



Institute for Ethical and Environmental Certification

document

REGULATION

Ed. 02 Rev.00

Title:

**REGULATION FOR
IFOAM-ACCREDITED VOLUNTARY CERTIFICATION**

1. FOREWORD.....	3
2. DEFINITIONS.....	3
3. REFERENCES.....	4
4. GENERAL CONDITIONS.....	4
5. CONDITIONS FOR OBTAINING AND MAINTAINING CERTIFICATION	7
6. APPLICATION FOR CERTIFICATION	9
7. PRE-CERTIFICATION INSPECTION VISIT	10
8. ASSESSMENT.....	10
8.1 Evaluation of Documents.....	10
8.2 First Inspection Visits.....	11
8.3 Type Tests.....	12
9. DECISION.....	12
10. ISSUANCE OF CONFORMITY CERTIFICATE	13
10.1 Use, Validity and Renewal of Conformity Certificate	13
10.2 Register of Licensed Operators	14
11. CONFORMITY LABELS AND CERTIFICATION SEAL	14
11.3 Support for Preventive Initiatives	15
11.4 Specifications for Product Labelling.....	15
12. MODIFICATION OF CERTIFICATION CONDITIONS	15
12.1 Modification of Norms and/or Standards.....	15
12.2 Modification of the Regulations for Certification	16
12.3 Modification of Fees.....	16
13. MONITORING ACTIVITY	16
14. MODIFICATION AND EXTENSION OF CERTIFICATION RANGE	18
15. CONFIDENTIALITY.....	18
16. VALIDITY OF CERTIFICATION CONTRACT.....	18
17. RENUNCIATION TO CERTIFICATION	20
18. PENALTIES.....	20
18.1 Precautionary Suspension of the Use of Product Certificate and Labels.....	20
18.2 Suspension of Certification Validity.....	20
18.3 Withdrawal of Certification	21
18.4 Notification of Penalties	21

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19. CONSEQUENCES OF RENUNCIATION, NON-RENEWAL, SUSPENSION AND
WITHDRAWAL OF CERTIFICATION..... 22

20. CONTROL AND TESTING 22

21. RECIPROCITY MANAGEMENT..... 23

 21.1 Certification Transfer 23

 21.2 Recertification..... 24

22. COMPLAINTS 25

23. APPEALS..... 25

24. ARBITRATION AWARDS..... 25

25. INTERNAL INSPECTION VISITS AND PERIODICAL REVIEWS..... 26

26. INSPECTION SYSTEM SCHEME..... 26

27. ABBREVIATIONS 27

ICEA	RC.IFOAM	Regulation for IFOAM-Accredited Voluntary Certification	Ed.02 Rev.00 of 04-11-2010
------	----------	--	----------------------------

1. FOREWORD

Istituto per la Certificazione Etica ed Ambientale, hereafter referred to as **ICEA**, is a nonprofit Consortium composed of associations and organizations operating in a field of activities oriented towards environment-friendly, fair and sustainable development, pursuant to Art. 2612 and the relevant ones of the Civil Code.

The Consortium was founded by AIAB (Italian Association for Organic Agriculture), Banca Popolare Etica (Ethical Bank), Demeter (Association for the protection of biodynamic quality in Italy), ANAB (National Association for Bio-ecological Architecture) and ACU (Consumers' Association). Its objective is to offer a certification service based on the principles of independence, transparency, objectivity, impartiality and competence, capable of building up suppliers' and consumers' confidence in the certified products, through verification of product conformity to voluntary or binding regulations.

The Consortium's headquarters are in Bologna (Italy), Via N.Sauro 2.

ICEA's financial support and proceeds come from certification and training activities.

ICEA is entitled to open offices, branches and agencies in Italy and abroad.

ICEA authorizes all Operators, who observe the certification scheme governed by the present Regulation, to label their products with the conformity labels and the certification seal according to applicable provisions and/or standards:

- a) ICEA guarantees to applicants, accessibility to the certification schemes governed by the present Regulation, without discriminations of any sort. In particular:
 - no undue economic or other conditions are applied;
 - access to evaluation and certification is not conditioned by the operator's size or membership in particular associations or groups.
- b) ICEA commits to apply current procedures and tariffs, based on its own applicable national fees, thus guaranteeing uniformity.
- c) The request for inspection and certification does not obligate the concerned Operator to use ICEA's other services, not considered in the present Regulation.
- d) The request for inspection and certification does not obligate the concerned Operator to join the ICEA Consortium or any other related body.
- e) Information about the full certification services offered by ICEA and any other applications can be found at all ICEA offices and are always available on the website, www.icea.info.

2. DEFINITIONS

Product: the result of a process.

Process: the total of correlated or interacting activities, which transforms inputs into outputs.

Product Specifications: documents, which establish the requisites of a product (hereafter referred to as Technical Standards).

Regulatory Body: a public or private body, which draws up and publishes the regulations governing product specifications.

Operator: a body, farm, organization, business or parts thereof, with or without shares, public or private, with its own functions and administration, which participates in the creation, marketing and supply of the product.

Applicant: an Operator that requests certification. In case the certification concerns a production chain, the Applicant is also the coordinator of the chain.

Licensee: an organization that received the conformity certification issued by ICEA and which is consequently authorized to use conformity labels and the certification seal.

ICEA	RC.IFOAM	Regulation for IFOAM-Accredited Voluntary Certification	Ed.02 Rev.00 of 04-11-2010
------	----------	--	----------------------------

3. REFERENCES

- IFOAM Criteria
- IFOAM Basic Standards
- UNI EN 45011/99 (ISO 65/EC)
- Italian Organic Standard (IOS)
- Collective Certification Guidelines (L.0206)

4. GENERAL CONDITIONS

4.1 The present Regulation describes the procedures followed by ICEA in order to certify the conformity of agroalimentary products/processing/services (other than the technical means used for their production) according to the specifications of the Technical Standards in conformity to the IFOAM Basic Standards, following IFOAM control and certification criteria (IFOAM Criteria). ICEA carries out this activity independently from its functions as a control and certification body, authorized by the Minister of Agriculture and Forestry Policies, in conformity to Reg. (EEC) No. 834/07 and 889/08 as amended.

4.2 An agro alimentary product or technical mean, “Certified ICEA – Italian Organic Standard,” is obtained:

- by respecting general “binding” applicable norms (prerequisites), and those referring to the organic production method;
- in conformity with the Italian Organic Standards or other technical standards used by ICEA for productions and activities not covered by the former, which define processing characteristics and product specifications (both are hereafter referred to as Technical Standards).

4.3 Before they are approved, the standards used by ICEA must go through public deliberation where they are elaborated and discussed by all the involved parties.

For this purpose, ICEA assigns the authority regarding every decision to the National Control and Certification Commission (CNC), and if it is the case, to relative Thematic Committees.

These bodies are involved from the beginning, in all the elaboration, revision and approval processes, also when ICEA is not the author but is only asked to carry out a conformity evaluation.

The part that concerns the description of the concerned product’s technical requirements will have to be, in all cases, made public and general, also taking into account the opinions of other Certification Bodies who abide by the same standards.

The CNC and its committees will still have to apply the amendments and solve the Nonconformities (NCs) found by the accreditation bodies, who in the present Regulation, are represented by the International Organic Accreditation Service (IOAS), www.ioas.org .

The aim of ICEA’s inspection and certification activity is to give, through initial assessment and subsequent monitoring, an independent and trustworthy assurance that such products comply with the Technical Standards.

4.4 The certification system is based on auditing and approving the production process management and control system set up by the Applicant in order to obtain organic productions and type tests (when required by the Standard). This is followed by continued monitoring, carried out by periodical verification of the conformity of processes and quality assurance, in addition to control testing of samples taken from the market and from production and/or processing sites.

ICEA	RC.IFOAM	Regulation for IFOAM-Accredited Voluntary Certification	Ed.02 Rev.00 of 04-11-2010
------	----------	--	----------------------------

In particular, the quality assurance system established by the Operator must take into account the management and application of the following requirements:

- traceability and possibility to recall the product in case of serious Nonconformity;
- identification and separation of certified product from uncertified product;
- management of customers' complaints;
- management of quality records.

4.5 Application for certification is mandatory for all Operators who intend using the conformity guidelines and whose activity falls within the scopes of production (agriculture, breeding, aquaculture, food preparation, etc.), storage, packaging, commercialization, brand distribution and import of agro alimentary products and/or technical means used in their production. The control system, in each case, must adequately cover the entire production chain until the finished product is obtained, packaged and labelled. The integrity and conformity of half-processed products and raw materials subject to certification must also be guaranteed during transport.

4.6 In order to obtain certification, the Applicant shall demonstrate compliance to the Technical Standards used by ICEA for the concerned product type, and with the relevant legislation applicable to this.

