INTERNAL REGULATIONS PERTAINING TO ACCREDITATION FOR CERTIFIERS

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1. Preamble

The *Conseil des appellations réservées et des termes valorisants* (CARTV) and establishes and maintains an accreditation program for organizations carrying out product certification programs.

This section provides detailed information about the assessment and the accreditation process for those bodies that apply to be granted accreditation for any scope comprised in the CARTV field of competence at the time of submitting application for accreditation.

In this text, the term “Board” refers to the authority having decisional jurisdiction in matters involving the accreditation of certifiers. Decisions regarding the granting, refusing or renewing of accreditation fall within the exclusive domain of the Board, and it is the latter which determines the scope of those organizations accredited, including any subsequent extension or reduction.

The Board has entrusted the Accreditation Committee with the responsibility of evaluating initial accreditation applications or applications for renewal, as submitted by certifying bodies.

In order to increase the effectiveness of the accreditation process, an accreditation division called “Committee on Accreditation for Evaluation of Quality (CAEQ)” has been set up. The CAEQ is made up of the Accreditation Committee and a secretariat, whose staff is loaned by the CARTV.

The CAEQ's mandate consists of providing applicant or accredited certification bodies with accreditation services, in order to make recommendations to the Board, or any other administrative authority with which the Board has concluded an agreement, regarding the appropriateness of granting, refusing, increasing, reducing or withdrawing accreditation.

Accreditation is obtained as the result of a rigorous process. Whether applying for accreditation or for its renewal, applicants can expect to undergo several distinct control stages: starting with the preliminary application analysis, followed by forming an auditing team, reviewing documentation, carrying out on-site assessment, drafting the final evaluation report, making accreditation decisions and issuing certificates. The CAEQ is committed to carrying out each one of these stages in a competent and impartial manner, ensuring that the end result of the accreditation exercise will be one of quality.

It shall do its utmost to supply evaluation and accreditation services to applicants in their efforts to obtain accreditation, allowing them to:

- Demonstrate their capacity to operate their certification program in an objective and competent manner;
- Operate their program within a plan that will serve accredited organizations in an equitable manner;
- Create confidence in the certification services they provide to firms, and also to consumers and to public authorities, both on the national and international markets.

The procedures used by the CAEQ to evaluate certifying bodies that submit applications for accreditation must fulfill the general requirements pertaining to the assessment of accreditation and registration bodies, as described in *ISO/IEC Guide 17011:2004*.

Many of the definitions used in these regulations are consistent with the standard terminology used in *ISO 9000:2000 and ISO 17011:2004*.

2. Purpose and Scope of Application

2.1 Certifying bodies that are eligible for accreditation

Although not limited to these, the accreditation is specifically addressed to bodies carrying out one or more programs for which the goal is to certify products corresponding with any one of more of the following categories:

A. Tangible products

- *Agricultural products or foodstuffs that either*

  - carry or are intended to carry descriptive labelling that refers to a reserved designation or to added-value claims, as recognized or authorized by Québec's Ministry of Agriculture, Fisheries and Food when they are produced in Québec and are intended for sale in that province, or,

  - carry or are intended to carry "organic" labelling, and bear the USDA compliance seal, when produced in Québec and intended for sale within the United States, or,

  - carry or are intended to carry labelling referring to organic production methods and bear the "Organic Canada" and "Canada Organic" labels and any other associated mark (as of June 30, 2009), or,

- carry or are intended to carry labelling referring to organic production method including the EU compliance seal, insofar as they are intended for sale within EU countries (to be implemented).

B. Intangible products

- *Assorted services contributing to specific production systems*
- *Qualification of service suppliers*

2.2 Accreditation Manual

The evaluation leading to the accreditation of a certifier is carried out according to the accreditation manual of the CARTV or any other administrative authority with which the Board has concluded an agreement. The criteria of this accreditation manual comprise at a minimum the *ISO/IEC Guide 65:1996* general requirements regarding bodies involved in product certification, to which additional requirements have been adopted by the Board to adapt the criteria to the agricultural production and food manufacturing sector, including the services revolving round it. To interpret the requirements of ISO Guide 65, the Board adopted guidelines published by the International Accreditation Forum (IAF) in document "IAF Guidance one the application off ISO/IEC Guide 65: 1996, Issue 2 (IAF GD 5: 2006)". Those apply insofar as no additional requirement of the Board specifies or supplements the general requirements included in Guide ISO/CEI 65: 1996.

Accreditation granted to a certifier by the Board or any administrative authority with which the Board has signed an agreement means the latter, being a responsible and qualified third party, has the financial and organizational capacity to manage a certification program that will result in consistent and credible decisions.

2.3 Scope and duration of accreditation

The scope of the accreditation granted by the CARTV specifies the one or more fields of certification for which the certifying body is accredited, and also the regions within which the body may carry out its activities within the framework of this accreditation.

The Board grants two levels of accreditation:

a) Full accreditation scope

The body is authorized to carry out its certification activities anywhere in the world, including Québec. The products that it has certified are all accepted in Canada when they are covered by the categories included in its accreditation scope, regardless of their origin. If the scope of the accreditation involves product certification according to other national standards, the certified products are accepted in those countries where the standards apply, according to the rules established by its jurisdictions.

b) Limited accreditation scope

The body is authorized to carry out its certification activities in the geographic regions determined by the accrediting authority, not including the province of Québec. The products that it has certified are all accepted in Canada when they are covered by the categories included in its accreditation scope, and originate from countries included in the geographical scope of its accreditation.

Full and limited accreditation is valid for five years. The body must reapply once this period has ended and its accreditation must be recommended to the Board, or any other administrative body with which the Board has an agreement, following the CAEQ's re-evaluation of its program.

2.4 Impact of other business activities on accreditation

Participation in the accreditation program administered by the CAEQ is not intended to prevent certifying bodies from carrying out other business activities, in addition to those covered by the accreditation scope that has been requested or granted. However, operations resulting from these other activities should neither constitute an infringement nor result in conflicts of interest with a certification program included in the scope of the accreditation granted by the accrediting authority.

3. Definitions

Within the current document, the following definitions (with their French equivalents) apply:

Accreditation (Accréditation)
CARTV attestation granted to a certifying body formally demonstrating its ability to carry out specific assessment tasks related to a reserved agri-food appellation.

Accreditation body (Organisme d'accréditation)
Authoritative body that grants accreditation.
Note: An accreditation body's authority usually stems from the government.

Accreditation body's advisory services (prestation de conseil de la part de l'accréditeur)
Participation in the activities of a given CAB, subject to accreditation;

Examples:
- preparation or development of the CAB's manuals or procedures
- participation in the implementation or management of the CAB's system offering of specific advice or specific training for the development and implementation of the CAB's operational procedures.

