



Policy on Certificate Transference/Withdrawal/Cancellation/Termination		Doc No.: Pol. 4.2.13.1
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Policy on Certificate Transference

1	Aim
	Mutual acceptance and transference of certificate issued by different Certification Bodies.
2	Background
	<p>Certification programs based on independent standards are feasible only if mutual recognition of accredited certification bodies (CBs) is given. This is relevant for organic and other standards. While some CBs apply criteria of "friends" and "enemies" for recognizing or refusing recognition of certificates issued by other CBs, ADITI will always recognize certificates issued by CBs holding the relevant accreditation, except for situations, where special reasons require caution.</p> <p>Aditi may have to continue inspection and certification of operator who got the certification services from other CBs. In this case Aditi always asks for the inspection report of the last inspection of the previous CB and the details of non-conformities raised/detected. These details are requested while the operator applies for the inspection and certification services.</p> <p>or</p> <p>Aditi's existing operator wants to shift their certified project to another CB/s for various reasons. In this case, Aditi will process such request as soon as all outstanding issues related to previous inspection and certification services have been settled including payments. Aditi certification contract with the operator will automatically terminate once the No Objection Certificate (NOC) has been issued through Tracenet of APEDA in case of NPOP/NOP certification.</p>
3	Normative framework
3.1	NPOP
	<p>Chapter 4 Accreditation Of Certification Bodies</p> <p>4.4.10 Shifting of Operators: When an operator wants to change his Certification Body, he shall apply for the No Objection Certificate (NOC) on Tracenet to the existing Certification Body. The Certification Body shall issue the NOC resulting in an on line transfer of the operator file along with the reports to the subsequent Certification Body. The new Certification Body shall ensure that the non-conformities reported by the earlier Certification Body are closed before issuance of scope certificate.</p> <p>Advisory: Procedures for transfer of the Operators during Suspension/Termination of a Certification Body under NPOP</p> <ol style="list-style-type: none"> 4) The operators of the suspended CB are required to apply for No Objection Certificate on Tracenet for transfer to another CB within 15 days 5) The new CB will forward the request to APEDA officially of their acceptance of the transferred projects within 7 days 6) Following this process, the operators in the suspended CB account will be given a NOC by APEDA for transfer to another CB of their choice (only once). Within 7 days 7) The new CB will be able to register the operator (NOC No. provided by APEDA) after inspection (within one month) 8) Resulting the transfer of the entire data of the operator to enable the new CB to go for inspection and verification before continuation of certification (inspection to be completed within one month) 9) The process of transfer is given below for different types of the operators. Resulting the transfer of the entire data of the operator to enable the new CB to go for inspection and verification before continuation of certification (inspection to be completed within one month) <ul style="list-style-type: none"> • The process of transfer is given below for different types of the operators

	<ul style="list-style-type: none"> ▪ In case of Grower Group: The new Certification Body will physically verify the ICS location and existence of farmers practising organic farming before the approval of NOC on Tracenet. ▪ In case of Processor: The new Certification Body will verify the stock ready for Processing & Processed by visiting the processing unit before issuance of any Certificate on Tracenet. ▪ In case of Trader: After acceptance of NOC, the certification Body will do the physical verification of the stock and submit their report to APEDA before issuance of any certificate. ▪ In case of export consignment ready for shipment: The new Certification Body after accepting the NOC of the operator will verify the ready consignment for export before issuance of Provisional Transaction Certificate (PTC).
3.2	<p>COS-CAN/CGSB-32.310-2015</p> <p>C.10 Requirements when an operator changes a CB under COR</p> <p>C.10.1 Requirements on the operator</p> <p>C.10.1.1 The operator who decides to change their current CB (sending) to a new CB (receiving) shall submit an application for certification as a new applicant, complete an application form prescribed by the new CB (receiving) and follow the application requirements as per C.2.1 of the COR Operating Manual.</p> <p>C.10.1.2 The operator, including those who intend to become part of a grower group, shall notify their current CB of their intent to change the CB and shall request a "letter of good standing" to be sent to the new CB (receiving), confirming that all nonconformities (NCs) and any contract conditions (for example, outstanding fees) have been addressed. The current CB shall send this letter directly to the new CB. If necessary, the receiving CB can directly request additional information to the sending CB.</p> <p>C.10.1.3 The operator shall maintain their current certification until the new certification process is complete and the new CB has issued documents confirming the certification of the operator's products as per section 345(2) of the SFCR.</p> <p>C.10.1.4 The operator shall stop using their certificate issued from the sending CB after the new certification process is complete and the operator has received the new certificate.</p> <p>C.10.1.5 The operator shall not use up existing supplies of labels which identify their previous CB on products they produce from the moment the operator receives the new certificate. New labels identifying the new CB must be used at once.</p> <p>C 10.1.6 The operator may sell certified prepackaged products labelled with the name of the previous CB as long as these products were packaged before the CB change and an inventory list was provided to both CBs.</p> <p>C.10.2 Requirements on the sending (current) CB</p> <p>C.10.2.1 The sending (current) CB shall, upon request by the operator, send a letter of good standing to the new CB (receiving) confirming that all NCs and any contract conditions (for example, outstanding fees) have been addressed by the operator. A letter of good standing shall only be issued when an operator is in the process of changing CB and, when all NCs have been addressed by the operator.</p> <p>C.10.2.2 The sending CB shall continue to monitor the operator's compliance with COR requirements and shall ensure that the operator resolves any outstanding NCs before the new certificate is issued by the new (receiving) CB.</p> <p>C.10.2.3 The sending CB shall notify the operator that it terminates the certification agreement with the operator and will no longer monitor the compliance of this operator once the new CB confirms that a new certificate has been issued to the operator.</p> <p>C.10.2.4 Upon receiving confirmation from the new CB that a new certificate has been issued to the operator, the sending CB shall require the operator to immediately stop the use of any labels or advertising which identify the sending CB on the operator's products.</p> <p>C 10.2.5 The sending CB shall allow the operator to retain a copy of the current certificate only when the operator can demonstrate that previously certified products are still in inventory.</p> <p>C 10.2.6 The sending CB shall report the cancellation in a monthly report to the CFIA as a "cancellation due to a CB change".</p> <p>C.10.3 Requirements on the receiving (new) CB</p>

