



# QCS ORGANIC CERTIFICATION MANUAL

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

This document contains the certification standards, policies and procedures for the operation of Quality Certification Services' (QCS) organic certification programs under the USDA - National Organic Program (NOP), European rules on organic production and labelling of organic products, Canadian Organic Regime (COR), Regenerative Organic Certified® Program, and Organic Plus Trust Inc. (OPT) Grass-Fed Organic Livestock Program. QCS operates in accordance with both the International Organization for Standards ISO/IEC 17065 *General Requirements for Bodies Operating Product Certification Systems*, the NOP and USDA NOP Export Arrangements as recognized by the United States Department of Agriculture (USDA), Regulation (EU) 2018/848 as recognized by the European Commission, Switzerland Requirements as recognized by the Committee on Accreditation for the Evaluation of Quality (CAEQ), the Canada Organic Regime as recognized by the Committee on Accreditation for the Evaluation of Quality (CAEQ), the Regenerative Organic Certified® as recognized by NSF, Inc., and the Organic Plus Trust (OPT) Grass-Fed Organic Livestock Program as recognized by EarthClaims LLC.



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## 01 PRINCIPLES OF ORGANIC PRODUCTION AND HANDLING

### 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.

### 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. For a list of these standards, see Standards Manuals.

### 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 certifying agent/control body.

- 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 Reviewer, 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 used by the operation to comply with the organic standards for the appropriate scope of certification. QCS may accept completed Organic System Plans provided by other accredited certifiers on a case-by-case basis.

An organic production system is designed to:

- 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 wellbeing;
- 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.

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 with non-organic ingredients specifically allowed by an applicable standard;
- 3) Organic products must not contact prohibited materials;
- 4) Proper records must be kept to demonstrate 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.

Organic production and handling operations must comply with all applicable local, state, and federal laws and address food safety concerns adequately.

- 1) 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.
- 2) 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.
- 3) Organic standards do not allow the use of synthetic materials such as synthetic fertilizers, pesticides, and genetically engineered organisms, except those specifically allowed by the applicable standards. Organic standards cannot ensure that organic products are completely free of such residues or contaminants, due to background levels of environmental pollutants.

### PRINCIPLES OF ORGANIC CERTIFICATION

Quality Certification Services (QCS) provides impartial third-party certification of organic production and handling. QCS is the certification body of Florida Certified Organic Growers and Consumers, Inc. (FOG). FOG is a not-for-profit grassroots membership organization committed to environmentally sound production of food and the preservation of natural resources, and the improvement of soil quality and health through organic and sustainable farming practices. QCS is a not-for-profit certification program developed in response to the changing marketplace requirements and the regulatory nature of organic certification.

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



## Quality Certification Services (QCS)

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The purpose of the Certification Manual is to provide a basis of communication between clients and QCS, a guideline of the certification requirements for organic certification programs, overview of the standards and explanation of fees for QCS services.

## 02 GENERAL PROVISIONS

### QCS PROVISIONS

QCS offers impartial third-party certification by adhering to the provisions of Equality, Objectivity, Confidentiality and Transparency.

### NON-DISCRIMINATORY CERTIFICATION SERVICES

QCS responsibly operates a non-discriminatory certification service. QCS makes its services accessible to all applicants whose activities are as outlined in Sections 03 Certification Categories and 04 Scope of Certification). QCS does not make undue financial or other conditions nor discriminates against applicants based on the size or type(s) of operation(s).

QCS grants certification solely on compliance related to the scheme and scope of certification being considered. QCS does not certify or issue conditions to its clients based on the number 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 does not place any undue financial or other consideration on clients to obtain certification services.

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.

### SAFEGUARDING IMPARTIALITY

QCS recognizes that there are several risks to the impartiality of certification. There may be conflicts that arise from its relationships, activities and persons responsibly connected to the certification process. To prevent risks from arising that cause conflict with objectivity, QCS has preventive systems in place to safeguard impartiality.

#### **Risk from Type(s) of Service(s) & Scope(s) offered by QCS**

QCS provides only those services described in this manual. QCS cannot design, produce, operate, install, supply, distribute products, process and provide services of the type(s) it certifies. QCS does not provide products or services that could compromise the confidentiality, objectivity or impartiality of its certification processes. QCS undertakes to remain free from commercial, financial, or other pressures that may influence the results of the certification process. As such, QCS does not provide consultation services to its applicants or certified clients, pertaining to matters dealing with barriers to overcoming certification; nor does QCS imply that certification would be simpler, easier, faster or less expensive if a specified consultancy organization were used. QCS may direct applicants to resources on good agricultural practices for production and handling and may answer questions regarding how standards are interpreted or applied.

#### **Risk from Type(s) of Services & Scope(s) offered by FOG (related entity)**

FOG provides education and marketing resources that are available to the public and not customized for a specific operator. FOG may also direct QCS applicants to resources on good agricultural practices for production and handling.



FOG strives to support and maintain QCS's provisions by providing products or services that would not compromise the confidentiality, objectivity or impartiality of QCS certification. FOG services prevent impartiality by:

- Not designing, producing, operating, installing, supplying, distributing products, processes, and services of the type(s) QCS certifies.
- Not having a direct influence or authority to put pressures on the QCS certification process.
- Not providing consultation services to QCS applicants or certified clients, pertaining to matters dealing with barriers to overcoming certification.
- Not marketing or offering as linked with the activities of an organization that provides consultation.
- Not stating or implying that certification would be simpler, easier, faster or less expensive if a specified consultancy organization were used.

If and when FOG were to offer or produce the certified product (including products to be certified), or offer or provide consultation, the QCS management, those personnel evaluating (inspection and review) and making certification decisions are not to be involved in the activities of FOG. Likewise, the personnel of FOG are not involved in the management of QCS, the evaluation or the certification decision. Consultancy from FOG personnel must be well recorded, available upon request by QCS and personnel involved must have agreed to the confidentiality and impartiality requirements.

As FOG is a not-for-profit organization, at times product and cash donations are pursued for educational programs, workshops and project-based initiatives. The QCS program staff does not solicit any donations from certified entities or applicants for certification. The QCS program may not accept donations from certified entities or applicants for certification. If a Certification Reviewer has previously written a letter to request a donation from a certified entity or an applicant for certification, said Certification Reviewer does not review that entity's application or reapplication to avoid any potential conflict of interest. The Bookkeeper, Executive Director and Office Manager are the only staff that are to know what donations are received and from whom the donations are received.

### Risks from QCS Certification Programs and Services

QCS takes full responsibility for the granting, maintaining, extending, suspending or withdrawing certification, particularly regarding decisions on certification, considering appeals, and handling complaints and disputes. QCS may contract evaluation services to inspectors or contract reviewers and may subcontract testing services to approved laboratories.

At all levels of QCS, provisions are taken to maintain independence and avoid conflict of interest.

- QCS's main method for preventing a conflict of interest from occurring is requiring all persons responsibly connected to the certification services of QCS; including Board members, committee members, personnel, contractors, and subcontractors, to annually complete a conflict of interest disclosure. The conflict of interest disclosure describes the commitment to objectivity and by which persons disclose any perceived conflicts that could directly affect the objectivity of an operation'(s) certification (i.e. commercial, financial, family or relationship, or other pressures that could be perceived to compromise impartiality; including any consultation provided within the last 24 months to an operation). Also, any bias that could indirectly create conflict to arise (i.e., over-familiarity, pressures, advocacy, intimidation, competition). QCS reviews all declarations and identify(s) any risk(s) to the impartiality of its evaluation, review and certification decision.



- Employees, inspectors, contractors and other personnel are not permitted to accept payment, gifts or favors of any kind, other than prescribed fees, from any business inspected.
- Each supervising manager then reviews these disclosures so as not to assign conflicting files.
- Inspectors are obligated to refuse work beyond their realm of competence.
- Inspectors may not inspect anyone with whom they have a declared conflict of interest.
- Inspectors are assigned by designated personnel usually based on scope of the audit, qualification of the inspector/auditor, proximity to operation and/or availability, cost and assessing any potential conflict of interest.
- QCS generally rotates inspectors every 5 years to prevent over-familiarity with the operator and/or operation. For operations certified to COR and/or Regulation (EU) 2018/848, QCS rotates inspectors every 3 years.
- Certification reviewers may not review the organic system plan of any person or operation with whom they have a declared conflict of interest.
- In the event a conflict of interest is identified with a file, the personnel must immediately notify(s) the Certification Manager and excuse(s) him/herself from the file review. The operator is then appointed a temporary alternative qualified reviewer and/or QCS may reconsider a certified operation's or applicant's application for certification and if necessary perform a new on-site inspection. All costs associated with a reconsideration of application, including on-site inspection costs shall be borne by QCS. QCS may refer a certified operation or applicant to a different accredited certifying agent for recertification and reimburse the operation for the cost for the recertification when it is determined that any responsibly connected person involved in the certification decision had a conflict of interest involving the applicant at the time of certification.
- QCS ensures that persons who make certification decisions are different from those who carried out the inspection.

### CONFIDENTIALITY AND EXCHANGE OF INFORMATION

At all levels of QCS, provisions are implemented to ensure confidentiality is maintained. QCS safeguards the confidentiality of all information obtained in the course of certification activities, and all persons responsibly connected to QCS are required to sign confidentiality agreements prior to any performance of certification activities. All information other than required public information (see below), including but not limited to inspection reports, financial information, certification review documents, and information from complaint investigations is considered proprietary and used only for the purpose of organic certification. Making this information public requires the written consent of the client.

For enforcement purposes, QCS is required to exchange compliance-related information with other accreditation bodies, regulatory agencies and certification bodies, including information to facilitate investigations, verify the validity of an operation's organic certificate or product's organic status, facilitate supply chain traceability audits, and/or when there is a suspected or established noncompliance affecting organic integrity<sup>1</sup>. Such exchanges are to be considered and managed as confidential by the receiving party. QCS requests responses for information from other certification bodies within 30 days and responds to requests from relevant parties in accordance with the requestor's stated timeframe.

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<sup>1</sup> USDA NOP §205.501(a)(10), Article 43 of Regulations (EU) 2018/848 & Article 21 of Regulation (EU) 2021/1698, COR Operating Manual Section C.7.15





## REQUIRED PUBLIC INFORMATION

Information is routinely made available to the public and may include administrative fees per the QCS Fee Schedule. Public information includes:

- a) Certificates issued during the current and preceding 3 years;
- b) A list of producers and handlers including the name of each operation, type of operation, products produced, and effective date of certification to the USDA-NOP during the current and three preceding calendar years (including operations whose certificates have been surrendered, suspended, or revoked) available in the Organic Integrity Database. The QCS website maintains information relating to operations under QCS control for export to the European Union as provided in Article 17 of Regulation (EU) 2021/1698. Operations certified to other programs are listed on the QCS website as required by each program.
- c) The results of laboratory analyses for residues of pesticides and other prohibited substances conducted during the current and 3 preceding calendar years;
- d) Other business information as provided in writing by the producer or handler;
- e) A copy of the procedures to be used for sampling and residue testing.

## GENERAL CERTIFICATION REQUIREMENTS

The operator and QCS must comply with QCS Certification and Mark Licensing Contract, requirements in the Organic System Plan, renewals, manuals and other documents; including the following:

- If the certification applies to ongoing production, the certified product continues to fulfill the production requirements;
- The operator will make all necessary arrangements for the conduct of the evaluation and surveillance (if required), including provision for examining documentation and access to all areas, equipment, records and personnel for the purpose of evaluation (e.g., testing, inspection, assessment, surveillance, reassessment) and the investigation and resolution of complaints. The client will also make all necessary arrangements for the participation of observers (e.g., certification body staff, accreditation body staff, regulatory officials, trainees).
- Operator makes claims regarding certification consistent with the scope of certification;
- Operator 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 that the certification body may consider misleading or unauthorized;
- Operator upon surrender, suspension, withdrawal, or termination of certification, the client discontinues its use of all advertising matter that contains any reference thereto and takes action as required by the certification scheme (e.g., the return of certification documents) and takes any other required measure;
- Operator must provide copies of the certification documents to others, the documents shall be reproduced in their entirety or as specified in the certification scheme;
- Operator in making reference to its product certification in communication media such as documents, brochures or advertising, the client complies with the requirements of the certification body or as specified by the certification scheme;
- Operator complies with any requirements that may be prescribed in the certification scheme relating to the use of marks of conformity, and on information related to the product;

- Operator keeps a record of all complaints made known to it relating to compliance with certification requirements and makes these records available to the certification body when requested, and takes appropriate action with respect to such complaints and any deficiencies found in products that affect compliance with the requirements for certification; documents the actions taken;
- Operator informs the certification body, without delay, of changes that may affect its ability to conform with the certification requirements. NOTE Examples of changes can include the following: the legal, commercial, organizational status or ownership, organization and management (e.g., key managerial, decision-making or technical staff), modifications to the product or the production method, mailing address, contact information, authorized contacts, physical address and production sites, major changes to the quality management system.
- Operator to accept, in cases where the operator and/or the subcontractors of that operator are checked by different control authorities or control bodies to allow the exchange of information between those authorities or bodies.
- Operator to accept, cases where the operator and/or the subcontractors of that operator change their control authority or certification body, the transmission of files to the subsequent control authority or certification body.
- Operator to inform QCS without delay of any irregularity or infringement affecting the organic status of their product or organic products received from other operators or subcontractors.
- Operations certifying to Regulation (EU) 2018-848 Certification Requirements or the Canada Organic Regime must keep a record of any complaints made known relating to a product's compliance with regulations and these records must be made available to QCS upon request. Appropriate action must be taken with respect to such complaints and any deficiencies found in products or services that affect compliance with the requirements for certification. The actions taken must be documented.
- Operator to accept and review all communication and notices from QCS and respond in full to all information notices and requests in the specified timeframe. QCS may send notices using certified mail or registered e-mail as required by the standard. Failure to accept, open, or review any communication does not absolve operator from requirements specified in the notice.

## 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.

- ***Organic Certification Manual***

The QCS Organic Certification Manual is designed to outline QCS policies related to all organic certification programs. This manual includes a description of the relevant standards and information on the certification procedures for those programs operated by QCS to facilitate organic product sales in the United States and export to foreign countries. The QCS Organic Certification Manual and the relevant standards are made available to the public on the QCS website, [www.qcsinfo.org](http://www.qcsinfo.org) and upon application to QCS.

- ***QCS NOP Certification Standards Manual***

The NOP Certification Standards Manual contains the USDA National Organic Program Standards. Compliance to these standards is required for the sale of organic products in the United States. The NOP Standards also serve as the base standards for all export certifications.

- **Regulation (EU) 2018-848**

Regulation (EU) 2018-848 is the applicable legislative act, also known as the basic act, laying down the rules on organic production and labelling of organic products, repealing and replacing Council Regulation (EC) No 834/2007. Additionally, EU organic production requirements are detailed in related delegating and implementing acts. Full text of Regulation (EU) 2018-848 and its delegated and implementing acts can be access from the European Commission Website on Legislation for the Organic Sector: [Legislation \(europa.eu\)](https://eur-lex.europa.eu/eli/reg/2018/848/oj)

- **Canada Organic Regime (COR)**

QCS performs certification to the requirements of the Canada Organic Regime (COR) activities in accordance to the requirements set forth in the Safe Foods for Canadians Regulations Part 13 – Organic Products, CAN/CGSB-32.310 Organic production systems, General principles and management standards, CAN/CGSB-32.311 Organic Production System Permitted Substances Lists, and CAN/CGSB-32.312-2018 Organic production systems Aquaculture – General principles, management standards and permitted substances lists. The Canada Organic Regime operating manual is available online at: [Canada Organic Regime operating manual - Organic products - Canadian Food Inspection Agency](https://www.inspection.gc.ca/food/organic-products/cor/cor-manual/cor-manual-organic-products/cor-manual-organic-products-eng.aspx)

- **Quality Certification Services Client Directory**

The USDA Organic Integrity Database (OID) lists operations certified to the USDA NOP by QCS as well as operations whose certification has been surrendered, suspended, or revoked. The QCS website also offers any interested party access to a list of QCS certified clients listed by the relevant scheme of certification. If not found on the website, please request a directory from QCS.

