Annex A16-1 CU Inspection Regulation for NPOP

Additional rules for the certification program: National Programme for Organic Production (NPOP)

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Article 2.1	*Samples for NPOP*
1	In case the result of any sample analyses for the organic programs NPOP shows residues of disallowed materials in any amount above the detection level of the laboratory, the following procedure applies: CUIN immediately starts an investigation. Dependent on the nature of the residue that has been found; the whole chain of custody from the producer till the point where the residue has been found may be subject of the investigation. The CUIN client receives a standard Incident Report Form from CUIN, in which the representative of the client is requested to describe the possible reasons of the disallowed material detection. The information supplied by the client in this document is an essential part of the investigation. Furthermore, the CUIN client is requested to inform his buyers about the found residue. CUIN has the right to suspend the concerned product/unit and to stop issuing import and transaction certificates during the period of investigation and/or to carry out unannounced visits at the project. The result of the investigation may cause changes in the certification status of the product and/or units.

Article 2.2	*Classification of non-conformities for organic certification programme*
1	Non-conformities are classified as Critical Major, Major, Minor and Opportunity for Improvement: a. Critical Major Nonconformity: A serious violation that poses an immediate risk to product integrity, safety, legality, or certification standards. (Repeated Major NC) (Deadline: 7 days) b. Major nonconformities: are severe violations that affect the integrity of the organic system in the implementation of the standards prescribed in NPOP. It is also defined as per Regulation 6.1.5. (Deadline: 30 days) c. Minor non-conformities: shall mean such non-conformities in the organic system that does not affect the integrity of organic certification (relates to working procedures of the concerned unit). It is also defined as per regulation 6.1.4. (Deadline: 60 days) d. Opportunity for improvement (OFI): Finding based on facts and data that shows a potential improvement opportunity or adequate implementation (failing could happen in future if it is left unattended!). (Deadline: 60 days) In case of any non-conformity follow-up is needed. It is the responsibility of the client to take appropriate remedial actions. Whenever there is an outstanding NC, positive certification decision cannot be made and the certificate cannot be issued for the concerned units/products. Re-assessment can be done during an additional inspection or by administrative review (assessing documents, photos etc.). During suspension, the product concerned cannot be sold with reference to the organic production method and CUIN can not issue any import/transaction certificate for the given products/units. In case the certification is withdrawn, the project needs to be re-inspected. All aspects of the standard need to be assessed during a new physical inspection.

Article 2.3	*Transaction certificates*

1	CUIN client that are certified for the certification program 'National Programme for Organic Production' have the rights to apply for transaction certificates for a specific lot of certified products.
2	Transaction certificates will be issued by qualified people from a CUIN office.
3	The client shall request the application for Transaction Certificates by filling out the standardized Application Form in TraceNet and sending it with all the required documents including but not limited to source TC, copy of invoice, packing list, shipping bill, transport document, analysis report, approved label attached to the responsible CUIN office.
4	*The Certification Body shall take reasonable measures to verify that the information provided is correct and all the documents have been submitted in original before issuance of the Transaction Certificate.*
5	*The Certification Body shall not delay issuance of the transaction certificate after receipt of all documents and verifying that they are in order and issue the same as per the following timelines:* *a. TC from grower group/ individual producer to trader/processor: within 5 working days* *b. TC between processor/trader & processor/trader/retailer (domestic transactions): within 3 working days* *c. Export TC: within 7 working days.*
6	*Above timelines are subject to submission of complete documents and will not be applicable in cases where physical verification is required, based on risk analysis. Wherever applicable, the original Transaction certificate(s) of a purchased product that has been sourced and certified by another Certification Body shall be verified before issuance of the Transaction Certificate*
7	The Certificates contain a hologram. The formats are preset in TraceNet by APEDA.

Article 2.4 Production, storage and transport	
1	The client (Growers Group/ICS) shall conclude farmer agreements with all individual farmers within the project. The farmer agreement shall contain at least the information as mentioned in *NPOP Procedure 2024 Chapter 3* Annex 2. The farmer agreement shall be written in the local language or in any case in a language understandable by the farmer.
2	On request of the Inspector, the client shall prove the gene technology free origin of all products and raw materials for which gene technology is prohibited according to the applicable regulations by means of a declaration free of genetic modification. The declaration free of genetic modification shall contain at least the information as mentioned in *Annex 2 C.*
3	For each lot of products, for which a Transaction Certificate is issued, the client shall have a representative and sealed sample kept present for half a year and one year for high risk products.
4	The client shall conclude field officer agreements with all individual field officers within the project. The field officer agreement shall contain at least the information as mentioned in *Annex 2 B*. The field officer agreement shall be written in the local language or in any case in a language understandable by the field officer.