	<p>C.10.3.1 The receiving CB shall require the operator to submit an application for certification as a new applicant, complete an application form prescribed by the new CB (receiving) and follow the application requirements as per C.2.1 of the COR Operating Manual.</p> <p>C.10.3.2 The receiving CB shall request information on the name of the applicant's current (sending) CB.</p> <p>C.10.3.3 The receiving CB shall review the information provided by the sending CB including the letter of good standing.</p> <p>C.10.3.4 The receiving CB shall schedule and conduct an on-site inspection of the operator's facility as per C.2.3 of the COR operating manual prior to making a certification decision.</p> <p>C.10.3.5 The receiving CB shall issue a new certificate only after the certification process is complete and the applicant has been determined to follow all the COR requirements. The initial date on the new certificate shall be the date on which the receiving CB issued the certificate.</p> <p>C.10.3.6 The receiving CB shall inform the sending CB within 5 working days that the receiving CB has issued a new certificate to the operator.</p>
3.3	<p>Eu 848/2018 regulations:</p> <p>Art 39. Additional rules on actions to be taken by the operators and groups of operators</p> <ul style="list-style-type: none"> • To accept the transfer of the control file in the case of change of control authority or control body or, in the case of withdrawal from organic production, the keeping of the control file for at least five years by the last control authority or control body. • to immediately inform the competent authority or the authority or body designated in accordance with Article 34(4) in the event of withdrawal from organic production • to accept the exchange of information among those authorities or bodies in the event that subcontractors are subject to controls by different control authorities or control bodies. <p>Article 43. Additional rules on the exchange of information</p> <ul style="list-style-type: none"> • In addition to the obligations laid down in Article 105(1) and Article 106(1) of Regulation (EU) 2017/625, competent authorities shall immediately share information with other competent authorities, as well as with the Commission, on any suspicion of non-compliance that affects the integrity of organic or in-conversion products. • Competent authorities shall share that information with other competent authorities and the Commission via a computer system that enables the electronic exchanges of documents and information made available by the Commission. • In cases where suspected or established non-compliance has been identified with regard to products under the control of other control authorities or control bodies, control authorities and control bodies shall immediately inform those other control authorities or control bodies. • Control authorities and control bodies shall exchange other relevant information with other control authorities and control bodies. • Upon receiving a request for information that is justified by the need to guarantee that a product has been produced in accordance with this Regulation, control authorities and control bodies shall exchange with other competent authorities, as well as with the Commission, information on the results of their controls. • Competent authorities shall exchange information on the supervision of the control bodies with national accreditation bodies as defined in point (11) of Article 2 of Regulation (EC) No 765/2008 of the European Parliament and of the Council (1).
3.4	<p>INDGAP</p> <p>a)The prospective applicant shall along with the application, declare any judicial proceedings relating to their any proceeding by any regulatory body or suspension/cancellation/withdrawal of any certification/approvals under any regulations or otherwise.</p>

b) Certification Bodies shall reject or close an application when the client Voluntary withdraw the application.

c) When a nonconformity with certification requirements is substantiated, either as a result of surveillance or otherwise, the certification body shall consider and decide upon the appropriate action.

d) The provisional approval of CB shall be subject to suspension/withdrawal with due notice of 15 days in the event of any noncompliance to the requirements of the Scheme.

e) The certification body shall be responsible for and shall retain authority for its decisions relating to certification. This includes the granting, maintaining, renewing, extending, reducing, suspending and withdrawing of certification. Any evaluations, reviews or decisions needed to resolve the suspension, or that are required by the certification scheme, shall be completed in accordance with the applicable parts of the scheme.

f) If the client request for the certification to be terminated, suspended, reduced or withdrawn, the certification body shall take actions specified by the certification scheme and shall make all necessary modifications to formal certification documents, public information, authorizations for use of marks, etc., in order to ensure it provides no indication that the product continues to be certified.