## STANDARDS OF CONDUCT

QCS is committed to conducting its business affairs with the highest standards of honesty and integrity. As such, QCS expects all personnel and clients to conduct themselves in a professional manner. Engaging in any conduct QCS deems a violation of our Standards of Conduct may result in disciplinary or other action deemed appropriate, including but not limited to termination, noncompliance, discontinuance of service, or rejection of an application for certification.

The following are examples of conduct that may be considered a violation of our Standards of Conduct:

- Behavior, language or conduct deemed offensive, threatening, vulgar or abusive and/or inappropriate advances of a sexual or other nature directed to any QCS personnel or QCS client;
- Dishonesty or falsification of any records supplied to QCS;
- Unauthorized use or possession of QCS property;
- Discrimination or harassment of clients or personnel; and/or
- Engaging in activity outside of applicable laws, regulations and QCS policy

As the inspection and certification environment constitutes a workplace, safe workplace guidelines and statutes apply to all clients and personnel.

## TECHNICAL ASSISTANCE

As an organic certification body, QCS can provide technical assistance: information to help operations understand the organic regulations, including publicly available resources. The technical assistance QCS provides is limited to general information that is not specific or proprietary to a single operation. QCS does



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not give advice or provide consultancy services to certification applicants or certified operations for overcoming identified barriers to certification. QCS and its representatives, including employees and contractors, cannot suggest changes to the organic system plan or provide advice about how a specific operation can overcome barriers to certification. Any technical assistance QCS provides is available to all operations. QCS ensures that its employees follow this requirement by incorporating this requirement into on-boarding training of all employees and maintaining active conflict of interest forms (see section Risks from QCS Certification Programs and Services).

### FRAUD REPORTING

QCS reports all credible evidence of organic fraud to the appropriate scheme owner. Organic fraud related to the USDA NOP is reported to the Administrator via the [USDA NOP Online Complaint Portal](#).

## 03 CERTIFICATION CATEGORIES

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

### **Farm**

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

### **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 (i.e., apiaries), except such term cannot include aquatic animals for the production of food, fiber, feed or other agricultural-based consumer products.

### **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.

### **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 do not include final retailers of agricultural products who do not process agricultural products.

### **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.

### **Aquaculture**

Aquaculture is an operation who engages in the business of growing or producing aquatic animals or plants. Operations for this category may certify under the Regulation (EU) 2018-848, the Canada Organic Regime (COR), the United Kingdom DEFRA Organic Certification Standard, the KRAV Extra Requirements program or the Bio Suisse private standards.

### **Producer group**

A producer group operation is defined as a producer, organized as a person, consisting of producer group members and production units in geographic proximity governed by an internal control system under one organic system plan and certification.

QCS determines how many producers (sub-units) must be re-inspected by QCS 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.



## 04 SCOPE OF CERTIFICATION

QCS applicants must apply for certification using the QCS Organic System Plan Application.

### USDA NOP ORGANIC REGULATIONS

As a baseline for organic certification, QCS operates in accordance with U.S. federal law. As such, QCS must ensure that any type of client that wants to sell an agricultural product as organically produced in the United States, conforms to the United States Department of Agriculture (USDA) National Organic Program (NOP) Regulations. All organic agricultural products imported into the United States must be certified to the USDA Organic Regulations or be certified to an organic program determined equivalent to the NOP, declared as organic to US Customs and Border Protection, and be associated with valid NOP Import Certificate data.

The Federal Rule became effective February 20, 2001, and fully implemented on 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 in the QCS NOP Certification Standards Manual and on the USDA website at [www.ams.usda.gov/nop](http://www.ams.usda.gov/nop).

QCS recognizes all organic certification agencies, private or state, as recognized by the USDA. <https://www.ams.usda.gov/services/organic-certification/certifying-agents>. 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.

In addition to the USDA NOP regulations, QCS offers standards that facilitate trade with foreign countries. 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. All additional standards required for export must meet or exceed the NOP, and be provided in English, unless otherwise required by the country of origin.

### **Certified Transitional**

Organic is a labeling term for food or other agricultural products that have been produced according to the USDA organic standards. Transitional refers to an agricultural operation following the standards of organic despite not yet being eligible for organic certification. This eligibility is described in 7 CFR 205.202(a):

- Any field or farm parcel from which harvested crops are intended to be sold, labeled, or represented as "organic," must: Have had no prohibited substances, as listed in [§205.105](#), applied to it for a period of 3 years immediately preceding harvest of the crop;

Transitional certification is not a federally regulated certification like organic certification. However, in order for an operation to be listed in the [Organic Integrity Database](#) as certified transitional, they must conduct the following:

- Submit an OSP that documents the agricultural production and/or handling practices and recordkeeping system that the transitioning operation is implementing to establish a compliant organic system.



- List materials in use in the OSP so the certifier can confirm that no prohibited substances are reported as being used in the part of the operation transitioning from non-organic to organic.
- Operations are encouraged to provide updated OSPs to the certifier once per year if a change in practices and/or materials that could impact compliance has occurred.
- The certifier must communicate all compliance issues feedback to the operation about their eligibility status, and the operation is not to be listed as transitional. The operation may resubmit an updated, compliant OSP at any time, or as often as is required for other programs, such as transitional crop insurance. If prohibited materials have been used, eligibility for organic certification may be delayed.
- Transitional operations are not required to be inspected.

For additional information about the benefits of being listed in the INTEGRITY database, please view the [NOP Handbook 'Organic Integrity Database – Transitional Operation Reporting.'](#)

QCS Transitional Certification Program:

- Only available to crop clients.
- Clients must submit relevant sections of the Organic Grower Plan.
- Clients must submit a renewal form and renewal fees once per year by the assigned anniversary date.
- QCS will offer optional inspections to transitional only operations, as transitional land will need to be inspected (within 6 months of the land eligibility date) to be certified organic.
- After annual review, QCS will issue a Transitional Certificate and Transitional Product Verification form.
- Certified transitional clients will be eligible to use the QCS transitional logo.
- QCS will only hold clients who are only transitional certified to these criteria. Clients who have certified organic land and transitional land with QCS will not be charged for transitional land but that land will be inspected and reviewed with all organic land and records.
- Once land is eligible for organic certification, QCS will notify the client that they must apply for organic certification and that their transitional certification will be terminated within 6 months of eligibility. Clients can apply for organic certification in their 3<sup>rd</sup> year of transitional certification so as to immediately be given an organic certificate at their eligibility date.

QCS's transitional certification program is designed to match the mission and resources provided by the Transition to Organic Partnership Program grant developed by the USDA. The mission of this \$100 million grant is to provide technical assistance and support for transitioning and existing organic farmers through regional partners and organizations doing farmer training, education, and outreach activities. As detailed [here](#), these partner organizations will:

- Connect transitioning farmers with mentors for at least one year after certification.
- Build paid mentoring networks to share practical insights and advice.
- Provide community building opportunities to include:
  - Train-the-mentor support
  - Technical assistance





- Workshops and field days covering topics including organic production practices, certification, conservation planning, business development (including navigating the supply chain), regulations, and marketing
- Help producers overcome technical, cultural, and financial shifts during and following certification.
- Engage educational and training institutions (including crop advisors and extension agents) on organic workforce training and education and future human capital planning.

To connect with the appropriate non-profit organization in your region, please refer to this document: [TOPP Partner Organizations](#).

There are also additional technical and financial support options available to transitioning farmers as described on the [Farmers.gov website](#). Or you can locate your closest USDA Service Center and discuss relevant support options for your operation. Find your closest [USDA Service Center at this website](#). [Transitional farm insurance](#) is also available for operations listed in the USDA Integrity database.

Connecting with these support resources may be valuable to new transitional operations as QCS cannot advise or consult clients per USDA organic regulation. These grants exist to help you be successful and we would be happy to help connect you with your local representative if you need assistance. For inquiries about the Transition to Organic Partner Program, please reach out to our parent company, [Florida Organic Growers](#).

### USDA NOP Recognition Agreements

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 described at the [USDA NOP International Trade Agreements](#) webpage. 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 USDA certified organic in the United States.

### USDA NOP International Equivalence Arrangements

The United States has equivalence arrangements with several foreign governments to facilitate the trade of organic products. Trade opportunities for USDA organic operations vary by an operation's physical location. Under these arrangements, QCS is authorized to issue export certificates to those operations verified as compliant with any additional standards stipulated in the agreement. For more complete information on arrangements, please go to <https://www.ams.usda.gov/services/organic-certification/international-trade>.

### US-Canada Organic Equivalence Arrangement

Under the determination of Equivalence, agricultural products for use as vegetative propagating material, food, and feed produced, processed and certified as organic in accordance with the USDA organic regulations by QCS, regardless of origin, do not have to become certified to the Canada Organic Regime (COR) in order to have their product enter Canada and be represented as "organic."<sup>2</sup> For retail products, labels or stickers must state the name of the U.S. or Canadian certifying agent and may use the USDA

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<sup>2</sup> Q&A on US Canadian/ Equivalence (USDA-NOP)





organic seal or the Canada organic logo. All product labels for USDA exports to Canada must be in English and French and meet the [COR Labeling Requirements](#).

Under this arrangement,

- 1) Agricultural products produced with the use of sodium nitrate shall not be sold or marketed as organic in Canada.
- 2) Agricultural products produced by Hydroponic or aeroponic production methods shall not be sold or marketed as organic in Canada.
- 3) Agricultural products derived from animals (with the exception of ruminants) must be produced according to livestock stocking rates as set out in the Canadian organic regulations, CAN/CGSB32.310-2006.
- 4) The U.S.-Canada equivalence arrangement does not extend to the USDA recognition agreements with India, Israel and New Zealand. USDA organic products certified by India, Israel and New Zealand accredited certification bodies are for direct export to the U.S. only. See the [Government of Canada website](#) for more information.
- 5) Aquatic plants are eligible for USDA organic certification under the crop standards ([Policy Memo 12-1](#)) and may be sold or marketed as organic in Canada.

U.S. organic products exported to Canada must be accompanied by an organic certificate issued by a USDA-accredited certifying agent recognized under the terms of the U.S.-Canada equivalence arrangement. The organic certificate issued by the USDA certifying agent must include the following attestation statement:

“Certified in accordance with the terms of the U.S.-Canada Organic Equivalency Arrangement.”

See requirements for USDA organic products exported to Canada outlined on the [Government of Canada website](#).

#### US-European Union Organic Equivalence Arrangement

Under the determination of Equivalence, products exported from and certified in the United States to the USDA organic regulations may be labeled and sold as organic in Europe. This arrangement is limited to organic products of the U.S., either produced within the U.S. or where the final processing or packaging occurs within the U.S.

Under this arrangement, USDA certified organic crops produced using antibiotics (streptomycin for fire blight control in apples and pears) must not be exported to the EU under the arrangement.

For retail products, labels or stickers must state the name of the U.S. or EU certifying agent and may use the USDA Organic seal or the EU organic logo. Exported products must meet the labeling requirements in the destination country. [EU Labeling Requirements](#)

A USDA-accredited certifying agent (also called “control body”) must complete an electronic Certificate of Inspection through TRACES for all USDA organic products traded under the arrangement. The European Union regulations require that the COI be issued by the USDA-accredited certifying agent *at the moment the consignment leaves the U.S. port of export*. Shipments of USDA organic products that leave the U.S. port without a COI, or with a COI issued after departure, run the risk of the foreign port authorities refusing entry to, seizing, or destroying the goods.



### US-Taiwan Organic Export Arrangement

Under the determination of Equivalence, products exported from and certified in the United States to the USDA organic regulations may be labelled and sold as organic in Taiwan. This arrangement is limited to organic products of the U.S., either produced in the U.S. or where the final processing or packaging occurs in the U.S. Under this arrangement, products in the categories of crops, wild crops, livestock, and processed products may be exported to Taiwan.

Organic products must be accompanied by a USDA Export Certificate, Form TM-11, issued by a USDA-accredited certifying agent. All USDA-accredited certifying agents (certifiers) may issue the TM-11 Export Certificate to Taiwan for USDA-certified organic products that are produced within the United States, or products for which final processing or packaging occurs in the United States. To issue the TM-11 Export Certificate, certifiers must verify that products comply with the terms of the trade arrangement under which they are being exported.

The TM-11 export certificate must be signed by a USDA-accredited certifying agent and must include the following statement: "Certified in compliance with the terms of the AIT/TECRO-NOP/AFA Organic Equivalence Arrangement." Certifiers are to use acronyms assigned in the USDA Organic INTEGRITY Database when completing the TM-11 Export Certificate, as described in the TM-11 Instructions.

For Livestock and meat products: Organic livestock or meat products must be managed and produced without the use of systemic painkillers or analgesics, including the use of Lidocaine or Procaine.

For retail products, labels or stickers must state the name of the U.S. or Taiwan certifying agent and may use the USDA Organic seal. Exported organic products must meet the labeling requirements in the destination country. Use of Taiwan's organic mark is restricted for use only by Taiwan businesses and may not be applied to USDA organic products.

### US-Japan Organic Equivalence Arrangement

The organic equivalence arrangement with Japan is limited to products certified to the USDA organic regulations that are produced or have had their final processing occur within the U.S. The equivalence covers only USDA organic products that fall under the scope of the Japan organic regulations. Organic products that are not regulated under the Japan organic regulations, yet are certified by a USDA accredited certifier can be exported to Japan under the conditions of Section II.E., Appendix I of the [Japanese Ministry of Agriculture, Forestry & Fisheries \(MAFF\) equivalence letter of September 20, 2013.](#)

USDA organic products exported to Japan that fall under the scope of the arrangement must be accompanied by a USDA Export Certificate, Form TM-11, issued by a USDA accredited certifier. The export certificate must include the following statement: "Certified in compliance with the terms of the US-Japan Organic Equivalence Arrangement."

This certificate verifies that the product complies with the terms of the trade arrangement.

Products exported under the arrangement must comply with the Japanese Ministry of Agriculture, Forestry and Fisheries requirements for the use of the JAS seal. See [use of JAS logo on products imported to Japan.](#)

The organic JAS Logo must only be attached by Importers Certified by Accredited Japanese Certifying Bodies.

For more information on labeling, the exporting of Non-JAS eligible products and exporting of alcoholic beverages go to [USDA NOP Guidance on exporting organic products to Japan.](#)



### US-Republic of Korea Equivalence Arrangement

The U.S. has an organic equivalence arrangement with Korea for organic processed foods. Products certified to the USDA organic regulations that have had their final processing occur within the US and meet all other terms of the arrangement may be exported as organic to the Republic of Korea.

