

Scheme Regulations

ofgorganic.org



Statement of OF&G's impartiality and independence so that objective and fair certification decisions can be made.

1. Introductory Explanation

These Scheme Regulations govern all certification and validation/verification services offered by Organic Farmers & Growers C.I.C., hereon referred to as OF&G. OF&G adhere to ISO/IEC 17065 (Conformity assessment -- requirements for bodies certifying products, processes and services), ISO 14065 (General principles and requirements for bodies validating and verifying environmental information) and ISO/IEC 17029 (Conformity assessment -- general principles and requirements for validation and verification bodies). Under ISO/IEC 17065, ISO 14065 and ISO/IEC 17029 OF&G offer certification and validation/verification to a number of Schemes, which contain standards. An OF&G customer agrees to adhere to the requirements of the Scheme standard and the obligations laid out in Section 3 (Scheme Member/Applicant Obligations).

2. OF&G

2.1	OF&G are an independent third-party Certification Body operating Certification and validation/verification Systems for a number of Schemes.
2.2	The Certification System for products (including services) and processes is an independent third-party system, compliant with ISO/IEC 17065, for determining product conformity against Scheme Standards. The Certification System may require examination of the product, the production process, the production environment, and the production, storage and distribution facilities and, where appropriate, assessment of the quality system records. Certification after initial assessment is followed by continuing assessment, audit, inspection or surveillance. Certified licensees receive a Certificate of Compliance and authorisation to use an appropriate Scheme Certification Mark/Logo.
2.3	The Certification System for validation and verification activities is an independent third party system, compliant with ISO 14065 and ISO/IEC 17029, for auditing projects that aim to sequester carbon through woodland creation and/or peatland restoration. The Certification System requires the examination of the design and management requirements and the carbon sequestration and emissions of the woodland or peatland projects. Certified licensees initially receive a Validation Opinion Statement with projects then verified normally at year 5 and thereon 10 yearly intervals, when they then receive a Verification Opinion Statement subject to continued compliance with the scheme.

3. Scheme Member / Applicant Obligations

All certified Scheme applicants/licensees/clients (thereafter referred to as licensees) agree to:

3.1	Comply with all the requirements detailed in the appropriate Scheme Standards and not make any false statement or declaration in the course of certification.
3.2	Provide access announced or unannounced to OF&G assessment staff (and, where appropriate, accompanying authorised personnel) for the purpose of assessment of the member's product/project, the process, the production environment, the production, storage and distribution facilities and records against the requirements of the Scheme Standard.
3.3	Notify OF&G of any significant changes to the ownership or management structure of the unit/site producing certified product/validated/verified product or changes in the facilities or methods of production/management, which may affect the certification granted.
3.4	At all times ensure compliance with all legislation that relates to the appropriate scheme sector. Where reference has been made to legislative requirements within the Scheme Standards, certification does not imply that all aspects of the referenced legislation have been met.



OF&G
Old Estate Yard
Shrewsbury Road | Albrighton
Shrewsbury | Shropshire
SY4 3AG