Accreditation certificate (Certificat d'accréditation)
Official document or series of related documents stipulating that accreditation has been granted for a specific scope.

Accreditation extension (Extension de l'accréditation)
Accreditation scope enlargement process.

Accreditation reduction (Réduction de l'accréditation)
Process that consists in withdrawing an accreditation for part of its scope.

Accreditation scope (Portée d'accréditation)
Specific conformity evaluation services for which accreditation is requested or has been granted.

Accreditation suspension (Suspension de l'accréditation)
Process consisting in temporarily invalidating an accreditation for all or part of its scope.

Accreditation symbol (Symbole d'accréditation)
Symbol issued by an accreditation body to be used by accredited CABs to indicate their accreditation body status.

Note: the term "mark" is reserved for a body's direct conformity with a set of requirements.

Accreditation withdrawal (Retrait de l'accréditation)
Process that consists in withdrawing an accreditation in its entirety.

Accredited certification body (Organisme de certification accrédité)
Body for which the certification program was evaluated and deemed officially compliant with the procedures, requirements, and criteria established by the

Board, or any other administrative authority with which the Board has concluded and agreement, to manage a product certification program.

Annual report (Rapport annuel)
Report which the accredited certifying body submits to the CARTV on an annual basis.

Appeal to a certification body (Appel logé à l'endroit de l'organisme de certification)
Request made by a company towards an accredited certifying body, for reconsideration of any adverse decision made by the certifying body as regards to certification.

Appeal to an Accreditation body (Appel logé à l'endroit de l'organisme d'accreditation)
Request made by a CAB for reconsideration of any adverse decision made by the accreditation body toward adverse decisions include the refusal to accept an application, the refusal to carry out an evaluation, requests concerning corrective actions taken, changes in accreditation scope, decisions regarding refusals, suspension or withdrawal of accreditation, and any other action constituting a condition to obtain accreditation.

Appeal to the Accreditation Committee (Appel loge à l'endroit du Comité d'accréditation)
Request made by a company towards the Accreditation Committee for cancellation of adverse decision made by an accredited certifier after having maintained its verdict following a first level appeal.

Approved reference standards (Normes de référence homologuées)
Basic official standards constituting requirements used by certifiers accredited by the CARTV to certify products bearing a designation reserved by the Minister of Agriculture, Fisheries and Food of Quebec.

Approved service (Service approuvé)
Intangible product (service) resulting from an activity carried out by a supplier on a tangible product at the request of a client ensuring the conformity of the product, and being approved by the certifier.

Assessment of a certification body (Évaluation d'un organisme de certification)
Process implemented by an accreditation body to evaluate the competence of a CAB based on standard(s) or other identified prescriptive documents and for a specific accreditation scope.

Note: The assessment of the CAB's competence covers all the CAB's operations and applies to the staff's competence, the validity of the conformity evaluation methodology, and the validity of the conformity evaluation results.

Body (Organisme)
All the facilities and individuals with responsibilities, powers and relationships.

Note: E.g., company, business, firm, enterprise, institution, charity, independent worker, association, parties or any combinations thereof.

Certificate (Certificate)
Document issued by certifying body attesting that the listed products result from operations that are in compliance with standards prescribed in the mentioned certification program.

Certification (Certification)
Procedure whereby a third party provides a written guarantee that a product, process or service conforms to stipulated requirements as the result of an evaluation exercise, whereby techniques or production systems, including preparation operations leading to changes to initial labelling, are evaluated as to their conformity to stipulated standards.

Certifying body (Organisme de certification)
Impartial body or subdivision of an impartial body, also called conformity assessment body, which has the required ability and reliability to operate a system for certifying products within a specific accreditation scope.

Certification program (Programme de certification)
Application of a certification system to the production, processing, handling and marketing according to specific standards regarding a reserved designation.

Certification system (Système de certification)
Set of activities based on rules governing procedures and management for the purpose of certifying products in a given category, in accordance with established standards.

Certification transfer (Transfert de certification)
Acceptance by an accredited organization of a decision made by another organization covering the certification of products being marketed by a firm without prior examination of inspection reports and other documents having led to the initial certification of these same products.

Certified product (Produit certifié)
Any product subjected to certification and resulting from a process, be it a tangible product intended for consumption (finished) or transformation (primary) in the form of an ingredient, and distributed by the firm responsible for ensuring that products meet and, if applicable, continue to meet requirements upon which the certification is based.

Committee on Accreditation for Evaluation of Quality (CAEQ) (Comité d'accréditation en évaluation de la qualité)
On behalf of administrative authorities, the Committee on Accreditation for Evaluation of Quality (CAEQ) carries out the ongoing competency evaluation of certifying bodies registered in the accreditation programs managed by the aforementioned authorities.

Competence (Compétence)
Demonstrated aptitude to apply knowledge and expertise.

Complaint (Plainte)
Expression of dissatisfaction, other than that mentioned under the term "appeal," from any individual or organization lodged with an accreditation organization and regarding the accreditation organization or accredited CAB's operations when a response is expected.

Conformity Assessment Body (CAB) (Organisme d'évaluation de la conformité (OEC))
Body that provides conformity evaluation services and that may be granted an accreditation.

Note: Unless otherwise stated, the term "CAB" used in this document applies to all CABs, whether they are applicants or accredited bodies.

Conformity Certificate (Certificat de conformité)
Document issued by certifying body attesting that the listed products result from operations that are in compliance with standards prescribed in the mentioned certification program.

Conseil des appellations réservées et des termes valorisants (CARTV)
Organization having jurisdiction regarding compliance of products to stipulated standards pertaining to a designation (appellation) reserved by the Québec Ministry of Agriculture, Fisheries and Food and to which the *Act Respecting Reserved Designations and Added-Value Claims* grants the power to accredit certifying bodies.

Continuous improvement (Amélioration continue)
Regular activity to increase the capacity to meet requirements.

Corrective action (Action corrective)
Action aimed at eliminating the cause of a detected non-conformity or another undesirable situation detected.

Designation (Appellation)
Designation of a product based either on its specificity, its production method or its geographic region.

Effectiveness (Efficacité)
Level of achievement of planned activities and expected results.

Efficiency (Efficience)
Relationship between the result achieved and the resources used.

Enterprise (Entreprise)
Institutional unit that has accounting and financial autonomy and that pools resources (staff, capital, soil, raw materials and services) in order to produce goods and services and, occasionally, to distribute them. It is operated as a business by an individual or several individuals incorporated as a legal person, which, in both cases, have legal status with regards to the purpose of their business (production of a product, merchandise trade, provision of services, etc.)

