



# Demeter UK & BDA certification Quality Manual

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**Biodynamic Association Certification**

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## 1. Quality Policy Statement

Biodynamic Association Certification (BDA Certification and Demeter UK) has been established for the purposes of certifying food and non-food products to Demeter and EU organic standards. BDA Certification and Demeter UK recognises the need for, and importance of, impartiality in the process of certifying products and processes and is committed to safeguarding the impartiality and thereby the integrity of its affairs.

The basis within which both the Demeter and organic certification programmes operate from is the regulatory requirements of BS EN ISO/IEC 17065:2012 '*Conformity assessment – Requirements for bodies certifying products, processes and services*'. The requirement for the Demeter certification programme is enhanced by the Demeter International '*Directions for the Implementation of a Certification Programme*'.

The Demeter and organic certification programmes are accessible to all applicants, regardless of size of operation, who commit themselves to Demeter and organic standards, as applicable. All applicants to and licensees of the schemes shall be treated on a non-discriminatory basis.

The Certification Board promotes practices to ensure that the organisation meets compliance with all relevant regulatory and legislative requirements, and that its aims and objectives of continuously improving the quality of service in both the Demeter and organic schemes are achieved.

The Certification Board, the Standards Committee and staff receive training in BS EN ISO/IEC 17065:2012 and the standards, policies and procedures of the certification schemes.

The Standards Committee carries out regular reviews of procedures and trends and makes recommendations to the Certification Board for further development of the schemes in line with continual improvement of best practice and any changing requirements of legislation.

BDA Certification is committed to supporting the integrity and development of biodynamic and organic agriculture through the delivery of its certification programmes. We work with farmers, growers, advisors and scientists to promote and develop sustainable methods of producing and processing wholesome and healthy foods for consumers.

A copy of this Policy, which is subject to review, is available to all BDA Certification employees, supporting staff, applicants and licensees of the schemes and to any other interested party.

## 2. Responsibility for Quality Management

The overall responsibility for the Quality Management of the BDA Certification schemes lies with the Certification Board.

Day-to-day responsibility for implementation of Quality Management lies with the Certification Manager, who raises any quality issues at Certification Board meetings. In instances in which an arising matter needs immediate attention, the Certification Manager will discuss this directly with the Chair of the Certification Board.

It is also required of all employed and contracted personnel acting on behalf of BDA Certification to take responsibility for quality in their particular areas of involvement, and to liaise with the Certification Manager on any matters of concern.

## 3. Legal status and scopes

This Quality Manual satisfies the requirements of ISO/IEC 17065:2012, '*Requirements for bodies certifying products, processes and services*' and details the operations of BDA Certification's programmes.

BDA Certification and Demeter UK has been established for the purposes of certifying biodynamic and organic food and non-food products. The need and importance for impartiality has been recognised as paramount to safeguarding the integrity of the products and processes certified by BDA Certification and as such, the ultimate responsibility for all aspects of the organisation of BDA Certification rests with the Certification Board.

BDA Certification delivers certification schemes only to the following scopes:

- Production, including agriculture, horticulture, orchard production and aquaculture, according to Demeter International Production Standards and the UK retained organic EU-regulations
- Processing, including packing, manufacturing, slaughter, tanning, catering, wholesale and distribution, and production of animal feeds, according to Demeter International Processing Standards and the UK retained organic EU-regulations
- Importing and Exporting from and to third countries (Non-EU member states) according to the UK retained organic EU-regulations and Demeter International Standards

The relevant Standards are:

- ✓ Retained Commission Regulation (EC) No. 834/2007 and associated implementing rules on organic production of agricultural products. **Note any reference to EC Regulations implies UK retained regulation from 01/01/2021.**
- ✓ Demeter Production Standards



- ✓ Demeter International Bee Standards
- ✓ Demeter UK: Aquaculture Standards
- ✓ BDA Certification Organic Production Standards
- ✓ Demeter International Processing Standards
- ✓ Demeter International Labelling Standards
- ✓ BDA Organic Processing Standards
- ✓ BDA Organic and Natural Tanning Standards

Licensees of the certification programmes must meet and maintain these standards within their organisation as applicable, in order to receive and maintain certification and thereby their license / certificate for Demeter and or organic food production and products.

BDA Certification and Demeter UK is a member of Demeter International and, as such, is an internationally recognised certification body for biodynamic food and farming.

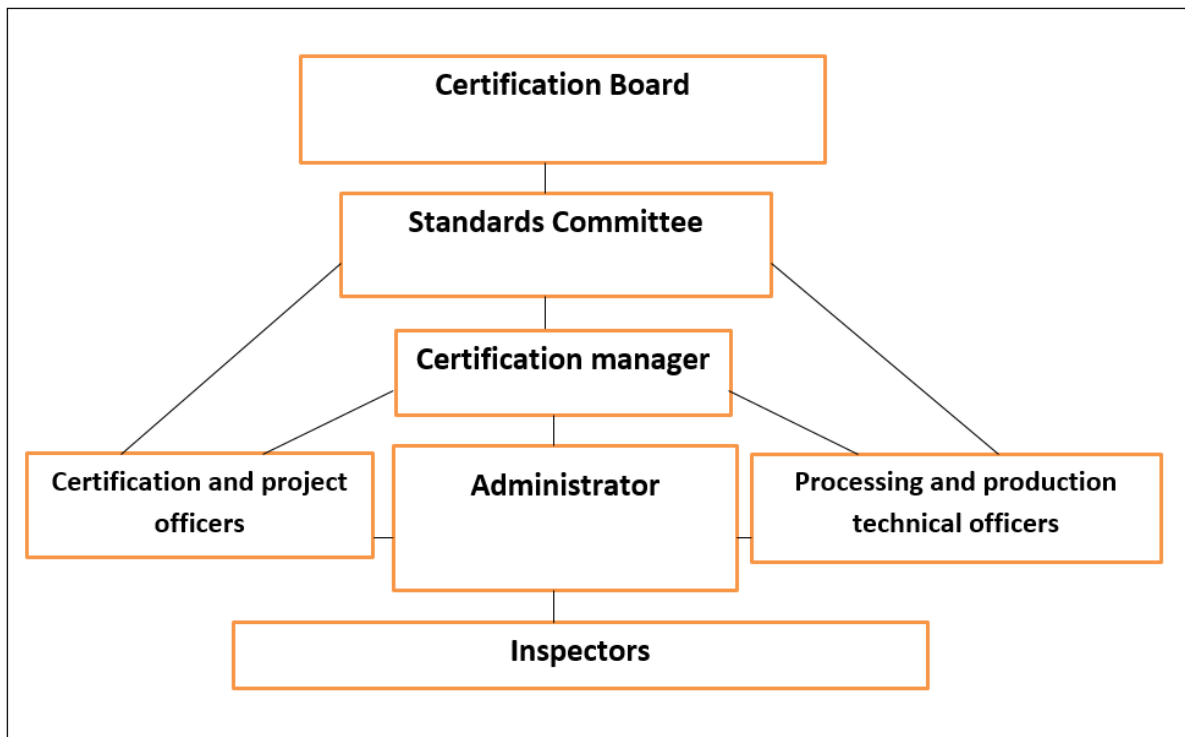
The Demeter and organic certification programmes operate in both the United Kingdom and the Republic of Ireland (Demeter standards only. In the UK, we are approved by the DEFRA as an organic certification body with the registration code GB-ORG-06. DEFRA approval is conditional upon on-going accreditation by the United Kingdom Accreditation (UKAS) Service to ISO/IEC 17065:2012

The procedures and policies in this Quality Manual relate to BDA Certification's Demeter and organic certification programmes.

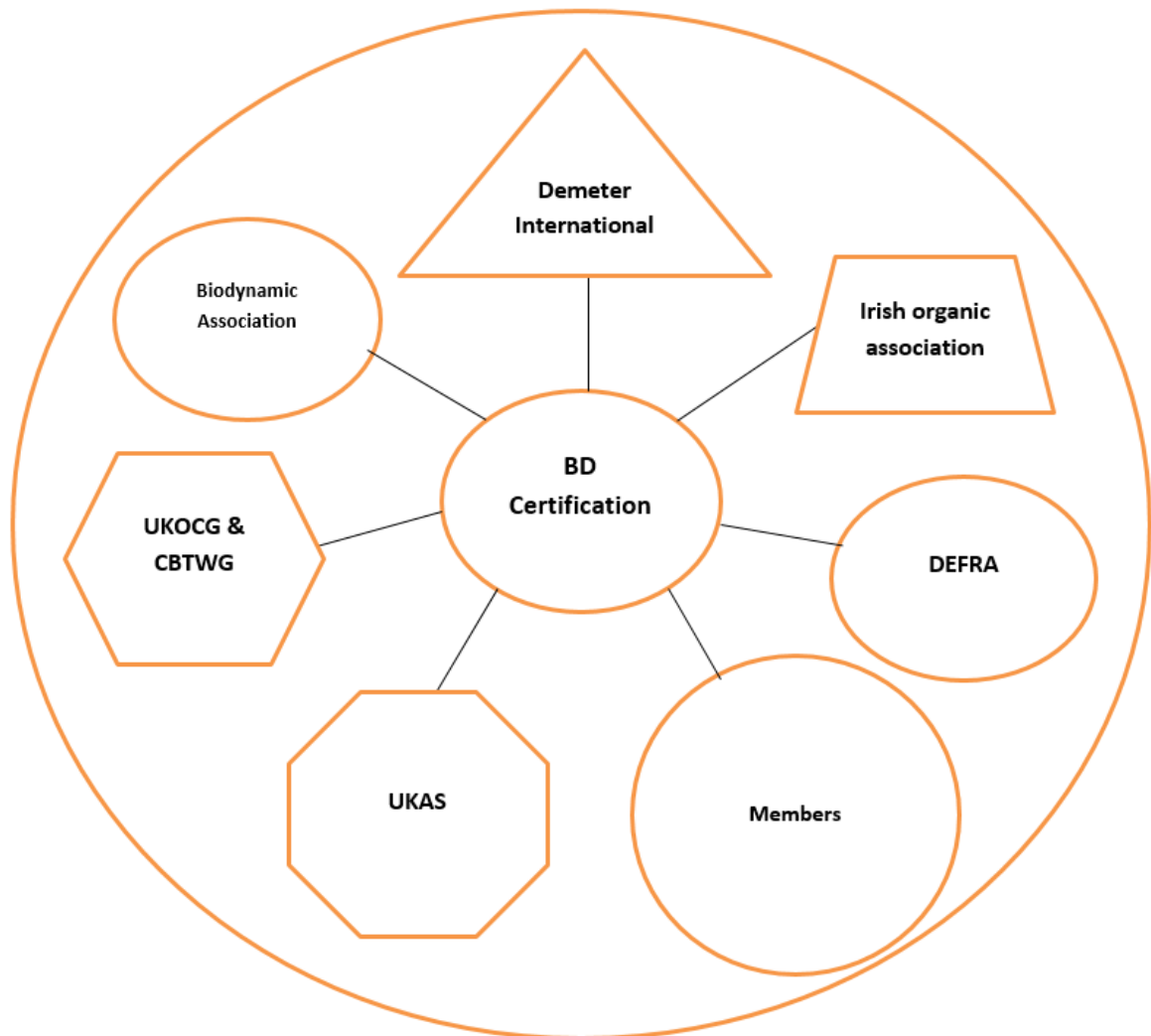
BDA Certification is a department within the UK Biodynamic Association (BDA) which is a registered charity founded on the work of Rudolf Steiner with the objectives of developing and promoting knowledge of biodynamic agricultural methods for the betterment of farming, horticulture, and gardening. The International Biodynamic Association (IBDA) is the owner of the Demeter trademark and licenses the UK Biodynamic Association to administer the Demeter trademark in the jurisdictions of the United Kingdom and the Republic of Ireland.

## 4. Organisational structure and third party affiliates

### 4.1. Organisational Structure



## 4.2. Third Party Affiliate



## 5. Constitution of the Certification Board

The Certification Board is the governing body of BDA Certification. The Certification Board's function is to oversee and steer the commercial direction and legal obligations of BDA Certification. The BDA Certification Board upholds the principles of the Demeter Standards and the UK retained organic EU-regulations EC834/2007, 889/2008 and ensures compliance with the requirements of BS EN ISO/IEC 17065:2012.