01939 291 800



@ofgorganic



info@ofgorganic.org



/organicfarmers



www.ofgorganic.org

3. Scheme Member / Applicant Obligations cont.	
3.5	Immediately notify OF&G of any prosecutions or failure to comply with relevant industry related legislation which may breach Scheme requirements or of any failure to comply with Scheme Standards of which the member is aware of at time of application or becomes aware of relating to the operation of their business or personnel/staff involved with the operation of their business.
3.6	Maintain a system for the recording and actioning of complaints received in relation to the products/projects certified.
3.7	Pay the necessary fees determined for the Scheme.
3.8	Notify OF&G of all units/businesses owned by the licensee, whether participating or not in the Certification Scheme.
3.9	Inform OF&G if receiving any other services or certification from any subsidiary Company of OF&G.
3.10	Not bring the Scheme, the Scheme Owner or OF&G into disrepute. Not use its certification to make statements that OF&G considers to be misleading or unauthorised.
3.11	Agree that upon suspension, withdrawal or termination of certification, will cease to make claims of certification, validation, or verification for the product, process, or system.
3.12	Adhere to the requirements set out in part (4) below.
4. Use of Licenses, Certificates and Marks of Conformity/Logo's	
4.1	Licenses, Certificates and Marks of Conformity/Logo's (including but not limited to: schedules and other official Scheme documents or mechanisms) remain the property of OF&G and must be returned or destroyed upon request.
4.2	Incorrect use of references to the Scheme or misleading use of Licenses, Certificates, Marks of Conformity/Logo's indicating a product is certified, may result in the member being suspended or certification withdrawn.
4.3	Copies of certification documents must be reproduced in their entirety or according to the Scheme regulation.
4.4	Claims made in, and logos used in, advertising, brochures, websites and other public documents must meet the requirements of those specified in the Scheme Standard.
4.5	Use of the UKAS accreditation logo is controlled by the Department of Business, Energy & Industrial Strategy (BEIS). Any use of the logo must be in compliance with the guidelines for use detailed in the document Accreditation Logo & Symbols.
5. OF&G Obligations	
As the certifying body for a Scheme, OF&G undertakes to provide for licensees of a Scheme the following:	
5.1	An independent assessment of the member's product/project, the process, the production environment, the production, storage and distribution facilities and records to ascertain for certification purposes compliance with the requirements of the Scheme Standard.
5.2	Timely notification of any changes to the Scheme Standards.
5.3	A Certificate or Statement and authorisation to use the designated Scheme Mark/Logo following Certification.
5.4	Confidentiality of all information regarding the licensee/applicant's business obtained during the course of an assessment, unless required to do so by law, during an audit by an external body, e.g. scheme owner or Accreditation Bodies, or with the express permission of the licensee. (Please also note Regulation 10.)
6. Role of OF&G Certification Committee (CC)	
6.1	Where appropriate, OF&G appoints a CC to advise on technical matters relating to the issue, maintenance and withdrawal of Certificates.
6.2	The Terms of Reference (OFF12) of the CC is available from the OF&G office.
7. How to join the Scheme	
7.1	Application information and scheme standards are available on the OF&G website or on request from the office.
7.2	Application to join a Scheme must be made on the appropriate application form available from the OF&G website or office and be accompanied by the appropriate payment. Fees are shown on current charges sheets and, if necessary, are available from the OF&G office. A separate application is required for each production or processing unit/site. An acknowledgement on receipt of an application form and fee is sent to the applicant.
7.3	Unless otherwise notified, all fees shall be due for renewal annually. OF&G shall notify existing licensees of their renewal fee prior to the renewal date.



8. Assessments	
8.1	OF&G appointed auditors will carry out all assessments. Licensee's product/project, the process, the production environment, the production, storage and distribution facilities and records shall be assessed annually or at an interval determined by OF&G. Applicants shall be contacted to arrange a suitable date for an assessment within 28 days of OF&G receiving the application. Unless otherwise notified, re-assessment visits shall be by appointment. When arranging assessments, if the initial prospective date is unsuitable, then a further date must be arranged. Failure to agree to an appointment within the required timescale could lead to suspension as a licensee until a visit is completed. Spot-checks may be carried out by auditors. These may be unannounced.
8.2	The assessment shall be conducted against the current issue of the relevant Scheme Standards and related documents. At the time of the assessment, a check shall be made that records and circumstances support the declaration of the calculation of the fee, if appropriate.
9. Certification Decisions	
9.1	Following consideration of the assessment report by OF&G, the licensee shall be notified in writing of the outcome of the assessment and, where appropriate, the certification category awarded. This letter shall include, if appropriate, notification of any non-compliances requiring corrective action and, where appropriate, timescale for completion. A Certificate or Statement shall also be issued along with Certification Scheme Mark/Logo, where appropriate.
9.2	A Certificate granted to a licensee is valid from the date of issue with its maintenance being subject to the licensee continuing to meet the requirements of Scheme Standards and Certification Regulations.
9.3	A Statement is issued to a certified/validated/verified project with an expiry date indicated within the relevant Scheme or for a maximum of five years initially where this is not documented.
9.4	The Certification Scheme Mark/Logo may only be used in an approved form and only on products, which are subject to the Certificate of Compliance, Validation/Verification Statement issued to the licensee concerned.
9.5	A licensee may be suspended from the Scheme for failing to meet the requirements of Scheme Standards or Scheme Regulations. A licensee may withdraw voluntarily at any time, having paid all outstanding fees. In cases of suspension or withdrawal the Certificate or Statement is no longer valid, the licensee can no longer use the Certification Scheme Mark/Logo and no refund of fees will be made.
9.6	A licensee that has not provided satisfactory corrective action in line with the individual requirements of the Scheme Standard will be not-approved or suspended or withdrawn and will be required to reapply, if they wish to continue with the Scheme.
10. Licensee Categories	
10.1	An explanation of licensee categories for each Scheme is available from the OF&G office.
11. Amendments to Scheme Standards & Scheme Regulations	
11.1	The Scheme Standards are subject to a formal review by the appropriate Scheme Owner on a regular basis. Licensees shall be notified (through publications, electronic media or other means) of any amendments to the Scheme Standards and conditions that may affect them.
11.2	Scheme Regulations may be altered at any time. OF&G shall provide (through publications, electronic media or other means) updated Certification Regulations as soon as reasonably practicable. The most current issue of Certification Regulations are available from the OF&G office or via OF&G's website at www.ofgorganic.org
12. Approved Lists	
12.1	OF&G may make available to Scheme Owners and legally authorised parties, on request, an up to date list of all licensees and the products for which they hold approval or projects validated/verified.
12.2	Any licensee who does not wish to have their details circulated on the list must notify the Scheme office in writing.
12.3	Regardless of 12.2 with regard to action taken under 11.2, the Scheme Owner may notify those with a commercial interest, that a licensee's certification has been withdrawn.
13. Right of Decision Review and Appeal	
13.1	Review. A licensee has the right to request a review of a decision on certification taken by OF&G by lodging notice of request for review in writing stating appropriate grounds to the Certification and Compliance Manager (CCM). Written requests for review concerning the operation of the Certification Scheme or OF&G shall be dealt with in accordance with OF&G's Appeals Procedure (OFF28) which is available from the OF&G office.

