

STRUCTURE OF THE DOCUMENT **« Certification Process- NOP »**

The aim of the present document is to describe the key steps of the certification process. This document is part of your certification contract. These are the steps involved in certification, the explanation provided in this document is a brief of the procedures followed by ECOCERT India.



PREAMBLE

ECOCERT India Pvt. Ltd. is a subsidiary of ECOCERT Group which was founded in 2008. It is dedicated to the inspection and certification of organic operations such as plant production, grower's groups, processing units, exportation units and input attestation.

You have applied for certification according to NOP standard. Thanks to this document, ECOCERT India Pvt. Ltd. will present you the different steps for the control and certification/ attestation of your products according to NOP requirements. Control made by an independent body, allows you to attest your conformity with the certification requirements. Each applicant for certification is responsible for meeting these requirements. This document does not replace the regulation(s) in force and we remind you that control granted by ECOCERT India Pvt. Ltd. is not a control of compliance with the regulation.

This documents aim to describe the main steps of the certification process. This document does not replace the regulation in force. However, it is a contractual document and it informs you about requirements concerning organic farming certification.

Our guarantee:

- Accredited by APEDA



Impartiality



Independance



Confidentiality



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I. ABBREVIATIONS

1. NOP: National Organic Program.
2. USDA: United States Department of Agriculture.
3. NAB: National Accreditation Body.
4. APEDA: Agricultural and Processed Foods Products Export Development Authority.
5. SPO: Service Purchase Order.
6. OSP: Organic System Plan.

II. APPLICABLE SCHEME

NOP is owned by USDA (United States Department of Agriculture). Whereas in India it is managed by National Accreditation Body (NAB), APEDA, as an accreditation body. It is a public standard.

NOP standards are available free on USDA's (www.usda.gov) as well as ECOCERT India's website (www.ecocert.in) / on request.

For obtaining NOP certification the applicant has to comply first with the NPOP standard and the amendments made by the accreditation body time to time in the form of notifications, advisories or any other means. NPOP is managed by National Accreditation Body (NAB), APEDA. It is a public standard. ECOCERT India Pvt. Ltd. is accredited as per NPOP and USDA-NOP standards to offers service in India.

III. ACCESS TO THE CERTIFICATION

A. Scope of our service

ECOCERT India renders its inspection and certification services as per NOP standards for the following categories-

- a. Crop production,
- b. Organized grower groups,
- c. Processing unit
- d. Trading/ Exportation unit
- e. Wild collection/ harvest projects

The NOP standard provisions for the exemptions and exclusions of specific types of operators:

- Operators with an annual turnover of less than \$5000 with regards to organic production and organic products are not sold as ingredients to other operators. These operators must however comply with the requirements set by NOP paragraphs 205.101(c) and 205.310.
- Retail outlets not carrying out any processing of organic products / or / processing organic raw materials or products already labelled as organic.
- Operators handling products containing less than 70% organic ingredients or identifying organic ingredients only in the information section of product labels. These operators must however comply with the requirements set by NOP paragraphs 205.272, 205.305, 205.310 and 205.101(c).
- Operators handling prepacked organic products without further processing or repacking. These operators must however comply with the requirements set by NOP paragraphs 205.272.

With the exception of grower groups, operations on rented land, service or equipment providers and carriers, each operator must be contractually binded to Ecocert for the certification of their operations.

B. Restrictions

ECOCERT India may refuse an application for certification when there are fundamental or known reasons such as illegal activities or repeated non-conformities of products/certification, inappropriate behavior, outstanding

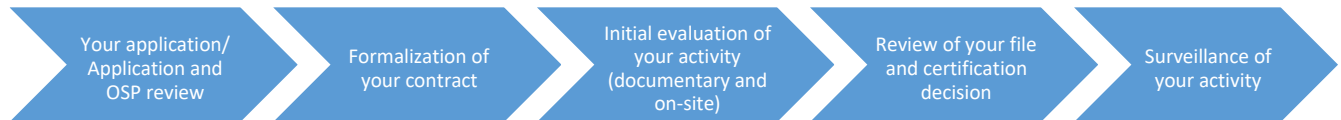


payment, potential conflict of interest which may arise, suspension or denial of certification by another certification body etc.

IV. THE CERTIFICATION PROCESS STEP BY STEP

The service is based on an annual cycle. It leads, when the certification requirements are fulfilled, to the issuance of a conformity certificate through TRACENET, allowing you to market your products with a reference to the certification and/or to NPOP and as certified by ECOCERT.