The following stipulations must be met by operators and verified as compliant by QCS;

1. Organic products must contain at least 95% organic content
2. Organic products must meet the definition of “processed food” as defined by Article 1.2.29 of the Korean Food Code. Processed food” refers to a food manufactured, processed **and** packaged by adding food or food additives to food raw materials (agricultural, forestry, livestock or marine products), transforming food raw materials (such as grinding or cutting) until their original form cannot be recognized, or mixing such transformed ones or adding food or food additives to such mixture. However, where, without the use of food additives or other materials, the agriculture, forestry, livestock, or marine products are simply cut, peeled, salted, ripened, or heated (except the cases where heating is performed for sterilization or heating causes significant changes to those products) until their original forms can be recognized or where sanitary risks from treatment processes are not expected and food raw materials are simply treated so as to allow organoleptic identification of food quality, such food products are excluded from the definition of the processed food.
3. Processed products may not contain ingredients derived from apples or pears produced using antibiotics must not be shipped to Korea under the arrangement.
4. Final processing must occur in the United States.
5. Products are subject to the residue testing requirements, including testing for prohibited substances and methods, and with subsequent regulatory actions, as appropriate in accordance with Article 23-1 and Article 31 of Korea’s Act on Promotion of Environmentally friendly Agriculture and Fisheries and Management and Support for Organic Food, in Korea.

USDA organic products exported under the arrangement must be labeled according to MAFRA’s organic labeling requirements and may display the Korean organic food label and/or USDA organic seal. See [MAFRA guidance on organic food labeling for imported products](#).

Products exported to Korea under the arrangement must be accompanied by an NAQS Import Certificate of Organic Processed Foods. The NAQS Import Certificate must be issued by [Korea’s e-NAQS Import Certificate System](#).

### US-Switzerland Equivalency Arrangement

Products certified to the USDA organic regulations that are produced or whose final processing occurs within the United States may be exported to Switzerland and represented as “organic” under the terms of the US-Switzerland equivalency arrangement.

A USDA-accredited certifying agent must complete a Certificate of Inspection (COI) through the European Union’s TRACES for all USDA organic products exported to Switzerland under the arrangement. The COI must be issued by the USDA-accredited certifying agent at the moment the consignment leaves the U.S. port of export.

Any organic wine product must be produced and labeled according to the Swiss organic ordinance.



U.S. organic products exported to Switzerland must be labeled according to Swiss organic labeling requirements and may display the USDA organic seal. There is no Swiss organic seal. See Swiss Labeling Requirements at [Swiss labeling requirements at FedLex.ch](http://www.fedlex.ch).

#### US-United Kingdom (UK) Equivalence Arrangement

Under the determination of Equivalence, operators who are certified to the USDA organic regulations and by QCS and, produce or have the final processing within the US, do not have to become certified UK organic standards in order to have their product exported to the UK from the United States and be represented as organic. The UK has implemented organic standards, based on EU 834/2007. QCS is accredited by DEFRA to certify operations to the UK Organic Standard.

Under this arrangement, agricultural products derived from animals treated with antibiotics, and aquatic animals may not be exported to the UK as U.S. certified organic.

Wine intended for export to the UK from the US must be produced and labeled according to the UK organic production and labeling requirements.

All USDA organic certified products exported to the UK must be accompanied by a valid Certificate of Inspection. This Certificate must be completed by a USDA accredited certifying agent.

#### UNITED KINGDOM (UK) ORGANIC PRODUCTION AND LABELING IN THIRD COUNTRIES

Operations located outside the US and Canada, whose products have their final packaging or processing outside the US or Canada, are ineligible to export organic products under the US-UK equivalence program. In addition, operators located within the U.S. and Canada that produce or handle products that are ineligible for organic certification under the USDA NOP and Canada CFIA organic regimes may apply for certification under the UK DEFRA organic standard. These operations must be certified to the Regulation (EU) 2018/848 organic production and certification requirements. QCS is recognized by the European Commission in Regulation (EU) 2021/2325 and pursuant to Regulation (EU) 2018/848 as a control body with equivalent EU organic production and certification requirements. As of 2023, the UK has instated its own organic certification program under which QCS is recognized as a certifier. All organic certified products exported to the UK must be accompanied by a valid Great Britain Certificate of Inspection issued by QCS.

#### EUROPEAN COUNCIL REGULATION (EC) NO 2021/2325 & SWITZERLAND EQUIVALENT STANDARDS

QCS is recognized by the European Commission as a control body under Article 33(3) of Council Regulation (EC) No. 834/2007 with a private equivalent standard for the purpose of importing organic products into the Union as set out in Annex II to Regulation (EU) 2021/2325.

The private equivalent standard is also recognized by the Switzerland Federal Office of Agriculture (FOAG). QCS is authorized to issue export certificates to those operations verified as compliant with the QCS private standards for products exported to the European Union or Switzerland.

#### REGULATION (EU) 2018/848

QCS is transitioning the organic certification program for export from third countries to the European Union to compliance with Regulation (EU) 2018/848 and seeking recognition in accordance with Article 46 as a control body to carry out controls and issue organic certificates in third countries. Operations who complete the Regulation (EU) 2018/848 Compliance Affirmation section of the Organic System Plan

application during QCS' transition process must be compliant with all applicable requirements on the effective date of Regulation (EU) 2018/848 organic certification. QCS will continue to certify operations under the equivalent QCS EU 834-2007 Organic Certification Requirements until the effective date of 848 certification and no later than 1 January 2025.

### **CANADA ORGANIC REGIME (COR)**

QCS provides assessment of a client's practice(s) in accordance with the Canada Organic Regime for the certification of food commodities and aquaculture products as organic and packaging and labelling activities in accordance with the requirements set out in Division 4, Part 13 of the Safe Foods for Canadians Regulations and the requirements outlined in the Canada Organic Regime Operating Manual. Fertilizer products do not have technical standards within the Canada Organic Regime, and therefore are not certifiable under this program. Cosmetics, pet food and natural health products are excluded from the scope of certification. Although they are included in the Canada Organic Regime, these products do not fall within the mandate of the Agency. Products that are excluded from the scope, such as these, cannot be certified under the Canadian Standards and cannot bear the Canada Organic Logo<sup>3</sup>.

QCS recognizes decisions made by other certification bodies accredited to administer Canadian Organic Regime. QCS maintains its responsibility for the certification decision resulting from this recognition.

Procedures specific to the Canadian Organic Regime are found in this manual. The Organic Production Systems General Principles and Management Systems Standards and the Organic Production System Permitted Substances contain the standards for compliance to the Canadian Organic Regime.

The Canadian Organic Regime has been recognized as meeting the requirements of several foreign governments, such as United States, European Union, Costa Rica, Japan, South Korea, and Switzerland. Under these export arrangements, QCS is authorized to issue export certificates to those operations verified as compliant with any additional standards stipulated in the agreements.

### **BIO SUISSE STANDARDS SWITZERLAND**

Bio Suisse is the organic organization in Switzerland that holds the trademark 'Bud' and the Bio Suisse standard. QCS is an authorized inspection body of International Certification Bio Suisse (ICB) and may offer inspection services to EU certified organic operators outside of EU and USA that want to export products to Switzerland as BioSuisse certified. QCS conducts inspections according to the BioSuisse Checklists found at [icbag.ch](http://icbag.ch) - [inspection checklists download page](http://icbag.ch) and submits the completed checklists and organic inspection reports to BioSuisse for the final certification decision and access to BioSuisse labeling rights and responsibilities.

### **KRAV (SWEDEN)**

Verification of compliance with to the KRAV standards allows for operators (outside of the EU, EEA, USA, Canada, Australia, New Zealand and Japan) to export organic products into Sweden. QCS is recognized by KRAV, as listed at [krav.se](http://krav.se) - [How to fulfill KRAV's extra requirements](http://krav.se), to perform verifications to the KRAV Extra Requirements for producers of vegetable, dairy, aquaculture and/or multi-ingredient products located outside of EU, EEA, USA, Canada, Australia, New Zealand and Japan. Operators are verified using the KRAV Extra Requirements Checklist found at [krav.se](http://krav.se) - [KRAV product specific requirements](http://krav.se). Once

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<sup>2</sup> CFIA Organic products webpage



verified, operators may claim “We have a checklist verifying compliance with KRAV’s Extra Requirements for the following types of products.” As such, operators cannot market products as KRAV certified, or use the KRAV name or label in marketing of their products.

### REGENERATIVE ORGANIC STANDARDS®

Operators in the Regenerative Organic Certified® program must first be certified organic in accordance to the USDA NOP. In addition, operators must comply with the Regenerative Organic Certified® Framework, which includes guidelines for farming and ranching operations, transportation, slaughter and certain processing facilities that produce food and fiber that promote holistic agriculture practices that focus on soil health and land management, animal welfare and farmer and worker fairness.

### OPT GRASS-FED ORGANIC LIVESTOCK PROGRAM

To market products under the “Grass-Fed Organic” Seal, the product and handling operations must be certified organic and certified to the specific OPT standard. QCS provides verification of compliance with the Organic Plus Trust Inc. Certified Grass-Fed Organic Livestock Program to the relevant standards: 1) Standards for Dairy Animal Production and Dairy Product Handling Operations, and 2) Standards for Meat Animal Production and Product Handling Operations.

### ADDITIONAL MARKET CLAIMS

#### **Marketing Label Claims:**

Producers may have products certified to standards in addition to organic standards in order to carry an additional marketing label. Examples of upcoming label claims included regional food systems and social stewardship standards. Please contact the office for more information.

#### **Hormone and Antibiotic Free Status (Livestock):**

All animals slaughtered and sold or labeled as hormone and antibiotic free shall be raised in accordance with all provisions for organic labeling with the exception that the producer need not feed such animals organically produced feed, nor maintain pasture under requirements for organic certification. Please contact the QCS office for more information.



## 05 LABELING

### QCS CERTIFICATION LOGO USE

Only after an operator obtains certification and only in accordance to the provisions of its certification can the operator represent as “organic” or bear the word organic or its derivatives. Unauthorized or misleading use of the QCS logo, USDA logo, the Regenerative Organic Certified® logo, the European Union Logo and/or the Canadian Certification Mark is prohibited and is treated as an infringement of copyright and is subject to the penalty provisions of the Governing accreditation body to the full extent of any applicable civil or criminal laws governing fraud. Incorrect references to the certification system or misleading use of licenses, certificates or marks found in advertisements, catalogues, or any other published documents are dealt with by suitable actions. QCS Clients are required to sign and abide by QCS Organic Mark Licensing Contract as found in their Organic System Plans. Throughout the certification process, QCS monitors the operator and operator’s products and their use of certification marks and names and marketing thereof to detect any improper reference or fraudulent use of the QCS name and certificates, and use of the regulatory logos, marks and names allowed for use in each of its programs referenced above.

#### QCS Logo<sup>4</sup>



QCS Circular logomark, color



QCS Simple logomark, color



QCS Simple logomark, black and white



QCS Circular logomark, black and white



QCS Main logomark, color



QCS Main logomark, black and white



QCS Secondary Aquaponics logomark, color



QCS Secondary Aquaponics logomark, black and white



QCS Main logomark, white (contrasting background)

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

<sup>4</sup> NOP §205.501 (b)(2)

- 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.

### LOGO USE BY THIRD PARTIES

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.

Entities certified by QCS may choose to use the logo of Florida Certified Organic Growers and Consumers, Inc. (FOG).

### USDA Logo5



USDA Four Color Seal, No Symbol



USDA Four Color Seal, with Symbol



USDA B & W Seal, No Symbol



USDA B & W Seal, with Symbol

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 receive the privilege to use the USDA and/or QCS seals. Certified operations may use the USDA logo, with or without the registration mark ®, on certified products.

### US-EU Organic Equivalence Labeling

Labels or retail products must include the code that the EU has assigned to QCS. This code is: **US-ORG-051**. Labels or stickers may also include the name of the U.S. certifying agent.

Organic products. Products certified as "organic" in the U.S. and meet the terms of the arrangement listed above may be sold as "organic" in the EU. Products may include the EU organic logo and/or the USDA organic seal.

100% Organic Products. The EU does not have a labeling category for 100% organic products. Products meeting the terms of the arrangement listed above may be labeled "organic" and include the EU organic logo and/or the USDA organic seal.

<sup>5</sup> NOP §205.300-311



“Made with” organic products. The EU does not have a labeling category for “made with” organic products. For products containing less than 95% organic ingredients, a percentage statement of organic content may be displayed on the label. Products may not be labeled with the EU organic logo or the USDA or organic seal.

Bulk Products. Lot number must be present that allows for a complete audit trail to verify the product’s integrity.

## Regenerative Organic Certified® Claims



Operations in the Regenerative Organic Certified® Program must first be compliant with USDA NOP regulations and then they receive a Regenerative Organic Certified® producer level. At the Gold and Silver Level, product labeling is permitted and any organic and regenerative organic labeling must also abide by USDA NOP regulations. At the Bronze Level,

product labeling is not permitted but Regenerative Organic Certified® claims can be made publicly in marketing or web content. Also, at the Bronze Level claims about organic and regenerative organic can only be made about products specifically grown on land that is certified organic. For more information, refer to the Regenerative Organic Certified® Labeling and Chain of Custody Guidelines.

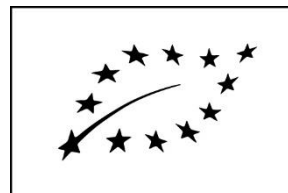
## Organic Production Logo of the European Union



EU Organic Logo, color



EU Organic Logo, One Color Dark



EU Organic Logo, One Color Light

The Organic logo of the EU shall only be used if the product concerned is produced in accordance with the requirements of Regulation (EU) 2018/848 and certified as organic. The use of the European organic production logo must adhere to the regulations laid out in Annex V of the EU 2018/848 Certification Requirements, and in the EU organic farming logo user manual (20 November 2018). The logo must appear in the same visual field as the country of origin’s code number. See Annex V(2) for the format of code numbers. The logo must not be smaller than 13.5 mm by 9 mm. In the case of exceptionally small packaging, 9 mm by 6 mm is permitted. The EU organic farming logo shall not be used on products that have been produced during the conversion period.

## Canadian Organic Certification Marks





The use of the "Canada Organic" logo is authorized by the only if the product concerned is produced in accordance to the SFCR, CAN/CGSB -32.310, CAN/CGSB 32.311 and the Canada Organic Regime (COR) Operating Manual. The use of the organic logo is only permitted on products that have an organic content that is greater than or equal to 95% and have been certified according to the requirements of the Canada Organic Regime. The use of the organic logo is voluntary but when used it is subject to the requirements of the SFCR [359(1).

Imported products must meet the requirements of the Canada Organic Regime. Imported products that bear the logo must include:

- the statement "Product of", immediately preceding the name of the country of origin,  
**OR**
- the statement "Imported", in close proximity to the logo

These statements must appear on the label in both French and English, unless a bilingual labeling exemption applies SFCR [354(d), 355(3).

## 06 CERTIFICATION STEPS

The QCS certification steps are the overall process by which QCS ensures client's conformance with applicable standards. For the most part, the certification steps are congruent with ISO/IEC 17065 and NOP policies and procedures; any differences for the various programs are noted as such (i.e., Regulation (EU) 2018/848 Certification Requirements, Canadian Organic Regime, or Regenerative Organic Certified®).

