

# **BRITISH COLUMBIA CERTIFIED ORGANIC PRODUCTION OPERATION POLICIES AND MANAGEMENT STANDARDS VERSION 9**

## **BOOK 1 Operation Policies and Procedures**

### **Annex 1 COABC REGIONAL ACCREDITATION PROGRAM**

#### **1. Accreditation Procedure**

- 1) The accreditation procedures described in this section are applicable to all certification bodies operating in British Columbia and involved in the certification of agricultural and food products bearing a reserved designation which are produced and sold only within the province of British Columbia

##### **1.1. Application**

- 1) A certification body applies to the British Columbia Certified Organic accreditation program by submitting the duly completed Regional Application Form together with the registration fee (below).
- 2) A completed Application Form, accompanied by a non-refundable application fee of \$300 (or as determined from time to time by the COABC Board of Directors) must be submitted by a certification body requesting accreditation. Applications must include:
  - a) A copy of the certification body standards and regulations used in the BC Certified Organic certification process.
  - b) A list of names of the directors of the certification body.
  - c) A list of general membership, including enterprise names and locations.
  - d) A list of currently certified enterprises.
  - e) A copy of the certification body's Society Act incorporation documents, constitution, and bylaws.
  - f) The name of the person nominated to the COABC Board of Directors as well as the name of an alternate representative.

##### **1.2. Program Analysis**

###### **1.2.1. Review of File**

- 1) The application and accompanying documents will be reviewed to determine if the certification program of the Certification Body complies with the procedures and standards established by the British Columbia Certified Organic Program
- 2) All applicants for Regional accreditation in the BC Certified Organic Program will be assessed according to the Criteria for Regional Accreditation (see Section 2 of this Annex).

### **1.2.2. Preliminary review of application**

- 1) Upon receipt of the application, the Director of the Accreditation Board shall determine whether the documentation submitted is sufficiently complete to proceed to the analysis stage. If this documentation is deemed inadequate, the Director shall so inform the applicant, specifying the missing documents.

### **1.2.3. Application analysis/document review**

- 1) The Director, or assigned evaluator, shall review the documentation sent by the applicant and submit a report to the Accreditation Board identifying any points of non-compliance. The Accreditation Board shall determine whether accreditation program criteria have been met. The Accreditation Board shall establish, if applicable, points of non-conformity and write its recommendations within a reasonable period. The report may determine:
  - a) Approval to proceed to the on-site evaluation with no conditions.
  - b) Approval to proceed to the on-site evaluation with conditions to be fulfilled by the time of the visit.
  - c) Refusal to continue the process of accreditation for major non-compliance revealing that the program is unable to monitor organic integrity.

### **1.2.4. Written Report**

- 1) The applying certification body shall be advised in writing of any decision made by the Accreditation Board.
- 2) In the case of a refusal, the Accreditation Board shall inform the certification body as to the necessary corrective measures so that it may reapply for the accreditation program.

## **1.3. Regional Program Implementation Assessment – Office Visit**

- 1) The on-site evaluation process is the procedure to determine implementation and compliance of certification standards by a certification body, as indicated to COABC.

### **1.3.1. Evaluation Procedures**

- 1) This process requires the sampling of individual enterprise files, with the sample level determined to be the greater number of three enterprises, or fifteen percent of the enterprises enlisted in each certification body selected.
- 2) The COABC Accreditation Board will assess the performance of the certification body by the content of the files, and will not determine individual operator compliance. All accreditation personnel will be required to conform to strict rules of confidentiality with respect to enterprise files.
- 3) This process requires the COABC Accreditation Board Auditor to attend the office of the CB in person and to assess conformity to the Regional Accreditation Criteria. This process does not involve the COABC Accreditation Board Auditor attending individual enterprises.

### **1.3.2. Assessment Process**

- 1) The COABC Accreditation Board Auditor appraises the level of implementation of certification requirements by examining the records of the Certification Bodies being assessed. Emphasis is placed on reviewing the process used in decision-making by the certification committee and the verification officer(s) based on the information in the enterprise files.
- 2) The assessment process occurs after the majority of the records for the current production or processing year are available, and after the Certification Body has assigned status to the enterprises included in the sample.
- 3) The COABC Accreditation Board Auditor provides a summary of his or her findings to the COABC Accreditation Board.
- 4) The COABC Accreditation Board is the final arbiter for determining adherence of CB's to the BC Certified Organic Program.
- 5) The COABC Accreditation Board notifies the Certification Body of its decisions and provides recommendations as necessary.

