered outsourcing.

2) When a CB decides to outsource/subcontract work related to certification (e.g. testing or inspection) to an external body or person, a legally binding document covering the arrangements including confidentiality and conflict of interest shall be drawn up. This should include the requirement to comply with all relevant aspects of these criteria.

3) The CB may issue certificates based on certification transfers, through the approval of certification decisions made by another CB, insofar as that organization has been approved by a recognized accreditation body in the Canada Organic Regime.

4) The CB shall:
   a) Take full responsibility for any subcontracted work and maintain its responsibility for granting, maintaining, extending, suspending or withdrawing certification, including when the body uses work done by another CB to which it is linked through an agreement, in order to guarantee its own certification;
   b) Ensure that the body providing services and its personnel are not involved directly or through any other employer in such a way that the credibility of results could be compromised.
   c) Have documented policies, procedures and records for the qualification, assessing and monitoring of all bodies providing outsourced services.
   d) Maintain a list of approved providers of outsources services.

2.6 Management system requirements (ref: ISO 8)

2.6.1 Management Responsibilities

1) The CBS top management shall establish, document and maintain policies and objectives for the consistent fulfillment of the requirements outlined in Annex 2, and shall ensure that they are understood, implemented, and maintained at all levels of the organization.

2) The CB shall operate an effective management system in accordance with the relevant elements of these criteria and appropriate for the type, range and volume of work performed.
3) The CB's top management shall provide evidence of its commitment to the development and implementation of the management system and its effectiveness in achieving its objectives.
4) The CB shall designate a person who, irrespective of other responsibilities, shall have defined authority for:
   a) ensuring that the processes and procedures needed for the management system are established, implemented and maintained in accordance with these criteria, and
   b) reporting on the performance of the management system to top management for review and any need for improvement.

2.6.2 Documentation requirements

The management system shall be documented and the documentation shall be available for use by the CB personnel in the form of a manual, handbook or other appropriate means. Specific requirements for documentation are mentioned in the relevant sections and are summarized in the list provided in Appendix A.

2.6.3 Internal Audits

1. The CB shall conduct periodic internal audits covering all procedures in a planned and systematic manner, to verify that the management system is implemented and is effective.
2. The audit program shall be planned taking into consideration the importance of the processes and areas to be audited as well as the results of previous audits.
3. Internal audits shall normally be performed at least once every 12 months or completed within a 12 month time frame.
4. The CB shall ensure that:

a) Internal audits are conducted by personnel knowledgeable in certification, auditing and the requirements of the BCCO COR compliant program.
b) Auditors do not audit their own work
c) personnel responsible for the area audited are informed of the outcome of the audit;
d) corrective action is taken in a timely and appropriate manner;
e) any opportunities for improvement are identified and
f) the results of the audit are documented.

2.6.4 Management Review

1) The CB's management with executive responsibility shall review its management system at least once a year to ensure its continuing suitability and effectiveness in satisfying the requirements of these criteria and the stated policies and objectives. Records of such reviews shall be maintained.
2) The review shall include:
    a) an analysis of complaints and appeals;
    b) the results of external and internal audits;
    c) the status of preventive and corrective actions;
    d) feedback from clients and interested parties;
    e) feedback from the mechanism (committee) for ensuring impartiality;
    f) follow up actions from previous management reviews;
    g) the fulfillment of objectives; and
    h) changes that could affect the CB's management system, (for example changes in internal policy, external regulations, or criteria for accreditation).
3) Outputs from the management review shall include decisions and actions related to:
    a) improvement of the effectiveness of the management system and its processes
    b) improvement of the CB related to the fulfillment of requirements of the BCCOP and COR
    c) resource needs (i.e. human, financial, etc).

2.6.5 Corrective and Preventive Actions

1) The CB shall establish procedures for the identification and management of non-conformities and potential non-conformities in its own operations and take action to eliminate the causes and prevent recurrence.
2) The procedures shall define requirements for identifying the nonconformities, determining their cause, and implementing the actions needed for correction of nonconformities or preventing reoccurrence; recording the results of actions taken and reviewing their effectiveness.

2.7 Information and Documentation (ref: ISO 4.6, 8.3)

2.7.1 Publically available information

1) The CB shall provide (through publications, electronic media or other means), update at regular intervals, and make available on request, the following:

a) information about the authority under which the CB operates;

b) a documented statement of its product certification system, including its rules and procedures for granting, maintaining, extending or reducing scope of, suspending, withdrawing and/or refusing certification;

c) information about the evaluation procedures and certification process related to each product certification system;

d) a description of the means by which the organization obtains financial support and general information on the fees charged to applicants and to suppliers of certified products;

e) a description of the rights and duties of applicants and suppliers of certified products, including requirements, restrictions or limitations on the use of the certification body's mark and on the ways of referring to the certification granted;

f) information about procedures for handling complaints, appeals and disputes.

2) The certification body shall maintain and make publically available, information on certified products which contains as least:

   a) identification of the product
   b) the program and standards to which conformity has been certified
   c) the identification of the supplier/client.

Note: COABC requires listings to be publically available on the COABC website and retains the right to require additional information.

3) The CB shall provide information upon request about the validity of a given certificate.

2.7.2 Document Control

1) The CB shall establish and maintain procedures to control all documents and data that relate to its certification functions.
2) The procedures shall define the controls needed to:
   a) approve documents for appropriateness before use
   b) review and update as necessary and reapprove document
   c) ensure that changes and the current revision status are identified
   d) ensure that relevant versions of applicable documents are available at points of use
   e) ensure documents remain legible and readily identifiable
   f) ensure documents of external origin are identified and their distribution controlled
   g) prevent the unintended use of obsolete documents and to apply suitable identification to them if they are retained for any purpose.
3) A listing of all appropriate documents with the respective issue and/or amendment status identified shall be maintained.

2.8 Records

2.8.1 Maintenance and Retention

1) The CB shall establish a system to maintain up-to-date records which demonstrate that all certification process requirements have been effectively fulfilled. Such records include certification applications, inspection reports and any other documents relative to granting, maintaining, extending, suspending, or withdrawing certification.

