



Quality Certification Services (QCS)

*QCS is Certification Program of Florida Certified Organic Growers and Consumers, Inc.
(FOG)*

QCS INTERNATIONAL PROGRAM CERTIFICATION MANUAL

This document contains the certification standards, policies and procedures for the operation of the QCS International Organic Program offered by Quality Certification Services (QCS). QCS operates in accordance with both the International Organization for Standards (ISO) Guide 65 *General Requirements for Bodies Operating Product Certification Systems*, the National Organic Program (NOP) as recognized by the United States Department of Agriculture (USDA), EU 834/2007 & 889.2008, and USDA NOP Export Arrangements, with Japan Agricultural Services (JAS), New Zealand, Quebec, Canada (CAAQ, CGSB), United Kingdom, Denmark and British Columbia.

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Foreword¹

QCS is committed to providing clear direction and quality certification services to its clients and constituents of the organic food industry.² This Certification Manual contains the policies and procedures for those seeking organic or food-related recognition, and/or claim(s) offered by QCS to facilitate exports to foreign countries.

The purpose of the Certification Manual is to provide a basis of communication between clients and QCS, a guideline of the certification process, overview of the standards, and notification of fees for QCS services. The contents of this Certification Manual were developed in conformance with ISO Guide 65 §4.8.1.a-f, as follows:

- 1.1 **General Provisions**, by which QCS operates (ISO Guide 65§4.8.1.a & g)
- 1.2 **Certification Process** (ISO Guide 65§4.8.1.b):
 - 1.2.1 Application and Renewal of Certification
 - 1.2.2 Inspection and Certification Procedures
 - 1.2.3 Labeling (ISO Guide 65§4.8.1.e)
 - 1.2.4 Fees for Service (ISO Guide 65§4.8.1.d)
 - 1.2.5 Complaints, Disputes and Appeals Procedures (ISO Guide 65§4.8.1.f)

¹ USDA NOP §Summary and USDA website (www.ams.usda.gov), Export Arrangements, USDA ARC ISO GUIDE 65 Guidelines for accreditation of organic certification bodies

² ISO Guide 65 §4.5.1

01 General Provisions

1.0 QCS Provisions

QCS offers impartial third-party certification by adhering to provisions of Equality, Objectivity, Confidentiality, and Transparency. See also QCS Certification Handbook, Section 1.0 Introduction.

1.1 Equality³

QCS responsibly operates a non-discriminatory certification service. QCS does not make undue financial or other conditions nor discriminates against applicants based on the size or type(s) of operation(s).

Certification is granted solely on compliance related to the scope of certification being considered. QCS does not certify or issue conditions to its clients based on the number neither of certifications already issued, nor on the basis of any of the clients' membership affiliations and/or associations to organic and food related industries.

QCS services are also designed not to discriminate against any member because of race, creed, religion, marital status, sex, ancestry, age or national origin, and are administered in a non-discriminatory manner, which does not impede or inhibit applicant(s) access to the certification services of QCS.

1.2 Impartiality⁴

At all levels of QCS, provisions are taken to ensure that independence is maintained and conflict of interest is avoided. QCS takes full responsibility for the granting, maintaining, extending, suspending or withdrawing of certification, particularly regarding decisions on certification, considering appeals, and handling complaints and disputes. To ensure an objective review, QCS ensures that persons who make certification decisions are different from those who carried out the inspection of the program.

QCS provides only those services as outlined in section 03 (Scope of Certification). QCS cannot supply or design products of the type it certifies, nor can it provide products or services that could compromise the confidentiality, objectivity or impartiality of its certification processes.

³ ISO Guide 65 4.1.1 & 4.1.2

⁴ ISO Guide 65 4.4.a, 4.2.o.2-4.2.o.3 & 4.2.a

Thus, as such, QCS will not provide consultancy services to its applicants or certified clients, pertaining to matters dealing with barriers to certification requested.

QCS staff and subcontractors may direct applicants to resources on organic production and handling, and may answer questions regarding how standards are interpreted or applied.

1.3 Confidentiality⁵

At all levels of QCS, provisions are taken to ensure that confidentiality is maintained. QCS safeguards the confidentiality of all information obtained in the course of certification activities.

QCS releases routine client information, such as name, address, phone, categories of operation, effective date of certification, and certification status. All other information (i.e., inspection report, financial information, certification review) is considered proprietary, used only for the purpose of certification and must have the written consent of the client prior to making it public or available to an outside body.

1.4 Transparency

The QCS certification program is transparent to all persons internally and externally. Publications and other documents are published or made available upon request to the public electronically or by other means. At a minimum, QCS publications include the following:

1.4.1 QCS Certification Handbook

The QCS Certification Handbook is designed to outline QCS policies related to organic certification and to serve as a guidance document for the National Organic Standards. It is meant to serve as a resource for those wishing to understand and incorporate organic practices into their own farm/handling plan.

The QCS Certification Handbook and the NOP standards are made available to the public on the QCS website, www.qcsinfo.org and upon application to QCS.

⁵ ISO Guide 65 § 4.10.1 and 5.2.2 (a)

1.4.2 QCS International Program- Certification Manual

The QCS International Program- Certification Manual includes an overview of the relevant standards and information on the certification procedures for those programs operated by QCS to facilitate export to foreign countries.

The QCS International Program- Certification Manual and the applicable foreign country standards are made available to the public on the QCS website, www.qcsinfo.org and upon application to QCS.

1.4.3 Quality Certification Services Client Directory⁶

The QCS website also offers any interested party access to a list of QCS certified clients listed by the relevant scope and program of certification.

⁶ ISO Guide 65 § 4.8.1.g

02 Certification Categories⁷

QCS specializes in determining organic export recognition for the following agriculture-based operations.

