



Module 3

Certification System

Incorporates:

- General certification requirements for all producers
 - Certification systems for:
 - Orchards
 - Crops
 - Livestock
 - Non-primary production
 - Groups
 - Labelling
 - Appeals and Suspensions
-

This document replaces the BIO-GRO New Zealand Organic Standards, 30 April 2001: Module 2.1

The reasons for change are:

- regular review required under IFOAM accreditation;
- incorporation of notified changes since the 30 April 2001 Standards were published;
- incorporation of other changes required for ongoing compliance with the IFOAM Basic Standards, the NZFSA OOAP, and overseas market regulations;
- organic production systems are continuously evolving.

This document may be altered at any time. It was current at the date in the header of each page of the document. It is recommended that anyone intending to use this document contact BioGro or check the BioGro website www.biogro.co.nz to confirm that this is the current version.

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1 Scope and purpose

This BioGro Standard contains the systems and audit requirements for the certification and licensing by BioGro of users of the BioGro trademarks and logos.

This BioGro Standard specifies the systems and audit requirements that must be met by all:

- organic producers certified by BioGro; and
- organic producers licensed by BioGro to use the BioGro trademarks and logos.

All BioGro certified organic produce must be produced in accordance with this standard.

Information on the requirements of the BioGro Standards for inputs to organic production and organic production systems can be obtained from other modules contained in the BioGro Standards.

The audit checklists (available on request from BioGro) may be used for self-audits in preparation for audits by BioGro.

2 References

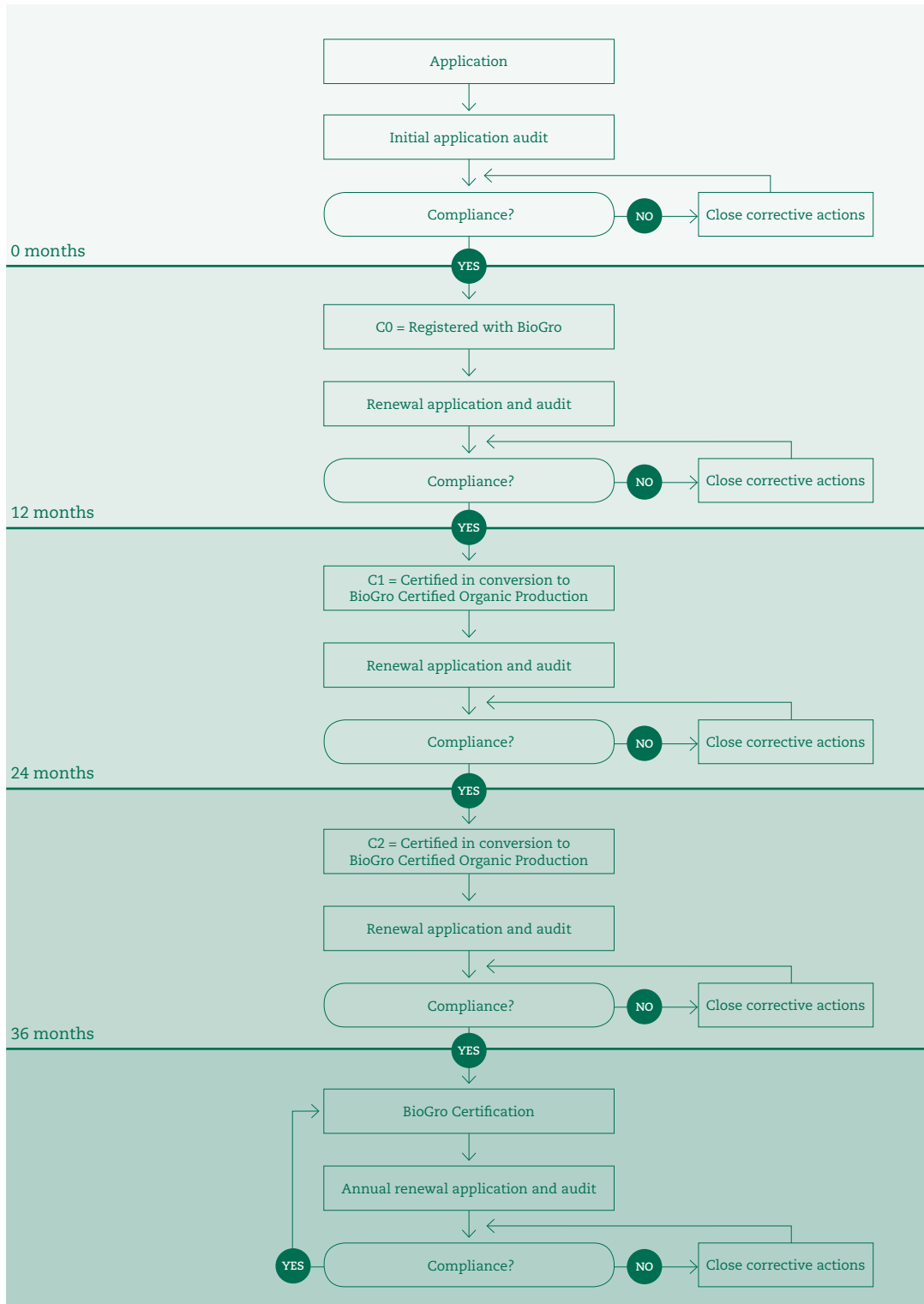
All relevant regulations and industry requirements must be complied with.

3 Definitions

The BioGro definitions of terms can be found in the BioGro Standards *Module 2: Glossary of Terms*.

4 Certification of primary producers (orchards, crops, and livestock)

4.1 Overview of certification



Note: that if retrospective registration is granted following the first audit, refer 4.2.8, then less audits may be required prior to the full BioGro certification.

4.2 Registration year (C0)

BioGro certification for primary producers of plant and livestock products takes a minimum of 36 months from the start of registration to harvest of the product.

The conversion period may be extended depending on conditions such as past use of the land, management capacity of the operator and environmental factors.

Registration is not automatic just because fees are paid and audits carried out. Applicants must demonstrate the implementation of a positive management system based on the principles and requirements of the BioGro Standards.

4.2.1 Overview of the registration process

The applicant obtains the BioGro Standards and Applicants' Pack. The applicant then completes the Applicants' Pack and supplies it with all the required documentation, as specified below, to BioGro. This is called the Organic Management Plan (OMP).

BioGro assesses the OMP for compliance with the Standards, and completes an Application Assessment Report. If necessary, extra information is requested from the applicant.

BioGro then issues the application and assessment report to an auditor who then arranges the initial registration audit with the applicant. The audit is carried out to assess the applicant's operation of their OMP, and to address any issues arising from this and from the application assessment report.

4.2.2 Recommended timing of the initial application

To ensure that any products harvested 36 months after the start of registration are eligible for BioGro certification, applicants should submit their initial application for registration in time for their audit to be carried out and finalised:

- prior to their last conventional harvest for crops and orchards; or
- prior to the start of their registration year production season for meat and dairy.

4.2.3 Information provided to the applicant by BioGro

When BioGro receives a request for an application, BioGro sends the applicant the following material:

- i. the Applicants' Pack for their sector, and
- ii. a schedule of fees.

4.2.4 Information to be held by applicants

Applicants must have a current copy of the relevant modules of the BioGro Standards.

4.2.5 Applications to BioGro

Before the audit can proceed, BioGro must receive the following from the applicant:

- a. the application fee; and
- b. completed application forms and supporting information.

The applicant must sign the application forms and information provided as being correct, and as an undertaking to comply with the requirements of the BioGro Standards.