### STEP ONE APPLICATION PACKET

An initial application packet is provided to any applicant upon request. International clients requesting a physical packet may be charged a shipping cost. 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:

- a) QCS Certification Manual
- b) USDA Organic Regulations, Regenerative Organic Certification® standards, Certified Grass-Fed Organic Livestock Program Standards, Regulation (EU) 2018/848 Certification Requirements, Canada Organic Regime, and other market requirements as appropriate
- c) Fee Structure(s) and Fee Payment Form(s)
- d) Application per Category of Certification, including Organic System Plan and the QCS Certification and Mark Licensing Contract
- e) Applicable Fact Sheet per scope for operation's seeking certification
- f) Other information as deemed necessary (e.g., brochures, newsletter)

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

The *Application/Organic System Plan (OSP)* for 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 if an applicant requests a copy of the completed application an administrative/copying fee is charged in accordance with the QCS Fee Structure.

### **Application (OSP) / Renewal Provisions**

QCS requires all clients to complete an *Application/Organic System Plan (OSP)* for each scope of certification. The application at minimum requires the following: The desired scope of certification and the corporate name and entity, including address and legal status.

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

Annually, QCS requires certified operators to renew their certification by updating the Organic System Plan.



### Application (OSP) / Renewal Provisions - COR

In the case of an application for a food commodity, the application must be filed within 12 months before the day on which the food commodity is expected to be sold or, in the case of an application for the following food commodities, at least 15 months before that day: a) field crops or crops that are grown in greenhouse with an in-ground permanent soil system and wild crops. COR has other scopes of certification not covered by QCS that are applicable to this provision.

Persons seeking certification of their products or packaging and labeling activities must apply to QCS for certification. QCS verifies whether the applicant holds other types of certifications –packaging and labeling certification and/or attestation of compliance.

### QCS Certification and Mark Licensing Contract Provisions

Included in the OSP is the QCS Certification and Mark Licensing Contract. QCS requires all clients to complete a formal QCS Certification and Mark Licensing Contract to be signed by the duly authorized representative of the client.

### Transferring Certification to other Certification Agencies - NOP

NOP certification is not transferable between certifying agents. Clients wishing to transfer from their existing certifier to QCS or vice versa, must complete a new application and OSP for QCS or their new certifier. QCS or the new certifier conducts a complete review of the client's OSP and conduct an inspection to ensure compliance with the NOP standards or other applicable standards<sup>6</sup>.

Certified operations must notify their current certifier of their intent to certify elsewhere. If a certified operation applies for certification with a new certifying agent but does not maintain or surrender their prior certification in writing and the prior certifying agent issues a notice of noncompliance or proposed adverse action, the certified operation is still bound by the notice of noncompliance or proposed adverse actions of the prior certifying agent.

If the prior certifying agent issues a notice of suspension or revocation for failure to renew, pay fees, submit an updated OSP or any other technical or administrative noncompliance to the NOP regulations, the certified operation must immediately cease the sale, labeling, and representation of products as organic until all noncompliance's are resolved and reinstatement is granted by the NOP.

Certified operations that change certifying agents voluntarily may not use up existing supplies of labels which identify their prior certifying agent on products they produce or handle.

To change accredited certifying agents, a certified organic operation must:

1. Submit an application for certification and a complete OSP to QCS or another certifying agent as a new applicant.
2. Pay fees to QCS or the new certifying agent.
3. Submit to QCS or the new certifying agent information regarding the operator's current certification status, including any outstanding notices of noncompliance or proposed adverse actions. Certification may not proceed until outstanding notices and proposed adverse actions are resolved and eligibility for reinstatement has been issued from the NOP, as needed.
4. Operations must maintain their current certification, including submitting annual updates, allowing timely inspections, and payment of all required fees to their current certifying agent until

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<sup>6</sup> NOP Guidance 2604: Responsibilities of Certified Operations Changing Certifying Agents

the certification process for the new certifying agent is complete and a new certificate has been issued if they continue to produce or sell products as organic; and

5. Operations must return their prior certificate along with a written notice of surrender to their prior certifying agent or QCS only after the new certification process is complete.

### Transferring Certification to other Certification Agencies

#### Regulation (EU) 2018/848 Certification Requirements, Canada Organic Regime, and other market claims

If a certified operation wishes to transfer their Canada and/or EU certification, or other market claim from QCS to another certifying agency or from another certification agency to QCS, the operation must:

1. Submit an application for certification and a complete an OSP as a new applicant and notify their current certification agency of their intent to change certification agencies:
2. Pay fees to QCS, as applicable.
3. Understand that QCS requests information from both the requesting certification agency(s), relevant regulatory bodies (i.e., CFIA, EU) regarding the operator's current certification status, including any minor noncompliance(s), conditions of certifications and/or denials applications, outstanding notices of noncompliance or adverse actions or compliance with the QCS Certification and Mark Licensing Contract. The previous control body shall transfer the control file of the operator or group of operators to the new control body within 30 days. If applicable, certification may not proceed until outstanding noncompliances are resolved.
4. The first on-site inspection of operations transferring to QCS is conducted by the QCS is used in part to verify if previous nonconformities have been appropriately resolved and conducted in accordance to Step Three: Inspection.
5. Understand that the certification previously granted by QCS or the former certification agent remains valid, until the accepting body issues a new certificate with its name on it to the transferee operator or until a date which may not exceed 12 months from the most recent compliance certificate issuance date, whichever comes first.
6. QCS requires the operator to return any documents confirming the organic certification (such as certificates and attestations) that were previously issued by QCS to this operator. Operators are not allowed to use up existing supplies of labels which identify the previous CB on products they produce from the moment the operator receives the new certificate. New labels identifying the new CB must be used at once; except that the operator may sell certified prepackaged products labelled with the name of the previous CB as long as these products were packaged before the CB change and an inventory list was provided to both CBs.

In cases where operators are transferring from QCS to another certification agency, the above criteria will apply, and as soon as QCS is informed of the issuance of a certificate by the new certification body, QCS notifies the operator that it has terminated the certification agreement it has with the operator and that QCS will no longer monitor the compliance of the operation. QCS also reports the cancellation in a monthly report to the CFIA as a "cancellation due to a CB change".

### STEP TWO APPLICATION REVIEW

QCS only accepts applications for QCS has the competence and capacity to perform the certification activity, refer to Section 04 Scope of Certification.



Once QCS receives the application, there is an approximate four-month timeframe for review, inspection, and certification decision. The exact time varies 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 Reviewer 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 or other programs. 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 verifies that an applicant who has previously applied to another certification agency and received a notification of noncompliance, suspension, revocation, 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.

If a NOP applicant has previously had their certification suspended or revoked, the operation must submit a request to the Secretary for reinstatement of its certification accompanied by evidence demonstrating correction of each noncompliance and corrective actions taken to comply with and remain in compliance with the USDA Organic Regulations<sup>7</sup>.

Applicants are notified of the receipt of their application and are 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:

- a) Completed Organic System Plan application;
- b) Signed Certification and Mark Licensing Contract;
- c) Supporting Application/(OSP) information (i.e., farm, facility maps, organic product profiles, list of production inputs, etc.)
- d) 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;
- e) 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 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.
- f) Any other information necessary to determine compliance with the relevant standards. Unsigned, incomplete or lacking integrity (i.e., evidence can be confirmed, dates are appropriate, information supplied is supported by authority) applications may be returned to the applicant, and an applicable postage and handling fee may be required for application resubmission.

If the Certification Reviewer finds the operation to be out of compliance, the applicant is notified in writing of the nonconformance(s) and given the opportunity to document corrective action. If documentation of

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<sup>7</sup> NOP Instruction 2605: Reinstating Suspended Operations





corrective action is not addressed within the stated time frame in the notice, the certification staff begins procedures to deny certification, as per Notification of Denial of Certification (Applicants).

Once the completed application and supporting materials have been reviewed and approved, an initial inspection is scheduled to verify the information provided in the application. This process occurs 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 is liable for the costs of services provided up to the time of application withdrawal. Applicants who have been issued a notice of noncompliance or notice of denial must correct the cited noncompliances prior to seeking certification with another certifier or again with QCS. QCS reserves the right to pursue adverse actions for operations that have withdrawn their application if they have willfully violated the organic standard.

### **STEP THREE INSPECTION**

An initial on-site inspection is conducted for each operation requesting certification and includes the unit, facility and site that produces or handles organic products included in an operation for which certification is requested. Additional standards required for export may require the inspection of non-organic portions of the operation.

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) or sampling of first-time applicants for certification and currently certified operations to determine compliance with applicable standards, and if necessary to verify export requests.

#### **Assignment and Scheduling of Inspector(s)**

Once the application review is complete, QCS assigns an Inspector to perform the inspection, 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;
- e) Logistics for cost effectiveness; and
- f) No prior affiliation or business relationship or other potential conflicts with the operation.

The inspector contacts the applicant with an audit plan, and both parties must agree on the inspection logistics and the inspection appointment. 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. All on-site inspections, except unannounced 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 capability to comply or compliance with the relevant standards<sup>8</sup>.

QCS also rotates inspectors so that an inspector does not inspect the same operation more than 5 times consecutively, and no more than 3 times consecutively for EU and COR inspections. This helps to minimize any bias (i.e., overfamiliarity, etc.) that may arise from being inspected by the same inspector year after year.

### **QCS Inspection Scheduling for OPT Grass-Fed Organic Livestock Program**

Inspections are onsite visits and are conducted in conjunction with the annual inspection for organic certification to the USDA Organic Regulations.

### **QCS Inspection Scheduling for Regulation (EU) 2018/848**

All operators and groups of operators shall be subject to a verification of compliance at least once a year<sup>9</sup>.

In addition to annual inspections, QCS performs additional inspections of a minimum of 10% of the operators certified to the EU standard. 10% of all required inspections shall be carried out without prior notice every year<sup>10</sup>.

QCS implements additional controls as required by the European Commission which may include additional inspections above 10% of certified operators.

The first inspection of an operator seeking retroactive recognition of a previous period as part of the conversion period must occur before any cultivation measures have been taken by the operator.<sup>11</sup>

### **QCS Inspection Scheduling for Canada Organic Regime**

Inspections are conducted during a time when grounds, premises, and activities subjected to certification may be observed. Any inspection delays between 12 and 18 months must be justified and documented. The inspection includes non-organic units where there is reason to suspect undeclared split production of similar products, and in any situation revealing high risk of cross-contamination; where agricultural producers carry out split production, inspections allow visual determination of what is being planted in all cultivated fields within the production unit.

QCS ensure that all processing operations (for example, buildings, facilities, and vehicles), including packaging and labeling and any subcontracted activities upon which an operator relies to produce and/or prepare each product included within its application are inspected. In cases involving processing operations with separated production (that is, when both certifiable and non-certifiable products are manufactured at the same facility), the inspection is carried out at the time when the products that are targeted for certification are being processed. If QCS determines it is not possible to conduct the inspection while organic product is being processed, QCS records the reason(s) supporting this determination. QCS will then arrange for the inspection to be conducted at a time when the facilities and activities that demonstrate compliance or capacity to comply can be assessed. There shall be no more than two consecutive years without an inspection when organic product is being processed.

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<sup>8</sup> USDA NOP §205.403(b)(2) & CFIA COO Manual C2.2.10

<sup>9</sup> Article 38(3) of Regulation (EU) 2018/848

<sup>10</sup> Article 7(a)(b) of Regulation (EU) 2021/279

<sup>11</sup> Article 24(2)(c) of Regulation (EU) 2021/1698





In the case of initial application, where there is no organic product available during the first inspection, QCS will verify the operator's system for input/output (mass balance) and will perform a traceback audit on conventional products to ensure the operator has established an effective traceability system.

## Inspection Plan Requirements

### Prior to Inspection<sup>12</sup>

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

- a) The implementation in the field of any checklists, guidance documents, or options for the interpretation of standards;
- b) Requirements for opening meetings, closing meetings; communications of results of surveillance audits, and
- c) Requirements for report writing.

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

- a) The application (OSP)/Renewal;
- b) Previous Year's inspection report, if applicable;
- c) Any Minor Non-compliances and corresponding corrective actions from the previous year;
- d) Prescribed materials applicable to the applicant's operation;
- e) Additional specific instructions and requirements as directed by QCS;
- f) Relevant Certification Standards.

### During the Inspection<sup>13</sup>

On-site inspections, except unannounced inspections, must be conducted when an authorized representative of the operation who is knowledgeable about the operation is present and at a time when land, facilities, and activities that demonstrate the operation's compliance with or capability to comply with the applicable provisions of the standard(s) can be observed.

The inspector conducts an Opening Meeting to provide an overview of the inspection plan. During the opening meeting the Inspector provides an Inspection Agreement that must be signed by the operation before proceeding with the inspection. The inspector inspects each production unit, facility, and site that produces or handles organic products and that is included in the request for certification.

The Inspector also reviews documents, record-keeping systems, interview personnel, and performs 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 verifies and reports on the following information:

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;

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<sup>12</sup> USDA NOP §205.501 (a) (18)

<sup>13</sup> USDA NOP §205.403(c)1-3, 204.406 (a)3



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 (i.e., input/output balance audit, mass balance) and contamination risk is managed accordingly. Records audited include but are not limited to; ingredient/seed source records, production records, monitoring, storage, transport, inventory, purchase and sales records, accounting and complaints).

#### Exit Interview<sup>14</sup>

The inspector conducts 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. The inspector uses the QCS Exit Interview Form to summarize the inspection findings including: changes to the organic system plan, issues of concern and applicable standards, and additional information that the certifier may need to evaluate compliance. The applicant is expected to read all items described in the Exit Interview Form and sign this document to acknowledge the accuracy of the items explained in the exit interview.

The inspector provides the applicant with a receipt for any samples taken during the inspection.

Generally, the inspector is expected to complete and submit the inspection report to QCS within 30 days of assignment. Within a reasonable time, QCS forwards the inspection report and the results for any samples taken to the client at the same time it sends the decision on certification, as per Granting of Certification.

### **STEP FOUR DETERMINATION OF CERTIFICATION**

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

#### **Certification Review**

A QCS Certification Reviewer conducts a final 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. QCS provides a copy of the on-site inspection report and results of any tests for samples taken by the inspector during or upon completion of the certification review. When a decision is reached, the appropriate decision letter(s) and certificate(s) and an invoice for any remaining fees is sent to the client.

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<sup>14</sup> USDA NOP §204.402 §205.404.a, §205.403.d, §205.403.e.1-2



## Granting of Certification

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 is granted. The certification may include requirements for the correction of minor non-compliances within a specified time period; except in the case of COR certifications, in which case, all non-compliances must be corrected prior to granting of certification.

When certification is granted, QCS issues a certificate to the organic operation that specifies at minimum:

- 1) The certified operation's name (all legal names) and address(es), including a physical address if the mailing or legal address is not the physical location of the operation;
- 2) The certifying agent's name, address, website and phone number;
- 3) The effective date of certification;
- 4) Issue date;
- 5) Anniversary date; (the date by which the operator must submit annual certification renewal information for continuation of certification).
- 6) Categories of organic operation (scope(s));
- 7) Specific certified organic products covered by the organic certificate appear on the Product Verification Form addendum;
- 8) Labeling category for each product certified under the handling/processing certification category; (e.g., 100% Organic, Organic, Made with Organic, product description).

The certificate must also state:

- 9) The regulations and parts thereof in which the operation is certified.
- 10) The statement, "Once certified, a production or handling operation's organic certification continues in effect until surrendered, suspended or revoked."

For the NOP Program, QCS issues organic certificates through the Organic Integrity Database and may be provided to certified operations electronically<sup>15</sup>.