2.1 Farm

A farm is an operation who engages in the business of growing or producing food, fiber and other agricultural-based consumer products.

2.2 Livestock

Livestock is any cattle, sheep, goat, swine, poultry or equine animals used for food or in the production of food, fiber, feed or other agricultural-based consumer products; wild or domesticated game; or other non-plant life, except such term shall not include aquatic animals or bees for the production of food, fiber, feed or other agricultural-based consumer products.

2.3 Wild Cropping

Wild Cropping is any plant or portion of a plant that is collected or harvested from a site that is not maintained under cultivation or other agricultural management.

2.4 Handler

A Handler is any operation engaged in the business of handling agricultural products, including producers who handle crops or livestock of their own production, except such term shall not include final retailers of agricultural products who do not process agricultural products.

2.5 Processor

A Processor is any operation or entity involved with cooking, baking, curing, heating, drying, mixing, grinding, churning, separating, extracting, slaughtering, cutting, fermenting, distilling, eviscerating, preserving, dehydrating, freezing, chilling or otherwise manufacturing, and includes the packaging, canning, jarring or otherwise enclosing goods in a container.

⁷ USDA NOP §Definitions

2.6 Grower Group

A grower group is defined as a group of producers that meet the following conditions:

- The crops and farming practices of the producers must be uniform and reflect a consistent process or methodology, using the same inputs.
- The group must be managed as a legal entity under one central administration that is uniform and consistent.
- Participation in the group is limited to producers who sell all of their organic production through the group.
- Producers who are certified as part of a grower group do not possess individual certificates. Rather, the grower group is certified as a unit.
- Grower groups must establish and implement an internal control system (quality system), with supervision and documentation of production practices and inputs used at each producer's operation to ensure compliance to relevant standards.
- Grower groups must ensure that all members understand the US National Organic Standard and how it applies to their specific operations.
- Grower groups must utilize centralized processing, distribution, and marketing facilities and systems.

QCS shall determine how many growers must be inspected by consideration of the following:

- The number of operations participating in the grower group;
- The size of the average operation in the grower group;
- The degree of uniformity between the group's operations;
- The complexity of the group's production system(s); and
- The management structure of the group's internal control system.

For more information on grower groups refer to the QCS Certification Manager.

03 Scope of Certification

3.1 QCS NOP Regulations

As a baseline for certification, QCS operates in accordance with U.S. federal law. As such, QCS must ensure that any type of client as per section 3.1, that wants to sell an agricultural product as organically produced, conforms to the United States Department of Agriculture (USDA) National Organic Program (NOP). All organic agricultural products imported into the United States by foreign programs must have determined equivalent organic program requirements to the NOP.

The Federal Rule became effective February 20, 2001, and fully implemented in October 21, 2002. The intention of this law is to facilitate domestic and international marketing of fresh and processed food that is organically produced and to assure consumers that such products meet consistent, uniform standards. The USDA AMS Federal Register (7 CFR Part 205) National Organic Program's Final Rule is made available per annex A of this manual and on the USDA website at www.ams.usda.gov/nop.

QCS recognizes all agencies, private or state as recognized by the USDA, www.ams.usda.gov/nop/CertifyingAgents/Application.html. State programs may have additional requirements for operations located or marketing within those states. QCS must verify the client's compliance with any applicable state program(s) requirements.

The policies and procedures for the QCS NOP program are described in the QCS Certification Handbook.

3.2 Additional Standards

In addition to the NOP regulations, QCS offers standards that in addition to the NOP standards facilitate trade with foreign countries.

3.2.1 QCS USDA NOP Export Arrangements

QCS offers programs which facilitate organic trade with foreign countries by the Department of Agriculture's (USDA) Agricultural Marketing Service (AMS) export arrangements, recognition agreements, and import authorizations with foreign programs.

Those foreign programs, determined by AMS to conform to the technical standards of USDA's National Organic Program (NOP), are recognized as organic certification organizations in good standing with agreed upon stipulations or additional standards are listed on the USDA website at www.ams.usda.gov/nop/NOP/Trade.html. Those bodies recognized by the USDA are allowed to apply the NOP technical standards to certify operations that produce or handle agricultural products to be sold, labeled or represented as organic in the United States.

In addition to the countries recognized by the USDA, QCS undergoes special provisions for exporting products into Japan under the Japan Agricultural Services (JAS) program and for exporting products into Quebec, Canada under the Conseil des Appellations Agroalimentaires du Quebec (CAAQ) program.

3.2.2 European Council Regulation (EEC) No 834/2007 & 889/2008

Under the recognition of the USDA for compliance to ISO Guide 65, QCS provides assessment of a client's practice(s) in accordance with the European Council Regulation (EEC) No. 834/2007 & 889/2008 and any additional requirements required of EU member states, such as Germany. Products may be accepted (on a case by case review of product in question) for use as an ingredient or for re-labeling or export by an operation that is certified by QCS.

3.2.3 Organic Products Regulations of the Canadian General Standards Board (CGSB) Standards

QCS will recognize decisions made by other certification bodies accredited to administer CGSB Organic Production Systems Standards certification. QCS maintains its responsibility for the certification decision resulting from this recognition.⁸

⁸ CGSB Standards, Regulations Pertaining to the Accreditation Reference Manual, Section 4.4.2

04 Labeling⁹

4.1 QCS NOP Regulations Logo Use

Unauthorized use of the USDA and QCS logo is prohibited and will be treated as an infringement of copyright, and is subject to the penalty provisions of the NOP to the full extent of any applicable civil or criminal laws governing fraud.