### 5.1. Objects

A primary responsibility of the Certification Board is to ensure that the certification programmes are impartial and that the interests of no single stakeholder group shall dominate. The policies and procedures of the certification schemes shall be documented in such a way that impartiality and a balance of stakeholder interests is assured.

The key tasks of the Certification Board include:

- Oversight of the management and operations of the certification schemes, regular BDA certification management and twice yearly management review meetings are submitted to the board in the form of standing agenda and minutes.
- Formulate and agree policies and strategies that support the development of BDA Certification
- In conjunction with the Standards Committee, design and implement operational procedures for the certification programmes
- Oversight of the development of UK Demeter Standards and participation in the development of the International Demeter Standards
- Ensure that sufficient resources, especially financial and human, are available for the smooth running and development of BDA Certification
- Appoint appropriately qualified staff and keep an oversight of their performance, providing support where necessary
- Reviewing and revising where appropriate, the BDA Certification pay grades for staff and contractors and ensure these remain in close proximity to market rates
- Ratifying sanctions imposed on certificated licensees where appropriate
- Considering appeals, as outlined in section 14 of this manual 'Procedures for handling Complaints, Disputes and Appeals' taking care to maintain its non-discriminatory approach and not compromising impartiality. To this end, and from time to time it may be necessary for a subgroup of the Board comprised of at most one certified producer to address appeals.

### 5.2. Composition

The Certification Board shall be composed of not less than **4** independent and suitably qualified persons representing as broad a range of stakeholder interests. The stakeholder interests that are be represented, in as far as possible, on the Certification Board are the following:

- Farming
- Horticulture and Gardening
- Food Processing
- Consumers
- Environment
- BDA Certification Manager
- A member independent of any of the above interests to safeguard impartiality.



In addition to the areas of expertise represented on the Board, from time to time, and where necessary, the Board will invite people with other expertise to contribute to specialist areas of discussion, which are not represented through incumbent Board Members.

It is recognised that the unique nature of the certification operations can result in Board or staff members having a conflict of interest as either certified licensees or employees of BDA Certification. Therefore, measures have been taken to safeguard impartiality.

A primary measure to safeguard impartiality is to appoint a board member who is independent of any of the main stakeholder interests listed above and has no direct involvement with day to day certification operations. This board member has a special task to safeguard the impartiality of the certification programmes delivered by BDA Certification. If this board member has concerns regarding impartiality that are not resolved by the Board within a reasonable period of time, recourse shall be taken to DEFRA or UKAS as appropriate.

Certification Board members declare interests (either business interests or interests in related activities of the BDAA) that could present a conflict of interest with the tasks of the Certification Board.

### 5.3. Appointment

When a position becomes vacant on the Certification Board, a new board member can be proposed by an existing board member or BDA Certification may advertise the position in public domains. The appointment of new Board members must be agreed by a majority of incumbent Board members.

### 5.4. Training

Training in quality assurance / certification systems and BS EN ISO/IEC 17065:2012 is given to all members of the Certification Board on an on-going basis.

### 5.5. Officers

The Certification Board shall appoint a chairperson and where appropriate, a member of the Certification Office staff may be appointed as secretary, in which case the secretary will have no voting rights on the board.

### 5.6. Reporting

The Certification manager is responsible for reporting and updating all Board members with regards to the status and development of all operational activities and projects undertaken by BDA Certification.

### 5.7. Terms of Reference

- The term of office for members of the Board is 4 years. Reappointment for a second term of 4 years is possible. After serving two full terms and after a gap of one year, reappointment to the board for a further 2 terms is possible.

- Board members who attend fewer than 50% of board meetings in any year may be voted off the board.
- A quorum at board meetings shall consist of at least 4 members of the Board. However, should some board members be absent, care must be taken not to shift the voting in favour of certified licensees. Therefore at least 50% of those voting must not be certified by BDA Certification.
- A Chairperson will be elected by the board for a two-year term. Nomination for Chair shall be proposed and seconded by board members and approved by a consensus of members present (or by a majority vote if consensus cannot be achieved). Re-election for a further two-year term is possible. The chair should be reviewed annually at the autumn board meeting.
- In the absence of the Chair at any meeting of the Board, a substitute chairperson may be elected.
- The Chair of the Board shall convene all meetings by notice to each member – not less than **three times** a year.
- The agenda and relevant papers of a board meeting shall be circulated to all board members at least three days before the meeting.
- Board members who are not able to attend a meeting may give input to the meeting through an attending board member. Proxy voting is allowed.
- There will be no provision for appointing a deputy to take the place of a board member if he/she is unable to attend.
- At any meeting of the Board, the Chair or other person presiding shall seek to arrive at decisions by consensus; failing this, a decision supported by two thirds of those eligible to vote shall be binding.
- With the consent of the Chair of the Board, specialist advisors or guests may attend meetings of the board, but they shall not have voting rights or take part in decision making.
- The Board shall agree an annual budget for the operation of BDA Certification programmes and projects. Under normal circumstances the income of the programmes must cover expenses and any surplus or deficit to requirements shall be reinvested in the business.
- Board members will be paid travel costs for all meetings of the Board.
- All persons that attend Board meetings must sign an undertaking agreeing to observe strict confidentiality with regard to all matters arising within the Board meetings.

## 5.8. Impartiality

The Certification Board and the senior management team are fully committed to safeguarding impartiality and regularly conduct impartiality reviews.

A primary measure to safeguard impartiality is the appointment a board member who has the special task to safeguard the impartiality of BDA Certification operations. The appointed Board member shall lead the Board in a review of impartiality at the autumn convening of the board, following the procedure outlined below. When a breach of impartiality is identified, the following measures will be taken by the appointed board member and or senior management of the company:

- Where applicable, certification is suspended immediately
- Senior management of the certification department will conduct a review of the incident and present a clearly documented report to the Certification Board within three working days
- The Certification Board will review the findings of the report and will appropriate a corrective and preventative action plan within 1 working week

- UKAS will be presented with a fully documented report of the findings of the Certification Board and its actions to address the matter within 10 working days
- At the next convening of the Board, a review will be conducted on the matter and an assessment will be made to verify that the action plan has been implemented in a sufficient manner to ensure that impartiality has been maintained
- Senior management ensures, on an on-going basis, that any declared or discovered conflicts are managed in a manner appropriate to the safeguarding of impartiality and the integrity of the schemes

If the board member responsible for safeguarding impartiality has concerns that impartiality matters are not resolved by the board within a reasonable period of time, recourse shall be taken to UKAS as stated above.

All members of the Certification Board shall declare any interests, direct or indirect, that could present a conflict of interest with the tasks of the Certification Board.

## 5.9. Impartiality, Risk Identification and Consultancy

The Certification Board and the senior management of the BDA Certification department are committed to safeguarding the impartiality of all its operations because it is recognised that the integrity, reputation and ultimately the long term sustainability of the company is dependent upon it. To this end, the Board has identified areas that present risks to the integrity of the certification programmes and as a measure to ensure that impartiality is maintained, the Board undertake the following to ensure that impartiality is maintained:

- All Board members declare any and all interests at the start of each meeting and shall not be given a vote on any matter where a conflict exists.
- The Board reviews any new and existing licensees that may be seen to be seeking influence and the appropriate balance of interests will be discharged to resolve any potential conflicts.
- The Board reviews its collaborations with other sector bodies to ensure that impartiality is maintained with its partners.
- The Board reviews and ensures that the operations of the Biodynamic Association do not compromise the impartiality of certification or present any conflict of interest.
- A review of any engagement in consultancy by any member of the Board or certification staff is also conducted and appropriate action is taken to prevent conflicted situations arising.
- The Board reviews and ensures that all newly employed staff are bound by conflict of interest statements in addition to confidentiality statements.

Conflict of interest and objectivity is addressed further by the Certification Board through annual staff training sessions and contractually binding agreements to ensure that all activities undertaken throughout the certification processes are conducted in an independent and impartial manner.

No part of BDA Certifications operations can be considered as consultancy. The BDA Certification Board offers technical support to its licensees via its technical officers and this forms a part of the impartial certification offering. Any member of staff engaging in consultancy work outside of their contractual responsibilities to BDA Certification must declare this.

All or any employees of BDA Certification that engage in consultancy to any certificated member will be prevented from engaging in any certification related tasks for a minimum of two years.

## 6. Standards Committee

The BDA Certification Standards Committee has been created to support the BDA Certification Board with the technical aspects of the implementation of its certification programmes. Members of the Standards Committee are tasked with ensuring accreditation is continued with Demeter International and UKAS. The Standards Committee also helps to ensure that impartiality is sustained and that the interests of no single stakeholder or group shall dominate.

### 6.1. Terms of Reference

The key tasks of the Standards Committee include:

- To oversee the management and operation of the certification programmes
- To maintain and where necessary formulate new operational policies and procedures for the certification programmes
- To oversee the development of the Demeter and Organic Standards and all other applicable standards
- To consider and propose a UK position on Demeter International standards amendments and developments
- To ratify suspension or withdrawal of certificates
- To consider appeals, as outlined in section 14, 'Procedures for handling complaints, disputes and appeals', taking care not to compromise impartiality
- To review at least once a year how fit for purpose the operational activities / procedures are with the view of maintaining simplicity in all systems wherever possible
- To undertake specific tasks as requested by the Certification Board

### 6.2. Composition

The Standards Committee should be carried by a nominated chair and composed of at least:

- A certification officer
  - A production technical officer
  - A processing technical officer
  - The Certification Manager
  - Any member of the certification board who wishes to participate
  - Any other person with the necessary technical ability as agreed by both the chair of the Certification Board and the Chair of the Standards Committee
- i. The term of office for non-staff members is four years. Reappointment for a second term of four years is possible. After serving two full terms and after a gap of one year, reappointment to the board for a further two terms is possible. Employed staff may sit on the committee for the duration of their employment.
  - ii. A Chairman will be elected by the Certification Board for a two-year term. Nomination for chairman shall be proposed and seconded by board members and approved by a consensus of members present (or by a majority vote if consensus cannot be achieved). Re-election for a further two-year term is possible. The chair should be reviewed annually at the autumn board meeting and a new chair should be appointed if the board chooses to do so.
  - iii. In the absence of the Chairman, the Certification Manager shall chair the meeting.
  - iv. The Chairman of the committee shall convene all meetings by notice to each member – not less than **3 times** a year.

- v. Papers relevant to the agenda of a meeting shall be circulated to all members at least three days before the meeting.
- vi. At any meeting of the Committee, the Chairman or other person presiding shall seek to arrive at decisions by consensus; failing this, a decision supported by two thirds of those eligible to vote shall be binding. All decisions made shall be subject to the approval of the Certification Board.
- vii. With the consent of the Chairman of the Certification Board, specialist advisors or guests may attend meetings of the Committee, but they shall not have voting rights.
- viii. Meetings can be held via teleconferences or in person. Committee members will be paid travel costs for any meetings where travel is required. Additional remuneration for the Chairperson will be set at the annual budget meeting of the Certification Board.
- ix. All who attend the Committee must sign an undertaking agreeing to observe strict confidentiality with regard to all matters arising within the Committee meetings.
- x. The Committee may propose changes to these terms of reference to the Certification Board. The Board will make the final decision.

## 7. Certification Body Personnel

The BDA Certification Office employs staff and some functions of the certification programmes are fulfilled by self-employed individuals, notably the role of Inspectors.

All personnel, whether employed or self-employed, are required to sign a contract of employment or contract of service as appropriate, a confidentiality statement and a statement of conflict of interest. The confidentiality and conflict of interest statement is signed when a member of staff is first appointed to work for the certification schemes. Any conflicts of interest must be declared at that time. A new conflict of interest declaration will be completed and signed every year at the annual staff training days.

Personnel records, including name, address, educational and professional qualifications are retained by the Administrator. Staff work reviews and training records for each member of staff are retained by the Certification Manager.

### 7.1. Recruitment Procedure

When a vacancy arises, BDA Certification policy is to advertise the post on its website and in periodicals such as national or international magazines.

An interview panel appointed by the Certification Board will interview the short listed candidates and select the most appropriate candidate.

## 7.2. Job Description

### 7.2.1. Certification Manager

The Certification Manager is responsible for the day to day operations of BDA Certification. He/she will oversee and monitor all aspects of the business to ensure that operating systems are followed and executed in an effective manner, especially with regards to quality management.

