

## ORGANIC LOGO

A trademark - "India Organic" will be granted on the basis of compliance with the National Standards for Organic Production (NSOP). Communicating the genuineness as well as the origin of the product, this trademark will be owned by the Government of India. Only such exporters, manufacturers and processors whose products are duly certified by the accredited inspection and certification agencies, will be granted the licence to use of the logo which would be governed by a set of regulations.



## SPECIFICATIONS

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

				
C -70 M -10 Y -100 K -0	C -70 M -20 Y -100 K -10	C -10 M -0 Y -80 K -15	C -10 M -80 Y -80 K -0	C -55 M -15 Y -0 K -0

## CONCEPT OF ORGANIC LOGO

Symbolizing the rhythm of cosmic and earth forces represented by the blue and brown 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. Richness of soil, nourished with natural ingredients in organic farming, is symbolized by the earth forces in golden brown. 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 also establishes the Indian connection for all the carriers of the mark. Beautifully synthesizing all the elements of our environment, the logo also communicates total adherence to the National Organic Standards.

## REGULATIONS FOR GRANT OF LICENCE TO USE CERTIFICATION MARK FOR ORGANIC PRODUCTS

In pursuance to the Standards for the Organic Products of March 2000, 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 a license to use of the Certification Mark only on the certified products produced, processed, packed and labeled as per the National Standards for Organic Products.

1. Short Title and Commencement - (1) These regulations may be called the Organic Products Certification Mark Regulations, 2002.
2. They shall come into force on the date of acceptance by the National Steering Committee

for National Program for Organic Production constituted by the Ministry of Commerce and Industry.

(1) Definitions - In these regulations, unless the context otherwise requires

- » Accreditation Agency means an agency or agencies appointed by the National Steering Committee constituted under the National Program for Organic Production by the Government of India.
- » Inspection and Certification Agency shall mean that agency accredited by the Accreditation Agency for carrying out the activities defined here in.
- » Certification Mark means the India Organic logo.
- » Applicant means a producer, processor, exporter and importer who applies to Inspection and Certification Agency for grant of a license to use the Certification Mark and includes an importer.
- » Licensee shall mean an applicant who has been granted the license to use of the Certification Mark.
- » Standards for the organic products shall mean National programme for Organic Production containing the Standards for Organic Products.
- » Form means a form annexed to these regulations.
- » All other words and expressions used in the regulations and not defined herein shall have the ordinary meanings assigned in the English language.

### **3. Manner of Applying for License**

1. Every application the grant of a license shall be made to Inspection and Certification Agency on Form-11.
2. 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.
3. 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 authorised 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.
4. Every application for a license shall, on receipt by the Inspection and Certification Agency, be numbered in order of priority of the receipt and be acknowledged.
5. The Inspection and Certification Agency accredited by the designated Accreditation Agency 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 the accredited Inspection and Certification Agency, and non-compliance with such direction may have the effect of the application being summarily rejected by the Inspection and Certification Agency.
6. On receipt of an application for a license and before granting a license, the Inspection and Certification Agency may
  - » require evidence to be produced that the product or process in respect of which a

license has been applied for conforms to the related directions and specifications as maintained by the designated Accreditation Agency;

- » 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 directions and specifications as provided in the standards for the Organics Products;
- » require all reasonable facilities to be provided to an Inspector of the Inspection and Certification Agency to inspect the farms, processing units, office, workshop, testing laboratories or godowns and any other premises of the applicant and to draw and test sample or samples for the purpose of verifying the evidence produced by the applicant under clause (a) or clause (b) or both;
- » for the purpose of clause (a), direct the applicant to submit samples to such testing authority as Inspection and Certification Agency may consider appropriate. The expenses for testing shall be borne by the applicant; and
- » ) On the basis of any report received under clause (c) or clause (d) or both, the Inspection and Certification Agency may, as deemed fit, require the applicant to carry out such alterations in, or addition to, the process of manufacture or production in use by the applicant.

#### **4. Grant of License**

1 If Inspection and Certification Agency, after a preliminary inquiry, is satisfied that the applicant or Licensee having regard to requisite skill, resources, production; processing previous performance and antecedents relevant to the issuance of the license is fit to use the Certification Mark, the Inspection and Certification Agency shall grant a license in Form 12 authorising 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 these regulations. The Inspection and Certification Agency shall intimate the applicant about grant of license.

