IOAS Inc.

IOAS Operating Manual

information and requirements specific to surveillance under the

Canada Organic Regime

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1. Introduction

This operating manual contains specific information and requirements of the assessment and surveillance programme implemented by the IOAS in its role as Conformity Verification Body (CVB) as assigned by the Canadian Food Inspection Agency (CFIA) under the Canada Organic Regime (COR). It should always be read in conjunction with the IOAS General Operating Manual which contains a full description of the IOAS and its overall approach to conducting accreditation and surveillance of certification bodies working in the field of organic and sustainable agriculture and related fields which is performed in line with ISO/IEC 17011.

It is the IOAS' approach to harmonise the assessment processes for the increasing range of schemes offered to reduce the burden of accreditation to all certification bodies. IOAS is also continually working to gain recognition of our work with scheme owners and government authorities such that we can offer 'one assessment, many accreditations'.

The Canadian Food Inspection Agency maintains an informative web site from where the various normative documents may be obtained and developments of the system can be followed.
See http://www.inspection.gc.ca/english/fssa/orgbio/orgbioe.shtml

2. Authority

2.1 The Organic Products Regulations, 2009 of the Government of Canada (OPR) were implemented from 30th June, 2009 and last amended 30th September, 2013.

2.2 The OPR sets out the framework for a conformity assessment system for products labelled as organic and its mode of operation.

2.3 There are three main players in the implementation of the regulation:

- Domestic and international Certification Bodies (CBs) – responsible for the organic certification of agricultural products and organic product packaging and labelling certification. Only COR accredited CBs may carry out such certification.
- Domestic and international Conformity Verification Bodies (CVBs) – designated by the CFIA to assess, recommend for accreditation and subsequently monitor certification bodies (CBs) meeting the applicable

accreditation criteria as set out in the Organic Products Regulations. Only CFIA approved CVBs may perform this work.

- The Canadian Food Inspection Agency – the CFIA is the competent authority for the COR. The CFIA approves existing private and public sector CVBs and CBs inside the regime provided they meet criteria established by the Government of Canada. The CFIA shall accredit CBs based upon the recommendation of its designated CVBs. The CFIA shall also provide a level of oversight and a level of compliance assurance integrated with existing CFIA compliance programs.

3. COR Accreditation

3.1 Any CB with operators in Canada or which proposes to certify operators active inside Canada must be recommended by a CVB designated by CFIA.

3.2 Any CB which has operators outside Canada who wish to export organic products within the scope of the OPR 2009 to Canada must be accredited by a CVB unless the CB is supervised by another country system with which the Government of Canada has an equivalency arrangement (please refer to the CFIA web site at the address given at point 1 above).

3.3 There is no restriction on which CVB may be chosen by the CB so the IOAS can accept applications for accreditation under the COR from CBs active in any country in the world including Canada.

3.4 The OPR 2009 applies to:

- Livestock and livestock products; plants and plant products. This includes seed and planting stock and nursery products including sod;
- Food or drink products for human consumption, wholly or partly derived from livestock or plants. This includes fresh and processed fruits and vegetables, processed foods regulated under the Food and Drugs Act (FDA) (including alcoholic beverages), maple products, dairy products, honey, eggs and eggs products, meat and meat products;
- Livestock feed.

3.5 CBs shall only be accredited for product classes covered by the Organic Products Regulations, 2009.

3.6 Services, such as landscaping, and non-food products containing organic agricultural ingredients such as body care products, cosmetics, pet food, pet treats and nutritional supplements do not fall under the scope of the Organic Products Regulations, 2009. Aquaculture products are also outside the scope of the regulation.

3.7 Any product not included in the scope of the regulations may continue to make organic claims but shall not make reference to the Canada Organic Regime or use the COR logo. Such products shall meet all relevant federal legislation.