The Certification Manager is responsible for the induction and management of all BDA Certification staff and is responsible for continual improvement and development of the Certification Programmes in line with ISO/IEC 17065:2012, UK retained organic EU-regulations EC 834/2007 & 889/2008, and the Demeter International Statutes and Directions.

The reporting line is to the Certification Board.

#### Key tasks:

- Formulate and propose direction and strategy for the for the Certification Board.
- Oversee the day-to-day operations of the business and ensure that the operating procedures are implemented correctly.
- Coordinate monthly management group meetings.
- Liaise with the chair of the Certification Board at least once per month.
- Oversee the work of all Certification staff. Carry out annual work reviews for all staff, provide feedback, support and management.
- Allocate work to BDA Certification staff as appropriate to their job descriptions, workload and skillsets including:
  - Inspections to appropriate inspectors
  - Inspection reports to appropriate Certification Officers
  - Initial applications to the certification programmes, including conversion and animal health plans
  - System development projects as and where appropriate
- Organise witnessed inspections for all inspectors annually.
- Provide and/or organise training for all certification staff, members of the Certification Board and Standards Committee as appropriate.
- Prepare annual operating and project budgets for the Certification Board.
- Monitor approved budgets and take appropriate action if finances are not in line with the budget.
- Authorise expenses for all staff in line with budgets.
- Participate in key Demeter International meetings such as the Members Assembly and Certification Meetings.
- Prepare and execute Demeter International Partner visits as required and carry out corrective actions.
- Participate in the United Kingdom Organic Certifiers Group (UKOCG).
- Maintain good working relationships with other UK Organic bodies, DEFRA and other key affiliates.
- Participate in the IFOAM UK and English Organic Policy Forums.

- Ensure that all reporting obligations to DEFRA, the Scottish and Irish Governments and Demeter International are accurate and within agreed timescales.
- Respond to DEFRA, the Irish and Scottish Government consultations and requests for information as appropriate.
- Ensure UKAS office assessments and witnessed inspections are sufficiently prepared for. Ensure that any corrective action is carried out and submitted to UKAS within agreed timescales.
- Prepare and conduct annual internal audits and carry out corrective action within agreed timescales.
- Review and revise operating procedures as set out in the Quality Manual and other documents of procedures.
- Develop common operating procedures with other UK Organic Certification Bodies through participation in the Certification Bodies Technical Working Group (CBTWG). Develop BDA Certifications Demeter and Organic Standards in liaison with the Standards Committee, the Certification Board and Demeter International.
- Contribute to the development of EU Organic Standards in liaison with DEFRA and the Irish and Scottish Governments.
- Develop the business by growing the number of licensees.
- Ensure that complaints are dealt with effectively.
- Co-ordinate workshops and events for licensees.
- Act as spokesperson to groups and the media about Demeter and Organic Certification.
- Provide presentations and talks on biodynamic agriculture as well as Demeter and BDA Certification programmes.

**Minimum Qualifications and Experience:**

Knowledge of and enthusiasm for biodynamic and organic agriculture, horticulture and food processing gained from practical and academic experience is expected.

Prior experience in management (relevant for a small office staff and a small team of inspectors) is essential. This should be at least three years in a relevant management position.

A detailed knowledge of Quality Assurance Systems and relevant EU Organic, UK and Demeter International Regulations and Standards is required. This expertise could be acquired by participation for at least three years on the Certification Board, participation in a related certification / quality assurance operation, or equivalent training courses.

In addition:

- A degree in a relevant field is required.
- IT skills, including website management of websites (Wordpress) use of Word, Excel, Outlook, and experience of databases (ideally Filemaker Pro) are required.
- Financial skills required to formulate and oversee the budgets of the BDA Certification.
- Excellent communication and interpersonal skills are essential.
- The ability to work independently and be self-motivated.
- Willingness to travel.

### 7.2.2. Certification Administrator

The Certification Administrator is responsible for smooth running of the Certification Office and the implementation of the Certification Programmes operating procedures. The reporting line is to the Certification Manager.

#### Key tasks:

- Receive and deal with enquiries regarding the Demeter and Organic Certification programmes, and refer to the Certification Manager or Technical Officer as appropriate.
- Send information about the Certification programmes to interested parties.
- Send an application form and invoice for application fee to all applicants.
- Liaise with Inspectors regarding the timing of inspections.
- Send certificates, schedules, invoices and other certification programme documentation to licensees.
- Receive and bank fee payments from Licensees, and keep records of fees paid.
- Send and receive contracts for use of the Demeter or Organic logos and Trademark, as appropriate.
- Receive and refer to the Certification Manager all appeals or complaints.

#### Additional tasks:

- Maintain the register of licensees and certified products on the database.
- Report to DEFRA as required, on statistics, new applications, withdrawals, seed derogations, land derogations.
- Maintain up-to-date records of correspondence, certificates, invoices and derogations (all of which must be kept for five years).
- Distribute revisions of Standards, operating procedures, newsletters, surveys and other documentation and information to licensees.
- Provide a point of contact for licensees, DEFRA and other Organic Certification Bodies, etc.
- Take the minutes for the Certification Board meetings.
- Update the website as and when required.
- Any other administrative and statistical tasks that arise.

#### Minimum Qualifications and Experience:

The Certification Administrator must have the ability to organise and administer a busy office. This requires at least three years of administrative experience and training in secretarial and/or administrative skills.

#### In addition:

- A diploma or equivalent in a relevant field is required
- IT skills, including email, Word, Excel, Outlook and Wordpress are essential
- Good communication skills are required
- Experience in financial management is required
- The ability to work independently and be self-motivated is essential
- The ability to be discrete, diplomatic and able to observe strict confidentiality is essential



### 7.2.3. Production Technical Officer

The Production Technical Officer's role is to provide expertise within the Certification Office with regard to all matters concerning biodynamic / organic farming, gardening, forestry and other areas of primary production.

**Key tasks:**

- Dealing with enquiries from farmers, growers, foresters and others involved in primary food production who are interested in becoming biodynamic or organic certified with BDA Certification.
- Provide Standards information and technical support for producers.
- Development of the Certification Programmes with regard to primary production – revision and development of assessment forms, procedures and documentation.
- Participation in the on-going process of reviewing and revising Demeter and Organic Production Standards in the UK, EU and Demeter International.
- Occasional attendance at the Certification Board meetings, as required.
- Liaise with other Organic Certification Bodies regarding primary production issues (CBTWG – Production)
- Liaise with DEFRA and devolved authorities regarding production issues through consultation processes and meetings.
- Training inspectors with regard to production issues.
- Participation in workshops and events for producers.

The reporting line is to the Certification Manager.

**Minimum Qualifications and Experience:**

- Technical positions will be fulfilled by persons who have substantial practical experience in the sector.
- Expertise in biodynamic, organic and sustainable production systems and the relevant regulatory structures that govern the sector (Especially EU Organic and Demeter Standards).
- Enthusiasm for and commitment to biodynamic, organic and sustainable production.
- Have the ability to translate the requirements of Regulations and Standards into a workable Certification Programme.
- The Production Technical Officer will hold a degree or equivalent qualification in Agriculture, Horticulture or related field and have at least two years of relevant experience.
- Excellent research, communication and interpersonal skills.
- Good IT and office skills, in particular use of Word, Excel and Outlook.
- The ability to work independently or as part of a group.
- Organise and plan work-loads effectively responsibly.
- Willingness to travel.

#### 7.2.4. Processing Technical Officer

The role of the Processing Technical Officer is to provide expertise within the Certification Office with regard to all matters concerning biodynamic, organic and sustainable food processing, packing, importing and retailing.

**Key tasks are:**

- Dealing with enquiries from food processors, packers, importers and retailers who are interested in Demeter or Organic certification.
- Providing Standards information and technical support for processors, importers, wholesalers, distributors, brand owners and retailers.
- Development of the Certification Programme with regard to food processing – revision and development of assessment forms, procedures and documentation.
- Participation in the on-going process of assessing and revising Demeter and Organic Processing Standards in the UK, EU and Demeter International.
- Attendance at the Certification Board meetings, as required.
- Liaison with other Organic Certification Bodies regarding food processing issues (CBTWG – Processing).
- Liaison with DEFRA and devolved authorities regarding food processing issues through Consultation processes and meetings.
- Training Inspectors regarding food processing issues.
- Participation in workshops and events for food processors, packers, importers and retailers.

The reporting line is to the Certification Manager.

**Minimum Qualifications and Experience:**

- Technical positions will be fulfilled by persons who have substantial practical experience in the sector.
- Expertise in biodynamic, organic and sustainable processing operations and the relevant regulatory structures that govern the sector (Especially EU Organic and Demeter Standards).
- Enthusiasm for and commitment to biodynamic and organic food.
- Have the ability to translate the requirements of Regulations and Standards into a workable Certification Programme.
- The Processing Technical Officer will hold a degree or equivalent qualification in Food Processing / Technology or similar subject and have at least two years of relevant experience.
- Excellent research, communication and interpersonal skills are essential.
- IT and office skills, in particular use of Excel, Word and Outlook.
- The ability to work independently, to organise work-loads effectively, and to take responsibility in project delivery.
- Willingness to travel.

#### 7.2.5. Certification and Project Officer

The roles of Certification Officer and Project Officer are usually combined in to one post.

### **The role of the Certification Officer**

The role of Certification Officers is to review the compliance elements of inspections reports and certify licensees when compliance has been achieved. Certification Officers report to the Certification Manager.

### **The responsibilities of the Certification Officer are:**

- Review inspection reports.
- Make certification decisions as outlined in section 9 'Operating Procedures for Assessments and Certification' of this Quality Manual.
- Send completed inspection reports to licensees and inspectors.
- Maintain up-to-date records on the database including contact details, inspections, certification decisions and certified products.
- Monitor corrective actions, send reminders and corrective action reports (CAR) in collaboration with the Technical Officers.
- Give feedback to Inspectors regarding inspection reports.
- Attend Standards Committee meetings as required.
- Deal with enquiries from licensees and potential new licensees, in particular regarding standards and certification requirements and procedures.

Certification Officers will have specialist expertise in production and or processing and will be allocated inspection reports on the basis of this expertise.

### **The role of the Project Officer**

The Project Officer provides expertise within the Certification Office concerning biodynamic / organic food production, processing, packing, importing and retailing, as well as in quality assurance and certification systems. Project Officers engage on assigned research and development projects according to directions given by the Certification Manager.

### **The responsibilities of the Project Officer are:**

- Develop the certification system with regards to food production and processing – revision and development of forms, procedures and documentation.
- Participate in the on-going process of assessing and revising Demeter and Organic Standards in the UK, EU and Demeter International.
- Liaise with other Organic Certification Bodies including attendance at CBTWG.
- Liaise with competent authorities and other public sector bodies.
- Provide input into consultations from various stakeholder bodies as requested.
- Train inspectors and certification officers as appropriate.
- Participate in workshops and events.
- Carry out research and project oversight.

### **Minimum Qualifications and Experience for the Certification and Project Officer:**

Certification Officers are required to have detailed knowledge of the UK Demeter Standards and the EU Organic Regulations. This is usually acquired partially through previous experience, but a Certification and Project Officer will always be given thorough training in the standards and relevant regulations on taking up their position, and as and when the standards or regulations change. Previous experience in Quality Assurance or certification systems is beneficial to the role.



An in-depth understanding of biodynamic, organic and sustainable production or processing is required for these positions. This experience can be gained by relevant industry experience or relevant courses, workshops or other suitable training. It is highly beneficial for these positions to be fulfilled by persons who have substantial practical sector experience.

Certification and Project Officers will usually have obtained a degree in a relevant field. However, equivalent experience and training is also acceptable. IT skills in Excel, Word and Outlook are essential for Certification Officers, as is the ability to work independently, to make sound decisions on Certification matters, and to communicate effectively with other members of staff and licensees.

Certification and Project Officers must have the ability to work to deadlines, engage with licensees with a supportive and understanding approach, and ensure that impartiality is always respected.

### 7.2.6. Inspectors

Inspectors are responsible for visiting licensees for the purpose of assessing their operation for conformity to Demeter and/or Organic Standards.

Key tasks are as follows:

- Organise a tour of Inspections, as allocated by the Certification Office.
- Assess operations for conformity to Demeter and/or Organic Standards.
- Obtain from the licensee all relevant evidence in support of compliance required by the Certification Programme.
- Identify any Non-Conformities to the Standards.
- Effectively communicate any non-conformities to the licensees at the conclusion of the inspection.
- Complete a clear and concise inspection report for the Certification Officer, detailing all relevant information collected at the visit, and identifying any non-conformity to the Standards.

