

- 1- **Purpose:** To develop a procedure for granting of license to use India Organic Logo.
- 2- **Scope:** All certified operators
- 3- **Related document:** NPOP
- 4- **Responsibility:** Certification Manager
- 5- **Procedure:**

**A- Use of the Organic Certification mark:**

- The India Organic Logo under National Programme for Organic Production (NPOP), black and white, as an exception at the primary production level only and under circumstances where it is not feasible to apply it in colour.
- For use of India Organic Logo in black and white, prior written permission will be sought from the Eurofins Assurance India Private Limited stating clearly the justification for such request. The India Organic Logo in Black and White shall be used only at the primary production level and for those products and scope for which permission has been granted in writing.



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



C - 52 M - 8  
Y - 100 K - 0



C - 0 M - 78  
Y - 77 K - 0



C - 44 M - 11  
Y - 0 K - 0



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**B- Concept Of Organic Logo:** Symbolizing the rhythm of cosmic and earth forces represented by the blue and coral waves of force and energy, 'India Organic' logo celebrates the essence of nature. These forces work in harmony upon the earth's environment and this rhythm is reinforced and supported by the green plant growth. The colours used have a special significance in the logo concept. The cosmic force in blue symbolizes universal purity. The plant in green uses the colour of nature and natural products untouched by chemicals. The blue background is symbolic of earth's environment that is congenial for life to thrive in and is also free of pollution and harmful chemicals. India Organic etched over the surface authenticates the carrier as "Organic" and establishes the Indian connection for all the carriers of the mark. Words "Jaivik Bharat" are etched at the bottom in devnagri and roman script to re-affirm India's resolution to promote Organic Farming practices. Beautifully synthesizing all the elements of our environment, the logo also communicates total adherence to the National Organic Standards. A license for use of the Certification Trademark only on the certified products produced, processed, packed, and labelled as per the National Standards for Organic Products.

**C- Applying for License:**

Applicant who wants to use India Organic Logo for the product may apply in Form-1 duly signed by the applicant with all necessary documents in support of the product for which request to use logo is made.

- Every application for a license shall be accompanied by a statement furnishing in detail any scheme of audit 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.
- 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 or the managing director 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.
- Every application for a license shall, on receipt by the Certification Body, be numbered in the order of priority of the receipt and be acknowledged.

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- Eurofins Assurance India Private Limited 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. Nonconformity with such direction may have the effect of the application being summarily rejected by the Eurofins Assurance India Private Limited.
- On receipt of an application for a license and before granting a license, the Eurofins Assurance India Private Limited may:
  - a- Require evidence to be produced that the product or process in respect of which a license has been applied for conforms to the standards and specifications set out in the NPOP and the NSOP.
  - 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 NPOP and the NSOP.
  - c- Require all reasonable facilities to be provided to an Inspector of the Eurofins Assurance India Private Limited to inspect the farms, processing units, office, workshop, testing laboratories or godowns 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 such testing authority as Eurofins Assurance India Private Limited may consider appropriate. The expenses for testing shall be borne by the applicant.
  - e- On the basis of any report received under clause (c) or clause (d) or both, the Eurofins Assurance India Private Limited may, as deemed fit, require the applicant to carry out such alterations in, or in addition to, the process of manufacture or production in use by the applicant.
- Application for a license will be numbered in order of priority and be acknowledged. After receipt of the application review will be done for /to.
- Confirm that all documents to prove the genuines of the product.
- The method of production is in accordance with NPOP rules.

#### **D- Grant of license:**

If Eurofins Assurance India Private Limited is satisfied that the operator with regards to requisite skills, resources, production, processing, previous

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performance antecedents relevant to the issuance of the license is for to use the certification mark , will grant a licence in Form-02 only for the product applied for.

a. The applicant shall be entitled to use the Certification Trademark and restrict its use to such products or services, which will meet the norms and standard specifications of the products, set out in the NPOP. The Certification Trademark may be affixed to the products and/or used on packaging or promotional material or in the context of advertising activities.

b. In the event of a withdrawal of the right to use the aforesaid Certification Trademark, the certificate or the license shall be returned to the Eurofins Assurance India Private Limited . The right to use the Certification Trademark expires at the same time without giving rise to any indemnification claim against the NAB and/or the Eurofins Assurance India Private Limited.