## **1.4. Accreditation Decision and Conditions**

### **1.4.1. Decision Choices**

- 1) The Accreditation Board may determine:
  - a) Accreditation without conditions, where it has been found that the applicant is capable of managing a certification program according to accreditation criteria.
  - b) Conditional accreditation with specification of deadlines for amending the program when the case submitted has minor points of non-compliance; this measure allows the Board to determine accreditation conditions within a period of time under which the certification applicant might make amendments and conform to requirements. The timeframe set shall take into consideration the level of non-compliance and the ability to make amendments within the time allotted. The established conditions must be met within a period of 24 months. The Accreditation Board may determine that an evaluation visit relative to monitoring procedures be carried out before the accreditation status is determined. Accreditation should be refused if the number of conditions and the level of non-compliance might compromise the integrity of the certification system.
  - c) Refusal of accreditation for major non-compliance reveals that the program is unable to monitor organic integrity.

### **1.4.2. Application status**

- 1) The COABC Accreditation Board shall notify the applicant of their organisation's accreditation status as being:
  - a) Accreditation
  - b) Conditional accreditation
  - c) Accreditation refusal.
- 2) Such notification shall include relevant information and conditions if applicable.

### **1.4.3. Exclusive Authority**

- 1) The COABC Accreditation Board has exclusive responsibility for accreditation decisions.
- 2) The COABC Accreditation Board is the final arbiter of accreditation status, though the applicant may make an appeal of the Accreditation Board ruling according to procedures described in this document.

### **1.4.4. Notification of Decision**

- 1) The applying certification body shall be advised in writing of any decision made by the Accreditation Board.

### **1.4.5. Corrective Measures and Conditions**

1. In the case of a refusal, the Accreditation Board shall inform the certification body not meeting minimum requirements as to the necessary corrective measures so that it may reapply for the accreditation program.
- 2) In cases where an accreditation decision is put off until a later date, with the condition that an additional evaluation visit be carried out, the Accreditation Board might require that certain conditions be met before this evaluation visit takes place.
- 3) In cases of conditional accreditation, the Accreditation Board shall submit to the certification body one or more conditional requirements to which it must conform, as well as a realistic implementation schedule for compliance to these requirements. The Accreditation Board may require that certain conditions be met before releasing its status and the accreditation decision.
- 4) The certification body may accept the conditions as presented or may request the Accreditation Board to reconsider one or more of its decision, or even the timeframe, in light of supplementary information. The Accreditation Board shall have to reassess this information leading to the initial conditions before setting new conditions, or even dropping specific conditions.

### **1.4.6. Agreement**

- 1) The COABC Accreditation Board shall send the certification body an accreditation agreement that binds the latter to complying with the conditions submitted and to the timeframe submitted. This agreement shall be renewed annually by the issuance of a certificate of accreditation following the submission, review and the acceptance of the CB's annual report.
- 2) The agreement is signed every 5 years following the document review.

### **1.4.7. Withdrawal of Accreditation**

- 1) The COABC Accreditation Board may withdraw accreditation of a certification body for any of the following reasons:
  - a) Failure to maintain system in compliance with referenced standards and approved procedures.
  - b) Failure of suspended programs to meet conditions for reinstatement within required timeframes.

- 2) Certification bodies that have had their accreditation suspended or withdrawn will have their names and program information removed from all official lists of accredited programs.

#### **1.4.8. Surrender of certificates**

- 1) Withdrawal of accreditation will result in cancellation and recall of the applicant's certificate of compliance. Applicants must surrender certificates of compliance or file a written appeal within 10 working days of written request of the COABC Accreditation Board of Directors.
- 2) If certificates are cancelled, applicants must immediately discontinue use, reference to, or distribution of materials that refer to BC Certified Organic Regional Accreditation. Applicants must effectively recall or arrange for discontinuation of distribution all point-of-purchase materials referencing or implying conformity assessment by COABC within 10 working days of written notification by the COABC Accreditation Board.
- 3) If applicants fail to surrender certificates or discontinue use of marks of conformity as required by this instruction, the COABC may take whatever steps necessary to inform the public of the discontinued eligibility of the applicant to reference BC Certified Organic Regional accreditation and the reasons for certificate withdrawal.
- 4) Further misuse of the BC Certified Organic Program will result in prosecutions under the provisions of the Agri-Food Choice and Disclosure Act.

