

ANNEX 3: GENERAL REQUIREMENTS FOR CERTIFICATION BODIES

Introduction

The COR requirements for Certification Bodies are those of ISO/IEC Guide 65:1996 (General Requirements for Bodies Operating Product Certification Systems). Organic certification is a certification of a process, and the ISO 65:1996 criteria have required some addition. This Annex provides the COO's requirements that were added to those of the ISO/IEC Guide 65:1996.

1. Scope

Refer to section 1.1 and 1.2 of the ISO/IEC Guide 65:1996.

1.3 Certification Scope and the Chain of Custody

1.3.1 The Certification Body must ensure that all previously certified products or ingredients have been certified under the COR. The Certification Body shall not allow the use of its certification mark or issue certificate for any product unless it is assured of the chain of custody of the product. Where steps in the production chain have been certified by other Certification Bodies, the criteria in sections 7, 2 and 9 shall be applied.

1.3.2 Any entity in the chain of custody that has produced, processed, or packaged an organic product shall have been certified. Contracted production shall have been inspected.

1.3.3 The Certification Body shall require that the party owning the product at the point of transport shall be responsible for maintaining the organic integrity in the transport process, unless transport operations are certified in their own capacity.

2.0 References

In addition to the list of references of section 2.0 of the ISO/IEC Guide 65:1996, the two following documents were consulted:

The *IFOAM NORMS for Organic Production and Processing* – Version 2005

Quebec Accreditation Criteria

3.0 Definitions

CFIA's additional criteria to paragraph 3.1 of ISO/IEC Guide 65:1996.

- 3.1.1** Every supplier claiming that the products it markets meet the requirements covering designation “Canada Organic” and “Biologique Canada” within the scope of the Organic Regulation, must submit an application to certify those products. In the Organic Policies and Procedures Manual, the terms “supplier” or “operator” are used in an indistinctly manner and generally refer to a company.
- 3.1.2** Every supplier must possess a distinct legal identity.
- 3.1.3** Every firm operating site(s) including land or premises, where operations taking place result in the production of certified products is regarded as a supplier.

Suppliers of certified products (operators) and approved service providers can be distinguished as follows: certified product suppliers have full control over and are responsible for the production or manufacturing process, the raw materials supplying and the sale of certified products. Service providers only carry out a particular activity (packaging, transportation, slaughtering, etc.) within the production or manufacturing chain, according to specifications provided by the supplier (operator), who maintains legal ownership over the product throughout the entire process.

4.0 Certification Body

4.1 General Provisions

- 4.1.1** In addition to section 4.1.3 of the ISO/IEC Guide 65:1996, the documents pertaining to product conformity requirements shall be understandable by the supplier, the Certification Body, and all interested parties.

When a subjective judgment is required to determine compliance, the Certification Body shall document explanatory information, assuring consistent and uniform application of the requirements and certification decisions.

4.2 Structure (Organization)

The CFIA brings additional criteria or clarification points to section 4.2 of ISO/IEC Guide 65:1996:

- a) When the Certification Body identifies and assigns responsibilities and tasks to members of its staff, it must ensure that impartiality is not in jeopardy;
- b) The Certification Body shall take full responsibility for all activities operated or subcontracted out. The Certification Body shall not delegate

authority for granting, maintaining, extending, suspending or withdrawing certification to a separate legal entity;

- c) Identify the management (committee, group or person) which shall have overall responsibility for undertaking monitoring, inspection and certification activities as defined within the accreditation criteria, including execution of inspection, controls, evaluation and certification as defined in these Criteria;
- d) The Certification Body shall demonstrate its legal right to use the commercial name(s) under which it does business;
- e) Certification Bodies rights and responsibilities relevant to its certification activities shall be specified or referred to within an agreement that binds the suppliers and the certifier;
- f) Certification Bodies' financial stability shall include provisions to cover liabilities in situations where there is a significant risk of being sued.