For the COR program, additional certificates or certificates with variations of the above are also issued:

- 1) For multi-ingredient food commodity, the percentage claims must be on the certificate, whether at least 70% of its contents are organic products or whether at least 95% of its contents are organic products. COR does not allow the 100% Organic claim.
- 2) Certificates issued to those who perform only Packaging and Labeling include a 12 month period of validity.
- 3) An Attestation of Compliance is issued to operations that conduct physical activities with respect to the organic product (for example, slaughtering where the meat is not packaged and labelled, storing, seed cleaning and other custom services for bulk organic products where the ownership of the products remains with the primary producer/processor) which is not yet in an impermeable package, with the exception of retail and transport.

Annually, QCS issues Product Verification form(s) as an addendum to the certificate showing the products currently certified.

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<sup>15</sup> USDA NOP §205.404(b)

## Certification Provision – Regulation (EU) 2018/848

Prior to certification, QCS must receive confirmation that the operator or group of operators has not been certified by another control body in relation to activities carried out in the same third country regarding the same category of products, including in cases in which operators or groups of operators operate at different stages of production, preparation or distribution. Additionally, members of a group of operators must confirm that they have not been certified on an individual basis for the same activity for a given product covered by the certification of the group of operators to which they belong<sup>16</sup>.

QCS shall not certify operators or groups of operators that have been withdrawn by their previous control authority or control body in the last 2 years, unless the recognition of the previous control authority or control body has been withdrawn by the Commission in accordance with Article 46(2a) of Regulation (EU) 2018/848 for the specific third country and category of products<sup>17</sup>.

## Regenerative Organic Certified®

Upon granting of organic certification, operators are made eligible for a level of Regenerative Organic Certified® certification when a 100% of the Required (R) Practices are met for that level; Bronze, Silver or Gold. The Gold is the highest achievable level, and the Bronze represents the beginner level. For the Bronze level, operators must advance to the Silver or Gold level within three years to continue making public Regenerative Organic Certified® claims. At the Silver Level, at least 50% of fiber-or-food-producing land within an operation must be certified at initial certification and must reach at least 75% by year 5, and the certified portion must represent at least 50% of the operation's revenue derived from food or fiber production. At the Gold Level, 100% of fiber-or-food-producing land of an operation must be certified, representing 100% of revenue derived from food or fiber production. Certification remains in effect until expiration date or upon withdrawal of certification. See Withdrawal of Certification.

## Temporal Validity of Certificate

### NOP Regulations

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.

### Regenerative Organic Certified® Standards

Once QCS renders a certification decision, QCS communicates its decision to NSF International who then issues the operation a certificate. QCS clients certified in accordance to Regenerative Organic Certified® standards, must be re-issued certificates on an annual basis with an expiration date.

### Regulation (EU) 2018/848 Certification Requirements

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

### Canada Organic Regime

The certification of a product, once issued, shall remain valid unless suspended or cancelled by the CB according to the requirements of the Safe Foods for Canadians Regulations.

<sup>16</sup> Article 10(1)(b-c) of Regulation (EU) 2021/1698

<sup>17</sup> Article 10(4) of Regulation (EU) 2021/1698



### OPT Certified Grass-Fed Organic Livestock Program

Organic certification is a mandatory precondition to the OPT Grass-Fed Organic Livestock Program certification. Each certified operation's certificate will be concurrent with the date appearing on its organic certificate.

### **STEP FIVE: RE-CERTIFICATION<sup>18</sup>**

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

- a) Maintain compliance to the relevant standards
- b) Successfully complete an annual on-site inspection
- c) Annually pay the certification fees, and
- d) Submit the following information, as applicable, to QCS by the anniversary date:
  - 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; including but not limited to: crops/products, substances and materials used, production/processing methods, %s in multi-ingredient products, updates to organic certificates, etc.;
    - 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 performs the annual on-site surveillance inspection, and verifies the client's continued compliance with applicable standards.

### **Annual On-Site Inspection Provisions**

All certified organic operations must be inspected annually.

### Re-Certification and On-Site Inspection Provisions – EU

Per ISO 17065 7.3.3: Certificate cannot be issued until certification requirements have been fulfilled. Because the certificate expires, the certification decision needs to be remade each year at the end of the renewal process and after the annual inspection.

In the event that it is impossible for QCS to conduct the annual onsite inspection following receipt of the certified operation's Annual Update, QCS may extend the expiration of the EU organic certificate to 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.

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<sup>18</sup> USDA NOP §205.403, 205.406.a.1-4, 205.406.b-d



Certification extensions may be issued to EU operations only after receipt of the annual update when necessary to prevent expiration of the EU organic certificate. Extensions may be given for up to three months at a time until the completion of the subsequent review decision. Operations with outstanding (uncorrected) major or critical noncompliances are not eligible for certification extension.

#### Re-Certification and On-Site Inspection Provisions - COR

The Canada Organic Regime has established a 12-month period, beginning on the day the certificate is issued, in which activities related to the continuation of certification must be conducted. Annually, the certificate holder must notify QCS in writing of its intent to maintain organic certification no more than six months prior to the end of that period, which is the anniversary of the “Initial Certification Date.” The certificate holder who intends to maintain certification must submit the annual renewal application by the Anniversary Date on the certificate. The annual COR on-site inspection/verification must be complete prior to the end of the 12-month period. For processed products, there shall be no more than 2 consecutive years without an inspection of the organic product being processed.

#### **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 issues an updated organic certificate, as per Granting of Certification.

If QCS has reason to believe, based on the on-site inspection and a review of the information specified in Re-Certification, that a certified operation is not complying with the relevant standards, QCS provides a written *Notification of Noncompliance* in accordance with noncompliance procedures. The notification of noncompliance may be combined with adverse actions or sanctions as appropriate.

#### NONCOMPLIANCE

##### **Minor Noncompliance (Condition of Certification) – NOP**

An operation may be issued a Notification of Minor Noncompliance to notify operators about conditions of continued certification that can be easily corrected without a corrective action plan. Minor Noncompliances do not indicate system failure in the design or implementation of the organic system plan and do not show the inability to comply with the organic regulation. A Notification of Minor Noncompliance may be issued with the organic certificate or during any review conducted by QCS, and correction must occur within the timeframe specified in the notice. A Notification of Minor Noncompliance may escalate to a Notice of Noncompliance if conditions are not satisfactorily met within the necessary timeframe.

##### **Notice of Noncompliance – NOP<sup>19</sup>**

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 provides a written *Notification of Noncompliance*. The applicant or client must respond with satisfactory evidence of compliance within the 30 days of the decision in writing. The *Notification of Noncompliance* must provide:

- a) A description of each noncompliance;
- b) The facts upon which the notification of noncompliance is based; and

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<sup>19</sup> USDA NOP §205.405.a.1-3 & 205.662



- 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.

#### Notice of Noncompliance – Regulation (EU) 2018/848<sup>20</sup>

QCS will send a Notification of Noncompliance to the operator outlining the results of the current assessment, and if needed, requesting corrective action within 30 days of its receipt. The response must provide evidence of completion of corrective action(s) taken to address each noncompliance or present a plan with milestones as to how each noncompliance will be addressed.

#### Notice of Noncompliance – COR

QCS will send a Notification of Noncompliance with reference to the applicable clause from the standard to the operator outlining the results of the current assessment, and if needed, requesting corrective action within 30 working days of its receipt. The response must provide evidence of completion of corrective action(s) taken to address each noncompliance or present a plan with milestones as to how each noncompliance will be addressed. This plan must include a completion date not exceeding 90 days from receipt of the noncompliances. QCS may also grant a one-time extension beyond 90 working days as long as the times are justified and documented.

#### Notice of Noncompliance – Regenerative Organic Certified®

QCS will send a Notification of Noncompliance to the operator outlining the results of the current assessment, and if needed, request corrective action within 45 days or the operation will not achieve or maintain certification. If the operator does not respond within the time frames noted above, QCS sends a written notice stating that the client's certificate will not be issued, or for a Client with an existing certificate, that the certificate will be withdrawn in 45 days if corrective action is not taken, unless more time is required to complete the corrective action, in which case the operator shall request additional time from QCS and obtain approval from QCS prior to the 45 days. If the Client does not take action, QCS will issue a Notification of Withdrawal.

#### Resolution of Notice of Noncompliance - NOP<sup>21</sup>

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

- 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 includes 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 evaluates the corrective actions taken and supporting documentation submitted or the written rebuttal and conducts 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.

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<sup>20</sup> Regulation (EU) 2021/279

<sup>21</sup> USDA NOP §205.405.b.1-3, 205.405.c.1-205.405.c.1.i & 205.662.b



When the corrective action or rebuttal is sufficient for the applicant to qualify for certification, QCS issues the applicant an approval of certification pursuant to Granting of Certification.

When the corrective action or rebuttal is not sufficient for the applicant to qualify for certification, or if the applicant fails to respond within the stated deadline, QCS issues a Notice of Denial of Certification.

#### Resolution of Notice of Noncompliance – COR<sup>22</sup>

QCS informs the operator of all noncompliances and requires the operator to respond to the Notice of Noncompliance issued by QCS within 30 days of its receipt. The response either provides evidence of completion of corrective action(s) taken to address each noncompliance or presents a plan with milestones as to how each noncompliance will be addressed. The plan must include a completion date not exceeding 90 days from receipt of the noncompliance. QCS may accept times greater than those stated for the closure of a noncompliance as long as they are justified and documented.

#### Acceptance of Corrective Action or Rebuttal – Regulation (EU) 2018/848

An operation may submit a written plan for corrective action or may rebut the noncompliance. QCS evaluates the corrective actions taken and supporting documentation or the written rebuttal and conducts an on-site inspection if necessary. QCS may, at any time during the certification decision process, request for more information to determine compliance with relevant standards. Corrective actions must include a description of the increase in the frequency of the controls taken by the Operator or Group of Operators (Internal Control System).

When the corrective action or rebuttal is sufficient for the applicant to qualify for certification, QCS notifies the applicant that the corrective action or rebuttal was accepted and issues the applicant an approval of certification pursuant to Granting of Certification.

When the corrective action or rebuttal is not sufficient for the applicant to qualify for certification, or if the applicant fails to respond within the stated deadline, QCS issues a Notice of Denial of Certification.

#### ADVERSE ACTIONS AND SANCTIONS

When the corrective action or rebuttal is not sufficient to correct a noncompliance, not submitted by the deadline stated in the prescribed time period, or correction of the noncompliance is not possible, QCS issues an adverse action or sanction.

#### Denial of Certification

QCS issues an applicant a written *Notice of Denial of Certification* when an applicant's operations and/or products are not compliant and/or the operator fails to respond with corrective actions. This may be combined with a *Notification of Noncompliance*.

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

- a) The reasons for the denial;
- b) Steps to resolve the combined Notice of Noncompliance and Denial;
- c) Reapply for certification pursuant to STEP ONE Application Packet;
- d) Request mediation pursuant to Mediation;
- e) File an appeal of the denial of certification pursuant Appeals.

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<sup>22</sup> COR OM, C.2.3.1





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.

### Notice of Proposed Suspension and Proposed Revocation of Certified Client – NOP<sup>23</sup>

When the corrective action is insufficient and/or not completed within the prescribed time period, QCS issues a certified client a written *Notice of Proposed Suspension or Notice of Proposed Revocation of Certification*. The *Notice of Proposed Suspension or Proposed Revocation* may be of the entire operation or of a portion of the operation. When a correction of a *Notice of Noncompliance* is not possible, a *Noncompliance* may be combined with a *Notice of Proposed Suspension or Proposed Revocation* in one notification. The *Notification of Proposed Suspension and/or Proposed Revocation* must include the following:

- a) The reasons for the proposed suspension or proposed revocation;
- b) The proposed effective date of proposed suspension or proposed revocation;
- c) The impact of a suspension or revocation on future eligibility for certification;
- d) The right to request mediation and/or
- e) The right to file an appeal.

If QCS has reason to believe that an applicant for certification has willfully violated the standards, QCS sends the certified client a *Notice of Proposed Revocation* of the entire operation or a portion of the operation as applicable to the noncompliance.

### Suspension or Revocation – NOP

If the client fails to reach a settlement through mediation; does not file an appeal of the proposed suspension or revocation of certification in the timeframe allowed; or if an appeal is denied, QCS sends the client a final written notification of suspension or revocation based on the proposed adverse action notice. QCS must simultaneously update the certification status of the operation in the Organic Integrity Database within 3 business days of issuing the notification of suspension or revocation<sup>24</sup>

### Suspension – COR

QCS issues a written *Notice of Suspension* to a certified operation when the operation fails to take corrective action within the time period specified in the *Notice of Noncompliance* or any later period specified by the certification body via a written extension when: the operator does not comply with the SFCR or is not compliant with the COR regulations, the substances or materials that are used are other than those that are set out in the COR regulations, the food commodity comes into contact with a substance or material other than one that is set out in the COR regulations, the substances or materials that are used are set out are not used in the manner described in COR regulations, the methods that are used do not meet the requirements or do not comply with the general principles respecting organic production that are set in the COR regulations, in the case of a multi-ingredient food commodity, less than 70% of its contents are organic products.

The *Notice of Suspension* will include the reason for the suspension, the date on which it takes effect, and will specify that the operator must take corrective action within 30 days after the day on which the

<sup>23</sup> USDA NOP §205.405.205.662 c-d \*Revocation is only applicable to NOP operators<sup>6</sup>

<sup>24</sup> USDA NOP §205.662(e)(3)



certification was suspended to avoid cancellation, but that QCS will lift the suspension of certification if it is determined that corrective action has been taken prior to the end of the suspension period.

### Cancellation – COR

For a *Notification of Cancellation*, the operator must have willfully requested cancellation of certification in writing or failed to respond to the conditions of the *Notification of Suspension*. The *Notification of Cancellation* must include the following:

- a) The reasons for the cancellation;
- b) The proposed effective date of cancellation;
- c) The impact of a cancellation on future eligibility for certification;
- d) The right to file an appeal.

QCS must simultaneously inform the regulatory authorities, CAEQ and the CFIA about the notification of cancellation.

At time of cancellation, an operation cannot make any claims of organic certification, must destroy any use of the QCS Logo and name, destroy or return all certificates or attestations of compliance, labeling and marketing materials containing reference to QCS or COR that could bring any harm upon QCS and operations are liable for cost of services up to the point of cancellation.

### Withdrawal of Certification – Regenerative Organic Certified®

QCS withdraws certification of Regenerative Organic Certified® operations based upon the one or more of the following conditions:

- Standard requirements or equivalent are not maintained
- Cooperation and access to documentation, facilities and personnel are not provided to auditors during on-site audits
- Client does not permit an audit to be conducted
- Client uses the Regenerative Organic Certified® certificate in ways that conflict with the terms and conditions of use
- Client volunteers to withdraw or circumstances warrants temporary suspension
- Certificate expires
- Such other matters or circumstances arising which may, in the sole opinion of the ROA, in any way compromise the integrity or reputation of the Regenerative Organic Certified®.

Should the operator fail to meet any of the above conditions, QCS may withdraw the operator's certification decision for the applicable pillars. Upon withdrawal of certification, QCS removes the operator from list of certified operations and their certificate is withdrawn. At this time, operations must cease all use of the Regenerative Organic Certified® logos and claims.

### Willful Violation – NOP

In addition to suspension or revocation, any client or responsibly connected person 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 or responsibly connected persons making false statement under the NOP to the Secretary, State organic program, or QCS is subject to the provisions of section 1001 of title 18, United States Code.