Note: To carry out its operations, the enterprise manages one or several separate operation sites (owned or rented) on each of which are found one or several production units that are under its responsibility.

Evaluator (Évaluateur)
Individual appointed by an accreditation body to evaluate a CAB alone or as a member of an evaluation team.

Expert (Expert)
Individual appointed by an accreditation body to contribute knowledge or expertise within the context of the accreditation scope to be evaluated.

Inspection (Inspection)
Visit to production sites to verify the compliance with standards of systems and operations, which result in the certification of products.

Assessment Plan (Plan de contrôle)
Document including:

a) the standard control procedure to be followed, containing a detailed description of the control measure intended for evaluating the operations, as well as precautions that the body undertakes to impose on operators subject to its control;

b) the measures that the certification intends to apply where irregularities and/or nonconformities are found while evaluating operations;

c) the means taken by the certification body to make sure that conditions aimed to resolve remaining nonconformities are adhered to by operators.

Interested parties (Parties intéressés)
Parties with a direct or indirect interest in certification.

License (Licence)
Document issued in conformity with rules of a certification system, by which a certifying body grants a company the right to use its mark of conformity and/or its issued certificate, whether on the firm's advertising, labelling or product presentation, or in commercial documents referring to it, owing total respect to the conditions set in the contract signed between both parties.

Manager (Directeur)
Employee of the Conseil des appelllations réservées et des termes valorisants who is responsible for administering the accreditation program.

Mark of certification (Marque de certification)
Mark vouching for the certification control of a product, with a mandatory mention of the certifying body's name, and an optional logo of the certification program.

Mark of compliance (Marque de conformité)
Mark vouching that a product or service produced by a system complies with established norms. A trademark or mark of certification may vouch for this compliance.

Non-conformity (Non-conformité)
The deviation of a product from standard requirements, or (if the product's certification system includes evaluating the supplier's management system) the absence or inability to implement or to maintain one or many elements required for this management system, or a situation, depending on the availability of objective evidence, that is likely to raise a significant doubt regarding the conformity of a product that a supplier put on sale. A non-conformity that qualifies as a minor deviation should not raise such doubt if considered in isolation.

Operation site (Site d'opération)
Site of a firm (operator) in a precise geographic location, and using land and installations to supply products of a given type. Each operation site must be subject to a specific on-site inspection. Therefore, a farm and maple grove, even if spatially adjoined, are two different operation sites that will require inspections at different times in the year. An operation site could include one or many production units.

Operator (Exploitant)
Company (legal entity) that produces or processes, under its own name or that of others, or that has produced or processed by others under its own name, agricultural and food products of or aiming at production methods compliant with certification standards, and using a reserved designation (appellation) within its advertising, labelling, or in its commercial packaging or in documentation referring to it, for the purposes of subsequent marketing. The operator's activities can be held in one or many operation sites under its supervision.

Organization (Organisation)
All the responsibilities, powers and relationships between individuals.

Prevention (Prévention)
All the preventive actions against certain risks (non-standardized concept.

Preventive Action (Action preventive)
Action aimed at eliminating the cause of a possible non-conformity or another potentially undesirable situation.

Principal Auditor (Responsible d'évaluation)
Evaluator who has the overall responsibility of specified evaluation activities.

Product (Produit)
Result of a process.

Note: The use of the word "product" may also mean "service," "software," "material product" or "product derived from continuous processes."

Product evaluation (Évaluation d'un produit)
Process, including a set of examination and inspection measures used by a certifying body to insure conformity of operations, from which come the final products to be considered when applying for certification.

Production unit (unité de production)
Area with clear spatial delimitations, part of an operation site used by a firm to produce a farmed product or kind of food related to a specific type of operation. The production unit normally includes:

- In crop production, one or many fields close to each other;
- In animal production, livestock buildings and pastures;
- In maple production, buildings and maple grove;
- In aquacultural production, a pool or pond and the land surrounding it;
- For food production, the factory with its land and buildings.

Quality (Qualité)
Ability of a set of intrinsic characteristics to meet requirements.

Quality control (Maîtrise de la qualité)
Area of quality management that focuses on the fulfillment of quality requirements.

Quality management (Management de la qualité)
Coordinated activities to guide and control a body's quality, including:

- Establishment of a quality policy and quality objectives;
- Quality planning;
- Quality assurance; and
- Quality improvement.

Recertification (Recertification)
Acceptance by a certifying body of a decision made by another certifying body regarding a certified product, based on a document review and an analysis of the product's inspection report.

Rectification (Rectification)
Action intended to eliminate a detected non-conformity.

Review (Revue)
Examination carried out to determine the relevance, appropriateness and effectiveness of what is being examined in order to meet specific objectives.

Note: The review may also examine efficiency.

Supplier (Fournisseur)
Party who has the responsibility to ensure that products comply or continue to comply with requirements on which certification is based. In this document, the words supplier and operator are used interchangeably and generally refer to a company.

Surveillance (Surveillance)
All the activities, other than re-evaluation, to ensure that the CAB continues to meet accreditation requirements.

Note: Monitoring includes on-site supervisory assessments and other monitoring activities such as:

- information requests concerning accreditation sent to the CAB by the accreditation organization;
- an analysis of the CAB's statements regarding its accreditation;

- requests sent to the CAB concerning the provision of documents and records (for example: audit reports, results from internal quality control in order to verify the validity of the CAB's services, the registering of complaints, and reports on management reviews);
- monitoring of the CAB's performance (such as the results from participation in aptitude tests).

Tangible evidence (Preuve tangible)
Information that demonstrates the existence or truthfulness of something.

Third party (Tierce partie)
Person or body recognized as independent from the concerned parties in relation to a specific matter.

Trademark (Marque de commerce)
Mark belonging to one or more enterprises used to distinguish marketed goods in the eye of the consumer. These enterprises are responsible for complying with currently applicable regulations and standards.

Transaction certificate (Certificat de transaction)
Document attesting to the organic certification of a specific batch of products within a commercial transaction framework.

Validation (Validation)
Confirmation, through tangible evidence, that requirements for a specific use or application have been met.

Verification (Vérification)
Confirmation, through tangible evidence, that requirements have been met.

Verification agent (Agent de vérification)
Person assigned by the certification body to inspect an operation site of a business applying for certification or renewal.