c. The applicant is entitled to use the aforesaid Certification Trademark in accordance with these Regulations governing its use.

d. Where the application for a license is made by a person, whose license is cancelled by the Eurofins Assurance India Private Limited due to furnishing of incorrect information or use of the Certification Trademark 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 the Eurofins Assurance India Private Limited having regard to the facts and circumstances of each case. In any event, such period shall not exceed one year.

e. A license shall be granted on Form 2 prescribed in the NPOP from time to time for a period of one year and a declaration by licensee shall be given on Form.

f. The Eurofins Assurance India Private Limited may by giving one month's notice to a Licensee, alter any terms and conditions subject to which the license has been granted during the validity of the license.

g. Where the Eurofins Assurance India Private Limited, 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.

h. A license shall expire at the end of the period for which it is granted.

#### **E- Condition of a Licence:**

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- The Certification Trademark shall be applied in such manner as it may be easily visible as a distinct mark on the products or the packaging or on test certificates relating to articles which cannot be labelled or covered.
- The Certification Trademark shall be applied to only such types, grades, classes, varieties, sizes of the products for which the license has been granted. The manner, in which the licensee proposes to place or use the Certification Trademark, must be approved by the Eurofins Assurance India Private limited.
- Certification Trademark has been specified in respect of an article or process, no person other than the licensee in possession of a valid license shall make any public claim, through any advertisement, sales promotion leaflets, pricelists or the like, that his product conforms to the relevant Certification Trademark or carries the Certification Trademark.
- Every licensee shall institute and maintain, to the satisfaction of the Eurofins Assurance India Private Limited , a system of control to keep up the quality of his production or process by means of a scheme of testing and inspection, so as to ensure that the articles or process, in respect of which the Certification Trademark is being used, comply with the relevant norms and procedures of the Eurofins Assurance India Private Limited and the NPOP. The licensee shall maintain a complete record of the tests and inspection and such other data as specified in the scheme for testing and inspection, to establish to the satisfaction of the Eurofins Assurance India Private Limited that the required control of production or process has been and is being satisfactorily maintained. Such records shall, on demand, be made available for inspection to the Eurofins Assurance India Private limited.
- Any license granted by the Eurofins Assurance India Private limited may be suspended or cancelled by it, if it is satisfied:
  - a. that the products marked with the Certification Trademark under a license do not comply with the related norms and procedures as prescribed in the NPOP; or
  - b. that the licensee had used the Certification Trademark in respect of a process which does not comply with the procedures and specifications prescribed in the NPOP; or

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- c. that the licensee failed to provide reasonable facilities to the Eurofins Assurance India Private Limited to enable them to discharge the duties imposed on them; or
  - d. that the licensee has failed to comply with any of the terms and conditions of the license.
- Eurofins Assurance India Private limited 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.
  - On the receipt of such notice, the licensee may submit an explanation on its behalf to the Eurofins Assurance India Private limited within fourteen days from the receipt of the notice. If an explanation is submitted, the Eurofins Assurance India Private limited 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.
  - If no explanation is submitted, the Eurofins Assurance India Private limited 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 stipulated in sub-paragraph as above.
  - Where a license has been suspended or cancelled, the licensee shall forthwith discontinue the use of the Certification Trademark notwithstanding the pendency of any proceeding before an arbitrator and if there be, with the licensee or his agents, any articles in stock which have been improperly marked, the licensee or his agents, as the case may be, shall take steps to get the Certification Trademark on such articles either removed, cancelled, defaced or erased.
  - When a license has been suspended or cancelled, the Eurofins Assurance India Private limited shall so advise the licensee in writing and publish such a suspension or cancellation.
  - If, at any time, there is some difficulty in maintaining the conformity of the product or articles to the specification or if the testing equipment goes out of order, the marking of the product shall be stopped by the licensee, under intimation to the Eurofins Assurance India Private limited. The marking may be resumed as soon as the defects are removed and information regarding such resumption of marking be sent to the Eurofins Assurance India Private limited, immediately thereafter. Eurofins Assurance India Private limited has

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sufficient evidence that the product carrying the Certification Trademark 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 Eurofins Assurance India Private limited after satisfying itself that the licensee has taken necessary actions to remove the deficiencies.