## Catalog of Measures – Regulation (EU) 2018/848

Irregularities and Infringements for operations certified as organic under Regulation (EU) 2018/848

Catalog of measures as specified in Part A of Annex IV of Regulation (EU) 2021/1698

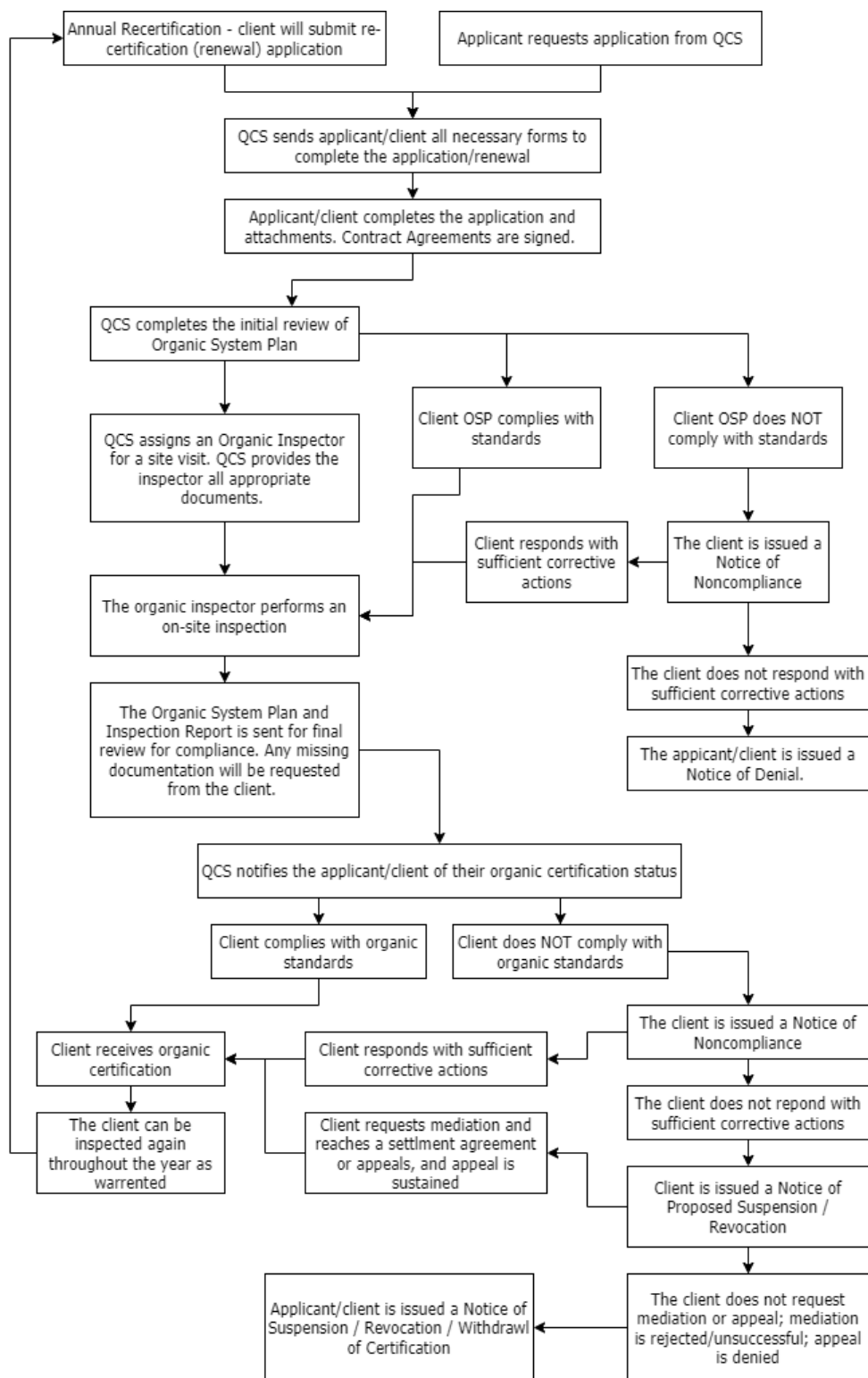
Category of Noncompliance	Applies to these violations	Measures (Actions taken by the operator, or imposed on the operator by certifier, to insure organic integrity of products, processes and land)
Minor Noncompliance	<ul style="list-style-type: none"> <li>The precautionary measures are proportionate and appropriate, and the controls that the operator has put in place are efficient;</li> <li>The non-compliance does not affect the integrity of the organic or in-conversion product.</li> <li>The traceability system can locate the affected product(s) in the supply chain and prohibition of placing products on the market with reference to organic production is possible.</li> <li>The noncompliance is correctable without a new conversion period being implemented.</li> </ul>	<p>Corrective action: Improvement of the implementation of the precautionary measures and the controls that the operator has put in place to ensure compliance. Submission by the operator of an action plan within time limit set on the correction of the noncompliance <b>required</b>.</p>
Major Noncompliance	<ul style="list-style-type: none"> <li>The precautionary measures are not proportionate and appropriate and the controls that the operator has put in place are not efficient.</li> <li>The non-compliance affects the integrity of the organic or in-conversion product.</li> <li>The operator did not correct in a timely manner a minor non-compliance.</li> <li>The traceability system can locate the affected product(s) in the supply chain and prohibition of placing products on the market with reference to organic production is possible.</li> </ul>	<ul style="list-style-type: none"> <li>Corrective action for certification to continue: Improvement of the implementation of the precautionary measures and the controls that the operator has put in place to ensure compliance. <b>Submission by the operator of an action plan within the time limit set on the correction of the noncompliance required.</b></li> <li>Downgrade: No reference to organic production in the labelling and advertising of the entire lot or production run concerned (crop(s) or animal(s) affected) in accordance with Article 42(1) of Regulation (EU) 2018/848,</li> <li>New Conversion: certifier institutes a new conversion period,</li> <li>Scope limitation: partial withdrawal of certification (i.e., crops, handler, field, product, etc.),</li> <li>Denial of certification (new applicant)</li> </ul>

<p>Critical Noncompliance</p>	<ul style="list-style-type: none"> <li>• The precautionary measures are not proportionate and appropriate and the controls that the operator has put in place are not efficient.</li> <li>• The non-compliance affects the integrity of the organic or in-conversion product.</li> <li>• The operator fails to correct previous major non-compliances or repeatedly fails to correct other categories of non-compliances.</li> <li>• There is no information from the traceability system to locate the affected product(s) in the supply chain and prohibition of placing products on the market with reference to organic production is not possible.</li> </ul>	<ul style="list-style-type: none"> <li>• Corrective action for certification to continue: Improvement of the implementation of the precautionary measures and the controls that the operator has put in place to ensure compliance. <b>Submission by the operator of an action plan within the time limit set on the correction of the noncompliance required.</b></li> <li>• No reference to organic production in the labelling and advertising of the entire lot or production run concerned (crop(s) or animal(s) affected) in accordance with Article 42(1) of Regulation (EU) 2018/848,</li> <li>• Prohibition of marketing products which refer to organic production for a given period in accordance with Article 42(2) of Regulation (EU) 2018/848,</li> <li>• New Conversion: certifier institutes a new conversion period,</li> <li>• Scope limitation: partial withdrawal of certification (i.e., crops, handler, field, product, etc.),</li> <li>• Denial of certification (new applicant)</li> <li>• Suspension of the certificate,</li> <li>• Withdrawal of the certificate.</li> </ul>
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List of cases of non-compliance and the corresponding classification mandatory to be included in the catalogue of measures, as specified in Part B of Annex IV of Regulation (EU) 2021/1698

<b>Non-compliance</b>	<b>Category</b>
Significant deviation between input and output calculation (mass balance)	Major
Absence of records and financial records showing the compliance with Regulation (EU) 2018/848	Critical
Intentional omission of information leading to incomplete records	Critical
Falsification of documents connected with the certification of organic products	Critical
Intentional re-labelling of downgraded products as organic	Critical
Intentional mixing organic with in-conversion or non-organic products	Critical
Intentional use of non-authorised substances or products within the scope of the Regulation (EU) 2018/848	Critical
Intentional use of GMOs	Critical
The operator refuses the control authority or the control body access to premises subject to controls, or to its book keepings, including financial records, or refuses to allow the control authority or control body to take samples	Critical

## QCS CERTIFICATION PROCESS OVERVIEW







## 07 ADDITIONAL PROVISIONS

### TRANSACTION CERTIFICATES

#### EU Transaction Certificates

All transaction certificates - called Certificates of Inspection (COI) for EU - must be requested and issued through the EU's online TRACES system. Exporters and European importers must register, and then will be able to request COIs through the system. At this point, QCS will be notified and can approve and sign the COI. Products exported to the UK-Northern Ireland under the US-UK Equivalency Arrangement also require these EU transaction certificates.

<https://webgate.ec.europa.eu/tracesnt/login>

#### NOP Import Certificates

After the implementation of the Strengthening Organic Enforcement final rule on March 19, 2024, any organic agricultural product imported to the United States must be associated with a valid NOP Import Certificate, generated by the certifying agent of the final certified exporter sending the product to the United States. This requirement applies to products certified as USDA organic or traded under an established equivalence arrangement. QCS verifies the validity of the NOP Import Certificate request to ensure the product to be exported is certified organic and organic integrity is maintained. Approved NOP Organic Certificates are generated within the Organic Integrity Database (OID). Organic products may not be imported into the United States without an approved NOP Import Certificate.

#### Documentation for exports of USDA-organic products under trade partnerships

Transaction certificates may be required for USDA organic products exported from the US to countries with established organic trade arrangements. Current requirements are detailed on the USDA NOP Website about [International Organic Trade Arrangements](#).

### ADDITIONAL/UNANNOUNCED INSPECTIONS

#### QCS Unannounced Inspections - NOP<sup>25</sup>

QCS may conduct additional on-site inspections (either announced or unannounced) of applicants for certification and certified operations to determine compliance with the National Organic Standards or any other applicable standard (for export products). The Administrator or State organic program's governing official may require QCS to perform additional inspections (announced or unannounced) for the purpose of determining compliance with the National Organic Standards. The NOP Administrator requires certifying agents to conduct unannounced inspections of 5 percent of their total certified operations per year as a tool in ensuring compliance with the regulations<sup>26</sup>.

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<sup>25</sup> NOP §205.403(b)

<sup>26</sup> NOP §205.403(b)(1)

### **Additional and Unannounced Inspection – Regulation (EU) 2018/848 Certification Requirements**

In addition to annual inspections, QCS performs additional inspections of a minimum of 10% of the operators certified to the EU standard. 10% of all required inspections shall be carried out without prior notice every year<sup>27</sup>.

The additional random inspections are primarily unannounced, based on the general evaluation of the risk of noncompliance with the Regulation (EU) 2018/848 Certification Requirements taking in account a range of criteria including but not limited to: at least the results of previous inspection, the quantity of products concerned and the risk of commingling. Annual inspections and additional random inspections may be unannounced, at the discretion of QCS to confirm compliance to the Regulation (EU) 2018/848 Certification Requirements.

QCS implements additional controls as required by the European Commission which may include additional inspections above 10% of certified operators.

### **Unannounced Inspections – Canada Organic Regime (COR)**

Unannounced on-site inspections may be conducted at any time at the discretion of QCS to confirm compliance to the Canada Organic Regime. Unannounced inspections may be limited in scope and may cover only certain aspects of the operation. The operators chosen for unannounced inspections may be randomly selected based on risk based, or as a result of a complaint or investigation. The CB is not obliged to disclose to the operator the reason for the unannounced or additional inspection. Criteria for selecting operations for unannounced inspection based on risk are based on examples set forth at section C.2.6.4 of the SFCR.

At the beginning of the year, QCS plans additional unannounced visits, representing 5% of the holders of certificates (minimum one) to which QCS grants certification for products and/or packaging and labeling certification. In the case where it is not possible to conduct an unannounced inspection, advance notice may be given providing that this notice period does not allow time to cover up non-compliances that might exist. In any case, the notice shall not be more than 24 hours.

QCS must also comply with any requests from the CFIA or CAEQ to conduct any additional inspections when the compliance of the operation is in doubt or for other valid reasons.

### **Supply Chain Traceability Audits – NOP**

QCS conducts risk-based supply chain traceability audits to identify and track the movement, sale, custody, handling, and organic status of an agricultural product along a supply chain to verify the agricultural product's compliance with the USDA organic regulations.

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<sup>27</sup> Article 7(a)(b) of Regulation (EU) 2021/279



## **REINSTATEMENT**

### **Reinstatement after Suspension – NOP**

A certified operation or a person responsibly connected with an operation whose certification has been suspended may at any time, unless otherwise stated in the notification of suspension, may 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.

QCS does not grant certification to an operator who had its certification previously suspended unless the operator has requested a reinstatement granted by the NOP.

### **Reinstatement after Cancellation – COR**

QCS will not grant certification to an applicant who had its certification previously cancelled and whose name appears on the CFIA published list of cancelled organic certifications. QCS can only reinstate cancelled certification after an operator has submitted an application for certification, had an inspection and closed all the non-conformities; and request has been made to the CFIA to remove the name of the holder of certificate from the list of cancelled holders of certificates posted on the CFIA web site, and QCS has received a conformation from the CFIA of the date of the certification reinstatement.

### **Reinstatement after Withdrawal of Certification – Regenerative Organic Certified®**

If a Regenerative Organic Certified® operator wishes to recover Regenerative Organic Certified® certification after having their Regenerative Organic Certified® withdrawn, the operator must re-apply for Regenerative Organic Certified® certification.

### **Recertification after Revocation – NOP & OPT Grass-Fed Organic Livestock**

A certified operation or a person responsibly connected with a client whose certification has been revoked is 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.

### **Continuation of certification after Suspension – EU**

A certified operation whose certification has been suspended for a specified period of time must submit corrective actions accompanied by evidence demonstrating correction of each noncompliance before the end of the suspension period for certification to resume. Certification will be withdrawn from operators that fail to correct noncompliances associated with the suspension of certification.

### **Reinstatement after Suspension – OPT Grass-Fed Organic Livestock**

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



## **MODIFICATION OF CERTIFICATION**

### **Modification of Certification – NOP & OPT Grass-Fed Organic Livestock**

Clients are required to inform QCS, in writing, of any modifications which extend or reduce the scope of certification already granted. These modifications may include, but are not limited to, changes in organizational structure or management and/or significant changes in the organic system plan. The client is not allowed to release products affected by the modification until the Certification Reviewer 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 the standards, an amended certificate and/or product verification form may be issued if applicable. 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.

### **Modification of Certification – Regulation (EU) 2018/848 Certification Requirements and Canada Organic Regime**

Operations with substantive changes to their production may be required to withhold products produced under these changed procedures, pending review by QCS.

Clients are responsible for the costs incurred for these services. Once the modification is awarded, a notice of the certification decision is sent to the client.

## **VOLUNTARY SURRENDER/CANCELLATION OF CERTIFICATION**

### **Surrender of Certification – NOP and OPT Grass-Fed Organic Livestock**

At any time, a certified operation may surrender its organic certification through written notification. The operation 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 QCS Certification and Mark Licensing Contract, and are liable for the costs of services provided up to the point of withdrawal. QCS acknowledges the surrender of certification in writing. For NOP surrenders, QCS updates to operation's status in the Organic Integrity Database (OID).

QCS accepts all surrender requests. However, QCS may continue the process for a proposed adverse action if an operation surrenders after QCS has issued the proposed adverse action. If proposed adverse action leads to suspension of certification, the operation must be reinstated prior to future NOP certification.