#### **Minimum Qualifications and Experience:**

Inspectors must have knowledge of the principles of organic production, an understanding of Demeter and Organic Standards, have the ability to communicate clearly and write clear and concise reports.

To be an effective Inspector, an applicant needs to demonstrate both academic ability and practical experience. He or she must have sufficient maturity to enable them to handle potentially difficult situations and to make important decisions relating both to the integrity of Organic Standards and the effect on individual businesses. They should be able to maintain the confidence of the licensees at all times.

An applicant will have a degree in agriculture or other relevant field. Alternatively, it may be allowable to demonstrate satisfactory ability without such qualification if other aspects are fully met. This might be, for example, where an applicant can demonstrate relevant experience in an appropriate area of work or satisfactory service as an Inspector in a related field.

- Producer (Agricultural and Horticultural) Inspectors should possess a relevant qualification in Agriculture or Horticulture or similar subject. Producer Inspectors may also inspect Simple Processing, as defined in the DEFRA Processing Definitions.
- A Producer Inspector who wishes to undertake Simple Processing will need to demonstrate familiarity with those parts of the Standards relevant to such inspections, e.g. labelling, etc.
- Processing Inspectors (Higher) should possess a degree or equivalent in Food Processing / Technology. They should also have extensive relevant experience in the food processing industry and in particular where the degree or equivalent is not in Food Processing / Technology or a closely related subject.

The applicant will have obtained relevant work experience either during or after qualification. They will have obtained five years' general work experience of which two should be directly relevant to the sector they wish to inspect. Producer Inspectors should have experience of a wide range of crop production and of livestock husbandry.

## 7.3. Staff Training

All new appointees will receive Induction Training to acquaint them with BDA Certification and the Certification Programmes. This will be provided by the Certification Manager and or other employees as appropriate. All training will be recorded in personnel records.

### 7.3.1. Training for Inspectors

Inspector Training consists of a working knowledge of assessment procedures as specified in ISO /IEC 17020:2012 and this Quality Manual, the Demeter and Organic Standards as specified in the respective Standards. This training is delivered by the Certification Manager and other appropriate members of staff.

Upon initial commencement of employment with BDA Certification, Inspectors will receive at least two accompanied Assessments, which will be carried out with the Certification Manager or a senior Inspector, in which case the senior Inspector will make a report to the Certification Manager. Records of these accompanied inspections will be kept in training records.

On-going training consists of annual Inspector Training Days with all inspectors, the Certification Manager, Technical Officers and other members of staff (Administrator, Certification and Project Officers) as required. In addition, on-going feedback is given by Certification and Project Officers to inspectors.

### 7.3.2. Training for Certification Officers

All newly appointed Certification Officers shall receive at least two induction days on the Quality Manual and Standards. In the first year of work and for at least the first 25 reports allocated to that Certification Officer, the Certification Manager or a suitable experienced Certification Officer will closely supervise the Certification Officer's work. Each report will be reviewed by the Certification Manager or suitable Technical Officer, and revisions will be made as appropriate before the report is signed off. Feedback will be given to the trainee Certification Officer for each of these reports.

### 7.3.3. Training for the Certification Board

Regular training for Certification Board members will take place in conjunction with the Board meetings. At least one training session per year shall take place. This training will concentrate on the requirements of ISO/IEC 17065:2012, but may also include aspects of the Quality Manual and Standards.

## 7.4. Witnessed inspections

The Certification Manager or a Certification or Technical officer will carry out at least one witnessed inspection with each inspector annually. Various categories of inspections (i.e. Farming, Horticulture, Processing, Import and Abattoirs) should be witnessed in regular rotation over successive years for each inspector as appropriate. A record of witnessed inspections will be kept together with actions which result from them.

As part of BDA Certifications accreditation by UKAS, witnessed inspections are conducted by UKAS on an annual basis. Inspectors who undertake this normally won't receive an additional witnessed inspection by BDA Certification in that year.

## 7.5. Staff Work Reviews

A work review is carried out annually for each member of staff by the Certification Manager. A work review should be carried out annually for the Certification Manager by the Chairman of the Certification Board or another person appointed by the Chairman. Work reviews should review work carried out since the last work review, identifying successes and problem areas, workload, salaries or fees, training needs, and any other areas of concern. Records will be maintained of all work reviews and any actions resulting from them.

## 7.6. Staff Expenses

BDA Certification employees are entitled to claim expenses for travel, accommodation and office costs as agreed with the Certification Manager or the Certification Board. Self-employed Inspectors may invoice for travel costs as specified in the annually issued statement of inspector fees. Claims for expenses of employed staff and invoices for inspectors' fees shall be sent to the Certification Manager who will review the expense claim or invoice and notify the member of staff if payment is authorised. Expense claims for the Certification Manager will be reviewed and authorised by the Chair of the Certification Board.

# 8. Operating Procedures for Enquiries and Initial Applications

## 8.1. Applications to the Certification Schemes

When an enquiry is received in the Certification Office, the administrator is usually the first point of contact. The Administrator refers the person enquiring to the BDA Certification website for further information or sends information (such as an application form with application procedure, fee scale and guidance notes etc.) as appropriate. All email correspondence is kept in the email folder.

- I. The administrator may invite the person enquiring to talk with an appropriate member of staff (Certification Officer, Technical Officer or the Certification Manager) by telephone if they have any questions or wish to discuss certification matters further.
- II. When a completed application form is received the Administrator sends an acknowledgement and an application invoice.
- III. The Administrator reviews the application and any accompanying information, and refers to a Technical Officer as appropriate. The Administrator and Technical Officer will ensure the application contains sufficient information to register the applicant in one of the Certification Programmes. For processing applications, a multi ingredient (MIPS) and/or single ingredient (SIPS) form should be included for each proposed product to be certified.

Where further information is required, the Technical Officer or Administrator requests this from the applicant.

- IV. The Administrator or Technical Officer completes an application report, specifying whether the application is approved and commenting on any areas which may require attention. The Technical Officer approves the MIPS and SIPS at the same time. The date that the application is received by the Administrator is normally the start date of the conversion period for farming and gardening applications, and this is specified in the application report. Where a reduced conversion period is agreed this is also specified in the application report.
- V. Applicant contact details are entered on to the database by the Administrator or Technical Officer, and an automatic registration number assigned. For producers, details of fields, any livestock and any crops are entered in to the database. For processors, details of any products are entered in to the database.
- VI. In the case of new producer licensees, the Administrator generates a certificate and field schedule and sends this to the licensee along with the application report.
- VII. Once the application report is approved, the Administrator (in consultation with the Certification Manager) allocates an Inspector to conduct an initial annual assessment of the applicant.
- VIII. The initial assessment visit follows the procedures for assessments specified in section 9.0 below.
- IX. In the case of new processor licensees, a certificate and product schedule are generated only after the first inspection has taken place and the inspection report has been certified with any non-compliances resolved. In some low-risk situations, a short-dated certificate may be issued where there are outstanding non-compliances. This is to allow a licensee to start trading where non-compliances raised are related to absence of paperwork which can only be produced once products are traded. These short certificates will be followed up by the Technical Officer to ensure resolution of non-compliances before an annual certificate is issued.
- X. In the case of transfers from other Certification bodies, all the procedures cited in 8.0 – 8.2 are followed. In addition, the Administrator will obtain the licensee file from the previous Certification Body, and the Technical Officer will review the licensee's previous certification reports to determine the certification status of the new licensee.
- XI. New operators joining BDA Certification and transfers from other certification bodies are immediately reported to the competent authority and other certification bodies as needed.
- XII. In the case of transfers from BDA Cert to other certification bodies the administrator will transfer all necessary files and data to the control body taking responsibility for the operator.

## 8.2. Applications for additional land, enterprises, products or scopes of certification.

- i. Existing producer licensees who wish to enter additional land into certification must complete, and return to the office, an additional land application form. The form can be obtained from the office or from the website. The Administrator reviews the application and completes an Application Report in consultation with a Production Technical Officer. If



everything is in order, the Administrator sends an application report to the licensee, detailing the start date of the conversion period for the new land (usually the date the application is received in the office) and the expected conversion time. The Administrator updates the database with the new fields, and sends an updated certificate and field schedule to the licensee. The Administrator issues an application fee invoice to the licensee at the same time as sending out the completed application report. The Administrator notifies the Inspector of the new land, who takes care to check this land at the next annual inspection.

- ii. Existing producer licensees who wish to add a new enterprise to their registration must notify the office. Depending on the details of the situation, a new livestock enterprise may be added to the licensee's certificate on receipt of an adequate animal health plan and evidence of the status of the livestock, and/or after an annual inspection. A new crop enterprise may be added to the licensee's certificate upon notification that the enterprise is commencing, and/or after an annual inspection. The Administrator or Certification Officer updates the database and issues an updated certificate.
- iii. Existing producer licensees who wish to add simple on farm processing to their certification must complete and return to the office a simple on farm processing application form. Where relevant, MIPS, SIPS and label approval forms must also be completed and submitted. The Technical Officer reviews the application and supporting paperwork, and requests any additional information as necessary. If everything is in order, the Technical Officer approves the MIPS, SIPS and labels and writes an application report. The Technical Officer updates the database with the new license and products and send the report and approved forms to the licensee. The Administrator generates a new certificate and schedule, and sends these to the licensee with an application fee invoice. The Technical Officer or Administrator also alerts the Inspector and Certification Officer of the change.
- iv. Existing processing licensees who wish to add new products to their license must send a MIPS or SIPS form specifying ingredients and suppliers of ingredients for the new products to the office. The Technical Officer assesses these for compliance to standards. If the product(s) are approved for certification, the Technical Officer then enters the products on to the database, and informs the licensee and the Administrator.
- v. The Administrator will then issue a new certificate and schedule (where relevant). The Certification Officer will request a spot inspection in cases where an on-site assessment is required to confirm compliance to standards.

## 9. Operating Procedures for Assessments and Certification

### 9.1. Risk analysis procedure for unannounced inspections and laboratory testing requirements

- i. Article 92(c) of EC Regulation 889/2008 (introduced by EC Regulation 392/2013) requires organic certification bodies to analyse the risks posed to organic integrity by assessing operator's likelihood of compliance with the organic regulations (834/2007, 889/2008 and 1235/2008).
- ii. In accordance with Article 27(3) of EC Regulation 834/2007 and article 65(4) of EC 889/2008 this risk analysis procedure enables BDA certification to make informed decisions to allocate the following control checks on operators based on, but not limited to the following three criteria:
  - Volume and value of organic produce
  - Complexity and risk of substitution of non-organic produce
  - Operator compliance history
- iii. The risk analysis is formally conducted twice per year, in spring and autumn. The allocations and results generated from the risk analysis are recorded on BDA certification "procedure monitoring and tracking spreadsheet" and operational progress is reviewed at regular management meetings.
- iv. 100 % of testing, unannounced and additional inspections are risk based.
- v. The outcomes of the risk analysis are:
  - Additional inspections on 10% of operators under contract
  - Minimum 10% of total number of inspections shall be unannounced
  - Testing for Prohibited Substances including GM Material on 5% of operators

Level of Risk Identified	Examples based on 3 criteria as indicated above	Action to be taken by the CB	Timeframe for completing action required
Low	<ul style="list-style-type: none"> <li>1 – 3 basic non – conformances are identified at the annual inspection</li> <li>Low complexity and volume operation</li> <li>Low risk of substitution</li> </ul>	Random unannounced inspection may be conducted if selected	Within the inspection year
Medium	<ul style="list-style-type: none"> <li>4 – 7 basic non-conformances are identified at the annual inspection</li> <li>Reasonable concern is expressed or identified by Inspectors, Certification Officers or the general public</li> <li>Licensees have repeated basic non-conformances year on year</li> <li>Higher volume and increased risk of substitution</li> </ul>	<ol style="list-style-type: none"> <li>1) Unannounced inspection to be conducted</li> <li>2) Take samples for testing if appropriate</li> </ol>	Within 3 months
High	<ul style="list-style-type: none"> <li>High complexity of operation and risk of substitution</li> <li>More than 7 basic non-conformances</li> <li>A critical non-conformance has been identified</li> <li>A manifest infringement has been identified and the licensee is re-entering certification / conversion</li> </ul>	<ol style="list-style-type: none"> <li>1) Inform Defra within 2 working days</li> <li>2) Unannounced inspection to be conducted</li> <li>3) Take samples for testing where appropriate</li> </ol>	<ul style="list-style-type: none"> <li>- Within 1 month in the case of 7 or more basic non-compliances</li> <li>- Within 3 weeks in the instance of a critical non-compliance</li> <li>- Within 3 weeks of re-entrance into certification / conversion</li> </ul>

## 9.2. Allocation of inspections

- i. The certification year runs parallel to the calendar year. Each licensee must be inspected at least once each calendar year. In addition, 10% of the total number of licensees will receive an additional inspection, furthermore 10% of the total number of annual and additional inspections are to be unannounced inspections in accordance with BDA Certification risk analysis procedures.
- ii. In February each year, the Administrator, in consultation with the Certification Manager, prepares a schedule for annual and unannounced inspections for the year and allocates each of those inspections to a suitable Inspector, whilst ensuring appropriate rotation of Inspectors (Inspectors may not inspect the same licensee for more than 4 successive years). Allocations are recorded on the allocations spreadsheet.

