

NOOA Policy Manual

Structure & Operation Policy

Society Structure:

NOOA has operated since 1989 as a registered not-for-profit society under the BC Society Act. There shall be no direct financial interest on the part of NOOA in the affairs of any of its members. There shall be a minimum of five operators/enterprises registered with NOOA to maintain its existence.

Board structure: NOOA operates with an elected board consisting of a minimum of five members. These members are nominated from the membership population including associate members. The position of COABC representative cannot be held by an associate member but must be an active farming member of NOOA. The term of service on the board is two years with a maximum of two terms service. (move to fees)

Certification Committee Structure: The Certification Committee is also made up of volunteers from the membership including the associate members. There is no maximum term of service. (move to fees)

Standards: NOOA follows the current version of CAN/CGSB 32.310 as the Organic Production System Principles and Management Standards as well as the current version of CAN/CGSB 32.311 Organic Production Systems Permitted Substances List.

Changes to policy: The membership will be solicited, by the Board, for input on policy matters in regards to certification policy or operating policy at the AGM or special general meetings if appropriate. These policy changes will be discussed and developed by the Board and sent out in advance of the meeting.

Accreditation Policy

NOOA operates under the accreditation of the COABC. It has the responsibility to administer the Regional Organic Certification Program as outlined by COABC. Fees payable to COABC for each certifying enterprise based on a sliding scale of gross organic income will be collected by NOOA and distributed to COABC in quarterly installments.

NOOA will allow access to records for the purpose of auditing for compliance to the requirements of the ACT and BC Certified Organic Program Criteria. COABC will be notified of any changes to the application of the policy or standards.

A log will be kept with all dates and details of any non-compliance of standards, accreditation, labeling or signage. This log will be submitted yearly to the COABC in the first quarter of the accreditation process.

Certification Policy

Membership: Membership in NOOA shall be open to any person or class of persons wishing to be certified under the BC Certified Organic Program. Membership in association with NOOA is also open to all persons.

Fees: All fees shall be determined at the Annual General Meeting to be put into effect the following year. Notice of these fees shall go out to the membership as part of the minutes of the AGM and as part of the application package for all renewing and new applications.

Deadlines & fees:

March 1 deadline for applications

Late Fee \$200 is applied (only to renewing applicants) after March 1 unless arrangements are made with the administrator.

Refunds: for withdrawal of applications prior to inspection services: 100% of Certification Fees, 50% of membership/administrative fees up until August 1. After August 1 no refund of membership/admin fees and 50% of Certification fees if no inspection has occurred. Otherwise, all fees become non-refundable.

Sept 1 deadline for receipt of documentation missing from initial applications

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Previous members that have switched Certifying Body shall have files made available to other bodies upon receipt of written release form from the member.

Request for information on members to prove certification standing shall be made available with permission from the grower.

Penalties

Penalties for not supplying information pertinent to the certification process during inspection or on request will result in **status being reviewed/ application being denied.**

Committee credits

Board members are granted a \$50 credit towards the membership fee per year of service.

Certification Committee members are granted a \$100 service credit yearly. The COABC representative and COABC Rep Shadow are also granted a \$100 service credit yearly.

Certification Committee consists of volunteers from the membership of NOOA including the associate membership. They are required to sign a confidentiality agreement and Declaration of interest and state any conflicts of interest in the carrying out of their duties as a member of the Certification Committee. Duties of the CC are outlined in the CC Handbook which is given to each member when they attend their first meeting. The CC will meet to review the applications and will perform such review individually unless there is a conflict between the person reviewing and the application he/she is reviewing. In this case, the file will be passed to another committee member to review. In the circumstance where there is a need for clarity or discussion between the members of the committee in regards to an application and that application would be in conflict with one or more members of the committee, the discussion will be held outside of the hearing of those members. There shall be a minimum of three members to discuss and decide on the outcome of the review. In the case where three members are not able to come together the discussion will be held for a separate meeting where a quorum without conflict can be held. This meeting shall be not more than two weeks from the time of the first meeting. Minutes of the Meeting shall be kept showing members present, files reviewed and decisions made.

Verification Officers: Must sign a Declaration of Interest and Confidentiality Agreement, and provide a resume that indicates most recent training.

Issuance of Certificates: Certificates are issued to Certified organic products that have met the requirements of the BC Certified Organic Regional Program and have undergone at least one inspection by an IOIA trained Verification Officer that is in good standing and is qualified for the assignment. Verification Officers hired for inspecting for NOOA must sign a confidentiality agreement and declare any potential conflicts of interest. A Transitional Certificate is issued to any operation adhering to the requirements of the BC Certified Organic Regional Program that has not yet met the requirements for Certified Organic status.

