

COR - 247:

Procedures for Use of licenses, certificates and marks of conformity



1. Identification Number: 247

2. Title: Procedure for the use of licenses, certificates and marks of conformity

3. Pertinence:

1. All clients, operations, products, systems under certification control of GSCI Services are subject to this procedure.

4. General Procedure Requirements

- 4.1. Certifier is responsible to ensure that all certified products are labelled in accordance with the SFCR. Certified clients shall send digital files of the product labelling to GSCI Services, which must be reviewed and verified by the Certifier or Reviewer that requirements of the SFCR have been met.
- 4.2. GSCI Services shall have procedures to monitor the holders of certificates using its certification mark and its name and marketing organic products to detect any improper reference to the Canada Organic Regime or fraudulent use of GSCI Services name and certificates.
- 4.3. GSCI Services shall have written rules authorizing the use of its mark (including the recognition of product labels on which it shall be displayed) and is responsible for delivering the organic certificates.
- 4.4. GSCI Services shall have written procedures for dealing with abusive use, false statements regarding a product's certification or the incorrect use of its certification marks.
- 4.5. GSCI Services shall have procedures ensuring that the holders of certificates do not allow its certification mark be used in any way likely to lead to confusion among consumers.

5. GSCI Services and COR

1. GSCI SERVICES Logo:

- a. GSCI Services exercise control over the ownership, use and display of license, certificates, marks of conformity and GSCI Services logo.
- b. Upon demonstration of full compliance to GSCI SERVICES by the contracted client, the permission to use GSCI Services logo can be granted.

- c. The following logo shall be used by the certified clients:



- d. The client shall use GSCI Services logo and mark of conformity as per the requirements cited by GSCI Services as per **Rules for the Use of GSCI Services Trademark GSCI- TMU (en)** and GSCI SERVICES requirements.
- e. Only such exporters, manufacturers and processors whose products are duly certified by GSCI SERVICES, will be granted the license to use of the logo, which would be governed by a set of regulations set by GSCI SERVICES and GSCI SERVICES.

2. Regulations for grant of license to use certification mark for organic products

- a. In pursuance to the GSCI SERVICES , and the modifications and additions that may in the future be made thereto, the following regulations, which include any modifications and additions thereto, shall apply for grant license to use of the certification mark only on the certified products produced, processed, packed and labelled as per the GSCI SERVICES .
- b. **Applying for License:**
- i. Every application for the grant of a license shall be made to GSCI SERVICES in writing.
 - ii. Every application for a license shall be accompanied by a statement furnishing in detail any scheme of inspection and testing, which the applicant maintains or has been in use or proposes to maintain or to put into use and which is designed to regulate, during the course of manufacture or production, the quality of the product or process for which the license is applied for.
 - iii. Every application shall be signed in the case of an individual, by the applicant or, in the case of a firm, by the proprietor, partner of the firm or by any other person authorized to sign any declaration on behalf of the firm. The name and designation of the person signing the application shall be recorded legibly in the space set apart for the purpose in the application form.

- iv. Every application for a license shall, on receipt by GSCI SERVICES, be numbered in order of priority of the receipt and be acknowledged.
 - v. GSCI SERVICES may call for any supplementary information or documentary evidence from any applicant in support of or to substantiate any statement made by him in his application, within such time as may be directed by GSCI SERVICES and non-compliance with such direction may have the effect of the application being summarily rejected GSCI SERVICES
 - vi. Apart from that before the grant of license, GSCI SERVICES may:
 - 1. Require evidence to be produced that the product or process in respect of which a licence has been applied for conforms to the standards and specifications set out in the GSCI SERVICES ;
 - 2. 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 GSCI SERVICES ;
 - 3. Require all reasonable facilities to be provided to an inspector of GSCI SERVICES to inspect the farms, processing units, office, workshop, testing laboratories or warehouses 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 (1) or clause (2) or both;
 - 4. For the purpose of clause (1), direct the applicant to submit samples to such testing authority, as GSCI SERVICES may consider appropriate. The expenses for testing shall be borne by the applicant; and,
 - 5. On the basis of any report received under clause (3) or clause (4) or both, GSCI SERVICES may, as deemed necessary, require the applicant to carry out such alterations in, or in addition to, the process of manufacture or production in use by the applicant.
- c. Operators' Responsibilities**
- i. At all times complies with GSCI SERVICES requirements as amended from time to time, uses GSCI SERVICES certification logo in accordance with the conditions defined in the procedure, only in respect of the production and

supply of products that are subject to the certification from the address stated on the certificate.