The steps of the certification / control process are the following (and are detailed below):



A. Your certification application

a. Composition of your certification application file

In order to give you all the needed information to complete the certification process, we send you the following documents:

- The current version of the standard if demanded (available on above mentioned websites too) - The application form(s)
- Organic system plan
- Regulation guidelines in relation with the operation
- This certification process (This document)
- Tariff structure if demanded (also available on APEDA's website)

We kindly ask you to send us the completed forms in order to:

- make sure you have read all the requirements of the standard
- Ensure that all necessary information are specified in the forms to carry out the so-called "application review" which consists of :
 - o studying the feasibility of the certification of your products
 - o studying the definition of your project.
 - o analysing the scope of audit and competence required to perform inspection and certification.

b. Application which cannot be satisfied by ECOCERT India

Certification is not possible in these specific cases:

- established non-compliance with respect to NPOP and NOP requirements and local statutory and mandatory requirements,
- a conflict of interest that could undermine the impartiality of our decisions,
- illegal and unethical activities by the applicant,
- repeated non-compliances and/ or complaints regarding the applicant or products
- suspension or withdrawal or termination by other certification body of accreditation authority,
- a geographical location that makes certification/control a technical impossibility or a risk for those involved,
- the lack of qualified personnel to meet the specific requirements of the client's request

B. Formalization of your contract

a. Production of your quotation

The commercial department, after the application review and OSP review, will establish a personal quote for the current year and taking your specific activity into account (crop production, grower group certification, wild collection certification, processing unit certification, trading unit certification) and based on an estimate of the



required working time. This quote details the total cost associated with inspection and certification activities of your operation. Audit, sampling or analysis, which are not planned in the evaluation plan are not included in the initial quotation.

The quotation is sent to you together with the Terms and conditions within 15 days. Additional time may be required for complex cases.

b. What documents are included in your contract with ECOCERT India?

The contract of certification is composed of the current versions of the following documents:

1. Terms and conditions,
2. This certification process,
3. The standard, if required,
6. The service purchase order (SPO)

c. Formalizing your commitment

Your contract is concluded upon return of the Originally signed SPO (Hard or Electronic Copy).

By signing this SPO, you agree to the Terms and conditions including the compliance to the requirements defined in the NOP standard and the amendments made by the accreditation body time to time in the inspection and certification requirements. You are requested to send the signed SPO along with 70% payment within 30 days from the date of dispatch of the SPO by ECOCERT India otherwise a new SPO will be generated by ECOCERT India. The remaining 30% of the payments shall be made by you upon receipt of notice of non-conformity. The payment of fees does not substantiate the grant of certification. The decision on certification fully depends upon the level of compliance with NOP standard and other associated requirements.

C. Initial evaluation/ inspection

During the initial evaluation/ inspection all the activities in scope of the certification will be audited in order to check the compliance to the NOP standard requirement.

a. Documentary validation and preparation of your on-site audit

Your file will be allocated to a certification officer, who will be your first point of contact. The certification officer reviews the application and the Organic System Plan (OSP) which is the form where you describe in details your operation requested for certification. The OSP must be duly signed, dated by you and must capture at least following information among the others- Administrative details of the company

- Full description of the designated units and/or facilities and/or operations
- All procedures and actions implemented onsite in relation with the designated unit and/or operation to ensure that the operation is handled in compliance with the requirements of organic farming
- Full list of agricultural inputs used for operation
- Description of monitoring procedures
- Description of the accounting management system
- Precautionary measures implemented in order to minimize the contamination risks by non-permitted products or substances at storage sites and at all production stages
- Certification history
- Any other information required by Ecocert for the compliance assessment

ECOCERT will notify you in writing, in case of non-compliant OSP with respect to NOP requirements is provided by you. You are responsible to plan and implement the corrective actions in terms of practices, management system etc. to achieve compliance with respect to NOP requirements. You are also responsible to update the OSP, notify the changes made and submit the same to ECOCERT for further process. ECOCERT will again review the OSP in order to plan the initial inspection or on-site audit. During this re-review the time required to perform the inspection may subject to change.

Initial evaluation/ on-site audit will be scheduled once the OSP is approved as complete and compliant by ECOCERT.