4.1.1 USDA Logo



For labeling and product composition provisions, QCS clients must comply with subpart D Labels, Labeling and Market Information of the USDA AMS Federal Register (7 CFR Part 205) National Organic Program's Final Rule. Subpart D describes the relevant usages of seals per category of certification and organic product compositions. All clients granted QCS organic certification to the USDA NOP regulation shall receive the privilege to use the USDA and/or QCS seals.

4.1.2 QCS LOGO



All organic products certified by QCS, both in the NOP and International programs may be identified by the official QCS logo. Certified entities will receive numbered certificates of certification embossed with the official QCS logo. Logos may appear:

- a) Where practical, on the individual product (such as with watermelons and cantaloupes).
- b) On the individual marketed packaging unit (such as blueberry, strawberry containers, bagged products, juice cartons, and jars.)
- c) Where sold in bulk, the display may be identified with the QCS logo.

⁹ ISO Guide 65 § 14-14.1 and USDA Subpart D

Although only a certified entity has the right to use the logo or name that permission extends to signs and advertisements used to promote QCS certified products for sale by third parties. The certified party must make sure the following conditions are met:

- a) Any sign that displays the logo or name must be specific to an item or a group of items that is QCS certified.
- b) Any advertisement used by a third party may only use the logo or name in such a way as to clearly refer to items that are QCS certified and only to those items.

05 Certification Steps¹⁰

QCS certification steps are the overall process by which QCS ensures client's conformance with applicable standards. In addition to the following policies, QCS complies with the policies described in the QCS Certification Handbook.

5.1 STEP ONE Application Packet¹¹

An initial application packet is supplied to any applicant upon receipt of an application packet fee. The application packet contains a detailed description of the inspection and certification procedures for all category(s) and scopes(s) of certification, including all standards for certification, and the applicant's rights and duties of the client.

The QCS Certification Packet contains the following:

1. QCS Certification Handbook & QCS International- Certification Manual
2. NOP Standards and EU 834/2007 & 889/2008 Regulations
3. Fees and Costs Packet
4. Application per Category of Certification, including Organic System Plan
5. Inspection Agreement
6. Inspector Evaluation Form
7. Organic Materials Review Institute (OMRI) List
8. Other information as deemed necessary (e.g., brochures, newsletter)

The client is responsible for maintaining these initial documents, which will be used throughout the certification steps described in this section.

The *Application/Organic System Plan (OSP)* per each type of category of certification must be completed and returned to QCS. The applicant must make two copies of the submission including attachments, keeping one copy and sending the other copy along with the original completed application, and fees. Please note that if a copy of the completed application is not received an administrative/copying fee will be charged in accordance with the fee structure.

¹⁰ ISO/IEC Guide 65§4.1.4, 4.5.3.i.1-4.5.3.i.2, 4.6.1, 4.6.2.a

¹¹ ISO/IEC Guide 65§ 8.1.1, 8.1.3-8.1.4, 8.2.1.a-b, 8.2.2.a-b

5.1.1 Application (OSP) Provisions¹²

QCS requires all clients to complete an *Application/Organic System Plan (OSP)* for each type of category of certification. The application at minimum requires the following:

- a) The desired scope of certification.
- b) The corporate name and entity, including address and legal status.

The application also serves the purpose of the required NOP Organic System Plan (OSP), which not only describes the activities for compliance with the NOP, but as well as for additional standards required for export.

5.1.2 Marketing License Agreement Provisions¹³

Included in the OSP is the *Marketing License Agreement*. QCS requires all clients to complete a formal *Marketing License Agreement* to be signed by the duly authorized representative of the client. The *Marketing License Agreement* at minimum requires the following:

- a. Always comply with the relevant provision of the Certification Program.
- b. Makes all necessary arrangements for the conduct of the inspection, including access to all areas, records, and examination of documentation.
- c. Makes claims regarding certification only with respect to the scope for which certification has been granted.
- d. Does not use its product certification in such a manner as to bring the certification body into disrepute and does not make any statement regarding its product certification the certification body may consider misleading or unauthorized.
- e. Upon suspension or withdrawal of its certification, discontinues its use of all advertising matter that contains any reference thereto and returns any certification documents as required by the certification body.
- f. Uses certification only to indicate that the products are certified as being in conformity with specified standards.

¹² ISO Guide 65 § 8.2.1.a-b

¹³ ISO Guide 65 §8.1.2.a-h

- g. Endeavors to ensure that no certification or report nor any part thereof is used in a misleading manner.
- h. Reference to its product certification in communication media, such as documents, brochures, web pages or advertising, complies with the requirements of the certification body.

5.2 STEP TWO Application Review¹⁴

Once QCS receives the application, there is an approximate four-month turnaround time for applications. The exact time will vary depending on the completeness of the application, responsiveness of the applicant to requests for more information, as well as the availability of the inspector.

Each application is reviewed by a Certification Coordinator to ensure its completeness and to determine whether applicant appears to comply or may be able to comply with the NOP and the additional standards required for export.

Furthermore, QCS ensures its capability to perform the certification services with respect to the scope of certification requested, the location of the operation and any special requirements such as language used by the applicant.

The certification staff will verify that an applicant who has previously applied to another certification agency and received a notification of noncompliance or denial of certification has submitted documentation to support the correction of any noncompliance(s) identified by the notification of noncompliance or denial of certification. QCS treats any application that includes a Notification of Noncompliance or a Notice of Denial of Certification as a new applicant.

Applicants will be notified of the receipt of their application and will be advised of any measures that may be necessary to complete the application. This provides QCS and the applicant an opportunity to clearly define, document and understand the requirements for certification, and to resolve any differences in understanding between QCS and the applicant prior to the assignment of the initial inspection.

