

Documentation Requirements for Verification of Continued Organic Integrity under the Canada Organic Regime

(Further explanation on the Memo re: Clarification on the Certification of Organic Products from February 24, 2015)

Overview

The *Organic Products Regulations, 2009* (OPR) are published under the *Canada Agricultural Products Act*, and cover the certification of organic products as well as related packaging and labelling activities, as opposed to the certification of organic operations or processes or service providers.

In certain situations, an operator may need to obtain documentation that provides assurance to third parties that the product they are handling or trading in continues to maintain its organic integrity.

The “family” of certification documentation

Because an organic product carries its certification until the next point of transformation operators may require slightly different types of documentation to attest to a product's organic status and integrity whether it is an organic product certificate, the certificate for labelling and packaging of an organic product, or an attestation of compliance for an operator transporting or storing organic products.

Though different in name, all of these forms of documentation can reasonably be considered part of the “family” of documentation which should be issued by a CFIA-accredited certification body (CB) attesting that a product is organic. For products and ingredients entering the Canadian market from abroad, Canada Organic Regime (COR)-documentation or certificates from equivalent regimes can meet this documentation requirement.

The Canada Organic Office (COO) Operating Manual requires all CFIA accredited CBs to accept the documentation issued by any CFIA-accredited CB as meeting the OPR requirements for maintenance of organic integrity; this includes Attestations of Compliance.

Types of documentation issued by the CBs to verify continued organic integrity under COR

Type of Documentation	Description
Organic Product Certificate	CBs shall issue documentation confirming the organic certification of a product (verified to be produced/processed in compliance with the Canadian Organic Standards) as per section 13 of the OPR. Product certificates do not expire however subsection 12(1) of the OPR requires that organic certification be applied for annually.
Organic Packaging and Labelling Certificate	CBs shall issue documentation confirming the organic packaging and labelling of a product (verified to be packaged and labelled in compliance with the Canadian Organic Standards) as per subsection 15(1) of the OPR. The Packaging and Labelling certificate remains in effect for period of 12 months beginning on the day on which it is

	granted as per subsection 15(2) of the OPR.
Attestation of Compliance	<p>CBs may issue an attestation of compliance (service) confirming that the operator conducts activities in compliance with the Canadian organic standards (CBs verify that the operator and their activities comply with Canadian standards and fall within the scope of the OPR). Verification activities conducted by CBs should be in accordance of ISO 17065 and COO Operating Manual and similar to the two certifications listed above. The document issued following this verification should include the information elements as specified in the Attestation template. Products covered by an Attestation of Compliance may continue to bear the Canada Organic logo.</p> <p>CBs may issue Attestation of Compliance to operators confirming the organic integrity of a product which is not covered under the requirements for an Organic Product Certificate or Organic Packaging and Labelling Certificate (e.g. if the product is already certified organic and has not undergone transformation, or the operator's activity with the product, such as trade, does not require an Organic Product Certificate or Organic Packaging and Labelling Certificate).</p>

Expiry/renewal of documentation

Type of document	Expiry/Renewal
Organic Product Certificate	Does not expire. A certificate must be issued for new organic product on an annual basis as per subsection 12(1) of the OPR
Organic Packaging and Labelling Certificate	Remains in effect for a period of 12 months beginning on the day it was granted, as per subsection 15(2) of the OPR.
Attestation of Compliance	Remains in effect for a period of 12 months beginning on the day it was granted.

Example scenarios

#	Operator	Scenario	Type of Document
1	Farmer (primary producer)	The primary producer sells an organic product to a retailer or manufacturer as is.	Organic Product Certificate - Any transport or further handling of the product by the farmer and included in their organic plan is covered by this certificate.
2	Trader	The trader sells an organic product to a retailer (e.g. obtained from a farmer or manufacturer). The product has not been transformed but the trader wishes to show the organic integrity of the product has been maintained.	Attestation of Compliance* - The trader can sell this product under this documentation (e.g. as the organic integrity has been verified, the name and address of the supplier are not required to be disclosed to the buyer). <i>* Attestation of Compliance and Attestation of Service have the same meaning. For consistency purposes, the CBs should use Attestation of Compliance</i> - see NOTE 1

