Guidelines for grant of Certificate of Authorisation and grading and marking of organic agricultural produce.

(Issued as per the provision in Rule 9(5) of Organic Agricultural Produce Grading and Marking Rules, 2009)

Persons desirous of obtaining Certificate of Authorisation (C.A.) for the grading and marking of organic agricultural produce should be conversant with Agricultural Produce (Grading and Marking) Act, 1937, General Grading and Marking Rules, 1988, Organic Agricultural Produce Grading and Marking Rules, 2009 (referred as Rules hereafter), National Programme for Organic Production notified by the Director General of Foreign Trade, Ministry of Commerce and Industry, Government of India vide Notification No. 72 (RE-2003)/2002-2007 dated the 21st July, 2004, various Commodity Grading and Marking Rules notified under the provisions of the Act and Guidelines/Instructions issued by Agricultural Marketing Adviser or an officer authorised by him from time to time.

A) Procedure for grant of Certificate of Authorisation (C.A.) to Accreditated Inspection and Certification Agency (AICA).

- Any Accreditated Inspection and Certification Agency (AICA) under the National Programme for Organic Production (NPOP) notified by the Director General of Foreign Trade vide Notification No. 72 (RE-2003)/2002-2007 dated the 21st July, 2004, shall be eligible to apply for grant of C.A.
- 2. The AICA shall apply to the Head Office of Directorate of Marketing & Inspection (DMI) at Faridabad in Form-1 along with the fee and documents specified in Annexure-A.
- 3. The AICA shall also submit the list of Licensed Operators along with copies of Licenses granted to each Licensed Operator (in Form-4) and duly filled in Form-5 of each Licensed Operator.
- 4. The AICA may have the facilities for the grading of agricultural commodities as per Specific Commodity Grading and Marking Rules. If such facilities are not available, the names of approved/proposed to be approved laboratories, the services of which it intends to utilise shall be given. The names of the approved/proposed to be approved laboratories for the purpose of testing to comply with various criteria under the NPOP shall also be given.
- 5. The application for grant of C.A. received in Head office will be examined for the submitted documents. The check list is at Annexure 'B'. If required, the matter may be referred to the Scrutiny Committee to be constituted by Agricultural Marketing Adviser, for examination.
- 6. The decision to grant C.A. would be taken within 45 days of the receipt of application complete in all respects.
- 7. The C.A. will be valid for three years but not later than the accreditation granted by the National Accreditation Body (NAB).

- 8. Application for renewal of C.A. shall be submitted by the C.A. holder to the concerned Regional Office of DMI, at least thirty days before the expiry of the authorization validity period of the C.A. The renewal shall be based on the past performance of the C.A. holder.
- 9. In the event of non-compliance or failure to fulfil the conditions by the C.A. holder, the Agricultural Marketing Adviser may apply one or more of the following sanctions, namely:
 - (a) Issue a warning letter or letter of reprimand;
 - (b) Impose additional conditions and insist for rectification within a specified time limit:
 - (c) Impose penalty, not only for non-compliance with conditions but also for being late or filing a deficient annual report;
 - (d) Suspend the authorisation;
 - (e) Refer the matter to the NAB and based on action taken by the NAB, take further appropriate action against the concerned agency.
- 10. In the event of suspension of authorisation, the Agricultural Marketing Adviser shall nominate any other C.A. holder to continue the work of certification in order to protect the interest of the licensed operators.
- 11. The Agricultural Marketing Adviser may terminate the authorisation status of a C.A. holder if its performance and conduct is not in accordance with the Authorisation criteria or the conditions laid down for the authorisation.
- 12. The applicant or an Authorised Inspection and Certification Agency may appeal against the decisions regarding authorisation or sanctions imposed upon including the termination order, as the case may be, before the Appeal Committee, constituted by the Central Government for this purpose. The appeals shall be filed within thirty days of the decision or order of the Agricultural Marketing Adviser. The decision of the Appeal Committee on an appeal shall be given within 90 days of its receipt and shall be final and binding on all concerned.