ICEA's conformity certification allows the Applicant to display conformity indications and the certification seal specified in the present Regulation, on product labels and/or other promotional and advertising material.

4.7 If certification projects involve more than one Applicant under the responsibility of a single licensee, the applications shall be submitted directly by the latter.

In this case, the responsible Operator must have legal status and must have:

- a) established precise agreements with the other organizations involved in the certification project (subcontractors) for the implementation and full application of the Technical Standards;
- b) defined criteria for the involved organizations' adherence, to and participation in the certification project;
- c) defined penalties for those organizations that do not respect the agreements;
- d) procedures that inform each and every subcontractor about the Technical Standards, certification regulations and procedures, as well as subsequent revisions, in addition to the rights and duties regarding their participation in the organic production program;
- e) also formally assumed (through a statement) the responsibility for the conformity of all the organizations interested in the project, guaranteeing ICEA and the accreditation bodies' staff access to all the organizations' premises, production sites and to all records, including fiscal ones, concerning the certified product at any stage of the production chain.

The other participating organizations, referred to as subcontracted suppliers, are not authorized to use the Technical Standard conformity seal or indications, for products processed and marketed autonomously and independently of the abovementioned agreements. This is referred to any form of subcontracted production / service.

However, the subcontracted supplier has the right to ask ICEA directly for inspection and certification in order to obtain the status of licensee, in case of positive assessment.

List of sub-licensees and/or subcontracted suppliers is not available in the ICEA website but it can be forwarded under request.

4.8 When the subcontracted suppliers are small producers in developing countries (turnover not exceeding EUR 20,000.00), with similar structural features and productions, and the licensed Operator has established a documented self-control and management system for the production chain, ICEA may apply sample-based control, following plans designed in relation to the

ICEA	RC.IFOAM	Regulation for IFOAM-Accredited Voluntary Certification	Ed.02 Rev.00 of 04-11-2010
------	----------	--	----------------------------

significance of the involved farms and activities, in conformity with the Guidelines for Collective Certification (L.0206).

The self-control system must satisfy the requirements of the Guidelines for Collective Certification (L.0206), which include the following most important ones:

- the internal audit program must comprise at least one inspection per year at the site of each involved Operator;
- new Operators may be admitted to the system only after an internal inspection;
- the inspection must allow a complete evaluation of the conformity conditions required of the Operator;
- there must be an appropriate system for the evaluation, recording and analysis of NCs, enabling the licensed Operator and ICEA to review periodically the functioning of the system;
- there must be a system for verifying and giving assistance to the involved Operators in understanding production and certification rules.

4.9 ICEA commits to apply fees that are based on the applicable tariffs, guaranteeing fair and uniform treatment.

4.10 ICEA does not give Operators advisory services of any sort (e.g. solutions to problems encountered in certification, or promotional and information activities aimed at marketing specific products of certified organizations).

4.11 On the Italian territory, ICEA's Italian staff carries out its activities and uses documents written in Italian.

For inspection and certification activities abroad, ICEA operates (when necessary), in English, or in the language known by the local population, and may resort to the services of competent translators, which are also accepted and approved by the controlled Operator.

All certification documents are issued in Italian and English. At the Operator's request, they may be translated into the official language of the Operator's country.

4.12 ICEA staff carrying out the inspection and certification activity are not entitled to receive any type of payment, contribution or donation from the Operator, even if they are payments to ICEA.

In order to favour cordial relationships with Operators and only out of respect for local hospitality customs, ICEA staff may accept eventual small gifts in kind from the Operators, as long as these are products resulting from the Operator's activity, of modest value, offered freely, and do not imply any kind of conditioning in the situation.

Should staff, for any reason whatsoever, receive insistent offers and gifts which do not fit the abovementioned characteristics and limitations, they are constrained to refuse and/or ask their superiors for instructions.

4.13 In order to facilitate access to useful information for all persons interested in the present certification scheme, ICEA commits to make available all unclassified documents and materials, either directly upon request or on the website, www.icea.info. Moreover, in order to make the system more transparent, ICEA commits to make public, through the internet and other media, any unclassified information related to its activity, and in particular, the list of licensed Operators, the penalties imposed and the results of type tests.

4.14 The application of the present Regulation is monitored by CNC, a body that guarantees impartial and correct execution of certification activities and ensures fair representation of all parties involved in certification.

The CNC includes delegates designated by the parties involved in the certification of given types of products and processes. For the purpose of monitoring and correct execution of all the

ICEA	RC.IFOAM	Regulation for IFOAM-Accredited Voluntary Certification	Ed.02 Rev.00 of 04-11-2010
------	----------	--	----------------------------

assessments required by the present certification scheme, the CNC constitutes one or more committees (which may have territorial authority), referred to as the Certification Commission (CoCer), where at least the following areas of interest are represented:

- a) Producers;
- b) Technical/scientific area;
- c) Consumers.

All the functions provided for in the present Regulation, with the exception of evaluation of appeals and of fundamental documents pertaining to the rules of inspection and certification system functioning, are delegated to the committees.

4.15 Accreditation bodies and public authorities are parties with granted access to confidential information. With this statement, operators are informed about which parties have access to confidential information (e.g. accreditation bodies).

5. CONDITIONS FOR OBTAINING AND MAINTAINING CERTIFICATION

5.1 In order to obtain and maintain the certification, the Applicant shall:

- a) observe the provisions of the present Regulation, and when applicable, of the ICEA certification regulations related to the controlled systems (ex. Reg. (EC) No. 834/07 and 889/08, NOP, JAS, etc.);
- b) implement and maintain a documented management system demonstrating compliance with product and/or process requirements listed in the Technical Standards;
- c) identify and monitor the specified requirements, including the ones that are legally binding and regulated;
- d) have completed the document assessment stage and any necessary type tests with satisfactory results;
- e) take all measures which may be needed for carrying out correct assessment, as required by the present Regulation;
- f) allow the staff appointed by ICEA or by accreditation bodies, access to documentation, records, areas and personnel involved in certification;
- g) maintain the conditions that permitted such certification to be granted, throughout the certification validity period;
- h) downgrade or recall the product from the market as needed, as soon as he learns of any irregularities which invalidate the conformity of the product, and promptly inform ICEA accordingly;
- i) promptly inform ICEA of any change in the organization;
- j) in case ICEA ascertains any NCs, propose Corrective Actions (ACs) and specify implementation times and the name of the person responsible for implementation by accomplishing and signing the appropriate forms, one copy of which shall be faxed to ICEA within 10 calendar days from the date of notification;
- k) satisfy all ICEA's requests for ACs within the established deadline;
- l) pay to ICEA the fees due for inspection and certification activity, no matter what the outcome is ⁽¹⁾;
- m) keep, throughout the certification validity period, a record of all complaints received and the related documents showing implemented ACs⁽²⁾;

⁽¹⁾ Any inspection visits not included in the monitoring plan, which should prove to be necessary as a consequence of Nonconformity findings, will be charged to the operator according to the tariffs in force at the time these visits are carried out.

The annual flat rate for maintaining the certification is due also in case of suspension.

⁽²⁾ The Operator is also required to take into consideration any complaints received by other persons, even if they are not Licensees involved in the certification project (subcontracted suppliers), and for which the Operator takes responsibility as far as product conformity is concerned.

ICEA	RC.IFOAM	Regulation for IFOAM-Accredited Voluntary Certification	Ed.02 Rev.00 of 04-11-2010
------	----------	--	----------------------------

n) inform ICEA of his involvement in legal suits for infringement of laws on product responsibility or laws related to the certification obtained.

5.2 Certified organizations must keep the following records, which must be made fully available to ICEA staff:

- a) **Purchases log** (technical means, raw materials, etc.), indicating the date, supplier, product type, quantity and references to purchase documents (for agricultural operators = Purchase Sheet - Reg. (EEC) No. 834/07 and 889/08);
- b) **Sales log**, indicating the date, buyer, product type, quantity, references to sales documents (for agricultural operators = Sales Sheet – Reg. (EEC) No. 834/07 and 889/08);
- c) **Agricultural Practices log** (fertilizing, plant protection treatments, mechanical cultivation, etc.), indicating the date, lot(s) references, substance used, total quantity and doses, interested area (Agricultural Practices Sheet – Reg. (EEC) No. 834/07 and 889/08);
- d) **Veterinary Treatments log** (stock farms only), indicating the date, type of treatment and medicine used, reference to animal or batch concerned, reference to analysis reports and/or veterinarian's prescriptions;
- e) **Livestock Movement log** (stock farms only), indicating the date of entrance/exit of animals and the animal's identification number;
- f) **Processing log** (for preparation/packaging facilities and technical means only), indicating the date, product type, production lot and reference to raw materials/original ingredients;
- g) **Register of distributed Certificate copies**, showing the ICEA certificate identification code, name and address of the body and/or customer to whom certificates were delivered;
- h) **Complaints register**, indicating the date, plaintiff's name, reasons and outcome of complaint, and eventual treatments and ACs adopted;
- i) **Analyses register** performed by the farm, indicating the date and results (enclose a copy of laboratory test reports);
- j) **Other registers** for particular production types, required by ICEA in conformity with the requirements and objectives of the Technical Standards;

5.3 The abovementioned records shall be updated daily. They may be in electronic format, subject to ICEA's approval.

When records are in electronic format, it is necessary to put into archive a hard copy (or backup disk) of the monthly summaries

ICEA reserves the right to ask for a copy of such records (also in electronic format).