- iii. The majority of unannounced inspections are allocated at the same time as the annual inspections. Licensees are chosen for unannounced inspections according to the Certification Office's risk analysis procedure (detailed in section 9.a. above), which is administered by a Certification Officer and the Certification Manager. Some unannounced inspections are also allocated on a random basis.
- iv. The Certification Manager allocates individuals from within or beyond the staff team to witness one inspection per inspector for that calendar year. The witness and the inspector arrange the date, time and location of the witnessed inspection at their mutual convenience. See more in section 7.4.
- v. By the middle of March each year, the Inspectors send a proposed timetable for their inspections over the course of the year to the Administrator.
- vi. The Administrator, in communication with the Certification Manager, reviews the proposed timetables and assesses the distribution of inspections over the year. If there are too many or too few inspections at any times of the year, the Administrator, for the purpose of avoiding bottlenecks, may contact the relevant Inspectors and ask them to revise their proposed timetables.
- vii. During August each year, a second review of inspection allocations is carried out alongside a second risk analysis. Additional unannounced inspections are allocated at this time. The Certification Manager also reviews the progress of witnessed assessments and takes any action necessary to ensure that these are completed before the end of the year.
- viii. When new applications are made during the year, the Administrator, in communication with the Certification Manager, allocates inspectors to these new licensees.

### 9.3. Inspection process

- i. Unannounced inspections take place without notice to the licensee.
- ii. Three weeks (or more) before an annual inspection, the Inspector confirms with the licensee in writing the date and time of the inspection visit. At that time the Inspector sends to the licensee the relevant forms which the licensee must fill out in preparation for the inspection. The Inspector also sends the licensee a checklist of documents required for the assessment. The Inspector checks the inspection categories and certification status of the licensee on their allocation list to ensure that the appropriate documents are sent to the licensee.
- iii. At the inspection, the Inspector obtains all of the necessary information and documentation, including a signed copy of the questionnaire. At annual inspections the Inspector ensures that each area of the licensee's business is inspected.
- iv. At the end of the inspection, the Inspector discusses his or her findings with the licensee. The inspector leaves a signed copy of the Inspection Results Form with the licensee, which

details in writing, when appropriate, any non-compliances or missing documentation found during the inspection.

- v. All non-conformities noted by the inspector at the assessment should be recorded in the non-conformance section at the top of the assessment report.
- vi. Where missing documentation or other level 1 or 2 non-compliances are recorded at the inspection, the licensee is given a maximum of two weeks from the date of the inspection to submit any outstanding information to the Inspector.
- vii. Any outstanding information submitted, or other non-conformities resolved, subsequent to the inspection and before the assessment report is submitted to the Certification Officer should be marked, by the Inspector, in the conformance section of the report as 'resolved'.
- viii. If a critical non-compliance or manifest infringement is found at the inspection, the inspector notifies the Administrator as soon as possible and at latest within one working day of the assessment. In this case the Inspector submits his or her report to the Certification Officer as soon as possible, and in any case within two working days of the assessment.
- ix. If the Administrator is notified by the inspector of a critical non-compliance or manifest infringement, he or she notifies the Certification Manager as soon as possible and at latest within one working day. The Certification Manager decides whether the certificate shall be suspended pending the Certification Officer's report.
- x. Within two weeks of the date of the inspection the Inspector forwards a completed assessment report, questionnaire and any other essential documents collected at the inspection to an allocated Certification Officer.

#### 9.4. Certification of the report and resolution of non-compliances

- I. On receipt of the report, the Certification Officer files electronic and or paper copies (as appropriate) of the report and supporting documentation on the server and or in the paper files. The Certification Officer logs the report and any non-compliances on the database and tracking sheet.
- II. The Certification Officer reviews the report, questionnaire and any other documentation submitted. If the Certification Officer identifies any errors or omissions in the report, he or she contacts the Inspector and discusses it with them, if necessary asking them to revise and resubmit the assessment report.
- III. Based on the report, questionnaire and any other documentation submitted, the Certification Officers makes the Certification decision, if necessary by conferring with a Technical Officer. The Certification Officer details within the report any corrective actions required, and a timescale for these to be completed. The default timescale is the same as the maximum timescale, which is 30 days. If the corrective actions are not obvious, reference is made to a Technical Officer or the Certification Manager.

- IV. The Certification Officer signs off the assessment report and sends a copy to the licensee with (where appropriate) further feedback, any requests for information, and a clear explanation of any corrective actions required. This normally happens within five weeks of the date of inspection.
- V. In the case of a manifest infringement or critical non-compliance, the Certification Officer reviews the Inspector's report as soon as possible and consults with a Technical Officer or the Certification manager to confirm actions. The Certification Officer completes the report within 2 working days of receiving it from the Inspector. This information is reported to the competent authority and other certification bodies as specified in BDA Certification Quality Manual section 12.
- VI. A decision to suspend or withdraw a certificate can only be taken with the agreement of the Certification Manager and the Standards Committee and is taken within 2 working days of receipt of the report. If the certificate is to be suspended or withdrawn, the Administrator informs the licensee as soon as possible and at latest within two working days of the decision.
- VII. Any decision to suspend or withdraw a certificate is communicated to the Chair of the Certification Board. Such a decision must also be communicated to the Competent Authority, Trading Standards and other certification bodies as soon as possible and at latest within 2 working days.
- VIII. The Certification Officer saves a copy of the completed assessment report on the server and records the status of the report on the database and tracking spreadsheet. He or she also updates the database with the information collected at the inspection, including contact details, livestock numbers, current cropping, product lists and so forth.
- IX. The Certification Officer sends an email to the inspector with a copy of the complete report, giving feedback and comments where relevant. A copy of the email is sent to the Administrator with any further comments or instructions to the Administrator (for example, if the licensee is requesting to change their registered name).
- X. If there are unresolved non-conformities recorded in the inspection report, evidence of corrective action must be sent by the licensee to the office. The Technical Officer reviews the evidence and makes a recommendation as to whether the non-compliances have been resolved.
- XI. The Certification Officer makes the certification decision and signs off the corrective action report section at the end of the inspection report. He or she sends a copy of the completed report to the licensee, the Inspector and the Administrator.
- XII. When a corrective action report has been completed, the Certification Officer updates the status of the report and the non-compliances in the database and on the tracking sheet. He or she saves a copy of the report on the server and files a printed copy of the report in the licensee's file.

- XIII. All Certification Officers maintain the procedure monitoring form (tracking sheet) and keep the database up to date to ensure that reports are returned to licensees in the required timeframe, and that non-compliances are resolved in a timely manner.
- XIV. Once a month the Certification Officer reviews all non-compliances arising from the reports he or she certifies. Where a non-compliance remains unresolved beyond the requested timescale, the Certification Officer writes to the licensee to remind them that corrective action is required, informing them that if further reminders are required, a fee will be charged, according to the certification office's fee scale. Where necessary, the Certification Officer writes to remind the licensee again the following month. On the third reminder, the Certification Officer copies in the Administrator, who will raise an invoice to collect the reminder fee.
- XV. If evidence of corrective action is still not forthcoming a further two weeks after the third reminder, the Certification Officer, after consultation with the Certification Manager, contacts the licensee by phone, email and/or letter with a warning that failure to submit corrective action within two weeks could result in suspension. If after a further two-week period no evidence is forthcoming, the Certification Officer consults with the Certification Manager about suspension of the certificate. The Certification Manager will assess the level of risk posed to the integrity of the product(s) in question and inform the Administrator and Certification Officer whether to suspend the certificate or adopt an alternative response.
- XVI. The Certification Officer will record the decision of the Certification Manager in the procedure monitoring form and where appropriate file any documentation in the licensee's folder.
- XVII. In the case where an individual holding the role of Certification Manager, Certification Officer or Technical Officer conducts an inspection of a licensee, they shall not be involved with the final certification decision or sign off the report. In such cases to maintain integrity and impartiality the certification decision will be made by a suitably qualified person who has not been involved with the audit in question.
- XVIII. The certification year runs parallel to the calendar year.
- XIX. Following certification of the inspection report from their annual inspection (and any unannounced inspection) each licensee is usually issued with a new certificate and schedule(s) in November/December of each year. Certificates are valid until 31<sup>st</sup> December of the following calendar year.
- XX. Producer licensees with land in conversion are issued with certificates that are valid for 12 months, or until the date the land would complete the current stage of conversion, whichever is the sooner. These certificates are renewed and updated at the time they expire. Usually an inspection is carried out shortly before the certificate is due to be renewed.
- XXI. Certificates are usually only issued once any non-compliances have been resolved. However, at the discretion of the Certification Manager, short dated certificates may occasionally be issued to allow a licensee to continue to trade in a low risk situation whilst non-compliances are resolved.

- XXII. Field Schedules, produced from the database, are issued for all producer licensees alongside their certificate. Product Schedules, produced from the database, are issued for all processors alongside their certificate.
- XXIII. Livestock schedules, produced from the database, are issued for all producer licensees with certified livestock. These are usually issued by the Certification Officer at the same time as the certified annual inspection report.
- XXIV. Where necessary, and at the discretion of the Certification Officer, the Certification Officer, Technical Officer, or the Administrator can issue a revised certificate and or schedule(s) at any time in the certification year, to take account of changes reported, for example, in the annual inspection, through additional land applications, or through MIPS forms

## 10. Licensee Responsibilities

All BDA Certification licensees shall:

- I. On an on-going basis, comply with Demeter and BDA Organic Certification Standards as revised from time to time. (Licensees will be notified of all revisions.)
- II. Agree to allow authorised BDA Certification, Competent Authority (DEFRA) and UKAS personnel access to all aspects of your business for the purposes of certification including provision for examining documentation and records.
- III. Agree to keep a record, and make available upon request, of any and all complaints that relate to certified activities and products and to document all actions taken in response to such complaints.
- IV. Notify the BDA Certification office without delay before making any significant changes to the operations of the business (significant changes mean any new enterprises, products or scopes. Please contact the BDA Certification office if you are unsure).
- V. In the event of non-compliance with the standards, rectify the latter within a specified time in order to maintain certification or in-conversion status. Upon suspension, withdrawal or termination of certification, agree to discontinue the use of any and all advertising material that references BDA Certification, any of its certification schemes or logos / marks.
- VI. Accept that all certification documentation remains the property of BDA Certification and any reproduction of these documents for the purposes of verification and trade, will be done so in exact entirety.
- VII. In the event of withdrawal or suspension of certification from any certified products or operations, agree to inform in writing the buyers of those products that those products are no longer certified.
- VIII. Accept that the BDA Certification Board is responsible for the final decisions regarding certification.
- IX. Agree to make claims regarding certification only for those scopes which are certified and not use certification status in such a manner that brings BDA Certification into



disrepute. Further agree to use any of BDA Certifications logos only on food products for which a valid certificate has been issued.

- X. Accept that BDA Certification may release information relating to inspection and/or certification to DEFRA, Trading Standards, Demeter International or another approved organic certification body only for the purposes of verifying the organic integrity of food products produced or traded.
- XI. Agree to pay BDA Certification the annual certification fee in accordance with the published fee scale and within the time frame indicated on each invoice.