B) Guidelines for grant of License by C.A. holder (Approved Inspection and Certification Agency) to the Operator or Grower Group for the use of Certification Mark.

- 1. Requirements for grant of license to Operator or Grower Group by AICA as prescribed in NPOP shall be fulfilled.
- 2. The Operator or Grower Group shall apply to the C.A. holder in Form-3 for grant of license to use the Certification Mark under the Organic Agricultural Produce Grading and Marking Rules, 2009.
- 3. The Operator or Grower Group will submit the documents specified in Annexure-C.

- 4. The C.A. holder shall ensure that the premises where organic agricultural produce shall be packed is clean and hygienic and arrangements for processing, packing and marking are there.
- 5. The Trade Brand Label (TBL) proposed by the Licensed Operator or Grower Group will be taken in record by the C.A. holder.
- 6. On satisfaction, C.A. holder will issue License to the Operator or Grower Group in Form-4, a copy of which will be provided to the concerned Regional Office of DMI with duly filled in Form-5.

C) Procedure for Certification by C. A. holder (Approved Inspection and Certification Agency)

- The Certification of all kinds of agricultural produce included in the Schedule under the Agricultural Produce (Grading & Marking) Act, 1937 can be carried out.
- 2. The C.A. holder shall comply with the procedure prescribed for certification including compliance of the standards for organic production and various other procedures including the procedures for inspection, certification, implementation of internal control systems, external inspections, evaluation of internal control systems, grant of license, etc., prescribed under NPOP. C.A. holder shall also ensure that all requirements of Organic Agricultural Produce Grading & Marking Rules and Specific Commodity Grading and Marking Rules are satisfied before the organic agricultural produce is packed in containers bearing Agmark India Organic Insignia including Grade as per Specific Commodity Grading and Marking Rules.
- The organic agricultural produce (food commodities) shall, besides complying
 with the provisions of the NPOP, shall also comply with the minimum
 requirements for quality and residue levels of heavy metals, pesticides, afla
 toxins and other food safety parameters as prescribed in Prevention of Food
 Adulteration Rules, 1955.
- 4. The C.A. holder shall utilise the services of laboratories approved by the Agricultural Marketing Adviser for the purpose of grading under Agmark and testing to comply with various criteria under NPOP.
- 5. The containers bearing Agmark India Organic insignia shall be printed in the printing press permitted for the purpose by DMI. Running replica serial numbers on each container are not required because all the produce grown organically is accounted for through documentation. The C.A. holder shall keep the record of all the containers printed with Agmark insignia and their use.
- 6. The organic agricultural produce shall be packed in gunny bags or jute bags, cloth bags or other suitable eco friendly packages. Such packages shall be

clean, sound, free from insect and fungal infestation. The packing material shall be of food grade quality as permitted under PFA Rules, 1955. Only approved additives mentioned in Appendix 6 of the NPOP shall be used for manufacturing of packaging films for packaging of organic products. The materials used shall not affect the organoleptic character of the product or transmit to it any substances in quantities that may be harmful to human health. The packing material should not impart undesirable odour or flavour to the produce.

- 7. Organic agricultural produce shall be packed in pack sizes as per the provisions in Specific Commodity Grading and Marking Rules. If not specified in Specific Commodity Grading and Marking Rules, the pack sizes shall be as per the provisions in The Standards of Weights and Measures (Packaged Commodities) Rules, 1977.
- 8. Each package shall contain Certified Organic Agricultural Produce of the same type and of the same grade designation.
- 9. Graded material of small pack sizes of the same lot or batch and grade may be packed in a master container with complete details thereon along with grade designation mark.
- 10. Each package shall be securely closed and sealed.
- 11. The grade designation mark (Agmark India Organic Insignia) shall be securely affixed to or printed on each package.
- 12.In addition to the marking and labelling requirements of NPOP, Specific Commodity Grading and Marking Rules and grade designation mark (Agmark India Organic Insignia), following particulars shall be clearly and indelibly marked on each package:
- a) Name and address of the packer (Licensed Operator)
- b) Place of packing or manufacturing
- c) Date of packing
- d) Lot or batch No.
- e) Grade
- f) Season of harvest
- g) Net Weight
- h) Maximum retail price
- i) Best before ____Month Year.
- 13. The ink used for marking on the packages shall be of such quality which may not contaminate the produce.
- 14. Organic products shall be stored and handled separately to maintain their identity.
- 15. Storage areas and transport containers for organic products should be cleaned using methods and material permitted in organic production.