4.2.6**Information provided by the applicant**

The applicant provides the following information to BioGro by completing the forms and templates and attaching all supporting information:

a. Property maps

Maps of the entire property, ideally to scale, that show:

- i. the area to be certified, with all portions fully named or numbered for easy reference including amenity areas;
- ii. storage and processing areas or other buildings where processing or packing activities take place;
- iii. the quarantine area for livestock;
- iv. the nature of all internal boundaries, e.g. hedges, tree lines, shelter belts, fences, streams, stone walls, roads etc.;
- v. the nature and condition of all external boundaries and the surrounding land uses;
- vi. the extent and nature of buffer zones (which are non-harvested areas) between uncertified and certified areas and neighbours;
- vii. the presence and composition of woodlot plantings or natural areas;
- viii. location of any sustainability issues;
- ix. water features and natural drainage patterns, i.e. drained versus undrained land, direction of soil water movement etc.;
- x. all sources of water which are, or may be, used for irrigation;
- xi. paddock and/or block details showing the area and predominant land use for each paddock/block; and
- xii. Affidavit (template available from the BioGro website or the BioGro office) showing the last prohibited inputs for each paddock/block.

b. The Organic Management Plan (OMP)

The OMP must include the following information:

i. History of prohibited inputs

Copies of all spray and fertiliser diaries for at least the previous 2 years in order to determine past management and soil residue testing requirements. All documentation must be signed by the day-to-day manager(s) of the operation to be certified, as a guarantee that the information is correct.

ii. Soil tests

The following soil tests are required:

- at least one representative fertility analysis, including organic matter content, which is less than 12 months old; and
- a measure of the DDT, DDD and DDE residues in the soil for the property, carried out under a soil sampling program approved by BioGro; and
- if pesticides prohibited by the BioGro Standards have been used in the last 2 years, a pesticide residue analysis which includes the pesticides likely to leave residues is required on at least one representative composite soil sample carried out under a soil sampling program approved by BioGro; and
- for properties such as orchards which have been under conventional management prior to conversion, or other properties where heavy metal contamination of soils is suspected, a heavy metal analysis for the relevant heavy metals, (e.g. arsenic, cadmium, chromium, copper, lead, mercury, nickel, and zinc), is required on a representative composite soil sample carried out under a soil sampling program approved by BioGro.

A qualified independent person such as a BioGro auditor or an agricultural consultant must take or supervise the taking and dispatch of the samples for residue testing for DDT, pesticides, or heavy metals. If necessary, contact BioGro for a guideline on the taking of representative samples.

iii. History and ownership/management structure

- the history of the property and its historical use;
- the owners' and managers' history and involvement in the property and in primary production in general;
- legal definition of the property;
- management structure of the property, including lease documents for leased land;
- whether part of the property or other holdings in the same region are not certified organic, and if so a map showing the areas of uncertified production, the plan regarding conversion of the uncertified areas, and documentation on the management of the land, crops, and livestock for those uncertified areas;
- the overall aims and objectives for the property; and
- staff structure.

iv. Environmental Management Plan for the whole property

An Environmental Management Plan for the whole property that provides a forward work plan for the following aspects:

- maintaining or enhancing soil structure and fertility, including planned crop rotations;
- water, drainage, and irrigation;
- boundaries;
- control of possible pollution or contamination from outside the property (additional requirements for properties where drift could occur are provided below);
- control of possible pollution and contamination from within the property;
- maintenance or enhancement of biodiversity within the property;
- any sustainable land management issues identified as relevant to the property, refer section 5 below;
- compulsory pest control measures by Government or Regional/District Councils;
- general environmental enhancement; and
- any new operations identified as necessary in order to ensure improved compliance with national, regional, and body regulatory requirements, and industry requirements, e.g. non-grazing of riparian zones or erosion prone land, soil conservation, pollution control.

Where there is the likelihood of drift of sprays, fertilisers, or other prohibited materials from neighbouring properties then the plan must include all of the following:

- the establishment and/or maintenance of living and/or artificial shelter as a physical barrier(s);
- the setting of a buffer zone(s) between the certified crop/pasture and the source of any drift;
- written communications between the applicant and the neighbour(s), informing the neighbour of the potential loss of certification if prohibited materials drift onto the certified property and ideally gaining the neighbour's agreement that they will actively take steps to minimise the risk of drift by methods such as carrying out spraying, fertiliser spreading, etc. when the wind direction is away from the certified property.

The auditor will consider the situation and determine whether residue tests are also required to assess whether the controls defined in the plan have prevented drift and/or will prevent drift in future.

c. Sector OMP

For each sector of production (crops, orchard, livestock etc) provide an OMP which at least includes:

- i. the previous twelve months' management information; and
- ii. the Forward Work Plan for the next twelve months.

4.2.7 Initial audit (registration audit)

When an initial application is lodged with BioGro and all fees are paid, the application will be assessed for compliance with the Standards, then issued to an auditor.

The auditor will first conduct a document review and will contact the applicant if any further information is required before the onsite audit. The auditor then arranges to visit the property to interview the applicant, inspect the operation and examine any necessary documents and paperwork.

The onus is on the applicant to demonstrate that they are adequately and effectively operating their OMP and complying with the Standards. Provision of inadequate information or the need for further visits to finalise corrective actions may lead to further fees being charged.

At the completion of the audit, the auditor provides the applicant with copies of any Corrective Action Requests (CARs) detailing recommended corrective actions. The auditor will also inform the applicant of the recommendations that will be made to the BioGro Certification Panel. The Audit Record Sheet and any CARs will be signed by the applicant to confirm their accuracy.

Applicants are encouraged to carry out self-audits prior to the audit as a beneficial management tool to assist in the early identification of non-compliances, checklists are available on request from BioGro.

4.2.8 BioGro registration

a. Review by the BioGro Certification Panel

The auditor's report and recommendation for certification are reviewed by the BioGro Certification Panel. The Panel advises the applicant of its decision in writing. Once approved, the applicant is registered with BioGro.

b. Registration date

The registration start-date will usually be the date that the initial audit is finalised to BioGro's satisfaction. Four exceptions are allowed, as follows. In all cases, the registration start date must be after both the date of the last use of prohibited materials and the date at which the organic management of the property was first compliant with the requirements of the Standards:

i. Compliant first audit

If no Corrective Action Requests are raised from the first audit then BioGro can consider setting the registration start-date at the date on which the application was lodged with BioGro and all application fees were paid.

ii. Delayed registration audit

If BioGro is unable to schedule the audit within one month of the lodging of the application and payment of fees, then BioGro can consider backdating the registration start-date. Backdating is limited to one month after the date that the application was lodged, plus any subsequent time between the audit and the closing out of any Corrective Action Requests.

iii. Retrospective registration period

Where the applicant can supply conclusive proof that the property has been effectively managed to the BioGro Standards for a given period prior to the registration audit, then the registration start-date can be backdated for up to a maximum of two years prior to the date of the registration audit.

To qualify for this exception the applicant must supply full records on all farm inputs and farm management practices for the period of time that retrospective registration is being applied for. A guideline is available from BioGro for this. Where required, affidavits must be provided by other reputable parties such as farm consultants, farm supply representatives, Justices of the Peace, etc. to attest to the validity of the documentation. As part of the initial audit, BioGro and the auditor will assess and review this documentation.

The decision to accept the validity and completeness of the records and to backdate the registration start-date will be at BioGro's sole discretion. Assessment and review fees will be charged in addition to the normal initial application fees.

iv. Properties already certified with another certifier

Applications for BioGro certification for properties already certified by another certifier will be assessed and reviewed as in (iii) above, and information such as past audit reports and certification reviews and decisions will be requested from the other certifier(s) for BioGro's assessment. The applicant must inform BioGro of why they wish to change to BioGro, or have BioGro certification in addition to certification with another certifier.

Following their assessment BioGro will determine audit requirements, then following review of the audit reports will determine what stage of BioGro registration/conversion/certification that property will qualify for.

c. Licence Agreement

The applicant will receive the BioGro Licence Agreement and a copy of the BioGro Code of Practice. The Licence Agreement must be signed and returned to BioGro before the registration letter can be issued.

4.2.9 Labelling of CO produce

No claims of organic or certified organic status may be made for any products during the CO Registration year. The BioGro trademarks/logos can not be used in any way as a description of any products.

The registered producer may refer to BioGro on products and in promotional information as part of their contact details using wording such as "Registered with BioGro New Zealand to commence conversion to certified organic production". Such references must be significantly less prominent than any associated product description. All such use of the word BioGro must be approved in writing by BioGro prior to printing.