- ii. Code numbers shall be used as per the requirements
 - iii. Maintains and documents operating procedures in accordance with the requirements of the GSCI SERVICES and makes available copies of all or any part of the documented system as and when GSCI SERVICES require it for reference purposes.
 - iv. Does not change the system of production, processing or manufacture under which the certification is issued during the period of its validity unless give GSCI SERVICES a notice in writing of the intention to do so and receives confirmation in writing from GSCI SERVICES, that such variations do not render the certificate invalid.
- d. Grant of License:**
- i. If GSCI SERVICES, after evaluation, is satisfied that the applicant or licensee having regard to requisite skill, resources, production, processing previous performance & antecedents relevant to the issuance of the license is fit to use the certification mark, GSCI SERVICES shall grant a license authorizing the use of the certification mark in respect of the product or class of products manufactured by the applicant or licensee in respect of the process employed in any production, manufacture or work, subject to such terms and conditions as specified in GSCI SERVICES . GSCI SERVICES shall intimate the applicant about grant of license.
 - ii. The applicant shall be entitled to use the certification mark and restrict his use thereof to goods or services, which will meet the requirements GSCI SERVICES and standard specification of the products. The certification mark may be affixed to the products and/or used on packaging or promotional material or in the context of advertising activities after prior permission obtained from GSCI SERVICES.
 - iii. The applicant is entitled to use the aforesaid mark in accordance with the regulations given in GSCI SERVICES governing its use but shall be answerable for the safety of their products themselves. They shall furnish proof of holding

sufficient product liability insurance in respect thereof, if asked by GSCI SERVICES. No liability whatsoever will be accepted by GSCI SERVICES or designated accredited body in case of failure of the above clause.

- iv. Where the application for a license is made by a person, whose license is cancelled by the GSCI SERVICES due to furnishing of incorrect information or use of the certification trade mark in relation to any product other than that for which it has been granted license, he shall not be eligible to reapply for a period of time as determined by GSCI SERVICES having regard to the facts and circumstances of each case. In any event, such period shall not exceed one year.
- v. GSCI SERVICES may be giving one month's notice to a licensee, to alter any terms and conditions subject to which the license has been granted during the validity of the license.
- vi. Where GSCI SERVICES, after a preliminary inquiry, is of the opinion that a license should not be granted, it shall give a reasonable opportunity to the applicant of being heard, either in person or through a representative authorized by him on his behalf, and may take into consideration any fact or explanation urged on behalf of the applicant before rejecting the application.
- vii. Prior to grant of license, the applicant shall sign an undertaking to the effect that he will make no claim, direct or implied, that the license to be granted relates to any products or processes other than those that will be set out in the license.
- viii. After grant of license, the licensee can use the certification mark on products and publicity material as directed by the standard requirement for the use of mark of conformity laid down by GSCI SERVICES and as authorized by GSCI SERVICES

3. Suspension of use of logo

- a. Any license granted by GSCI SERVICES may be suspended or cancelled by it, if it is evidenced that:

- i. The products marked with the certification mark under a license do not comply with the GSCI SERVICES and procedures of GSCI SERVICES; or
 - ii. The licensee or applicant had used the mark in respect of a process which does not come up to the related directions and specification of GSCI SERVICES; or
 - iii. The licensee or applicant failed to provide reasonable facilities to GSCI SERVICES enable them to discharge the duties imposed on them; or
 - iv. The licensee or applicant has failed to comply with any of the terms and conditions of the license.
- b. Before GSCI SERVICES suspends or cancels any license, it shall give the licensee not less than 14 days' notice of its intention to suspend or cancel the license.
- c. On the receipt of such notice, the licensee may submit an explanation on his behalf to GSCI SERVICES within fourteen days from the receipt of the notice. If a satisfactory explanation is submitted, certifier may consider the explanation and give a hearing to the licensee within fourteen days from the date of receipt of such explanation or before the expiry of the notice whichever is longer.
- d. If no explanation is submitted, GSCI SERVICES may, on the expiry of period of the notice, suspend or cancel the license by addressing a written note within 14 days of the expiry of the period stipulated for submission of explanation.
- e. Upon suspension or withdrawal or cancelation of certification and/or the right to use the license/ mark if conformity, the client(s) shall:
- i. Immediately stop the use of GSCI SERVICES logo and mark of conformity.
 - ii. Inform about the same to its clients, stakeholders and other interested parties without any delay.
 - iii. Immediately stop to issue or use any certificates, reports, labels displaying GSCI SERVICES logo and mark of conformity or containing references to GSCI SERVICES certification.
 - iv. Shall ensure the discontinuation of any materials (whether electronic or hardcopy) usage and distribution, which refers to certification in force and display mark of conformity and GSCI SERVICES logo.
 - v. In the event of a withdrawal of certification and/or the right to use the license/ certification mark, the client shall return the certificate or the license to GSCI

SERVICES without any delay. The right to use the certification mark expires at the same time without giving rise to any indemnification claim against designated accreditation agency and/or GSCI SERVICES.

- f. When a license has been suspended or cancelled, GSCI SERVICES shall so advise the licensee in writing and publish such a suspension or cancellation in a manner as found appropriate by GSCI SERVICES.

4. Surveillance and regular review:

- a. The grant of license shall be followed by surveillance visits wherever necessary. GSCI SERVICES shall determine the frequency and extent of visits.
- b. The surveillance visits may be without notice to the licensee to ensure that the systems and procedures already assessed are being maintained.
- c. The special reassessment visit shall be necessary where a licensee fails to observe the conditions of the license or where there have been significant changes in the organization of the licensee. The licensee shall be liable for the costs of such special visits.

5. Obligations of the licensee:

A licensee on grant of a license to use of the certification mark shall:

- a. At all times comply with the requirements of the license as set out therein and comply with GSCI SERVICES or any amendments hereto.
- b. Only claim that he 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.
- c. Not use the license in any manner to which designated accreditation agency may object and shall not make any statement concerning the authority of the licensee's use of the license, which in the opinion of GSCI SERVICES may be misleading.
- d. Submit to GSCI SERVICES for approval of the form in which he proposes to use his/her license or proposes to make references to the license.
- e. 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.

- f. Permit access to the inspector of GSCI SERVICES 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 the GSCI SERVICES access to all relevant records and documents for the purpose of verifying such details.
- g. Be required to produce evidence of continuing operations for the products or processes covered by the license. Licensee shall notify GSCI SERVICES 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, application shall be lodged with the accredited GSCI SERVICES and an assessment visit will be necessary prior to grant of a new license.
- h. Pay all financial dues to GSCI SERVICES in the manner prescribed by it, even for the period of discontinuance or suspension of license.

6. Misuse of license

The licensee shall be deemed to have misused the license, if he does not cease to display or otherwise use the license for use of the certification mark immediately after:

- a. Surrender of license, suspension or cancellation,
- b. The licensee has failed to implement changes as advised by GSCI SERVICES.

Where GSCI Services as a control body has a substantiated suspicion that an operator intends to place on the market a product not in compliance with the organic production rules but bearing a reference to the organic production method, GSCI Services as a control body can require that the operator may provisionally not market the product with this reference for a time period to be set by GSCI Services as a control body. Before taking such a decision, GSCI Services as a control body shall allow the operator to comment. This decision shall be supplemented by the obligation to withdraw from this product any reference to the organic production method if GSCI Services as a control body is sure that the product does not fulfil the requirements of organic production. However, if the suspicion is not confirmed within the said time period, the decision referred to in the first subparagraph shall be cancelled not later

than the expiry of that time period. The operator shall cooperate fully with GSCI Services as a control body in resolving the suspicion.