The Accreditation Advisory Body may require from any Certification Body on which it has reservations regarding viability, a business plan showing the objectives and the methods it shall implement to comply to the above-mentioned criteria.

- g) Personnel, including contracted CB inspectors, shall be assigned to inspection and certification work that is appropriate to their skills;

The Certification Body shall require all persons involved in the certification process to sign a contract or other document by which they commit themselves to the rules and procedures of the Certification Body;

Personnel shall have job descriptions describing their duties and responsibilities;

- h) Specific advice given to the applicant should be limited to explanations of the standards or certification requirements. This information shall not be offered for additional fees and shall not prescribe solutions.
- i) These procedures must allow, among others, the implementation of an impartial appeal authority to deal with appeals from suppliers against decisions made by the body. This authority shall not be the

same as the one that made the decision for which an appeal is being filed.

4.3 Operations

Refer to section 4.3 of the ISO/IEC Guide 65:1996.

4.4 Subcontracting

In addition to ISO/IEC Guide 65:1996 criteria;

- a) The Certification Body which subcontract to individual CB inspectors shall ensure:
 - 1) The minimal qualifications required for CB inspectors must be described – they must ensure relevant professional training or experience in compliance with the Quality Management System requirements.
 - 2) The CB Inspector must have signed a formal agreement to refuse any work that would create a conflict-of-interest situation with the enterprise that is applying for certification, either because of a family link, or because of a business relationship with the applicant during the twelve months preceding its application to the Certification Body.
 - 3) The subcontracting CB Inspector shall not undertake any contractual relation or resume employment with a certification applicant that has received sub-contracted operations for a minimum period of twelve months following the certification decision.

Quality System

Please refer to section 4.5 of the ISO/IEC Guide 65:1996. In addition, the CFIA specifies that the procedures referred to in this section 4.5.3 l) of ISO/IEC Guide 65:1996 shall include rules to be applied for inspection, and in particular:

- i) CB inspectors' selection;
- ii) grounds on which an applicant might refuse this choice;
- iii) terms defining the verification mandate;

- iv) minimal requirements for the verification procedure;
- v) frequency and estimated duration of verification, taking into account the intensity of the production system, the production type, the company's size, the results of the previous verification, complaints received, parallel production;
- vi) minimum requirements for any audit trail, in relation to traceability;
- vii) sampling requirements (when applicable);
- viii) deadlines for representation of verification report.

4.6 Conditions and Procedures for Granting, Maintaining, Extending, Suspending and Withdrawing Certification

4.6.2 The Certification Body shall establish procedures for granting, extending, suspending and withdrawing certification:

The CFIA adds the following clarification to ISO/IEC Guide 65:1996:

- a) In case of suspension, the Certification Body shall require, at the date of notification of the suspension, and during all the following period, that the supplier makes no misleading claims as to the status of certification, and ceases to use certification mark on the products concerned by the suspension. If relevant, the Certification Body may require in addition that no certified product is put up for sale (embargo) and that potentially non conformed existing product be subject to a corrective action, including product recall and label correction.

4.7 Internal Audits and Management Reviews

Refer to ISO/IEC Guide 65:1996 criteria.

4.8 Documentation

Refer to ISO/IEC Guide 65:1996 criteria.

4.9 Records

Refer to section 4.9 of ISO/IEC Guide 65:1996. The CFIA is adding the following clarification to 4.9.1:

- a) The records shall be kept for a period of five years so that continued confidence may be demonstrated. The records created by the certifying body within the framework of initial or renewal certification demand processing shall be kept for ten (10) years.

4.10 Confidentiality

Refer to ISO/IEC Guide 65:1996 criteria.

5.0 Certification Body Personnel

5.1 General

Refer to ISO/IEC Guide 65:1996 criteria.

5.2 Qualification Criteria

Refer to ISO/IEC Guide 65:1996 criteria.