The certification officer assigns an inspector who is appropriately qualified and trained to undertake the inspection according to applied certification scheme. Certification officer checks mainly that there is no conflict of interest and the person expected to conduct such evaluation/ inspection has no previous or present link with the operator and makes sure that such a person does have every appropriate document in his possession.



Once the assigned inspector confirms his / her participation in the planned inspection, the concerned certification officer provides inspector with all necessary information related to your operations and all the documents referred to his / her work (inspection report formats, checklist, reviewed application form and organic system plan and other relevant information as applicable etc.)

The audit is assigned after once your application has been processed. The inspection manager plans with you an audit appointment. About a week before your audit, the inspector sends to you an audit plan and reminds you to keep documents available by sending a notification of passage.

Audit plan and these documents are defined in accordance to ECOCERT procedure, according to your activities.

b. On-site audit

On-site audits are performed in order to check the compliance of the activities with the criteria in the NOP standard and are conducted on all sites carrying out operations or products covered under the certification. ECOCERT India conducts audits on the basis defined inspection plan, specific to your activity.

The audit is carried out according to the following steps:

- Opening meeting- Scope of audit, objectives, points to be checked, changes occurred since last inspection, audit plan and interview with the operator and / or personnel in-charge (with respect to the application form).
- Verification of the implementation of the practices and procedures as stated in the organic system plan submitted by the operator.
- Familiarization of site (with respect to maps/ actual visit.).
- Onsite visit and interview with employees.
- Observing activities to assess the extent of conformity to the requirements of NPOP.
- Verification of activities of the operator.
- Recording the observations.
- Verification of Field Records maintained by the operator.
- Collection of samples as asked in the assignment or on risk basis.
- Exit Interview/ closing meeting (Non compliances communicate with operator).

An exit interview report which states the information viz. course of visit, persons interviewed, documents verified, areas/ activities/ operations visited and non-conformities observed, is generated by the inspector on site and the same shall be countersigned by you as well as by the inspector. One copy will be issued to you by the inspector and one is submitted to the concerned certification officer along with the inspection report.

In the event of analysis, any sampling is done in the presence of you or of your representative, who signs the related documents. The nature of the analysis and the laboratory chosen to do the analysis are determined by ECOCERT India.

If it is necessary, ECOCERT India may decide to leave a sample on your premises. This sample should be used only in the event of counter-analysis. In this case, you, a representative of ECOCERT India or a bailiff may send the sample to a third party laboratory appointed by ECOCERT India according to the ECOCERT India's instructions. The cost of sampling and testing will be bared by you.

c. Summary of your audit

During the audit, nonconformities with regard to the standards requirements can be found. The inspector reports such nonconformities along with other details in the form of exit interview report during the closing meeting.

These non-conformities require actions (called "corrective actions/ improvement actions") from you in order to get in compliance.

You receive following your audit, the details of any nonconformity and information regarding the inspection tasks needed to verify that nonconformities have been corrected in the form of notice of non-conformity. You need to send the signed notice of non-conformity to ECOCERT India mentioning the corrective actions implemented/ to be implemented to overcome the non-compliance.

d. Evaluation of implemented corrective actions

At this point, if you express interest in continuing the certification process, you must submit corrective actions for each nonconformity in the given time. These proposed actions must be relevant and comprehensive in order to continue the certification process. Otherwise we will ask you to suggest new actions.



Depending additional evaluation tasks needed to verify that nonconformities have been cleared, ECOCERT India may be required to proceed with:

- A new on-site audit,
- Further sampling and analysis,
- Additional documentary evaluation

D. Nonconformities and correction plan

a. "Minor" nonconformities

Minor non-conformities shall mean such non-conformities that do not affect the integrity of the products to be certified. Minor non-conformities do not affect the continuity of certification. You are required to implement corrective actions against the minor non-conformities within given timeline or before the next renewal. Additional inspection, analysis, document review may be required by ECOCERT in order to close minor nonconformity.

b. "Major" nonconformities

Major non-conformities are severe violations that affect the integrity of the organic system in the implementation of the requirements prescribed in the standard. Major non-conformity may affect the continuity of certification. In case of major non-conformities a notice will be served by ECOCERT to clarify the impact on product/ process certification

c. Correction plan

The correction plan lists the non-compliances and further action taken to overcome the non-compliance in future. The correction plan may include corrective as well as preventive measures against the non-compliances. The minor non-compliance can be closed before the renewal of certification but the major non-compliance has to be closed in order to obtain the certification i.e. unless the major nonconformities are closed and the effective implementation of the action taken is verified by ECOCERT India to its satisfaction the certification cannot be granted/maintained.

