

ANNEXURE I

GUIDELINES FOR THE CERTIFICATION BODIES FOR ISSUANCE OF “NATIONAL ORGANIC CERTIFICATION MARK (NOCM)” IN COMPLIANCE WITH THE SRI LANKA ORGANIC STANDARD SLS 1324:2018

- 1.0. National Organic Certification Mark hereinafter referred as NOCM will be granted on the basis of compliance with the Sri Lanka Organic Standard **SLS 1324: 2018** communicating the genuineness as well as the origin of the product.
- 2.0. The National Organic Control Unit (NOCU) established under the Sri Lanka Export Development Board (SLEDB) is the sole, absolute, and exclusive owner of the National Organic Certification Mark (NOCM). (Registered under National Intellectual Property Office under Class Nos 29,30, 31, and 32)
- 3.0. Only such certification Bodies operating in Sri Lanka and accredited by the Sri Lanka Accreditation Board (SLAB) will be granted the license to issue the NOCM in compliance with the Sri Lanka Organic Standard SLS 1324: 2018; which would be governed by the guidelines described here.

4.0. BASIC DESIGN ELEMENTS AND COLOURS OF NOCM

- Figure 1 shows the basic design elements of the NOCM. Only official artwork versions of the mark should be used.
- The NOCM has to be regarded as unchangeable symbol. It is not allowed to add any text, logos, symbols or other elements in side or the outer periphery of the Mark
- In order to maintain traceability and track the users, specific customer identification number to be issued by and indicated under the Mark. This identification number to be issued by Certification Body.
- The name of the Certification Body who issue the certification should be indicated under the Mark



SLS 1324:2018 XXXX (Operator Identification Number)

Conformity assessment by : (NOCU registration number of the Certification Body & Name of the Certification Body)

Figure I

5.0 CONCEPT OF NATIONAL ORGANIC CERTIFICATION MARK

Ocean blue colour denotes the Island surrounded by the ocean and the fertility of the soil of the Island is represented by the yellowish-brown colour. The quality of the product coming from such fertile soil and the healthiness of the organic agriculture production systems are symbolized by the green colour.

SPECIFICATIONS

Colours

The Sri Lankan Organic Logo must comprise of the colour specifications listed below: -

- Green : #008601
- Ocean Blue : #1c9cc9
- Yellowish Brown : #c29134
- White : #ffffff

Type of font : Times New Roman

Change of colours in to Black &White is allowed in one colour printing process and other information need to be remain same as figure I



Figure II

Proportions

The NOCM should be of a size which is in proportion to the front /back surface of the package (5%)

Scope of Certification

The scope of certification should be in line with the scope mentioned in the Sri Lanka Organic Standard SLS1324:2018 which prescribes requirements for production, wild harvest, post-harvest, handling, storage, processing, transportation, packaging, labelling and marketing of organic produce and products.

6.0. DISPLAY OF CERTIFICATION MARK

Every person who use the NOCM shall ensure that;

- i. It should be used only on products produced, processed, packed and labelled as per the Sri Lanka Organic Standard SLS 1324: 2018 and certified for compliance by an accredited Certification Body authorized by NOCU
- ii. The NOCM may use on
 - a. product packaging.
 - b. product labelling
 - c. product documentation (Eg- technical specifications, marketing and publicity materials)
- iii) . The NOCM can be used on products containing at least 95% organic ingredients and additionally respect further strict conditions for remaining 5%

- iv) . The same ingredients cannot be present in organic and non-organic form.
- v) The NOCM should correctly depict in original form together with the identification number as given in Figure 1 above.
- vi) The NOCU registration number should be clearly visible on the relevant package.

7.0 AUTHORISED USERS

The growers, grower associations, manufacturers, processors, exporters, traders certified as per SLS 1324: 2018 by an Accredited Certification Body (CB) authorized by NOCU.

8.0 SELECTION OF A CERTIFICATION BODY (CB)

Any SLAB accredited certification body willing to act as a certifier of SLS 1324: 2018 may apply to NOCU providing details in a specified application form available with NOCU.