Certification Status decisions: All certification status decisions are made by the Certification Committee following a review of the application or inspection report. This decision is communicated to the Administrator who then will write a letter of status or a letter outlining the missing information or non-compliant issues. The COABC database will be updated within 10 days to agree with the decided upon status and products.

Changes to Scope and Status: If at any time the scope of the operation changes, the Administrator will be notified and changes shall be implemented to the certificate and database to reflect the change in scope. If the change is beyond the removal of products, a review of the product for compliance will be done by the Certification Committee prior to adding this to the certificate. The update in scope shall follow within 10 days upon notification to the Administrator by the operation for removal and by the CC for additions.

Limits of Certification: Products listed on certificates issued by NOOA shall not be sold outside of the province of BC.

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Maintenance of Records:

NOOA shall keep all records of operations and certification business for a minimum of seven years. These files can be stored in paper or electronic format.

All producers shall keep records of organic certification practices for a minimum of five years.

Timing of Renewal for Certification:

Applicants (first-time or renewals) to NOOA are expected to submit applications and pay fees so that they are received and processed by the deadline of March 1 every year (approximately two months prior to certificate expiry).

NOOA Late Application and Fee Payment Procedure:

If the application and fees have not been received and processed by March 1:

- The application or renewal application cannot proceed (including arranging an inspection) until:
 - Fees are paid or
 - A payment plan* has been approved by the NOOA Administrator and Board Executive
- A late fee of \$200 is applied and needs to be paid before the file is reactivated.
- The applicant's status is changed to "not in good standing" on NOOA's and COABC's lists.

If the application and fees have not been received and processed by April 1, and there has been no communication with the NOOA Administrator:

- The applicant will miss inspection planning for the year, so will need to:
 - Pay full cost of the inspection or
 - Wait until the following year to apply. For renewals, this means losing time towards transitional status and possible loss of full Certified Organic status due to the lapse.

* Possible payment plans, on a bi-weekly or monthly schedule, with dates and amounts specified over a specific timeline, include:

- post-dated cheques
- e-transfer payments
- credit card payments

Procedure for Late Application review

Applications received following the first Certification Committee review (usually Mid May) will be subject to the following procedure:

1. Late fee of \$200 is applied to renewing applicant. New applicants will follow this procedure without the late fee being applied.
2. Application is reviewed by Certification Coordinator to ensure that missing documents, outstanding issues or any other item of note for the Verification Officer are identified. These notes will be written on the Review Checklist with the Coordinator's signature and date.
3. Verification Officer is sent to the operation with the file to conduct inspection.
4. VO report and issues identified by Cert Coordinator are reviewed by the Certification Committee along with the other applications. Any findings are noted on the checklist and

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signed by the CC member. Justification for not following standard procedure due to late receipt will be outlined on this checklist and noted in the minutes of the CC.

Applications received following the second Certification Committee review (usually in August) will be subject to the following procedure:

1. Late fee of \$200 is applied (only to renewing applicants)
2. Application is reviewed by the Coordinator to ensure missing documents, outstanding issues or other items of note for the Verification Officer are identified. These notes will be written on the checklist with the coordinator's signature and date.
3. If a verification officer is available (assuming the rest of the files have already undergone inspection and the reports have been submitted), the inspection can be conducted and any additional fees to the certification portion of the standard fee shall be assessed directly to the operator.
4. The VO report is reviewed by a committee member who agrees to the additional meeting and will be summarized to be presented via email to the remainder of the committee. Should further discussion be required, a conference call or face to face meeting shall be called to include a quorum of the certification committee for review. A decision shall be made by the committee as per the normal methods.

File Transfers:

Procedure for file transfer from other COABC Certifying Bodies

When an applicant is switching to NOOA from another COABC accredited body, the status shall be recognized as valid under NOOA and a certificate of status can be issued immediately if there were no outstanding issues from the previous certifier. If there were issues outstanding, at least one inspection must be undertaken prior to issuing a certificate of organic status. The low risk status can be continued from the previous certifier so long as an inspection occurs in the year of the transfer and is reviewed by NOOA's Certification Committee.

Procedures for File Transfer from Non-COABC Certifying Bodies

When an applicant is switching to NOOA from a non-COABC certifier, the applicant must undergo at least one inspection to verify the consistency of organic procedures with NOOA's prior to being issued a certificate of organic status.

Certification Procedure (see CC manual for details)

Assignment of Certification Status is made by the Certification Committee following an initial review of the operator application. For operations that have previously been certified by NOOA and that have no outstanding issues, a certificate is issued immediately. For all other operations, the verification officer must complete an inspection and the report must be reviewed by the Certification Committee prior to issuing a certificate.