Acronyms used in this document

CAEQ	Committee on Accreditation for Evaluation of Quality
CARTV	Conseil des appellations réservées et des termes valorisants
CFIA	Canadian Food Inspection Agency
EU	European Union
IAF	International Accreditation Forum
JAS	Japan Agricultural Services
NOP	National Organic Program
USDA	United States Department of Agriculture

4. Applying for Accreditation

4.1 The CARTV publishes a sufficient quantity of information needed to allow all certifying bodies to make decisions as to whether applying for accreditation would be opportune. The ACA2PL7101 policy on information concerning the accreditation process specifies the nature of information published by the accreditation body regarding accreditation requirements and finally the accreditation assessment program administered by the CAEQ.

4.2 Any certifying body seeking information from the CAEQ regarding the measures it applies for accreditation applications from certifying bodies may consult the CAEQ Web site to access the *Internal Regulations Pertaining to Accreditation for Certifiers* and, if applicable, the specification manuals related to the products they wish to certify. Any organization interested in obtaining a copy of the accreditation criteria and any other relevant information may submit a request directly to the CAEQ.

4.3 According to the terms of the accreditation program managed by the CAEQ, any certifying body, regardless of its size or its associations, may submit an application. To do so, it submits a properly completed and signed application form, including a registration fee payment. A copy of the application form may be acquired by contacting the CAEQ or by consulting its Web site. In addition, the certifying body shall forward all necessary documentation to the CAEQ (see details in Appendix A). The ACA2PL7201 policy relative to accreditation applications specifies the arrangements made by the CAEQ so that certifying bodies may submit a formal application for an initial certification or its renewal.

4.3 On the application form, the applicant must specify the accreditation scope it expects to obtain, the certification program concerned and the categories of products to be certified. Currently, it may request accreditation for one or more of the following programs:

a) Certification of products according to Québec's Organic Reference Standards, for those originating from Québec and that are to be sold in that province;

b) Certification of organic products according to the National Organic Program's standards in the United States, when the products are to be sold in the United States market,

c) Certification of products according to Canada's organic standards, when they are to be sold within Canada.

d) Certification of products intended to bear a reserved designation (other than “organic”) recognized by the Québec Ministry of Agriculture, Fisheries and Food.

e) Certification of organic products according to standards having equivalency with those published by the European Commission.

f) Certification of products according to a private specifications manual, within the framework of a voluntary conformity evaluation system.

The certifying body specifies on its application the level of accreditation that it wishes to obtain:

- full accreditation scope
- limited accreditation scope

4.5 Upon receiving the application, the CAEQ shall determine whether the documentation submitted is sufficiently complete to allow them to move on to review. If this documentation is deemed inadequate, the CAEQ shall inform the applicant to this effect, detailing the missing elements. The CAEQ may also communicate with the applicant or an independent source, in order to obtain any other information needed to examine the application, with costs being paid by the certifier.

4.6 Upon completion of the preliminary review, the CAEQ notifies the applicant regarding the admissibility to its accreditation program.

5. Preparing for Assessment

5.1 Once the certifying body has been considered eligible, the assessment process begins. The ACA2PL7501 policy relative to assessment preparation specifies the arrangements made by the CAEQ to carry out an assessment of the certification system used by the body having applied for accreditation.

5.2 Once the applicant body has been judged eligible, the CAEQ verifies its capacity to assess the applicant’s certification system, based on its own policy and skills, and the availability of evaluators and experts. This review of resources also applies to the CAEQ’s capacity to carry out the initial assessment within a reasonable period of time. The ACA2PL7301 relative a review of resources required specifies the arrangements made by the CAEQ to ensure it is capable of proceeding with an assessment of the organization applying for initial accreditation or its renewal.

5.3 Upon having completed its preparation, the Accreditation Committee appoints one or more evaluators to go ahead and assess the program being carried out by the certifying body. To do so, the Accreditation Committee may call upon CAEQ staff and also hire external evaluators whose professional skills have been recognized. In addition to the above, technical experts may be assigned.

5.4 Competency criteria for all evaluators include the following, among others:

a) Knowledge and understanding of the accreditation program operated by the administrative authority under which accreditation is being requested (accreditation criteria and procedures)

b) Knowledge of the reference standards pertaining to the designation targeted by the certification program being examined. Practical experience in production, processing, inspection or certification management would be an important asset.

c) Professional training (or equivalent work experience) in the implementation or certification of quality systems.

d) Knowledge of assessment methods including interview techniques and the ability to draft reports, among others.

e) Not currently involved in the management of certification activities falling within the scope of accreditation being requested.

f) Any evaluator acting as principal auditor must hold an ISO auditor training certificate (according to *ISO/IEC Guide 19011: 2002* requirements).

5.5 The CAEQ itself usually makes the basic assessment for this accreditation, although another organization may be entrusted to carry out certain parts on the CAEQ's behalf, provided this organization has joined the accreditation program. In such cases the CAEQ signs a subcontracting agreement with it, specifying the audit plan to be observed and before proceeding, obtains approval from the certifying body which is to be visited.

All organizations called upon by Accreditation Committee to complete its assessment must be operating a certification program compliant with *ISO*

Guide 17011:2004, according to an appraisal made by the CAEQ or any other administrative authority.

Whenever specialized organizations have been subcontracted, the steps specified in the ACA2PL7401 policy relative to CAEQ's subcontracting of assessments would be taken.

5.6 The one or more evaluators appointed (the CAEQ or a subcontractor) must not have been previously employed by a certifying body or within a time period likely to affect their impartiality. They must also agree not to work for any other certifying body involved in certification activities within the territory corresponding to the geographic scope of the accreditation being requested by the applicant, within a period of two years beginning on the assessment date.

5.7 The ACA2PL7541 policy relative to the handling of objections made by a certifying body concerning an evaluator specifies the modalities to apply when the CAEQ has assigned an auditor or an expert. This would occur when the body is being assessed in view of having its accreditation granted, maintained, renewed or upheld by any administrative authority.

6. Examining Files

6.1 The documentation submitted by the body is analyzed in terms of its compliance with certification requirements.

The ACA2PL7601 policy on documentation and document review specifies the arrangements made by the CAEQ to review documents and records sent by the certifying body which is applying for accreditation.

6.2 The CAEQ secretariat first assesses the certifier's ability to carry out a certification program, based specifically on the validity and the relevance of the documents and information obtained from these bodies, along with any other information deemed to be useful. If applicable, it establishes any points of non-conformity. It then asks the body to implement or complete implementation of any element required, thus ensuring it can adequately carry out its certification program. Based on the body's response, it provides the Accreditation Committee with a notice specifying that:

a) The certifier is fully capable of carrying out a certification program, or;

b) The certifier does not possess the general elements needed to properly carry out the certification program for which it has requested accreditation and therefore cannot be accredited.