2) Records shall be identified, stored, managed, transmitted, transferred and disposed of in such a way as to ensure confidentiality is maintained.

3) The CB shall possess policies and procedures for maintaining records over a period compatible with contractual, legal or other obligations. Record access shall be consistent with confidentiality requirements.

4) CBs shall retain records for a minimum of five years and must require operators to retain records and relevant supporting documents concerning the inputs, preparation and handling of crops, livestock and organic products that are intended to be sold labelled or otherwise represented as organic in accordance with CAN/CGSB- 32.310 for at least five years.

2.8.2 Confidentiality & Proprietary Information (ref: ISO 4.5)

1) The CB shall be responsible through legally enforceable commitments for the management of all information obtained or created during its certification activities. Except for information the client makes publically available or when agreed between the certification body and the client (e.g. for the purpose of responding to complaints, transferring from one CB to another) all other information is considered proprietary and shall be regarded as confidential. The CB shall inform the client in advance of the information it intends to make public.

2) Where the law or contractual arrangements require confidential information to be disclosed to a third-party, the client shall be informed of the information provided unless notification is prohibited by law for a specific case.

3) Information obtained about the client from sources other than the client (e.g. complainants, regulators) shall be treated as confidential.

2.9 Certification Operations

2.9.1 Conformance to Standards

1) The CB shall take all steps necessary to evaluate conformance with the COABC Organic Management Standard (CAN/CGSB CAN 32.310, CAN/CGSB 32.311 and CAN/CGSB 32.312).

2) Should the CB use its own (or someone else's) standard, that standard shall be assessed as compliant to the COABC Organic Management Standard (CAN/CGSB CAN 32.310, CAN/CGSB 32.311 and CAN/CGSB 32.312).

3) Should the certification apply standards that are beyond the scope of the COABC Organic Management Standards or Canada Organic Regime, such standards shall be documented and provided to clients. The CB shall not have undocumented or hidden standards.

4) In conducting its certification operations, the CB shall specify, as appropriate, the requirements for the suitability and competence of the body(ies) or person(s) carrying out testing, inspection and certification to ensure these functions are managed in a manner which provides confidence in the results and are in accordance with the requirements of COR Operating Manual.

2.9.2 Conditions and Procedures for Awarding Certification

1) The CB shall specify the conditions for granting, maintaining and extending certification and the conditions under which certification may be suspended or withdrawn, partially or in total.

2) The CB shall have procedures to:
   a) grant, maintain, withdraw and, if applicable, suspend certification, and;

      i. In the case of suspension, the CB shall require, at the date of notification of the suspension, and during all the following period, that the supplier makes no misleading claims as to the status of certification and ceases to use the certification mark on the products covered by the suspension. If relevant, the CB may require in addition that no certified product is put up for sale and that potentially non conforming existing product be subject to a corrective action, including product recall and label correction.

   b) extend or reduce the scope of certification;

   c) re-evaluate, in the event of changes significantly affecting the product's design or specification, or changes in the standards to which compliance of the product is certified, or changes in the ownership, structure or management of the supplier, if relevant, or in the case of any other information indicating that the product may no longer comply with the requirements of the certification system.

2.10 Standards

2.10.1 CB Obligations

1) When a CB uses its own standards which go beyond minimum standards prescribed by the BC Certified Organic Program or are outside the scope, they shall include
   a) amending and updating procedures
   b) time frames for putting amendments into place once adopted.

2) The CB must send a copy (or link to a copy) of the standards to an applicant at the time they apply for certification.

3) A CB's own standards shall be reviewed on an on-going basis according to need and in accordance with established procedures put in place for this purpose.

4) Organisations or individuals responsible for reviewing or interpreting standards shall possess competency necessary to do so, and their competency must be documented.

5) Certified operators and applicants for certification must be advised of amendments to standards within 2 months of publication.

6) The CB shall allow a period of up to 12 months after the publication date of an amendment to CAN/CGSB 32.310, CAN/CGSB 32.311 and CAN/CGSB 32.312 for applicants to come into compliance with any changes to the requirements.

7) If at any point during the certification cycle of an operator where both parties agree there is a need for interpretation or clarification from the Standards Interpretation Committee (SIC), the issue that is the subject of the request will be set aside by the CB (the nonconformity will be placed on hold) until a response from the SIC is received.

8) When a CB is unsure of an interpretation it must initially direct the question to the COABC office. If the COABC Accreditation Board cannot provide an interpretation of the CB does not agree with the interpretation provided by the Accreditation Board, the Accreditation Board will forward the request to the SIC on behalf of COABC Accredited CBs.

9) In these cases, between the times when the interpretation request to the SIC is submitted and the response from the committee returned, any certification work affected by the interpretation shall proceed as normal, up to and including the issuance of certification documents.

10) When the response from the SIC is received, the outstanding issue shall be revisited and appropriate actions taken by the CB, or the operator or both as required.

11) If changes are required by the operator to comply with the interpretation of the SIC, the CB shall not suspend or withdraw any certification it has issued that is affected by this interpretation as long as the operator has made the required changes in a time frame that is no less than the time permitted for any other non-conformance issued by the CB.

12) In cases where the CB and the operator do not agree that the issue needs an interpretation, the CB shall rely on CAN/CGSB 32-310 section II – General Principles of Organic Production and Par.1.4.1 when interpreting the issue. The operator is still able to make a complaint to the CVB about the CB and/or ask the SIC for an interpretation and request a consideration of the issue at a later date.

2.11 Appeals, Complaints and Disputes

2.11.1 Certification Body Appeal Process

A CB shall have policies and procedures for the resolution of complaints, appeals to certification decisions and disputes received from suppliers or other parties about the handling of certification or any other related matters.

1) Appeals, complaints and disputes brought before the CB by suppliers or other parties shall be subject to the documented procedures of the CB.
2) Upon receipt of a complaint or appeal the CB shall confirm whether it relates to certification activities for which it is responsible.
3) The CB shall acknowledge receipt of a formal complaint or appeal.
4) The CB shall be responsible for gathering and verifying all necessary information to progress the complaint or appeal to a decision.