4.2.10 Changes to the OMP

Following issuing of registration, any proposed changes to the OMP, including use of input products not listed in the current OMP, must be approved by BioGro in writing prior to those changes being made.

4.3 Conversion year 1 (C1)

Three months before the expiry date of the registration year (C0) the producer will be sent an application to apply for conversion year 1 (C1). The producer must complete this and return it to BioGro. BioGro must receive it at least two months before the expiry date of the C0 year to ensure there is adequate time to carry out the audit.

Application documentation for conversion year 1 (C1) must include:

- i. An update to the information submitted in the previous Organic Management Plan (OMP) and supporting information. Any amendments must be clearly referenced and attached as appendices or, alternatively, the update may be a new set of documentation.
- ii. New sector OMP information for each sector of production (crops, orchard, livestock etc) specifying the previous twelve months management and the Forward Work Plan for the next twelve months.
- iii. All other required information, such as:
 - *Animal Treatment Record Sheets*;
 - *Brought-in Stock Quarantine Records*; and
 - *Application for Use of Restricted Inputs*, etc.

On receipt of the application and fees BioGro assesses the OMP for compliance with the Standards, and completes an Application Assessment Report. If necessary extra information is requested from the applicant.

BioGro then issues the application and assessment report to an auditor who then arranges the renewal audit with the applicant. The audit is carried out to assess the applicant's operation of their OMP, and to address any issues arising from this and from the application assessment report. The auditor conducts a document review on the updated and new information and contacts the applicant if any other information is required. The auditor arranges the time for the on-site audit.

At the completion of the audit, the auditor provides the applicant with copies of any Corrective Action Requests (CARs) detailing recommended corrective actions. The auditor also informs the applicant of the recommendation that will be made to the Certification Panel. The Audit Record Sheet and any CARs are signed by the applicant to confirm their accuracy.

On satisfactory review by the Certification Panel the applicant is issued with certification as "in conversion to BioGro certified organic production" and "having met the requirements of the BioGro Standards for a minimum of 12 months".

4.3.1 Labelling of C1 produce

Any labelling of C1 produce which refers to BioGro in any way requires written approval from BioGro, and must comply with the following requirements.

a. Approved labels

Products produced from the property at this stage can be labelled only as:

- "BioGro certified conversion"; and/or
- "product under conversion to organic farming certified by BioGro New Zealand"; and/or
- "having met the requirements of the BioGro Standards for a minimum of 12 months".

C1 products cannot be labelled with the BioGro organic logo, but can use the trademark word BioGro as part of the above phrases and can use the BioGro conversion logo.

b. Format

No words in the phrase above must be more prominent, e.g. by the use of bold letters, colour or size etc., than the other words in the phrase. The phrase must appear in a colour, size and style of lettering that is no more prominent than the sales description of the product.

c. **Ingredients of agricultural origin**

In-conversion products can contain only one ingredient of agricultural origin.

d. **Other labelling requirements**

All other labelling requirements as specified in the BioGro Standards must be complied with, refer Section 7.8 below.

e. **BioGro written approval for use of the BioGro trademark or conversion logo**

Any use of or reference to the trademark “BioGro” or BioGro conversion logo on labels or other printed material must be approved in writing by BioGro prior to printing.

4.3.2

Changes to the OMP

Following issuing of conversion certification, any proposed changes to the OMP, including use of input products not listed in the current OMP, must be approved by BioGro in writing prior to those changes being made.

4.4

Conversion year 2 (C2)

Three months before the expiry date of the first conversion year 1 (C1) the licensee will be sent an application to apply for conversion year 2 (C2). This must be completed and received by BioGro at least two months before the expiry date of the C1 year to ensure there is adequate time to carry out the audit.

Application documentation for conversion year 2 (C2) must include:

- i. An update to the information submitted in the previous Organic Management Plan (OMP) and supporting information. Any amendments must be clearly referenced and attached as appendices or, alternatively, the update may be a new set of documentation.
- ii. New sector OMP information for each sector of production (crops, orchard, livestock etc) specifying the previous twelve months management and the Forward Work Plan for the next twelve months.
- iii. All other required information, such as:
 - *Animal Treatment Record Sheets;*
 - *Brought-in Stock Quarantine Records;* and
 - *Application for Use of Restricted Inputs,* etc.

On receipt of the application and fees BioGro assesses the OMP for compliance with the Standards, and completes an Application Assessment Report. If necessary extra information is requested from the applicant.

BioGro then issues the application and assessment report to an auditor who then arranges the renewal audit with the applicant. The audit is carried out to assess the applicant’s operation of their OMP, and to address any issues arising from this and from the application assessment report. The auditor conducts a document review on the updated and new information and contacts the applicant if any other information is required. The auditor arranges the time for the on-site audit.

At the completion of the audit, the auditor provides the licensee with copies of any Corrective Action Requests (CARs) detailing recommended corrective actions. The auditor will also inform the licensee of the recommendation that will be made to the Certification Panel. The Audit Record Sheet and any CARs are signed by the applicant to confirm their accuracy.

On satisfactory review by the Certification Panel the operation will be issued with certification as “in conversion to BioGro certified organic production” and “having met the requirements of the BioGro Standards for a minimum of 24 months”.

4.4.1 Labelling of C2 produce

Products produced from the property at the C2 stage can be labelled only as:

- “BioGro certified conversion”; and/or
- “product under conversion to organic farming certified by BioGro New Zealand”; and/or
- “having met the requirements of the BioGro Standards for a minimum of 24 months”.

C2 products cannot be labelled with the BioGro logo, but can use the trademark word BioGro as part of the above phrases, subject to written approval and can use the BioGro conversion logo.

Labelling must comply with all the other requirements of section 4.3.1 b – e above.

4.4.2 Changes to the OMP

Following issuing of conversion certification, any proposed changes to the OMP, including use of input products not listed in the current OMP, must be approved by BioGro in writing prior to those changes being made.

4.5 BioGro certification

Three months before the expiry date of the conversion year 2 (C2) the licensee will be sent an application to apply for BioGro certification. This must be received by BioGro at least two months before the expiry date of the C2 year to ensure there is adequate time to carry out the audit.

Application documentation for BioGro certification must include:

- i. An update to the information submitted in the previous Organic Management Plan (OMP) and supporting information. Any amendments must be clearly referenced and attached as appendices or, alternatively, the update may be a new set of documentation.
- ii. New sector OMP information for each sector of production (crops, orchard, livestock etc) specifying the previous twelve months management and the Forward Work Plan for the next twelve months.
- iii. All other required information, such as:
 - *Animal Treatment Record Sheets*;
 - *Brought-in Stock Quarantine Records*; and
 - *Application for Use of Restricted Inputs*, etc.

On receipt of the application and fees BioGro assesses the OMP for compliance with the Standards, and completes an Application Assessment Report. If necessary extra information is requested from the applicant.

BioGro then issues the application and assessment report to an auditor who then arranges the renewal audit with the applicant. The audit is carried out to assess the applicant’s operation of their OMP, and to address any issues arising from this and from the application assessment report. The auditor conducts a document review on the updated and new information and contacts the applicant if any other information is required. The auditor arranges the time for the on-site audit.

At the completion of the audit, the auditor will provide the licensee with copies of any Corrective Action Requests (CARs) detailing recommended corrective actions. The auditor will also inform the licensee of the recommendation that will be made to the Certification Panel. The Audit Record Sheet and any CARs will be signed by the applicant to confirm their accuracy.

On satisfactory review by the Certification Panel, the licensee will be issued with BioGro certification and is then licensed to apply and direct the application of the BioGro trademark and logo as specified in section 7.8 of this module.

4.5.1 Changes to the OMP

Following issuing of BioGro certification, any proposed changes to the OMP, including use of input products not listed in the current OMP, must be approved by BioGro in writing prior to those changes being made.