If the Accreditation Committee indeed concludes that the certifying body cannot be accredited, it terminates the evaluation process under way and informs the applicant body by registered letter. The ACA2PL7691 policy relative an interruption in the assessment process by the certifying body applying for accreditation covers all decisions made to interrupt the assessment of the organization applying for accreditation

6.3 When the applicant body is deemed capable of properly carrying out its certification program, all documentation concerning its control program is submitted for review by the Accreditation Committee. The entire evaluation is based on the accreditation criteria adopted by the Board or, if applicable, by the accreditation authority to which the certifying body has applied.

6.4 When the application is for a limited scope of accreditation, the Accreditation Committee takes into account all evaluations carried out by any official body having granted accreditation to the applicant body. In this situation, the Accreditation Committee will make sure to obtain a copy of the evaluation report that was prepared for this other accreditation body and related to the requested accreditation scope, provided that this report pertains to an on-site audit that took place during the past 12 months.

6.5 When the document review reveals points of non-compliance, the body is requested to rectify them. Any requests for corrective action involving non-compliant documents must all have been met before the evaluation visit takes place.

7. Assessing Control Plans

7.1 In applying for accreditation or to have its accreditation renewed, the certifying body agrees to have its program submitted to assessment, in addition to a documentation review. This includes a meticulous on-site assessment examination of its certification activities, according to its control plans. The purpose of this assessment is to verify whether the body manages its certification program in the manner described in its documentation. The ACA2PL7701 policy for on-site assessments specifies the arrangements made by the CAEQ to assess the one or more offices where one or more of the applicant's fundamental activities are being carried out.

7.2 The assessment includes a visit to the certifying body's main office, as well as any other offices where activities linked to the body's certification program are carried out, relative to the certification included in the scope of accreditation being requested. The purpose of this initial assessment visit is to determine

whether activities related to the body's certification process are equivalent to those measures foreseen in its quality manual.

7.3 In the event the applicant body carries out tasks related to the certification process in more than three offices including its main office, the Accreditation Committee will use a sampling technique to determine which three offices to visit, based on the following criteria:

a) The main office is obligatory, and then

b) The body's two or more offices most affecting clients, or

c) The two offices in which the most important tasks linked to the body's certification process are carried out.

7.4 During their visits to each of the offices chosen, the evaluators shall objectively assemble any evidence needed to assess the extent to which the agency fulfils the certification requirements related to the accreditation requested.

8. Assessing Control Plan Effectiveness

8.1 The ACA2PL7801 policy related to the process leading to the granting or maintaining of accreditation defines the approach used by the CAEQ to assess the certifying body's compliance relative to the accreditation manual, thus allowing a decision to be made on an initial accreditation or its renewal. The policy also determines the allotment of tasks within the CAEQ among the Accreditation Committee, responsible for assessing certification bodies so as to recommend granting the initial certification or maintaining it, and the staff assigned to assessment tasks.

8.2 Audit Notice

The CAEQ secretariat sends to the applicant the information, documentation and instructions needed to conduct the on-site assessment visit, along with a cost estimate linked to this visit. The names of the evaluators assigned are also sent, and for a valid reason, the body may object to the appointment of any evaluator mentioned. Based on the reasons the body indicates, the CAEQ secretariat shall either appoint another evaluator or retain the one originally chosen.

8.3 Visiting Certifying Body's Office

8.3.1 All visits begin with an opening meeting held with the certifying body's administration, to specify the scope of the assessment to be carried out, explain the audit's objectives relative to the accreditation criteria and announce the work schedule.

8.3.2 Following the opening meeting, the assessment team meets with management and employees to carry out the required interviews.

8.3.3 The assessment team then conducts a rigorous examination of sample documents taken from the certifying body's records. All files are examined to ensure that:

a) The documentation found in the file (i.e. signed contracts, production/preparation plans to date, inspection reports, decision sheets and other correspondence, copies of certificates, etc.) is complete and updated.

b) The inspection reports contain the amount of information needed to allow decisions to be made pertaining to the certification.

c) The body's decisions are consistent with the results of the production/preparation plan submitted by the applicant and the inspection report following visits made to the operation site.

d) The control body has monitored the implementation of all corrective actions, if any, requested of operators whose products it has certified.

The evaluator bases the amount and choice of records to be examined on the following sampling rules:

a) If an application for an initial accreditation, the evaluator carries out an in-depth verification of 10% of all certification cases (a minimum of 10 and a maximum of 50 files) selected at random, according to the category of operations carried out by the firms listed in the body's certification program, or a number of files corresponding to the total number of operators licensed by the certifier, whichever is smaller.

b) If an accreditation renewal request, the evaluator examines a number of files which decreases in a proportion relative to the total number of operators registered with the agency concerned, and calculated according to the form indicated below:

Number of companies registered with the body, with respect to the requested accreditation scope	Prorata Minimum Requirement	Total Result
240 or less	5% of files or minimum of 10	Between 10 and 12 files, according to actual number of files
400 or less	5% of first 240 files, 2.5% of additional files	Between 12 and 16 files, depending on the actual number of files
1000 or less	4% of the first 400 files 2% of additional files	Between 16 and 28 files according to the actual number of files
More than 1000	2.8% of first 1000 files 1% of additional files	At least 28 files, with one (1) more files for each additional 100 firms

N.B. Decimal fractions shall be rounded to the nearest integer.

At least two thirds of files included in the sample are randomly selected, in relation to the various transaction categories handled by the companies registered with the body, and the other third composed of files previously targeted at the evaluator's discretion. If the number of targeted files is greater than one third of the sample provided, the total number of files reviewed by the evaluator may then exceed the amount required according to the above-mentioned sampling rules.

8.3.4 The assessment team makes sure that a good number of staff members involved in product certification have the competence required, within the framework of the positions they hold. To do so they examine the files on these staff members and then conduct interviews with some of them.

8.3.5 The assessment team concludes its visit by holding a closing meeting, during which it presents the audit findings and any discrepancies identified to the certifying body's management.

8.4 Visiting Operators Licensed by the Certifying Body

8.4.1 Within the framework of onsite assessment visits, the principal auditor chooses a number of the certifying body's files to be verified on the premises of the firms concerned. The exact number of visits is

determined by the principal auditor, based on the total number of certification files and a representative sample of the categories of companies licensed by the program in Québec. The choice of files for sampling is made at the evaluator's discretion.

8.4.2 Following a thorough review of the selected files (which may include those from previous years), an evaluator visits selected company sites to double check them against the information appearing in the files. The purpose of this visit is not to "re-inspect" the company regarding a certification decision, but rather to ensure that the certification process and control measures applied relative to this file were conducted in compliance with requirements.