### **Cancellation and Expiration of Certification – EU**

Operators may voluntarily cancel organic certification at any time. Certification may be cancelled by QCS when the EU organic certificate expires due to the operation's failure to submit an annual update. Operators whose certificate has been cancelled or expired may not represent any products produced or in inventory on the date of cancellation or expiration as organic.

### **Voluntary Withdrawal – COR**

In the case of voluntary withdrawal by the operator, QCS follows clause 350(3) of the Safe Food for Canadians Regulation (SFCR) requirements for cancellation.

## VARIANCES AND DEROGATIONS

### Temporary Variance – NOP

Temporary variances may be issued by relevant government organization in cases of natural disasters (i.e., caused by drought, wind, fire, flood, excessive moisture, hail, tornado, earthquake, or other business interruptions, or for the purpose of conducting research in organic production or handling). For a list of expired temporary variances, please visit <http://www.ams.usda.gov/rules-regulations/organic>. For those operations complying with the Canada Organic Standards (COR) and/or the QCS EU 834/2007 Certification Requirements, QCS works alongside the government agencies to issue notifications and actions as issues arise.

Operations requesting temporary variance should submit their request in writing along with justification based on the appropriate regulatory citation along with supporting documentation such as news articles or related records. Procedures for requesting temporary variances are described in NOP 2606: Processing Requests for Temporary Variances. 7 CFR Section 205.290 provides the full regulatory text regarding temporary variances. The list of temporary variances that are currently in effect or that were denied in 2017 are listed at [the USDA NOP's active and inactive Temporary Variances webpage](#).

QCS submits the temporary variance request on behalf of QCS clients to the NOP within 10 business days of receiving a complete request. Operations must not make any changes to the related sections of their OSP or practices until the NOP notifies them in writing that the temporary variance is granted. If the operation changes their OSP or practices prior to receiving approval of the temporary variance, QCS issues the operation a Notice of Noncompliance.

The NOP does not approve the following temporary variance requests; Variances for the use of materials prohibited under 205.105, and Variances to feed livestock non-organic feed.

### Variance – OPT Grass-Fed Organic Livestock Program

Any OPT Certified Grass-Fed operation or accredited certification body may petition the OPT program manager to grant a variance from any program standard on facts specific to that party or as applied to each certified operation affected by the standard to which the variance request is directed. Variance requests require submission of clear and convincing evidence of the need for the variance and should follow the process set forth in NOP Guidance No. 2606.

### EU Derogations and exceptions

Derogations allow flexibility with a standard under clear restriction of criteria, controls, transparency and understanding of the reasons and effects of the flexibility measures.

#### Derogations under catastrophic circumstances - EU

Operator requesting derogations specified at Article 3 of Regulation (EU) 2020/2146 due to a catastrophic circumstance per Article 45(3) of Regulation (EU) 2018/848 must submit their request in writing and include a statement issued by the relevant authorities of the third country in which the situation occurs, where available, or other data provided by official organizations justifying the catastrophic circumstances. QCS will notify the operator in writing of the decision whether to grant the derogation, including the conditions that apply, including: the period of the derogation (in no case longer than 12 months) after which the operator must recommence organic production as carried out prior to the application of derogations; the affected types of production; the affected land parcels (where applicable); and the

individual operator or the member of the group of operators concerned. The application of the derogation(s) will not affect the validity of the EU organic certificate during the period when the derogations apply, provided that the operator fulfills the conditions under which derogations were granted. QCS will notify the Commission and their accreditation body of all derogations granted, including the name of the operator or operators concerned, the time period for the derogation, the type of production or, where relevant, land parcels, and the justification for the derogation, including the statement from the relevant authority of the third country or relevant data on which the recognition is based.

#### Use of Non-Organic Plant Material – Regulation (EU) 2018/848 Requirements

By way of derogation from point 1.8.1 of Annex II of Regulation (EU) 2018/848, operators in third countries may use non-organic plant reproductive material authorized in accordance with point 1.8.6 when organic plant reproductive material is justified to be not available in sufficient quality or quantity in the territory of the third country in which the operator is located. When organic or in-conversion plant reproductive material is not available in sufficient quality or quantity, the operation must obtain written authorization from QCS to use non-organic plant reproductive material for each crop or cover crop before the sowing or planting of the crop. Authorization is only valid for one season at a time. A noncompliance (and accompanying measures as applicable from the sanctions catalogue) may be issued to operators who use non-organic plant reproductive material without written authorization. QCS evaluates the evidence the operation presents in the request for use of non-organic plant reproductive material, and QCS makes a decision whether to approve or deny the request. Requests to use non-organic annual seedlings whose cultivation is complete in one growing season cannot be authorized.

#### Retroactive Recognition – EU

No previous period may be retroactively recognized as being part of the conversion period, except where the operator can provide proof that the land parcels were natural or agricultural areas that, for a period of at least three years, have not been treated with products or substances that are not authorized for use in organic production<sup>28</sup>. Retroactive recognition is not required for any land that is currently certified and in good standing to the relevant organic standard.

The operator may request retroactive recognition for periods of one, two, or three years in which the entire year (12 months) is eligible. The applicant must have had management control of the parcel for the entire period requesting retroactive recognition, except if the parcel was previously certified organic to the relevant standard under a different operator. In such cases, QCS must verify with the previous certifier that certification of that parcel was not suspended or withdrawn due to the application of or contamination by non-authorized substances and the current operator must provide documentary evidence that they have had management control for the entire period since certification ended.

Before granting retroactive recognition, QCS must obtain maps that clearly identify each land parcel covered by the request for retroactive recognition and information on the total surface of those land parcels and, if relevant, on the nature and the volume of the ongoing production and their geolocation coordinates; and any other relevant documents deemed necessary to assess the request for retroactive recognition. Additionally, QCS shall carry out a detailed risk analysis based on documentary evidence to assess whether any land parcel covered by the request for retroactive recognition has been treated with

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<sup>28</sup> Article 10(3)(b) of Regulation (EU) 2021/1698



products or substances that are not authorized for use in organic production for a period of at least 3 years; take samples on soil and/or plant from each land parcel in line with the results of the risk analysis; and conduct a physical inspection before any cultivation measures have been taken by the operator.

QCS must verify the credibility of the evidence the operator provides as proof and conduct the initial on-site inspection in accordance with the criteria described below. In all cases the inspector must evaluate the risk of contamination during the conversion period from adjoining land uses.

## Guide Table of requirements for lands requested for retroactive recognition

Previous Land Use	Documentary evidence must include all of the following	First Inspection Requirements
Natural area/ fallow land (no food crops present)	<ul style="list-style-type: none"> <li>Evidence that the land was in a natural state, abandoned, or otherwise unmanaged and uncultivated. Evidence may include the presence of native vegetation, high level of biodiversity in vegetation and wildlife (including insects and soil organisms), presence of naturally occurring organic matter on the soil (e.g., leaves, dead wood)</li> <li>Evidence that products (food crops or wood) were not produced or harvested, such as the absence of trails linked to land exploitation or signs of human intervention such as pruning, tillage, or clearing</li> </ul>	<ul style="list-style-type: none"> <li>Must occur prior to cultivation</li> <li>Verification of land status through observation of natural vegetation or fallow</li> <li>Assessment of the age and condition of vegetation to ensure the land has been unmanaged for the entire period requesting retroactive recognition</li> </ul>
Perennial food crops on abandoned land with little to no management	Evidence that parcels were abandoned and unmanaged	<ul style="list-style-type: none"> <li>Must occur prior to cultivation/ management of the crop to be labelled as organic</li> <li>Assessment of the age and condition of vegetation to ensure the land has been unmanaged for the entire period requesting retroactive recognition</li> </ul>
Natural area with only naturally occurring food crops (wild crops) present	Evidence that parcels were unmanaged with no application of any inputs	
Active crop production - certified to another organic standard	<ul style="list-style-type: none"> <li>Valid organic certification under a different regulatory framework (national or international)</li> <li>Input application records for the entire period seeking retroactive recognition that identify products by name and manufacturer and list the date(s) of application. QCS must evaluate all inputs to confirm that all materials are authorized for use under 2018/848</li> </ul>	Must occur prior to the cultivation of an annual crop to be labelled as organic OR prior to the start of the production cycle and management for a perennial crop



Previous Land Use	Documentary evidence must include all of the following	First Inspection Requirements
Active crop production using organic practices on land that was previously certified organic and had a lapse in certification for less than one year. Reason for lapse in certification may be sale of farm to new operator, lack of market, discontinued participation in grower group, or other reason that does not indicate lapse in organic management.	<ul style="list-style-type: none"> <li>• A copy of the previous organic certificate</li> <li>• Documentation of the certificate's expiration or cancellation or disengagement from grower group (e.g., Notice of Cancellation)</li> <li>• A written statement from the operator detailing the reason for the lapse in certification confirmed in writing by the previous certifier</li> <li>• Verification from the previous certifier that the lapse in certification was not due to the application of or contamination from non-authorized substances</li> <li>• Input application records for the entire period during when the land was not certified. Records must identify each input used by name and manufacturer and list the date(s) of application. QCS must evaluate all inputs to confirm that all materials are authorized for use under 2018/848</li> </ul>	Must occur prior to the cultivation of an annual crop to be labelled as organic OR prior to the start of the production cycle and management for a perennial crop
Active crop production of any crop not certified to any organic standard	<ul style="list-style-type: none"> <li>• Documentation from a competent third-party<sup>29</sup> attesting that it verified through on-site inspection at least once during each year requesting retroactive recognition, that input application records are accurate or that the operator did not apply any inputs. Documentation must include the inspection dates and report or summary of inspection observations from the third-party</li> <li>• Input application records for the entire period seeking retroactive recognition that identify input products by name and manufacturer and list the date(s) of application. QCS must evaluate all inputs to confirm that all materials are authorized for use under 2018/848</li> </ul>	Must occur prior to the cultivation of an annual crop to be labelled as organic OR prior to the start of the production cycle and management for a perennial crop

In cases where retroactive recognition is granted, QCS shall draw up a final written report that indicates the starting period considered as organic for each land parcel concerned as well as the total surface of the land parcels benefiting from this retroactive recognition of a period and includes justification why the

<sup>29</sup> A "competent" third-party must be a distinct entity that is not engaged in management of the operation and that is competent to evaluate input application records through on-site inspection. Examples include but are not limited to: an accredited organic certifier, a certified organic grower group internal control system, or a governmental agency.

previous period can be recognized retroactively as part of the conversion period; and notify the Commission and its accreditation body of any retroactive recognition granted. The operator to whom the granted retroactive recognition applies must keep documentary evidence relating to that recognition, as well as documentary evidence on the use of the land parcels covered by that recognition, for 3 years.

#### Management of the Holding – EU 2018/848

A ‘holding’ consists of all production units operated under single management for the purpose of producing live or unprocessed agricultural products. Article 9(2) of Regulation (EU) 2018/848 requires that the entire holding is managed in compliance with organic production requirements. A holding may be split into clearly and effectively separated production units for organic, in-conversion and non-organic production only when different varieties that can be easily differentiated are produced on the non-organic production units (Article 9(7) of Regulation (EU) 2018/848), except that the requirement for different varieties does not apply to research and educational centers, plant nurseries, and seed multipliers.

By way of derogation from Article 9(7)(b), different varieties that cannot be easily differentiated or the same varieties may be produced on the non-organic production units in accordance with the criteria set forth at Article (9)(8) of Regulation 2018/848. Crops must be perennial and require a cultivation period of at least three years. All non-organic production units must be converted to organic production as soon as possible, and within a maximum of five years. In such cases, the operator must notify QCS of the start of the harvest of each of the products concerned at least 48 hours in advance. Upon completion of the harvest, the operator must inform QCS of the exact quantities harvested from the units concerned and of the measures taken to separate the products. QCS confirms the conversion plan and the adequacy of measures to be taken to ensure the effective and clear separation each year after the start of the conversion plan.

#### Use of non-organic aquaculture juveniles - EU 2018/848

Operations may request a derogation from the requirement set forth in point (a) of section 3.1.2.1 of Part II of Annex II to Regulation (EU) 2018/848 for aquaculture juveniles to originate from organic broodstock and from organic production units in the Organic Aquaculture Production Plan. QCS may only grant such derogation for species that were not developed as organic in the territory of the country in which the aquaculture operation is located or the Union. The derogation may be granted for a maximum period of two years and shall not be renewable.



## EU 2018/848 Additional Controls

Occasionally, the European Commission implements regulations that require additional controls including sampling and inspections for specific commodities imported into the Union from specific countries. QCS implements procedures to comply with all additional control requirements applicable to operations certified to the EU organic production requirements.

### Conversion - EU

Operators converting land to organic production shall comply with a conversion period, during which they shall apply all rules on organic production. QCS recognizes the start of the conversion period as the date when the operation submits the organic system plan and applicable fees. Organic production rules must be applied during a conversion period of:

- Annual crops: at least two years before sowing an annual crop to be labeled as “organic.”
- Perennial crops: at least three years before the first harvest of a perennial crop to be labeled as “organic.”

Products that have been harvested from land or from perennial crops that have been under organic management for 12 months or more may be labelled as “in-conversion.”



## 08 MEDIATION AND APPEALS

### MEDIATION

Any dispute with respect to denial of certification or proposed suspension or revocation of certification may be mediated at the request of the client. Mediation must be requested in writing to QCS.

If QCS rejects the request for mediation, QCS notifies the client and advises the client of the right to appeal within 30 days of the date of the written notification of rejection.

If QCS accepts the request for mediation, mediation may be conducted informally or formally with a neutral mediator. The parties of the mediation have no more than 30 days to reach an agreement following a mediation session. Any agreement reached during or resulting from the mediation process shall be in compliance with the applicable organic standards.

If mediation is unsuccessful, the client has 30 days from termination of mediation to appeal.

Under the USDA National Organic Program, the Secretary may review any mediated settlement agreement for compliance to the NOP and reject an agreement or provision not in compliance with the NOP<sup>30</sup>.

Mediation does not apply to applicants or certified operations under COR.

### APPEALS

The appeals process varies according to certification standard. However, all appeals must be in writing and a record of all appeals is maintained at QCS. Records of subsequent actions is maintained along with follow-up to ensure the action was effective.

#### **Appeal – NOP<sup>31</sup>**

Operations may appeal certification decision of denial, proposed suspension, or proposed revocation to the NOP Administrator, unless they reside in a state with an organic program as per USDA NOP §205.680.d-e, 205.681, in which case the appeal must be sent to the governing state organic program.

#### **Appeal – OPT Certified Grass-Fed Organic Livestock Program**

Appeals of adverse actions shall be submitted in writing by the operator to QCS. QCS shall forward the appeal to the OPT program manager, along with any portions of the certification record necessary to the proper disposition of the complaint.

#### **Appeal – All other programs**

All requests and notices of appeal to adverse decisions for all programs other than the NOP (i.e., measures imposed in accordance with Regulation (EU) 2018/848 Certification Requirements, COR, and Regenerative Organic Certified® program) must be submitted directly to QCS in writing and be accompanied by supporting documentation. The written appeal must provide sufficient detail and describe the operation's issue. A written appeal must be submitted within 30 days of receipt of notification or public announcement of certification status.

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<sup>30</sup> USDA NOP §205.663

<sup>31</sup> USDA NOP §205.680.d-e, 205.681



QCS acknowledges receipt of all appeals. QCS then confirms whether the appeal relates to certification activities.