- Measures should be taken to prevent possible contamination from any pesticide or any other treatment not listed in Appendix-2 of NPOP.
- 16. The product certificate shall be issued to the buyer in Form-6 by the certifier of the C.A. holder on the request of the licensed operators.
- 17. Where an infringement which affects the organic integrity is found, the C.A. holder shall ensure that the indication of certification (Agmark India Organic Insignia) is removed from the entire lot of the production run which is affected by the infringement concerned. The product certificate, if issued, shall be withdrawn in such cases. Where a violation is made by the licensed operator, the C.A. holder shall withdraw certification from the licensed operator for a specified period and inform about their decision to the concerned Regional Office of DMI.
- 18. The C.A. holder shall ensure that Agmark India Organic Insignia is not used by the Licensed Operator on produce which has not been processed as per the provisions of the Rules.
- 19. The C.A. holder shall have a clear policy for sanctions in the event of non-compliance by the group or individual licensed operators. In the event of non-compliance of Rules/Guidelines by the group or by individual licensed operators, Agricultural Marketing Adviser or an officer authorised by him may direct C.A. holder to suspend/cancel license granted to the Licensed Operator or Grower Group.
- 20. The C.A. holder on detection of non-compliance by the group or its individual licensed operators and failure of the internal control system, shall invoke sanctions on the group or individual licensed operators. The sanction includes withdrawn of certification of the whole group.
- 21. The C.A. holder shall submit a statement of organic agricultural produce certified every month to the concerned Regional Office of DMI in prescribed Performa (Annexure-D) alongwith the grading charges.
- 22. The C.A. holder shall submit to the Regional Office of DMI an annual report containing the turn over, financial, staff, number of projects certified, under certification and products certified for domestic market and exported in terms of quantity and value. The annual report shall also contain an updated report on recent developments in the Inspection and Certification Agencies Process, such as, the number of licensed operators certified, under conversion, geographical area of operation and changes in personnel, compliance report in which compliance with imposed conditions are reported, supported by documentary evidence. The report shall also mention any irregularities or infringements found with the licensed operators relating to the application of the standards and corrective action taken.

Documents to be submitted by AICA with Form-1.

- 1) Duly filled in Form I.
- 2) Documentary evidence of the organisation, financial status (turnover), annual report and number of employees along with their bio-data.
- 3) Self attested copy of Certificate of Accreditation issued by NAB/APEDA.
- 4) Details of the certification committees, standards commodities, inspectors, etc.
- 5) A copy of the operating manual and the quality manual.
- 6) Tariff proposed.
- 7) Documentary evidence of authorisation by any other country or agency.
- 8) Affidavit in Form -2.
- 9) List of Licensed Operators along with copies of licence granted to each Licensed Operator.
- 10) Copy of the document showing policy for sanctions in the event of non-compliances by the group or by individual licensed operators.
- 11) Consent letter from approved/proposed to be approved laboratories the services of which it intends to utilise for grading under Agmark and testing as per various criteria under NPOP.
- 12) Demand Draft of Rs. 2000/- in favour of Accounts Officer (PP&M), Ministry of Agriculture, Faridabad (application processing fee).

The application shall be signed by the head of the organisation, partner, director, managing trustee, duly authorised for the purpose and the documentary evidence or power of attorney or copy of the resolution, as the case may be.

Documents required in case facilities for grading as per Specific Commodity Grading and Marking Rules are available :

- a) List of equipment, apparatus, chemicals, etc.
- b) Appointment letter of Chemist duly accepted by him.
- c) Copy of the Degree Certificate of Chemist indicating Chemistry as one of the subjects.
- d) Resignation letter of the Chemist duly accepted by the previous employer in case the Chemist is already approved with any other authorised packer under Agmark.
- e) Demand Draft of training charges of the chemist, if not trained under Agmark.