5) The decision resolving the complaint or appeal shall be made by or reviewed and approved by persons not involved in the certification activities related to the complaint or appeal.
6) Whenever possible the CB shall give formal notice of the outcome and end of the complaint process to the complainant.
7) The CB shall give formal notice of the end of an appeal process to the appellant.
8) The CB shall keep a record of all appeals, complaints and disputes and remedial actions relative to certification.
9) The CB shall document the action taken and its effectiveness.

3. Certification Procedures

This section provides information about the certification cycle, including application for certification, evaluation, decision on certification and continuation of the certification under the BCCOP and the Canada Organic Regime (COR). It also provides requirements on the CB. The COABC Accreditation Board shall verify that the CB meets these requirements during every initial, surveillance or reassessment audit conducted.

3.1 Information on the Procedure

3.1.1 Information for Applicants

1) The CB shall provide to applicants an up-to-date detailed description of the evaluation and certification procedures, appropriate to each certification scheme, and the documents containing the requirements for certification, the applicants' rights and duties as suppliers of certified products (including fees to be paid), and a current version of the Canadian Organic Standard or any other standards to which the applicant wishes to be certified.

2) The CB shall inform the applicant that the initial application for field crops, in ground greenhouse crops and maple products must be received 15 months before the day on which the product is expected to be marketed (SOR/20018-108 SFCR Part 13 Division 4 344(3)).

3) When the desired scope of certification is related to a specific system or type of system operated by the CB, any explanation needed shall be provided to the applicant.

3.1.2 Contractual Requirements of Applicant Enterprises (ref: ISO 4.1.2.2)

The CB shall have a signed agreement with each operator that specifies the rights and responsibilities relevant to its certification activities. The CB shall require that the applicant:

a) always fulfils the certification requirements including implementing appropriate changes when they are communicated by the CB.
b) makes all necessary arrangements for the conduct of the evaluation, including provision for examining documentation and access to all locations, areas, records, personnel and sub contractors for the purposes of on-site evaluation and the investigation of any complaints directed towards them, and for the participation of observers when applicable;
c) makes claims regarding certification only in respect of the scope for which certification has been granted;
d) does not use its product certification in such a manner as to bring the CB into disrepute and does not make any statement regarding its product certification which the CB may consider misleading or unauthorized;
e) upon suspension or cancellation of certification, and also in the case of voluntary surrender, discontinues its use of all advertising matter that contains any reference thereto and returns any certification documents as required by the certification body;
f) When providing copies of certification documents to others, the documents are reproduced in their entirety or as specified by the certification program.
g) in making reference to its product certification in communication media, such as documents, brochures, or advertising, complies with the requirements of the certification body, the BCCOP and the COR.

h) complies with any requirements that may be prescribed by the BCCOP and the COR that relate to the use of marks of conformity on the product and on information related to the product;
i) Keeps a record of all complaints relating to certification requirements and makes it available to the CB when requested; takes appropriate action with respect to any complaints or deficiencies found in the products when they affect compliance and documents the actions taken;
j) Informs the CB without delay of changes that may affect its ability to conform with the certification requirements e.g. changes of ownership or management, modification to product or production methods, changes to contact address, and production sites, and major changes to the management system;
k) does not put up for sale any product for which it has requested certification and bearing the word organic or its derivatives and the certification body's mark, until it has been informed by the CB that the products are certified;
l) reveals beforehand to the CB the identity of any other company for which it intends to manufacture products under license, and thus as a result can use the certifier's mark (name and logo) on the label of the products that the other company intends to market under its own brand name even though it does not hold a compliance certificate for those products;
m) allows representatives from the Canadian Food Inspection Agency, the British Columbia Ministry of Agriculture and the COABC Accreditation Board to access during normal working hours, documentation and sites used to produce certified products, for the purposes of examination and copying within the framework of accredited certifier evaluation;
n) pays the corresponding fees requested by the CB.

3.1.3 Sub-Contracted Production and Processing for Certified Operations

1) The CB shall have policies and procedures for regulating subcontracted production or processing, where the subcontractor is not required to be certified in their own right.

2) This shall preclude the sub-contractor from marketing certified products themselves and require the manufacturing process, the raw materials supply, and the sales to be under the control of the licensee. This shall normally mean that the sub-contractor does not take title of the product.

3) The CB shall require that the certified licensee shall be held fully responsible for the sub-contracted production and be subject to sanctions in the event on non-compliance of the subcontracted parties.

4) The CB shall require that there be a contract between the licensee and the sub-contractor that includes clauses regarding compliance to the standards, obligation to provide information and access to the certification body.

5) The CB shall ensure that each sub-contracted operator has the current version of the applicable standards and a general description of the certification.

3.2 The Certification Application (ref: ISO 7.2)

3.2.1 Application Form

1) The CB shall require completion of an official application form, signed by a duly authorized representative of the applicant, in which or attached to which are the following:

a) the scope of the desired certification;
b) a statement that the applicant agrees to comply with the requirements for certification and to supply any information needed for evaluation of products to be certified;

2) The applicant, as a minimum, shall provide the following information:
   a) corporate entity, name, address, legal status, physical locations (of the facilities involved with the production and storage of organic products) and contact personnel;
   b) a description of the products upon which the application is based, and indicating their nature as selected from one of the following:

      i) tangible products to be certified relative to the certification system and also the standards against which each product must be certified, to the best of the applicant's knowledge;
      ii) services (intangible products) to be approved, consisting of operations to be carried out by a supplier at the request of a client, within the framework of an activity applied to a tangible product, in order to ensure or to maintain its conformity to prescribed standards;

      iii) inputs to be approved, consisting of non-edible substances used in the organic production process that will not remain within the processed product;

      iv) in the case of an agricultural product containing more than one agricultural product, a statement setting out the percentage by weight of each of those products and the percentage by weight of each of them that are organic products;

   c) production and/or preparation specifications for products to which the application applies (see CAN/CGSB 32.310. Section 4 Organic Plan);
   d) maps and site plans
   e) list of inputs (ingredients and agricultural substances).
   f) evidence that the site(s) where operations take place and from where products mentioned in the application are produced are indeed operated by the applicant, and if not, the names of the other companies involved in the production of the products, along with a description of the business connections linking them and the applicant, and transaction flows between them (i.e. information concerning all outsourced processes used by the client that will affect conformity to requirements);
   g) names of CBs to whom prior applications for certification, approval, or evaluation were submitted by the applicant within the previous years, including all details pertaining to processing the application, and the resulting decisions.