The consequence on the certification is defined according to the nature and the severity of the nonconformity as well as its occurrence and the risk of fraud.

Appropriate measures may be:

- Continuation of certification under conditions - Suspension of the certification - Withdrawal of the certification.
- Denial of certification.

E. Review of the evaluation results and certification decision

The audit report and your proposed corrective actions are forwarded to the concerned certification officer, who will ensure the relevance of the report sent. After the verification of correction plan sent by you, the complete set of documents viz. inspection report, reported non-conformities, correction plan and associated documents, additional documentary or on-site inspection report, the certification officer takes the decision on certification. You will then receive the certification decision with the analysis results (if applicable) which is based on the correction plan defined by you, the audit report and other related documents.

If the certification decision is positive, the certification department sends you, your certification documents. If the certification decision is negative, the certification department informs you by letter and identifies the reasons. In this case, you can apply for a new certification process beginning step A.

The conclusions of the review may also lead to the identification of additional evaluation tasks that are required before a certification decision can be made.

Analysis reports of the samples collected at your premises may be a part of decision or can be communicated to you separately. In event of detection of prohibited substances in the samples collected from your premises, from shelf, from market etc. at any point of time during the certification cycle appropriate, measures as described in § D (c) above will be taken by ECOCERT India.

F. Certification / Control documents

a. Organic certificate

Certification documents shall only be issued after, or concurrent with, the following:

- The decision to grant/maintain the certification has been made, - Certification requirements have been fulfilled.



These certification document conveys or permits identification of the following:

- The name and address of ECOCERT India.
- Name and address of certified operation.
- Effective date of certification.
- Categories of organic operation such as crop production, livestock, and wild crops, process products and group certification.
- Applicable standard and other normative documents.
- Products under certification.
- CB accreditation number, signature and seal of CB.

Brand names will not be listed in the certification document. The certification document will be generated from TRACENET only.

Costs that would be incurred (eg : manufacturing, printing labels...) in anticipation of a certification decision not yet issued are under your responsibility and cannot be supported by ECOCERT India.

Only the holder of the certification document can make reference to the certification on its products.

b. Transaction Certificate

Transaction certificate will be issued from TRACENET only. You need to apply for the transaction certificate through TRACENET and submit the requisite documents as required by the system in order to get the transaction certificate. ECOCERT India will verify the correctness and authenticity of the documents submitted by you to generate the transaction certificate. Transaction certificate will only be generated after submission of all requisite documents and authentication by ECOCERT India otherwise the request may be denied by stating the reason(s) or additional information may be requested.

For every export consignment of organic products of any nature, the transaction certificate is an essential document, not doing so is considered as violation of the directives of APEDA. For complex products, multi-ingredient products, for the product with high value difference in between the organic and non organic nature, for risky crop etc.

ECOCERT India may ask for a third party analysis report of the product to be exported prior to issuance of transaction certificate. Before the issuance of the export TC, a provisional TC has to be obtained by the client and the export TC has to be obtained within 30 days from the date of issuance of provisional TC.

c. Notice on the US-Canada organic equivalence arrangement:

For your exports of NOP certified products to Canada, Ecocert may issue a notice as an annex to the annual certificate upon request in compliance with the requirements of the US-Canada organic equivalence arrangement. The notice on equivalence is issued further to a product review and enables the operator to use the "Canada Organic/Biologique logo" as provisioned in the US-Canada organic equivalence agreement, in compliance with the associated requirements set by the agreement and for the duration of the validity of the annual certificate. Organic products to be exported to Canada must be compliant with the requirements of both the NOP and USCanada organic equivalence arrangement.

Please note:

- As the notice of equivalence is issued as an annex to the NOP certificate, the notice may only be used by the operator within the validity of the main certificate. Similarly, in order to qualify for equivalence, NOP exports to Canada must be done within the validity of the NOP certificate.
- The issuance of the notice on equivalence cannot be considered as an evidence of product certification in accordance with the requirements of the Canadian Organic Regime; the notice on equivalence is only a statement on the equivalence of a NOP certified product intended to be exported to Canada.