Key items for a complete review include:

1. Signed Application/(OSP),
2. Supporting Application/(OSP) information (i.e. farm, facility maps, organic product profiles)
3. The name of the person completing the application, the applicant's business name, address and telephone number; and when the applicant is a corporation, the name, address and telephone number of the person authorized to act on the applicant's behalf.
4. The names(s) of any organic certifying agent(s) to which application has previously been submitted; the year(s) of application; the outcome of the

¹⁴ ISO/IEC Guide 65§ 9.1.a-c and USDA NOP §205.402.a.1-4, 205.402.c, 205.403.b.1

application(s) submission, including when available a copy of any notification of non-compliance(s) or denial of certification issued to the applicant, and a description of the actions taken by the applicant to correct the noncompliance(s) noted in the notification of noncompliance, including evidence of such correction.

5. Any other information necessary to determine compliance with the relevant standards.

Unsigned or incomplete applications may be returned to the applicant, and an applicable postage and handling fee may be required for application resubmission.

If the Certification Coordinator finds the operation to be out of compliance, the applicant will be notified in writing of the nonconformance(s) and given the opportunity to document corrective action. If documentation of corrective action is not addressed within 30 days, the certification file will be considered inactive and certification staff will begin procedures to deny certification, as per section 5.4.5: Notification of Denial of Certification (Applicants).

Once the completed application and supporting materials have been reviewed and approved, an initial inspection will be scheduled to verify the information provided in the application. This process will occur within a reasonable timeframe, except that the initial inspection may be delayed for up to 6 months to comply with the requirement that the operation be inspected when compliance or capacity to comply can be observed.

The applicant may withdraw his or her application at any time. An applicant must inform the office in writing of his or her decision to withdraw an application. An applicant who withdraws his or her application shall be liable for the costs of services provided up to the time of application withdrawal. An applicant that voluntarily withdraws from the certification process prior to the issuance of a notice of noncompliance will not be issued a notice of noncompliance. Likewise, an applicant that voluntarily withdraws his or her application prior to being issued a denial of certification will not be issued such notice. If the client has willfully violated the NOP regulations, QCS reserves the right not to accept the client's request to withdraw his/her application.

5.3 STEP THREE Inspection¹⁵

An initial on-site inspection shall be conducted for each operation requesting certification and include the unit, facility and site that produces or handles organic products included in an operation for which certification is requested.

An on-site inspection shall be conducted annually thereafter and take place in no less than 18 months after the last inspection. Inspections for each certified operation that produces or handles organic products are required for the purpose of determining whether to approve the request for certification or whether the certification of the operation should continue.

QCS may conduct additional on-site inspections (either announced or unannounced) of first time applicants for certification and currently certified operations to determine compliance with applicable standards, and if necessary to verify export requests.

All on-site inspections must be conducted when an authorized representative of the operation who is knowledgeable about the operation is present and at a time when the land and/or facilities demonstrate the operation's compliance with or capability to comply with the relevant standards. This requirement does not apply to unannounced on-site inspections.

5.3.1 Assignment and Scheduling of Inspector(s)¹⁶

Once the application review is complete, QCS will assign an Inspector, based on the following criteria or combination thereof for the specific type of operation to be evaluated:

- a) Specification of appropriate education, training and experience (i.e. training policy),
- b) Previous experience in the location where an inspection takes place;
- c) Knowledge of the language,
- d) The local organic context, and
- e) No prior affiliation or business relationship with applicant or certified operation being evaluated within an amount time as established by QCS.

The inspector will contact the applicant and both shall agree on the inspection logistics and, the inspection appointment.

¹⁵ ISO/IEC Guide 65 § 9.4, 10 and USDA NOP §205.403.a.1, 205.403.2.i-iii,

¹⁶ ISO/IEC Guide 65 § 9.2

Applicants may refuse the selection of an inspector based on a valid argument demonstrating that the inspector would not be able to conduct an objective inspection of the operation in question.¹⁷

5.3.2 Inspection Plan Requirements¹⁸

5.3.2.a Prior to Inspection

Before performing an actual on-site inspection, QCS provides inspectors with the QCS Inspectors Manual and guidance necessary for the inspector to complete a successful inspection, including at minimum:

1. The implementation in the field of any checklists, guidance documents, or options for the interpretation of standards,
2. Requirements for opening meetings, closing meetings, communications of results of surveillance audits, and any
3. Requirements for report writing

QCS also provides inspector (as appropriate) the following documents for review:

4. The application (OSP)/Renewal;
5. Previous Year's inspection report, if applicable;
6. Any Minor Non-compliances and corresponding corrective actions from the previous year.
7. IOIA inspection instructions and ethics;
8. Prescribed materials applicable to the applicant's operation;
9. Additional specific instructions and requirements as directed by QCS;
10. Relevant Certification Standards.

5.3.2.b During the Inspection¹⁹

The inspector will inspect each production unit, facility, and site that produces or handles organic products and that is included in the request for certification. The Inspector will also review documents, record-keeping systems, interview personnel, and perform sampling as warranted. Applicants must allow the inspector to have complete access to the production and handling operation, including non-certified production and handling areas, structures and offices.