4. Requirements for accreditation

4.1 There are four main documents that provide the mandate and policies for the Canada Organic Regime. Updated versions are available from the CFIA web site. These are:

- The Organic Products Regulations, 2009 – regulation under the authority of the Canada Agricultural Products Act;
- National Standard of Canada Organic Production Systems - General Principles and Management Standards (CAN/CGSB-32.310) developed by the organic industry and the Canadian General Standards Board;
- National Standard of Canada Organic Production Systems - Permitted Substances List, CAN/CGSB-32.311 developed by the organic industry and the Canadian General Standards Board;
- The Canada Organic Office Operating Manual.

In addition to these main documents the CFIA, from time to time, issues directives and memos which are important sources of information for CBs and CVBs. All such documents are distributed to CBs by the IOAS but can also be found on the CFIA web site.

4.2 The general requirements of the Canada Organic Regime against which CBs are evaluated are those of ISO/IEC 17065. In addition, the CFIA has established its own requirements which are described in the Canada Organic Office Operating Manual.

4.3 CBs requesting accreditation must be familiar with the documents at 4.1 and 4.2 and in particular must issue the National Standard of Canada - Organic Production Systems to their operators and develop systems to verify their correct application.

4.4 CBs requesting COR accreditation from the IOAS follow the process outlined in the IOAS General Operating Manual including the signing of a surveillance contract which provides a framework for the relationship. However as indicated above, it is the CFIA which takes the decision to accredit based on an IOAS recommendation. Similarly, the decision to suspend or withdraw accreditation is the responsibility of the CFIA based on a recommendation from the IOAS.

4.5 To avoid confusion, the CBs' normal line of communication is to the IOAS who may, if necessary pass on issues to the CFIA. Similarly, it is the IOAS' responsibility to communicate issues from the CFIA to accredited CBs. The CFIA also facilitates the

CB Working Group which meets quarterly by teleconference and attendance at these meetings is considered beneficial for all CBs under COR accreditation.

5. Accreditation procedures

5.1 **Notification of application:** After review and acceptance of an application, the IOAS shall notify the CFIA prior to proceeding with an assessment for compliance to the COR.

5.2 **Transfer of accreditation:** A COR accredited CB wishing to transfer oversight from another CVB to the IOAS may do so according to a procedure described in the COO Operating Manual. The IOAS shall accept the compliance status of the CB and take over monitoring at the point in the accreditation cycle reached with the other CVB. On receipt of an application the IOAS shall send an official letter to the CFIA to request modification of the CB Accreditation letter to change the name of the CVB. If the CB already holds an another accreditation with the IOAS it may be necessary to adapt the accreditation cycle length in order to synchronise the assessments.

5.3 **Site visits:** In circumstances where the applicant CB has more than three offices, including its main office, the IOAS shall use a sampling process in order to determine which offices will be visited, based on the following criteria:

- an obligatory visit to the main office, then
- the two offices handling most of the applicant's clients, or
- the two offices carrying out the key activities concerning the certification process.

5.4 **CFIA right to accompany:** The COR Lead Auditor may accompany IOAS assessor(s) to observe any aspect of the CB accreditation process.

5.5 **IOAS recommendations:** On completion of the assessment process, the IOAS sends a recommendation to the CFIA. The IOAS shall advise the CFIA of the recommendation decision in writing and will provide a copy of the relevant evaluation report on request from the CFIA. The recommendation options are:

- accreditation granted or renewed,
- accreditation with programme amendment requirements,
- accreditation refused.

5.6 **CFIA review:** The CFIA shall review the IOAS recommendation. If the CFIA decides to confirm the recommendation, its decision shall be recorded in an official accreditation letter sent to the CB with a copy to the IOAS.

5.7 **Refusal of accreditation:** If the Certification Body does not meet the accreditation requirements, the CFIA may refuse to grant or renew the accreditation status based on IOAS recommendation. The IOAS shall send a notice to the applicant stating the

reasons for this decision and advising the applicant of their right to request that the CFIA review the decision within 30 days after the receipt of the notice.

5.8 Where the CFIA does not confirm the IOAS recommendation, the CFIA shall have follow-up discussions with the IOAS. The CFIA shall review the applicant's documentation and may conduct its own assessment. The CFIA shall inform the applicant of its decision to accredit or not.