## 11. Procedures for Testing for Prohibited Substances including GM Material

In accordance with Article 92(c) of UK retained organic EU-regulations EC 889/2008 (introduced by EC Regulation 392/2013) BDA Certification is required to analyse the risks posed to Demeter and organic integrity by assessing operators' likelihood of compliance with the organic regulations (834/2007, 889/2008 and 1235/2008).

The risk analysis procedure that BDA Certification conducts twice per year is designed to provide a basis for determining levels of threat to the integrity of the Demeter and or organic products and is used for targeting products to be analysed for the detection of prohibited substances.

Laboratories used by the BDA Certification office are done so with respect to competence and accurate reporting systems (UKAS accredited, or equivalent, for relevant scope).

BDA Certification is obliged to share information about residue testing with the competent authority and other control bodies as appropriate on an ongoing reporting basis.

BDA Certification uses BNN values as trigger levels for residue testing. If a residue test confirms that an unauthorised substance is present above the BNN level, an investigation must follow. The outcome of the investigation is either removal of certification from the product or clear steps to prevent contamination recurring. If contamination is above the maximum residue limits established by UK or ROI law, certification is withdrawn automatically and a product recall must take place with immediate effect. Detailed national and international procedures for residue testing are in place and available from the BDA Certification office and are available on request.

If any residue test confirms that a GMO or unauthorised substance is present above the BNN levels, BDA certification will immediately share this information with the competent authority and if necessary with other control bodies.

This section details BDA Certification and Demeter UK policies and procedures for managing non-compliances, sanctions and the associated timescales. As a Defra approved control body, BDA Certification is required to uphold Article 30(1) of Council Regulation (EC) 834/2007 which states that:

## 12. Definitions of Non-Compliances, Sanctions and Timescales

*“Where a severe infringement or an infringement with prolonged effect is found, the control authority or control body shall prohibit the operator concerned from marketing products which refer to the organic production method in the labelling and advertising for a period to be agreed with the competent authority of the Member State.”*

Where a severe infringement or an infringement with prolonged effect is found by BDA Certification, the period during which a BDA Certification licensee is prohibited from marketing organic products will be considered on a case-by-case basis.

With regards to functions for working with non-compliances and associated sanctions, BDA Certification operates within a framework that has been designed and which classifies 4 levels of non-conformities based on DEFRA UK Catalogue of measures in case of irregularities and infringements. The classifications are:

- **Level 1** Minor non-compliance
- **Level 2** Serious non-compliance
- **Level 3** Critical non-compliance
- **Level 4** Manifest Infringement

Two years will generally be seen as the appropriate period of prohibition for a critical non-compliance and manifest infringements. This is regarded as a baseline against which other prohibitions are considered. A two-year period will in most cases allow sufficient time for operators to review their systems and implement compliant procedures. It also serves to offer consumers reassurance about the integrity of the biodynamic and organic sector. It reflects the fact that two years is the standard period used in the organic sector for converting conventionally-farmed land to organic.

The table below provides more detail on:

- the classifications (listed in column two (compliance)) of different types of non-compliance
- the types of actions that fall under each classification
- the action that BDA Certification will take in respect of each type of classification
- the timescales for taking action; and
- any follow-up action that might be necessary

The following are examples of critical non-compliances and manifest infringements:

- fraudulent activity e.g. passing non-organic products off as Demeter / organic
- incomplete records as a result of the deliberate omission of information
- deliberate use of prohibited substances

- two or more examples of behaviour that have a direct impact on the health and welfare of an operator's livestock assessed over a 12 month rolling period (depending on the severity of the case, one successful prosecution on these grounds could be sufficient to constitute a critical non-compliance or a manifest infringement; and
- failure, within a reasonable period, to correct three or more identified non-compliances

In determining the length of any prohibition, BDA Certification will consider both the circumstances of the breach and the circumstances of the operator. The following are examples of what are considered to be 'aggravating factors' and, if present alongside critical non-compliances or manifest infringements, are likely to increase the prohibition period; this is not an exhaustive list:

- Evidence that animals under the care/control of the operator have been subjected to avoidable physical harm/mutilation/malnutrition that is inconsistent with the standard of care that is expected from an operator
- The operator being obstructive towards any investigations undertaken by BDA Certification and/ or the Competent Authority (Defra) following their findings
- Actions that have resulted in a public health issue
- Contamination of product due to inadequate measures to ensure separation of Demeter organic and non-organic products.
- Operator is unable demonstrate the organic status of a supplier of an ingredient used in a product.

In such cases, it may be considered appropriate to extend the prohibition period to more than two years. This will be dependent on the individual circumstances of the matter.

The following are considered to be 'mitigating factors' and, if present, are likely to reduce the prohibition period. Again, this is not an exhaustive list:

- The operator is a small undertaking with low turnover and more limited resource to address compliance issues
- The non-compliances were predominantly administrative (e.g. lack of traceability was due to poor record keeping) and were not deliberate
- The use of prohibited substances was shown to be accidental
- Any non-compliances in relation to animal health and welfare had only a minor or trivial impact on the health or wellbeing of the animals
- A processor takes immediate and effective action to implement suitable safeguards to ensure such an event is very unlikely to occur in the future, and can demonstrate to the satisfaction of BDA Certification and the Competent Authorities (Defra) that the integrity of their organic production process has been re-established

Where such "mitigating factors" are in evidence, it is likely that the baseline **two-year prohibition** period will be reduced in proportion to the non-compliances found and the background to the case. Any and all reductions will be determined on a case by case basis and mindful of the underlying critical non-compliances or manifest infringements.

BDA Certification will, in consultation with the Competent Authority, agree a suitable period of prohibition. BDA Certification will assess the circumstances surrounding the case and inform the Competent Authority, suggesting a suitable period of prohibition. The Competent Authority will

then consider the case and confirm (with reasons) whether or not the suggested period of prohibition is considered to be appropriate.

Once the prohibition period ends, the operator can market products as Demeter and organic provided they are registered with BDA Certification and where necessary, have complied with any conversion requirements

## 12.1. Definitions of Compliance, Actions, Sanctions and Timescales

Examples in the relevant definitions sections are not exhaustive and others may apply.

For UK and ROI operators reference the current competent authority guidance documents available from BDA certification:

- **Defra** - Catalogue of measures in case of irregularities and infringements
- **IOA/DAFM** - Catalogue of non-compliances, infringements and irregularities applying to the Organic Sector in Ireland, based on the provisions of the various EU regulations as well as national legislation

	<b>Compliance &amp; comments</b>
Definition	Fully compliant, no issues raised at inspection. Comments intended for notifying general information regarding the standards. Example - references to: <ul style="list-style-type: none"> <li>• Practices that could be improved e.g. to best practice.</li> <li>• Interpretation of the standards laid down in the organic Regulations.</li> </ul> Forthcoming changes to the standards
Action	None
Timescale	N/A
Follow up & reporting	none

<b>Level 1</b>	<b>Minor Non-Compliance</b>
Definition	Does not directly compromise the integrity of the product but needs correcting.
Action	Corrective action to be agreed in writing by BDA Certification and the operator.
Timescale	To be notified by BDA Certification as applicable during certification of report.
Follow up & reporting	May be checked at subsequent inspection.

<b>Level 2</b>	<b>Serious Non-Compliance</b>
Definition	May compromise the integrity of the product if not corrected, or may result from not correcting a previous minor non-compliance.
Action	Renewal of certification is conditional on: <ul style="list-style-type: none"> <li>• Corrective action to be agreed in writing by BDA Certification and the operator.</li> <li>• Operator to commit to undertake corrective action within an agreed timetable.</li> <li>• Evidence of compliance to be supplied by operator and verified by the BDA Certification.</li> </ul> Only where evidence of compliance cannot be supplied a statement of intent may be accepted (e.g. where a long term capital investment is required).
Timescale	Operator to respond within time period set by the BDA Certification, not exceeding 30 days from the date of notification.

	Corrective actions to be implemented within a reasonable period agreed by BDA Certification taking account of the type of non-compliance (e.g whether just a minor technical matter (such as record keeping) or potentially having wider repercussions (e.g. on livestock welfare) if not corrected).
Follow up & reporting	<ul style="list-style-type: none"> <li>• An additional inspection may be required, at the discretion of BDA Certification.</li> <li>• Corrective actions to be verified at subsequent inspection.</li> <li>• Dependant on severity, BDA may seek advice or report the non-compliance to the competent authority.</li> </ul>

<b>Level 3</b>	<b>Critical Non-Compliance</b>
Definition	<p>The integrity of the operation, product/batch or lot has been directly compromised or lost but can be recovered. Examples include:</p> <ul style="list-style-type: none"> <li>• By accidental use/ substitution/ contamination of prohibited materials.</li> <li>• Illegal/incorrect labelling.</li> <li>• Excessive number of Non-compliances.</li> <li>• Contamination with GMOs above detectable level.</li> <li>• Contamination with pesticide above MRL.</li> </ul>
Action	<p>Where a critical non-compliance is found as regards compliance with the requirements laid down in BDA Certification Standards, the control authority or BDA Certification will ensure that no reference to the organic / Demeter production method is made in the labelling and advertising of the entire lot or production run affected by this irregularity, where this would be proportionate to the relevance of the requirement that has been violated and to the nature and particular circumstances of the irregular activities.</p> <p>Information on critically non-compliant cases affecting the Demeter / organic status of a product will be immediately communicated between control bodies, control authorities, competent authorities and Member States concerned and, where appropriate, to the European Commission. The level of communication shall depend on the severity and the extent of the critical non-compliance found.</p> <ul style="list-style-type: none"> <li>• Immediate verbal suspension/ decertification of the field, product, batch or lot by BDA Certification and an aim to inform the Operator in writing within three working days but no later than seven working days.</li> <li>• Referred to BDA Certification Standards Committee for confirmation/ decision.</li> <li>• Notify Competent Authority &amp; other CBs with reference to product recall.</li> </ul>
Timescale	Decertification of land, product, batch, lot with immediate effect.
Follow up & reporting	<p>Before the suspension can be lifted:</p> <ul style="list-style-type: none"> <li>• The operator provides evidence that the critical non-compliance has been corrected.</li> <li>• Additional inspection at the discretion of the CB to check for full compliance (e.g. only where the suspension was found to be justified).</li> <li>• Corrective action and status of decertified land, product, batch, lot to be checked at subsequent inspection.</li> </ul> <p>Reporting</p> <ul style="list-style-type: none"> <li>• BDA Certification to immediately notify the competent authority and seek their advice regarding notification to other certification bodies or associated organisations.</li> <li>• BDA Certification to work with the Competent Authority to agree on a period during which the operator may not market organic products.</li> </ul>

<b>Level 4</b>	<b>Manifest Infringement</b>
Definition	<p>A serious and chronic failure of the system where the integrity of the Demeter / organic production has been lost</p> <ul style="list-style-type: none"> <li>• Deliberate fraudulent activities such as substitution of non-organic ingredients, passing off.</li> <li>• Contamination by prohibited materials through systems failure.</li> <li>• The repeated failure to correct previously identified non-compliances.</li> </ul>
Action	<p>None Where a manifest infringement or an infringement is found, the control authority or BDA Certification shall prohibit the operator concerned from marketing products which refer to the Demeter / organic production method in the labelling and advertising for a period to be agreed with the competent authority of the Member State. Information on cases of manifest infringements affecting the organic status of a product shall be immediately communicated between the control bodies, control authorities, competent authorities and the Member States concerned and, where appropriate, to the European Commission. The level of communication shall depend on the severity and the extent of the manifest infringement found.</p> <ul style="list-style-type: none"> <li>• Immediate verbal suspension/ decertification.</li> <li>• Immediate notification to Competent Authority.</li> <li>• Referred to emergency meeting of the BDA Certification Standards Committee for confirmation/decisions. The Standards Committee meeting may be by teleconference or email.</li> <li>• Decertification confirmed in writing by BDA Certification, within the aim of three working days, but no more than seven working days.</li> <li>• Competent Authority informed of decision.</li> <li>• Local TSO and other CBs notified.</li> <li>• Notify Competent Authority &amp; CBs if product recall is needed.</li> </ul>
Timescale	Decertification of operator with immediate effect (for a period to be agreed by the Competent Authority).
Follow up & reporting	<ul style="list-style-type: none"> <li>• BDA Certification to immediately notify the competent authority and seek their advice regarding further sanctions and notification to other certification bodies or associated organisations.</li> <li>• BDA certification to work with the Competent Authority to agree on a period during which the operator may not market organic products.</li> </ul>

## 13. Procedures for Derogations

### 13.1. Procedures for Production Derogations

#### 13.1.1. Seed Derogations

Licensees must use certified organic/biodynamic seed where it is available. If no organic seed is available for a particular species, or if no organic seed is available for a specific variety and no suitable alternative variety is available, the licensee may apply for a derogation to purchase non organic seeds.