#### **1.4.9. Accreditation Status**

- 1) After a Certification Body is accredited and upon payment of the membership and accreditation fees, all of its members who comply with the British Columbia Certified Organic Program will be permitted to use the phrase: "British Columbia Certified Organic."

### **1.5. Amendments to Certification Body Program**

#### **1.5.1. Submit for Review**

- 1) Any changes to the certification program of an accredited certification body must be submitted in writing to the COABC Accreditation Board for review at least 60 days before the proposed effective date of the changes. Requests for amendments must include a clear description of the proposed changes. Substantive changes may require additional document and onsite compliance audits as determined by the COABC Accreditation Board.

### **1.6. Maintaining Accreditation Status**

#### **1.6.1. Annual reports**

- 1) To maintain accreditation status, Certification Bodies shall submit an Annual Report to the COABC, in the first quarter of every year. The Annual Report shall at least include:
  - a) A copy of the Certification Body's standards used in the certification process if they differ from the COABC Management Standards, (if these documents remain unchanged from year to year, it is not necessary to resubmit them)

- b) A copy of the Certification Body's Procedures (if these documents remain unchanged from year to year, it is not necessary to resubmit them)
- c) A list of the names of the directors of the Society,
- d) A list of general membership, including farm, processor or handler names and locations, noting organic status and contact information for each member
- e) The name of the director appointed to the COABC as well as an alternate representative,
- f) COABC membership fees, in the amounts determined by the membership of the COABC.
- g) Details of any appeals against certification decisions and any complaints from the general public in the previous 12 months.
- h) Documentation required for resolving any outstanding conditions as requested by the Accreditation Board in previous 12 months.

#### **1.6.2. Annual Surveillance Visits**

- 1) Each year one third of the certification Bodies in the Regional Accreditation Program will be assessed and undergo an on-site evaluation of their operations.
- 2) Certification Bodies will be audited at least once in three years.
- 3) Additional visits may be scheduled to ensure compliance with conditions for accreditation.

#### **1.6.3. Periodic Document Review**

Certification Bodies must resubmit all documentation related to their certification program every five years for review by the accreditation board.

## 2. Criteria for Regional Accreditation

### 2.1. General Requirements

- 1) Certification Bodies shall comply with all aspects of the BC Certified Organic Program.
- 2) Certification Bodies shall not have a direct financial interest in the affairs of any of its members.
- 3) Certification Bodies shall have a minimum of five enterprises enrolled in their certification program.
- 4) Certification Bodies shall be societies, incorporated under the Society Act of British Columbia.
- 5) Membership in a certification body shall be open to any person or class of persons wishing to become certified under this program.
- 6) Membership fees and certification fees shall be levied in accordance with a schedule described in the certification body's Certification Manual.
- 7) The constitution of a certification body shall contain a reference to administering an organic certification program for its members.
- 8) The members of a certification body enrolled in the BC Certified Organic certification program must allow verification officers:
  - a) Access, at reasonable times, to their premises and records; both organic and non-organic portions of an enterprise; and
  - b) to sample, soil, water, and plant, animal tissue or other related products or inputs at the enterprise; and deliver, as the CB directs, such samples for analysis.
- 9) A certification body must allow the COABC to audit its records pertaining to this program for compliance with the requirements of the Act and BC Certified Organic Program criteria.
- 10) Member certification bodies shall notify COABC any time a change is made to its application of either the policy or standards in the BC Certified Organic Program.

#### 2.1.1. BC Market Only

- 1) As a result of the implementation of the federal *Organic Products Regulation* (June 2009), regionally accredited certification bodies must require certified operators to sign a statement agreeing that product labelled 'certified organic' or 'organic' will only be sold within BC.

### 2.2. Certification Standards

#### 2.2.1. Compliant with COABC Standards

- 1) A certification body must show that their organic management standards are consistent with those specified by the BC Certified Organic Program.

### **2.2.2. Materials List**

- 1) If a Certification Body maintains a list of brand name inputs used in food production, processing, and handling, it must submit it annually, designating the status of each material.
- 2) A certification body must provide the evaluation criteria used in determining the level of acceptance of each material in a brand name list.

