



**CERTIFIED ORGANIC ASSOCIATIONS OF BRITISH COLUMBIA  
ACCREDITATION BOARD**

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## **COMPLAINTS AGAINST ACCREDITED CBs & CERTIFIED OPERATORS**

### **ACCREDITATION PROCEDURE**

#### **INTRODUCTION**

This document outlines the procedures for ensuring that all complaints against accredited CBs and certified operators are handled fairly and consistently, and that corrective action is taken as necessary.

#### **SCOPE**

Complaints may come from the public, from businesses or from organizations. The scope of this procedure applies only to complaints regarding accredited CBs and/or certified operators. Complaints against the COABC, the Accreditation Board, personnel or non-certified operators shall be handled by the COABC office.

#### **RESPONSIBILITY**

It is the responsibility of the AB Director to amend this policy as needed. This procedure is approved by the AB.

#### **RELATED POLICY/DOCUMENTS**

- Complaints Against CBs & Operators Policy
  - For complaints against the COABC or personnel see 'Complaints Against COABC' policy
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### **1. SUBMITTING A COMPLAINT**

- 1) All complaints regarding certified operators or Certification Bodies should be sent to the COABC office via [accreditation@certifiedorganic.bc.ca](mailto:accreditation@certifiedorganic.bc.ca).
- 2) If the complaint is against the COABC, personnel or a non-certified operator please refer to the appropriate policy as listed above.

## 2. INVESTIGATION PROCEDURES

- 1) The Director of the Accreditation Board, or person appointed by the Director, shall investigate the complaint and assess its validity.
- 2) If the complaint regards an operator rather than a CB, the complainant will be encouraged to contact the CB concerned. When the complainant is reluctant to do so, the AB Director shall determine if the complaint should be treated as a complaint against the CB and if there is any evidence of wrongdoing on the part of the CB.
- 3) Receipt of a complaint shall be acknowledged to the complainant within 3 weeks and include a statement regarding the validity of the complaint (as per Complaint policy) and whether or not it will be investigated.
- 4) If a complaint is deemed invalid the reasons shall be given to the complainant. If reconsideration is requested by the complainant additional information must be supplied to the COABC.
- 5) When a complaint is deemed valid an investigation is carried out.
- 6) The CB concerned will be notified and a response requested addressing all the concerns raised. If the complaint is about a certified operator and the CB conducts its own investigation, the CB must keep COABC informed of the status of the complaint.
- 7) Upon receipt of the response from the CB the investigator will determine the extent of the investigation required. A thorough investigation may include:
  - a. Interviews with CB staff and its Board of Directors
  - b. An audit of the CB office and its records
  - c. An investigation in an already scheduled visit
  - d. Contacting third parties for additional information
- 8) Within one month of receipt of the investigator's report and recommendations, the Accreditation Board will review the report and determine if disciplinary measures need to be applied.
- 9) If an investigation, because of a complaint or other information results in a decision to apply disciplinary measures to an accredited body, the Accreditation Board may, at its discretion, impose the following disciplinary measures:
  - a. Impose new conditions and demand specific corrective measures;
  - b. Require that a monitoring procedure be carried out within the next 12 months;
  - c. Suspend accreditation until a new evaluation of monitoring procedures is conducted;
  - d. Suspend accreditation;
  - e. Impose any other disciplinary measure.
- 10) Procedures detailed in AB-PRO-701 and COR Accreditation Manual for suspending, withdrawing and conditions for accreditation apply when such disciplinary measures are imposed.

- 11) The AB Director will convey the results of the investigation and the decisions of the Accreditation Board to both the complainant and the subject of the investigation. The complaint will then be considered closed.
- 12) The actions taken to resolve complaints will be done in a timely manner.

### **2.1 Urgent complaints**

- 1) When the complaint is of a serious or urgent nature every effort shall be made to minimize the length of time to resolve the complaint.

### **2.2 Information provided to regulatory authorities**

- 1) COABC reserves the right to inform regulatory authorities (BCMA, CFIA/COR, USDA/NOP) and the general public of the outcome of the investigation of the complaint as appropriate.

### **2.3 Records of complaints**

- 1) All actions from receipt of the complaint to final closure shall be recorded on the complaints register form F 59. All records pertaining to the complaint and its investigation shall be kept for 7 years.

## **3. COMPLAINTS INVOLVING MISUSE OF THE BCCOP CHECKMARK**

- 1) If the complaint refers to misuse of the checkmark or the CB logo by a certified operator, the CB shall request corrective action and apply appropriate sanctions (e.g. suspension, decertification and withdrawal of license for use of mark) for continued non-compliance. The CB must inform COABC of its actions. If misuse continues a CB should send a 'cease and desist' letter to the individual concerned.
- 2) If the issue was not resolved at the CB level and misuse continues, the COABC office will request corrective action following the actions outlined in COABC Policy 2: Certified Organic Product Misrepresentation in the Marketplace and provide a timeline for resolution. The office will notify the COABC Board if there is no resolution by the required date. When warranted the COABC may publicly announce the misuse on its website or in publications.
- 3) Complaints regarding the misuse of the checkmark by non-certified members is dealt with by the BC Ministry of Agriculture

## **4. COMPLAINTS INVOLVING MISUSE OF THE COR LOGO**

- 1) Incorrect references or misuse of the Canada Organic Logo shall be dealt with firstly by the CB as outlined above for misuse of the BC checkmark.
- 2) If the issue was not resolved at the CB level and misuse continues, the COABC office will request corrective action and provide a timeline for resolution. If misuse continues, it will be forwarded to the CFIA.
- 3) Misuse of the COR logo by non-certified members shall be forwarded to the CFIA.