During the inspection, the inspector will verify the following information:

¹⁷ CGSB Standards, COR Quality Management Systems Manual, Annex 3, 4.5.3.I

¹⁸ ISO/IEC Guide 65 § 205.403.b.2

¹⁹ USDA NOP §205.403.c.1-3

- 1) The operations' compliance or capability to comply with the NOP, or other additional standards as applicable;
- 2) The information provided in the application, including that the organic system plan accurately reflects the practices used or to be used by the applicant for certification or by the certified operation;
- 3) That prohibited substances have not been and are not being utilized in an operation requested for certification. QCS may instruct the inspector to collect and have tested samples of soil, water, waste, seeds, plant tissue, and plant, animal and processed products to verify compliance.
- 4) That an audit trail is developed and maintained sufficiently to ensure all organic production can be traced back through the system and contamination risk is managed accordingly. Records audited include, but are not limited to; ingredient/seed source records, production, monitoring, storage, transport and sales records.²⁰

5.3.2.c Exit Interview²¹

The inspector will conduct an exit interview with an authorized agent of the operation in order to confirm the accuracy and completeness of the inspection observations and the information gathered during the inspection.

At this time the inspector will notify the applicant or certified operation of any additional information needed or of anything that appears to be out of compliance with relevant standards. The inspector will provide the applicant with a receipt for any samples taken during the inspection. Any additional information or items that appear out of compliance will be presented in writing in the Exit Interview Form. The applicant is expected to read all items described in the Exit Interview Form and sign this document as acknowledgement that such items have been explained to him.

From the time of the exit interview, the inspector is allotted 30 days to complete and submit the inspection report to QCS. QCS will then forward the inspection report to the client at the same time it sends the decision on certification, as per Section 5.4.2 Granting of Certification.

²⁰ CGSB Standards, COR Quality Management Systems Manual, Annex 3, section 4.5.3.I

²¹ USDA NOP §205.404.a, 205.403.d, 205.403.e.1-2

5.3.2.d Additional Standards Required for Unannounced Inspections

Unannounced on-site inspections may be conducted at any time at the discretion of QCS to confirm compliance to the CGSB Standards. At the beginning of the year, QCS will plan additional unannounced visits, representing 3% of primary producers and 5% of other clients for which it grants certificates for products made in Canada.²²

²²CGSB Standards, COR Quality Management System Manual, Annex 3, Section 13.1

5.4 STEP FOUR Determination of Certification²³

The QCS Certification Coordinator(s) are the sole delegates of QCS with the authority to grant, maintain, extend, suspend or withdraw certification.

5.4.1 Certification Review²⁴

The QCS Certification Coordinator conducts a Certification Review of the following information to determine the client's compliance with standards per category and scope of certification:

- a. Inspection Report and supporting documentation,
- b. Results of any analysis for substances conducted, and
- c. Any additional information requested from or supplied by the applicant.

QCS may at any time of the certification decision process make request(s) for more information to determine compliance with relevant standards. Any requests for more information may prolong the estimated turn around time. When a decision is reached, the appropriate decision letter(s), certificate(s), results of any tests for samples taken by the inspector, a copy of the on-site inspection report, and an invoice for any remaining fees is sent to the client.

5.4.2 Granting of Certification²⁵

If the organic system plan and all procedures and activities of the applicant's operation are in compliance with the requirements of the applicable Standards, and QCS determines that the applicant has been and is able to operate in accordance with the organic system plan, then certification will be granted. The certification may include requirements for the correction of minor non-compliances within a specified time period.

5.4.2.a Certificate

When certification is granted, QCS will issue a certificate to the organic operation that will specify at minimum:

- 1) The category and scope of the certification granted
- 2) The name and address of the certified operation
- 3) The effective date of certification/ annual renewal date

²³ ISO Guide 65 §4.2.b, 4.6, 11.b, 12-12.4

²⁴ ISO Guide 65 § 12.1

²⁵ ISO/IEC Guide 65 § 4.6-4.6.2.a, 12.3-12.3.c, & USDA NOP §205.404.a

- 4) QCS's name, address and telephone number
- 5) Additional descriptive information (100% organic, organic, made with organic, product description)

5.4.2.b Temporal Validity of QCS Certification²⁶

5.4.2.b.1 QCS NOP Regulations Temporal Validity

Once a client is certified in accordance to the NOP, an operation's certification continues in effect until surrendered by that operation, or suspended or revoked by QCS, and if relevant, the USDA NOP administrator and/or State organic program's governing official.

Annually, QCS issues Product Verification form(s), not part of the certificate, but a list that states the current products certified by that year of certification.

5.4.2.b.2 Additional Standards Required for Export

QCS clients certified in accordance to additional standards required for export are issued a certificate, which must be re-issued on an annual basis.

5.4.3 Notice of Noncompliance²⁷

If QCS believes that an applicant or client is not able to comply or has not complied with the requirements of the relevant standards, QCS will provide a written *Notification of Noncompliance*. The applicant or client must respond with satisfactory evidence of compliance within the timeline specified by QCS. The *Notification of Noncompliance* shall provide:

- a) A description of each noncompliance,
- b) The facts upon which the notification of noncompliance is based, and
- c) The date by which the applicant or client must rebut or correct each noncompliance, and submit supporting documentation of each such correction when correction is possible.

5.4.4 Resolution of Notice of Noncompliance²⁸

In response to a Notice of Noncompliance, the applicant or client may:

²⁶ USDA NOP §205.404.c

²⁷ USDA NOP §205.405.a.1-3 & 205.662

²⁸ USDA NOP §205.405.b.1-3, 205.405.c.1-205.405.c.1.i & 205.662.b

- a) Correct the noncompliance(s) and submit a description of the corrective actions taken with supporting documentation to QCS,
- b) Correct the noncompliance(s) and submit a new application to another certifying agent: Provided, That, the applicant must include a complete application, the notification of noncompliance received from QCS, and a description of the corrective actions taken with supporting documentation, or
- c) Submit written information to QCS to rebut the noncompliance described in the Notification of Noncompliance.

Once the corrective actions are received back from the applicant or client, QCS will evaluate the corrective actions taken and supporting documentation submitted or the written rebuttal, and conduct an on-site inspection if necessary. QCS may at any time of the certification decision process make request(s) for more information to determine compliance with relevant standards.