(Photocopies of all documents should be signed by the authorised person of the AICA.)

Check List for documents to be submitted by AICA:

Submitted-Yes or No

- 1) Duly filled in Form I.
- 2) Documentary evidence of the organisation, financial status (turnover), annual report and number of employees along with their bio-data.
- 3) Self attested copy of Certificate of Accreditation issued by NAB/APEDA.
- 4) Details of the certification committees, standards commodities, inspectors, etc.
- 5) A copy of the operating manual and the quality manual.
- 6) Tariff proposed.
- 7) Documentary evidence of authorisation by any other country or agency.
- 8) Affidavit in Form 2.
- List of Licensed Operators along with copies of licence granted to each Licensed Operator.
- 10) Copy of the document showing policy for sanctions in the event of non-compliances by the group or by individual licensed operators.
- Copy of TBL taken in record in respect of each Licensed Operator.
- 12)Consent letter from approved/proposed to be approved laboratories the services of which it intends to utilise.
- 13) Demand Draft of Rs. 2000/- as application processing fee.
- 14) Is the application signed by the head of the organisation, partner, director, managing trustee, duly authorised for the purpose and the documentary evidence or power of attorney or copy of the resolution, as the case may be.

Check list for Documents required in case facilities for grading as per Specific Commodity Grading and Marking Rules are available with the AICA:

Submitted-Yes or No

- a) List of equipment, apparatus, chemicals, etc.
- b) Appointment letter of Chemist duly accepted by him.
- c) Copy of the Degree Certificate of Chemist indicating Chemistry as one of the subjects.
- d) Resignation letter of the Chemist duly accepted by the previous employer in case the Chemist is already approved with any other authorised packer under Agmark.
- e) Demand Draft of training charges of the chemist, if not trained under Agmark.
- f) Are Photocopies of all documents signed by the authorised person of the AICA.

Documents to be submitted by the Operator or Grower Group to the AICA.

- 1. Duly filled in Form-3 and Form-5.
- 2. Self attested copies of the proprietorship declaration/partnership deed/Memorandum and Articles of Association/Bye-laws of society, etc.
- 3. Blue print or neatly drawn sketch of the premises (where the commodity shall be graded and packed) showing all dimensions duly signed by the authorised person of the firm.
- 4. Following declarations on non-judicial stamp paper of minimum Rs. 5/- in the prescribed proforma III.
 - a. Ownership of premises.
 - b. Ownership of proposed Trade Brand Label (TBL).
 - c. Use of proposed TBL only on the packages graded under Agmark.
 - d. Use of eco friendly packaging material of food grade quality as permitted in Prevention of Food Adulteration Rules, 1955 and use of only approved additives (given in Appendix 6 of the National Programme for Organic Production) in manufacturing of packaging films.
- 5. Copy of the consent letter from the legal owner of the premises, in case, the premises is not owned by the applicant and taken on rent/lease.
- 6. Specimen copy of the proposed Trade Brand Label of each commodity.
- 7. Medical fitness certificates issues by the Registered Medical Practitioner certifying that the workers engaged in the handling of the product in the various operation, are free from communicable and contagious diseases.
- 8. Consent letter from the permitted printing press to print Agmark India Organic Insignia.

Name of the C.A. holder (Approved Inspection and Certification Agency) :	
Grading Statement for the month of :	

SI. No.	Name and address	Commodity	Lot/Batch	Grade	Date of	Pack sizes	Total Qty.	TBL	Grading
	of the Licensed	certified	No.		packing		Certified		charges
	Operator								realised.
Total									

To be submitted to the concerned Regional Office by 7th of the succeeding month.

FORM-1

[see rule 9(1)]

APPLICATION FORM FOR GRANT OF CERTIFICATE OF AUTHORISATION

1. Organisation/Address Phone No

Fax No :

Email address

2. Contact person:

3. Year of accreditation under National Programme for Organic Production and date till which the accreditation is valid:

4. Scope of Certification:

5. Organisation and : No. of employees with curriculum vitae. (Please

Structure draw up an organisation chart)

6. Organisation Policy: Details of certification committee and

curriculum vitae of members.