Article 2.5 Product specification form and system plans

1	In case of application for adding to the Scope Certificate new products producedin certified units, the client shall apply in writing prior to producing, processing and/or selling the product with reference to the certification. Application shall be done by filling out the Application Form (available at https://india.controlunion.com/ or by request from any CUIN office). In case of application for adding a product, the client shall send CUIN a completed standardised product specification form (available at https://india.controlunion.com or by request from any CUIN office). Production/processing plan (system plans) shall be adopted by the client, if applicable.
2	CUIN shall evaluate the Application Forms and/or production/processing plan(system plans) within ten working days after receipt
3	CUIN shall add products to Scope Certificates only after a positive evaluation of the product specification. In the event of initial certification, the first inspection has to be carried out before the products can be mentioned on the Certificate.
4	In case of application for adding new units to the Scope Certificate, the client shall apply in writing prior the production and/or processing of the product to be certified. Application shall be done by filling out the Application form (available at https://india.controlunion.com or by request from any CUIN office). The Operators are required to inform the Certification Bodies "on real time basis" of any changes in the organic management plan.
5	CUIN shall add units to Scope Certificates only after a positive site evaluation of the production/processing.

Article 2.6 Administration for Organic production – NPOP	
1	The client shall keep records of the following information on certified incoming goods: - Status of certification of product with respect to details mentioned in the Transaction Certificate (TC) - Condition and label on the product - The details on the label may be cross verified with the information mentioned in the TC For not CUIN certified products: - A copy of the valid *Scope* Certificate that is issued to the certificationbody, which certified the product in question:
2a	The client shall keep records of the following information on outgoing certified products: - Copies from packing lists and/or other transport documents; - Copies of the CUIN Transaction or Import Certificates, andInvoices. The invoices and transport documents must contain a reference to the organic production method, clearly related to the certified products, and CUIN followed by the client number.
2b	The client shall have on all labels, invoices, packing-lists and transport documents a traceable identification code which enables to identify production date/year and lot number to trace down the product at least to the last producer and preferably to the individual farmer or farmer group. Original traceability documents must be in the unit during the inspection to be verified by the auditor.
3	The invoices and transaction documents must contain a reference to the organic production method, clearly related to the certified products, and the name andidentification code of the inspection body.
4	For the certification of organic product in conformity with the NPOP - the accreditation certificate shall be on EN 45011 / ISO/IEC Guide 65 - address of unit, where the product was produced, processed - indication whether the unit is a farm unit or a processing unit

	- date of first inspection per unit - starting date of conversion period per unit - total period of conversion applied per unit - date of last inspection per unit - size organic/conventional land per unit - in case of grower group, indication whether it is a co-operative or a contract growers - number of farmers externally inspected in the previous calendar year - number of small scale farmers at the date of last inspection and number of small scale farmers externally inspected at the date of last inspection is required.
5	Operator must inform immediately to CUIN any irregularity or infringement affecting the organic status of their product or organic products received from other operators.

Article 2.7	***On-and-off product statements for NPOP***
1	The client is responsible that all logo use is according to the provisions described in: - National Program for Organic Production – Chapter 7
2	The client is responsible that all on- and off product statements for certified products that are transported between units within the same project, contain at least the following information: - The name of the product; - The name "CU", followed by the client number; - A reference to the organic production methods, and - A traceable identification code referring to the specific lot of products (e.g. lot number, date of production).
3	The client is responsible that all on- and off product statements for certified products that are transported to units outside the project, contain at least the following information - The name of the product - The clients name and address (city and country); - The name "CU", followed by the client number; - A reference to the organic production methods, - A traceable identification code referring to the specific lot of products (e.g. lot number, date of production).

Article 2.8	***Derogation to Conversion Period***
1	*With conversion of parcels where it has been proven to the satisfaction of CUIN, that no products have been used in the past which are not permitted, the conversion period can be retrospectively considered by CUIN.* *Previous period may be considered as upto full Conversion Period for annual as well as perennial crops, as an exception, wherein documentary proof is available that the following requirements have been met, for a continuous period of minimum three (3) years or more.* ***Requirements***