G. Surveillance and continuation of the certification process

a. Periodic surveillance

The certification process is due to be renewed every year, if you didn't notify ECOCERT India about the termination of your certification contract under conditions on current terms and conditions. You are required to submit the updated organic system plan to ECOCERT annually in order to renew your certification.

On the basis of any information you will send to us and/or we may collect during audit and other investigation, ECOCERT India will update your annual certification fee.

In event of any change in standard/ certification requirement and/ or your operation, site, management, key staff etc. and / or product range and/ or any change that could affect regulation requirement, the surveillance process



applies. In such cases you are requested to notify ECOCERT about the changes without delay and submit updated organic system plan.

During the surveillance, we implement the audit plan which consists of:

- Unannounced on-site audit
- Surveillance on-site audit
- Annual sampling/ analysis plan
- Etc...

b. Risk analysis

In general risk analysis is required to access the risk factors associated with the operation, activity or product under certification which may affect the organic integrity. Rapid alerts, complaints regarding the operator or the certified product, discrepancies or dysfunctioning in the operations, number of products under certification, positive analysis results of the products, changes in the unit description, intensity of production, type of production, size of operation, contamination and drift risk, parallel production, complexity of production may be the factors considered under risk analysis. Based on the results of the risk analysis assessment, a level of risk is associated to the operation which may lead to enhanced evaluation such as additional audit, samples for analysis, documentary review, etc.

c. Implementation of an audit plan

As per the requirements of NOP the designated unit(s) and/ or facilities and/ or operations of the operator and his/her sub-contractor, if any shall be audited at least once annually.

Based on this requirement and in order to maintain the certification you shall undergo the audit by ECOCERT India including designated unit(s) and/ or facilities and/ or operations and/ or subcontractors and its documentation under certification.

- Every operation and/ or facility and/ or unit under certification shall undergo an audit at least once annually.
 - The frequency of the audit may subject to increase based on the risk associated with the product, activity and operation under certification or upon changes that may have impact on organic integrity of the product.
- Based on the risk analysis, suspicion regarding the organic status of the product, notification from accreditation body or another certifying agent, ECOCERT may plan unannounced audit to check the level of compliance.

d. Surveillance evaluations

The corrective actions defined to deal with previous nonconformities will be checked.

Surveillance is also based the verification of continual compliance with the certification requirements and/ or verification of any changes in certification requirements or the scope of your certification. For this reason, you must inform ECOCERT India without delay of any change in your system (manufacturing, process, quality, management, key staff, site and other) or the range of your products to be certified.

In the surveillance, steps C, D and E above are repeated.

H. Renewal of the certification

Before the expiry of your certification, ECOCERT India will expect you to submit the Application form & Organic System Plan for the renewal of certification. As per the TRACENET procedures the inspection for renewal of certification shall be done before the expiry of the certification. If you fail to do so and after the expiry of your certification, if you wish to continue with certification your project, it will have to be treated as new registration on TRACENET.

For renewal of certification steps A,C,D, E and F will be repeated.

If no major nonconformity is identified during renewal audit, the certification decision is maintained and your new certification document will be issued.

Where nonconformity arise as a result of the annual, renewal or additional audit or by any other means, they will be reviewed by ECOCERT India and appropriate measure will be taken.

Where-

- i. The product(s) and/ or process(s) marked with the Certification Mark under a license/certification do not comply with the relevant norms, relevant standard and procedures of ECOCERT; or



- ii. The registered client failed to provide reasonable facilities to ECOCERT enable them to discharge the duties imposed on them; or
- iii. The registered client has failed to comply with any of the terms and conditions of the certification.
 - iv. False or unauthorized use or reference to the mark of conformity and ECOCERT certification.
- v. Violation of the directives or amendments made by the accreditation body in the certification requirement.
- vi. Complaint received regarding the certified product and proved during the investigation by ECOCERT.
- vii. Etc.

Based on the correction plan and regarding the extend and severity of identified nonconformities ECOCERT can take the following appropriate measures:

(i) Certification continued with condition

Conditions to continue certification may be for instance:

- Increased surveillance through new audit or additional analysis
- A delay to allow you to implement corrective actions
- Etc...

A notice of non-compliance is served in case of violation of set of requirements. If required conditions are not fulfilled in the given time, ECOCERT India will issue a notice of proposed suspension or revocation. If the nonconformities are still not addressed by the operator within the deadline, ECOCERT India will initiate the process of suspension or revocation of certification by issuing a notice of suspension or revocation, inform the accreditation authority and update the certification documents accordingly.