The licensee must complete a seed derogation form and submit it to the BDA Certification Office, before purchase or sowing of the seed. The licensee must provide evidence that seeds from a suitable variety from biodynamic or organic production are not available.

The Administrator assesses the request and approves or refuses it, where necessary in consultation with the Technical Officer. The Administrator completes the derogation form and returns it to licensee with any feedback or explanation where necessary. The Administrator saves a copy of the completed form on the server.

#### 13.1.2. General Production Derogations

There are provisions within the Organic, and Demeter, Production Standards for the licensee to request permission to use various restricted products or to carry out various restricted practices. If a licensee wishes to use restricted products or carry out restricted practices, he or she must fill out a derogation request form and send it to the office in advance.

The licensee must justify their request, for example with reference to soil tests, veterinary advice and/or evidence that permitted practices or products are not suitable or available.

The Certification Officer or Technical Officer assesses the request. Where necessary he or she may request further information from the licensee, and/or consult with colleagues.

The Certification Officer or Technical Officer approves or refuses the request and completes the derogation form accordingly. He or she returns the form to the licensee with any relevant feedback or explanation. The Certification Officer or Technical Officer saves a copy of the form on the server and records the details of the derogation on the database.

#### 13.1.3. Production Derogations Requiring Approval from the Competent Authority

There are provisions within the Organic, and Demeter, Production Standards for the licensee to request permission, under certain circumstances, to bring in certain types and proportions of non-organic livestock, where suitable organic stock is not available. If the licensee wishes to do this, he or she must fill out a 'non-organic livestock and poultry' derogation request form and send it to the office in advance of bringing in the livestock.

The licensee must justify their request, giving evidence of a search for suitable organic stock.

The Certification Officer or Technical Officer assesses the request. Where necessary he or she may request further information from the licensee, and/or consult with colleagues.

Where the Certification Officer or Technical Officer supports the request, he or she completes the form accordingly and passes it on to the contact at the relevant Competent Authority for final approval. Once the Competent Authority have approved or refused the request, the Certification Officer or Technical Officer completes the final section of the form and returns it to the licensee with any feedback or explanation where relevant.

Where the Certification Officer or Technical Officer does not support the derogation request, he or she completes the form accordingly and returns it to the licensee with full explanation.

In either case, the Certification Officer or Technical Officer files a copy of the completed derogation form on the server, and fills out the details of the derogation on the database.

All of the above also applies to a few other rare situations, where a derogation may be requested, for example for use of non-organic feed in catastrophic circumstances, and must be approved by the Competent Authority.

## 13.2. Procedures for Processing Derogations

### 13.2.1. If the derogation relates to the UK retained organic regulations EC 834/2007:

- The licensee submits a written request for derogation. Normally this is by completing a derogation form and sending to the BDA Certification Office. Alternatively, the licensee may make a written request for derogation and the Certification Office will complete the derogation form and return it to the licensee for their records.
- The licensee has to verify the reason for the request as well as evidence of unavailability or other alternatives
- If BDA Certification is authorised to approve the derogation, the Office decides on the derogation and if approved, signs off the derogation form and returns to the licensee for their records
- If BDA Certification is not authorised to approve a derogation, the request is forwarded to the relevant competent authority for a decision
- The Competent Authority will reply to BDA Certification who in turn will reply to the licensee.

### 13.2.2. If the derogation relates to the Demeter International Processing Standards:

- The licensee writes to Certification Office requesting the derogation
- The licensee has to verify the reason for the request as well as evidence of unavailability or other alternatives
- The request is forwarded to the secretary of the Demeter International Standards Committee for a decision
- The Demeter International Standards Committee will reply to Demeter UK who in turn will reply to the licensee



- No direct request can be made to the Demeter International Standards Committee from the licensee

### 13.3. Procedures for Country Derogations (Exemptions) from Demeter International

Normally only derogations specified in the Demeter International Standards may be granted by the national organisations such as Demeter UK. However, there is provision within the Demeter International *Directions for the Implementation of a Certification Programme* for 'Country Exemptions' to be granted to recognise particular challenging circumstances within a specific country and justify the use of additional derogations for a limited period of time. Please refer to the *Directions* for further information on how this process works.

### 13.4. Procedures for Undocumented Licensee derogation requests

If an Inspector is carrying out an inspection and there is no evidence available that necessary derogations are in place, he or she ascertains if the licensee requested a derogation at the appropriate time. This may require making contact with the office to check what records are on file in the office.

Where there are no records in the office of a derogation request being made or granted, the Inspector highlights this in his or her inspection report, explaining as fully as possible the details of the situation. The Inspector records a non-compliance.

The Certification Officer, on reviewing the report, makes a decision as to how to deal with the situation. He or she may require the licensee to complete a retrospective derogation request, which will be dealt with as detailed above.

## 14. Procedures for handling Complaints, Disputes and Appeals

### 14.1. Complaints Relating to Products

The responsibility for complying with the Standards, as prescribed by the Certification schemes, and for complying with statutory requirements, rests entirely with the licensee. Therefore, any complaint about a product, or any complaint arising from possible infringements of the Law shall be dealt with by the licensee concerned.

Complaints of this nature coming directly to the Office will be referred to the licensee concerned for appropriate Corrective Action to be taken.

Licensees are required to maintain a record of any such complaints and any subsequent action taken, which should be available to Inspectors during their annual inspection. The BDA Certification

Office may request to be kept informed of the outcome of complaints and how these have been resolved.

## 14.2. Complaints relating to BDA Certification Schemes or complaints about licensees of the schemes.

On receipt of a written complaint concerning the certification programme or a licensee, the Administrator will acknowledge receipt of the complaint as soon as possible and in any case within 14 days, and refer the matter to the Certification manager, who will also notify the Chair of the Certification Board.

The Certification manager and the Chair will consider the complaint within two weeks and, where necessary, provide a timescale for further investigation. The Administrator will report their decision back to the complainant, advising them of any resulting further investigations required. The above timescale will be applied to all complaints, whether minor or serious.

In exceptional circumstances, where a decision cannot be agreed through this route, the matter will be brought for discussion to the Board.

## 14.3. Suspension or Withdrawal of Certificate

If a licensee is unable to comply with the Standards, as amended from time to time, the Certification Office may require the licensee to discontinue the use of its Certification Mark, or any claim of compliance with the certification scheme, with immediate effect, until it is satisfied that compliance is again achieved, or pending the results of an appeal.

If a licensee fails to comply with the Standards, as amended from time to time, the Certification Office may, as appropriate:

- Withdraw the Certificate, or reduce its scope, or
- Refuse to grant or renew the Certificate, or extend its scope

Such decisions, and the grounds for them, shall be communicated to the licensee in writing. Where necessary, the Administrator will also communicate such a decision to the Certification Board and to the appropriate competent authority and local Trading Standards Office.

The timescale for appropriate actions is outlined in section **12.1. Definitions of Compliance, Actions, Sanctions and Timescales.**

## 14.4. Disputes

In the event of a dispute about or against any certification decision of the Office, the licensee will inform the Administrator in writing within two weeks of notification. A response will be made to clarify the decision and solve the dispute within one week.

## 14.5. Appeals

In the event that the dispute is not resolved, the licensee may wish to appeal against the decision. This should be within two weeks of the conclusion of the dispute process, informing the Administrator in writing of their wish to appeal.

A meeting of the Certification Board will be called to take place within four weeks, but preferably within two weeks, of such notice, and the appellant shall be given seven days' notice of the time and place for such a meeting. The decision shall stand, pending any meeting of the Certification Board.

At such a meeting, representatives of BDA Certification and the appellant shall be entitled to be heard in confidence. The decision of the majority of the Certification Board, as declared by its Chairman, shall be final. In the event that the appellant loses his/her case, they will become liable for costs. The resulting dialogue will be minuted.

The operator has the right to appeal to the competent authority (Defra).

## 15. Document management, records and statistics

### 15.1. Responsibility

The Administrator is responsible for document control and record keeping. The date of receipt will be recorded by the Administrator or other members of the office staff for all documents received in the Office from applicants or programme participants or relating to them.

Documents, as appropriate, will be distributed to licensees of the certification programmes, the Certification Board, Inspectors, and applicants to the certification schemes. Documents will also be available on the BDA Certification website.

### 15.2. Records

Records will be kept by the Administrator for a period of 5 years. This includes assessment forms, assessment summary sheets, certification officer reports, corrective action reports, staff records, and registers of certification programme participants. After 5 years these records will be destroyed in a secure manner. Records of a more permanent nature will be kept by the administrator for as long as licensees are registered with the schemes. This includes application forms, up to date maps, conversion plans, animal health plans, and contracts.

Records will also be kept in an electronic format. Records that are kept on the BDA Certification database are password protected and further secured on the BDA Certification servers.

Records relating to applications and assessments are confidential and may only be released to an outside party with the permission of the scheme participant.

Staff training and appraisal records will be kept by the Certification manager and a copy will be kept by the Administrator.

### 15.3. Document Control and Document Register

All essential scheme documents including standards, forms, contracts, etc. will be identified by a document name or number and an issue date comprised of month and year. The issue date identifies the version of document that is currently in use. All essential scheme documents will be listed in the BDA Certification document register. Documents routinely required by licensees are available on the BDA Certification website.

### 15.4. Amendments to Standards and procedures

From time to time standards and documents may be revised. Demeter Standards will be revised in accordance with changes agreed at the annual Demeter International Members Assembly in June. Organic Standards will be revised in a timely manner as required by each revision of the UK retained organic regulations (EC 834/2007 and EC 889/2008) as notified to the BDA Certification by the competent authority.

When a revision to the standards is undertaken, the Administrator will place a copy of the changes on the BDA Certification website and inform licensees. Paper copies will be sent out when requested. The office will keep a record of amendments to standards.

Forms, checklists and other documents will be revised as necessary. Whenever a revision is made to a form, checklist, or other official document, a new issue date (month and year) will be given to the document in the footer on the right side. The revised document is sent to the Administrator or other appropriate person to place or update on the document register. All staff will refer to the document register and to the date reference of documents to find the current version of a document. Amended documents will be issued, as specified on the document register.

Where necessary, the Administrator will advise licensees on the timescale requirement for implementing any changes to their procedures and the operation of the certification scheme.

Inspectors will ensure that licensees are operating from the latest Issues of documents during their annual assessments and record this on their checklist.

### 15.5. Register of Licensees

A Register of licensees will be maintained by the Certification Office. The Administrator will submit this on an annual basis to DEFRA and other competent authorities as appropriate. In addition, in conformity with the requirements of Regulation EC 834/2007 and its implementing rules, contact details (i.e. names and addresses only) from the Register will be available to anyone requesting them.

### 15.6. BDA Certification Quality Manual

Copies of this Quality Manual will be made available to licensees, members of the Certification Board, office personnel, Inspectors, and UKAS. The Quality Manual will be available to licensees on the BDA Certification website. A paper copy will be sent to any licensee who requests one.

## 15.7. Notification of Change in Status of licensees

Licensees will be asked by the Administrator to notify the office of any changes in their circumstances, e.g. a change of named person holding the certificate of registration or resignation from the certification schemes. In some circumstances the Administrator may request the return of documents to the office.

## 15.8. Competent authority approval, agreements and reporting requirements

BDA Certification is approved as an organic control body by Defra in the UK. These approvals are based on contracts held with Defra. The contracts specify the responsibilities of BDA Certification as a control body and give details about grant payments made to BDA Certification for the reporting of data and information.

BDA Certification is approved as an organic control body by Defra in the UK. These approvals are based on contracts held with Defra. The contracts specify the responsibilities of BDA Certification as a control body and give details about grant payments made to BDA Certification for the reporting of data and information.

Reporting to competent authorities should be in accordance with the following EU regulations:

- Article 92(d) of 889/2008 as amended (EU) 392/2013, provides for:  
Catalogue of measures in case of irregularities and infringements
- Article 92 of Regulation (EC) 889/2008 by Regulation (EC) 392/2013. The new Article 92 provides for:  
Exchange of information between control authorities, control bodies and competent authorities.

