

Policy and procedure for display of License, certificates, marks of conformity and grant of Logo

Policy and Procedures for grant of Logo

India Organic Logo:

SNRMS shall make sure that the use of India Organic logo is granted to all organic exporters, manufacturers and processors whose products are duly certified by SNRMS as per NSOP. To ensure this SNRMS, shall establish licensing procedure.

Manner of Applying for License:

The operator is required to submit application in the prescribed form 1 prescribed in NPOP. On receipt of the application, SNRMS shall examine the request and shall issue the license in the prescribed form 2. Along with the license, SNRMS shall also give the format of the logo. On receipt of the license and logo, the operator shall sign a declaration in the prescribed form 3.

Grant of License:

- The operator shall be certified by SNRMS for conformance with NSOP Standards.
- The license of logo shall be valid for a period of one year from the date of issue.
- The eligible operator shall be entitled to use the Certification Trade Mark and restrict its use to such products or services, which will meet the norms and standard specifications of the products, set out in the NPOP. The Certification Trade Mark may be affixed to the products and/or used on packaging or promotional material or in the context of advertising activities.
- SNRMS may by giving 30 days' notice to a Licensee, alter any terms and conditions subject to which the license has been granted during the validity of the license.
- In case of any conflict or ambiguity the clause 6.4 of NPOP under regulations for grant of license to use certification mark of organic product shall be binding.

Certifier shall grant the LICENSE NUMBER on following basis:

- **CS/OI/DDMMYY/LN:**
- **CS:** Certification Scope.
- **OI:** Operator Initial.
- **DDMMYY:** Date/Month/Year of granting.
- **LN:** License Number.

Conditions for use of License and Logo:

The Certification Trade Mark shall be applied in such manner as it may be easily visible as a distinct mark on the products or the packaging or on test certificates relating to articles which cannot be labeled or covered.

The Certification Trade Mark shall be applied to only such types, grades, classes, varieties, sizes of the products for which the license has been granted.

The manner in which the licensee proposes to place or use the Certification Trade Mark, shall be approved by SNRMS.

When a Certification Trade Mark has been specified in respect of an article or process, no person other than the licensee in possession of a valid license shall make any public claim, through any advertisement, sales promotion leaflets, price lists or the like, that his product conforms to the relevant Certification Trade Mark or carries the Certification Trade Mark.

Every licensee shall institute and maintain, to the satisfaction of SNRMS, a system of control to keep up the quality of his production or process by means of a scheme of testing and inspection, so as to ensure that the articles or process, in respect of which the Certification Trade Mark is being used, comply with the relevant norms and procedures of SNRMS and the NPOP.

The licensee shall maintain a complete record of the tests and inspection and such other data as specified in the scheme for testing and inspection, to establish to the satisfaction of SNRMS that the required control of production or process has been and is being satisfactorily maintained. Such records shall, on demand, be made available for inspection to SNRMS.

Termination, Suspension/ Cancellation of License:

The license could be suspended or cancelled under any one / or all the following situations:

- Products marked with Logo are found to be non-confirming to the NSOP standards.
- Logo used for the products not covered under the scope of certification.
- Failure on the part of the operators to provide reasonable facilities to SNRMS inspector to discharge duties imposed within the purview of the contract.
- Failure of the operator to comply with any of the terms and conditions of the license.
- Failure of the operator to meet financial obligations to SNRMS.

- Before SNRMS decides to cancel or suspend the license, it shall give the operator a minimum 2 weeks' notice indicating its intention.
- On receipt of the response of the operator, SNRMS shall give hearing to consider the explanation within 2 weeks and shall decide on the appropriate action need to be taken.
- In case of non-receipt of explanation within the stipulated period, SNRMS shall suspend or cancel the license and advise the same through a written communication.
- It shall be binding on the operator to immediately stop the use of the organic logo.
- In case of stocks improperly marked with the logo, mark on such articles shall be removed, cancelled, defaced, and erased even if there is an appeal pending with SNRMS.
- Licensee shall be advised by SNRMS in writing not to use the mark after suspension or cancellation of the license and also SNRMS shall publish the suspension or cancellation as it deems appropriate in the web site of SNRMS. The same shall be communicated to the competent authority also.

Temporary Stopping of the Use of License:

- If, at any time, there is some difficulty in maintaining the conformity of the product or articles to the specification or if the testing equipment goes out of order, the marking of the product shall be stopped by the licensee, under intimation to SNRMS. The marking may be resumed as soon as the defects are removed and information regarding such resumption of marking needs to be sent to SNRMS immediately thereafter.
- If, at any time, SNRMS has sufficient evidence that the product carrying the Certification Trade Mark may not be conforming to designated norms and procedures, the licensee shall be directed to stop the marking of such product. The resumption of marking on the product shall be permitted by SNRMS after satisfying itself that the licensee has taken necessary actions to remove the deficiencies.