g) The client should comply upon suspension or cancellation/withdrawal of certification, discontinues its use of all advertising matter that contains any reference and returns as required by the certification scheme any certification documents and takes any other measure.

h) If certification is reinstated, after suspension or if a decision is made to reduce the scope of certification, the certification body shall make all necessary modifications to formal certification documents, public information, authorizations for use of marks, etc., in order to ensure all appropriate Indications exist that the product continues to be certified and the reduced scope of certification is clearly communicated to the client and clearly specified in certification documentation and public information.

i) The certification body shall provide and update clients on the following: a detailed description of the initial and continuing certification activity, including the application, initial evaluation, surveillance evaluation, and the process for granting, maintaining, reducing, extending, suspending, withdrawing certification and recertification.

j) If the certification is suspended, the CB shall assign a person to communicate to the client on the actions needed to end suspension and restore certification for the product(s) in accordance with the certification scheme and any other actions required by the certification scheme. These persons shall be competent in their knowledge and understanding of all aspects of handling of suspended certifications.



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4	Terms
	<p>NOC (No Objection Certificate): Is a document/certificate stating that the CB doesnot object to the transfer of operator to a new CB. (As per NPOP, Standards).</p> <p>Letter of good standing: Letter from the Current CB confirming that all nonconformities (NCs) and any contract conditions have been addressed. (As per COR).</p>
5	Policy
	<p>Aditi always makes sure:</p> <ul style="list-style-type: none">a) The certificate is issued according to the same standard, which is requested by the operator, mentioning explicitly the respective standard.b) The certificate is valid: In the case of certificates, which do not carry a validity date (e.g. NOP/COS): still, the certificate should not be older than 12 months. In case it is older, always check through the CB's website or through direct communication with the issuing CB, whether the certificate is still valid.c) The CB is accredited for the respective standard. This can be checked e.g. through the accreditor's website, or by requesting the CB to submit a copy of their accreditation document. Recognition of NAB/National accreditation bodies, Govt. of India (check APEDA website www.apeda.gov.in).d) In order to transfer certified projects to another CB, the operator has to apply for the No Objection Certificate (NOC) through Tracenet or a Letter of Good standing in case of COS. The request will be processed within three working days provided the conditions mentioned in point no. 2 of this document are compiled. Aditi also provides the soft copy of the last inspection report with details of open non-conformities to the concerned CB upon request.e) ADITI takes decisions on the basis of initial evaluation of the documents submitted by the operator and previous control body. If a risk is identified while checking documentation w.r.t to the project, a physical inspection is initiated from Aditi's end prior to issuance of a Transaction Certificate for the NOC acceptance.f) Labels (Certification mark) approved by the previous CB would be verified and the operator would have to apply for a fresh application for grant of such license to use certification marks, which includes India Organic logo and/or NOP-USDA or COS logo.g) Aditi would ask the operator to submit the details of the Transaction Certificate (TC) issued by the previous CB for the current/previous production year/s for verification and mass balance of previously certified crops/products. Closing stock details including balance quantities of certified products available on Tracenet would have to be produced during application for certification continuation.h) As per IndG.A.P, Aditi shall notify the client of a decision not to grant certification, and shall identify the reasons for the decision.i) For operators in India and outside India as per EU for transfer of certificate includes ;<ul style="list-style-type: none">a) In cases where ADITI is the receiving control body, it will request from the previous CB and will assess the following information: the status and validity of certification, including cases of scope reduction, suspension and withdrawal; reports of inspections carried out in the preceding 3 years; derogations granted or requests for derogation being processed by the previous control body; information relating to any ongoing dispute relevant for the certification of the operators or groups of operators.b) In cases where ADITI is the receiving control body and the previous control body does not transmit the required information or in case of doubts concerning the information transmitted, it will not issue certificate to the transferring operators or groups of operators until it has eliminated any doubts by other means of control.c) Where operators or groups of operators and/or their subcontractors change their control body, the new control body shall request the control file of the operator or group of operators



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	concerned from the previous control body. Where ADITI is the sending CB, the policy does not have provisions that CB shall, within 30 days, provide to the new control body the control file of the transferring operator or group of operators, the inspection records, the status of the certification, the list of non-compliances and the corresponding measures taken by ADITI.	
6	Related Documents	j) 3.2.1: Application of Organic certification. k) Copy of NOC l) Details of labels approved by previous CB Details of TCs issued by previous CB.
7	Access to this policy	<ul style="list-style-type: none">• This policy is available to all interested public• It must be handed out to all ADITI certification and inspection personnel

Revision history:

Revision date	Version	Description of Changes
14/09/2020	02	<ul style="list-style-type: none">• Normative Framework, Terms, Related Documents-section has been modified as per relevant standards.• WI 4.2.13: Recognition of Certificate issued by other Certification Bodies Inspection and certification report and list of non-conformities is being achieved and related sections are merged in the present Policy.
25/11/2022	03	<ul style="list-style-type: none">• Updated as per EU 848/2018 regulation