6.0 Changes in Certification Requirements

In addition to the ISO/IEC Guide 65:1996 criteria, the CFIA brings the following clarification:

Requirements pertaining to the granting of certification shall include:

- a) standards to which the product must be compliant;
- b) control plan;
- c) procedures related to certification granting.

7.0 Appeals, Complaints and Disputes

7.1 Refer to ISO/IEC Guide 65:1996.

7.2 Each Certification Body shall:

- a) The CFIA makes the following clarification to section 7.2.a) of the ISO/IEC Guide 65:1996 criteria;

- 1. appeals related to certification decisions;

2. complaints or objections from operators regarding the Certification Body's program application;

3. complaints or objections from outside persons or organizations about the Certification Body's operations.

8.0 Application for Certification

8.1 Information on the Procedure

8.1.1 In addition to ISO/IEC Guide 65:1996 criteria of section 2.1.1, the Certification Body shall, provide to applicants a current version of the Canada National organic standards to which the applicant wishes to be certified for.

8.1.2 The Certification Body shall require that the applicant:

In addition to ISO/IEC Guide 65:1996 criteria under this section, the CFIA add the following requirements:

- a) does not put up for sale any product for which it has requested certification; and bearing the word organic or its derivatives and the Certification Body's mark, for as long as it has not been informed of the decision made by the Certification Body stating that the products are certified;
- b) reveals beforehand to the Certification Body the identity of any other company for which it intends to manufacture products under license, and thus as a result can use the certifier's mark (name and logo) on the label of the products that it intends to market under its own brand name even though it does not hold a compliance certificate for those products;
- c) allows representatives from the Accreditation Advisory Bodies to access during normal working hours, documentation and sites used to produce certified products, for the purposes of examination and copying within as part of accredited certifier assessment;
- d) pays the corresponding fees requested by the certification organization.
- e) makes all necessary arrangements for the processing of any complaints directed towards them;

8.1.3 Refer to ISO/IEC Guide 65: 1996.

8.1.4 Refer to ISO/IEC Guide 65:1996.

8.2.2 The Certification Application

Refer to ISO/IEC Guide 65:1996.

8.2.1 Refer to ISO/IEC Guide 65:1996. The CFIA is adding the following criteria:

a) a definition of the products upon which the application is based, and indicating their nature as selected from one of the following:

1) tangible products to be certified relative to the certification system and also the standards against which each product must be certified, to the best of the applicant's knowledge;

2) services (intangible products) to be approved, consisting of operations to be carried out by a supplier at the request of a client, within the framework of an activity applied to a tangible product, in order to ensure or to maintain its conformity to prescribed standards;

3) inputs to be approved, consisting of non-edible substances used in the organic production process that shall not remain within the processed product;

4) in the case of an agricultural product containing more than one agricultural product, a statement setting out the percentage by weight of each of those products and the percentage by weight of each of them that are organic products;

5) pre-certification period to be attested.

b) production and/or preparation specifications for products to which the application applies;

c) evidence that the site(s) where operations take place and from where products mentioned in the application are produced are indeed operated by the applicant, and if not, the names of the other companies involved in the production of the products, along with a description of the business connections linking them and the applicant, and transaction flows between them;

d) names of Certification Bodies to which prior applications for certification, recognition, or evaluation were submitted by the applicant

within the previous years, including all details pertaining to processing the application, and the resulting decision by one or more of the targeted certifiers.

In light of the presented documents, the certifier shall determine whether or not the certification applicant is truly a product supplier, or if other suppliers must in addition to, or instead of, apply for certification of the products they are marketing and that are included in the application concerned.

9.0 Preparation for Evaluation

9.1 Refer to ISO/IEC Guide 65:1996.

9.2 In addition to ISO/IEC Guide 65:1996, the CFIA adds the following requirements. Evaluation activities include:

- a) an evaluation of the applicant regarding its admissibility to the certification program as a supplier;
- b) an evaluation of the documentation accompanying the application, including specifications for the production or preparation that the supplier submitted to the certifier, followed by a transmission of relevant remarks to the applicant, within a reasonable deadline;
- c) once an examination of the attached documentation confirms that operations carried out by the supplier seem to comply with the certifier's specifications, an inspection of the production site(s) and the supplier's premises.