The records concerning productions subjected to the IFOAM-Accredited conformity certification must be clearly distinguishable from those concerning products that are not subject to certification (including the products certified exclusively according to Reg. (EEC) No. 834/07 and 889/08).

5.4 The operator is responsible for ensuring integrity during transport and also for the fully processed and/or packaged products.

5.5 ICEA's Control Technicians must also be allowed access to all the accounting, fiscal and financial documentation needed to cross-check mandatory records in order to ensure correct and systematic procedures.

5.6 If the abovementioned conditions are not fulfilled, ICEA will take the necessary measures related to the frequency and severity of infringements, which may lead to certification suspension and/or withdrawal.

5.7 The operator is responsible for contracted production or processing.

ICEA	RC.IFOAM	Regulation for IFOAM-Accredited Voluntary Certification	Ed.02 Rev.00 of 04-11-2010
------	----------	--	----------------------------

6. APPLICATION FOR CERTIFICATION

6.1 To start the certification process, the Operator must submit the appropriate application to ICEA, accomplishing the applicable parts of the APPLICATION FOR VOLUNTARY INSPECTION AND CERTIFICATION SERVICE FOR PRODUCTS FROM ORGANIC FARMING ([M.RCIFOAM 01](#)).

In particular, the application must clearly show the following information:

1. Operator's business name and headquarters' registered address;
2. production sector for which the certification is requested (agroalimentary production/processing, sales points, catering, fodder, technical means, etc.).

6.2 By signing the "Application for Voluntary Inspection and Certification Service for Products from Organic Farming," the Operator confirms acceptance of the present Regulation in its entirety, and pledges to comply with the Technical Standards.

The following documents must be attached to the application for certification ⁽³⁾:

- a) copy of the receipt for payment of the flat rate fee for the inspection and certification system;
- b) Operator's certificate of registration with the Chamber of Commerce;
- c) copy of VAT number certificate;
- d) (only for preparation/packaging units and brand distributors) ICEA CERTIFICATION QUESTIONNAIRE FOR IFOAM-ACCREDITED CERTIFICATION (traceability chart, preparation recipe, list of suppliers) ([M.RCIFOAM 02](#)). For technical means: technical charts, quality systems, flow chart of the production cycle, list of suppliers of raw materials and other information needed for the evaluation of conformity with the Technical Standards;
- e) ICEA FEES FOR THE IFOAM-ACCREDITED – GARANZIA AIAB CONTROL AND CERTIFICATION (FOOD) ([M.RCIFOAM 03](#)), duly signed for acceptance;
- f) (if accepted) statement authorizing the use of personal data;
- g) copy of administrative and sanitation authorizations required by current legislation, including the plans/layout of the facilities with indication of what premises are intended for, if required;
- h) recipes for the preparation of products to be certified, with a description of the production process and production sites (for technical means: the composition – qualitative, and if required, quantitative, for products that are being certified);
- i) broad annual production plan (quality/quantity);
- j) facsimile of the package label; ICEA will evaluate the conformity of the label exclusively for what strictly concerns conformity to Reg. (EEC) No. 834/07 and 889/08, application of the Technical Standards and correct use of conformity label and certification seal;
- k) number, full address and data of operational units (or other organizations interested in the project) involved in the production being certified.
- l) in case some processes are performed by subcontracted establishments, ICEA requires a copy of the contract with the processor, which shows at least the following elements:
 - subcontracted Operator's commitment to process the goods according to the contract, fully respecting the provisions of the Technical Standards;
 - commitment to give advance notice of the date and time the processing begins;
 - commitment to allow ICEA's appointed staff free access to sites and documentation related to processing;
 - subcontracted Operator's broad annual production plan (quality/quantity).
- m) list of any subcontracted suppliers involved in the activities subject to certification;

⁽³⁾ When the Operator is already subjected to ICEA's control system for other regulated certification schemes (e.g. NOP, JAS), it is possible to avoid resending documents that are already in ICEA's possession.

ICEA	RC.IFOAM	Regulation for IFOAM-Accredited Voluntary Certification	Ed.02 Rev.00 of 04-11-2010
------	----------	--	----------------------------

7. PRE-CERTIFICATION INSPECTION VISIT

7.1 If the Applicant considers it worthwhile, he may ask ICEA to carry out a pre-certification inspection visit.

The application must be done in writing and sent to ICEA's appropriate regional office.

The purpose of the pre-certification inspection visit is to:

- determine the Operator's size, structure and activity;
- determine to what extent the Operator is prepared for the certification process and guarantee compliance with the Technical Standards and the present Regulation.

7.2 The pre-certification visit is optional. Its duration and costs will be established on the basis of the Operator's type and size.

The date and schedule for the pre-certification visit will be jointly fixed by ICEA and the Operator.

8. ASSESSMENT

ICEA carries out the assessment with the purpose of verifying the conformity of the Operator's product and/or processing according to the requirements laid down in the Technical Standards. It includes:

1. evaluation of documents;
2. inspection visit to the facilities of the licensed Operator and of the other organizations involved in certification (non-organic units or areas must be inspected whenever the situation demands it, such as declared or undeclared split production, high risk of cross-contamination etc.);
3. type tests (when required by the Technical Standards).

The assessment phase begins only after the Operator has submitted the documents mentioned in Chapter 6.

ICEA classifies as NCs the situations where product requirements do not meet relevant standards. NCs are subdivided into Serious (G - *grave*) and Minor (M).

Serious NCs are those which do not guarantee the product's requirements stated in the Technical Standards or constitute serious violations to obligations laid down in the present Regulation. Such NCs require immediate downgrading of the product, and eventually of the certificate, and the immediate undertaking of necessary ACs accepted by ICEA.

ICEA classifies some Observations (O) as recommendations for improvement to be carefully taken into consideration by the Operator.

When the Operator's documentation is complete, ICEA will make arrangements with the Operator as to the verifications to be carried out for the purpose of certification.

8.1 Evaluation of Documents

8.1.1 Documents are evaluated by qualified staff, appointed by and subordinated to the Voluntary Inspection Systems Manager (RCV). They complete the form EVALUATION CHECKLIST DOCUMENT ([M.RCIFOAM 10](#)) within 30 working days upon receiving the documents.

The appointed technician (who usually is the SOT Control Coordinator (CCSOT) of the concerned Territorial Organizational Structure (SOT), i.e. branch coordinator) has the task of evaluating all the documents submitted by the Operator in order to check if they comply with the Technical Standards and the present Regulation.

ICEA may ask for further information required for the evaluation. In this case, as in any other case where documents are incomplete, the 30 days evaluation period restarts from the date of receipt of the new documents.

ICEA	RC.IFOAM	Regulation for IFOAM-Accredited Voluntary Certification	Ed.02 Rev.00 of 04-11-2010
------	----------	--	----------------------------

8.1.2 Upon completion of the Operator's documentation evaluation, a judgment is issued as follows:

- a) **Approved:** if no NCs have been found;
- b) **Approved on condition:** where ICEA's overall evaluation of detected NCs does not compromise the following evaluation phases (elimination of NCs can be demonstrated during the first inspection visit);
- c) **Not Approved:** where ICEA's overall evaluation of detected NCs compromises the following evaluation phases. In this case, the evaluation process is suspended until NCs are eliminated.

8.1.3 If within three months, the Operator does not find a solution to the NCs and does not update the documentation, the application will become void (archived). A new application may be submitted against a new payment of the fees to ICEA.

8.1.4 In the cases a) and b), a qualified Control Technician will be entrusted with the execution of the first inspection visit.

8.2 First Inspection Visits

8.2.1 The purpose of first inspection visits is to verify the conformity of the Applicant, and of any other parties participating in the project, to all the requirements laid down in the Technical Standards. The first inspection visit must necessarily include all the production units involved in the production process, and the subcontracted suppliers.

