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1. Purpose

To define the procedure and requirements to be followed by the SSPL for:

- receiving and reviewing an application for use of the **India Organic Certification Mark**;
- evaluating the applicant's capability and conformity with applicable NPOP requirements;
- conducting inspection, assessment and testing, where applicable;
- taking the certification/licensing decision;
- granting authorization for use of the Organic Certification Mark;
- controlling the use of the Mark after grant;
- conducting surveillance and review; and
- suspension, cancellation, surrender and appeal.

This procedure is intended to ensure that the Certification Mark is granted only to eligible operators/products/processes meeting the applicable requirements.

2. Scope

This procedure applies to applications received by the SSPL for authorization/licence to use the Organic Certification Mark/India Organic Certification Mark for products or processes covered under the applicable NPOP requirements.

It covers:

- i. New applications.
- ii. Evaluation of applications.
- iii. Initial assessment/inspection.
- iv. Product/process verification and testing, where required.
- v. Certification decision.
- vi. Grant of licence/authorization.
- vii. Control of Mark usage.
- viii. Surveillance and regular review.
- ix. Suspension, cancellation and withdrawal.
- x. Surrender and misuse.
- xi. Appeals.

3. References

The following shall be used as applicable:

- National Programme for Organic Production (NPOP), 8th Edition
- Applicable NPOP standards and requirements.
- Applicable certification procedures of the SSPL.
- Approved certification forms.
- Applicable requirements for use of the India Organic Certification Mark.
- Applicable accreditation requirements.

4. Definitions

4.1 Applicant

An individual, organization, firm, producer, processor or other eligible entity applying for authorization/licence to use the Certification Mark.

4.2 Licensee

An applicant to whom the SSPL has granted a valid licence for use of the Certification Mark.

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4.3 Certification Mark

The India Organic Certification Mark authorized for use under NPOP.

4.4 Surveillance

Post-certification activities conducted by the SSPL to verify continuing compliance with applicable requirements.

5. Responsibilities

Quality Manager

6. Application Requirements

6.1 Submission of Application

Every applicant seeking a licence for use of the Certification Mark shall submit the prescribed **Application Form 1** to the SSPL.

The application shall be registered by the SSPL in the order of receipt and acknowledged to the applicant.

6.2 Documents to Accompany Application

The applicant shall submit, as applicable:

- i. Completed Application Form **1**.
- ii. Details of products/processes for which the Mark is requested.
- iii. Description of the production/processing system.
- iv. Scheme of inspection and testing maintained or proposed by the applicant.
- v. Relevant organic certification documents.
- vi. Product specifications.
- vii. Process details/flow chart, where applicable.
- viii. Details of production/processing premises.
- ix. Details of testing facilities, where applicable.
- x. Previous certification/licensing details, if applicable.
- xi. Declaration/undertaking required by the SSPL.
- xii. Applicable fee.
- xiii. Any additional documents requested by the SSPL.

7. Application Review

The SSPL shall review the application to determine:

- completeness;
- identity and legal status of applicant;
- applicable NPOP requirements;
- previous certification history, where applicable;
- inspection/testing arrangements;
- ability of the applicant to meet applicable requirements; and
- payment of applicable fees.

7.1 Supplementary Information

- i. The SSPL may request additional information or documentary evidence to substantiate information provided by the applicant.
- ii. The applicant shall submit the requested information within the specified period.

Failure to provide required information may result in rejection of the application

8. Preliminary Evaluation

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Before proceeding to grant, the SSPL shall determine whether sufficient evidence exists to establish conformity.

The SSPL;

- i. Require evidence that the product/process conforms to applicable NPOP/NSOP requirements.
- ii. Evaluate the applicant's routine inspection and testing system.
- iii. Conduct inspection of relevant premises.
- iv. Draw samples for testing.
- v. Require samples to be submitted to an appropriate testing authority.
- vi. Require corrective changes to the production/manufacturing process where justified by evaluation or testing results.

9. Inspection/Assessment

9.1 Planning

Where inspection/assessment is required, the SSPL shall appoint an appropriately competent inspector/auditor.

The inspection shall cover, as applicable:

- production/farm areas;
- processing facilities;
- storage/godowns;
- records;
- traceability;
- product identification;
- process controls;
- testing and inspection arrangements;
- use of the Certification Mark;
- compliance with NPOP requirements.