7. Performance / Turnover of last three years

8. Background

9. Do you conduct inspectors' training?

- 10. Please describe your record system (about growers, processors, wholesalers, retailers).
- 11. Please describe your certification procedures.
- 12. Which laboratory are you using for getting the samples tested?
- 13. Which are the products you plan to certify or are certifying?
- 14. Please indicate your tariff structures for various services along with the terms and conditions
- 15. List of Annexures (please attach a copy of all relevant documents with respect to above including the affidavit in prescribed Form- 2).

Declaration

The whole information stated above are true and correct to the best of my /our knowledge.

NAME / DESIGNATION

DATE / SIGNATURE

FORM -2 [see rule 9(1)(f)] Affidavit

	l/Weyears and resident of gedryears and resident of
1.	That I am the sole Proprietor/Partner/Director of the firm namely M/s situated at
	for carrying out inspection and certification of organic products of Indian projects.
2.	M/s shall provide all necessary information for evaluation by the Evaluation Committee of its certification performance as well as all documentation of the certified operations.
3.	M/s shall provide co-operation during the process of evaluation to the Evaluation Committee.
4.	M/s shall make all necessary arrangements and provide all means of information for evaluation during the field evaluation.
5.	M/s shall fulfill its inspection, evaluation and certification according to the criteria set in the Organic Agricultural Produce Grading and Marking Rules, 2009. In addition hereto, M/s may render such other services that are not in contravention with the Organic Agricultural Produce Grading and Marking Rules.
6.	M/sshall pay the grading charges as per rule 19 of the Organic Agricultural Produce Grading and Marking Rules, 2009to the Directorate of Marketing and Inspection and submit periodical returns in the prescribed manner as may be specified by the Agricultural Marketing Adviser from time to time.
7.	M/sshall be responsible for safe custody and proper accounting of Agmark labels, if any issued, Agmark replica bearing containers, sealing pliers, etc., and for realisation and timely remittance of Government dues.
8.	M/sshall strictly follow the instructions issued for inspection, sampling analysis, packing, marking and sealing of the articles.
9.	M/sshall furnish on demand to the Agricultural Marketing Adviser or any other duly authorised officer such information, return or repot in respect of any of the scheduled articles which the authority may consider necessary for carrying out the provisions of the Agricultural Produce (Grading and Marking) Act, 1937.

10. M/s shall submit an annual report to Directorate of Marketing and Inspection by 30 th April every year containing updated developments in the certification process such as number of licensed operators certified (under conversion / converted) geographical area of operations, financial turnover, change in personnel, irregularities or infringements found with the licensed operators related to the application of standards, products exported in terms of quantity and value and country of destination for the preceding financial year ending 31 st of March of the year concerned.
(Signature of the deponent)
D/MM/YY
or M/s
VERIFICATION
We solemnly state and verify that the ontents of the above affidavit are true and correct.
(Signature of deponent)
(Oignature of deponent)
ttested by NOTARY

FORM- 3 [see rule 20(1)]

Organic		cultural	ense to use Produce	the Certifica Grading				
1. l/	I/We carrying on business at							
Un	Under the style of							
res	pect of the		ss which confo	ark India Organio rms to the Stand				
a)	T							
	Size							
	Grade							
·		orms of Standa	ards for Organio	l by	is carried (out		
(addre	99)				name of lo	ocation		
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S.	No.	Name		Designation				
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				notocopy of the o				

case of Small Scale Units) or other similar authorities authenticating the name of

the firm and its producing location.