8.2.2 The first inspection visit, which shall be carried out within 30 working days after a positive document evaluation, thus after approval, includes:

- accurate verification of compliance of all products/processes being certified with the provisions of the Technical Standards (regarding the requirements that are not already covered by Reg. (EEC) No. 834/07 and 889/08);
- verification, through audits, of the correct management of the production process, analysis and management features that are critical to product conformity and the application of relevant controls;
- if the operator requested reduction of the conversion period, the exception (as described in M0202ES) must be verified by inspection.
- a final meeting, during which the farm will be informed of the results of the inspection visit.

Upon completion of the verification, the ICEA Control Technician shall:

- a) explain the remarks written down in the NONCONFORMITY REPORT forms and ask the Operator to sign them for acceptance;
- b) explain the contents of the INSPECTION REPORT (agricultural crop production [M.RCIFOAM. 04a](#), livestock production [M.RCIFOAM. 04b](#), foodstuff preparation [M.RCIFOAM. 04c](#)), noting any remarks made by the Operator, and ask him to countersign for acceptance.

8.2.3 A copy of the NONCONFORMITY REPORT shall be given to the Operator, who must fax it back to ICEA within 10 calendar days from the date of the visit, complete with ACs and/or Nonconformity Treatments (TNCs), implementation times and names of the persons responsible for implementation.

Unless expressly required by the Operator, a copy of the INSPECTION REPORT accomplished by the technician is not given to the Operator.

ICEA	RC.IFOAM	Regulation for IFOAM-Accredited Voluntary Certification	Ed.02 Rev.00 of 04-11-2010
------	----------	--	----------------------------

The RCV or his delegate checks the TNCs and the ACs proposed by the Operator. If not stated otherwise within 5 calendar days upon receipt, they are considered as approved.

If such TNCs and ACs are not considered sufficient or valid, the CCSOT shall inform the Operator in writing, giving reasons.

8.2.4 In case of serious NCs, ICEA may proceed with special inspection visits (whose cost shall be borne by the Operator) in order to evaluate the effective implementation of approved treatments and/or preventive measures.

If irregularities concern documentation, it is sufficient to complete such documentation and send it to ICEA before the deadline.

8.2.5 When fraud is suspected or other manifest major NCs are found during an inspection, the inspector is obliged to immediately inform the CCSOT where such manifest infringements or fraud has been uncovered.

8.2.6 ICEA states 3 as a maximum consequently inspections for the same inspector in the same operator.

8.3 Type Tests

8.3.1 During assessment, ICEA reserves the right to subject the product to type tests (generally analyses). For this purpose, a sufficient number of product samples will be taken and subjected to tests or analyses, which may be needed in order to verify their conformity to the applicable technical specifications in the Technical Standards.

8.3.2 Accredited laboratories, within the European certification system and in accordance with international rules governing laboratory accreditation, shall carry out the tests (at the expense of the Operator).

In cases where it is difficult to find an accredited laboratory for the execution of certain tests, such tests will be carried out by other laboratories, including the Operator's own laboratory, subject to ICEA's approval.

8.3.3 In case the tests show that the product does not comply with the Technical Standards, the evaluation will be suspended until the Operator, within a set deadline (not exceeding six months), restores the conformity of the product and asks ICEA for new type tests.

Samples for the tests may be taken on the first inspection visit.

9. DECISION

9.1 The certification file is submitted to the CoCer for evaluation only when the Operator has adequately eliminated any existing NCs and/or has clearly and credibly committed himself to reaching full conformity within an established deadline considered acceptable by ICEA.

ICEA commits to submit the certification file to be evaluated by the CoCer or a delegated committee within 30 working days starting from the date the NCs, found in the previous evaluation steps (documents, first inspection visit and type tests), have been resolved.

Following the evaluation, the CoCer will decide whether or not to grant the Conformity Certificate.

9.2 In case a negative resolution is passed and the certificate is not granted, the Applicant will be informed in writing of the decision and of the reasons for the decision.

ICEA	RC.IFOAM	Regulation for IFOAM-Accredited Voluntary Certification	Ed.02 Rev.00 of 04-11-2010
------	----------	--	----------------------------

9.3 If within 90 calendar days, the Operator does not implement necessary ACs, the application for certification will officially become void (archived). A new application may be submitted against a new payment of the fees to ICEA.

9.4. In its evaluation, when necessary, the CoCer shall consider any prior decisions and dispensations. For this purpose, ICEA commits to keep and update a register of such dispensations and decisions. This register shall always be available to the Certification Committee members. A version of the register that does not show the name of the concerned organizations shall be made public by ICEA.

The dispensations may be awarded only when an exceptional problem is encountered for a definite period of time, after which it is necessary to restore the conformity according to the Technical Standards' requirements.

9.5. The CoCer's decisions shall be communicated to the Control Technician who carried out the inspection visit.

10. ISSUANCE OF CONFORMITY CERTIFICATE

Following the CoCer's favourable assessment and positive resolution to grant certification, ICEA (within 15 working days) will issue the CERTIFICATE OF CONFORMITY ([M.RCIFOAM 05](#)) showing the following details:

- name and/or business name of the Operator holding the certification;
- certificate/license registration number;
- date of issue (beginning of validity period);
- revision status;
- certificate expiry date;
- name and class of certified products and/or category of activity;
- the Technical Standards for which conformity was granted, with relevant revision status.

The Conformity Certificate is issued and signed by the ICEA President or his representative. The list of representatives is available at ICEA's head office and on the website, www.icea.info.

10.1 Use, Validity and Renewal of Conformity Certificate

- a) The validity of the Conformity Certificate is subject to observance of the Technical Standards and of the present Certification Regulation, in addition to the maintenance of the certification obtained pursuant to Reg. (EEC) No. 834/07 and 889/08.
- b) During the whole validity period, control visits will be carried out in order to ascertain continued compliance with requirements.
- c) The duration of the farm's Conformity Certificate is three years. Upon expiry, the CoCer reassesses the Operator in its entirety and decides whether to renew the Certification. The new assessment is based on all the information gathered during inspection visits in the past three years.

Once the Operator has received the certificate, he is entitled to:

- publicize the certification;
- make public the Conformity Certificate;
- label the certified products as such, as specified by the present Regulation;
- use the conformity labels, as specified in the present Regulation, in technical specifications and promotional material, explicitly referring to the concerned certified products.

ICEA	RC.IFOAM	Regulation for IFOAM-Accredited Voluntary Certification	Ed.02 Rev.00 of 04-11-2010
------	----------	--	----------------------------

The Operator may withdraw from the inspection and certification scheme by communicating his withdrawal by registered letter. In such case, the Operator is still obligated to pay the annual fee to ICEA.

Withdrawal from ICEA IFOAM-Accredited inspection and certification has no influence on other services offered by ICEA, particularly those concerning Reg. (EEC) No. 834/07 and 889/08 inspection and certification.

10.2 Register of Licensed Operators

All the Operators who are granted the Conformity Certification and the authorization to use the certification seal, are entered in the REGISTER OF LICENSED OPERATORS OF THE IFOAM-ACCREDITED PROGRAM ([M.RCIFOAM 07](#)), with the following information:

- date of issue and expiry of certification;
- certificate/license registration number;
- name and/or business name of the Operator holding the certification, registered address of the head office and of the production plants, phone/fax number, e-mail address and website (if any);
- name and class of certified products and/or category of activity;
- indications as to certification status (operating, suspended on ..., withdrawn on...).

The REGISTER OF LICENSED OPERATORS OF THE IFOAM-ACCREDITED PROGRAM is a public document updated at least monthly, and is available at ICEA's offices.

ICEA may send this register (also in electronic format) to anyone asking for it in writing, and may also publish it in its own publications, promotional material and/or website, www.icea.info.

11. CONFORMITY LABELS AND CERTIFICATION SEAL

The Operators that obtain Conformity Certificates from ICEA, thanks to observance of the Technical Standards and the present Regulation, will be entitled to use the conformity labels and/or certification seal.

11.1 Conformity Labels

- Italian Organic Standard – Certificato ICEA
- Italian Organic Standard – Certified by ICEA
- *Other translations into the official languages approved by ICEA*

11.2 Certification Seal



The Operator is allowed to use the seal of the IFOAM-Accredited Programme only in strict connection with the certified product and only as long as ICEA maintains IFOAM-Accreditation. ICEA commits to promptly communicate any changes in its accreditation status to all concerned Operators. **The certification seal was deposited by ICEA at the IOAS (International Organic Accreditation Service).**

The Operator who wishes to use the certification seal must subscribe to and respect the provisions of the CONTRACT FOR THE USE OF THE ICEA – IFOAM-ACCREDITED CERTIFICATION TRADEMARK ([M.RCIFOAM 09](#)), and must respect the REGULATIONS FOR USE OF THE ICEA LOGO AND CERTIFICATION ADVERTISING (an. II M.O.).