- » The Applicant shall be entitled to use the Certification Mark and restrict his use thereof to goods or services, which will meet the norms 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.
- » In the event of a withdrawal of the right to use the aforesaid Mark the certificate or the License shall be returned to Inspection and Certification Agency. 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 Inspection and Certification Agency.
- » The Applicant is entitled to the aforesaid Mark 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 required by the Inspection and Certification Agency. No liability whatsoever will be accepted by Inspection and Certification Agency or designated Accredited Agency.
- » Where the application for a license is made by a person, whose license is cancelled by the Inspection and Certification Agency due to furnishing of incorrect information or use of the Standard or Certification Mark in relation to any other product to deceive the public, he shall not be eligible to apply for a period of six months from the date of such cancellation. The period of disqualification shall be determined by Inspection and

Certification Agency having regard to the facts and circumstances of each case and it shall not exceed a period of one year.

- 2 A license shall be granted on Form 12 for a period of one year and a declaration by licensee shall be given on Form 13.
- 3 The Inspection and Certification Agency may, during the period of the validity of the license, alter by giving one month's notice to a licensee any terms and conditions subject to which the license has been granted.
- 4 Where Inspection and Certification Agency, after a preliminary inquiry, is of the opinion that a license should not be granted, the Inspection and Certification Agency shall give a reasonable opportunity to the applicant of being heard, either in person or through a representative authorised by him on his behalf, and may take into consideration any fact or explanation urged on behalf of the applicant before rejecting the application.
- 5 A license shall expire at the end of the period for which it is granted
- 6 Particulars of all licenses issued by Inspection and Certification Agency under these regulations in connection with the use of the Certification Mark shall be entered in a register which designated Accreditation Agency I shall maintain.

## **5. Conditions of a License**

1. The Certification Mark shall be applied in such manner as it may be easily visible as a distinct mark on the products or the covering or on test certificates relating to articles which cannot be labeled or covered. The Certification Mark shall be applied to only such types, grades, classes, varieties, sizes of the products for which the license has been granted. The licensee shall get the facsimile of the Certification Mark proposed to be used by him, approved from the accredited Inspection and Certification Agency.
2. When a Certification Mark 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 Mark or carries the Certification Mark.
3. So long as the Certification Mark is not specified for an article or process, a person may not publically claim that this product or process conforms to the Certification Mark.
4. » Every licensee or applicant shall institute and maintain, to the satisfaction of accredited Inspection and Certification Agency, 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 article or process, in respect of which the Certification Mark is being used, comply with the relevant norms and procedures of Inspection and Certification Agency and/or standards for the Organic Products.
  - » The licensee or applicant 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 Inspection and Certification Agency that the required control of production or process has been and being satisfactorily maintained. Such record shall, on demand, be made available for inspection to Inspection and Certification Agency.
5. » Any license granted by Inspection and Certification Agency may be suspended or cancelled by it, if it is satisfied:
  - i that the products marked with the Certification Mark under a license do not comply with the related norms and procedures of the Inspection and Certification Agency;  
or