7. In event of misleading or improper use of GSCI SERVICES logo and mark of conformity by any means, GSCI SERVICES has every right to take action against the defaulters. Such action may include periodic surveillance of the licensee, corrective action by the licensee, withdrawal of license, publication of the transgression and if necessary other legal actions.
8. In event of misleading or improper use of GSCI SERVICES logo and mark of conformity by non-committed client(s) (subcontracted by the client but not under direct control of GSCI Services or any other party who is not in contract with GSCI SERVICES) by any means, GSCI SERVICES has every right to take action against the defaulters. Such action may include periodic surveillance of the licensee, corrective action by the licensee, withdrawal of license, publication of the transgression and if necessary other legal actions.
9. In case of corrective action to be taken for the misleading or improper use of mark of conformity, the licensee or the other party shall prepare and implement a corrective action plan considering minimizing the negative consequences of the misuse. Such corrective action plan may be case specific based on the situation.

10. COR Labelling and Logo Use

Expressions

1. The expressions “organic” or “biologique” or “organique”, “organically grown” or “cultivé biologiquement”, “organically raised” or “élevé biologiquement” and “organically produced” or “produit biologiquement” and any similar expressions, including abbreviations of, symbols for and phonetic renderings of those expressions, may be shown on the label or used in the advertisement of a food commodity that is sent or conveyed from one province to another if
 - a. the food commodity is an organic product; and

- b. in the case of a multi-ingredient food commodity, at least 95% of its contents are organic products.

Expression “Organic ingredients”

2. Despite subsection (1), if a multi-ingredient food commodity is an organic product but less than 95% of its contents are organic products, it may be labelled with or advertised using the expression “organic ingredients” or “d’ingrédients biologiques” if that expression is
 - a. immediately preceded by the percentage of its contents that are organic products, rounded down to the nearest whole number; and
 - b. in characters of the same height and prominence as the words, numbers, signs or symbols that indicate that percentage.

Multi-ingredient food commodities

3. Despite subsection (1), the list of ingredients that is shown on the label of a multi-ingredient food commodity that is not an organic product may indicate which of the ingredients are organic products.

Additional Information

4. If an expression that is referred to in subsection (1) or (2) above is shown on the label of a food commodity, the label must also bear
 - a. in the case of a food commodity that is sent or conveyed from one province to another, the name of the certification body that certified the food commodity as organic;
 - b. in the case of a food commodity that is imported, the name of the certification body or the name of the entity accredited by a foreign

- state referred to in subparagraph 357(1)(a)(ii) or (iii) of the SFCR that certified the food commodity as organic;
- c. in the case of a multi-ingredient food commodity that is sent or conveyed from one province to another or that is imported, the organic contents that are identified as organic in its list of ingredients; and
 - d. in the case of a food commodity that is imported and on whose label the product legend that is set out in Schedule 9 is applied, the expression “Product of” or “produit de” immediately preceding the name of the foreign state of origin or the word “Imported” or “importé” in close proximity to that product legend.

Official languages

- 5. Subject to subsection (6), the expressions that are referred to in subsections (1) and (2) and 4(d) and the information that is referred to in 4(c) must be shown on the label of a food commodity in both official languages

Exception

- 6. Those expressions and that information may be shown on the label of a food commodity in only one official language if the food commodity is any of the following:
 - a. a *feed* as defined in section 2 of the [Feeds Act](https://laws-lois.justice.gc.ca/eng/acts/F-9/); (<https://laws-lois.justice.gc.ca/eng/acts/F-9/>)
 - b. a *seed* as defined in section 2 of the [Seeds Act](https://laws-lois.justice.gc.ca/eng/acts/S-8/) (<https://laws-lois.justice.gc.ca/eng/acts/S-8/>); or
 - c. a food, if subsection B.01.012(3), (7) or (11) of the [Food and Drug Regulations](https://laws-lois.justice.gc.ca/eng/regulations/C.R.C.,_c._870/) (https://laws-lois.justice.gc.ca/eng/regulations/C.R.C.,_c._870/) allows the required information to be shown in only one official language.