ICEA	RC.IFOAM	Regulation for IFOAM-Accredited Voluntary Certification	Ed.02 Rev.00 of 04-11-2010
------	----------	--	----------------------------

11.3 Support for Preventive Initiatives

At least once a year, ICEA will verify the correct use of the certification seal and the conformity labels, not only during the ordinary inspection activity, but also through inspections carried out by its own staff in shops, supermarkets and other sales points, fairs, websites, etc., independently from evidence provided by third parties.

In case of inappropriate use, ICEA will:

- request ACs, or impose sanctions to the organizations subjected to the control system.
- send warning notices and, when necessary, take legal action and claim damages or ask for the withdrawal of the product from the market.

The person responsible for these activities is ICEA's RCV, who may resort to the support and collaboration of all ICEA staff.

ICEA commits to promptly inform the concerned users about any discovered irregular use of these seals.

11.4 Specifications for Product Labelling

11.4.1 The references regarding labelling are the provisions laid down in Reg. (EEC) No. 834/07 and 889/08 and the ICEA Labelling Guidelines (L.0501).

However, concerning multi-ingredient products, the percentage of ingredients from organic agriculture is determined by the proportion of certified organic ingredients to the total ingredients (whether of agricultural origin or not), excluding water and salt.

11.4.2 Normally, only ingredients of certified organic agricultural and animal origin are accepted, based on the present certification scheme or other schemes recognized as equivalent by ICEA (see point 21).

11.4.3 The use of organic ingredients that do not match the requirements stated in point 11.4.2 is admitted only under the following conditions:

- a) the organic production method is certified by a body recognized by the public authority, using a regulation system (e.g. Reg. (EEC) No. 834/07 and 889/08, NOP, JAS) or an accredited scheme based on the ISO 65 (=UNI EN 45011) norm;
- b) the quantitative incidence of the single ingredient to the total ingredients (calculated according to the criteria in point 11.4.1) is lower or equal to 10%;
- c) all such ingredients do not go over 20% of the total.

12. MODIFICATION OF CERTIFICATION CONDITIONS

12.1 Modification of Norms and/or Standards

All certified Operators will be informed about such changes (e.g. a new edition) through notices published on the website, www.icea.info. Operators will also be given a deadline for meeting the new requirements, after which, the Operator has the right to renounce certification.

If the Operator decides to maintain the certification, ICEA will check conformity to the new requirements through verification of documents or, if needed, through inspection visits and/or type tests.

In case an inspection is due, the implementation of norms/standards modification will be verified by the ICEA inspector and a record of this control has to be clearly written in the inspection report in the final meeting page.

Any costs incurred for inspections or analysis shall be borne by the Operator.

ICEA	RC.IFOAM	Regulation for IFOAM-Accredited Voluntary Certification	Ed.02 Rev.00 of 04-11-2010
------	----------	--	----------------------------

12.2 Modification of the Regulations for Certification

If provisions laid down in the present Regulation are modified, the revised edition will be sent to the Operator (or published on the website, www.icea.info), along with an acceptance statement which should be signed, stamped and dated by the Operator, and returned to ICEA.

In case of nonacceptance, the Operator must send to ICEA his renunciation to certification (within 30 calendar days from receiving the communication or from its publication on the website, www.icea.info).

12.3 Modification of Fees

If the economic terms specified in the Fees are modified, the revised Fees will be sent to the Operator (or posted on the website, www.icea.info), along with an acceptance statement to be duly signed by the Operator and returned to ICEA.

In case of nonacceptance, the Operator must send to ICEA, his renunciation to certification (within 30 calendar days from receiving the communication or from its publication on the website, www.icea.info).

In all the abovementioned renunciation cases, the Operator is still obligated to pay the annual fee to ICEA.

12.4 The implementation modes and deadlines involved in all modifications to the abovementioned documents under the certification scheme, are made according to the CNC's ruling.

ICEA takes into account views expressed by interested parties before deciding on the precise form and effective date of the changes.

13. MONITORING ACTIVITY

13.1 During the validity period of the certification, ICEA will ask its qualified staff to conduct monitoring activity by means of inspection visits and analyses within a specific sampling plan approved by the CoCer.

Planning of the inspections and samplings is based on risk assessment and usually includes at least one complete annual inspection of all the productive units involved, including the subcontracted suppliers.

The inspections may have lesser frequency only for those productive units which are less significant (e.g. storage facilities, etc.), and only after the CoCer's approval.

The purpose of monitoring activities is to verify continuing compliance with all requirements laid down in the Technical Standards and in the present Regulation.

13.2 ICEA will conduct product tests on samples taken in accordance with the sampling plan (and whenever the Control Technician gathers evidence of irregularity during inspection). The samples will be taken from the production phase, storage premises and distribution and sales points.

Such tests will be performed following the same criteria as those established for type tests and in every case, will aim at validating tests conducted by the Operator himself through his own control procedures.

13.3 Control visits may either be announced or unannounced.

For announced visits, ICEA's inspectors will communicate the date of the visit directly to the Operator.

ICEA	RC.IFOAM	Regulation for IFOAM-Accredited Voluntary Certification	Ed.02 Rev.00 of 04-11-2010
------	----------	--	----------------------------

The announced visits are scheduled at least once a year, in compliance with the monitoring plan approved by the CoCer.

For announced visits, the Operator has the right to ask ICEA for a date change, giving his reasons. ICEA reserves the right to accept the new date only if it does not compromise the significance of the inspection.

The control visit schedule always includes:

- a) assessment of changes in the Operator's production processes (if any);
- b) assessment of ACs and solutions to NCs detected during previous inspections;
- c) assessment of continued conformity to the requirements of the Technical Standards and of conformity to their eventual modifications;
- d) assessment of compliance with the CoCer's specific requirements and their correct implementation (also within deadlines of any granted dispensations);
- e) examination of customers' complaints;
- f) assessment of the requirements laid down in the present Regulation;
- g) assessment of substantial changes in the production plan;
- h) if the operator requested reduction of the conversion period, the exception (as described in M0202ES) must be verified by inspection;
- i) non-organic units or areas must be inspected whenever the situation demands it, such as declared or undeclared split production, high risk of cross-contamination etc.);
- j) ICEA states 3 as a maximum consequently inspections for the same inspector in the same operator.

13.4 The procedures for Nonconformity report management are the same as the ones described in point 8.2.

13.5 Unannounced visits are scheduled as part of the monitoring plan to sample a certain number of farms (chosen and approved by CoCer on the basis of specific criteria). Farms may also be chosen at ICEA's discretion in order to ascertain continued conformity, as a follow-up to complaints received, market reports, product test results and monitoring activity in other organizations.

During inspections, the Operator must guarantee his full collaboration with the staff appointed by ICEA. If the Operator fails to communicate his absence during an announced inspection visit, he pledges to bear the costs of the visit.

13.6 The Operator has the right to ask ICEA for a date change, giving his reasons. ICEA reserves the right to accept the new date only if it does not compromise the significance of the inspection.

If the Operator states that he will not be available on the scheduled date, but does not propose an alternative date, this may be perceived as the Operator's attempt to elude inspection.

13.7 Following the positive outcome of the annual monitoring activity, the RCV or his delegate will send to the concerned Operator a communication confirming the validity of the issued certification for the certified production categories.

13.8 Parallel production is a high risk factor; that operator with parallel productions is subject to a special inspection regime

If a farm is engaged in parallel production:

- a. non-organic (or conversion) crops, livestock and produce and organic crops, livestock and produce are of different varieties and are visually distinguishable. Exceptions shall only be granted on a case-by-case basis in accordance with the requirements in 13.9;
- b. accurate production estimates are recorded and shall be checked against sales records;
- c. the inspection includes visits to the non-organic fields and/or processing units.

ICEA	RC.IFOAM	Regulation for IFOAM-Accredited Voluntary Certification	Ed.02 Rev.00 of 04-11-2010
------	----------	--	----------------------------

13.9 In cases where an exception has been granted to the requirements in 13.8.a inspections shall occur more frequently than once a year and at critical times. This shall normally include inspections at the time of harvest or during processing.

14. MODIFICATION AND EXTENSION OF CERTIFICATION RANGE

14.1 A certified Operator is entitled to request changes in the scope of certification.

These changes may be:

- a change of business name and/or modifications in the organization;
- modification or extension of the production units;
- modification or extension of products and/or processes subject to certification.

14.2 The procedures to request such modifications are the same as the ones indicated for submitting the certification application. Of course, the request shall refer exclusively to the modified or expanded elements and/or products.