- ii that 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 Inspection and Certification Agency; or
  - iii that the licensee or applicant failed to provide reasonable facilities to the Inspection and Certification Agency enable them to discharge the duties imposed on them; or
  - iv that the licensee or applicant has failed to comply with any of the terms and conditions of the license.
- » Before Inspection and Certification Agency 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 his behalf to Inspection and Certification Agency within fourteen days from the receipt of the notice. If an explanation is submitted, Inspection and Certification Agency 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, Inspection and Certification Agency 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 (c) herein above.
  - » Where a license has been suspended or cancelled, the licensee shall discontinue forthwith the use of the Certification Mark notwithstanding the pendency, of any appeal before the designated Accreditation Agency 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 necessary steps to get the Certification Mark on such articles either removed, cancelled, defaced or erased.
6. When a license has been suspended or cancelled, the inspection and certification agency shall so advise the licensee in writing and publish such a suspension or cancellation in a manner as found appropriate by said inspection and certification agency
7. » If, at any time, there is some difficulty in maintaining the conformity of the product pr articles to the specification or the testing equipment goes out of order, the marking of the product shall be stopped by the licensee, under intimation to Inspection and Certification Agency. The marking may be resumed as soon as the defects are removed and information regarding such resumption of marking be sent to Inspection and Certification Agency, immediately thereafter.
- » If, at any time, Inspection and Certification Agency has sufficient evidence that the product carrying the Certification Mark may not be conforming to designated norms and procedures, the licensee shall be directed to stop marking of such product. The resumption of marking on the product shall be permitted by Inspection and Certification Agency after satisfying itself that the licensee has taken necessary actions to remove the deficiencies.
8. The decision of Inspection and Certification Agency for arriving at such decision shall be communicated, in writing by registered post, to the applicant or the licensee, as the case may be.
9. An inspection, specially made at the request of an applicant or a licensee, shall be chargeable to the account of applicant or the licensee. Charges for such special inspection or inspections shall be such as may be decided by Inspection and

Certification Agency.

10. When the designated norms and procedures of Inspection and Certification Agency 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 surrendered to Inspection and Certification Agency by the licensee forthwith. 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 or license fee payable by licensee or the said part of the license fee can be refunded depending on the decision of the Inspection and Certification Agency.
11. The following procedure shall apply in the case of inspection in respect of any product or process where a license for the use of Certification Mark in respect of that article or process has been issued, or an application has been made for a license.
  - » When Inspection and Certification Agency proposes to inspect the process or product of an applicant, he shall, preferably, give reasonable notice of his visit to the applicant but for inspection of premises of a licensee, such notice is not necessary;
  - » If during an inspection, Inspection and Certification Agency wishes to take one or more samples of any product, material or substance, he shall do so in the presence of the licensee or the applicant or a responsible person belonging to the establishment of the licensee or the applicant, as the case may be;
  - » Inspection and Certification Agency may at his discretion, and shall if the licensee or applicant or the responsible person belonging to the establishment demands it, take duplicate samples and give one sample to the licensee or the applicant or such responsible person;
  - » Inspection and Certification Agency may at his discretion, and shall if the licensee or 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 Inspection and Certification Agency which cannot be so sealed, such samples shall be marked with certain identification to establish their identity;
  - » impression of the seal and details of identification shall be given in the Inspection and Certification Agency's report. The samples shall be labelled giving complete details; and
  - » Inspection and Certification Agency shall give a receipt for sample or samples taken and retain a duplicate copy of the receipt, duly signed by the person in whose presence the sample was taken
12. Inspection and Certification Agency shall take samples of products marked with the Certification Mark from the godowns or any such premises of an agent of the licensee or from the articles put up for sale in the open market by the licensee or his agent.
13. Inspection and Certification Agency shall arrange at least one inspection visit in a year in respect of each license.
14. Inspection and Certification Agency shall make a detailed report of every inspection made by them.

## 6. Fees

Every application for the grant of a license shall be accompanied by a fee payable to Inspection and Certification agency and which shall not exceed the fee prescribed by designated Accredited Agency from time to time. No such fee or part thereof shall, in any circumstance, be refunded, except in the event of operation of paragraph 5 (10) herein.

## **7. Undertaking**

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.

## **8. Surveillance and regular review**

- » The grant of license shall be followed by surveillance visits. The frequency and extent of visits shall be determined by Inspection and Certification Agency.
- » The surveillance visits may be without notice to the licensee to ensure that the systems and procedures already assessed are being maintained.
- » 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.

## **9. Use of Certification Mark**

The licensee may use the Certification Mark only as authorised by Inspection and Certification Agency.

## **10. Publicity**

- » The Inspection and Certification Agency shall maintain a list of licensees and make it available to the designated Accreditation Agency
- » The list shall be updated periodically,
- » The licensee shall inform potential customers, purchasers or purchasing authorities of the full and exact details of the license.
- » The licensee shall display the license in his premises.
- » The licensee shall make use of the certification mark as authorised.
- » The licensee shall state in documentation brochures or through advertising media that the organization or location to which the license applies have been assessed and approved by the Inspection and Certification Agency. In such advertisement the National Standards for Organic Products for which a license has been granted is to be stated and a higher level of approval than granted is not to be implied.
- » A licensee who has been granted a license for System Certification Mark shall not claim or imply that the produce manufactured by him as been certified or approved by the Inspection and Certification Agency unless he is holding a valid license for that product under the recognized product certification scheme of designated Accreditation Agency.