(ii) Product not compliant with NOP

Product(s) identified with this conclusion is/are considered as not compliant with NOP. This is your responsibility not to sell, represent and label such product(s) as organically produced.

As a corrective action, we ask you to send us within the deadline:

- acknowledgment that the identified not compliant product(s) will not be marketed as NOP certified □
evidence of corrective action

Failure to correct or successfully rebut this noncompliance in the specified deadline can lead to the issuance of a notice of proposed suspension/revocation or a notice of Denial of your certification in case of initial application.

Product + field not compliant with NOP

Product(s) identified with this conclusion is/are considered as not compliant with NOP. This is your responsibility not to sell, represent and label such product(s) as organically produced. Field(s) identified with this conclusion is/are considered as contaminated and should go through a transition period of 3 years before to be considered as compliant with NOP anew.

As a corrective action, we ask you to send us within the deadline:

- acknowledgment that the identified not compliant product(s) will not be marketed as NOP certified
- acknowledgment that the identified fields are excluded from the NOP certification □
evidence of corrective action

Failure to correct or successfully rebut this noncompliance in the specified deadline will lead to the issuance of a notice of proposed suspension/revocation.

(iii) Suspension of certification.

This involves the interruption of certification for a specific period. Suspension may involve one or more products and/or batch or entire operation. To clear such nonconformity you must provide the necessary elements within the time granted.

In all cases, no reference to the certification with respect to NOP can be made any longer for the products concerned during the period of the suspension.

(iv) Revocation of certification:

This involves the termination of the certification for all products for the period of five years with effect from the revocation date notified. Revocation of certification leads to termination of the contract between ECOCERT India and the operator. The products can no longer be referred as organically certified followed by the revocation of certification.

The operator may choose to surrender organic certification for all or part of the products at any time. Surrendering certification of non-compliant products implies that the notices issued in relation with the designated products are no longer applicable. If the operator again wishes to apply for the certification, all certification notices previously issued must be disclosed.



A product without certificate or whose certificate is under surrender, suspended/revocation cannot make any reference, by any means to the certification and shall not market the products as "100% organic", "organic" or "made with organic". This ban also applies to any other communication materials.

The suspension or withdrawal of your conformity documents implies the immediate end of validity of these documents. The operator can no longer refer to the previous certificate. It is your responsibility to inform your clients that your products are not certified anymore, and to stop using of this document.

In order to get certification again the operator under suspension or revocation shall must undergo the reinstatement process.

I. Changes affecting certification

a. Changes in the certification scheme (new or revised requirements)

ECOCERT India undertakes to inform you the changes/ amendments made in NPOP, NOP and certification requirements, modalities of implementation and to make available the most up to date version of the NPOP and NOP scheme on the ECOCERT website or by other means.

In some cases, the amended provisions will apply with immediate effect or transitional measures may be implemented by ECOCERT India as required.

It is your responsibility to implement changes in time and that of ECOCERT India to verify their implementation. If changes are not implemented, ECOCERT India can notify you nonconformity which, if not resolved, can lead to the conclusion that concerned products are non-compliant with NOP or can lead to suspension or even a revocation of your certification (see §H).

b. Changes of your certification scope

It is also your responsibility to inform ECOCERT India, without delay, of any changes that might affect your compliance to the certification requirements. Examples of such changes can include the following:

- Legal, commercial, organizational status or ownership,
- Organization, key staff and management,
- Modifications to the product or the production method,
- Contact address and production sites,
- Etc...

The changes have an impact on your certification (changes of the scope of the certificate, suspension, withdrawal...) and potentially lead to an additional audit or an extension audit (in case of new products/processes or change in certification requirement).

c. Postponement of your Certification

If you wish to suspend your activity (halt manufacture, packaging, farming or sale of the ECOCERT India certified products, we offer you the possibility to suspend our service for a specified time, with our contract remaining in force during this time. ECOCERT India must be notified in advance of this suspension no later than the period concerned by the suspension.

Your certification/conformity documents are no longer valid during this period. You are therefore not allowed to manufacture or sell products with a reference to the certification nor to ECOCERT India, regardless of the communication support (labelling, website, communication documents, etc).

At the end of this on-hold period, the certification process is resumed at step 1 – application and OSP review, followed by an initial approval audit as for any initial application.