10. Sampling and Testing

Where sampling/testing is required:

- i. Samples shall be collected by the SSPL or as directed by the SSPL.
- ii. Sampling shall be conducted in the presence of the applicant or responsible representative where applicable.
- iii. Duplicate samples may be taken where required/requested.
- iv. Samples may be sealed and identified.
- v. Sample identification and seal details shall be recorded.
- vi. A sample receipt shall be provided.
- vii. Testing shall be conducted by an appropriate testing laboratory/authority.
- viii. Testing expenses shall be borne by the applicant where applicable.

11. Evaluation of Results

The authorized evaluator shall review:

- application documents;
- inspection report;
- nonconformities, if any;
- corrective actions;
- test reports, where applicable;
- product/process conformity;
- traceability and control records;
- previous performance and certification history;
- compliance with licence conditions; and
- any other relevant evidence.

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12. Nonconformity and Corrective Action

Where nonconformities are identified, the applicant shall be informed of the findings.

The SSPL shall:

- classify/document the nonconformity according to its applicable certification procedure;
- obtain corrective action/evidence where required;
- evaluate the adequacy of corrective action;
- conduct follow-up assessment where necessary; and
- close the nonconformity before grant where the nonconformity prevents certification.

13. Certification Decision

The certification decision shall be based on sufficient objective evidence demonstrating compliance with the applicable requirements.

The decision maker shall review, as applicable:

- application;
- inspection/assessment report;
- test results;
- corrective-action evidence;
- scope requested;
- applicant's previous performance;
- applicable NPOP requirements; and
- recommendation of the competent inspection/evaluation personnel.

14. Grant of Organic Certification Mark Licence

Where the SSPL is satisfied that the applicant is fit to use the Certification Trademark, the SSPL shall grant the licence in the prescribed Form 2, specifying the approved product/class of products or applicable process and conditions.

The applicant shall be formally informed of the decision.

The licence shall clearly identify:

- name of licensee;
- licence number;
- scope;
- approved product(s);
- approved process, where applicable;
- applicable standard;
- validity period;
- conditions for use of the Mark;
- any limitations;
- date of issue; and
- authorized signatory.

The licence is specified to be valid for one year, with the required declaration by the licensee on Form 3.

15. Conditions for Use of Certification Mark

The licensee shall:

- Use the Certification Mark only for products/processes covered by the valid licence.
- Use the Mark only in the approved manner.
- Ensure that the Mark is clearly visible and distinguishable.
- Obtain SSPL approval for the proposed manner of displaying/using the Mark.
- Not use the Mark for products outside the approved scope.
- Not make misleading claims regarding certification.
- Maintain records demonstrating conformity.

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viii. Permit SSPL access for assessment, inspection and surveillance.

16. Control of Certified Products

The licensee shall maintain adequate controls to ensure that products carrying the Certification Mark continue to comply with applicable NPOP requirements.

The licensee shall maintain complete records of relevant inspection/testing and other control activities and make them available to the SSPL when requested.

17. Surveillance

After grant of the licence, the SSPL shall conduct surveillance according to its approved surveillance programme.

The surveillance programme shall consider:

- risk;
- scope and complexity;
- previous compliance;
- complaints;
- changes in operation;
- previous nonconformities;
- misuse of Mark;
- significant changes affecting conformity.

At least one inspection visit per year is required in respect of each licence under the NPOP regulation.

Surveillance may be conducted without notice where appropriate.

18. Stop Marking / Withdrawal of Product from Mark Use

The licensee shall stop use of the Certification Mark where:

- conformity cannot be maintained;
- the SSPL has evidence that the product may not conform; or
- the SSPL directs suspension of marking.

Marking may resume only after deficiencies have been addressed and the SSPL is satisfied with the corrective actions, where SSPL approval is required.

19. Suspension of Licence

The SSPL may suspend a licence where there is sufficient evidence of nonconformity, including:

- certified products do not comply with applicable requirements;
- the process does not comply;
- required access/facilities are not provided;
- licence conditions are not fulfilled;
- improper use of the licence/Mark;
- nonconformity identified during surveillance;
- failure to comply with SSPL procedures;
- financial obligations are not met; or
- other grounds provided in the applicable procedures.

Suspension process

Before suspension/cancellation, the SSPL shall provide the notice and opportunity for explanation as specified in the applicable regulation.

The NPOP regulation provides for not less than 14 days' notice, followed by an opportunity for the licensee to submit an explanation.

20. Cancellation of Licence

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The SSPL may cancel the licence where:

- deficiencies cannot be rectified within a reasonable period;
- requirements of the scheme cannot be met;
- serious or continuing nonconformity exists;
- the licensee misuses the Mark;
- licence conditions are not complied with; or
- other applicable grounds exist.