When the corrective action or rebuttal is sufficient for the applicant to qualify for certification, QCS will issue the applicant an approval of certification pursuant to Section 5.4.2.

When the corrective action or rebuttal is not sufficient for the applicant to qualify for certification, QCS will issue a Notice of Denial of Certification.

5.4.5 Notice of Denial of Certification for Applicants²⁹

QCS will issue an applicant a written *Notice of Denial of Certification*, which may be combined or in response to a *Notification of Noncompliance*.

A notice of denial of certification must state the reason(s) for denial and the applicant's right to:

- a) Reapply for certification pursuant to Section 5.1, STEP ONE Application Packet;
- b) Request mediation pursuant to Section 06 Mediation
- c) File an appeal of the denial of certification pursuant to Section 06 Appeals

If QCS has reason to believe that an applicant for certification has willfully made a false statement or otherwise purposefully misrepresented the applicant's operation or its compliance with the certification requirements pursuant to this part, QCS may deny certification without first issuing a notification of noncompliance.

²⁹ USDA NOP §205.405.a, 205.405c.1.ii, 205.405.c.2, 205.405.g & 402.d.1-3

5.4.6 Re-Certification (Continuation of Certification)³⁰

In order for a client to maintain certification with QCS, the certificate holder must:

- a) Maintain compliance to the relevant QCS Standards
- b) Successfully complete an annual on-site surveillance inspection per Section 5.3 Inspection,
- c) Annually pay the certification fees, and
- d) Submit the following information, as applicable, to QCS:
 - 1) An updated organic production or handling system plan that includes:
 - a) A summary statement, supported by documentation, detailing any deviations from, changes to, modifications to, or other amendments made to the previous year's organic system plan during the previous year; and
 - b) Any additions or deletions to the previous year's organic system plan, intended to be undertaken in the coming year.
 - c) Any additions to or deletions from the information regarding the name of the person completing the application for certification, the applicant's business name, address and telephone number and when the applicant is a corporation, the name address and number of the person authorized to act on the applicant's behalf;
 - d) An update on the correction of minor non-compliances previously identified by QCS as requiring correction for continued certification; and
 - e) Other information as deemed necessary by QCS to determine compliance with the NOP and additional standards required for export.

Following the receipt of the information, QCS will perform the on-site surveillance inspection, as per Section 5.3 Inspection, and verify the clients continued compliance with applicable standards.

5.4.6.a Re-Certification On-Site Surveillance Provisions

As a general rule, no more than 12 months should lapse without having an on-site inspection.

³⁰ ISO/IEC Guide 65 4.6-4.6.2.a and USDA NOP §205.406.a.1-4, 205.406.b-d

In the event that it is impossible for QCS to conduct the annual onsite inspection following receipt of the certified operation's annual update of information, QCS may allow continuation of certification and may issue an updated Product Verification of organic operation on the basis of the information submitted and the most recent on-site inspection conducted during the previous 12 months: Provided, That, the annual on-site inspection, is conducted within the first 6 months following the certified operation's scheduled date of annual update.

5.4.6.b Re-Certification Decision

If QCS determines that the certified operation is complying with the relevant standards, and that any of the information specified on the certificate of organic operation has changed, QCS will issue an updated certificate of organic operation, as per Section 5.4.2 Granting of Certification.

If QCS has reason to believe, based on the on-site inspection and a review of the information specified in Section 5.4.6 Re-Certification, that a certified operation is not complying with the relevant standards, QCS shall provide a written *Notification of Noncompliance* to the operation pursuant to Section 5.4.3 Notice of Major Noncompliance. When the corrective action or rebuttal is not sufficient for the applicant to qualify for certification QCS will determine compliance per Section 5.4.7 Notice of Proposed Suspension and/or Revocation of Certified Client.

5.4.7 Notice of Proposed Suspension and/or Revocation of Certified Client³¹

When the corrective action is insufficient and/or not completed within the prescribed time period, QCS will issue a certified client a written *Notice of Proposed Suspension and/or Revocation of Certification* (may be combined) of the entire operation or a portion of the operation, as applicable to the noncompliance. The *Notification of Proposed Suspension and/or Revocation* must include the following:

- a) The reasons for the proposed suspension or revocation.
- b) The impact of a suspension or revocation on future eligibility for certification,
- c) The right to request mediation pursuant to Section 6, and/or
- d) File an appeal pursuant to Section 6.

³¹ USDA NOP §205.405.205.662.c-d

If QCS has reason to believe that an applicant for certification has willfully violated the standards, QCS will send the certified client a Notification of Proposed Suspension or Revocation of Certification of the entire operation or a portion of the operation as applicable to the noncompliance.

5.4.8 Suspension or Revocation³²

If the client fails to correct the noncompliance(s), to resolve the issue through rebuttal or mediation per Section 6, or to file an appeal of the proposed suspension or revocation of certification in the timeframe allowed, QCS shall send the client a written notification of suspension or revocation.

5.4.8.a QCS NOP Regulations Suspension or Revocation

A certified operation whose certification has been suspended may at any time, unless otherwise stated in the notification of suspension, submit a request to the Secretary of Agriculture for reinstatement of its NOP certification. The request must be accompanied by evidence demonstrating correction of each noncompliance and corrective actions taken to comply with and remain in compliance.

A certified operation or a person responsibly connected with a client whose certification has been revoked will be ineligible to receive certification for a period of 5 years following the date of such revocation. Except, that the Secretary may, when in the best interest of the certification program, reduce or eliminate the period of ineligibility.