4.6 Ongoing renewal audit requirements

Three months before the expiry date of the BioGro certificate each year, the licensee will be sent an application to apply for renewal of BioGro certification. The completed pack must be received by BioGro at least two months before the expiry date to ensure there is adequate time to carry out the audit.

Applications for renewal of certification must update the OMP and information sent with the previous year's application. The update may be either a new set of documentation, or a clear outline of the changes that have occurred since the last application.

On receipt of the application and fees BioGro assesses the OMP for compliance with the Standards, and completes an Application Assessment Report. If necessary extra information is requested from the applicant.

BioGro then issues the application and assessment report to an auditor who then arranges the renewal audit with the applicant. The audit is carried out to assess the applicant's operation of their OMP, and to address any issues arising from this and from the application assessment report. The auditor conducts a document review on the updated and new information and contacts the applicant if any other information is required. The auditor arranges the time for the on-site audit.

the auditor will conduct a document review on the updated information and will contact the licensee if any other information is required. The auditor will then arrange a time for the on-site audit.

At the completion of each renewal audit, the auditor will provide the licensee with copies of any Corrective Action Requests (CARs) detailing recommended corrective actions. The auditor will also inform the licensee of the recommendation that will be made to the Certification Panel. The Audit Record Sheet and any CARs will be signed by the applicant to confirm their accuracy.

On satisfactory review by the Certification Panel, the licensee will be issued with a renewed BioGro certification and will be able to continue to apply and direct the application of the BioGro trademark and logo.

4.6.1 Unannounced audits

In addition to the annual audit, each licensee may receive unannounced random audit(s) or surveillance audit(s) during the year. Unannounced audits will be carried out without forewarning, and samples of produce may be taken for residue testing where contamination is a concern, e.g. where there may be spray drift from neighbouring properties, or to follow up on complaints. BioGro reserves the right that any such tests may be at the expense of the licensee. Any findings of concern and the need for the audit or tests will be discussed with the licensee at the time.

4.6.2 Changes to the OMP

Following issuing of BioGro certification, any proposed changes to the OMP, including use of input products not listed in the current OMP, must be approved by BioGro in writing prior to those changes being made.

4.7 Partial certification

A property may be awarded partial certification when certification of a clearly defined designated portion of the property is considered an appropriate means of facilitating and encouraging the conversion of the entire property to BioGro. Partial certification of a property is viewed as a stepping stone to the entire property becoming certified. A condition of partial certification is the implementation of a plan, agreed with the BioGro auditor, to convert the entire property to certified status in time. As a condition of partial certification it is expected that each year there will be positive progress towards the conversion of the whole property, such as a reduction in chemical usage on the uncertified portion of the property.

Where land has been certified and is then withdrawn from certification, either to be returned to conventional production or through loss of its certified status on BioGro's instruction, BioGro reserves the right to terminate the certification of the entire property and/or all land under the same licensee's management.

Where the licensee has other production units under their daily management, those units producing uncertified crops or products will also be subject to audit under the same conditions as for parallel production. BioGro expects these additional uncertified production units to be converted in time, though family interests or commercial/market considerations will be taken into account.

The use of GMOs is not permitted in any production activity on the uncertified area.

4.7.1 Partially certified livestock

BioGro certification will never be obtained for the meat of uncertified livestock (with the exception of up to 2 day-old chicks) brought on to the certified property. After the required quarantine period plus an additional 12 months, uncertified livestock will gain partial certification. This means that their progeny and/or their products (other than meat), such as milk and wool, will have BioGro certification, refer *Module 5 Livestock Production Standard*.

4.8 Parallel production

Parallel production is the growing, harvesting, processing, or storage by a licensee of at least two of the following:

- BioGro certified produce;
- conversion C2 produce;
- conversion C1 produce;
- registration C0 produce;
- organic or conversion produce certified by another certifier; or
- conventional produce,

where this activity occurs within the same time period, relates to the same kind of produce, and the licensee wishes the produce having the higher status to retain that status.

Where parallel production occurs, then:

- Prior written approval is required from BioGro as part of BioGro's acceptance of the annual organic management plan or other written approval, and
- Production must be undertaken in a way that allows clear and continuous separation of all products of different status, and
- Documentation regarding the production or processing and sales must be well managed and must make clear distinction between products of different status, and
- Accurate and detailed production estimates and records must be maintained for checking and verification of the different products involved in the parallel production, and
- The annual audit will include checks on any conventional/non-certified areas and facilities, and

- Extra audits may be required, particularly at critical times such as harvest and/or processing. The requirement for these audits will be at BioGro's discretion.

Parallel production will normally only be allowed as above where the products involved are of different varieties and visually distinguishable. Exceptions to this will only be considered on a case by case basis. If parallel production involving products which are of the same variety and/or are not visually distinguishable is allowed as an exception then the following added conditions apply:

- Extra scheduled audits will be required at critical times such as harvest and processing, over and above the annual audit, and
- Extra audits, either scheduled or unannounced, may be carried out at any time.

4.9 Extension of scope to include non-primary production

Where a primary producer's operation includes non-primary production activities such as processing, storage, retailing, or exporting, wholly or partly of their own primary produce, then they can apply to BioGro to extend the scope of their certification to include this non-primary production. The relevant Applicant Packs and fees may be obtained from BioGro.

4.10 Certification of primary production other than orchards, crops, and livestock

The certification systems for honey, aquaculture, wild and natural products, and traditional agriculture are detailed in the relevant modules of the BioGro Standards.

4.11 Group Certification

In situations where there are large numbers of small scale producers producing the same or similar products, with coordinated marketing, BioGro is able to offer group certification under the following conditions and criteria:

4.11.1 Scope

The criteria for group certification are as follows:

- The group must be constituted of small scale operations with similar production systems. This does not limit the arrangement to farmers. Other operations organized collectively may also be included provided the other criteria in this section are met;
- Large farming units, processing units and traders can not be certified under group certification, and must be inspected by BioGro in accordance with the requirements of Sections 4.1 – 4.10 of this module. Simple processing and storage units may be included;
- Group members must be in geographic proximity;
- The group must be large enough and have sufficient resources to support a viable internal control system that assures compliance of individual members with production standards in an objective and transparent manner. The size of the group should ensure sufficient resources, transparency, and impartiality. BioGro will determine whether the group is large enough to satisfy these factors based on the group's Organic Management Plan;
- The group must have coordinated marketing for the certified products.

4.11.2**General Requirements**

The policies and procedures for the group are as follows:

- a. The certified entity must be the group as a whole. This means that individual group members may not use the certification independently (by marketing as individual producers outside of the group);
- b. The system must include a documented management structure of the internal control system;
- c. Documented inspections of all group members for compliance with production standards must be carried out by the internal control system at least annually. Personnel responsible for the internal control must visit each individual at least once during the year with the specific purpose of checking compliance;
- d. The management of the group is required to sign a written contract specifying the responsibilities of the group and of the internal control system. This includes the requirement that the management obtain signed obligations from all group members to comply with the standards and to permit inspections;
- e. All group members must have access to a copy of the current standards or the relevant sections of standards presented in a way that is adapted to their language and knowledge.

4.11.3**Requirements of the Group**

The following requirements must be satisfied prior to certification by BioGro:

- a. there are competent personnel implementing the internal control system;
- b. the core documentation is complete, which includes
 - appropriate maps/sketches
 - a complete list of group members
 - farm/field or processing records
 - signed member agreements
 - yield estimates
- c. the internal inspection protocol is described and implemented;
- d. a monitored and documented conversion period is in place;
- e. a mechanism to remove non-compliant group members from the list is in place and executed;
- f. there are procedures to accept new members;
- g. there are risk assessment procedures in place.

4.11.4**Audit by BioGro**

The BioGro audit will be carried out as described in Section 8 of this module and below.

Re-inspection of a sample of group members will be undertaken to evaluate the effectiveness of the internal control system.