3) In light of the presented documents, the certifier shall determine whether or not the certification applicant is truly a product supplier, within the meaning provided in these criteria, or if other suppliers must in addition to, or instead of, apply for certification of the products they are marketing and that are included in the application concerned.
4) The CB shall exchange information with other CBs and/or CFIA to verify the validity of information on an operator in cases where the operator has changed CBs.

3.3 Preparation for Evaluation (ref: ISO 7.3; COR C2.2)

3.3.1 Review of Application

1) The CB shall send acknowledgement of receipt of the application before proceeding with the assessment.
2) Before proceeding with the evaluation, the CB shall conduct, and maintain records of, a review of the application for certification to ensure that:
   a) the information about the client and the product is sufficient for the certification process to proceed;
   b) any difference in understanding between the CB and the applicant is resolved;
   c) the scope of the certification sought is stated clearly;
   d) the CB has the competence and capability to perform the certification service with respect to the scope of the certification sought and, if applicable, the location of the applicant's operations and any special requirements such as the language used by the applicant. (See also IS0 17065 7.3.2, 7.3.3 - for requirements when a certification body has no prior experience of the certification requested).
3) The CB shall decline to undertake a specific certification if it lacks any competence or capability for certification activities it must undertake.
4) The CB shall verify that the applicant does not hold more than one certification under the Canada Organic Regime for any given operation site (i.e. products from one location cannot be certified by 2 different certifiers).
5) The CB shall ensure that the applicant pays the fees for certification according to the CB's contract for services and in accordance with the CB's fee schedule.

3.3.2 Evaluation Activities (ref: ISO 7.4)

1) The CB shall prepare a plan for its evaluation activities to allow for the necessary arrangements to be managed and assign personnel to perform each evaluation activity. Evaluation activities include:
   a) an evaluation of the applicant regarding its admissibility to the certification program as a supplier;
   b) an evaluation of the documentation accompanying the application, including specifications for the production or preparation that the supplier submitted to the certifier against the requirements of the certification scheme and the scope of the certification. Transmission of relevant remarks to the applicant shall follow within a reasonable deadline;
   c) the assignment of a VO once an examination of the attached documentation confirms that operations carried out by the supplier seem to comply with the certifier's specifications. The CB shall ensure that the operator is contacted to arrange the logistics for an inspection of the production site(s) and the supplier's premises.
2) The CB shall only rely on evaluation results related to certification completed by another body prior to the application for certification where it takes responsibility for the results and satisfies itself that [the body that performed] the evaluation fulfils the requirements specified by the certification scheme.

3.3.3 Site Visit Considerations (ref COR C2.2 Timing of on-site inspections)

1) For pre-certification, certification or any service for which approval is requested, the CB must conduct an initial inspection of each production unit, building or site (including vehicles) where production or preparation of agricultural and food products is carried out.

2) When the application concerns ingredients approval or the verification of ingredients within a non-certifiable product or even an input approval, the CB may omit the visit if it considers a document evaluation is sufficient for control purposes.
3) The timing of the site inspection must be determined according to the following parameters:
   a) In cases involving producer operations, it must take place during the production season [time of active management]. This period begins as soon as operations subject to inspection (seeding, tapping, etc.) begin and ends with the packaging or placing in containers for storage of products to be certified.
   b) In cases involving processing operations, inspections may be carried out any time during the year.

4) For separated production (i.e., when both certifiable and non-certifiable products are manufactured at the same facility), the inspection must be carried out a time when the products that are targeted for certification are being processed. If the CB determines it is not possible to conduct the inspection while organic product is being processed, the CB shall record the reason(s) supporting this determination. The CB shall then arrange for the inspection to be carried out at a time when the facilities and activities that demonstrate compliance or capacity to comply can be assessed. There shall be no more than two consecutive years without an inspection when organic product is being processed.

3.3.4 Access Required

1) The CB and its designated verification officer must have access to the premises, documents or person in charge for whatever is referenced in the certification application.

3.3.5 Assignment of VOs

1) The CB shall assign verification officers appropriately qualified to perform the tasks for the specific evaluation and record the VO selection for a given inspection.

2) VOs shall not be assigned if they have been previously involved in or been employed by an enterprise supplying products within a time period which could conflict with their impartiality.

3) Operators shall have neither the right to choose nor to recommend verification officers. Except for cases of unannounced visits, operators shall have the right to be informed about the identity of the verification officer before the inspection visit. Operators have the right to raise objections based on conflict of interest. The CB shall rule whether the reasons are acceptable.

3.3.6 Documentation for VOs

1) To ensure that a comprehensive and correct evaluation is carried out, the VO shall be provided with the appropriate working documents. They shall include, among others:
   a) production description;
   b) maps and plans;
   c) list of inputs (ingredients and agricultural substances);
   d) a copy of production and/or handling specifications;
   e) remedial actions required by the certifying body during the previous certification cycle, as well as any corrective measures implemented by the operator concerning these requests.

3.4 Evaluation (ref: ISO 7.4. COR C2.1 & 2.3)

3.4.1 Assess to Standards

2) The CB shall evaluate the products of the applicant against the standards covered by the scope defined in the application against all certification criteria.

3.4.2 Site Inspection Requirements

1) The CB shall ensure that the inspection covers the entire agricultural production system being managed by the operator, even if only part of the operator's operations were targeted by the certification application.
2) The inspection of an operation site shall cover all production and processing operations, including packaging and labelling pertaining to the product.
3) The systems and facilities upon which a firm relies to produce and/or prepare each product included within its application shall be visited by the verification officer to ensure that the standards are fully applied and correspond to the submitted production or preparation specifications.
4) The CB shall ensure that the assigned VO conducts an introductory meeting with a representative of the operator.
5) The land, premises and equipment not included in the certification application shall be identified and inspected and shall at a minimum include the following: crop areas or harvesting zones; harvest storage locations; preparation, processing and packaging sites; application dates for phytosanitary products.