8.4.3 Among others items, the evaluator verifies that:

a) The operator possesses a copy of the certifying body's requirements, including specific the standards to be met as well as requests for corrective action sent to it by the body.

b) The production plan relative to the designation category targeted is available and understood by the staff assigned to produce the certified products.

c) The inspection report adequately describes the production system.

d) The inspection makes it possible to identify incidences of non-compliance relative to the prescribed standards.

8.4.4 In addition, the evaluator observes the inspection of at least one of the certifier's operating sites.

8.5 Audit Report

8.5.1 Upon finishing the site visits, the evaluator drafts an audit report based on the results on this part of the assessment. This report includes comments on competency and compliance, and identifies any non-compliances that need to be dealt with in order to meet all accreditation the requirements.

8.5.2 The evaluator sends the audit report to the applicant body, inviting it to comment on the report's content and to describe specific actions taken or foreseen within a specific given timeframe, in order to resolve all non-compliances identified.

9. Final Assessment Report

9.1 Upon receiving an action plan designed to resolve the non-conformities identified, the Accreditation Committee's secretariat prepares a draft of the final assessment report, which includes among others:

a) A brief history of the certifying body,

b) An assessment of the certification program's independence relative to the applicant body's other activities,

c) A assessment of how well the certification practices comply with the quality manual published by the certifier, including the control plan in relation to the scope of certification requested,

d) A summary report on the assessment visit, including persons interviewed, sites visited and observations noted,

e) All non-compliances identified by the evaluator,

f) The plan of action to be implement by the body to resolve the non-compliances,

g) Information on the resolving all non-compliances,

h) A summary of the evaluator's principal findings and the recommendations made.

9.2 The draft for the final assessment report is made available to the Accreditation Committee members for their review. They will analyze the report to validate non-compliances relative to the accreditation's applicable reference manual requirements and the variances between the certification program's documentation and its current application.

9.3 Following this stage, the Committee establishes the instances of non-compliance if applicable and informs the body via an official notification in which it requests that implement or completely implement any measures intended to correct the instances of non-compliance detected. Everything is done in compliance with the ACA2PL7851 policy specifying the modalities covering corrective action requests made to a certifying body having been assessed by the Accreditation Committee, as well as exchanges between the certifier and the CAEQ on implementing corrective actions, including the resolution of any disputes with the certifying body that might surface in light of the requests.

9.4 The Accreditation Committee may ask the body for even more information and additional evidence regarding the implementation of actions taken or even conduct a follow-up assessment to verify the corrective actions the body has implemented.

9.5 When the Committee is satisfied with the responses obtained from the applicant organization, and it has completed all the necessary verification, it takes a position on the body's degree of competence and compliance. Within a reasonable timeframe, it drafts recommendations to the Board or any other administrative authority with which it made an agreement.

9.6 In the event the Accreditation Committee is unable to make a recommendation, the Board itself determines the accreditation status or, if applicable, makes a recommendation to the administrative authority to which the accreditation application was submitted.

9.7 The final version of the latest assessment report includes the Committee's recommendation.

10. Deciding on Recommendation to Accreditation Authority

10.1 When the Committee submits its recommendations to the administrative authority as to the accreditation status that should be granted, it may recommend either:

a) In the case where the Committee finds that the applicant organization conducts a certification program compliant with the accreditation criteria by means of a control plan that matches the specification manual approved by the CARTV or specified in the accreditation application;

b) An accreditation including requirements for amendments to the certification management system within a specified period, in the even of deficiencies. The time allocated takes into account the differences and certifier's ability to carry out the required changes on time. The requirements established must be met within a maximum period of twelve months.

c) An accreditation refusal in the following cases:

- One or more major non-compliance cases persist, obviously reflecting the body's inability to control requirements applying to the products being certified, relative to the certification requirements for which it requested accreditation;

- A large number of minor non-compliances persist, such that the cumulative impact undermines the integrity of the products to be certified.

10.2 The Accreditation Committee remits a copy of the final evaluation report to the applicant body and at the same time notifies it of the recommendation it makes to the administrative authority regarding the accreditation status.

10.3 In the event of a refusal, the Accreditation Committee shall inform any certifying body that does not meet minimum requirements of the corrective measures required before submitting a new application, pursuant to the terms of accreditation reference manual.

10.4 In the case of accreditation with conditional requirements, the Accreditation Committee may submit one or more conditional requirements to the certifying body to which it must comply, along with a realistic implementation schedule needed to meet these requirements.

10.5 If the certifying body is unable to meet the requirements as presented, it may request that the Accreditation Committee reconsider one or more of them, or even their timeframe, in light of additional information. The Committee shall thus reassess this information regarding whether they maintain the initial requirements, establish new requirements, or even drop specific requirements.

10.6 The Accreditation Committee provides the accreditation authority with all the information required to make the decision, including it in the definitive version of the final evaluation report.

11. Accreditation by the Board

11.1 The decision whether or not to accredit the applicant certifying body or to extend the scope of the accreditation already granted to the latter, is made in accordance with the arrangements specified in the ACA2PL7901 policy on decision-making and on granting accreditation.

11.2 When the accreditation decision falls under the *Québec Act Respecting Reserved Designations and Added-Value Claims*, the ACA2PL7961 policy's purpose relative to the publication of the Board's accreditation decisions is to describe the Board's duties and responsibilities, and to ensure that its decisions to grant or withdraw accreditation take effect and come into force.

11.3 When the Board decides to grant the accreditation, it forwards an accreditation contract to the certifying body, binding the latter to comply with the agreed requirements and deadlines.

The ACA2PL8101 policy relative to the accreditation agreement defines the rights and obligations of the Conseil des appellations réservées et des termes valorisants (CARTV) and the certifying bodies accredited according to its *Internal Regulations pertaining to Accreditation for Certifiers*. More particularly, the accredited certifying body shall immediately inform the CAEQ of any significant changes, relative to its accreditation, having occurred to any aspects of its status or operation.

11.4 The validity period for accreditation granted by the Board or any other administrative authority linked to the Board is five (5) years from the date the accreditation agreement was signed. To have the accreditation renewed once this period has ended, each certification program included within the accredited body's scope of accreditation must have undergone a complete reassessment.

11.5 Any accredited organization whose certification program is subject to conditional requirements must submit a report, within the agreed deadline, on the methods implemented to meet these requirements.