Where a licence is cancelled, the licensee shall discontinue use of the Mark and return the licence and related documents as required.

21. Action Following Suspension/Cancellation

Immediately following suspension or cancellation, the licensee shall:

- i. discontinue use of the Certification Mark;
- ii. stop making certification claims;
- iii. remove/withdraw applicable promotional material;
- iv. identify affected stock;
- v. remove, deface, erase or otherwise appropriately control improper Marking on affected products;
- vi. return the licence and related documents where required; and
- vii. implement any corrective action required by the SSPL.

The NPOP regulation specifically requires discontinuation of Mark use and appropriate action on improperly marked stock.

22. Expiry and Renewal

A licence shall expire at the end of its approved validity period.

The licensee shall apply for renewal within the timeframe specified by the SSPL.

Renewal shall be based on satisfactory evaluation of continued compliance, including:

- surveillance results;
- complaints;
- nonconformities;
- corrective actions;
- continuing conformity;
- applicable changes in NPOP requirements; and
- payment of applicable fees.

23. Change in Scope

Any request for:

- addition of products;
- deletion of products;
- change in process;
- change of premises;
- significant change in operation; or
- other change affecting the approved scope

shall be submitted to the SSPL and evaluated before the changed scope is used with the Certification Mark.

The SSPL may require additional assessment before approving the change.

24. Publicity and Claims

The licensee shall:

- display the licence at its premises;
- use the Certification Mark only as authorized;
- provide customers/purchasers with accurate licence details;
- ensure advertising does not imply a higher level of approval than actually granted.

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The SSPL will maintain a list of licensees and make it available to APEDA, with periodic updating.

25. Misuse of Certification Mark

Misuse includes, but is not limited to:

- use after suspension;
- use after cancellation;
- use after expiry;
- use outside the approved scope;
- misleading certification claims;
- use on non-certified products;
- use after withdrawal/surrender;
- unauthorized modification of the Mark;
- use contrary to SSPL approval.

The NPOP provisions state that misuse of the India Organic Certification Mark may make the licensee liable for prosecution under applicable law.

26. Surrender of Licence

A licensee may surrender the licence by submitting written notification to the SSPL.

The licence and related documents shall be returned to the SSPL as applicable.

Following surrender, the licensee shall immediately discontinue use of the Certification Mark and associated certification claims.

27. Records

The SSPL shall maintain records of:

- i. Application.
- ii. Application review.
- iii. Supporting documents.
- iv. Inspection/assessment reports.
- v. Sampling records.
- vi. Laboratory reports.
- vii. Nonconformities.
- viii. Corrective actions.
- ix. Certification decision.
- x. Form 2 licence. (PD-08)
- xi. Form 3 declaration. (FT-48)
- xii. Approved Mark artwork/use.
- xiii. Surveillance reports.
- xiv. Suspension/cancellation records.
- xv. Complaints and appeals.
- xvi. Correspondence.
- xvii. Fee/payment records.

Records shall be maintained and controlled in accordance with the SSPL's documented record-control procedure.

28. Fees

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Applicable fees shall be collected in accordance with the approved fee schedule.

The NPOP provisions require the application for grant of licence to be accompanied by the prescribed fee/fee receipt and state that fees are generally non-refundable except where specifically provided.

29. Undertaking Before Grant

Before grant of the licence, the applicant shall sign the required undertaking confirming that no direct or implied claim will be made that the licence applies to products or processes other than those specified in the licence. (Form 1)

30. Appeal

An applicant/licensee may appeal against a decision of the SSPL according to the applicable appeal procedure.

An appeal against an order of the SSPL shall be filed before the National Accreditation Body (NAB) within 30 days of receipt of the order, subject to the provisions stated therein. The NAB decision is stated to be final and binding.

FORM 1

APPLICATION for grant of LICENCE to use the CERTIFICATION TRADE MARK

Under the Organic Products Certification Mark Regulations 2024

*I/We carrying on business at -----

Under the style of -----

Hereby apply for a license to use the Indian Organic Logo Certification in respect of the product/process which conforms to the National Standards for Organic Products norms and procedures listed below:

a) **Product ----- Type.
Size ----- Grade

Related norms of Standards for Organic Products

b) **Process----- Related
norms of Standards for Organic Products.

2. The above product is manufactured by ----- process
is carried out

-----Name of location
(address)

* Strike out one not applicable

** Only one of the two items under (a), (b) may be covered by one application strike out the other.

3. a) The composition of the top Management of my/our firm is as follows:

S. No.	Name	Designation
--------	------	-------------

b) I/we undertake to intimate to the Certification Body any change in the above composition as soon as it takes place.