6) Regular inspection shall include:
    a) Verification that prohibited substances have not been, and are not being, applied to the operation [in violation of the standard].
    b) A review of the record keeping to verify that the organic plan previously submitted to the CB accurately reflects the operation and is in compliance with the Canadian Organic Standard. This includes an examination of records related to production (e.g. inventory, sales, and purchases) and to management (e.g. complaints); as well as appropriate product packaging and labelling.
    c) A visual examination of each production unit (e.g. fields, crops plants. Livestock, buildings, facilities and vehicles) where production or preparation of agricultural and food products are carried out.
    d) Witnessing the way the operator proceeds at a given point within the production cycle, thus implying that the inspection shall be carried out when grounds, premises, and activities subjected to compliance requirements may be observed.
    e) Non-organic units where there is reason to suspect undeclared split production of similar products, and in any situation revealing high risk of cross contamination;
    f) Where agricultural producers carry out split production, visual determination of what is being planted in all cultivated fields within the production unit.
    g) identification and investigation of areas of risk (e.g. potential contamination from neighbouring farm, flooding);
    h) for producers, an estimate of the potential yield for the coming year, as well as an audit of the balance in the quantities produced and sold over the previous period, and including amounts still in inventory during this same period;
    i) For applicants performing operations related to food preparation (processing and/or packaging), an audit of the input/output balance for acquired commodities, and for the corresponding commodities included in the products sold and on inventory. The calculation sample shall include the most prominent commodities for at least 10% of all commodities used in all products with a minimum of one and maximum of 5. (for example: if 10 different types of grains are used to

produce a variety of products, the most prominent one shall be used for the calculation; if there are 20 different ingredients used by the facility to produce a variety of different products then the calculation is done on the two commodities used most often). However, if justified, the VO may include a different or additional commodity in the calculation. This justification shall be recorded in the inspection report.

j) trace back audits applying to certain products taken from the supplier's (i.e. the producer or processor) inventory or from a commercial outlet where its products have been placed for sale;
k) verification that changes to the standards and requirements of the CB have been effectively implemented by the operator;
l) verification that previously imposed conditions have been fulfilled;
m) interviews people knowledgeable with the current operation.

7) The CB shall require pre-harvest or post-harvesting testing of any agricultural input used or agricultural product to be sold, labelled or represented as being in compliance with the requirements of the Canada Organic Standards when there is reason to suspect that the agricultural input or product has come into contact with a prohibited substance, method or ingredient in the production and handling or organic products.
8) The CB shall ensure that when samples are taken by the VO that the VO shall provide the operator with a receipt for each sample.
9) The CB shall require sampling and testing in an event of a complaint concerning the use of, or contamination with, prohibited substance, as a part of the investigation of the complaint.
10) The CB shall investigate if it has suspicion that an organic product contains even a trace amount of a GMO. The CB shall require sampling and testing in the event of suspicion of the presence of GMO.

11) The VO shall:
a) conduct a closing meeting (exit interview) at the end of the visit intended to inform the operator's management of observations made concerning the compliance with certification requirements, without any corrective action request from the VO.
b) provide the opportunity for the producer/handler to confirm the accuracy of the information collected during the inspection.
c) provide a summary of this review to the operator;
d) the summary should address the need for any additional information as well as any issues of concern.

3.4.3 Less than 70% Organic Products

1) Operations using less than 70% of organic ingredients do not require certification, nor do their ingredients require evaluation by a verification officer.

3.5 Evaluation Report and Notification

3.5.1 Reporting Procedures

1) The CB shall adopt reporting procedures that suit its needs but, as a minimum, these procedures shall ensure that:

a) VOs shall submit to the CB a report outlining verification results and findings as to the conformity with all the certification requirements, and including the following data as a minimum;

i. date, time and duration of inspection;
ii. names of interviewees;
iii. identification of land and premises visited on the production/handling site;
iv. types of documentation audits performed (in/out balance sheet, yields/sales, audit trails by batches, etc).

b) When the CB has reason to believe, based on a review of the information, that an applicant for certification is not in compliance with the certification requirements, a full report on the outcome of the evaluation shall be issued to the applicant by the CB, within a reasonable length of time, indicating all non compliances that must be eliminated in order to comply with all of the certification requirements. This report, serving as a written notification of non-compliance addressed to the applicant, shall provide among other things:

i. the description of each non-compliance;
ii. the facts upon which the notification of non-compliance is based;
iii. the request for remedial actions for each non-compliance;
iv. the date by which the applicant must demonstrate that the non-compliance no longer exists or that remedial actions were taken.

2. The CB shall inform operators of the following:
   a. the operator must respond within 30 days of receiving the non conformity report issued by the certification body
   b. The response shall either provide evidence of corrective action taken to address each NC or present a plan with milestones as to how each NC will be addressed. This plan shall include a completion date not exceeding 90days from receipt of the NCs.
   c. The CB may accept timelines greater than those stated for the closure of a non-conformance as long as they are justified and documented.

3. The CB shall provide information to the operator regarding additional evaluation tasks needed to verify that the nonconformities have been corrected

4. If the applicant agrees to continuing the evaluation process and can show that remedial action has been taken to meet all the requirements within the specified time limit, the CB shall repeat only the necessary parts of the initial procedure, meaning that it must ensure, based on submitted documentation and if necessary, an on-site inspection, whether or not non-conformities were corrected.

3.5.2 Interruption of Certification Process

1) At any point within the certification cycle preceding the certifier's decision, the applicant may request that the processing of its application be stopped. The applicant shall, however, be liable for the costs of services provided up to the time of withdrawal of its application. In such case, the CB shall not issue a decision regarding the products that were the subject of the certification request.