The Organic Program Director, or their designee, conducts an investigation of the appeal. In a confidential and timely manner, the investigator is responsible for gathering and verifying all necessary information (as far as possible) to progress the appeal to a decision. The burden of establishing the invalidity of a certification decision rests with the appellant. If a certified operator refuses to cooperate in an investigation, QCS may deem this sufficient cause for denial of appeal.

The decision resolving the appeal is made by a person who was not involved in the initial certification activities (i.e., pre-review, inspection, previous decision) related to the appeal.

If QCS sustains a certification applicant's or certified operation's appeal of QCS's decision, the applicant is issued organic certification, a certified operation continues its certification, or the applicable measures are lifted as applicable to the operation. If QCS denies an appeal:

- a) The measure that was appealed continues in effect.
- b) For Canada Organic Regime: suspend, revoke and/or cancel the certification as appropriate; and

QCS maintains a record of all appeals. QCS provides formal notice of the outcome of the appeal to the appellant.

For the COR program, upon final decision of the appeal, QCS communicates the next steps to the certificate holder in case the holder is not satisfied with the CB appeal process, the certificate holder can submit a complaint against the QCS to the CAEQ.

For the Regenerative Organic Certified® program, appeals are allowed and must be made and handled in accordance with the Regenerative Organic Certified® Manual for Certifying Bodies.



## 09 COMPLAINTS

Complaints may be submitted by accreditation bodies; governmental entities, certified operations, interested stakeholders, or the general public. All complaints must be submitted in writing. When a complaint is received, QCS acknowledges receipt, confirms whether the complaint relates to QCS organic certification activities, and determines if an investigation is warranted. QCS investigates all complaints and investigation requests from accreditation bodies and irregularity notifications from the European Commission. QCS does not conduct an official investigation of an anonymous or unofficial complaint. QCS reserves the right to dismiss complaints from a person whose previous official complaint(s) on the same issue has/have been determined to be unfounded, and complaints without sufficient evidence to justify the complaint. QCS maintains a record of all complaints and actions taken to resolve them.

Investigations are conducted by the Chief Operating Officer/Organic Program Director or their designee. The investigator gathers and verifies all necessary information, as far as possible, in a timely manner in order to make a decision. The final decision resolving a complaint is made, reviewed, or approved by a qualified person who was not involved in the certification activities related to the complaint; and who is qualified for making certifications decisions. Whenever possible, QCS shall give formal notice of the outcome of the complaint process to the complainant.

QCS conducts investigations confidentially and based on documented evidence. If a client refuses to cooperate with an investigation, QCS may deem this sufficient cause to begin adverse action procedures against the client which could lead to Denial, Suspension, or Revocation of their certification as applicable.

### COMPLAINTS – NOP CERTIFIED OPERATIONS

QCS may investigate complaints of noncompliance with its NOP certified operators. QCS must notify the USDA NOP of all noncompliance proceedings and actions taken pursuant to the complaint activities. A State organic program's governing State official may also investigate complaints of noncompliance concerning organic production or handling operations operating in that official's State.

### COMPLAINTS – OPT GRASS-FED ORGANIC LIVESTOCK PROGRAM

Complaints against OPT certified operations and accredited certifying bodies are handled by the OPT program manager. OPT-accredited certifying bodies and operations certified under this program are required to cooperate with the OPT program manager regarding any investigation.

### COMPLAINTS – EU CERTIFIED ORGANIC OPERATIONS

QCS may temporarily block the issuance of transaction certificates upon receipt of a complaint indicating suspicion that a product or product lot was not produced in accordance with EU production requirements<sup>32</sup>. The temporary suspension will last for the duration of the investigation, to a maximum of 90 days. All irregularity notifications from the European Commission, Organic Farming Information System (OFIS) are treated as complaints and investigated. QCS submits a summary of the investigation to the European Commission within 30 days of receipt of the irregularity notice.

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<sup>32</sup> Article 41(1) of Regulation (EU) 2021/279



Quality Certification Services (QCS)  
5700 SW 34th Street, Suite 349, Gainesville FL 32608  
phone 352.377.0133 / fax 352.377.8363  
[www.qcsinfo.org](http://www.qcsinfo.org)

### COMPLAINTS AGAINST QCS

If the complaint is against QCS services, QCS investigates the matter and if found valid, takes appropriate corrective and preventive action and resolution of any deficiencies found in products or services. These actions are taken, documented and the complainant notified of the outcome.



## 10 SAMPLING & TESTING OF AGRICULTURAL PRODUCTS

QCS conducts sampling and testing of agricultural inputs or products (e.g., soil, water, waste, seeds, plant tissue, and plant, animal, and processed products) for pesticide residues or environmental contaminants as required by the organic standard, and when there is reason to believe that the agricultural input or product has come into contact with a prohibited substance or has been produced using excluded methods.

Sample collection must be performed by an inspector representing the Administrator, applicable accreditation body(s), applicable State organic program's governing State official, or certifying agent. Sample integrity must be maintained throughout the chain of custody, and residue testing must be performed in an ISO/IEC 17025 accredited laboratory. Chemical analysis must be made in accordance with the methods described in the most current edition of the Official Methods of Analysis of the AOAC International or other current applicable validated methodology determining the presence of contaminants in agricultural products.

### FACTORS FOR SAMPLING AND TESTING

Sampling and testing may (shall be, in the case of EU certifications) be required are as follows:

- 1) Known environmental data indicates operation is located in an area of high chemical or environmental contamination (i.e., pesticides, hazardous waste, microorganisms of public health significance).
- 2) Suspicion or evidence of exposure to prohibited materials through indirect means such as spray, drift, use of contaminated inputs, contaminated water or soil.
- 3) QCS receives a written complaint (shall be in case of COR certifications).
- 4) Positive sample test results for an operation are received, or follow up on positive test results from Federal, State, or local government testing.

### TYPES OF SAMPLING AND TESTING

Within the recognized boundaries of analytical limitations, QCS may require the following tests:

- Soil sample testing for macronutrients, micronutrients, and agronomic conditions.
- Soil sample testing for chlorinated hydrocarbon pesticide, organophosphate, nitrate and PCB residuals.
- Raw commodity sample testing for pesticide residues
- Processed product sample testing for pesticide residues.
- Tissue tests.
- GMO tests.

In addition to these routine tests, QCS may require additional selective testing when circumstances and/or conditions deem such action to be appropriate. Most often these tests are selected from the broad range of either EPA mandated testing procedures for hazardous waste chemicals and heavy metals, or from Health Department procedures for the identification of pathogens and other health hazards.



### COSTS OF TESTING

In the event that QCS conducts sampling to meet the requirements of the organic standard, the cost of the testing is borne by QCS. However, when an operation's organic system plan lists substances to be used as a production or handling input having a restriction associated with the use of such substance, such as synthetic micronutrients requiring a documented deficiency, the cost of testing associated with meeting the restriction specified in the regulations is at the operation's expense. Sampling and testing described in a settlement agreement of a certified operation to verify the implementation of corrective actions shall be borne by the certified entity.

### TEST RESULTS FROM SAMPLING

For NOP certifications, the levels of a prohibited pesticide must not exceed 5% of the Environmental Protection Agency (EPA) established tolerance, or exceed FDA action levels where no EPA tolerance is established, if the product in question is to be labeled as organic. Products with residues of prohibited substances in prohibited amounts (such as from unintentional contamination) cannot be sold or labeled or represented as organic. The Administrator, the applicable State organic program's governing State official, applicable accreditation body(s) or QCS may conduct an investigation of the certified operation to determine the cause of the prohibited substance. Any person who knowingly violates the 1990 Organic Foods Production Act (OFPA) can be fined up to the amount specified in 7 CFR 205.662(g). A person who is adversely affected by an action of a Federal or state official or a certifying organization may appeal the action. QCS may monitor for compliance by on-site inspections, announced or unannounced, and by requiring residue testing with the cost to be paid by QCS or another regulatory agency. If QCS finds just cause, certification can be suspended or revoked. Regulatory officials may investigate complaints and/or violations of the law through residue testing or any other appropriate investigation. QCS releases any requested information to agricultural regulatory officials.

For COR certifications, the levels of a prohibited pesticide must not exceed the limits set by the Health Canada's Pest Management Regulatory Agency (PMRA) establishment of Maximum Residue Limits (MRLs) under the *Pest Control Products Act* (PCPA). If residues are observed in excess of the limit set by PMRA, the sample is deemed to be in violation of the established MRL, and QCS and/or the CFIA inspection may conduct an investigation of the certified operation to determine the cause of the prohibited substance. Test results of pre- and post-harvest samplings of certified COR clients are processed in accordance to the CFIA Directive 14-01: Procedure for follow-up to positive chemical residue testing results in organic products.

For EU certifications, products may not be represented as organic if pesticide residue test results show residue of any substance not authorized for use in organic production for which QCS determines the residue is due to the operator's failure to put in place and maintain proportionate and appropriate precautionary measures to avoid contamination. Additionally, products may not be represented as organic when testing indicates residues of one or more authorized substance exceeding the Maximum Residue Limit (MRL) set by EU law and/or residue above 0.015 ppm of one or more authorized substance for which there is no MRL set by EU law. QCS will investigate the cause of contamination if unknown.

### SAMPLING MINIMUM – NOP

QCS must annually sample and test from a minimum of five percent of their NOP certified operations.



### RESIDUE SAMPLING MINIMUM – REGULATION (EU) 2018/848 CERTIFICATION REQUIREMENTS

QCS also annually conducts sampling of, at minimum, 5%<sup>33</sup> of its EU certified operations based on risk per this standard. QCS may take samples if it has reason to suspect production techniques are not in compliance with these standards or the inadvertent or intentional use of prohibited materials. QCS implements additional controls as required by the European Commission which may include additional sampling of organic products intended for export to the European Union.

### SAMPLING - CANADA ORGANIC REGIME

QCS considers the guidance document “Directive 14-01: Procedure for follow-up on positive chemical residue results in organic products” and “Chemical residues and organic production” when following up on any chemical residue positive result. QCS also investigates COR clients if there is suspicion that an organic product contains even a trace amount of GMO. QCS requires sampling and testing in an event of suspicion of the presence of GMO<sup>34</sup>.

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<sup>33</sup> Article 7(c), Regulation (EU) 2021/279

<sup>34</sup> COO Operations Manual C 2.3.19



## 11 STANDARDS REVISIONS

### SUGGESTED PROGRAM REVISIONS

Any interested party may make suggested changes to QCS policies and procedures (other than standards) via the Suggested Program Revision Form found below. This form may also be obtained from the QCS office. Receipt of the form is acknowledged by the QCS office. Please include the document and section number(s) to which the suggested revision(s) applies and explain the suggested revision(s) thoroughly.

Submitted forms are reviewed by the Program Director, the Chief Operating Officer and/or their designee and makes a decision within 60 days of receipt of the form. All certified entities and other parties of interest are notified of any changes in QCS policies or procedures.

<b>Suggested Revision Form</b>
Name:
Designation: Consumer, Farmer, Handler/Processor
Operation's Name, if applicable:
Phone Number:

### **Suggested Revisions to accepted industry standards**

Petitions to change accepted industry standards (the American Organic Standards of the Organic Trade Association (OTA)) should be directed to the OTA at ([www.ota.com](http://www.ota.com), (413)774-7511, [info@ota.com](mailto:info@ota.com)).

### **Revision of QCS NOP Regulations<sup>35</sup>**

Suggestions for changes to the USDA Organic Regulations and/or petitions for inclusion of materials on the National List must be directed to the National Organic Standards Board (NOSB) and adopted by the NOP. For more information see 7 CFR 205.607.

### **Revision of Canada Organic Regime**

QCS notifies all its operators of any amendments to the regulations or the standards within two months after their publication. QCS allows a period of up to 12 months after the publication date of an amendment to CAN/CGSB-32.310, CAN/CGSB-32.311 and CAN/CGSB-32.312 for applicant/operator to come into compliance with any changes to the requirements, except that an implementation period longer than 12 months will be allowed only when specified within the standards.

### **Interpretation of Canada Organic Regime**

If an interpretation of the regulations or standards is required by QCS or an operation at any point during certification activities, it can be sought from the CFIA's Standards Interpretation Committee (SIC). In such cases, where both parties agree there is need for interpretation or clarification and the interpretation request is submitted by QCS, the noncompliance that is the subject of the request is placed on hold by QCS until the response from the SIC is returned. In these cases, between the time when the interpretation request to the SIC is submitted and the response from the committee returned, any certification work affected by the interpretation shall proceed as normal, up to the issuance of certification documents. When the response from the SIC is received, the outstanding noncompliance is revisited and appropriate

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<sup>35</sup> NOP § 205.607.





actions taken by QCS or the operator or both, as required. If changes are required by the operator to comply with the interpretation of the SIC, QCS will not suspend or withdraw any certification it has issued that is affected by this interpretation as long as the operator has made the required changes in a time frame that is no less than the time permitted for any other non-compliance issued by QCS. In cases where QCS and the operator do not agree that the issue needs an interpretation, the QCS relies on Part 1.4 of CAN/CGSB-32.310 or Part 1.4 of CAN/CGSB-32.312 when interpreting the issue. The operator is still able to make a complaint to CAEQ about QCS and/or ask the SIC for an interpretation and request a reconsideration of the issue at a later date. Any interpretation provided by the SIC and considered official by the CFIA, QCS informs all operators of these interpretations.

### **Revision of Additional Standards**

QCS additional standards required for export are reviewed annually, or as required for compliance by the European Union, and/or other regulatory bodies.

The management team takes all input received in writing, review the input and take into account modifications for the next publication of the standard. The Organic Director/Chief Operating Officer has final approval.

In the case where the regulatory bodies require QCS to revise standards, the Organic Program Director/Chief Operating Officer may act individually to implement the appropriate standard(s). Updates to standards are made and published per the deadlines provided by the accreditation body. If specific dates are not provided, the Program Director/Chief Operating Officer at a minimum, must allow a 60-day implementation period for all standards.

QCS verifies 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 are verified for compliance.



## 12 FEES

### CERTIFICATION FEES<sup>36</sup>

QCS Fee Schedules appropriate for the certification scope is provided to requesting applicants.

### FEE STRUCTURE

Fees are evaluated periodically and are subject to change. See QCS Fee Schedule for appropriate fees. If an applicant withdraws their application before the inspector has been assigned, the applicant is refunded half of the certification fee. If an applicant withdraws their application after the inspector has been assigned, the applicant is not eligible for a refund. Applicants who are eligible for a refund must direct a written request to the QCS office for the refund.

### TRANSACTION CERTIFICATES

Transaction Certificates are available to certified entities exporting certified organic products. Fees for Transaction Certificates are described in the QCS Fee Schedule. Any additional administrative costs (i.e. international phone calls) may be charged to the appropriate party.

### ADDITIONAL CHARGES

Additional administrative fees may be charged for copying, international calls or postage, international transaction certificates, and any other expense incurred for individual entities. Operations requesting the additional service are charged for the actual cost of reproducing and sending information and international calls as well as an hourly rate, as per the QCS Fee Schedule for completed work.

### COLLECTION POLICY

Certification fees are due upon receipt of the complete application. An inspection fee deposit is required as described in the Fee Schedule. Additional inspection fees are invoiced after the inspection and are due within 15 days of the invoice being posted. The inspection fee must be sent to the QCS office. QCS may issue a Noncompliance followed by adverse action in as appropriate to any operator whose fees remain unpaid. Checks must be made payable to QCS.

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<sup>36</sup> NOP §205.501(a)16