The assessment may be limited simply to a verification of documents and/or an inspection and/or analysis, without a specific evaluation by the CoCer, only in those cases where such modifications have no significant influence on the Operator's activity or production management.

14.3 The issue and/or revision of the Conformity Certificate, taking into account the modification and/or extension of the certification range, is subject to the fulfillment of the provisions laid down in point 8 of the present Regulation.

15. CONFIDENTIALITY

15.1 ICEA commits to preserve and guarantee full confidentiality (except in some legislative or judicial cases) regarding the contents of the documents and information gathered in the course of the relationship with the Operator.

ICEA staff involved in inspection and certification activities pledge to keep fully confidential the acquired data, and in particular, product processing and formulation.

15.2 The acquired documentation will be archived only at ICEA's offices and access to files will only be allowed to authorized persons who signed an appropriate Confidentiality Agreement.

15.3 ICEA will not reveal the Operator's data and information to third parties (other than the ones contained in the Register of Licensed Operators), without the Operator's written consent. Upon request from judicial authority, ICEA will provide data and information, informing the Operator accordingly.

15.4 The information considered as public, and which can be publicized without written consent, is that contained in the REGISTER OF LICENSED OPERATORS ([M.RCIFOAM 07](#)) and the relevant information regarding test results and penalties (if any) applying to the Operator (date, type, concerned products). Notice of such penalties may also be published on ICEA's website, www.icea.info and/or communicated directly to the clients adhering to an IFOAM-Accredited certification scheme.

16. VALIDITY OF CERTIFICATION CONTRACT

16.1 Signing the present Regulation constitutes a contractual relationship between ICEA and the Operator.

ICEA	RC.IFOAM	Regulation for IFOAM-Accredited Voluntary Certification	Ed.02 Rev.00 of 04-11-2010
------	----------	--	----------------------------

16.2 The contract is valid for three years, starting from the date of its stipulation, and is renewed on expiry by tacit agreement, unless either party gives notice of termination at least three months before expiry.

In any case, the renewal of the contract requires a new overall assessment of the Operator and renewal of the Conformity Certificate (see point 8).

16.3 The contract's validity is bound in particular to the fulfillment of the following obligations:

- a) Complying with the European and national norms for organic agriculture (Reg. (EEC) No. 834/07 and 889/08 and national and regional legislations);
- b) Providing the documentation required for application to the inspection system;
- c) Completing the forms required by the application of the inspection system and keeping them updated;
- d) Guaranteeing inspection personnel access to facilities and documentation, as required;
- e) Making available to inspection personnel all the products and raw materials (including water, additives, flavourings, etc.) for analyses, which may be required for the purpose of inspection and certification;
- f) Respecting the deadlines for fulfilling the inspection system's requirements and for payment of any fees due to ICEA;
- g) Notifying, within the prescribed time limits, of any substantial changes in the Operator's status or activity that has to do with the inspection system and product conformity; in cases where the changes require a specific evaluation by the inspection and certification body, the Operator shall wait for ICEA's conformity assessment before labelling the concerned products with conformity labels or logo.
- h) Complying with the product labelling regulations and the present Regulation, and promptly reporting any misuse, also by other Operators, to ICEA;
- i) Making statements concerning the certification, only referring to its original purpose.
- j) Not using the certification in such a way as to discredit the Certification Body and not making statements about product certification, which may be considered as incorrect or unauthorized by the Certification Body (ICEA);
- k) In case of suspension or withdrawal of certification, to stop using all documents bearing the ICEA seal or other indications referring to the certification; in case of withdrawal of certification, to stop using advertising material containing such indications and returning any certification documents upon the Certification Body's request;
- l) Using the certification only to indicate that the products are certified for the relevant regulations;
- m) Behaving according to the Certification Body's specifications when referring to the product certification in media, such as in documents, illustrations or advertising;
- n) Accepting the penalties applied in accordance with the provisions laid down in the present Regulation, while keeping the right to an appeal;
- o) Keeping a record of all complaints received regarding the products subjected to inspection and certification;
- p) Distributing selectively, ICEA's Conformity Certificates to customers, and recording for each distributed copy: the copy registration number (also to be indicated in the document), the date of delivery and the recipient's name;

ICEA	RC.IFOAM	Regulation for IFOAM-Accredited Voluntary Certification	Ed.02 Rev.00 of 04-11-2010
------	----------	--	----------------------------

- q) Communicating any withdrawal or suspension of the Conformity Certificate to all who were given such certificate;
- r) When requesting certification, furnishing information about any previous withdrawal from or coexistence with another organic agriculture certification program (regulated or voluntary), the certification status at the moment of the request made to ICEA, as well as any penalties applied by the involved Certification Body ⁽⁴⁾.

17. RENUNCIATION TO CERTIFICATION

The Operator may renounce certification if he decides not to accept the changes made to certification conditions which ICEA might introduce (see point 12), by sending a written request within a given time frame.

18. PENALTIES

In case of significant irregularities or violations, ICEA issues penalties described hereunder. The penalty is proportionate to the seriousness of the irregularity or violation. The Operator is also responsible for the Nonconformities, irregularities and violations attributed to his subcontractors.

18.1 Precautionary Suspension of the Use of Product Certificate and Labels

18.1.1 The precautionary suspension of the Conformity Certificate, and consequently, of the license to use the seal and the conformity labels is applied:

- if the Operator does not allow access for the execution of monitoring visits during critical production stages and those for regular and effective control;
- if violations or serious irregularities are found during monitoring visits and product control, or if analysis results are such that they question product compliance with the Technical Standards, the present Regulation and other relevant correlated documents.

18.1.2 This measure is communicated to the Operator by registered letter (previously faxed), signed by ICEA's President or his delegate, pending the necessary evaluation by the CoCer. Depending on the uncovered infringements, this measure may be applied to specific land parcels, production lots and batches, or to the farm's entire production.

In any case, the CoCer's evaluation will take place within 30 days from the date of the measure's implementation. The RCV or his delegate (e.g. CCSOT) will inform the Operator of the test results and of any other factors that might have determined the penalty, as well as the deadlines for submission of any remarks, comments, documents and/or counter-analysis reports.

18.2 Suspension of Certification Validity

18.2.1 The suspension of certification validity for a limited duration is ruled following the discovery of substantial violations to the present Regulation and to other relevant correlated documents.

Suspension of the Conformity Certificate also occurs whenever the Operator, in the context of Reg. (EEC) No. 834/07 and 889/08 inspection and certification, is imposed with the following

⁽⁴⁾ ICEA will require from the involved Certification Body, information concerning its activity, certification status and eventual irregularities and penalties. Both Bodies have to exchange information and documents, including copies of issued certificates and of documents and records concerning purchases and sales.

ICEA	RC.IFOAM	Regulation for IFOAM-Accredited Voluntary Certification	Ed.02 Rev.00 of 04-11-2010
------	----------	--	----------------------------

penalties: Withdrawal of Product Certificate and Suspension of Label Printing Authorization and/or Suspension of the farm's Conformity Certificate.

18.2.2 ICEA will send written notice of its decisions to the Operator, indicating the deadline for implementing measures to correct the NCs, and the deadline for the possibility of an appeal against these decisions.

The suspension will be withdrawn only if the Operator is able to give objective proof (within the prescribed time limits) that the ACs have been successfully implemented.

The suspension may last a maximum of 120 calendar days. After such time, if the suspended Operator has not implemented the required ACs, ICEA will proceed by sending notice of Certification Withdrawal.

Where the detected NCs question the conformity of specific products, the penalty will be applied to these products only. Consequently, the Conformity Certificate will be revised and updated with the new list of certified products and/or activities.

The Operator must return the outdated version of the Conformity Certificate to ICEA.

18.2.3 The Operator himself may ask ICEA to suspend the certification for a limited time (also for specific products), giving reasons to ICEA for assessing and approving such request.

18.3 Withdrawal of Certification

18.3.1 The resolution for withdrawal of the certification is passed in the following cases:

- insufficient or inadequate ACs implemented by the Operator after certification suspension;
- substantial NCs found during control visits, and violation of obligations stipulated in the organic agriculture legislation (Reg. (EEC) No. 834/07 and 889/08) and in the present Regulation;
- in all cases where the conformity attestation issued to the Operator is being withdrawn pursuant to the provisions of the "Regulations for Certification – Reg. (EEC) No. 834/07 and 889/08" (M.0202), according to Reg. (EEC) No. 834/07 and 889/08 control and certification;
- serious and/or repeated violations of the proper use of the conformity certificate, seals and labels;
- cessation of the Operator's production activity;
- Operator's bankruptcy;
- Operator's formal request not to renew the certification upon expiry, or formal request to renounce the still valid certification;
- nonpayment, before the deadline, of the fees for inspection and certification activities, as well as any fees for the use of the seal.