Permitted Materials:

NOOA does not maintain a Brand Name Materials list. Materials used as inputs must meet the criteria of the current version of CAN/CGSB 32-311 Permitted Substances List for use on farms certified by NOOA. If an operator submits a request for approval of an input, the process is as follows:

1. The operator shall supply all relevant information on the product such as the MSDS, product label and manufacturer, and supply references to 32.311. The administrator shall receive from the operator and compile this information.
2. The administrator will then review the Canada Organic Permitted Substances List, OMRI Canada, OMRI US, Organic Inputs, EcoCert, and all other relevant authorities to determine if the product is acceptable.

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3. Failing a clear determination from these sources for acceptability, the Certification Committee will rule on the product with any further input from the Accreditation Board and Standards Interpretation Committee.

Testing Requirements:

An applicant for any land transitioning into the organic program will be required to provide a current soil nutrient test. The certification committee may require a soil test specific to the perceived issue in the following circumstances: any agronomic problems that arise in an operation may require a soil test to determine the source of the problem; any time a suspected contamination of the land is identified then a soil or other test may be required to determine the type and level of contamination; any further issues that the committee determines are sufficient cause to require a soil or other test.

Certificate

The certificate is used by the enterprise for marketing purposes. It shows all products covered by the certification, the operation size and the level of status granted. It also gives the operation access to the BC Certified Organic logo for those products that have a Certified Status.

Logo use:

A license agreement must first be signed by the operator and NOOA prior to accessing to the logo. All use of the logo must comply with the regulations set out in the Logo Use Guide. Any product that has any status other than Certified must not be listed in conjunction with the logo including: transitional, under review, decertified, withdrawn or inactive.

Certification Status

Assignment of Certification Status is made by the Certification Committee following an initial review of the operator application.

Possession of a certificate is not in itself a guarantee of certification. NOOA must issue a new certificate in each year.

Valid Dates:

Certification status begins on the date of approval by the Certification Committee and is indicated on the certificate. The certificate remains valid until a renewal certificate is issued or the certification body revokes it. Provided a renewal application is received, and all other polices and standards have been met, the certificate will be renewed.

Inspection Frequency

All operations other than those in the Low Risk Program shall receive a minimum of one inspection per year. Second inspections are made on those requiring follow up from the first inspection as determined by the Certification Committee. For livestock operations with animals confined to paddocks for winter-feeding, that some of the inspections take place during the winter season. This assignment of status is reviewed annually.

Revocation

The certificate must be surrendered to NOOA if the operation no longer meets the criteria of the BC Certified Organic Program or if a renewal application is not received prior to the expiration date. A letter will be sent to the operation stating the non-validity of an expired certificate within one month of not receiving a renewal application from the time of the expiry date.

When NOOA issues a notice of cancellation or revocation, the certificate is by that act, invalidated. NOOA may be contacted for this information.

Inventoried Products

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Products that remain in inventory after the term of a certificate may be marketed under that certificate upon written permission of NOOA. Appropriate documentation is required and an inspection may also be required so long as the product remains in inventory.

Certificate categories

- **Withdrawn:** Where an operator voluntarily withdraws from the certification program or where a prohibited practice or material was used. No product may be sold as organic under this status. If conditions exist for which the producer, processor or handler anticipates the use of prohibited practices or materials, NOOA strongly recommends consultations with the appropriate experts and the Certification Committee, close monitoring of the actions and the effects and detailed documentation.
- **Decertified:** An operation which was certified but no longer meets the production or processing standards shall have their certificate revoked.
- **In transition:** where an operation is in the process of meeting the requirements of the program.
- **Under Review:** assigned when information gathered at the inspection was insufficient or inconclusive. The issuing of this status is accompanied by a letter from NOOA stating why the inspection was inconclusive. There are no rights to label products available under this category
- **Non-Production:** assigned when the operation has demonstrated compliance to the standard but is not operations. A certificate may not be issued if an operator is currently inactive. Use of the Logo is not permitted. An inactive member will have a lower fee as there is no scheduled inspection but may be subject to an unannounced inspection as per the Low Risk status. The operation must apply annually and have the application reviewed by the Certification Committee. This status has a five year time limit with the potential for an extension with an appeal to the Certification Committee.
- **Certified Organic:** where a product or operation has fully met the conditions of the operation and management standards for at least 12 months from the time of application. Logo use is permitted with signed license agreement and adherence to the logo use conditions. Products are allowed to be labeled and marketed as certified organic.
- **Certified Organic Low Risk:** where an operation has enjoyed three years of Certified Organic status with no conditions and has undergone a Low Risk Assessment and has had that assessment reviewed by the Certification Committee. These operations will provide an annual application that is reviewed and are able to label and market their products as certified organic. A Low Risk file transfer from a COABC Accredited Body may continue the low risk status provided that the transferring operation is inspected in the transfer year by either the transferring body or NOOA so long as the inspection report is reviewed by NOOOA to make certification decisions. Any transferring operation with 3 previous years of fully certified status without conditions can apply to NOOA for Low Risk status and undergo an assessment to achieve Low Risk Status in the following year. Complete details of the Low Risk Procedure are detailed in that section.