2) If a CB has reason to believe that an applicant for initial certification has wilfully made a false statement regarding its production system and operations related to the products included in the application, the CB may deny certification, without issuing a notification of non-compliance.

3.5.3 **Review** (ref: ISO 7.5)

1) The CB shall assign at least one person to review all information and results related to evaluation in order to make the certification decision. This review shall be carried out by person(s) who have not been involved in the evaluation (verification/inspection) process.
2) Recommendations for a certification decision shall be documented unless review and certification decision are completed concurrently by the same person.

3.6 Decision on Certification (ref: ISO 7.6)

3.6.1 Sole Authority for Decision

1) The CB shall not delegate authority for granting, maintaining, extending, suspending or withdrawing certification to an outside person or body.

3.6.2 Basis for Decision

1) The decision as to whether or not to certify a product shall be taken by the CB on the basis of the information gathered during the evaluation process and any other relevant information. The certification decision shall be carried out by a person or group of persons not involved in the process for evaluation [ie inspection and verification]. The person(s) who take(s) the decision shall have a level of knowledge and experience sufficient to evaluate the information obtained.

3.6.3 Approval of Certification (ref: COR C2.4)

1) The decision to certify a product shall be taken if the CB determines that all procedures and activities contained in the production or preparation plan are in compliance with requirements and that the applicant is able to conduct operations in accordance with this plan and after the corrections of all non-conformities. This decision is valid until the results of the next annual evaluation are known and a new decision is made or unless the CB is made aware of information to cause the CB to act (e.g. suspension or withdrawal). This information can come from an external source or from the CB's own efforts.

2) The CB shall issue a written notice of approval of certification to any applicant for whom it accepts to certify the products, specifically with the intention of issuing a license authorizing the operator to use the certifier's certification mark (name/logo) under the conditions as specified in the contract or any other special documents. It shall specify in this notice or in any other appropriate document the limits of the use of its mark.

3) The CB must notify the COABC Accreditation Board of any approval of certification (i.e. update listings on COABC website).

3.6.4 Denial of Certification

1) The CB shall issue a written notice of denial of certification to any applicant to whom it denies certification, either because operations leading to production are still noncompliant with requirements or simply because the applicant did not respond to the notification of non-compliance. This notice must state the reason(s) for denial and the applicant's right to:
   a) file an appeal of the denial;
   b) reapply for certification to any accredited CB, including the one who denied certification.

2) The CB must inform the applicant, of any:
   a) notice of non-compliance that would prevent the immediate acceptance of certification;
   b) decision to refuse certification once review and appeal deadlines have expired.

3.6.5 Certification documentation (ref: ISO 7.7, COR C2.4)

1) The CB shall provide to each supplier offering certified products, formal certification documents such as a letter or a certificate signed by an officer who has been assigned such responsibility and mentioning the name, the address and the phone number of the CB. These formal certification documents shall permit identification of the following:

   a) the name and address of the supplier whose products are the subject of certification;

   b) the scope of the certification granted, including, as appropriate:

      i. the products certified, which shall be identified by type or range of products including their specific name and if applicable, the one or more trademarks under which they are being marketed;
      ii. the product standards or other normative documents concerning the program under which each product or product type is certified;
      iii. the applicable certification system with the type(s) of operations and subject of the evaluation by the certification body, among the following:

         - crop production;
         - livestock production;
         - grain production;
         - maple syrup production
         - specialized production (honey production, etc);
         - food processing;
         - subsequent packaging (labelling modification following an operation of breaking down or regrouping on products already certified);
         - brokerage

   c) the date on which the certification was granted.
   d) the date by which the operator must submit application for subsequent annual inspection (COR requirement)
   e) and as applicable, an indication of its duration (i.e.12 months for packaging and labelling certification under the SFCR and 12 months for all types of certification under the BCCOP);
   f) The location of operations covered by the certification (town, province/state, and country).

2) Certification documents shall also identify any private labels under which the certified product is to be marketed.

3) Certification documents shall only be issued after the decision to grant or extend the scope of the certification has been made, certification requirements have been fulfilled and the certification agreement has been signed.

3.6.6 Amendment of Certificate

1) In response to an application for amendment to the scope of a certificate already granted, the CB shall decide what, if any, evaluation procedure is appropriate in order to determine whether or not the amendment should be made and shall act accordingly.

3.6.7 Transaction Certificates

1) In addition to the compliance certificate, the certifier may issue, upon request, other documents proving the certification of products and insuring better traceability, e.g. transaction certificates.

3.6.8 Certificate or Licence

1) No certificate shall be issued to a company when it has no products for sale that are compliant with the prescribed standards, either because its production system is not yet operational, or because the operator is currently inactive. In these cases, the certificate shall only be issued following an inspection of the system once the firm begins its operations, thus validating the certification decision.

2) The certifier may grant a license to these companies while they are waiting to obtain their certificate, thus allowing them to prove to any party concerned that they have the capacity to produce products meeting these standards.

3.6.9 Surrender for Non-compliance

1) The certificate is used by the enterprise for marketing purposes. It must be surrendered to the CB if the enterprise no longer meets the certification criteria of the BC Certified Organic Program.

3.6.10 Terms of Certificates

1) Under the BC Certified Organic Program the term of a certificate is 1 year as indicated in Section 7 of the Organic Certification Regulation (BC). Provided a renewal application is received by the CB before the expiration of the previous certificate, and all other policies and standards have been met, the certificate will be renewed.

2) If a renewal application is not received, status ends on the expiration date marked on the BCCOP certificate and the enterprise must surrender their certificate.

3) Products that remain in inventory after the term of a certificate expires may be marketed under that certificate upon written permission of the certification body. A CB must require appropriate documentation and may require inspection consistent with the requirements for certificates, so long as the product remains in inventory.

4) Under the Canada Organic Regime the certificate remains valid until a renewal certificate is issued or the CB revokes it. If a renewal application is not received by the date stipulated on the certificate/the time prescribed in the SFCR Section 346, the CB shall initiate suspension or cancellation.

5) The CB shall follow the SFCR requirements for cancellation under Section 350 in case of voluntary withdrawal by the operator.