## **11. Obligations of the licensee**

A licensee on grant of a license to use of the Certification Mark shall:

- » at all times comply with the requirements of the license as set out therein and comply with these regulations or any amendments hereto:

- » 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,
- » 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 the Inspection and Certification Agency may be misleading,
- » submit to inspection and Certification Agency for approval the form in which he proposes to use his license or proposes to make references to the license,
- » 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,
- » Permit access to the inspector of Inspection and Certification Agency 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 Inspection and Certification Agency access to all relevant records and documents for the purpose of verifying such details,
- » Be required to produce evidence of continuing operations for the products or processes covered by the license. Licensee shall notify the Inspection and Certification Agency 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, a new application shall be lodged with the accredited Inspection and Certification Agency and an assessment visit will be necessary prior to grant of a new license,
- » Pay all financial dues to the Inspection and Certification Agency in the manner prescribed by it, even for the period of discontinuance or suspension of license.

## **12. Surrender of**

A license may be surrendered by the licensee at any time in writing to the Inspection and Certification Agency. In the case of surrender, the licensee shall return the license with all the related documents to the Inspection and Certification Agency.

## **13. Powers of Inspection and Certification Agency - The Inspection and Certification Agency may at its discretion:**

- » Refuse to grant a license or extend its scope or cancel or alter so as to reduce the scope of the license provided that the refusal, cancellation or alteration is a recommendation of the inspector of the Inspection and Certification Agency as to which a decision by the committee constituted by the Inspection and Certification Agency shall be conclusive The refusal to renew or cancel a license for failure to discharge to obligations shall be based on the report of the inspector of the Inspection and Certification Agency on assessment/audit during surveillance and regular review. Such decisions shall be communicated to the applicant or licensee in writing,
- » The Inspection and Certification Agency shall be entitled to suspend a license if there are sufficient grounds of non-compliance of the following:
  - i if surveillance by Inspection and Certification Agency proves non-conformity to the relevant requirements but immediate termination is not considered necessary;
  - ii if improper use of the license, related documents, is not remedied to the satisfaction of accredited Inspection and Certification Agency.
  - iii if there has been any contravention of the procedures set out by accredited Inspection



- and Certification Agency,
- iv if the licensee fails to meet financial obligations to Inspection and Certification Agency, and
  - v on any other grounds specifically provided for under the procedures, rules or formally agreed between the licensee and Inspection and Certification Agency.
- » Where a license has been suspended or cancelled on the expiry of the period of its validity, the licensee shall discontinue forthwith the use of the license notwithstanding the pending of any appeal before designated Accreditation Agency and shall return the license and related documents to the Inspection and Certification Agency.
  - » Where the licensee is unable, in ~ reasonable period of time, to rectify any deficiencies, which make the licensee unable to comply with the requirements of this scheme, the license may be cancelled. Cancellation] of the license in such case shall require the licensee to lodge a fresh application followed by the procedure prescribed in these regulations for the grant of a new license.

#### **14. 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:

- » Surrender of license, suspension or cancellation,
- » The licensee has failed to implement changes as advised by Inspection and Certification agency.

#### **15. Importer**

Any applicant who is an importer of the products shall be granted a license to use the Certification Mark in the instance where an equivalency agreement exists with the country from where the product is exported or where such equivalency agreement does not exist then the applicant shall be subjected to the same regulations contained herein except for that of inspection at the location of production and that, instead, the applicant would be required by accreditation criteria and procedures of the National Programme For Organic Production.

#### **16. Appeals**

Appeals against any decision of accredited Inspection and Certification Agency shall be made to the designated Accreditation Agency within 60 days from the date of decision of the Inspection and Certification Agency accompanied by a fee of Rs. 500/- in the form of DD drawn in favour of designated Accreditation Agency, and the licensee shall abide and be subjected to the decision.

Date:  
Place:

Signature