J. End of certification

a. Effects on certification

You can ask to stop certification for all or a part of your products at any time. In case you would like to cease the certification of all your products and stop at the same time your contract, you must do so in compliance with the conditions defined under terms and conditions.

The end of certification for all or a part of your products, and the termination of your contract if any, implies the end of validity of your conformity certificates for the concerned products with immediate effect.



Consequently, after the termination date of the certification (and the termination of the contract as the case might be), you can no longer manufacture and market the concerned products making reference to the certification and/or ECOCERT India. Certification of products already distributed and still on the market is not questioned. In such cases ECOCERT India will inform the accreditation body.

If the Contract is terminated by you, the due fees will be fixed as follows:

- ▶ (i) 20% of the total fees in case of termination before performance of the annual inspection,
- ▶ (ii) 100% of the total fees in case of termination after performance of the annual inspection. In the event of refund of charges, it will be done excluding all applicable taxes.

b. Specific cases of stock selling off and stock audit

In the event you have stock of compliant products making reference to the certification or to ECOCERT India's certification, requiring a run-down period going beyond your certificate's expiry date, you are asked to renew your certification (Kindly refer **H** above). As per the TRACENET procedures the inspection for renewal of certification shall be done before the expiry of the certification. During this intervening period your contract with ECOCERT India will remain in force but you cannot sell or refer to the products as certified by ECOCERT India and/ or complying with relevant standard.

After the renewal inspection, if the certification is granted by ECOCERT India, the stock of compliant products will be carry forwarded in the TRACENET (the stock will only be carry forwarded after the verification of the quantities during on-site inspection) and you will be able to sell the products in stock, provided that the product's shelf life is still valid.

In event the certification is not renewed by you or in case the certification is denied for the renewal certification the previous stock of the compliant product will not be carry forwarded and it will be automatically removed from the TRACENET, and you can no longer claim and market the concerned products making reference to the certification and/or ECOCERT India.

c. Transfer of certification

The certification can be transferred from one certification body to another. For transfer of your project can only be possible after obtaining the NOC through TRACENET from your current certification body. In case of project transfer you need to apply for NOC through TRACENET within 90 days before the expiry of certification. In case you wish to transfer your certification from ECOCERT India to other certification body and followed by your application for NOC, ECOCERT India will issue the NOC before the expiry of your certification provided there is no pending non-conformity, complaint or appeal unresolved or investigation under process etc. Upon request by the other certification body ECOCERT India is liable to provide relevant information of your project to it. In case you wish to transfer certification from other certification body to ECOCERT India, you need to submit the NOC issued by another certification body. All necessary documents and relevant information will be requested by ECOCERT India before registration of the project. Certification transfers known to be suspended or withdrawn or with open major non-compliances or under pending appeal(s) will not be accepted by ECOCERT India. In case of a farmer seeking transfer from the existing grower's group, the ICS has to apply for the NOC for that particular farmer through TRACENET to the existing certification body. After getting approval for NOC from the existing certification body the farmer can apply as an individual grower to the certification body and get its unit registered in TRACENET as per routine procedure set by TRACENET.

V. SUB-CONTRACTING

ECOCERT India uses subcontracted laboratories in order to perform analysis. ECOCERT India has subcontracted NABL accredited laboratory for analysis purpose.

VI. COMPLAINTS AND APPEALS

You may be asked to submit to ECOCERT India complaints about our services, or to appeal a certification decision taken by ECOCERT India.

ECOCERT India is commits to deal with complaints and appeals in a timely manner and according to our internal procedures.

A. Complaints



Anyone can send a complaint to ECOCERT India. Complaint can concern documentary validation, other client, certified product, ECOCERT India's services etc.

A response will always be sent to the individual who made the complaint under a reasonable time.

All complaints are recorded by the quality manager, as well as measures taken and an analysis is made on a regular basis to improve our service. Upon receipt of the complaint an investigation is initiated to analyse the root cause in order to implement correction plan. Records of complaint are maintained along with the root cause and action taken to resolve the complaint. Once the complaint is resolved, the results are communicated to the complainer by quality manager. The details of the complainer will be kept confidential by ECOCERT India. In case of complaint regarding the certified product received by you, ECOCERT India requires you to record, investigate the complaint for root cause, implement suitable corrective or preventive action and inform ECOCERT India. If required ECOCERT India may also plan an investigation in order to safeguard integrity of certification.