9.0 PROCEEDURE FOR CERTIFICATION

- 9.1. CB to publish a procedural manual in their web site in relation to the issue of SLS 1324: 2018 standard for the information of applicants.
- 9.2. CB to provide each applicant with an application package including following:
 - a) Applicants information;
 - b) Estimate setting forth relevant certification fees;
 - c) Certification Agreement;
 - d) Application forms pertaining to the Standard
- 9.3. CB to provide sufficient information to the clients seeking certification enabling them to comply with the standard and shall provide future updates to such applicable standards.
- 9.4. CB shall provide information in Sinhala, English and Tamil Languages and certificate to be issued in the English language with translations in Sinhala & Tamil upon request.
- 9.5. On receipt of an application for a certification, the Certification Body shall
 - a) require evidence to be produced that the product or process in respect of which a certification has been applied for conforms to the standards and specifications set out in the Sri Lanka Organic Standard SLS 1324: 2018
 - b) require evidence to be produced that the applicant has in operation a scheme of routine inspection and testing, which will adequately ensure that all marked products or

process shall conform to the standards and specifications set out in the SLS 1324: 2018 and the instruction given in this guideline

- c) require all reasonable facilities to be provided to the assigned inspectors to inspect the farms, processing units, office, workshop, testing laboratories and any other premises of the applicant and to draw and test a sample or samples for the purpose of verifying the evidence produced by the applicant under clause (a) or clause (b) or both;
- d) for the purpose of clause (a), direct the applicant to submit samples to accredited testing labs as CB may consider appropriate.
- e) On the basis of any report received under clause (c) or clause (d) or both, the CB may require the applicant to carry out alterations in the manufacturing or production process in use by the applicant.

10.0 USE OF CERTIFICATION

10.1 NOCM shall be applied to only such types, grades, classes, varieties, sizes of the products for which the certification has been granted.

10.2 The manner in which the licensee proposes to place or use the NOCM must be approved by the Certification Body

10.3. When the NOCM has been specified in respect of a product or process, no person other than a licensee in possession of a valid Certification shall make any public claim, through any advertisement, sales promotion leaflets, pricelists or the like, that his product conforms to the relevant NOCM.

10.4 Every licensee shall maintain, a system of control to keep up the quality of his production or processes and also a complete record of the tests & inspection data by means of a scheme of testing and inspection, to the satisfaction of the Certification Body.

10.5 Any certification granted by the Certification Body to a licensee may be suspended or cancelled if:

- i. the licensee had used the NOCM in respect of a product/process which does not comply with the procedures and specifications prescribed in the SLS 1324: 2018; or
- ii. the licensee failed to provide reasonable facilities to the Certification Body to enable them to discharge the duties imposed on them; or

iii. the licensee has failed to comply with any of the terms and conditions of the Certification Body

10.6 Before the Certification Body suspends or cancels any license, it shall give the licensee not less than fourteen days notice of its intention to suspend or cancel the license.

10.7. On the receipt of such notice, the licensee may submit an explanation on its behalf to the Accredited Certification Body within fourteen days from the receipt of the notice.

10.8. If no explanation is submitted, the Certification Body may, on the expiry of period of the notice, suspend or cancel the license by addressing a written communication within 14 days of the expiry of the period.

10.9. Where a license has been suspended or cancelled, the licensee shall forthwith discontinue the use of the NOCM notwithstanding the pendency of any proceeding before an Arbitrator .

10.10. (a)If, at any time, there is some difficulty in maintaining the conformity of the product or process to the specification, the marking of the product shall be stopped by the licensee, under intimation to the Certification Body. The marking may be resumed as soon as the defects are removed and information regarding such resumption of marking be sent to the Certification Body immediately thereafter.

(b) If, at any time, the Certification Body has sufficient evidence that the product carrying the NOCM 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 the Certification Body after satisfying itself that the licensee has taken necessary actions to remove the deficiencies.