In addition to suspension or revocation, any client that knowingly sells or labels a product as organic, except in accordance to the NOP, shall be subject to a civil penalty of not more than \$10,000 per violation. Clients making false statement under the NOP to the Secretary, State organic program, or QCS shall be subject to the provisions of section 1001 of title 18, United States Code.

5.4.8.b Additional Standards Required for Export Suspension

A certified operation whose certification to additional standards required for export that has been suspended may at any time, unless otherwise stated in the notification of suspension, submit a request to QCS Certification Manager for reinstatement of its certification. The request must be accompanied by evidence demonstrating correction of each

³² ISO/IEC Guide 65§ 4.6-4.6.2.a and USDA NOP §205.662.e-g

noncompliance and corrective actions taken to comply with and remain in compliance.

5.4.9 Modification of Certification³³

Clients are required to inform QCS, in writing of any modifications, which extend or reduce their scope of certification already granted. The client is not allowed to release products affected by the modification until the Certification Coordinator has reviewed the modification and has found it to be compliant with applicable certification standards.

If changes to the system are minimal and are clearly within QCS Standards, an amended certificate and/or product verification form is issued. If the changes are extensive or are not easily demonstrated, an inspection of the new management or production system may be required before modification is approved.

Clients are responsible for the costs incurred for these services. Once the modification is awarded, the *Certification Decision Form* will be sent to the client.

5.4.10 Discontinuance of Certification³⁴

At any time clients may withdraw from QCS through written notification. The client must cease all claims of the QCS logo and name, destroy or return all certificates, labeling and marketing material containing reference of QCS as per the *Marketing License Agreement*, and are liable for the costs of services provided up to the point of withdrawal.

QCS may also send a client a *Withdrawal Letter*, which notifies the client that QCS has voluntarily withdrawn the client from certification due to a lack in the annual re-certification or lack of response within the designated renewal timeframe.

³³ ISO Guide 65 § 4.6-4.6.2.c, 12.1,12.4, 13-13.3

³⁴ ISO/IEC Guide 65 § 4.6.2.a

06 Mediation and Appeals

6.1 QCS NOP Regulations: Mediation³⁵

Any dispute with respect to denial of certification or proposed suspension or revocation of NOP certification may request mediation. Mediation shall be requested in writing to QCS.

If QCS rejects the request for mediation, QCS shall notify the client and shall advise client the right to request an appeal pursuant to Section 6.2, within 30 days of the date of the written notification of rejection.

If QCS accepts the request for mediation, such mediation shall be conducted per the mediation procedures as established by the Florida State Organic Program, at no cost to the client or QCS. The parties of the mediation shall have no more than 30 days to reach an agreement following a mediation session. Any agreement reached during or as a result of the mediation process shall be in compliance with the NOP.

If mediation is unsuccessful, the client shall have 30 days from termination of mediation to appeal to QCS pursuant to Section 6.2 Appeals.

The Secretary may review any mediated agreement for compliance to the NOP and reject an agreement or provision not in compliance with the NOP.

The service of mediation is not available for resolution of noncompliance(s) to additional standards required for export.

6.2 Appeals³⁶

6.2.1 QCS NOP Regulations Appeal³⁷

See QCS Certification Handbook, Section 2.6.5.

6.2.2 Additional Standards Required for Export Appeal

All requests and notices of appeal must be made in writing and be accompanied by supporting documentation. The written appeal must provide sufficient detail and describe prior involvement in the operation at issue. A written appeal must be submitted within 30 days of receipt of

³⁵ USDA NOP §205.663

³⁶ ISO/IEC Guide 65 §

³⁷ USDA NOP §205.680.d-e, 205.681

notification or public announcement of certification status. The burden of establishing the invalidity of a certification decision rests with the filing participant.

A Certification Coordinator different than the Certification Coordinator who determined the initial certification shall review the appeal in a confidential, impartial and timely manner.

- 1) If QCS sustains a certification applicant's or certified operation's appeal of QCS's decision, the applicant will be issued organic certification, or a certified operation will continue its certification, as applicable to the operation.
- 2) If QCS denies an appeal, a formal administrative proceeding will be initiated to deny, suspend, or revoke the certification as appropriate.

In the case of appeals of decisions based on the CGSB Standards, an operator or any other party wishing to contest a certification decision must attempt to resolve the matter with QCS. If the appeal is unsuccessful, then the next step is to petition CAEQ with an appeal. If the dispute cannot be resolved at the QCS and CAEQ then the Manager of the Canadian Organic Office (COO) is the final step to hear the issue³⁸

³⁸ CGSB Standards, COR Quality Management System Manual, 2.6.1.

07 Complaints³⁹

A complaint may come from either clients (e.g., producers, contract producers, processors, handlers, etc) or from other parties such as interested stakeholders or the general public.

QCS must investigate any complaint regarding clients' activities in relation to the applicable standards and complaints regarding QCS's certification operations. Complaints must be written and accompanied by supporting evidence; including prior involvement in the operation at issue. The Executive Director⁴⁰ or their designate will conduct an investigation of the complaint. The investigation will be conducted in a confidential and timely manner. Appropriate corrective and preventive action and resolution of any deficiencies found in products or services shall be taken and documented.

If a certified party or applicant refuses to cooperate in an investigation, QCS may deem this sufficient cause for denial or suspension of application or certification.

QCS will maintain a record of all complaints.

³⁹ ISO Guide 65 § 4.2.p, 4.5.3.m, 7.1, 7.2.a-c

⁴⁰ CGSB Standards, COR Quality Management Systems Manual, 2.6.1.6

08 Standards⁴¹

8.1 Principles of Organic Production and Handling⁴²

8.1.2 Holistic Production Management Systems

Organic agriculture is based on holistic production management systems which promote and enhance agro-ecosystem health, including biodiversity, biological cycles, and soil biological activity. Organic agriculture emphasizes the use of management practices in preference to the use of off-farm inputs, taking into account that conditions require locally adapted systems. These goals are met, where possible, through the use of cultural, biological, and mechanical methods, as opposed to using synthetic materials, to fulfill specific functions within the system.