## **5. REPORTING TO APPROPRIATE AUTHORITIES WHEN PRODUCTS ARE FALSELY REPRESENTED**

- 1) The British Columbia Certified Organic checkmark and phrase is the responsibility of the COABC as the administrator of the program.
- 2) Use of BC mark and logos by non-certified operators can be reported to CFIA for investigation under the Food and Drug Act 5.1 and Consumer Packaging and Labelling Act.
- 3) Complaints concerning the use of the term Certified Organic in conjunction with a non-food product should be directed to the Competition Bureau of Canada.
- 4) Complaints concerning the misuse of the Canada Organic Logo or organic label should be first dealt with by the appropriate CB if it concerns one of their members/clients. If not resolved, cases of misuse should be reported to the CFIA under the Organic Products Regulation.

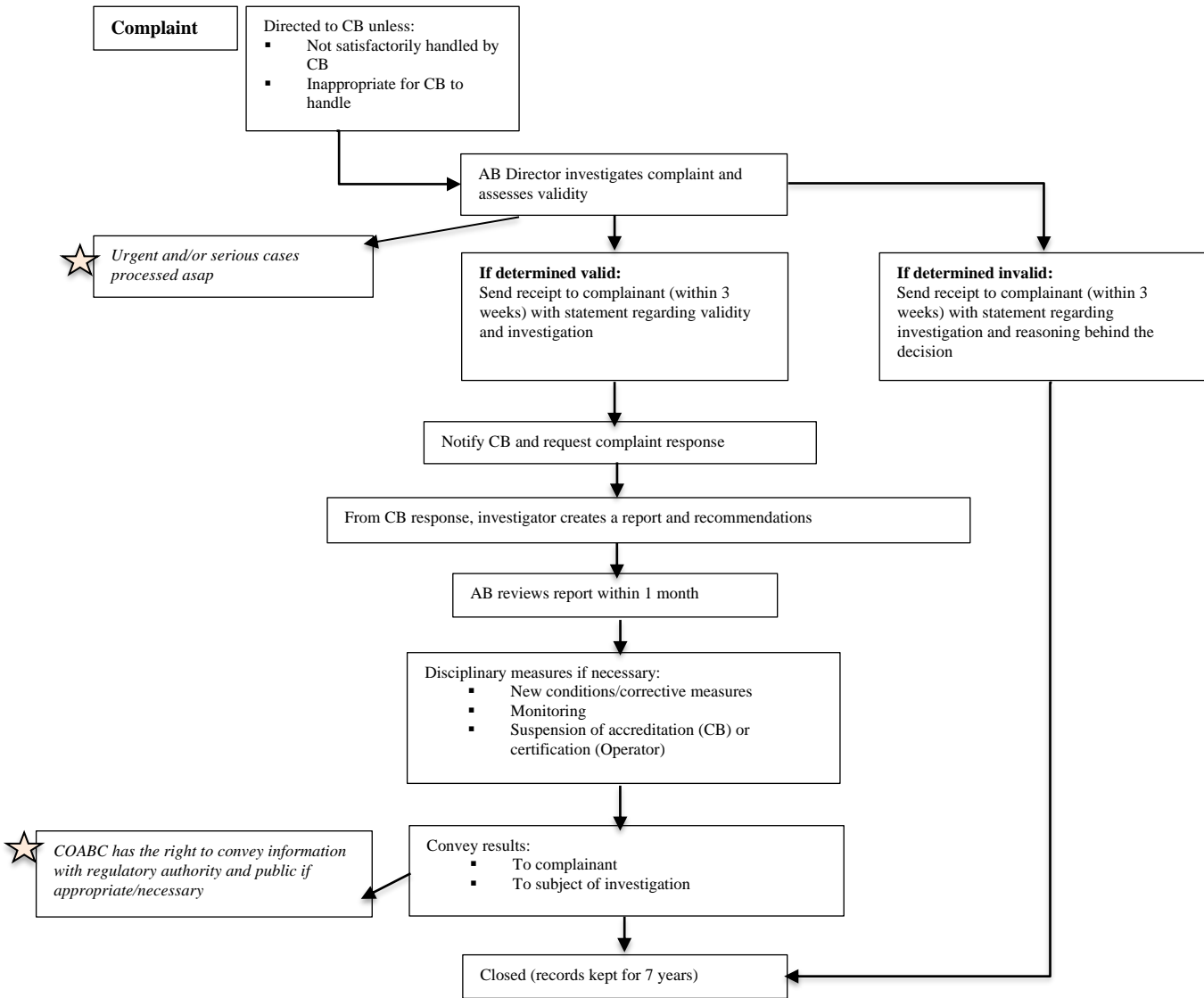
## **6. COMPLAINTS COMING FROM THE CFIA**