BDA certification will notify the competent authority immediately of any severe infringement and Infringements with prolonged effect (“Manifest Infringement”). Reporting procedures relating to the catalogue of infringements and exchange of information is outlined in detail in quality manual section 12 “Definitions of Non-Compliances, Sanctions and Timescales”

In the case of operators changing control bodies, BDA certification will notify the competent authority within 2 working days where an operator and/or their subcontractor(s) changes Control Body at the point they are formally accepted by that alternative Control Body, or where an operator withdraws from the control system as set out in the new Articles 92(2) and 92(3). BDA certification will also exchange the appropriate information between control bodies.

These actions do not negate the need for BDA certification to provide monthly/periodic statistical returns. Statistics as set out in the EU regulations, and as requested by the competent authority.

Any cross compliance (GAEC/SMR) breaches noted at inspection are to be reported to the competent authority.

## 15.9. Statistics

One of the reporting requirements referred to in 15.8 above relates to organic statistics. In addition to the organic statistics required by Defra, Demeter International have asked for statistics with regard to biodynamic production. These organic and biodynamic statistics are recorded on the assessment forms and collected at inspections. The Certification / Project Officer will record these statistics on the certification database. A report of organic statistics will be submitted to the Defra Stats Team by the Administrator by 31 January each year in the format provided by Defra. A report of biodynamic statistics will be returned to Demeter International by the 30 April.

## 15.10. BIO-C reporting

We are required by Defra to send a monthly report on current certified operators in the UK and Ireland. We have a report set up on Filemaker Pro database which includes all the information required for this report. An additional report is made whenever an operator terminates their licence.

BioC is updated by the administrator within 2 working days of an operator joining, withdrawing or any sanctions which result in suspensions.

## 15.11. Procedure for Information request from the Biodynamic Association to BDA Certification

In order to maintain compliance to ISO/IEC 17065:2012 in terms of impartiality, conflict of interest and confidentiality the following procedure is to be followed when BDA Certification receives a request for information from Biodynamic association charitable staff and Board members.

- a) Biodynamic Association charitable staff and Board members must submit a formal request by email to the BDA certification administrator and copy in the BDA certification manager.
- b) Upon receipt of the request for information the BDA certification administrator will review if the request for information is compliant with ISO/IEC 17065:2012, and liaise with the Certification Manager on any matters of concern.
- c) BDA certification administrator will maintain records of information requests which will be monitored and reviewed by the certification manager.
- d) The BDA Certification administrator, certification manager and BDA certification board reserve the right to refuse any request for information if it presents a risk to ISO/IEC 17065:2012 compliance.
- e) Information requests will be reviewed in the annual internal audit, and impartiality risk reviews by the certification manager and certification board.

Note only operator information that BDA Certification is required to report to BIO-C and is therefore already published publicly should be released. This includes the operators name, contact details, product categories, certification status, inspection dates, certificate validity.

Any further information that BDA certification is not obliged to publicly publish under contractual obligations with the competent authority including but not limited to financial, commercial, contractual, certification/inspection processes, non-compliances, complaints/appeals will remain strictly confidential, and will not be released.

## 16. Internal Audits

Internal Audits of the Quality System are conducted regularly or as required by changes in line with ISO/IEC 17065:2012. Internal Audits are conducted to ensure that:

- BDA Certifications operating system is suitably documented;
- Operations comply with the documented system and that they satisfy the requirements of ISO/IEC 17065:2012; and
- There is recorded evidence of the effectiveness of the System.

A suitably qualified member of the Office Staff, Certification Board or other nominated person will conduct the Internal Audits. The Internal Auditor will have received training in internal auditing skills – either in house or on a course held by an appropriate external body.

Specific areas covered by the audits are:

- Internal Audit 1 - ISO/IEC 17065:2012 – Annually
- Internal Audit 2 - Quality Manual – Bi-Annually
- Internal Audit 3 - Case File Reviews – Bi-Annually
- Internal Audit 4 - Impartiality Risk Review – Bi-Annually

Results of the Audit will be discussed with the personnel responsible and Corrective Action planned, where necessary.

Records of findings at the Internal Audits will be kept on relating Internal Audit Conformance Reports. These reports will refer to headings from the Internal Audit Agenda. Evidence of conformance will also be recorded on this report. A timescale for improvement action will be specified on the report which should not be longer than 28 days. The Internal Auditor will receive evidence of improvement action and record completion of improvement actions on the Internal Audit Conformance Report.

If the Certification manager feels there is something which requires immediate action, this will be implemented promptly. The findings of the Internal Audit can be reported to the Standards Committee and certification board.

## 17. Management Review

The Quality System is subject to review by the management group. The management group is composed of the Certification manager and other senior staff with management responsibility.

Management meetings are held on a regular basis, normally, at least **8 per year**. Minutes are taken, actions are recorded and monitored and the minutes are forwarded to the Certification Board.

## 18. Procedures for managing situations not documented in the Quality Manual

The BDA Certification Quality Manual may not always contain policies for the management of situations. In such instances the following process will be followed:

- A) The staff member, if not the Certification Manager, that discovers such a situation should in the first instance inform the Certification Manager.
- B) The Certification Manager will discuss with that member of staff appropriate actions for dealing with the situation in an interim period.
- C) The Certification Manager will design an appropriate policy that will address and clearly identify procedures that ensure compliance with all applicable regulations and standards.
- D) The Certification Manager will propose any such policy to the Certification Board at their next convening. The Certification Board will, by way of a majority vote, adopt or refuse the proposal. If the proposal is adopted, the policy shall be written into the relevant section of the quality manual and signed off by the Chair of the Certification Board. If the proposal is refused, the Certification Manager, in conjunction with the chair of the Board, will redesign the policy until it is accepted by a majority vote.
- E) The timeframe for the implementation of any and all such policies should not exceed 3 months.

## 19. Operating procedures for (EC) 1235/2008

**laying down detailed rules for implementation of (EC) 834/2007 as regards to the arrangements for imports of organic products from third countries**

**On the basis of article 33(3) of Regulation (EC) 834/2007, the European Commission is the authority for the supervision of activity relating to certification of operators for the purpose of import into the EU.**

1. In accordance with (EC) 1235 Article 11 (3)(e) the Website of BDA Certification and Demeter UK will list all operator's subject to control.

The website will provide a point of contact where the following information will be freely available:

- Certification status of operators & products
- Product categories
- Suspended and decertified product/operators



2. In accordance with (EC) 1235 Article 12 (1)(a) BDA Certification and Demeter UK will notify the EU commission of any changes according to the measures and controls applied by the BDA relating to (EC) 1235 article 10 (2)

3. In accordance with (EC) 1235 Article 12 (1)(b) by 28th of February every year BDA Certification and Demeter UK will submit a concise annual report to the EU commission.

The report shall contain:

- Technical dossier update, as outlined in (EC) 1235 Article 11 (3)
- Control activities from the previous year
- Irregularities and infringements
- Sanctions and measures
- Most recent assessment report (UKAS) as referred to in article 33 (3) of regulation (EC) No 834/2007.

4. In accordance with (EC) 1235 Article 12 (1)(d) BDA Certification and Demeter UK shall make available to interest parties by electronic means a continuously updated list of operators, and of products certified as organic. This information can be found on the certificate and schedules issued by the BDA, which is updated and held on the BDA certification database. Certificates will comply with (EC) 1235 laying down detailed rules for implementation of (EC) 834/2007 as regards to the arrangements for imports of organic products from third countries.

Certificates issued by BDA Certification and Demeter UK shall state the “operator has submitted their activities under control, and meets the requirements laid down in BDA certification Organic standards recognised as equivalent with provision of regulation (EC) 834/2007. The following products can be sold under the categories specified in the schedule to the certificate”

#### 5. **Certificate of Inspection**

For all exports of EU equivalent Organic products from the UK into the EU, BDA Certification shall after verification issue a Certificate of Inspection on TRACES completed and signed in accordance with the relevant requirements for third countries outlined in (EC) 1235/2008.

## 20. Glossary of Terms

### **Applicant**

An organisation or person applying for, but not yet granted, Certification.

### **BDA**

The Biodynamic Association.

### **Biodynamic Foods**

Foods which have been produced in accordance with Demeter Standards for biodynamic food production.

### **Biodynamic Preparations**

Specialist biodynamic field sprays and compost preparations. The preparations are made from natural materials and act as ‘bio catalysts’ to activate biological processes in soils and plants. Use of the biodynamic preparations is an essential requirement for Demeter Certification.

### **Biodynamic Unit**

A Certified Producer, or an Applicant in the process of Conversion, participating in the Certification Scheme for Biodynamic Food Production.

### **Certificate**

A Certificate issued by the BDA Certification office to registered operators on an annual basis, in recognition that their operational procedures and practices for a specified range of products have been assessed, through Inspection, and are produced in accordance with the relevant Demeter or Organic Standards, as appropriate.

### **Certification Programme**

A scheme designed to certify conformity with defined operational procedures and practices that meet the requirements of the Demeter and/or Organic Standards.

### **Certifying Body**

BDA Certification.

### **Competent Authority**

Defra in the UK and DAFM in the Republic of Ireland (IOA Demeter only inspections). Departments in governments that are legally responsible for implementing and upholding statutory regulations.

### **Complex Processing**

Where raw materials are processed in such a way that the nature, weight, or volume is transformed in such a way as require processing qualifications to ensure compliance with standards (e.g. cooking involving weight loss, dehydration, re-hydration, evaporation, emulsification, fermentation).

### **Contract**

An agreement between the BDA Certification and a licensee, granting a non-exclusive licence to use the Demeter Trade Marks, or BDA Certification Organic Logo, as appropriate, on agricultural and food products which have been produced in accordance with Demeter and/or Organic Standards.

### **Conversion**

Process of changing from conventional to biodynamic and or organic production.

### **Critical Non-Compliance**

See Section 12.0.

### **DAFM (Department for Agriculture, Food and the Marine)**

The Competent Authority in the Republic of Ireland, under EU Legislation, on organic food production.

### **DEFRA (Department for Environment, Food and Rural Affairs)**

The competent authority in the UK, under EU Legislation, on Organic Food Production.

DEFRA is responsible for:

- Approval of Organic Certification Bodies

- granting derogations for use of non-organic agricultural ingredients
- Representing the interests of the UK with regard to organic standards and procedures at the European Commission, and other matters, as defined by the UK retained organic regulations (EC 834/2007).

### **Certification Board**

Governing Body for BDA Certification. Responsibilities, operating and terms of reference are outlined in the Constitution for the Certification Board, Section 5.0 of this Quality Manual.

### **Demeter Standards**

Demeter Standards for Biodynamic Food Production.

### **Holding**

A Farm, or area of land, the boundaries of which are clearly defined and explicitly described on a map, and which is large enough to permit a biodynamic/organic farming or horticultural operation to be developed and sustained.

### **Inspector**

A person appointed by the Certification Board and trained by the Manager and other certification staff to carry out assessments of licensees for compliance to Demeter and Organic Standards.

### **Operator/licensee**

A Producer, Processor, Trader or Abattoir holding Certification to Biodynamic / Organic Standards.

### **Manifest Infringement**

See Section 12.0.

### **Non-Compliance**

See Section 12.0.

### **Quality Manual**

Document describing Operating Procedures and other details of the Certification Programmes.

### **Premises**

A production unit, located on a single site, in which the processing and/or manufacturing of Biodynamic/Organic foodstuffs takes place.

### **Simple Processing**

Where raw materials are processed in such a way that traceability and mass balance are not difficult for an inspector qualified to producer level (e.g. cleaning, peeling, chopping and slicing, packing, blending, processing of single ingredient products where the nature is not changed such as flour milling, simple butchery)

### **Additional inspection**

A spot assessment is a notified assessment in addition to the annual assessment that is undertaken for operations in which there are concerns about compliance to standards or in which there is outstanding information or documentation that has not been submitted in a timely manner, or that are randomly allocated to provide additional verification of compliance to standards.



### **Standards**

- Demeter Standards for Biodynamic Food Production
- Retained Council Directive (EC 834/2007) on organic production of agricultural products and its implementing rules.

### **Unannounced Inspections**

An unannounced assessment is an assessment undertaken with minimum or zero notice for operations in which there are concerns about compliance to standards or in which there is outstanding information or documentation that has not been submitted in a timely manner, or that are randomly allocated to provide additional verification of compliance to standards.