5.9 **Accreditation decision:** The CFIA shall always inform the CB and CVB of the accreditation decision in writing.

5.10 **Duration of accreditation:** The CFIA shall grant accreditation for either four or five years depending on the normal accreditation cycle of the CVB beginning from the date of the accreditation letter. IOAS accreditations are valid for five years to ensure synchronisation with other IOAS schemes.

5.11 **Accreditation number:** A CB is assigned an accreditation number by the CFIA no later than 14 working days after a positive decision to accredit is made by them. The CB shall keep the same accreditation member irrespective of whether or not it changes CVB and so long as the accreditation remains valid.

5.12 **Acceptance of prior certification:** Accredited Certification Bodies shall automatically and unconditionally accept certification decisions made by any other accredited certification body under the COR.

5.13 **Initial surveillance:** The IOAS conducts on-site surveillance of the CB within twelve months of the initial accreditation date.

5.14 **Ongoing surveillance:** The IOAS shall determine the frequency of surveillance visits during the accreditation cycle. Over the length of the cycle a number of files shall be examined and witness and verification audits undertaken based on the numbers contained in the COO Operating Manual which are proportional to the number of active operators registered with the CB. By the end of the annual surveillance, IOAS will notify CFIA of the results.

5.15 **Reporting on changes:** The IOAS surveillance contract specifies that CBs are obliged to report to the IOAS any substantial changes which may affect their accreditation status at the time they are being made.

5.16 **CB Annual report:** The CBs shall submit an annual report to the IOAS containing information specified by the CFIA. At a minimum, these reports shall contain:

- Changes in CB operational information

- Changes to policies, procedures, protocols
- Number of complaints and appeals received during the previous year
- Most recent internal audit and management review reports
- Instances of misuse of the Canada logo
- Changes in personnel
- Complete list of COR certified operations. This list shall contain the name, address, phone number, type of operation. Such information may be submitted via an internet directory provided that the URL is provided.
- Complete list of operators certified to the terms of any Canadian equivalency arrangement (Costa Rica, EU, Japan, Switzerland, USA).

The IOAS shall submit these CB reports to the CFIA on a date specified by them during the first quarter of the calendar year.

5.17 **IOAS Annual report:** The IOAS shall submit an annual report to the CFIA containing information specified by the CFIA. At a minimum, this report shall contain:

- List of CBs under supervision including any transfers with name, address, and a description of the certification services offered
- Total number of re-assessment audits
- Total number of surveillance audits
- Total numbers of witness and verification audits
- Total number of complaints under the COR with a short description of same
- Total number of appeals under the COR and decisions made
- Most recent internal audit report

The IOAS shall submit this report to the CFIA together with any other information requested on a date specified by them in the first quarter of the calendar year.

5.18 The CFIA or the IOAS may conduct unscheduled assessments of CBs as a result of valid complaints or changes that have affected the CBs.

5.19 **Non-compliance and sanctions:** The IOAS may apply one or more of the following sanctions in the event of noncompliance with the accreditation contract, failure to fulfil conditions or breaches of accreditation requirements including the requirements of ISO 17065:

- Warning letter
- Additional conditions and insistence on corrective actions according to a timetable
- Recommendation of accreditation suspension to the CFIA
- Recommendation of accreditation cancellation to the CFIA. Cancellation shall always be preceded by suspension.

5.20 Where there is a breach of the IOAS surveillance contract, the CFIA may suspend or cancel the accreditation status and withdraw the accreditation number based on IOAS recommendation.

5.21 In the event of suspension or cancellation of accreditation by the CFIA, the IOAS shall communicate with the Certification Body and ensure that the requirements to come back into compliance are understood.

5.22 **Voluntary Withdrawal:** A CFIA Accredited CB who wishes to withdraw from COR accreditation shall send a written notice to the IOAS with a list of certified and applicant operators. The CBs shall notify these operators of their intention to withdraw and give them 3 months to find another certification body before surrendering their accreditation letter. This letter must anyway be submitted before it expires.