Non-compliances:

The CC shall note any non-compliances on initial review. Any missing information must be requested within 10 days of the spring CC meeting, and the information must be received prior to the fall Certification Committee review meeting. If the information is not supplied by the requested date, certification may be subject to a penalty or certification may be revoked.

Certification Disputes and Appeals

If an operator wishes to appeal their certification status decision, initial appeal is made to the Certification Committee in writing. This appeal should be received at the office within 30 days of the status decision being sent to the operator. If the status recommendation is reviewed and upheld by the CC, the operator

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may appeal to the Board of Directors. This appeal must be received in writing within 30 days of the decision of the CC review meeting. The Board shall review all documentation and may ask to meet with members of the CC as well as the operator to be clear on the issue. The Board shall relay its decision to the operator within 30 days of receiving the appeal. If the operator wishes to continue with the appeal, an extraordinary general meeting will be called to hear the appeal. Ultimately, NOOA's general membership is the final arbiter for all certification processes, procedures, appeals, standards and material evaluations. A copy of all documents including the letter of appeal, minutes of the review meetings, and letter of finding sent to the operator will be kept in a separate file.

Low Risk Procedure:

NOOA will entertain the application of established operators for their Low Risk Certification Program. The program will provide a reduced number of inspections to one in three years and thus offer a cost savings of approximately \$150 per year per operator. The Program will be carried out in the following manner:

Application for Low Risk:

1. An operator who has enjoyed three years of certified organic status under the COABC Regional Certification and two with NOOA without any non-compliance issues in those years qualifies to apply for this program. This shall be determined by previous certificates and condition letters for the applicable three years.
2. The operator shall make known to the administrator through a letter of intent or by checking the indicated box on the renewal application that they are applying for the Low Risk Program at the time of certification application. Once accepted into the Low Risk Program, the operator's low risk status is automatically renewed unless revoked.

Review of Risk Status:

3. The Verification Officer shall be notified when contracted for inspection to that operation to complete the Risk Assessment Criteria Checklist.
4. The Certification Committee shall review this checklist along with the regular verification report to assess the operator's suitability for the low risk program.
5. The Certification Committee shall use as a general guideline the following numbers arising from the Risk Assessment Criteria Checklist to rank risk: 0-15 Low Risk; 10-20 Medium Risk; over 20 High Risk.
6. These numbers along with a full assessment of the historical compliance of the operator shall aid in the deliberation of the assessment.
7. The committee will in every case provide a reason for the assessed risk status and justification for that assessment. The operator will have full knowledge of the factors inherent in their ranking.

Implementing the Low Risk Program

8. The assessment of risk status shall be reviewed with the application of the operation. A full application shall be submitted yearly along with applicable fees in order to continue within the Low Risk Program.
9. Any significant changes to the operation; identification of non-compliances; or changes in management are cause for an inspection for that year along with the increased costs.
10. A full assessment of the application shall be done by the Certification Committee yearly to determine the risk status and compliance with standards.
11. If the operation is deemed to no longer be low risk, the operation reverts to the yearly inspection regime until a low risk evaluation is returned.
12. If the operation continues as Low Risk a certificate is issued immediately, and the operation continues in the pool of operations receiving reduced inspections.
13. 5% of all Low Risk Operations will undergo a random unannounced inspection during each calendar year with each enterprise receiving a minimum of one inspection every three years.

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14. An operator has the ability to appeal a decision that denies them access to the Low Risk Program within 30 days of receiving notice of the Certification Committee's decision of Risk Status.

Appeal Procedure

15. Appeals will be made in writing to the Certification Committee within 30 days of receipt of decision. The basis for the appeal must be outlined in this communication and a second review will be conducted by at least two members of the Certification Committee.
16. The results of the second review will be communicated in writing to the operator within 30 days of receiving the letter of appeal and will detail the findings and offer support for the arguments of risk assessment. If it is deemed necessary, an in-person meeting between the operator and the CC may be arranged to better determine the appeal. This is not a requirement of the appeal.
17. The decision of the Certification Committee in the second review can be appealed by submitting a letter of appeal to the Board of Directors within 30 days of the second review communication. This letter must include all prior communications and results and supporting documentation for appealing the CC decision.
18. The Board shall meet with the CC and the Operator to hear all arguments and offer a final decision based on all findings. This meeting shall occur within 30 days of receipt of the letter of appeal to the Board.
19. The decision of the Board of Directors shall be final.