3.6.11 Yearly Renewal

1) The possession of a certificate is not, by itself, a guarantee of certification. The CB shall issue a new certificate in each year following the annual certification decision.

3.6.12 Revocation of Certificate

1) When a CB issues a notice of cancellation or revocation, the certificate is by that act, invalidated. The CB must notify the Accreditation Board when a certificate is cancelled or revoked.

3.7 Withdrawal of Certification Status

3.7.1 Voluntary withdrawal:

1) Operators must inform the CB of the withdrawal from the certification program of any production unit or processing facility due to use of a prohibited practice or material. If conditions exist for which the producer, processor or handler anticipates the use of prohibited practices or materials, the CB strongly recommends consultations with the appropriate experts and the CB Certification Committee, close monitoring of the actions and the effects, and detailed documentation.

3.7.2 Suspension

1) When a supplier is not in compliance a CB may decide to suspend certification. Procedures for suspension of certification status for non-compliance shall be according to section 349 of the SFCR as amended from time to time. If certification is suspended the CB shall communicate to the client the actions needed to end suspension and restore certification (see 3.5.1b & c)

3.7.3 Decertification

1. Assigned to operations, which were certified, but no longer meet the CB's production or processing standards and the certificate is revoked. The CB shall cancel the certification if the holder of the certification has not implemented the required corrective measures with the period specific or in cases where the applicant has provided false information (fraud). Cancellation is subject to Section 350 of the SFCR.

2) The CB shall make all needed modifications to certification documents, public information, authorizations for use of marks etc. to ensure it provides no indication that the product continues to be certified. If it is the scope of the certification that is reduced this shall be clearly communicated to the client and described in certification documents and public information. *(see ISO 17065, 7.11.3)*

3.7.4 Reporting Suspensions and Cancellations

1) The CB shall report to the COABC all suspensions and cancellations it issues on or before the 25th of each month. All suspension and cancellation reports shall include the name of the operator, the date of issue and the reason for the action.

2) For entities operating within the Canada Organic Regime the CB shall reinstate suspended certification only after the CFIA has been notified and the date of the certification reinstatement is posted on the CFIA published list of suspended and cancelled organic certifications.

3) The CB shall not grant certification to an operator who had its certification previously cancelled and whose name appears on a CFIA published list of suspended and cancelled organic certification unless the operator has submitted an application for certification of agricultural product to a CFIA accredited CB as per section C2, has completed the organic

certification process and the CB has received a confirmation from the CFIA that the date of certification reinstatement is posted on the CFIA list.

4) The CB shall submit to the CFIA a request for having the date of the certification reinstatement posted on the CFIA list of suspended and cancelled organic certifications with in 5 working days from the certification decision (and the CFIA will post the reinstatement within 5 days of the request).

4. Surveillance (ref: ISO 7.9)

4.1.1 Documented Surveillance Program

1) The CB shall have documented procedures to enable surveillance to be carried out in accordance with these criteria.

2) The CB body shall document its surveillance activities, and in particular:
   a) the controls of requirements stipulated by the CB following the evaluation;
   b) all inspection visits made to suppliers;
   c) investigations made to find evidence pertaining to a complaint regarding a supplier.

4.1.2 Unannounced Inspections (ref: COR C2.6)

1) There shall be a documented procedure covering the use, frequency and selection criteria for unannounced on-site inspections.

2) In addition to the annual inspection the CB shall plan and conduct unannounced inspections representing 3% of the primary producers (minimum one) and 5% of other operators (minimum one) to which it grants certificates for products under the Canada Organic Regime.

3) CBs shall secure the rights to conduct unannounced inspections.

4) In cases where it is not possible to conduct an announced inspection (e.g for reasons related to site access or other factors supported by a justification), advance notice may be given providing that this notice period does not allow time to cover up non-compliances that might exist. In any case it shall not be more than 24 hours. The CB shall document the reasons for any advance notice.

5) Unannounced inspections may be limited in scope and may cover only certain aspects of the operation. The operators chosen for unannounced inspection may be random, risk based or as a result of a complaint or investigation. The CB is not obliged to disclose to the operator the reason for any unannounced or additional inspection.

6) The CB shall comply with any requests from the CFIA or the CVB that additional inspections be conducted by the CB when the compliance of the operation is in doubt or for other valid reasons.

7) A record of unannounced inspections shall be maintained.

4.2 Changes affecting certification

4.2.1 Changes in Certification Requirements

1) The CB shall give due notice of any changes it intends to make in its requirements for certification. It shall take account of views expressed by interested parties before deciding on the precise form and effective date of the changes. Following decision on, and publication of, the changed requirements, it shall verify that each supplier makes any necessary adjustments within such time as, in the opinion of the CB, is reasonable.

2) Requirements pertaining to the granting of certification include:
   a) standards to which the product must be compliant;
   b) control plan;
   c) procedures related to certification granting.

3) The CB shall notify the applicant of any changes to the certification requirements (regulations or the standards) within two months after the publication of the amendments.

4.2.2 Changes in production system.

1) The CB shall require the supplier to inform the CB about any of the changes to its production, such as intended modification to the product, manufacturing process or, if relevant, its quality system, which could affect the conformity of the product. The CB shall determine whether the announced changes require further investigations, re-evaluation, or revision of certification documentation etc. If such is the case, the supplier shall not be allowed to release certified products resulting from such changes until the CB has notified the supplier accordingly.

2) Records shall include the rationale when no evaluation, review or decision activities are deemed necessary.

4.3 Certification Renewal (ref: COR C 2.5)

4.3.1 Continuing Product Scrutiny

1) Where the CB authorizes the continuing use of its mark on products of a type which have been evaluated, the CB shall annually evaluate operations resulting in the marked products in order to confirm that they continue to comply with standards.

2) To allow the CB to re-evaluate the product concerned, the operator must submit within the periods stipulated by the CB, a certification renewal application, pay annual certification fees, and submit all information requested by the CB including a mandatory updated production or preparation system plan.

