



## OP 6: SECONDARY REVIEW AND CERTIFICATION DECISION

### Part 1 Secondary Review

GCS does not delegate authority for granting, maintaining, extending, suspending or withdrawing certification to an outside person or body.

The applicant's file will be reviewed by secondary reviewer as soon as possible after the on-site inspection report, the results of the analyses of any samples taken, and any additional information requested from or supplied by the applicant have been received to GCS office.

After secondary review and decision-making, certification is granted to operator based on the basis of the information gathered during the evaluation process and any other relevant information on verifying followings:

#### I. **General:**

The applicant follows its organic system plan and that the operators comply with Chapters II, III and IV of Regulation (EU) 2018/848 and Article 36 of that Regulation and that on-site inspection is done to verify these requirements.

#### II. **For Subcontracted activities:**

Where the operators subcontract any of its activities to third parties, both the operators or and the third parties to whom those activities have been subcontracted, should have been certified by recognized control authorities or control bodies confirming that they comply with Chapters II, III and IV of Regulation (EU) 2018/848 and Article 36 of that Regulation, unless the operators inform GCS that they remain responsible as regards organic production and that they have not transferred that responsibility to the subcontractor.

In such cases, GCS shall verify that the subcontracted activities comply with Chapters II, III and IV of Regulation (EU) 2018/848 and Article 36 of that Regulation in the context of the control activities it carries out in respect of the operators that have subcontracted their activities.

#### III. **For Transfer of Certificate:**

Besides any other element that may be considered relevant by GCS, before certifying operators that were previously certified by another control authority or control body, GCS shall assess the following information to be transmitted by the previous control authority or control body:

- The status and validity of certification, including cases of scope reduction, suspension and withdrawal as referred to in International Organization for Standardization (ISO) standard ISO/IEC 17065.



- Reports of inspection carried out in the preceding 3 years.
- The list of non-compliances and the measures put in place to address them, and the fact that all non-compliances were addressed.
- Derogations granted or requests for derogation being processed by the previous control authority or control body.
- Information relating to any ongoing dispute relevant for the certification of the operators.
- If the previous control authority or control body does not transmit the required information to GCS or in case of doubts concerning the information transmitted, GCS shall not issue the EU certificate referred to in point (b)(i) of Article 45(1) of Regulation (EU) 2018/848 to operators until GCS has eliminated their doubts by other means of control.

#### **IV. In case of withdrawal of operator:**

GCS shall not certify operators that have been withdrawn by their previous control authority or control body in the last two years, unless the recognition of the previous control authority or control body has been withdrawn by the Commission in accordance with Article 46(2a) of Regulation (EU) 2018/848 for the specific third country and category of products.

The certification decision may include requirements for the correction of minor non-compliances within a specified time period as a condition of continued certification. In case of negative certification, rejection of an application, suspension, revocation or withdrawal of a certificate can be done as per GCS Procedure - catalogue of measures (GCS\_EU\_071).

#### **Part 2 Certification Committee:**

After the review is completed by secondary reviewer of GCS (who is always a different person than the inspector), the file is passed to the Certification committee.

Certification Committee (CC) of GCS will take certification decisions. CC member does not involve in any other certification activity of the client for which decision is to be taken, like initial review, inspection, secondary review and/or any kind of certification processes other than decision.

It is mandatory that minimum two members out of the CC must be present in certification decision meeting.

#### **Part 3: Positive decision on certification**

If certification is granted, a certificate of organic operation will be issued which specifies the following mandatory elements:

- Document number
- Type of operator (Processor/trader/Exporter)
- Name and address of the operator, or exporter
- Name, address and code number of the control authority or control body of the operator, or exporter
- Activity or activities of the operator, or exporter (choose as appropriate-Production/ Preparation/ Distribution/ Storing/ Import/ Export)
- Category or categories of products as referred to in Article 35(7) of Regulation (EU) 2018/848 of the European Parliament and of the Council and production methods
- Directory of products (organic and/or in-conversion) that includes Name of the product and/or Combined Nomenclature (CN) code as referred to in Council Regulation (EEC) No 2658/87 for products within the scope of Regulation (EU) 2018/848
- A declaration saying "This document has been issued in accordance with Commission Implementing Regulation (EU) 2021/1378 to certify that the operator, or exporter (choose as appropriate) complies with Regulation (EU) 2018/848".
- Date and place of issuance of certificate
- Valid from to valid to date(s)

Following specific optional elements may also be added:

- Quantity of products
- Information on production unit
- List of premises or units where the activity is performed by the operator.
- Information on the activity or activities carried out by the operator and whether the activity is, or the activities are performed for their own purpose or as a subcontractor carrying out the activity or activities for another operator, while the subcontractor remains responsible for the activity or activities performed
- Information on the activity or activities carried out by the subcontracted third party
- List of subcontractors carrying out an activity or activities for the operator for which the operator remains responsible as regards organic production and for which it has not transferred that responsibility to the subcontractor
- Information on the accreditation of the control body in accordance with point (d) of Article 46(2) of Regulation (EU) 2018/848
- Other information

EU Organic Product Certificate is issued through the TRACES.



## Part 4: Denial of certification & Non-Compliance

If certification cannot be granted based on a review of the information specified in EU Organic Regulations, GCS will provide a written notification of non-compliance to the applicant including:

- A description of each non-compliance.
- The facts upon which the notification of non-compliance is based.
- The date by which the applicant must rebut or correct each non-compliance and submit supporting documentation of each such correction when correction is possible.

After issuance of a notification of non-compliance, GCS will:

- Evaluate the applicant's corrective actions and supporting documentation or the written rebuttal, and then conduct an on-site inspection if necessary and then:

Either

- Issue the applicant or a certified client an approval of certification, when the corrective action or rebuttal is sufficient for the applicant to qualify for certification,

Or

- In case of a new applicant, issue the applicant a written notice of denial of certification when the corrective action or rebuttal is not sufficient for the applicant to qualify for certification. In case of a certified client, letter of suspension/ withdrawal/ revocation.

Please refer to GCS catalogue of measure (GCS\_EU\_071) for non-conformance and measures for detailed actions to be taken.

### Relevant Documents:

- Procedure - Catalogue of Measures - GCS\_EU\_071
- NCR CA Form for EU - GCS\_EU\_072
- Certification Decision Report - GCS\_EU\_076
- Secondary Review - Food & Feed - GCS\_EU\_075