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4. I/We hereby enclose an attested copy/photocopy of the certification of incorporation issued by the Registrar of firms or Societies/Companies/ director of Industries (In case of Small Scale Units) or similar other Documents authenticating the name of the firm and its producing location.

1. a) I/We have testing arrangements as per enclosed list and as per norms and procedures of Standards for Organic Products.

OR

b) The following testing arrangements as per norms and procedures of Standards for Organic Products are still to be made:

OR

c) Details of Accredited Laboratory

Name

Job

a) Trade-Mark (s)/Brand Name (s) used by us as follows:

b) I/We intended to apply the India Organic Logo Certification with our following Trademark (s)/Brand Name (s):

c) Registration No. and Date of the Trademark (s)/Brand Name (s) proposed to be used with the India Organic Certification Mark.

OR

In case of non-registration, I/We enclose documentary evidence in form of publicity/packing material, etc. in support of the Trademark(s) Brand Name(s)

5. Production figures of the said product/process and the value thereof to the best of my/our knowledge and estimates are as follows:

Last year from

to

Current year from

to _____
(estimate)

6. In order to ensure conformity of the said product/process to the related norms and procedures of the Standard for Organic Products.

*I/We have in use/propose to use the scheme of Inspection and Testing described in the Statement attached hereto. Routine records of all the inspections and tests are being/will be kept in the form detailed in the Statement. I/We further undertake to modify, amend or alter my/our Scheme of Inspection and Testing to bring it in line with that which may be specified by you from time to time.

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****I/We have at present no scheme of Inspection and Testing in operation. I/We, however, undertake to put in operation any such as recommended by the Certification Body.**

7. Should any initial enquiry be made by the Certification Body, I/We agree to extend to the Certification Body all reasonable facilities at my/our command and I/We also agree to pay all expenses of the said enquiry, including charges for a testing, as and when required by the Certification Body.

I/We request that the preliminary inspection of location may be carried out by _____(indicate date)
OR

I/We shall intimate the time, date etc. suitable for carrying out the preliminary Inspection as soon as production of the product applied for is undertaken and I/We are ready for drawl of samples.

8. a) Certified that earlier I/we had applied and the application No. was It did not mature into a license because of _____

b) Certified that earlier I/We held CMS/T, No. _____ which was lapsed/cancelled because of vide letter No. _____ dated _____ from Certification Body.

c) I/We have never been warned/advised by the Certification Body for any of our actions violative of the norms and procedures of the Standards for Organic Products.

OR

The details of warning/advice received by me/us for violating the norms and procedures of the Standards for Organic Products are as under:

9. I/We undertake that should any of the information supplied above in the application form is found to be wrong, the application may be rejected forthwith.

10. Should the license be granted and as long as it will remain operative, I/We hereby undertake to abide by all the terms and conditions of the license and the prescribed regulations. In the event of the license being suspended or cancelled, I/we also undertake to cease with immediate effect to use the Certification Mark on any product covered by the license and to withdraw all relevant advertising matters and to take such other steps as may be necessary to fulfill the provisions of the aforesaid Regulations with immediate effect. We also undertake to comply with each and every provision contained in the aforesaid Regulations, where a license is granted to us.

Date this _____ day of _____

Signature _____

Name _____

Designation _____

For and on behalf of _____

(Name of the firm)

FORM 2

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License for the Use of India Organic Logo Certification Mark

LICENSE NO. CMS –

1. By virtue of the powers conferred on it by the Regulations pertaining to Certification trademark of India Organic Logo, the Certification Body hereby grants to

(hereinafter called 'the licensee') this license to use India Organic Logo Certification trademark set out in the first column of the first Schedule hereto, upon or in respect of the product/process set out in the second column of the said Schedule which is produced or processed in accordance with/conforms to the related norms and procedures of Standard for Organic Products.

2. This license carries the rights and obligations stipulated in the above mentioned Regulations.

3. This license shall be valid from to

4. This license is being granted to _____ subject to the condition that _____ has agreed to be subjected to the provisions contained in the Organic Products (Certification) Regulations, 2024

Signed, Sealed and Dated this

day of

For Sustainable Stewardship Private Limited

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FORM 3

DECLARATION

To
The Chairman
NAB

I/We, of declare that we have been granted license no. dated
..... to use of the INDIA ORGANIC LOGO, and we undertake to be subjected to the Regulations for INDIA
ORGANIC LOGO Certification trademark.

Dated -----