18.3.2 ICEA will send written notice of its decisions to the Operator, indicating the deadline for implementing measures to correct the NCs, and the deadline for the possibility of an appeal against these decisions.

18.4 Notification of Penalties

18.4.1 ICEA determines the penalties following the CoCer's decision and communicates them to the Operator by registered letter (previously faxed) signed by ICEA's President. These penalties will also be communicated to other national Certification Bodies, which use IFOAM- Accredited certification program (including any applicant organizations).

18.4.2 The Operator may appeal these measures, in writing, within 30 calendar days upon its reception, giving detailed arguments.

ICEA	RC.IFOAM	Regulation for IFOAM-Accredited Voluntary Certification	Ed.02 Rev.00 of 04-11-2010
------	----------	--	----------------------------

Furthermore, the CoCer will supervise ICEA's activities by verifying technical documents (besides the administrative procedures regarding payment requests and reminders for Operators at fault) in order to guarantee that these measures are applied in accordance with the principles of independence and impartiality of the Control System.

19. CONSEQUENCES OF RENUNCIATION, NON-RENEWAL, SUSPENSION AND WITHDRAWAL OF CERTIFICATION

19.1 In case of renunciation, non-renewal, suspension and withdrawal of the certification, the Operator must:

- immediately cease using Conformity Certificates and immediately return them to ICEA;
- immediately cease using all documents/publications and letterhead referring to ICEA and IFOAM seals and certification;
- immediately cease using the conformity labels and the certification seal;
- alert all customers who had been informed of the certification.

19.2 Should the Operator use the certification while violating the abovementioned obligations, ICEA reserves the right to publicize, as it considers most convenient and without prejudice to any further action, that the Operator is no longer entitled to use the certification. The costs incurred for publication will be borne by the Operator at fault, while ICEA keeps the right to request compensation for any further damages.

19.3 When an Operator transfers to another Certification Body in order to obtain voluntary certification within the IFOAM-Accredited scheme, ICEA must, upon request from the new certifying Body, inform it of the certification conditions and any penalties given to the Operator prior to transfer.

20. CONTROL AND TESTING

20.1 For the purposes of control and testing, ICEA may resort to the services of qualified external establishments whose professional competence it can guarantee, fully complying with the Standards UNI CEI EN 45011 (March 1999), paragraph 4.4 concerning subcontracts, and without prejudice to the same activity being carried out by its own national structures.

However, ICEA is the only one entitled to and legally responsible for the issuance, maintenance, extension, suspension or withdrawal of the certification.

The criteria and methods applied to Reg. (EEC) No. 834/07 and 889/08 inspection and certification are considered legitimate to qualify, update and monitor the performances of inspectors, inspection bodies and laboratories.

Therefore, personnel, inspection bodies and laboratories, which are qualified for inspection and certification in accordance with Reg. (EEC) No. 834/07 and 889/08, are to be considered as qualified for the activities covered by the present Regulation.

20.2 The Operator may preventively object, giving good reasons, to ICEA's choice of employing a particular Control Technician, inspection body or laboratory. With this in mind, ICEA commits to communicate in advance the names of the appointed staff or bodies to the Operator.

The Operator must communicate such objections and reasons in writing to the RCV. Regarding the analyses, the Operator may ask that his request appear in the sampling report.

The RCV will decide whether to accept the request or not. The request may be accepted in cases where there is formal evidence of conflicts/disputes/controversies/disagreements, present or past, between the Operator and the staff or body appointed by ICEA.

The CoCer must be informed of the Operator's request and the RCV's consequent decisions.

ICEA	RC.IFOAM	Regulation for IFOAM-Accredited Voluntary Certification	Ed.02 Rev.00 of 04-11-2010
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21. RECIPROCITY MANAGEMENT

In cases where the certified Operator uses ingredients, which have not already been certified by ICEA as conforming to the Technical Standards, ICEA shall necessarily recognize their equivalence.

The IFOAM Criteria allow the following methods for evaluating equivalence:

- certification transfer
- recertification

21.1 Certification Transfer

21.1.1 ICEA recognizes as valid the certification of Bodies that have obtained IOAS accreditation (based on IFOAM policies and criteria) and that have signed the Multilateral Agreement (MLA), which however requires observance of specific conditions (if any).

In any case, the certification must be referred to the specific program subjected to accreditation and certification transfer applies to operators previously certified by other CBs seeking certification by ICEA (under the IFOAM scheme).

Certification of an operator has to be transferred from another certification body provided both of the following requirements are met:

- a. the other certification body is currently under the register indicated in 9.2.2;
- b. the operator is certified by the other certification body up to the point of transfer.

Where the previously listed requirements are not met, certification of the operator has to be awarded on the basis of information contained in the current inspection report of the previous certification body. The certification body shall ensure that the standards and requirements for a certification are met. In case of missing information a full inspection of the operator has to be carried out prior to certification.

An operation that meets the previously described conditions can be certified without prior inspection, provided that an inspection according to the certification body's own standards takes place within 12 months after transfer of certification.

Where the previously described requirements are not met, acceptance of the operator's current or prior certification are limited to the exemption from conversion requirements. Exemption can only be granted following assessment of relevant historical records, including a recent inspection report, obtained from the other certification body.

21.1.2 Regarding requests to recognize certification issued by Bodies that are not included in the official list of bodies and related accredited programs (the reference list is the one published on the website, www.ifoam.org), ICEA evaluates the equivalence of the standards and control criteria applied by the Body under question, for all Operators falling within a specific certification scheme and/or producing a particular product/raw material or in a particular production sector.

For the purpose of evaluation, it is essential that the evaluated Certification Body be ISO 65/EC (UNI EN 45011:99) accredited, or at least be included in the number of bodies that have requested IOAS-Applicant Accreditation (see www.ifoam.org).

For this purpose, ICEA requires the following documentation:

1. Technical Standards adopted in the specific certification scheme;
2. inspection checklists and forms;
3. copy of the ISO 65/EC (UNI EN 45011:99) Accreditation Certificate;
4. (ELIMINARE only in case of applicant Inspection Body) Quality Manual and/or operational procedures (at least the sections concerning the Operator, the management of

ICEA	RC.IFOAM	Regulation for IFOAM-Accredited Voluntary Certification	Ed.02 Rev.00 of 04-11-2010
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incompatibilities and conflicts of interest, as well as the management of the inspection system).

21.1.3 The evaluation unavoidably requires a direct, *in-situ*, verification of the Certification Body and/or its controlled Operators. It may be carried out by ICEA itself or by a qualified third party (IOAS, accreditation body, ACB-Accredited Certification Body, etc.).

IOAS, in particular, may also offer its services directly to the Body that is subject to evaluation. Nevertheless, the responsibility for evaluating Technical Standards equivalence rests with ICEA.

21.1.4 Following the positive outcome of the CNC's assessment of the Technical Standards and certification criteria, ICEA recognizes as valid all the certification documents issued by the assessed Body, within the scope of approved standards and certification schemes. ICEA has the right to apply specific restrictions to the equivalent system, if required, to guarantee that it complies with IFOAM Standards along the entire production process.

21.1.5 The evaluation may be initiated after ICEA's Administration Council estimates it is necessary or following an application submitted by the Operator requesting certification (controlled Operator) or by the concerned Body itself.

ICEA reserves the right to bill the costs of assessment to the requesting subject, independently of the outcome of the assessment.

21.1.6 Once the Certification Body has obtained a positive evaluation, it must promptly communicate to ICEA any significant change in the assessed certification program. In any case, ICEA shall review its evaluation at least every three years.

21.1.7 The Bodies that are granted recognition of equivalence are entered in a proper Register (M1701), which ICEA updates within one month from the change. All Operators have access to this Register, which is available for consultation, at all ICEA's offices and on the website, www.icea.info.

Organizations will be informed of the change by a notice displayed on the website homepage.

21.2 Recertification

21.2.1 ICEA evaluates the equivalence of the standards and control criteria used by the concerned Body, for an Operator or a group of Operators, in the context of a specific certification practice. This kind of evaluation is applicable only where the concerned Certification Body is ISO 65/EC (UNI EN 45011:99) accredited or an IFOAM Applicant.

21.2.2 ICEA will request the following documentation for evaluation:

1. technical norms related to the specific certification scheme;
2. report of the last complete inspection carried out at the Operator's site, aiming to verify compliance with relevant voluntary or binding norms;
3. documented verification of compliance with IFOAM's requirements and ICEA's conditions through accomplishing a CHECKLIST FOR RECOGNITION OF IFOAM-ACCREDITED CERTIFICATION ([M.RCIFOAM 08](#)).