- The decision of the Eurofins Assurance India Private limited for arriving at such decision shall be communicated, in writing by registered post, to the applicant or the licensee, as the case may be.
- An inspection, specially made at the request of an applicant or a licensee, shall be chargeable to the account of the applicant or the licensee. Charges for such special inspection or inspections shall be such as may be decided by the Eurofins Assurance India Private limited.
- When the designated norms and procedures of the Eurofins Assurance India Private limited are withdrawn and not superseded by any other norms and procedures, any license issued in respect thereof shall be deemed to have been cancelled from the date of withdrawal of such designated norms and procedures as stated above and any such license shall be forthwith surrendered to Eurofins Assurance India Private limited by the licensee. 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 Eurofins Assurance India Private limited.
- The following procedures shall apply in the case of inspection in respect of any product or process where a license for the use of Certification Trademark in respect of that article or process has been issued, or an application has been made for a license.
  - a. Eurofins Assurance India Private limited proposes to inspect the process or product of an applicant, it shall, preferably, give reasonable notice of its visit to the applicant. However, where the Eurofins Assurance India Private limited proposes to inspect the premises of a licensee, such notice is not necessary
  - b. If during an inspection, the Eurofins Assurance India Private limited wishes to take one or more samples of any product, material or

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substance, it shall do so in the presence of the applicant or a responsible person belonging to the establishment of the applicant, as the case may be;

- c. The Eurofins Assurance India Private limited may at its discretion, and shall if the applicant or the responsible person belonging to the establishment demands it, take duplicate samples and give one sample to the applicant or such responsible person.

- The Eurofins Assurance India Private limited may at its discretion, and shall if the applicant or the responsible person belonging to the establishment demands it, place each such sample in a covering and jointly seal each sample.
- In the case of samples drawn by the Eurofins Assurance India Private limited which cannot be so sealed, such samples shall be marked with certain identification to establish their identity
- Impression of the seals and details of identification shall be given in the Eurofins Assurance India Private limited 's report. The samples shall be labelled giving complete details.
- The Eurofins Assurance India Private limited shall give a receipt for a sample or samples taken and retain a duplicate copy of the receipt duly signed by the person in whose presence the sample was taken.
- Eurofins Assurance India Private limited may take samples of products marked with the Certification Trademark from the godowns or any such premises of any agent of the applicant or from the articles put up for sale in the open market by the applicant or its agent.
- Eurofins Assurance India Private limited shall arrange at least one inspection visit in a year in respect of each license granted
- Eurofins Assurance India Private limited shall make a detailed report of every inspection made by it.

#### **E- Undertaking :**

Prior to the 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.

**F- Surveillance and regular review:** The grant of a license shall be followed by surveillance visits. The surveillance visits may be without notice to the applicant to ensure that the systems and procedures already assessed are being maintained.

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c. The special reassessment visit shall be necessary where an applicant fails to observe the conditions of the license or where there have been significant changes in the organization of the applicant. The licensee shall be liable for the costs of such special visits.

#### **G- Procedure for use of Certification Trademark:**

The operator is only allowed to use the India Organic certification mark after being organic certified. Once certified, the operator may request Eurofins Assurance India Private Limited for issuing the license for the use of certification trade mark. Upon receiving the request, an initial application form for use of license is sent to the operator.

The operator shall complete the details requested therein and return it to Eurofins Assurance India Private Limited. After receiving the completed form, it is numbered in the order of its receipt and then the same is viewed.

All additional documents required are called for, from the operator, including facsimile of the certification trade mark proposed to be used by him and the same should be submitted within the time specified by Eurofins Assurance India Private Limited staff.

Failure to receive the documents on time will result in rejecting the application. Form -02 is issued to the operator for granting licence to use the certification trademark and Form -03, the declaration form, from the operator confirming the receipt of the license.

The operator is requested to complete the declaration form and send it back to Eurofins Assurance India Private Limited within a week.

#### **Records:**

S.No	Document Name	Retention Period
1	OG-FM-601-74 Label Assessment Form	5 Years
2	Form -1	5 Years
3	Form-2	5 Years
4	Form-3	5 Years

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