9.2.1 For pre-certification, certification or any service for which certification is requested, the Certification Body must conduct an initial inspection of each production unit, building, or site (including vehicles) where production or preparation of agricultural and food products carried out.

9.2.2 The timing of the site inspection must be determined according to the following parameters:

- a) In cases of agricultural operations, it must take place during the production season. This period begins as soon as all operations subject to inspection (seeding, tapping, etc.) begin and ends with the packaging or placing in containers for storage of products to be certified;
- b) The inspection, including document review, shall include 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 must allow visual determination of what is being planted in all cultivated fields within the production unit;

c) In cases involving processing operations, inspections may be carried out any time during the year.

On the other hand, for separated production (i.e., when both certifiable and non-certifiable products are manufactured at the same facility), the inspection must be carried out at time when the products that are targeted for certification are being processed.

9.2.3 Applicants whose production system is not yet in operation may be exempted from inspection for as long as their system is not in operation.

9.2.4 The certifying body and its designated CB inspectors must have access to the premises, documents or person in charge for whatever is referenced in the certification application.

9.3 In addition to ISO/IEC Guide 65:1996, the CFIA adds the following criteria:

Operators shall have neither the right to choose nor to recommend CB Inspectors. Except for cases of unannounced visits, operators shall have the right to be informed about the identity of the CB Inspector before the inspection visit. Operators shall in any case have the right to raise objections based on conflict of interest or other reasons. The Certification Body shall rule whether the reasons are accepted.

9.4 In addition to ISO/IEC Guide 65:1996, the CFIA adds the following criteria: The documents must include, among others:

- a) production description;
- b) maps and plans;
- c) list of inputs (ingredients and agricultural substances);
- d) a copy of organic production and/or preparation plans;
- e) remedial actions required by the certifying body during the previous certification cycle, as well as any corrective measures implemented by the operator concerning these requests.

10.0 Evaluation

In addition to ISO/IEC Guide 65:1996, the CFIA adds the following criteria:

10.1 All applications for pre-certification, initial product certification or pertaining to its renewal, approval of services or even inputs must be the subject of evaluation. Regardless of the case, the evaluation must concern a production system that is currently operational (being actively managed).

10.2 The evaluation of a product must cover all production and processing operations, including packaging and labelling pertaining to the product. For an application for pre-certification and also certification (including its renewal), systems and facilities upon which a company relies to produce and/or prepare each product included within its application must be visited by the CB officer from the organization responsible for ensuring that the standards are fully applied, corresponding to the submitted production or preparation specifications. The complete application of standards implies an active management of the production system, and not only the non-use of prohibited substances or the summarily use of record of operations by the operator. To this end the CB inspector must witness the way the operator proceeds at a given point within the production cycle, thus implying that the inspection shall be carried out when grounds, premises, and activities subjected to compliance requirements may be observed.

10.3 Regular inspection must include, among other things:

- a) a visit to premises, storage units and fields where production operations take place, thus ensuring that they properly correspond to the specifications submitted by the applicant;
- b) a visit to all locations where preparation operations, including those where processing, packaging and labelling take place, thus allowing CB inspectors to ensure that they properly correspond to the specifications submitted by the applicant;
- c) identification and investigation of areas of risk;
- d) an examination of records related to production (ex: inventory, sales, purchases) and to management (e.g., accounting, complaints, etc.);
- e) for producers, an estimate of the potential yield for the coming year, as well as an audit of the balance in the quantities produced and sold over the previous period, and including amounts still in inventory during this same period (trial balance);
- f) For applicants performing operations related to food preparation (processing and/or packaging), an audit of the balance-statement for acquired commodities,

and for the corresponding commodities included in the products sold and on inventory;

g) traceback audits applying to certain products taken from the supplier's inventory or from a commercial outlet where its products have been placed for sale;

h) verification that changes that have been place in the standards and requirements of the Certification Body have been effectively implemented by the operator;

i) verification that previously imposed conditions have been fulfilled.

j) sampling, if necessary;

k) interviews with supervisory personnel;

l) a closing meeting at the end of the visit, intended to inform the firm's management of observations made concerning the compliance with certification requirements, without any corrective action request from the CB Inspector.