3) The CB shall initiate suspension or cancellation in cases where the renewal application is not submitted within the time prescribed (i.e. before the date stipulated on the certificate-see 3.6.5.1d)

4) The CB shall verify that all requirements for certification are met and shall make a decision either to maintain certification or to initiate suspension and cancellation as outlined in 3.7.2 & 3.7.3. The renewal certificate is issued when the certification decision is made.

5) The CB re-evaluations shall include, at a minimum, the following rules:

a) An on-site inspection must be made to each location where each supplier is operating, at least once per calendar year, (except in the case of risk-based inspection frequency as in 4.3.3), to verify compliance with the applicable requirements as outlined in 3.4.2.

b) If an on-site inspection visit must occur on a date beyond a period of twelve months following the inspection from the previous year, this postponement shall not exceed six months, shall be justified and shall be documented.

c) When the interval between two regular inspections has exceeded twelve months, the CB must make sure that subsequent inspections restore the parity between the number of calendar years and the number of regular inspections over a given period.

4.3.2 Additional Inspections

1) The COABC Accreditation Board can request that additional inspections be conducted by the CB with the intention of verifying the compliance of the operations with regard to certification requirements.

4.3.3 Inspection Frequency Based on Risk Assessment

If a CB wishes to offer the BCCOP Low Risk program where inspection frequency is reduced to one in three years for low risk operations, it may do so using the criteria in COABC Book 1 Annex 1, 2.7.3. and when their program is approved by the COABC Accreditation Board. Operators in the BCCOP Low Risk Program are not considered part of the Canada Organic Regime even though they are certified by a CB accredited by the CFIA and COABC for the COR compliant program.

5. Use of Licenses, Certificates and Marks of Conformity

(ISO 4.1.3)

5.1.1 CB Authorisation

1) The CB shall exercise proper control over ownership, use and display of licenses, certificates and marks of conformity and any other means for indicating a product is certified.

2) Every firm using the certification mark of the CB for products it has ownership of, shall first get authorization from the CB through a license.

3) The CB shall ensure that all certified products are labelled in accordance with the OPR or BCCOP as applicable.

5.1.2 Withdrawal of Licence

1) The license agreement must be withdrawn if the operator:
a) ceases doing business with the CB; or
b) ceases to supply, as affiliated operator, a customer whose products are certified by the CB; or
c) ceases, if it sells private label products without itself owning a certificate, to purchase from suppliers whose products are certified by the CB; or
d) cannot demonstrate that it is able to comply with the applicable standards for operations included in its certification application.

5.1.3 Monitoring of Certification Mark

1. The CB shall have procedures to monitor products being sold on the market using its certification mark, its name and the certification program symbols to detect any improper or fraudulent use of their mark, the BC Certified Organic program symbol and mandatory labelling requirements of section 348 of the SFCR.

5.1.4 Control of Mark

1) The CB shall possess written rules authorizing the use of its mark (including the approval of product labels on which it will be displayed) and is responsible for delivering compliance certificates.

2) The CB shall have written procedures allowing it to process cases of abusive use, particularly those involving false statements regarding a product's certification or the incorrect use of its certification marks. The CB shall have procedures ensuring that its clients do not allow its certification mark or certification program symbols to be used in any way likely to lead to confusion among consumers.

3) Incorrect references to the certification system or misleading use of the CB's licenses, certificates or marks, found in advertisements, catalogues, etc., shall be dealt with by suitable action. Such provision could include remedial actions, withdrawal of certification, publication of offence, and if necessary, any other legal action.

6. Requirements when an Operator Changes a CB under the COR

See COR manual C10

7. Requirements when a CB issues Attestation of Compliance

Only products can be certified under the Canada Organic Regime but a CB may provide a formal "Attestation of Compliance" to service providers who perform contractual work for operators with certified product and where the service is not eligible for certification under Appendix C of the SFCR; for example livestock slaughter facilities, transportation and custom services such as seed cleaning where the ownership of the product remains with the primary producer. It is not mandatory that operators obtain an attestation but if requested the requirements of the COR Manual C.11 apply and the CB shall have documented procedures.

8. Requirements for Grower Group Certification of Organic Product Under the Canada Organic Regime

See the COR Manual C12

Appendix A: Summary of Documentation requirements

1) A brief description of the legal status of the CB, including the names of its owners and, if different, names of the persons who control it (board of directors or any other entity created for this purposes);

2) The names, qualifications, experience and terms of reference of the senior management and other certification personnel, both internal and external;

3) A description of the organization of the CB in the form of an organization chart showing lines of authority, responsibility and allocation of functions stemming from the senior executive;

4) Administrative procedures including document control;

5) The operational and functional duties and services pertaining to quality so that the extent and limits of each person's responsibility are known to all concerned;

6) The procedure for the recruitment, selection and training of CB personnel and monitoring of their performance;

7) a list of its approved contractors/subcontractors and the procedures for assessing, recording and monitoring their competence which may include provision for the periodic witnessing of activities undertaken by VOs;

8) procedures for conducting internal audits, based on the provisions of IS010011-1 and procedures for handling nonconformities in the CB's management system and for assuring the effectiveness of any corrective and preventive actions taken;

9) The policy and procedures for conducting management reviews;

10) The procedures implementing the certification process, including:

    a) the conditions for issue, retention and withdrawal of certification documents, with regard to audit and evaluation procedures;
    b) procedures to address cases when an operator does not renew a certification of its products from a previous year to ensure the CB shall formally notify the operator in a timely manner that its certification is withdrawn.
    c) controls over the use and application of documents employed in the certification of products;
    d) more specifically, these procedures shall include rules to be applied for inspection, and in particular:

    i. verification officer selection;
    ii. grounds on which an applicant might refuse this choice;
    iii. terms defining the verification mandate;
    iv. minimal requirements for the verification procedure;
    v. frequency and estimated duration of verification, taking into account the intensity of the production system, the production type, the company's size, the results of the previous verification, complaints received, parallel production;
    vi. minimum requirements for any audit trail, in relation to traceability;
    vii. sampling and testing requirements (when applicable);
    viii. deadlines for presentation of verification report.

    e) the policy and procedure for dealing with appeals, complaints and disputes.