## **2.3. Policy and Decision Making**

### **2.3.1. Procedures for Policy Development**

- 1) A certification body must have a clearly defined process for both the assessment of certification status and the review of certification status.
- 2) A certification body must provide for consultation with its membership where policy development is undertaken with respect to certification matters.
- 3) All certification committee members must execute statements of confidentiality with respect to matters of certification.

## **2.4. Certification Procedures**

### **2.4.1. Information from Operators**

- 1) A certification body must provide to the COABC Accreditation Board the methods by which the certification information is obtained including but not limited to the following:
  - a) Enterprise organic plan/updated farm description
  - b) Farm Map
  - c) Land use/ land use history
  - d) Farm inputs/ingredients use report
  - e) Enterprise inspection report
  - f) Organic Operator statutory declaration, affidavit or contract.

### **2.4.2. Verification Officers**

- 1) A certification body must use verification officers that are members in good standing with IOIA and are qualified for the assignment i.e. training and experience for inspecting crops, livestock and processing operations as appropriate.
- 2) Verification Officers must sign a confidentiality agreement and declare all potential conflicts of interest.

### **2.4.3. Appeals, Complaints and Disputes**

- 1) A certification body must have a clearly defined appeal process for certification matters as outlined in 2.6 and must keep records of any appeal, complaint or dispute involving certification.

### **2.4.4. Assignment of Status**

- 1) A certification body must define criteria for the assignment of BC Certified Organic status as well as the use of any seals or logos referring to the term "Certified Organic."

#### **2.4.5. Audit Trail**

- 1) A certification body must demonstrate that the operator has established and maintained an audit trail for all the products to point of sale.

#### **2.4.6. Record Retention**

- 1) Certification Bodies shall retain their records for at least seven years and shall require operators to retain their records for at least five years.

### **2.5. Certification Committee**

#### **2.5.1. Certification Committee Procedures**

- 1) Certification bodies shall establish certification committees for evaluating enterprises' compliance with the BC Certified Organic Program.
- 2) Certification Committees shall act in a fair and impartial manner and shall maintain confidentiality about the records of the certification body.
- 3) Members of certification committees shall be required to sign an agreement of confidentiality.
- 4) The Certification committee shall keep minutes of certification decisions (minutes should include names of CC members present and details of all files reviewed).

### **2.6. Certification Body Appeal Process**

#### **2.6.1. Two Step Appeal**

- 1) If an operator wishes to appeal their certification status decision, initial appeal is made to the certification body's Certification Committee. If the Certification Body's status recommendation is reviewed and upheld by the Certification Committee, the producer, processor, or handler may appeal to the certification body board of directors.
- 1) Ultimately, the certification body's general membership is the final arbiter for all certification processes, procedures, appeals, standards, and material evaluations.

### **2.7. Inspection and Assignment of Certification Status**

2.7.1. The certification committee shall review all information provided by the enterprise and the inspection report in order to determine certification status. The decision shall be reviewed annually.

#### **2.7.2. Inspection Frequency**

- 1) Unless otherwise prescribed according to Section 2.7.2 (Inspection Frequency Based on Risk Assessment), all enterprises will have a minimum of one inspection per year. Certification bodies may schedule additional impromptu inspections.
- 2) It is recommended for livestock producers with animals confined to paddocks for winter-feeding, that some of the inspections take place during the winter season.

#### **2.7.3. Inspection Frequency Based on Risk Assessment**

- 1) Certification Bodies may alter inspection frequency to a minimum of one inspection in three years according to the following criteria:

- a) Enterprise must not be exporting organic product out of BC
  - b) Enterprise must not practice parallel production
  - c) Enterprise must not have outstanding conditions
  - d) Enterprise must have received a valid organic certificate in all of the previous three years
  - e) The enterprise must be assessed for risk, and receive a low-risk ranking from a certification committee.
- 2) No further risk assessment is required if the operator does not qualify based on (a)-(c)
- 3) Certification Bodies that allow for reduced inspection requirements must develop a Risk Assessment Program. This program must be documented and it must be provided to all organic operators in the certification program; CBs cannot limit application to the program to classes of producers or methods of production. The COABC Accreditation Board must provide written approval of Risk Assessment Programs before implementation.
- 4) CBs that choose to implement a Risk Assessment Program will comply with the following criteria:
- a) VOs will be provided with a risk assessment checklist and will verify the risk of non-compliance with the BC Certified Organic Program by the enterprise whether by intent, by neighbouring activity, or by neglect
  - b) Risk assessment checklists will be comprehensive and will include all areas of possible risk including:
    - i) contamination or commingling of organic product
    - ii) contamination of site
    - iii) mislabelling
    - iv) fraud
    - v) Any other major or minor non-compliance with the BC Certified Organic Program
  - c) CBs will provide certification committees with guidelines to enable them to rank enterprises according to risk and to determine which low-risk enterprises qualify for reduced inspection requirements. CBs will ensure that enterprises that do not qualify receive a statement indicating why they do not qualify.
  - d) Certification Bodies will keep records of all enterprises enrolled in risk assessment programs and will arrange for yearly random and unannounced inspections of at least 5% of all such enterprises. Such inspections will include a risk analysis.
- 5) The CB may decide to undertake extra inspections of enterprises that are determined to be high risk.

## **2.8. Certificate**

### **2.8.1. Date of Approval**

- 1) Certification status begins on the date of approval by the certification body. The date must be indicated on the certificate.

### **2.8.2. Surrender for Non-compliance**

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

### **2.8.3. Term of Certificate**

- 1) The term of a certificate as indicated in Section 8 of the Regulation is 12 months from the date of issue.
- 2) The certificate remains valid until a renewal certificate is issued or the certification body revokes it. Provided a renewal application is received by the Certification Body before the expiration of the previous certificate; and all other policies and standards have been met, the certificate will be renewed.
- 3) If a renewal application is not received, status ends on the expiration date marked on the certificate and the enterprise must surrender their certificate.
- 4) 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 certification body must require appropriate documentation and may require inspection consistent with the requirements for certificates, so long as the product remains in inventory.

### **2.8.4. Yearly Renewal**

- 1) The possession of a certificate is not, by itself, a guarantee of certification. The certification body must issue a new certificate in each year.

### **2.8.5. Revocation of Certificate**

- 1) When a certification body issues a notice of cancellation or revocation, the certificate is by that act, invalidated. A certification body shall inform COABC when a certificate is revoked.

## **2.9. Withdrawal of Certification Status**

### **2.9.1. Voluntary withdrawal**

- 1) Operators must inform the certification body 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 certification body shall recommend consultations with the appropriate experts and the certification body Certification Committee, close monitoring of the actions and the effects, and detailed documentation.

### **2.9.2. Decertification**

- 1) Assigned to operations, which were certified, but no longer meet the certification body production or processing standards and the certificate is revoked.

### **2.9.3. Transference of Certification**

- 1) Regional certification can be transferred from any other CB in the BC Organic Program. Operators from CBs outside of the BC Certified Organic Program must be inspected before a certificate is issued. A transition period is not required.

## **2.10. Assessment of Enterprises**

### **2.10.1. Enterprise Records**

- 1) Enterprise records must be complete and must provide information for the purpose intended.
- 2) A Certification Body will identify inadequacies in form entries or completion and ensure appropriate rectification.

### **2.10.2. Inspection Process**

- 1) Inspection records shall:
  - a) Show that contracted Verification Officers were members in good standing with the Independent Organic Inspectors Association.
  - b) Provide a comprehensive report of activities and findings to the certification committee of the certification body.
  - c) Indicate the reasons additional laboratory analysis was required.
  - d) Indicate the rationale for any recommendations that were made to the certification committee.

### **2.10.3. Certification Committee Review**

- 1) The certification committee must be able to demonstrate that it reviewed all submitted forms and reports. The rationale adopted for a decision relating to the determination of status of individual enterprises must also be demonstrated. This information must be available in minutes of Certification Committee meetings.
- 2) A certification committee must identify questionable products or practices and advise verification officers and respective organic operators of any finding.
- 3) A certification committee must demonstrate adherence to appropriate timelines for processing certification matters and assigning status.
- 4) All decisions of a certification committee must be clearly conveyed to the affected enterprise.
- 5) A certification committee must demonstrate that it adhered to Section 10 of the Organic Certification Regulation under the *Agri-Food Choice and Quality Act* where decisions have been appealed by the operator.