10.4 The inspection must cover the entire agricultural production system being managed by the firm, even if only part of the firm's operations were targeted by the certification application. The land, premises and equipment not included in the certification application must be identified and inspected, and must at a minimum include the following: crop areas or harvesting zones; harvest storage locations; preparation, processing and packaging sites; application dates for phytosanitary products; and administrative follow-up.

10.5 In the event that samples are taken by the CB Inspector, the CB Inspector shall provide the operator with a receipt for each sample.

11.0 Evaluation Report and Notification of Non-compliance

a) In addition to ISO/IEC Guide 65:1996, the CFIA adds the following criteria: The report shall include the following;

1) date, time and duration of inspection;

2) names of interviewees;

3) identification of land and premises visited on the production/handling site;

4) types of documentation audits performed (in/out balance sheet, yields/sales, audit trails by batches, etc).

b) When the certifying body has reason to believe, based on a review of the information, that an applicant for certification is not in compliance with the certification requirements, a full report on the outcome of the evaluation shall be issued to the applicant by the Certification Body, within a reasonable length of time, indicating all non-compliances that must be eliminated in order to comply with all of the certification requirements, and the extent of further required evaluation or testing. This report, serving as a written notification of non-compliance addressed to the applicant, shall provide among other things:

- 1) the description of each non-compliance;
- 2) the facts upon which the notification of non-compliance is based;
- 3) the request for remedial actions for each non-compliance;
- 4) the date by which the applicant must demonstrate that the non-compliance no longer exists or that remedial actions were taken.

c) If the applicant can show that remedial action has been taken to meet all the requirements within a specified time limit, the Certification Body shall repeat only the necessary parts of the initial procedure, meaning that it must ensure, based on submitted documentation and if necessary, an on-site inspection, whether or not non-conformities were corrected.

11.2 At any point within the certification cycle preceding the certifier's decision, the applicant may request that the processing of its application be stopped. The applicant shall, however, be liable for the costs of services provided up to the time of withdrawal of its application. In such case, the certifying body shall not issue a decision regarding the products that were the subject of the certification request.

12.0 Decision on Certification

12.1 In addition to ISO/IEC Guide 65:1996, the CFIA adds the following criteria:

12.1.1 Approval of Certification

The decision to certify a product shall be taken if the Certification Body determines that all procedures and activities contained in the production or preparation plan are in compliance with requirements and that the applicant is able to conduct operations in accordance with this plan or after the corrections of minor non-compliances. This acceptance is valid until the results of the next annual evaluation are known and that a new decision is made.

The certifying body must issue a written notice of approval of certification to any applicant for whom it accepts to certify the products, specifically with the intention of issuing a license authorizing the operator to use the certifier's certification mark (name/logo) under the conditions as specified in the contract or any other special documents. It must specify in this notice or in any other appropriate document the limits of the use of its mark according to the status of the company.

Status of a company:

1) Company producing and marketing a certified product:

When the company has obtained a compliance certificate for its products, it may then obtain authorization to make use of the certifier's mark within all methods it uses to market its products.

2) Company producing a product exclusively for a company that holds the certificate in order to market it:

When the company does not hold a certificate but has an exclusive affiliation with the operator it supplies, and the operator holds the compliance certificate for the products being supplied, then the compliance mark must only be used on labels of those products it packages, in an exclusive manner for the supplier and on a site falling under its responsibility.