(c) The decision of the Accredited Certification Body for arriving at such decision shall be communicated, in writing by registered post, to the applicant or the licensee.

11.0 The following procedures shall apply in the case of inspection in respect of any product or process.

- (a). When the Certification Body proposes to inspect the process or product of a licensee, it shall, preferably, give reasonable notice of its visit to the applicant. However, where the Certification Body proposes to conduct unannounced audits such notice is not necessary.
- (b). If during an inspection, Certification Body wishes to take one or more samples of any product, material or substance, it shall do so in the presence of the applicant or a responsible person.
- (c). The Certification Body may at its discretion take duplicate samples and give one sample to the applicant or such responsible person;
- (d). The Certification Body shall arrange at least one inspection visit in a year in respect of each license granted.
- (e). The Certification Body shall make a detailed report of every inspection made by it
- (f) The Certification Body shall provide quarterly reports to NOCU on newly certified companies & renewals of certification. In case of cancellation of license it should be immediately notified to NOCU.
- (i) Random inspection & market surveillance may be conducted by the NOCU officials for product /process verification.

12.0. LICENSE FEE

- 12.1.** NOCU will grant license for the Certification Bodies authorized to issue the NOCM under an annual license fee. Prior to grant of license, the CB shall sign a Legal agreement with the EDB.
- 12.2.** Accredited Certification Bodies may charge a reasonable cost to issues the license to use the NOCM to the applicants.

13.0. POWERS OF THE CERTIFICATION BODY

The Certification Body may at its discretion:

13.1. Refuse to grant a license, extend its scope, cancel or alter so as to reduce the scope of the license. The refusal to renew or cancel a license for failure to discharge its obligations shall be based on the report of the Inspector of the Certification Body on assessment/audit during surveillance and regular review. Such decisions shall be communicated to the licensee in writing;

13.2. The Certification Body shall be entitled to suspend a license if there are sufficient grounds of non-compliance of the following:

- a) if surveillance by the Certification Body proves non-conformity to the relevant requirements, but immediate termination is not considered necessary;
- b) if improper use of the license, related documents, is not improved to the satisfaction of the Certification Body;
- c) if there has been any infringement of the procedures set out by the Certification Body;
- d) if the licensee fails to meet financial obligations to the Certification Body; and
- e) on any other grounds specifically provided for under the procedures, rules or formally agreed between the licensee and the Certification Body.

13.3. Where a license has been suspended or cancelled on the expiry of the period of its validity, the licensee shall immediately discontinue the use of the license notwithstanding the pendency of any Appeal and shall return the license and related documents to the Certification Body.

13.4. Where the licensee is unable, to rectify any deficiencies, within a reasonable period of time the license may be cancelled. Cancellation of the license in such case shall require the licensee to lodge a fresh application followed by the procedure prescribed in these regulations for the grant of a new license.

13.5. In the case of such cancelled license, a part of the license fee, if paid in advance, proportionate to the unexpired period of the license shall be adjusted against any future fee payable by the licensee or the said part of the license fee can be refunded depending on the decisions of the Certification Body.

14.0. ANNUAL COMPLIENCE AUDIT

An annual compliance audit on certification body will be conducted in collaboration with SLAB.

15.0. BREACH OF AGREEMENT TO ISSUE NOCM

The license granted to issue the National Organic Certification Mark may be revoked if the Certification Body:

- Do not implement a proper product certification as per the SLS 1234:2018
- Do not implement proper system control & product verification on operators.
- challenges NOCU as the sole, absolute, and exclusive owner of all right, title, and interest in the NOCM , and the goodwill associated therewith; or
- Take any action, which would impair the rights of NOCU in and to the NOCM or the goodwill associated therewith.

16.0. APEALS

Any appeal arising from any order of the Certification Body shall be finally settled through a committee appointed by NOCU representing members from SLAB, SLSI and DOA/DOEA. In the event the parties are unable to reach any understanding, the same shall be decided by the High Court of appropriate jurisdiction.