The percentage of group members subject to re-inspection will take into account the results of the risk assessment. The sample size for the number of producers to be audited is determined from the following table:

Number of producers	Number of producers sampled each year	Plus audit of Group Manager's administration	Total number of audits
10 – 11	10	1	11
12 – 19	10	1	11
20 – 29	10	1	11
30 – 39	14	1	15
40 – 99	20%, minimum 16	1	17 – 21
100 – 199	15%, minimum 21	1	22 – 31
200 +	5%, minimum 21	1	22 +

4.11.5 Evaluation of the Internal Control System

BioGro will determine whether:

- a. all internal control documentation is in place;
- b. internal inspections of all group members have been carried out at least annually;
- c. new group members are only included after internal inspections, according to procedures agreed with BioGro;
- d. instances of non-compliance have been dealt with appropriately by the internal control and according to a documented system of sanctions;
- e. adequate records of inspections have been maintained by the internal control system;
- f. the group members understand the standards.

Sample inspections will be carried out with the relevant documents from the internal control at hand, and the methods and results of the internal control will be compared with the results of the inspection to determine whether the inspections of the internal control system have adequately addressed the compliance of operators. BioGro will maintain records of sample inspections so as to ensure that over time the inspections are representative of the group as a whole and take into account any previously identified risks.

4.11.6 Group Records

BioGro has a standardized form that must be completed and updated by the group management.

4.11.7 Responsibility and Sanctions

BioGro will hold the group as a whole (the certified entity) responsible for compliance of all operators.

Failure of the internal control system to detect and act on non-compliances will invoke sanctions on the group as a whole. This will also include provisions for withdrawal of certification from the group where the internal control system has been found to be ineffective.

Sanctions and Suspension of licence procedures are available from BioGro and are detailed in these Standards.

5 Sustainable environmental management

5.1 Introduction

Organic production aims to minimise the actual and potential adverse effects of agriculture and food production on the environment, both on-farm and off-farm. Organic production also aims to address the wider issues of sustainability, outlined below. These must be addressed in relation to:

- the sustainability of natural resources and the environment in agricultural production and food production, and
- market access requirements, and
- consumer expectations, and
- economic and social sustainability.

5.2 Regulatory and industry requirements

All primary producers in New Zealand are obliged to meet all regulatory and industry requirements.

5.3 Sustainable environmental management guidelines

Licensees must demonstrate their adoption of an ongoing management strategy designed to:

- a. Embrace management practices that at least maintain, and ideally enhance, the quality of soils, water and air.
- b. Avoid, mitigate or remedy environmental impacts, such as:
 - i. damage to soil structure;
 - ii. pollution of soil, air and water;
 - iii. damage from flooding;
 - iv. subsidence; and
 - v. erosion.
- c. Encourage maximum biodiversity on their properties, through protecting and enhancing natural areas and managing pests and weeds that threaten this biodiversity.
- d. Maintain cultural values associated with land and water, including the relationship of Maori and their traditions with their ancestral lands, water sites, waahi tapu, and other taonga.
- e. Maintain aesthetic, ecological and conservation values relating to land and water.
- f. Provide habitats in which livestock can be raised in comfort and with minimal stress.
- g. Minimise wastage, through appropriate reduction, reuse, recycling and energy conservation practices.

5.4 Sustainable environmental management requirements

5.4.1 Introduction

Issues that pose a threat to the sustainability of the operation's natural resources and environment must be identified in the Organic Management Plan and strategies for management of those developed and documented. A means of managing and monitoring these must be included in the sections of the Organic Management Plan that provide the Environmental Management Plan.

5.4.2 Requirements of the Environmental Management Plan

A program of work must be outlined which demonstrates the intention to address the following issues over a given period of time. Progress will be reviewed by BioGro at each annual audit.

a. Soil conservation

- i. On the farm map, highlight areas of the farm where "soils require specific management", i.e. where soils vulnerable to structural damage, e.g. pugging, compaction, poor drainage, wind-blow, gully erosion, slipping etc., are located.
- ii. For good soil management, land use must be matched with each soil's capability, i.e. its strengths and weaknesses. Management practices that pose a threat to the structure and long-term health of any soils are avoided. Licensees must demonstrate a satisfactory knowledge of their soils' capabilities. Evidence is required of management practices being carried out to minimise potential soil damage and erosion on these areas.
- iii. The Environmental Management Plan should address areas where particular attention needs to be paid to avoid soil structural damage, soil erosion and loss and declining soil health¹. These areas might include, for example, certain soil types, wet valley-bottom paddocks, wind erosion prone soils in cultivated paddocks, significantly sloping land, areas already planted with conservation species or forestry, protected riparian areas etc.
- iv. Indicators of soil quality must be monitored and the results made available to BioGro, e.g. organic matter levels.

b. Natural and regenerating areas

Aim to maintain and develop a diverse and ecologically balanced environment, e.g. the establishment of mixed species tree planting where appropriate. On the property map, identify areas of the property that are not farmed, such as gullies, tracks and road sides, the sides of watercourses, fence and hedge boundary lines, rough field corners etc. Management practices must be planned and adopted which protect these areas and encourage maximum biodiversity. Primary forested areas and ecosystems must not be cleared.

c. Water quality and availability

Some farming practices have the potential to harm the aquatic environment, both on and off the farm. Adoption of management strategies that minimise the potential for this harm must be demonstrated.

- i. Applicants must identify any management practices with the potential to reduce surface and ground water quality, and develop alternative strategies.
- ii. Applicants must be able to demonstrate an awareness of potential adverse effects to surface and groundwater quality from practices being carried out on the property. They must identify long-term remedial strategies that are being adopted to protect and enhance water and aquatic environments, e.g. preventing stock access, development of riparian margins, avoidance of discharges and pollution run-off, leaching, etc.

¹ Advice on erosion and riparian margin management, and in some cases also financial assistance is available from many Regional Councils.

- iii. Where irrigation is practiced a policy of “optimum irrigation application rates” should be adopted. If requested, the manager must be able to demonstrate how they calculate “optimum irrigation application rates” for each crop and soil type. The manager must also be able to provide information on how irrigation rates are controlled and monitored.

d. Recycling and energy use

Organic farming promotes the reduction and reuse of resources, the recycling of resources, and minimum reliance on brought-in inputs.

- i. Reduction, reuse, and recycling must be demonstrably carried out wherever practicable.
- ii. Energy conservation. The applicant must demonstrate positive energy conservation.
- iii. Choice of suppliers. Where a choice of suppliers is available the applicant must aim to identify and source from those adopting the most environmentally responsible strategies.
- iv. Greenhouse gas emissions must be actively minimised by such things as avoiding burning of waste.
- v. Agricultural and horticultural production, processing and product handling systems must aim to return nutrients, organic matter and other resources removed from the soil through harvesting by the recycling, regeneration and addition of organic materials and nutrients.

Where possible and practicable, water must be recycled.

e. Avoiding contamination

For synthetic structure coverings, mulches, fleeces, insect netting and silage wrapping, only products based on polyethylene and polypropylene or other polycarbonates are allowed. These must be removed from the soil after use and must not be burned on the certified property.

6 Certification of non-primary producers

This section details the certification process for non-primary producers including processors, packhouses, storage providers, transporters, wholesalers, retailers, exporters, importers, and service providers.

Certification is not automatic just because fees are paid and audits carried out. Applicants must demonstrate the implementation of positive management systems that will clearly protect the integrity of all certified organic products.

6.1 Initial application

6.1.1 Obtaining Standards and Applicants' Pack

The first step in applying to BioGro for certification is to obtain a current copy of the relevant modules of the BioGro Standards and an Applicants' Pack from BioGro.

6.1.2 Information provided to the applicant by BioGro

Once a request for an application has been received by BioGro, the applicant will be sent the Applicants' Pack and the schedule of fees.

6.1.3 Information to be held by applicants

Applicants must have a current copy of the relevant modules of the BioGro Standards.

6.1.4 Applications to BioGro

Before the audit can proceed, BioGro must receive the following from the applicant:

- a. the appropriate application fees; and
- b. completed application forms, supplying the full set of information as specified in section 6.1.5 below.