3) Company producing and marketing a certified product in addition to supplying another company that holds a certificate in order to market it as well:

When in a nonexclusive manner a company supplies a client that has obtained a certificate from a certifier for products being marketed under a private brand, and this company already holds for its products a certificate granted by another certifying body, the certifier's mark must only be used on labels placed on products prepared and packaged for this client, on a site falling under the company's responsibility, and as a result of an extension to the license granted to this client by the certifier.

In order to have this license extension granted, the certifier granting it must guarantee its own certification, meaning that the other Certification Body was accredited by recognized Accreditation Advisory Body, that its evaluation and certification procedures include the products concerned, and following what these two certifiers have agreed, the body may have access either to the evaluation report produced by the other Certification

Body or to the supplier's operations site, thus allowing it to proceed with an inspection.

4) Company temporarily not producing any certified product:

When an operator does not hold a certificate because its production system is currently inactive and no certified products are available for sale, even though the system that was set up is compliant with standards, the certifier's mark may only be used on an official letter from the certifying body attesting the compliance of its production system and can be presented to any prospective client for its products.

5) Company not holding certificate but marketing under its own brand a certified product:

When under its own brand the company distributes products provided by a supplier to whom certification was granted by a Certification Body, this means that the company uses the body's certification mark to market these products. Thus even though the company itself possesses no certificate for its private brand products, the certifier must require that the company:

- a) inscribe on the packaging of products being resold under a private brand, a reference to the certified product supplier, indicated such that the supplier may be identified by both the competent authority and the certifier concerned;
- b) maintain a registry of all certified products received from the supplier, distributed, and eventually sold under either one or more previously approved labels;
- c) accept that the certifying body whose name is indicated on product labels be allowed to inspect these records when required and that records kept allow product movement to be traced, from the entry point (reports concerning products obtained from suppliers) up until a product leaves the premises (product sales reports and inventory reports).

The Certification Body must notify the recognized Accreditation Advisory Body of any certification it delivers and provide a copy of the evaluation report.
(for further discussion)

12.1.2 Denial of Certification

The Certification Body must issue a written notice of denial of certification to any applicant to whom it refuses certification, either because operations

resulting in the products included in the application are still noncompliant with requirements or simply because the applicant did not respond to the notification of non-compliance. This notice must state the reason(s) for denial and the applicant's right to:

- (a) file an appeal of the denial;
- (b) reapply for certification to any accredited Certification Body, including the one who refuses certification.

If a Certification Body has reason to believe that an applicant for certification has wilfully made a false statement regarding its production system and operations related to the products included in the application, the Certification Body may deny certification, without issuing a notification of non-compliance.

12.2 Please refer to ISO/IEC Guide 65:1996.

12.3 In addition to ISO/IEC Guide 65:1996, the CFIA adds the following criteria:

- a) the scope of the certification granted, including, as appropriate:
 - 1) the products certified, which must be identified by type or range of products including their specific name and if applicable, the one or more trademarks under which they are being marketed;
 - 2) the product standards or other normative documents concerning, if applicable, state programs under which each product or product type is certified;
 - 3) the applicable certification system with the type(s) of operations and subject of the evaluation by the Certification Body, among the following:
 - crop production;
 - livestock production;
 - grain production;
 - maple syrup production;
 - specialized production (aquaculture, bee-keeping, etc);
 - food processing;

- subsequent packaging (labelling modification following an operation of breaking down or regrouping on products already certified);
- brokerage.

b) the effective date of certification (initial date of certification for a given standard);

c) the date of the most recent certification maintaining decision and an indication of its duration;

d) the location of each operations site (town, province/state, country).

12.4 Refer to ISO/IEC Guide 65:1996.

12.5 In addition to the compliance certificate, the certifier may issue, upon request, other documents proving the certification of products and insuring better traceability, e.g. transaction certificates.