8.1.3 Organic Standards

Organically produced products are identified under specific and precise standards of production based on the use of ecologically sound production practices, which are intrinsic to the identification and labeling of organic products.

8.1.4 Organic Certification

Organic certification is a system of institutionalized trust that allows consumers to identify and reward those who meet organic standards. This requires an informed effort on the part of the producer or handler, and careful vigilance with consistent, transparent decision making on the part of the certification agent.

- a) Organic production systems strive to achieve agro-ecosystems that are ecologically, socially, and economically sustainable.
- b) Organic standards require that each certified organic entity complete and submit for approval by a Certification Coordinator, an Organic Systems Plan (OSP) detailing the management of an organic crop, livestock, wild harvest, processing, or handling operation. The OSP outlines the management system that will be used by the operation to comply with the organic standards. See section 3.3 for details on the OSP requirements.
- c) An organic production system is designed to:

⁴¹ ISO/IEC Guide 65 § 4.1.3, 4.2.i, 4.2.p, 4.3, 4.8.1.e, 6.0

⁴² Organic Trade Association's American Organic Standards Final Version October 20, 1999.

- 1) Maximize biological activity in the soil;
 - 2) Maintain long-term soil fertility;
 - 3) Minimize soil erosion;
 - 4) Maintain or enhance the genetic and biological diversity of the production system and its surroundings;
 - 5) Provide livestock with optimal living conditions for health and well being;
 - 6) Utilize renewable resources in bio-regionally based agricultural systems;
 - 7) Recycle materials of plant and animal origin in order to return nutrients to the land, thus minimizing the use of non-renewable resources;
 - 8) Promote the environmentally responsible use of soil, water, and air, and minimize agricultural pollution; and
 - 9) Become established on an existing farm or field through a period of conversion, designed to allow the agricultural system to adapt to organic production methods and materials.
- d) Organic handling practices are based on the following principles:
- 1) Organic processors and handlers must implement organic good manufacturing and handling practices in order to maintain the integrity of organic products through all stages of processing, transport, and storage;
 - 2) Organic products must not be commingled with non-organic products, except when combining organic and non-organic ingredients in a finished product containing less than 100% organic ingredients;
 - 3) Organic products must not come in contact with prohibited materials;
 - 4) Proper records must be kept to verify that the integrity of organic products is protected;
 - 5) Organic products should be handled with emphasis on careful processing methods with a goal of maintaining the integrity and quality of the products; and
 - 6) Ecologically sound management practices should be a goal of organic handling operations. Efforts should be made to reduce packaging, use recycled materials, and reduce

solid, liquid, and airborne emissions produced by handling operations.

- e) Organic production and handling operations must comply with all applicable local, state, and federal laws and address food safety concerns adequately.
- f) Organic certification, production, and handling systems serve to educate consumers regarding the source, quality, and content of organic foods and products. Product labels must be truthful regarding product name and contents.
- g) Genetically engineered/modified organisms (GEO/GMO's) or products produced by or through the use of such organisms, are not compatible with the principles of organic production (either growing, manufacturing, or processing) and are not permitted under these standards.
- h) Organic standards do not allow the use of synthetic materials such as synthetic fertilizers, pesticides, and genetically engineered organisms, except those listed in the National List (Sections 8.1, 8.3, 8.5, and 8.6), but cannot ensure that organic products are completely free of such residues or contaminants, due to background levels of environmental pollutants.

8.2 Revision of Standards

8.2.1 Revision of QCS NOP Regulations

See QCS Certification Handbook, Section 2.10 Suggested Program Revisions.

8.2.2 Revision of Voluntary, Additional Standards

QCS additional standards required for export are reviewed every three years or annually if required for compliance by the USDA, European Union or other accreditation bodies.

Every three years, the Certification Standards Committee will take all input received in writing or as documented by the Certification Standards Committee and entirely assess and take into account modifications for the next publication of the standard as per Section 8.3.2 Publication of Additional Standards Required for Export. The QCS Program Director will have final approval.

In the case where the USDA requires QCS to revise standards, the Program Director may act individually to implement the appropriate standard(s). The Program Director must ensure that members of the Certification Standards Committee receive the updated Certification Manual at the time of publication per Section 8.3.2. The Program Director may also opt to have the Certification Standards Committee review proposed changes as defined by accreditation bodies prior to publication.

8.3 Publication of Additional Standards Required for Export⁴³

All Additional Standards Required for Export must meet or exceed the current published standards of the relevant foreign country, and be provided in English.

For the QCS three-year review, all proposals for standards must be accepted by July 01, of the third year. An addendum to the standard must be published within 1 to 3 months before December of the third year. Depending on release of the standard, and the complexity of client implementation, deadlines are issued for each standard published in the addendum.

Annually, in the case where the USDA ISO Guide 65 and/or NOP requires QCS to update, the Program Director shall publish the updates per the deadlines provided by the accreditation body. If specific dates are not provided, the Program Director at a minimum, must allow a 60-day implementation period for all standards, and with the same concept as the three-year review, that each standard is provided an individual deadline based upon the seasonal ability to implement, and the complexity of the implementing the standard.

QCS shall verify that standards are fully implemented. At the first annual on-site audit following the date of standard implementation, the client's actions to comply with the standard implementation will be verified for compliance.

⁴³ ISO/IEC Guide 65 § 4.1.3, 6.0