The applicant must sign the application forms and information provided as correct and as an undertaking to comply with the requirements of the BioGro Standards.

6.1.5 Information provided by the applicant

The applicant provides the following information to BioGro with the completed application forms:

- a. Their Organic Management Plan (OMP) including documentation of all organic production processes, signed by the day-to-day manager of the operation to be certified, as a guarantor that the information is correct.
 - b. A site plan and floor plan of the entire operation, drawn to scale, and clearly showing the equipment and processes that are to be used. These plans and the associated documentation should clearly show the processing flow from the receipt and storage of all ingredients/inputs through to the production and dispatch of the final product(s).
 - c. A complete chain of custody must be demonstrated for all certified products from the certified producer(s) of all ingredients/inputs through to the final certified product(s).
 - d. Where there is processing of certified lines of different status and/or certified lines and conventional lines, this is classed as parallel processing, and procedures must be provided that demonstrate that:
 - i. all organic ingredients/inputs and partially finished and completely processed organic products are identified and separated from conventional products and protected from contamination or mixing; and
 - ii. all equipment, machinery and contact surfaces are cleaned prior to processing runs of organic lines; and
 - iii. staff are aware of the importance of maintaining the integrity of certified organic products and receive training and regular updates on this.
-

6.1.6 Initial audit

When the initial application is lodged with BioGro and the application fees are paid, BioGro assesses the OMP for compliance with the Standards, and completes an Application Assessment Report. If necessary extra information is requested from the applicant.

BioGro then issues the application and assessment report to an auditor. The auditor will first conduct a document review and will contact the applicant if any further information is required before the on-site audit. The auditor then arranges to visit the facility and carry out the audit.

The audit is carried out to assess the applicant's operation of their OMP, and to address any issues arising from this and from the application assessment report.

The initial audit will comprise more than one on-site visit where different aspects of the audited operation are carried out on different days, e.g. meat processors may carry out preparation, killing and boning at different times. If more than one visit is required additional fees may be charged at BioGro's discretion.

The onus is on the applicant to prove that they are complying with the BioGro Standards. Provision of inadequate information or the need for further visits to finalise corrective actions may lead to further fees being charged.

At the completion of the audit(s) the auditor will provide the applicant with copies of any Corrective Action Requests (CARs) detailing recommended corrective actions. The auditor will also inform the applicant of the recommendation that will be made to the Certification Panel. The Audit Record Sheet and any CARs will be signed by the applicant to confirm their accuracy.

Applicants are encouraged to carry out self-audits prior to the audit as a beneficial management tool to assist in the early identification of non-compliances, checklists are available on request from BioGro.

6.1.7 BioGro certification

The auditor's report and recommendation are reviewed by the BioGro Certification Panel, who then informs the applicant in writing of their decision. The applicant will receive the BioGro Licence Agreement and a copy of the BioGro Code of Practice. On returning the signed Licence Agreement the applicant will be issued with BioGro certification and will be licensed to apply and direct the application of the BioGro trademark and logo.

6.1.8 Surveillance audits and Parallel processing

Further surveillance audits will be carried out as required either before or after the issuing of certification to check on specific aspects of production, particularly where there is parallel processing.

In the case of processors and packhouses, audits of the first organic run will be required in addition to the audit of the procedures, unless these can be carried out together. The need for ongoing audits of organic runs is at BioGro's sole discretion.

Where these additional surveillance audits are required, licensees must provide auditors at least 5 days notice of the commencement of the pending organic run. Additional fees may be charged if less notice is provided.

6.1.9 Changes to the OMP

Following issuing of BioGro certification, any proposed changes to the OMP, including ingredients, recipes, and processes, not listed in the current OMP, must be approved by BioGro in writing prior to those changes being made.

6.2 Ongoing renewal audit requirements

Three months before the expiry date of the BioGro certificate each year, the licensee will be sent an application to apply for renewal of their BioGro certification/approval. The completed pack must be received by BioGro at least two months before the expiry date to ensure there is adequate time to carry out the audit.

When the renewal application is lodged with BioGro and the application fees are paid, BioGro assesses the updated OMP for compliance with the Standards, and completes an Application Assessment Report. If necessary extra information is requested from the applicant.

BioGro then issues the application and assessment report to an auditor. The auditor will first conduct a document review and will contact the applicant if any further information is required before the on-site audit. The auditor then arranges to visit the facility and carry out the audit.

The audit is carried out to assess the applicant's operation of their OMP, and to address any issues arising from this and from the application assessment report.

On satisfactory completion of the audit and Certification Panel review, the licensee will be issued with a renewal of their BioGro certification and will be able to continue to apply and direct the application of the BioGro trademark/logo.

In addition to the annual audit, certified licensees may receive unannounced random audit(s) or surveillance audit(s) during the year. Unannounced audits will be carried out without forewarning. Surveillance audits will usually be targeted at specific areas of concern, such as parallel processing. Any findings of concern or the need for the audit or residue tests will be discussed with the licensee at the time.

6.3 Labelling of BioGro certified products

All label claims must comply with the requirements of section 7.8 of this module. For specific labelling requirements for processed products, see section 4.5 of *Module 13 Processing Standard*.

6.4 Changes to the OMP

Following issuing of BioGro certification, any proposed changes to the OMP, including ingredients, recipes, and processes, not listed in the current OMP, must be approved by BioGro in writing prior to those changes being made.

7 General certification requirements: All primary and non-primary producers

7.1 Licence Agreement and Code of Practice

BioGro issues certification to the licensee and the certificate also specifies the operation and the products. The Code of Practice details both BioGro and the licensees' responsibilities .

The licensee must sign the Licence Agreement as proof of an undertaking to carry out all operations in accordance with the BioGro Standards, and to accept the licensing disputes procedure, refer to Sections 9 and 10 below. The licensee must also countersign the Main Audit Checklist and any Corrective Action Requests.

The licensee must have full day to day management control over all aspects of the certified operation.

7.2 Period of validity of certification

Certificates are valid for a period of twelve months, subject to continued satisfactory performance by the licensee.

7.3 **Quality management**

Both primary and non-primary production operations must have a high standard of management, and must present a positive public image for certified organic production.

The licensee must maintain a quality management system which ensures that any certified products offered for sale are of a standard acceptable to the consumer and do not bring the BioGro trademark/logo into disrepute.

Licensees must record any complaints that they receive about their certified operation or products, must take appropriate action to resolve those complaints, and must record those actions.

7.4 **Contractual obligations regarding change of procedures, facilities, or management and notification of breaches.**

The licensee is the guarantor that production will continue according to the BioGro Standards and according to the documented Organic Management Plan and procedures.

The licensee undertakes to promptly inform BioGro verbally and in writing, if any changes to the procedures occur, or if there is any breaches of the Standards such as application, including drift, of a prohibited substance to the certified operation.

If the manager, authorized person, property/facility, or agreed production criteria is to change, then BioGro must be informed prior to these changes occurring. The licence to use the BioGro trademark is suspended unless the new conditions are approved in writing by BioGro.

7.5 **Addition and changes to scope and range of products**

The licensee can apply to BioGro to change the scope and range of the products on their certificate, subject to appropriate documentation being supplied, and a documentation review and (if required) extra audits being carried out as determined by BioGro.

7.6 **Change of ownership**

7.6.1 **Property ownership/management changes**

The certificate is not transferable.

When the management and/or ownership of a property or site changes, the BioGro certificate becomes void. The new manager/owner may then apply for certification under their own name. Transference of certification is not guaranteed and is subject to a satisfactory audit by BioGro. BioGro will only accept transference of certification where the new manager/owner can demonstrate to BioGro's satisfaction that they have adequate knowledge of organic management and the associated skills. Where this knowledge or these skills are lacking, BioGro will consider transference only where inexperienced new managers/owners of primary production operations have an existing BioGro-approved manager, such as the previous owner, involved in the day-to-day management control of the operation for at least one year.

Where the licensee changes, then a new Licence Agreement must be completed and signed.