	The derogation in Conversion Period may be allowed for any one of the following categories of cases: *i. The land has been certified under the '**Participatory Guarantee System**' (PGS), implemented by the Ministry of Agriculture & Farmers Welfare for a continuous period of three (3) years, immediately preceding the period for which recognition as Conversion Period has been sought.* *ii. No sanctions have been imposed on the applicant, during this period, pertaining to non-compliances affecting the integrity of organic processes.* *iii. The land is located in the Hilly Areas1 of Himalayan States/UTs namely Jammu & Kashmir, Ladakh, Himachal Pradesh, Uttarakhand and the North Eastern Region, and the said Hilly Area has been notified by the State/UT as natural which has not been treated with products or substances which are not permitted for use in organic production as prescribed under the NPOP for a minimum continuous period of three (3) years.* ***Documentary evidence*** *The application for derogation shall be submitted by the applicant to the Certification Body, enclosing the following documents:* ***I: Land Certified under the 'Participatory Guarantee System'*** *a. Submission of valid PGS certificate.* *b. Verification of the validity of the submitted PGS certificate from National Centre for Organic & Natural Farming (NCONF) regarding status of the PGS group and on sanctions imposed, if any.* ***II: Land located in the hilly regions of Himalayan States/UTs viz. Jammu & Kashmir, Ladakh, Himachal Pradesh, Uttarakhand and the North Eastern Region.*** *A copy of the notification issued by the State/UT government, notifying the said area (where the applicant's land is located), as natural, which has not been treated with products or substances that are not permitted for use in organic production as prescribed under the NPOP, for a minimum continuous period of three (3) years.* *A map with geo coordinates depicting the land for which reduction in conversion period has been requested.* ***C. Verification by the Certification body*** *Based on the above documentary evidence as stipulated under A(I) or A(II), the verification procedure to be followed by a Certification Body shall be as under* *i. Conduct physical verification of the geo location of the land for which derogation has been requested.* *ii. Verify the records of the Operators for the cultivation practices followed.* *iii. Conduct a detailed risk analysis for use of unauthorized substances for* *the previous three years. Take samples of soil and plants for residue analysis from fields of each member of the group.* *iv. Prepare a detailed report on the requested derogation for Conversion Period with detailed justification and submit to APEDA for processing.* *v. Final decision shall be made by the NAB Sub Committee constituted for this purpose.*

ANNEX 2.A Farmer agreement

FARMERS CONTRACT WITH ICS

Name of the ICS and
Farmers name & Code No.

The ICS shall:

1. Be responsible for co-ordinating the project and organic certification from an accredited organic certification body.
2. Advise farmers on the organic farming methods and organize farmer training programmes.
3. Conduct the internal inspections and approval of organic farmers of the group
4. Buy the organic crop at the prevailing market price plus any possible organic premium (depending on market). The ICS shall make the payments within one week of the purchase of the products from the farmer.
5. Address the complaints and appeals of the farmers within reasonable time.

The farmer shall:

1. Undertake organic farming as per the organic standards outlined in the Internal Organic Standard as well as the Internal Control System (ICS).
2. Shall not use any prohibited substances such as pesticides, herbicides or synthetic fertilizers on any crop within the certified organic fields.
3. Use off-farm input only after taking approval from ICS/CB
4. Attend all the training programmes organized by the Internal Control System.
5. Maintain the farm records in the required format.
6. Fulfil the conditions enforced by the internal control system and the accredited certification body.
7. Endeavour to maintain and improve the ecosystem by not cutting trees and burning organic material and littering plastic wastes unnecessarily.
8. Sell the certified products to the Internal Control System only for collective sale as a group and not individually outside the group.
9. In case of any violation of the organic standards in the project, the same shall be reported to the ICS.
10. Accept the sanctions prescribed by the ICS in case of violations of the internal standards by the farmer.
11. Shall allow inspections by persons authorised by ICS and the inspector of the accredited Certification Body and give access to the fields, stores and documents.
12. In case of any changes in production plan, immediately intimate to the ICS Manager

Farmer	**For ICS**
Signature	Signature
Name:	Name: Stamp
Place & Date:	Date:

ANNEX 2.B Declaration free of genetic modification (for organic production)

Vendor Declaration according to National Program for Organic Production	
Name, address of vendor:	
Identification (e.g. lot or stock number):	Product name:
Components: (Specify all components existing in the product/used the last in the production process) …… …… …… …… ……	
I declare that this product was manufactured neither 'from' nor 'by' GMOs as those terms are used in the NPOP standards. I do not have any information which could suggest that this statement is inaccurate. Thus, I declare that the above named product complies with NPOP standards regarding the prohibition on the use of GMOs. I undertake to inform our customer and its control body/authority immediately if this declaration is withdrawn or modified, or if any information comes to light which would undermine its accuracy. I authorise the control body or control authority, as defined in NPOP standards which supervises our customer to examine the accuracy of this declaration and if necessary to take samples for analytic proof. I also accept that this task may be carried out by an independent institution which has been appointed in writing by the control body. The undersigned takes responsibility for the accuracy of this declaration.	
Country, place, date, signature of vendor:	Company stamp of vendor (if appropriate):