The ACA2PL8151 policy relative to the agreement relative to the compliance verification for an accredited body establishes the main legal obligations of the parties when a certifying body agrees to be placed under CAEQ supervision during the accreditation period. The approval verification contract defines the rights and obligations of the CAEQ and the certifying bodies accredited by an accreditation authority that has recognized the CAEQ as a conformity assessment organization.

11.6 In the case of non-compliance with the terms of accreditation contract, the Board may suspend or revoke the accreditation of the defaulting organization.

11.7 Reference to accreditation and use of symbols.

The ACA2PL8301 policy relative to accreditation references and use of symbols is intended to specify the arrangements made by the CARTV to make sure any reference to accreditation, including the use of symbols, corresponds at all times uniquely with the accreditation decision made by the accreditation authority, particularly within the scope of this accreditation.

11.8 Following the signature of the accreditation contract by both parties, the CAEQ issues the accredited certifying body an accreditation certificate mentioning:

a) The full name and logo of the CARTV;

b) The legal name of the certifying body, as well as any commercial name under which it operates;

c) The address of any premises from which one or more key activities are performed and which are covered by the accreditation;

d) The unique accreditation number of the accredited certifying body;

e) The effective date of granted accreditation and the expiry date;

f) A complete reference to the standards and norms with which the certifying body has been deemed to comply;

g) The complete reference to the accreditation scope, including any certification programs for which the accredited body has been accredited in association with.

The ACA2PL7941 policy relative to accreditation certificates issued by the agency specifies the information included in the accreditation certificate sent by CARTV to each certifying body, following its accreditation.

12. Obligations Resulting from Accreditation

12.1 Scope of Accreditation and Equivalency Recognition

12.1.1 The certifying body shall only be accredited for product classes covered by reference standards regarding the designation to which its products refer.

12.1.2 The accredited bodies must automatically and unconditionally accept the certification decisions made by:

a) any other certifier accredited by CARTV, under a similar scope of accreditation and involving domestic products (traded within Québec);

b) any other certifier approved by an other administrative authority, under a similar scope of accreditation, when it concerns products which fall under this administrative authority's jurisdiction.

12.2 Information on Companies that Hold Compliance Certificates

12.2.1 Any certifying body accredited by the Board for full or limited scope shall forward to the CAEQ any updated information on March 31st, June 30th, September 31st and December 31st, within 15 days of the above-mentioned dates.

12.2.2 Information required from each accredited body for full scope is listed in Appendix C of these internal regulations and applies to any Québec operators under its supervision and falling under any of the following categories:

a) An individual or company holding a compliance certificate for the certified products they sell;

b) A company having subcontractor status with another operator whose products are certified;

c) A company holding an approval of services certificate;

d) A company holding an approval of inputs certificate.

12.2.3 Appendix C within these internal regulations contains a list of Information required from each accredited body, and pertaining to each operator under its control outside of Québec, as long as it holds a compliance certificate for the those certified products included within the category of products covered by the certifying body's scope of accreditation.

12.3 Annual Report

12.3.1 After each calendar year, all accredited organizations shall submit to the Accreditation Committee an annual report containing the following:

a) An update of documents required to obtain accreditation, and included on the list the CAEQ sends to certifying bodies each year;

b) All major changes that took place during the previous year and that have affected administrative structures and directors, including the organization's managers and committee members, including the names of persons having been newly appointed;

c) All modifications made to policies, internal procedures and regulations governing the organization and its certification system;

d) The number of certificates newly issued, renewed, suspended and withdrawn, for each certification program included in the scope of accreditation allocated;

e) The list of revision requests submitted by the operators regarding decisions made by the body related to the products within the framework of a certification program included in the scope of accreditation allocated;

f) A copy of the registry of complaints against the organization and that involving operators licensed within the framework of programs included in the scope of accreditation allocated;

g) A copy of the registry of exemptions granted to licensed operators by body (according to the scope of accreditation attributed) and at a minimum including the following

information:

- nature of exemption
- period of validity
- grounds upon which decision was based.

h) A financial statement showing the organization's income and expenses regarding its overall certification activities during the period covered, along with details on income obtained from its product certification activities regarding the scope of the accreditation attributed.

12.3.2 The certifying body's annual report as completed using the form provided by the CAEQ secretariat. It shall be signed by authorized personnel.

12.3.3 The annual report must be submitted to the Accreditation Committee during the first quarter following the end of calendar year. The Accreditation Committee may demand any relevant document to maintain the accreditation status.

13. Surveillance Activities and Reassessment of Certifying Body

13.1 Surveillance Activities

13.1.1 The surveillance of accredited certifying bodies is carried using various measures, particularly monitoring visits, which take place during the accreditation period.

13.1.2 The ACA2PL9101 policy relative to the surveillance of accredited organizations specifies the arrangements made by the CAEQ to monitor accredited certifying bodies, within the scope of accreditation granted to them.

13.2 Surveillance Visits

13.2.1 Unlike the initial and re-evaluation visit intended to audit the program generally, the surveillance visits shall entail the verification of precise program elements, particularly those identified by the Accreditation Committee. For all surveillance visits a reported must be prepared, according to the standard practices used to draft reports.

13.2.2 On-site surveillance for evaluation must take place within twelve months of the initial accreditation date. Thereafter, an on-site surveillance evaluation must take place in each subsequent calendar year. However, the Accreditation Committee may cancel the

evaluation visit planned for the coming year, when the certifying body demonstrates that its certification program and activities continue to meet accreditation requirements and that all instances of non-compliance identified in the course of previous surveillance activities recommended by the Accreditation Committee have been rectified. In such a case, the CAEQ shall ensure that the subsequent evaluation visit takes place no later than two years following the date of the most recent on-site evaluation.

13.2.3 At any time during the accreditation period, and upon its own initiative, the CAEQ may carry out a surveillance visit for any serious reason, at the expense of the certifying body, when non-compliance is found.

13.2.4 The assessment team may use distance audit techniques (such as interactive Web-based cooperation, Web meetings, teleconferences and/or electronic organizational audit procedures), to assess the certification program's implementation. The decision to conduct a distance audit shall be made by the CAEQ secretariat. This takes the place, if applicable, of an on-site visit.

13.3 Changes to Legal Status and Control Structure.

13.3.1 The legal status of an accredited certifying body may be modified during the accreditation period. This also applies to the corporate control structure, which may change following a business transaction involving the accredited body.

13.3.2 Changes in the legal status or corporate control structure may affect the certifying body's accreditation. The ACA2PL9131 policy pertaining to the impact of changes on an organization's status or structure defines the accreditation modalities covering the assessment of these changes up to and including the resulting decision, as well as who is responsible for carrying them out.