Procedure for Inspection on use of License and Logo:

In particular, no claims may be made relating certification. SNRMS operators shall limit the claims made regarding their certification to statements of their adherence to standards. A de-certified grower, processor, or handler is expected to discontinue use of certification claims and to return the scope certificate. The Certifier shall introduce systems for checking the use of SNRMS certification marks and certificates in the marketplace. All SNRMS certified operators are required to inform SNRMS of changes in their products or labelling that would affect certification. SNRMS will monitor such compliance by random spot checking of operator products. SNRMS will also check operator product advertising literature and claims made through all forms of media. SNRMS may require certified operators to submit, at the discretion of the Certifier, examples of labels, advertising, and other market information.

Surveillance and Regular Review:

- Surveillance inspection shall be carried out for the Licensee once annually alongwith the additional inspections that shall be carried out by SNRMS.
- Regular information shall be sought from the Licensee on the use of labels like product wise used labels, balance labels.
- These shall be correlated with the approved production for that product.
- The unannounced visits may be without notice to the applicant to ensure that the systems and procedures already assessed are being maintained.
- The special reassessment visit may be planned where an applicant fails to observe the conditions of the license or where there have been significant changes in the organization of the applicant. The licensee shall be liable for the costs of such special visits.

Obligation of Licensee:

An applicant on grant of a license to use of the Certification Trade Mark shall:

- At all times comply with the requirements of the license as set out therein and comply with NPOP or any amendments thereto.
- Only claim that it is holding a license in respect of the capability which is the subject of the license and which relates to the products or processes in accordance with the license requirements.
- Not use the license in any manner to which SNRMS may object and shall not make any statement concerning the authority of the applicant's use of the license which in the opinion of the SNRMS may be misleading.
- Submit the form to SNRMS for approval in which it proposes to use its license or proposes to make references to the license.
- Upon suspension or termination of the license, however determined, discontinue its use forthwith and withdraw all promotional and advertising matter which contains any reference thereto.
- Permit access to the Inspector of SNRMS for purposes of assessment, audit or surveillance.
- The licensee shall give full details of all actions taken in response to field problems arising from allegations of defects in products or processes covered in the license and allow the Inspector of SNRMS access to all relevant records and documents for the purpose of verifying such details;
- Be required to produce evidence of continuing operations for the products or processes covered by the license. The licensee shall notify SNRMS in writing of discontinuance in such operations exceeding three months. Discontinuance of a license in excess of six months or more may lead to cancellation of license. In such cases, a new application shall be lodged with SNRMS and an assessment visit will be done prior to grant of a new license.
- Pay all financial dues to SNRMS in the manner prescribed by it, even for the period of discontinuance or suspension of license.

Operators Responsibilities:

Display of License, certificates and marks of conformity

Operators shall abide to the following terms and conditions for display License, certificates and marks of conformity:

- All SNRMS certified operators are required to inform SNRMS of changes in their products or labelling that would affect certification.
- SNRMS will monitor such compliance by random spot checking of operator products.
- SNRMS will also check operator product advertising literature and claims made through all forms of media.
- SNRMS may require certified operators to submit, at the discretion of the Certifier, examples of labels, advertising, and other market information.
- SNRMS operators may display the SNRMS and India Organic logo according to policies stated in the labelling section to indicate that SNRMS found the product and the operator to conform to SNRMS procedures and the appropriate standards. No additional claims may be made.
- Single ingredient products may be labeled as "Organic" when all standard requirements have been met.
- Where a minimum of 95% of the ingredients are of certified organic origin, products may be labeled "certified organic" or similar and should carry the logo of the certification programme.
- Where less than 95% but not less than 70% of the ingredients are of certified organic origin, products may not be called "**organic**". The word "**organic**" may be used on the principal display in statements like "made with organic ingredients" provided there is a clear statement of the proportion of the organic ingredients. An indication that the product is covered by the certification programme should be used, close to the indication of proportion of organic ingredients.
- Where less than 70% of the ingredients are of certified organic origin, the indication that an ingredient is organic may appear in the ingredients list. Such product may not be called "**organic**".
- If herbs and/or spices constitute less than 2% of the total weight of the product, they may be listed as "**spices**" or "**herbs**" without stating the percentage
- Organic products shall not be labeled as GE (genetic engineering) or GM (genetic modification) free in order to avoid potentially misleading claims about the end product. Any reference to genetic engineering on product labels shall be limited to the production method.
- The label of a certified organic product must depict the name and logo of SNRMS, accreditation number and India Organic Logo.
- SNRMS shall verify the labeling requirement and approve the labels of their certified operators before the labels are used.

Surrender of License:

A license may be surrendered by the licensee at any time in writing to SNRMS. In the case of surrender, the licensee shall return the license with all the related documents to SNRMS.

Misuse of License and Certification Mark:

Penalties shall be imposed for the misuse of the India Organic Logo, EU logo and SNRMS logo.

Procedure:

The use of symbol on unlicensed product shall not be allowed. The **SNRMS** certification committee shall report to Management Committee for decision about the penalties to impose on offenders. The fine may include financial penalties, legal penalties, withdrawal of certification.