B. Mediation

In case of any dispute with respect to denial of certification, or proposed suspension or revocation of certification, you may request for mediation in writing within 30 days from the date of receipt of the notification from ECOCERT India. The mediation request will be reviewed by ECOCERT India for its admissibility. ECOCERT will inform you in writing if the mediation request is non-admissible.

If the mediation is accepted by ECOCERT India, a proposed mediator may be assigned to initiate a formal mediation process. You may refuse the proposed mediator and put forward another mediator for ECOCERT India's approval. The mediation will be considered as unsuccessful if both the parties are not agreeing on selection of mediator.

If the selection of mediator is mutually agreed by both the parties, the mediation session will be initiated to reach an written agreement in relation to the dispute within 30 days. If the mediation is unsuccessful, you can file an appeal within 30 days from the date of termination of mediation.

C. Appeals

You may appeal Ecocert's decision (certification denial, proposed suspension or revocation, mediation refusal) by sending a written notice to NAB. To be eligible, your appeal must:

- Be a written notice (letter or email),
- Be done within 30 days , following the date of the decision by ECOCERT India,
- Be duly justified: Reasons to be provided with proofs to justify that the decision taken is unjustified.

Appeals are not suspensive of the decision subject to the appeal. These decisions therefore apply until a new decision has been made after evaluation of your appeal by the competent authorities.

D. Your obligation with respect to third parts claims

You are responsible for managing third parts claims that are addressed to you directly. You must keep a record of all complaints made known to it relating to compliance with certification requirements and makes these records available to ECOCERT India. These records must keep track of the appropriate action taken and these actions must be documented.

VII. USES OF REFERENCES TO CERTIFICATION, TO ECOCERT AND USE OF MARKS (ECOCERT AND OTHERS) ASSOCIATED WITH THE SERVICE

Conditions of references to the certification, to Ecocert and associated trademarks are defined in the following documents: Subpart D- "Labels, Labelling and Market Information" of USDA-NOP and Rules of Use of Marks and ECOCERT Logo.

Misuse of the trademark or incorrect reference to the certification or to Ecocert by a client may lead to the implementation of appropriate measures such as reduction, suspension or withdrawal of certification. ECOCERT India is also required to inform competent authorities.

Here are some of the cases that may arise among the others:



- The logo seal or reference to the certification or to Ecocert is made on products which are not compliant to certification requirements,
- The logo seal or reference to the certification or to Ecocert is made on products which have not been the subject of an application for certification or in the process of certification,
- Unlawful, incorrect, unauthorised or false claim and reference to the mark of conformity and ECOCERT's logo and certification.
- Failure to provide reasonable facilities/ access to ECOCERT India personnel to enable them to discharge their duties.
- In general, the rules of reference to certification are not fulfilled (thank you to read these rules, document available on internet or on request).

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ECOCERT India wish you a good certification process and remain at your disposal if you have any question:

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ANNEX I: Definitions

APEDA: Agricultural and Processed Food Products Export Development Authority is the secretariat for the implementation of the NPOP.

TRECENET: A web based traceability system for use by the registered operators and accredited certification bodies under the NPOP.

Corrective action: Action to clear the cause of nonconformity or other un-desirable situation noticed.

Appeal: Written request by a client to the Ecocert India reconsideration of a certification decision the group has made.

Certification: Issuance of a certification document (cf definition)

Client: Person or organization that has subscribed a service from the Ecocert India through the signature of a service agreement.

Document of certification: certification document issued to the client attesting the conformity of products to the scheme.

Certification requirement: Specified requirement that is fulfilled by the client as a condition of establishing or maintaining certification.

Nonconformity: Non fulfillment of a requirement

Evaluation plan: Description of the number and the evaluation types needed on an evaluation cycle to grant product conformity to products requirements based on the types of clients.

Complaint: Expression of dissatisfaction, other than appeal by any person or organization to the Ecocert India relating to the activity if the group where a response is expected.

Correction plan: List of nonconformities related to certification requirements and their impact on the certification decision. It can be completed by additional evaluation needed to clear nonconformities.

Certification scheme: Set of requirements, rules and procedures defined by the scheme owner that must be implemented by the Ecocert India and the client.

Certification Standard: Technical document defining products requirements to be met, evaluation methods and procedures for communication on certification.

Surveillance: Repetition of the assessment, review, certification decision, according to the certification scheme, as the bases of maintenance of certification.



ANNEX 2 : Diagram of certification process