12.6 No certificate shall be issued to a company when it has no products for sale that are compliant with the prescribed standards, either because its production system is not yet operational, or because the operator is currently inactive. In these cases, the certificate shall only be issued following an inspection of the system once the firm begins its operations, thus validating the certification decision. On the other hand, the certifier may grant a license to these companies while they are waiting to obtain their certificate, thus allowing them to prove to any party concerned that they have the capacity to produce products meeting these standards.

13.0 Surveillance

13.1 In addition to ISO/IEC Guide 65:1996, the CFIA adds the following criteria:

a) Among these, there shall be a procedure covering the use and frequency of unannounced on-site inspections, according to which the certification program must plan, at the beginning of the year, some additional unannounced visits, representing 3% of primary producers and 5% of other clients to which it grants certificates for products made in Canada.

13.2 Refer to ISO/IEC Guide 65:1996.

13.3 In addition to ISO/IEC Guide 65:1996, the CFIA adds the following criteria:

a) the controls of requirements stipulated by the Certification Body following the evaluation;

b) all inspection visits made to suppliers;

- c) investigations made to find evidence pertaining to a complaint regarding a supplier.

13.4 In addition to ISO/IEC Guide 65:1996, the CFIA adds the following criteria:

To allow the Certification Body to re-evaluate the product concerned, the operator in charge of the product's conformity must submit within the periods stipulated by the Certification Body a certification renewal application, pay annual certification fees, and submit all information requested by the Certification Body including a mandatory updated production or preparation system plan. The request shall be the subject of a new certification cycle from the Certification Body which, at the end of the re-evaluation of operations from which the products to certify originate, shall make a decision either to maintain or to deny certification. The Certification Body re-evaluations must respect, at a minimum, the following rules:

- a) A regular site inspection must be made to each location where each supplier is operating, at least once per calendar year, and with the intention of determining whether the certification shall be maintained.
- b) If a regular inspection visit must occur on a date beyond a period of twelve months following the inspection from the previous year, this postponement must not exceed six months and must be justifiable by reasons.
- c) When the interval between two regular inspections has exceeded twelve months, the certifier must make sure that subsequent inspections restore the parity between the number of calendar years and the number of regular inspections over a given period.

13.5 The Canada Organic Office can request that additional inspections be conducted by the Certification Body with the intention of verifying the compliance of the operations of an operator or of a type of operators with regard to certification requirements.

14.0 Use of Licenses, Certificates and Marks of Conformity

14.1 In addition to ISO/IEC Guide 65:1996, the CFIA adds the following criteria:

14.1.1 Every company using the certification mark of the Certification Body for products it has ownership of, shall first get authorization from the Certification Body through a license.

14.1.2 The license must be withdrawn if the company:

- a) ceases doing business with the certifier;

b) ceases to supply, as affiliated operator, a customer whose products are certified by the certifier;

c) ceases, if it sells private label products without itself owning a certificate, to purchase from suppliers whose products are certified by the certifier;

d) cannot demonstrate that it is able to comply with the prescribed standards for operations included in its certification application .

14.1.3 The company affected by the attribution, modification (reduction, expansion, extension) or by the pure and simple withdrawal of a license must be informed officially by the certifier.

14.1.4 The certifier must possess procedures to monitor products using its certification mark and being sold on the market, to detect any improper or fraudulent use.

14.2 The Certification Body must possess written rules authorizing the use of its mark (including the recognition of product labels on which it shall be displayed) and is responsible for delivering compliance certificates. The body must have written procedures allowing it to process cases of abusive use, particularly those involving false statements regarding a product's certification or the incorrect use of its certification marks. The certifier must have procedures ensuring that its clients do not allow its certification mark be used in any way likely to lead to confusion among consumers.

14.3 In addition to ISO/IEC Guide 65:1996, the CFIA adds the following criteria:

Provision referred to in section 14.3 of ISO/IEC Guide 65:1996 could include remedial actions, withdrawal of certification, publication of offence, and if necessary, any other legal action.

15.0 Complaints to Suppliers

Please refer to ISO/IEC Guide 65:1996.