21.2.3 The documents mentioned in points 1 and 2 can be obtained from the raw material/ingredient supplier, while the document mentioned in point 3 must be provided by his Certification Body.

21.2.4 For the purpose of inspection, ICEA requires that the involved Certification Body sign an inspection contract, allowing ICEA to monitor the activity of the concerned Body, also at the sites of Operators certified by such Certification Body.

ICEA	RC.IFOAM	Regulation for IFOAM-Accredited Voluntary Certification	Ed.02 Rev.00 of 04-11-2010
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21.2.5 As a result of the RCV's positive assessment (or his delegate's: CCSOT), under the CNC's supervision, ICEA recognizes as valid all the certification documents issued to a specific controlled and certified Operator or group of Operators, in the next 12 months, by the evaluated Body. Such acceptance covers only products specifically to be used by an operator certified by ICEA, and not for the suppliers of those products. Only the certification for that product being supplied to the ICEA certified operator is being accepted.

21.2.6 The evaluation may be initiated after ICEA's Board of Directors (CDA) estimates that it is necessary, or following an application submitted by the Operator requesting certification (controlled Operator), or by the concerned Body itself.

21.2.7 ICEA reserves the right to bill the costs of assessment to the requesting party, independently of the outcome of the assessment.

22. COMPLAINTS

If the Operator deems that the quality of the service does not match what is stated in the present Regulation, he may file a complaint with ICEA.

Complaints may be mailed, faxed or e-mailed, to the attention of ICEA Quality Assurance Manager (RAQ), who will evaluate whether the complaint is justified and will reply within 30 calendar days.

23. APPEALS

23.1 If the Operator deems that the CoCer's or ICEA's decisions are unjustified and/or discriminating, he may file an appeal with ICEA's President.

23.2 The appeal shall be done in writing, giving reasons, within 30 calendar days from the date of notification of ICEA's decision.

Within 30 calendar days, ICEA will convene the CNC, which will examine the appeal within 60 calendar days from date of filing.

The Operator's representatives may ask for a hearing during such meeting.

In cases where the CNC would be previously involved by the CoCer in order to make a judgement, the evaluation may be carried out based exclusively on the substituting components of the CNC not present during the meeting, and therefore, not interpellated in the previous decisions.

23.3 The decision made at this point will be final and binding on the parties.

23.4 All expenses incurred for the appeal will be charged to the losing party.

If the Operator's appeal is to include analyses results, these must be presented by laboratories that are accredited within the European certification system, in accordance with European norms concerning laboratory accreditation.

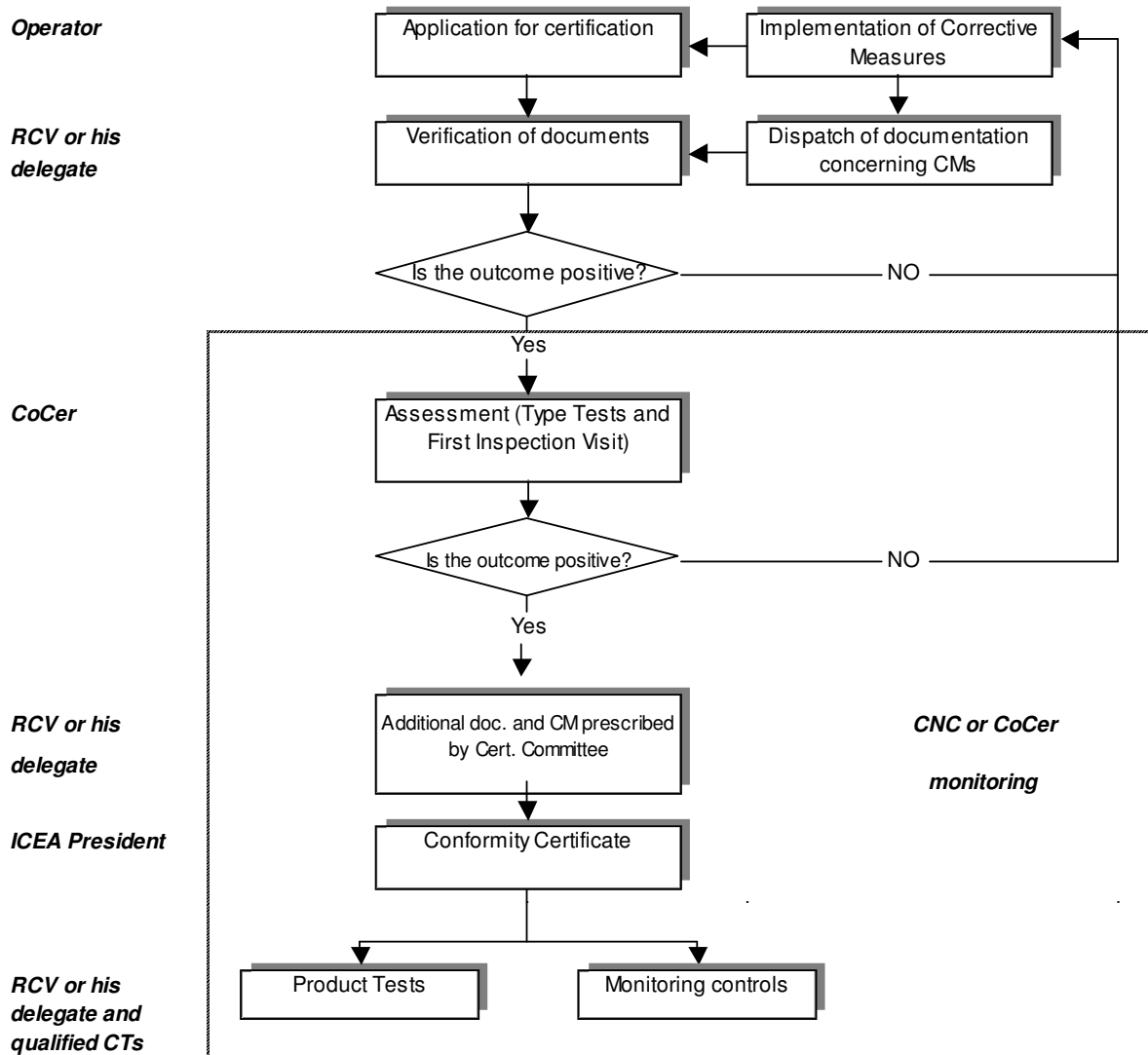
24. ARBITRATION AWARDS

Any dispute arising from the application of the present ICEA Certification System, which it is not possible to settle through the management of complaints, shall be submitted to the Bologna Court, sole competent Body to know and to make decisions about any controversy that may arise regarding the execution, interpretation and revocation of the contract with the Operator.

25. INTERNAL INSPECTION VISITS AND PERIODICAL REVIEWS

In order to verify and monitor the correct application, compliance and effectiveness of the present inspection and certification system, ICEA, under the responsibility of the RAQ, will carry out periodical Internal Inspection Visits (VII) both at its headquarters and regional offices. The results of the Internal Inspection Visits will be reviewed by the management, following the same procedures as for all the other certification schemes.

26. INSPECTION SYSTEM SCHEME



27. ABBREVIATIONS

ACB	- Accredited Certification Body
ACU	- Associazione Consumatori Utenti Consumers' Association
AIAB	- Associazione Italiana per l'Agricoltura Biologica Italian Association for Organic Agriculture
ANAB	- Associazione Nazionale Architettura Bioecologica National Association for Bio-Architecture
CCSOT	- Coordinatore regionale delle attività di Controllo / Strutture Organizzative Territoriali Regional control coordinators in regional offices/branches (Territorial Organizational Structure)
CDA	- Consiglio di Amministrazione Board of Directors of ICEA
AC	- Corrective Actions (AC - Azioni Correttive)
CNC	- Commissione Nazionale di Certificazione National Control and Certification Commission
TC	- Control Technician
CoCer	- Commissione di Certificazione Certification Commission
ICEA	- Istituto per la Certificazione Etica ed Ambientale Institute for Ethical and Environmental Certification
IFOAM	- International Federation of Organic Agriculture Movements
IOAS	- International Organic Accreditation Service
IOS	- Italian Organic Standard
JAS	- Japanese Agricultural Standard
MLA	- Multilateral Agreement
NC	- Nonconformity (Serious or Minor / G - "Grave", M - "Minore")
TNC	- Nonconformity Treatments (TNC - Trattamenti Non Conformità)
NOP	- National Organic Program (USA)
O	- Observations, remarks
RAQ	- Responsabile Assicurazione Qualità Quality Assurance Manager
RCV	- Responsabile Certificazione Volontaria Voluntary Inspection Systems Manager
VII	- Verifiche Ispettive Interne Internal Inspection Visits