7.6.2 Product ownership changes

Certified products retain their certification as long as it can be proved that responsibility and ownership of the product does not move to an uncertified operator at any stage during its production. Certification will end:

- a. at the point the product leaves the responsibility of a certified operator or sublicensee; and/or
- b. where BioGro has not been provided with satisfactory evidence to demonstrate that the integrity of the product has been retained.

All stages of production and handling must be able to be audited to maintain this chain of custody, including sublicensees for transport, storage, packing etc.

7.7 Economic implications

When making a certification decision, BioGro cannot consider the potential economic consequences for the licensee.

7.8 Labelling

The licensee responsible for the production of organic products must be identifiable on the label. All labelling on BioGro certified products must meet the requirements of the labelling regulations for all countries where the product will be sold, and must also carry:

- a. the BioGro licence number; and
- b. the name and physical address of the licensee for consumer information and traceability. In certain cases, prior written approval can be given for just the BioGro licence number to be shown.

All proposed labelling using BioGro trademarks and logos must be approved in writing by BioGro prior to printing.

Where a product passes through a change of ownership, the final licensee in the fully certified chain of custody is the only entity required to show the BioGro licence number on the label.

No BioGro licensee may label a BioGro certified product, which is within the scope of their BioGro certification, as organic or certified organic or certified conversion without also including the BioGro trademark/logo (or another organic certification trademark if applicable) on the label and complying with all the other requirements of this section.

Claims such as “GE Free”, “GM Free”, and “GMO Free” can not be used on the product or label in the context of the product’s certified organic status, as this could be taken to imply that all ingredients of the product have been exhaustively tested as part of its organic certification process to guarantee zero presence of GMO contamination. This may not always be possible or practical.

Any reference to genetic engineering in the context of the product’s certified organic status must be limited to the production and processing methods having specifically excluded the use of GMOs. Examples of claims which can be made in this way are “GE not used”, “GM not used”, “No GMOs used”, or similar.

7.9 Export requirements

7.9.1 Importing country requirements

As recipient countries of certified products may have different regulations to BioGro, and/or may require the assurance of a competent authority, it is advisable to check with BioGro before entering into any contracts to export BioGro certified products.

Labeling of such products must comply with the requirements of both the importing country and the BioGro Standards.

7.9.2 Export certification

In many cases, importing countries require an export certificate or other assurance for certified organic products. These can be supplied through BioGro where the licensee is certified with BioGro as an exporter, and the required verifiable audit trail information is supplied for each consignment.

Access to some regulated markets is through government to government arrangements under the New Zealand Food Safety Authority Official Organic Assurance Programme (NZFSA OOAP), under which BioGro operates as a recognized Third Party Agency (TPA). Refer *Module 14 Distribution Standard Section 4.9* and the BioGro website or office for information on this.

7.10 Sublicensees

A licensee may subcontract some or all aspects of their organic production to another operator who offers a certain service, e.g. storage, handling, processing etc., and where that sub-contractor is not certified in their own right. BioGro permits subcontracted production by allowing “sublicensees”, providing that the following requirements are met.

A sublicense agreement will be recognised by BioGro only where:

- a. the sublicensee does not market the product themselves; and
- b. the overall production process for this product is under the control of the main licensee. This normally means that the sublicensee does not take ownership of the product at any stage; and
- c. the licensee retains full control of the terms of the subcontracted production; and
- d. the licensee has a written contract with the sublicensee, which must, in addition to any commercial terms, include that:
 - i. the sublicensee will comply with all relevant clauses of the BioGro Standards; and
 - ii. the sublicensee will be bound by the requirements set out in the BioGro Licence Agreement; and
 - iii. the sublicensee must make no claim of certified status, and cannot use the BioGro trademark in any way other than to apply it to the licensee’s products; and
 - iv. the sublicensee will have available a current copy of the relevant BioGro Standards, plus a general description of the programme. This normally means that the sublicensee will hold a current copy of the licensee’s documented procedures; and
 - v. the sublicensee will allow BioGro access to their facility, and provide all materials and records reasonably requested by BioGro as part of its audit program.

Where a licensee wishes to have a sublicensee, they must indicate this on their application form. They must, in conjunction with the proposed sublicensee, complete a relevant Application Pack for the activity performed by the sublicensee, and submit this with a copy of their contract with the sublicensee to the BioGro office.

Licensees should note that normal BioGro audit procedures will apply to the sublicensee, and where additional fees are required to cover the costs of these audits then these will be charged to the licensee. If corrective actions are required then it is the licensee's responsibility to see that these are completed. Should the sublicensee be found to be in breach of the BioGro Standards, then the licensee's certification may be suspended.

7.11 Genetically modified/engineered organisms

The use of genetic engineering or genetically modified organisms (GMOs) and their derivatives (refer *Module 2: Glossary of Terms* for definition) is expressly prohibited for the production of BioGro certified products.

Applicants/Licensees must supply documented proof that all inputs for primary production which are not already certified or approved by BioGro, and all ingredients for processing which are not certified (or have not been recertified) by BioGro, are not Genetically Engineered (GE) and do not contain GMOs or their derivatives. Where such documented proof is not available or is inadequate or unsatisfactory, then those inputs or ingredients will not be allowed.

Inputs and ingredients (including processing aids) must be traced back at least one step in the biological chain to the direct source organism from which they are produced to verify that they are not derived from GMOs. The direct source organism is defined as the specific plant, animal, or microbe that produces the input or ingredient, or that gives rise to a secondary or indirect organism that produces the input or ingredient.

For products which are high risk for GM contamination such as corn, soy, and canola from countries where GM varieties of these crops are in commercial production, and food processing additives and processing aids such as enzymes and other microbial products, then satisfactory tests may also be required (even for products certified as organic) as well as non GMO statements to provide the required level of assurance.

Contamination of certified product by GMOs, even if it results from circumstances beyond the control of the operator, may alter the certified status of the operation and/or product(s).

7.12 Employment, health and safety, and social justice

All licensees operating in New Zealand must be in compliance with all relevant regulatory and industry requirements.

All licensees operating in countries other than New Zealand must have a policy on social justice that is acceptable to BioGro.

BioGro will not certify production that involves or is based on violations of basic human rights.

In particular, for all licensees whether in New Zealand or another country:

- Licensees must not use forced or involuntary labour;
- Employees and contractors must have the freedom to associate, the right to organise, and the right to bargain collectively;
- Licensees must provide their employees and contractors equal opportunity and treatment, and must not act in a discriminatory way;

Children employed by licensees must be provided with educational opportunities.

8 The audit process

A BioGro auditor carries out the audits of all properties/operations. The audit is of the applicant/licensee and their Organic Management Plan and system, including records, the property, the operation and the product. The applicant/licensee and anyone else with day-to-day responsibility for and management control of the operation must be in attendance during the audit. Auditors carry BioGro identification and provide this on request.

Applicants/licensees must give BioGro auditors, and personnel of organisations who accredit/recognise BioGro, access to storage and production premises at all times and to all areas to be covered under the licence, as well as to the accounts and relevant supporting documents. Applicants/licensees must provide BioGro with any information deemed necessary for the purposes of all audits, including annual, surveillance, unannounced, or random audits.

Applicants/licensees do not have the right to choose their auditor, but do have the right to object to the auditor assigned to their application. If they consider that there is a conflict of interest then they should discuss this with the Certification Programme Manager. Licensees can not object to the auditor assigned in the case of unannounced audits.

8.1 Applicant assessment

The applicant assessment ensures that the manager has sufficient knowledge of the requirements of the BioGro Standards to ensure that practices will remain compliant at all times. The active implementation of the Standards is also assessed. During the assessment the information contained in the application forms is clarified and verified as to:

- a. its compliance with the Standards; and
- b. its accurate reflection of the daily operations.

8.2 Operation assessment

The operation assessment is an inspection tour of the property. It is carried out to examine any production and management system protocols, and to determine that they are being complied with.

Protocols approved by BioGro to protect the integrity of certified produce must be followed faithfully at all times. Failure to do so, even in small respects, may jeopardize certification status as BioGro may consider such failure to be evidence that adherence to protocols is not reliable.