- 1) The COABC will acknowledge receipt of any complaint within 5 business days.
- 2) The COABC will begin the investigation of the complaint as per their own procedures or forward the complaint to the appropriate CB for investigation if the complaint is on a certified organic product, producer or CB personnel.
- 3) When passing complaints to the appropriate CB, the COABC will ensure that the CB shall report back to the COABC within 15 business days.
- 4) Within 20 business days (COR Operating Manual B.8), the COABC will inform the CFIA of the following:
  - a. The status of the complaint
  - b. What actions have or will be taken to resolve the complaint
  - c. The expected timeline for resolution of the complaint
  - d. Requests for additional information as required.
- 5) The COABC will endeavour to close all complaints in a timely manner. Upon closure, the COABC will provide the CFIA with:
  - a. Confirmation that the CVB considers the complaint adequately closed
  - b. Summary of actions taken by the COABC, and CB if applicable.
  - c. Any important follow-up information (e.g. unannounced audit to verify, grounds for suspension, etc.).
- 6) The CFIA shall inform the COABC that the complaint is considered closed once the CFIA has reviewed the information provided and determines that no additional information is required.

- 7) Complaints regarding COR certified operators of CBs accredited by other CVBs should be directed to the CFIA unless the complaint is related to the BCCOP.

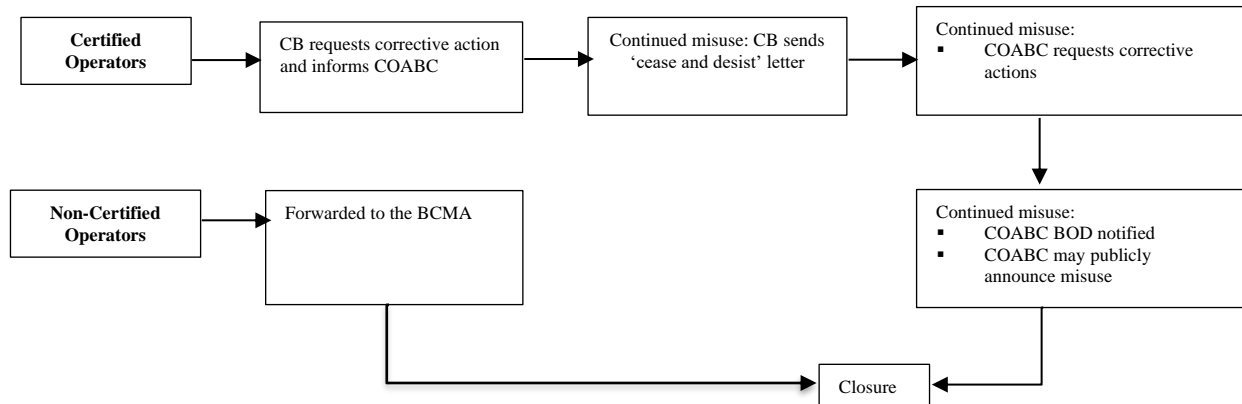
## COABC Accreditation Board Flowcharts for Complaints Against CBs & Operators

### 1. Investigation Procedures Flowchart for Complaints Against CBs & Operators (sec 2.)

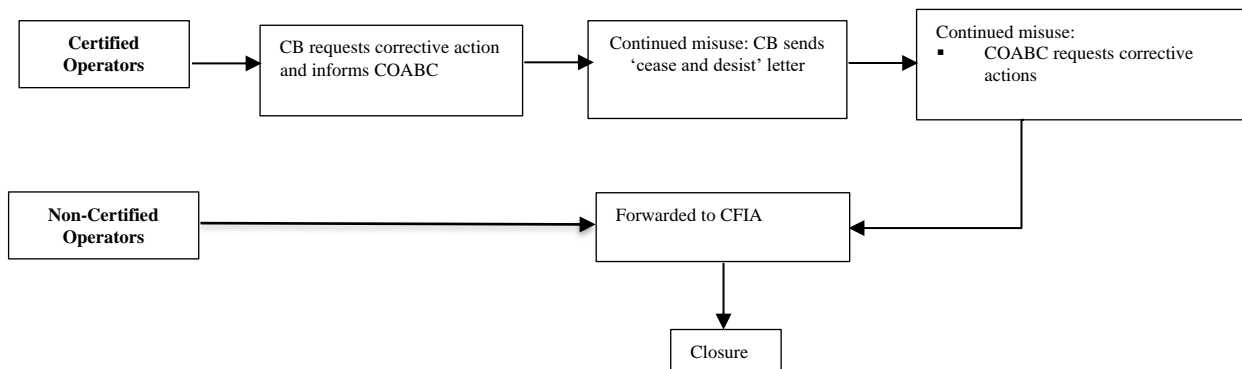


## 2. Logo Misuse Procedures Flowchart (sec. 3 & 4)

### 2.1 BCCOP CHECKMARK



### 2.2 COR LOGO



### 3. Investigation Procedures Flowchart for Complaints from the CFIA (sec. 6)