Feed

7. For the purposes of paragraph (2)(a), a reference to “livestock” in the definition *feed* in section 2 of the [Feeds Act](#) must be read to include livestock that is an aquaculture product.

Imported Organic Products

1. Imported or interprovincially traded products making an organic claim must be certified under the [Canada Organic Regime \(definition\)](#).

This includes products that:

- are labelled as "organic"
 - bear the Canada organic logo or
 - declare "contains x% organic ingredients"
2. Organic agriculture products imported from countries with whom Canada has established an equivalency arrangement must be certified to the terms of the arrangement. These products must be certified by a certification body accredited by that foreign country and recognized by Canada under the arrangement. These products may bear the Canada organic logo. Like all other food products, imported organic products must meet Canadian labelling requirements, including those of Part 13 of the SFCR.

Organic [aquaculture products](#) are not within the scope of Canada's current [equivalency arrangements](#) with other countries for organic products. The future inclusion of aquaculture products may be considered through assessments and negotiations.

For more information on equivalency arrangements please refer to the [Equivalence Arrangements](#) webpage.

Permitted claims

1. Organic claim

Only products with organic content that is greater than or equal to 95% may be labelled or advertised as "organic" or bear the organic logo. Terms such as "organically grown", "organically raised, "organically produced", or similar words, abbreviations of, symbols for and phonetic renderings of these words are considered the same as "organic" claims and must meet the same requirements [353(1), SFCR].

For multi-ingredient products, the organic contents must be identified as organic in the list of ingredients [354(c), SFCR].

The label of an organic product subject to the SFCR must bear the name of the certification body that has certified the product as organic [354(a) to (b), SFCR].

2. Organic ingredients claim

Multi-ingredient products containing between 95-100% organic content

Claims indicating "X% organic ingredients" where X is anywhere from 95-100% are permitted. However, the claim "organic" is encouraged as all products with 95% and over organic content may use this claim.

Multi-ingredient products containing between 70-<95% organic content

These products may use the declaration "contains x% organic ingredients" on the label or in advertising, specifying the percentage of organic ingredients. These products may not use the organic logo or the claim "organic" [353(2)(a), 359(1)(b), SFCR].

Conditions of use

If the declaration "contains x% organic ingredients" is used:

- the words "organic ingredients" must be of the same size and prominence as the preceding words, numbers, signs or symbols that indicate the applicable percentage [353(2)(b), SFCR].

- The organic contents must be identified as organic in the list of ingredients [354(c), SFCR].
- The label of an organic product subject to the SFCR must bear the name of the certification body that has certified the product as organic [354(a) and (b), SFCR].

Multi-ingredient products containing less than 70% organic content

These products may identify organic ingredients in the list of ingredients as organic. These products may not use the organic logo nor the claims "organic" or "contains x% organic ingredients" [353(3), SFCR].

3. Name of Certification body

When the name of the certification body that certified the product as organic is required, the abbreviation could be acceptable provided it gives enough information to identify the certification body. For example, it is acceptable when the acronym appears along with the name in the list of CFIA accredited certification bodies.

The logo of the certification body can be used in certain cases. The name of the certification body, or its abbreviation as described above, must be present within the logo, and must be readily discernible and legible to the purchaser. If this is not met, the logo may voluntarily be displayed, but the name should be present elsewhere on the label.

4. Language requirements

When used, the "organic" and the "% organic ingredients" claims or statements must appear on the label in both French and English, unless the food commodity is a feed (definition), seed (definition), or a bilingual labelling exemption applies to the product [355, SFCR].

5. Organic on labels accompanying bulk products

If an organic claim is made on a label accompanying a bulk product, such as on a tag or sticker, then the name of the certification body must also appear on this label. Example: this applies to the use of organic claims and the organic logo on a Price Look-Up (PLU) sticker.