Storage of prohibited materials (apart from interim animal health remedies) on the property is prohibited, except for partially certified properties. On partially certified properties these materials must be segregated in storage from materials used in the certified area.

8.3 Additional analytical tests

The applicant/licensee will, at the request of BioGro, undertake additional analytical tests on soil, water, plant or product. Additional analytical tests will be required at any time that BioGro has reason to suspect the use of unauthorised products, and may be required at other times as part of BioGro's ongoing unannounced audit requirements.

Any such tests are at the expense of the applicant/licensee except where they are part of BioGro's ongoing unannounced audit requirement.

Tests showing no detectable prohibited material in the product are not necessarily evidence that the BioGro Standards have been followed.

8.4 Record keeping

All records relating to production, inputs and sales may be requested and must be available during the audit.

Documents for verification of compliance must be kept for a minimum of five years including, but not limited to:

- a. Primary producers – affidavit, maps, inputs used, records such as spray diaries and production data, soil residue tests and DDT tests, production records, reconciliation data.
- b. Non primary producers – site plan/layout, ingredients/recipes/formulations, inputs used (e.g. cleaners), production records, reconciliation data.

It is recommended that base data such as affidavits and soil residue tests (eg DDT) are always held on file.

8.4.1 Past production levels and methods

The auditor may examine the records of past production levels and production methods used on the property/operation.

8.4.2 Inputs

Records must be kept which enable BioGro to trace the origin, nature and quantities of all inputs and livestock brought in, and the use of inputs.

8.4.3 Sales

Records must be kept of the nature, quantities and consignees of all certified products sold. Quantities sold direct to the final consumer must be able to be accounted for on a daily basis.

8.5 Audit findings, disputes, appeals, and complaints

Audit findings which require action by the applicant/Licensee will be discussed with the applicant/Licensee during the audit and documented as either Observations, Minor Corrective Action Requests, Major Corrective Action Requests, or Critical Corrective Action Requests. Any Corrective Action Requests which are issued will also specify the date by which the corrective action is required to be carried out.

Audit findings which may require action in future (including before the next annual audit, for example an upcoming change in an export market requirement) by the applicant/Licensee will be discussed with the applicant/Licensee during the audit and documented as a Requirement for Future Action.

Applicants/licensees must countersign the Main Audit Checklist and any Corrective Action Requests and Requirements for Future Action.

If an applicant/licensee does not agree with any of the auditor's findings then they are able to contact the BioGro Certification Programme Manager. The matter will then be considered by the BioGro Certification Panel in discussion with the auditor and the applicant/licensee, and the resulting certification decision will be issued to the applicant/licensee in writing. If the applicant/licensee is not prepared to accept this certification decision then they have the right to formally appeal the decision, refer Section 9: Appeals Procedure below.

If an applicant/licensee has cause to complain regarding the conduct of BioGro's auditors or staff, the complaint must be made in writing, without delay, and addressed to the Chief Executive Officer of BioGro. If the complaint is made against the Chief Executive Officer, the letter of complaint must be addressed to the Chairperson of the BioGro Board of Directors.

9 Appeals procedure

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- 9.1 If an applicant wishes to appeal a certification decision, they must lodge a written appeal with BioGro within 15 working days of the date of BioGro's letter notifying them of the decision.
- 9.2 Upon receipt by BioGro of a written appeal, or notice thereof, BioGro will supply the applicant with details of the appeals procedure and a schedule of appeal fees.
- 9.3 Upon receipt of the fees the BioGro Certification Programme Manager and the auditor concerned will each produce individual written comment on the appeal within 15 working days.
- 9.4 When BioGro receives the Certification Programme Manager's and auditor's statements, the members of a specially constituted Appeal Committee are sent copies of all relevant information. The Appeal Committee is selected from both the BioGro New Zealand Ltd Board and the NZ Biological Producers and Consumers Council. Board / Council members who have been involved in making the decision that is being appealed may not be members of the appeals committee.
- 9.5 The Appeal Committee considers the appeal and reaches a decision. If the Appeal Committee is unable to reach a decision because BioGro New Zealand Ltd policy is at issue, the matter is advanced to the Board. Once the Board has clarified the policy issue in question, the matter is referred back to the Appeal Committee, who will reconsider the appeal and reach a decision.
- 9.6 The Appeal Committee is able to reconsider all aspects of the certification decision under appeal, including any new information with a bearing upon the quality of that decision.
- 9.7 The applicant will be formally notified of the appeal outcome by mail, normally within two months of receipt of appeal fees. If the appeal is upheld, the appeal fees may be partially or wholly refunded, as determined by the Appeal Committee.
- 9.8 A fast-track appeal option is available, which provides for an appeal decision within 15 working days of receipt of fees. Special fast-track appeal fees apply.

10 Suspension of licence

10.1 Responsibility

BioGro acts to maintain and safeguard the credibility of the BioGro trademarks and logos and the BioGro Standards. Any significant breach of a BioGro licence, deliberately or otherwise, by any licensee is sufficient cause for BioGro to suspend the licence.

10.2 Significant breach identified

When a BioGro auditor or staff member suspects or learns that there is a significant breach he/she advises the Certification Programme Manager or the Chief Executive Officer.

Should such a breach relate to residues of prohibited materials in certified produce, such residue levels must be those that generally indicate direct application rather than indirect or ambient contamination beyond the licensee's control.

10.3 Decision to suspend

Based on the information available and the requirement to maintain and safeguard the credibility of the BioGro trademark and the BioGro Standards, the Certification Programme Manager and/or the Chief Executive Officer in consultation with the appropriate auditor may authorise immediate suspension of a BioGro licence. This suspension includes the withdrawal from sale of any certified produce.

10.4 Notification of suspended licensee

When such action is taken, BioGro will, by the next working day, notify the suspended licensee of:

- a. The requirement to maintain and safeguard the credibility of the BioGro trademark and the BioGro Standards
- b. The name of the person who authorised the suspension.
- c. An explanation for the authorisation of the suspension.
- d. Confirmation of the suspension
- e. Advice that an appropriate documented explanation supplied to BioGro could result in the reinstatement of the licence
- f. A request for an explanation for the breach.
- g. A request for detailed information regarding all the persons/outlets supplied with any BioGro product or produce by the suspended licensee, the volume of production and current stocks held by the suspended licensee.
- h. A requirement that the suspended licensee immediately notify all persons/outlets supplied, advising them that the BioGro licence has been suspended. Advice that this notification is at the suspended licensee's cost.
- i. A statement that the suspension will be discussed at the next Board or relevant Committee meeting, at which time the future of the licence may be determined. If already fixed, the date and location of the meeting is also provided.

10.5 Investigation

The auditor or Certification Programme Manager will carry out investigations to determine the possible cause of any breach of the licence or the Standards.

10.6 Conclusions and actions

When all the relevant information has been gathered and discussed by the Certification Programme Manager or Chief Executive Officer and the relevant auditor:

- a. If no contravention of the licence or the Standards is found to have occurred, the suspension will be removed and this will be notified to the suspended licensee.
- b. If there has been a breach, the required steps for reinstatement will be established and communicated to the licensee. When the Certification Programme Manager is satisfied that all such steps have been carried out, the licence can be reinstated.
- c. In cases where a deliberate breach is deemed to have occurred, the Board may in its sole and absolute discretion impose a penalty of any nature on the licensee suspended.

10.7 Liability

In no way must BioGro have any liability whatsoever for any losses or expenses incurred by the licensee relating to the suspension of any BioGro licences. However, BioGro acknowledges its obligation to determine the validity or otherwise of the allegation as quickly as possible.

10.8 Reporting

Following the suspension, a full report is provided to the next Board of Directors meeting by the person authorising the suspension.

10.9 Public comment

The only person authorised to speak publicly regarding the issue is the person authorising the licence suspension and/or BioGro's Chief Executive Officer.



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BioGro New Zealand is the trading name of the New Zealand Biological Producers & Consumers Council Incorporated, a not-for-profit incorporated society.