13.2	Appeal. If a member wishes to appeal against the review decision, they shall do so in writing to the OF&G Certification Committee giving details of the grounds for appeal. Written requests for an appeal concerning the operation of the Certification Scheme or OF&G shall be dealt with in accordance with OF&G's Appeals Procedure (OFF28) which is available from the OF&G office. OF&G reserves the right to charge the costs of appeal to the appellant. During the period of appeal the original OF&G certification decision will stand.
14. Suspension and Reinstatement	
14.1	OF&G shall be entitled to suspend a Certificate and/or a licensee of a Scheme should it become aware of breaches to any requirements specified in (3) Licensee/Applicant Obligations or (4) Use of Licenses, Certificates and Marks of Conformity/Logos.
14.2	OF&G shall be entitled to suspend a licensee / application immediately if it is notified of (or becomes aware of) a prosecution relating to a member's business or if notified of (or becomes aware of) a breach of relevant industry related legislation. If the licensee is subsequently convicted of an offence in relation to a licensee's business, OF&G shall be entitled to suspend the licensee / application with immediate effect, accept undertakings from the licensee or take no further action.
14.3	If OF&G accepts undertakings from the licensee, the licensee / application shall be reinstated subject to satisfactory compliance with the licensee's undertaking. If OF&G decides to take no further action the licensee / application shall be reinstated with immediate effect.
15. Complaints	
15.1	Complaints Related to Product, Validation/Verification Project. The responsibility for complying with the requirements of the Certification Scheme as defined in the Scheme Standards and for complying with statutory requirements rests absolutely with the licensee / applicant. Therefore, any complaint about a product / project or any complaint arising from possible infringements of the law shall be dealt with by the licensee / applicant concerned. Complaints of this nature coming directly to OF&G shall be referred to the licensee / applicant concerned for appropriate corrective action to be taken. Licensees / applicants are required to maintain a record of all complaints and any subsequent action taken and make this available to auditors during assessment visits.
15.2	Complaints concerning the Certification Scheme or OF&G. Written complaints concerning the operation of the Certification Scheme or OF&G shall be dealt with in accordance with OF&G's Complaint Procedure (OFF13) which is available from the OF&G office. OF&G shall: <ol style="list-style-type: none"> 1. Acknowledge the complaint; 2. Investigate the complaint and the responsible manager shall advise the complainant in writing of the outcome of the investigation; 3. Inform the Board of OF&G or CC as appropriate of the complaint and the outcome of the investigation at its next meeting.
15.3	Complaints Related to Scheme Licensees. OF&G handles all complaints relating to Scheme Licensees in accordance with its Complaints Policy (OFF13). This is available on request from the OF&G office.