3	Trader	The trader sells an organic product to an export market with whom Canada has an equivalency arrangement <u>and</u> which requires a "Certificate of Inspection", such as the European Union, Switzerland and Japan.	<u>Attestation of Compliance AND Certificate of Inspection</u> - The Attestation of Compliance is considered internal documentation under Canada's domestic COR and is not a Certificate of Inspection. The Certificate of Inspection must be based upon an Attestation of Compliance, and must be issued by the same Certification Body using the template provided by CFIA.
4	Trader	The trader sells an organic product to an export market with whom Canada has an Equivalency Arrangement (excluding the European Union, Switzerland and Japan)	<u>Attestation of Compliance</u> - The trader can sell this product under this documentation (e.g. as the organic integrity has been verified, the name and address of the supplier are not required to be disclosed to the buyer). - See NOTE 1
5	Trader	A trader, retailer or other operator obtains an organic product but changes its container (e.g. from bulk to single-package), changes its packaging, or provides a new label (i.e. changing or adding information to the original package).	<u>Organic Packaging and Labelling Certificate</u> - The operator can sell the product under this documentation (e.g. the name and address of the original supplier is not necessary to disclose on the packaging as long as the dealer's name and address are included), however it should carry the name of the CB granting the final Certificate of Packaging and Labelling to ensure proper traceability.
6	Retailer	A retailer purchases bulk product for sale in its store and back-fills the bins as levels get lower. These bins are labelled "organic" and carry the Canada Organic Logo.	<u>Organic Packaging and Labelling Certificate</u> - See NOTE 2 - See NOTE 3
7	Retailer	A retailer purchases bulk product for sale in its store and re-packages (e.g. makes individual-sale units available). These packages are labelled "organic" and carry the Canada Organic Logo.	<u>Organic Packaging and Labelling Certificate</u> - See NOTE 2
8	Retailer/ brand owner labelling prepackaged products under a private label	A retailer or brand owner buys prepackaged products via third-party producers or manufacturers and markets them under their own brand of product.	<u>Organic Packaging and Labelling Certificate</u> - The retailer can sell the product under this documentation (e.g. the name and address of the original supplier is not necessary to disclose on the packaging as long as the dealer's name and address are included), however it should carry the name of the CB granting the final Certificate of Packaging and Labelling to ensure proper traceability.
9	Manufacturer (processor)	A manufacturer buys organic product from a trader or producer and transforms it to a new product.	<u>Organic Product Certificate</u> - Any transport or further handling of the product by the manufacturer and included in their organic plan is under this certificate.
10	Foreign-based	Foreign-based certified operation	<u>Organic Packaging and Labelling</u>

	certified operation (e.g. NOP)	(e.g. NOP) labelling/commissioning a product from a Canadian operator (co-packer) under their brand, for sale in Canada.	<u>Certificate</u> - The retailer or "brand" owner can sell the product under this documentation (e.g. the name and address of the original supplier is not necessary to disclose on the packaging as long as the dealer's name and address are included), however it should carry the name of the CB granting the final Certificate of Packaging and Labelling to ensure proper traceability.
11	Distributor	The product has not been transformed and the distributor wishes to show the organic integrity of the product has been maintained.	<u>Attestation of Compliance</u> - The trader can sell this product under this documentation (e.g. as the organic integrity has been verified, the name and address of the supplier are not required to be disclosed to the buyer as long as the dealer's name and address are included). - See NOTE 1
12	Off-site services	Off-site service providers (e.g. slaughterhouse, transport, storage, seed cleaning, etc.) who perform contractual work for operators with certified organic product.	<u>Attestation of Compliance</u> - Issued in accordance with section C.11 of the COO Operating Manual.
13	On-site services or equipment (e.g. mobile juicers)	A certified operation (e.g. a farm) obtains (through lease or loan) equipment or has services performed on-site, and ownership of the organic product continuously rests with the organic product certificate holder.	<u>None</u> - If the farm plan includes this situation, and the CB is able to verify compliance to the standards, including cleaning requirements, then the equipment or service may be covered by the original Organic Product certificate. OR <u>Attestation of Compliance</u> - Where the above is not applicable, an attestation of compliance can be issued in accordance with section C.11 of the COO Operating Manual.

NOTE 1:

Traders or distributors may voluntarily apply for an attestation of compliance however they can still trade in organic products without attestation of compliance, provided that organic integrity has not been compromised and the full documentation chain for these products is on hand and provided as required by either the certification body or the CFIA inspectors.

NOTE 2:

Retailers who choose to blend, further process, package or label organic products but choose not to use the Canada Organic Logo, and do not cross provincial lines, are not required to obtain certification under the federal system. The Canada Organic Retailing Practices Guide is recommended for best management practices in such situations. However, in certain provinces, the retailer may have to obtain certification under a provincial regime.

NOTE 3:

In cases of blending, roasting, the addition of ingredients, or other transformation, the Canadian operator must obtain an Organic Product Certificate under the COR.