If the Canada organic logo is on the accompanying label of an imported product, the statement "Product of" immediately preceding the country of origin, or the statement "Imported" must be in close proximity to the logo.

Non permitted claims

1. 100% organic or 100% organic (product name)

The "100% organic (product name)" claim is not permitted in Canada. All products with an organic content of 95% or greater are considered organic and may be labelled with the word "organic".

2. Certified organic

All organic products, under the Canada Organic Regime, must be certified by a CFIA-accredited certification body. Therefore, the claim "certified organic" is considered misleading, as it implies to consumers that products not bearing this claim are not certified.

Exception: the statement "Certified by" or "Certified organic by" immediately followed by the name of the certification body, or as part of the certification body logo, is acceptable as it denotes who has certified the product.

3. Made with organic ingredients

The claims "made with organic ingredients" or "made with organic (naming the ingredient)" are not acceptable as it is not clear how much of the product is made with organic ingredients. Products with 70-95% organic content must declare the percentage of organic content on their label. Products with less than 70% organic content may only indicate which ingredients are organic in the ingredients list.

Use of logos under SFCR

1. The CFIA regulates the use of the Canada organic logo below (Figure 1). The use of the organic logo is only permitted on products that have an organic content that is greater than or equal to 95% and have been certified according to the requirements of the Canada Organic Regime. The use of the organic logo is voluntary but when used it is subject to the requirements of the SFCR [359(1), SFCR].

Imported products must meet the requirements of the Canada Organic Regime. Imported products that bear the logo must include:

- the statement "Product of", immediately preceding the name of the country of origin, **or**
- the statement "Imported", in close proximity to the logo

These statements must appear on the label in both French and English, unless a bilingual labelling exemption applies [354(d), 355(3), SFCR].



FIGURE 1

The logo is displayed in either black with a white background, in black with a transparent background or in colour. If displayed in colour, the background is white or transparent, the outer and inner borders are green (Pantone no. 368), the maple leaf is red (Pantone no. 186) and the lettering is black [Schedule 9, SFCR].

Use of organic logo for information purposes

It is permitted for the organic logo to be used without request for advertisement or information purposes (e.g., advertising certification services or explaining the Canada

Organic Regime), provided the advertisement is not used to sell a food, feed or seed product [359(3), SFCR].

Note that the use of the logo in contravention to the SFCR could be an offence under the Safe Food for Canadians Act.

For more information on prescribed inspection marks, refer to [Inspection marks](#).

Organic products sold intraprovincially

Organic products sold within the province of origin are not within the scope of Part 13 of the Safe Food for Canadians Regulations unless the product bears the Canada Organic Logo. At the federal level, these are subject to the [Food and Drugs Act](#) and the [Safe Food for Canadians Act](#), which prohibit false or misleading claims in labelling and advertising.

Producers of intraprovincially traded products bearing organic claims are expected to be able to demonstrate that the product is organic.

All organic products bearing the Canada organic logo, including those sold intraprovincially, must comply with Part 13 of the SFCR.

Provincial organic regulations also exist in some provinces. Quebec, New Brunswick, Nova Scotia, Manitoba and British Columbia currently have organic certification systems in place.

Safeguarding of proper use of logos under SFCR

1. GSCI SERVICES is responsible for issuing logos under SFCR for use on goods that have been certified up to the point where the logos are applied. GSCI SERVICES is required to check for proper use of the logos under SFCR on goods during the certification process. GSCI SERVICES is not responsible for checking on logos in the marketplace.
3. GSCI SERVICES has the right and responsibility to take “suitable action,” such as withdrawing the logo use rights, if requirements are not met.
4. In all cases, the logo under SFCR shall be from the original design files. Logos under SFCR shall be obtained from GSCI SERVICES. Unless otherwise noted, the logo shall appear in black and white, white and black, greyscale and white with white within the logo.

5. The logo under SFCR and all wording therein shall be of a size large enough to be clear and legible.