5.23 **Monthly report:** The CBs shall prepare a report for the IOAS by the 25th of each month of all operators suspended, cancelled or who have voluntarily withdrawn from certification. This report in turn is forwarded by the IOAS to the CFIA at the end of each calendar month.

5.24 **Appeals from CBs:** Certification bodies may request a hearing on decisions made by the CFIA or the IOAS which impact their operations. Appeals are first heard by the IOAS. The CFIA is the final level of appeal. Requests must adhere to the following protocol:

- Any request must be submitted to the responsible personnel at the CFIA within 30 days of the accreditation or revocation recommendation/decision in writing;
- The recommendation/decision must not have been the subject of a previous hearing.
- The CFIA shall respond to the appellant within 15 days following the date of receiving the appeal regardless of whether the hearing is accepted or rejected.
- If the CFIA rejects a hearing, it shall inform the applicant of its decision.
- The CFIA shall set up the hearing, may call witnesses and may consult with whomever it wishes to seek advice or expertise prior to rendering a decision.
- The decision shall be sent in writing to the appellant within 5 working days after the end of the hearing.
- The CFIA decision is final in all hearings.

5.25 **Appeals from operators:** Under the COR an operator or any other party wishing to contest a certification decision must attempt to resolve the matter with their CB in the first instance. If this is not possible, the operator may appeal to the IOAS. If the dispute cannot be resolved at the CB and CVB levels then the CFIA will consent to hear the issue.

5.26 **Interpretation of the National Standard of Canada – Organic production systems (CAN/CGSB-32.310; CAN/CGSB-32.311):** The Standards Interpretation Committee (SIC) was created by the CFIA as an advisory body to assist in interpretation of the organic standards. Standards interpretations determined by the SIC and accepted by the CFIA may be found at: http://www.organicfederation.ca/canadian-organic-standards CBs are encouraged to make reference to this resource when interpreting the Canada standards.

6. References to accreditation

6.1 On being accredited, the certification body will receive a formal accreditation letter from the CFIA which states 'this is to confirm that (CB) is/will continue to be accredited by the Canadian Food Inspection Agency on the recommendation of the IOAS to certify agricultural products as organic in accordance with the requirements set out in CAN/CGSB 32.310 and CAN/CGSB 32.311. The accreditation is granted for five years starting from (date).

6.2 The accredited CB will appear on the CFIA web site in the list of approved CBs listed by country of activity.

6.3 The accredited certification body may make reference to accreditation by the IOAS in accordance with requirements described and referred to in the IOAS General Operating Manual.

6.4 CBs may obtain a copy of the Canada Organic Logo (defined as an 'agricultural product legend') to distribute to their certified operators for use on products certified according to the requirements of the COR.

6.5 CBs, their operators and other stakeholders may request to the CFIA to use the Canada Organic Logo on their advertising materials (brochures, posters, hand-outs), in newspapers and other publications, on television and similar. CFIA policy is to grant such requests provided that the conditions set out in the COO Operating Manual, section D are met.

7. Fees

7.1 The IOAS fee schedule is available at http://www.ioas.org/assessment/application/. The IOAS is able to provide a quotation of fees for the requested services but due to the many variables involved, these can only be used for orientation and do not constitute a firm offer.

End

For specific questions on the IOAS COR programme please contact your assigned IOAS Client Manager or Andres Vasquez Millan (millan@ioas.org)

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Definitions

The following definitions apply within the context of this manual:

Canada Organic Regime (COR): The Government of Canada regulated system for organic agricultural products.

Conformity Verification Body (CVB): An entity meeting the requirements set out in ISO/IEC 17011 which has entered into an agreement with the CFIA under subsection 14(1) of the Canadian Food Inspection Agency Act to assess, recommend accreditation and monitor certification bodies.

Food Import Export Division: A section within the CFIA responsible for the administration and implementation of the Canada Organic Regimes.

Abbreviations

The following abbreviations occur in the text:

CFIA	Canadian Food Inspection Agency
COR	Canada Organic Regime
CVB	Conformity Verification Body
CB	Certification Body
OPR:	Organic Products Regulations 2009 – Canada
SIC	Standards Interpretation Committee