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								OR									
			followi dards f	•	_		_			•		ns :	and	р	roce	dure	s of
	Г	Deta	ails of /	Accred	lited/ .	Appro	oved	Labo	rator	V							
			Nam			••			Jol	-							
	6.	a) T	「rade-N	/lark (s	s)/Bra	nd Na	ame ((s) us	sed b	y us a	as foll	lows	:				
	,		Ve inte ollowing					_			rgani	c" lo	go C	Cei	rtific	ation	with
c)) Registration No. and Date of the trade-Mark (s)/Brand Name (s) proposed to be used with the Agmark India Organic Certification Mark.					o be											
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	<u>Ye</u>	<u>ear</u>			Pro	<u>oducti</u>	on		Un	<u>it </u>		Valı	ue R	<u>S.</u>			
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to
(estimate)
8. In order to ensure conformity of the said product/process to the related norms and procedures of the Standard for Organic Products:
(a) I/We have in use or 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.
OR
(b) 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 Inspection and Certification Agency.
9. In case of any initial enquiry by the Inspection and Certification Agency, I/We agree to extend to the Inspection and Certification Agency 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 Inspection and Certification Agency.
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 am/We are ready for drawl of samples.
10.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 Inspection and
Certification Agency
c) I/We have never been warned/advised by the Inspection and Certification Agency for any of our actions violative of the norms and procedures of the Standards for Organic Products.

	arning/advice received be Standards for Organic	y me/us for violating the nor Products are as under:	ms and
		supplied above in the applic on may be rejected forthwitl	
undertake to a prescribed rule I/we also unde Mark on any padvertising mafulfill the provisundertake to	bide by all the terms a s. In the event of the Lertake to cease with importance to covered by the tters and to take such sions of the aforesaid r	as it remains operative, I/V and conditions of the Licens cense being suspended or nediate effect to use the C License and to withdraw a other steps as may be negules with immediate effect. It is every provision contained to us.	se and the cancelled, ertification all relevant cessary to
Date			
	this	day of	
	Signature		
	Name		
	Designation		
	For and on behalf of	·	

(Name of the firm)

FORM- 4

[see rule 20(2)]

License for the use of "Agmark India Organic" Insignia

License No:

1.	Marking Rules pertaining to Certification Mark of Agmark India Organic Logo, the Inspection and Certification Agency hereby grants to
	(hereinafter called 'the Licensed Operator') this License to use Agmark India Organic Insignia set out in the Schedule of these rules, upon or in respect of any kind of Agricultural Produce included in the Schedule under the Agricultural Produce (Grading and Marking) Act, 1937, which is produced in accordance with/conforms to the related norms and procedures of Standards for Organic Products prescribed under the above said rules and the National programme for Organic Production notified by the Director General of Foreign Trade, Ministry of Commerce and Industry, Government of India, vide Notification No. 72(RE-2003)/2002-2007 dated the 21st July-2004 and as revised from time to time and based action taken by the National Accreditation Body, take further appropriate action against the concerned agency.
2.	This License carries the rights and obligations stipulated in the above said rules.
3.	This License shall be valid from to
4.	This License is being granted to
	subject to the condition that
	has agreed subject to the provisions contained in the Organic Agricultural Produce Grading and Marking Rules and various provisions of the National programme for Organic Production notified by the Director General of Foreign Trade, Ministry of Commerce and Industry, Government of India, vide Notification No. 72(RE-2003)/2002-2007 dated the 21 st July-2004 and as revised from time to time and based action taken by the National Accreditation Body, take further appropriate action against the concerned agency.
Siç	gn
Se	eal
Da	ted this day of
	For Authorised Inspection and
	Certification Agency

FORM- 5 [see rule 20(2)]

Declaration

To,	
The Agricultural Marketing Adviser	
to the Government of India	
License no dated ORGANIC" Insignia, and we undertake to	declare that we have been granted to use of the "AGMARK INDIA o be subjected to the Rules for "AGMARK Mark under Organic Agricultural Produce
	Signature
	Dated

FORM- 6

[see rule 20(9)]

Product Certificate of Agmark India Organic Grading

No.

Product:	
Quality:	
Harvest:	
Origin:	
Packing Units:	
Net Weight:	
Invoice No.:	
Name and address of the seller	
Name and address of the buyer:	
Declaration:	
This is to certify that the products designated above have been obtained in accordance with the guidelines of production and inspection of the organic production method and monitored by (Name of the certifier).	
Remark:	
Date	Signature
Place	Seal
Period of Validity:	