13.4 Reassessment of Certification Program

13.4.1 A re-evaluation visit shall be conducted at least once every five years after the body has applied to renew its accreditation. This visit shall be conducted during the last term of the fifth year of accreditation. For exceptional reasons, it may be conducted at another time. For reassessment visits a report must be prepared, according to the standard practices used to drafting reports for the initial assessment visit.

13.4.2 The ACA2PL9201 policy related to the accreditation renewal process identifies the various assessment steps in the assessment process for

certifying bodies and specifies the minimum and maximum duration of each of these steps such that the CAEQ and certification bodies can manage their deadlines.

13.5 Extension and Reduction of the Accreditation Scope

13.5.1 An accredited certifying body may apply to have its accreditation scope extended or reduced. In this case it shall state the objectives of and the reasons for this request. The ACA2PL9301 policy relative to extended or reduced accreditation determines the motives by which the CAEQ could recommend to an accreditation authority that a body's scope of accreditation be extended or reduced, and also who is responsible for assessments and decisions related to these aspects.

13.5.2 In the case of a request for an extended scope of accreditation, the body shall also supply documents related to the control measures it intends to advance. A list of documents to be submitted can be found in Appendix A-2 of these internal regulations.

All applications for a greater reduction in the scope of accreditation are sent to the Accreditation Committee for assessment.

13.5.3 The latter then shall make a recommendation to the accreditation authority as to an extension or reduction in the scope of accreditation. It then informs the certifying body of its recommendation.

13.6 Maintenance of Accreditation

13.6.1 By means of its on-going monitoring activities, the CAEQ determines whether or not a certifier's accreditation should be maintained.

13.6.2 More particularly, upon receipt of an annual report, an on-site audit report or any other document send by the body, the CAEQ secretariat writes a summary for the Accreditation Committee concerning the level of compliance with accreditation conditions, methods followed by the certifying body to comply, as well as any action that might change the accreditation status. Based on a review of this summary, the Accreditation Committee may, if applicable, require the body to submit a plan of corrective action, including a specific deadline.

13.6.3 Depending on the results of the reconciliation analysis carried out to ensure convergence of the corrective measures the body intends to put in place and requirements to be met, the Accreditation Committee shall make a decision regarding the continuation of the certifying body's accreditation.

13.6.4 If the Committee decides that accreditation should be continued, with or without conditional requirements, it shall notify the accreditation authority.

13.6.5 If the Committee decides that accreditation cannot be maintained as is then it shall make a recommendation to the accreditation authority and then inform the certifying body of it. This recommendation may be either to suspend, withdraw or even reduce its scope of the accreditation.

13.6.6 The ACA2PL9401 policy provides a framework by which the CAEQ can make decisions on recommending any type of punitive action against certifying bodies which breach the requirements contained in the contracts signed with the CAEQ, within the framework of their registration in the accreditation program.

13.6.7 A certifier may request to opt out of the accreditation program. Such a case would lead to an interruption in the accreditation application process, should the body request it, either an accreditation suspension wherein the accredited body would temporarily cease to operate or a complete abandonment of its accreditation, because this body would permanently cease to operate its certification system within the scope authorized. The ACA2PL9501 policy relative to voluntary withdrawal from the accreditation program specifies the applicable proceedings whenever a certifying body requests to opt out of the CAEQ's accreditation program.

13.7 Board Decisions (when the Board is the accrediting authority)

13.7.1 The Board may ratify the Accreditation Committee's recommendations or make a different decision.

13.7.2 It may suspend accreditation until it has proof that the corrective actions requested have been carried out to satisfaction.

13.7.3 It may reduce a certifying body's scope of accreditation in order to exclude any certification program sections that the body has consistently been unable to carry out in a satisfactory fashion, resulting in some persistent doubt as to its competence in acquiring certification for one or more product areas.

13.7.4 It may revoke accreditation granted to a certifying body if one of the clauses in the accreditation agreement was not respected or if any non-compliances were detected with respect to the accreditation reference manual.

13.7.5 Before a certifying body's accreditation can be formally revoked, it shall receive notification from the Accreditation Committee informing it of each non-compliance detected and requiring that it be corrected to the Accreditation Committee's satisfaction, within the prescribed

timeframe. Should the body fail to implement corrective measures within the prescribed time period, the accreditation certificate will be withdrawn. Once a non-compliance is considered resolved, the Accreditation Committee shall inform the certifying body. However, before doing so, the Accreditation Committee may require an evaluation visit to verify whether corrective measures were properly implemented, with the certifying body being responsible for any charges incurred.

13.7.6 The accreditation granted to a certifying body may also be revoked whenever its accreditation has been deemed null and void. This would occur when the bearer has formally relinquished it or the accreditation validity period has expired, and the body has not submitted an application for renewal, even after having received a notification from the CAEQ at least 180 days before expiry.

13.7.7 The Board shall revoke the accreditation of any certifying body that has ceased its operations, whenever this discontinuance has not resulted from a merger, a sale or any other transfer of ownership to another certifying body.

13.7.8 Whenever a certifying body has its accreditation revoked, its name will be removed from the list of accredited certifying organizations. The body must then forward to the CAEQ all certification files related to those companies whose products were certified by the body, within the accreditation scope allotted to it.

13.7.9 Any certifying body that has had its accreditation revoked may again apply for accreditation within twelve months following the date on which the revocation decision was made.

14. Appeals

14.1 Appeal made by a certifying body registered to the accreditation program

14.1.1 A certifying body may appeal a recommendation decision made by the Accreditation Committee. The ACA2PL7911 policy relative to appeals specifies the modalities followed by certification bodies to enter appeals against any unfavourable decisions made against them regarding accreditation.

14.1.2 Any appeal must be filed within 30 days following the reception of the decision notice. It must be submitted along with the amount of money required to cover the costs of the appeal. The CAEQ secretariat must provide the applicant with an appeal form.

14.1.3 In order for an appeal to be admissible, it must give cause to a justifiable procedural error, misinterpretation, or inconsistency

regarding the Committee's previous decisions.

14.1.4 All appeals meeting acceptance criteria as listed above shall then be forwarded to the CARTV Appeals Committee.

14.1.5 This committee shall investigate the appeal on the basis of the line of reasoning submitted in the appeal form. The committee then shall make a final decision that must be ratified by the Board if it is to the accrediting authority.

14.1.6 The certifying body may appeal a decision of the CARTV Appeals Committee if it has applied for accreditation to an administrative authority other than the Board and if this administrative authority has provided for an additional level of appeal in its procedures.

14.2 Appeal may by a company registered to an accredited certification program.

14.2.1 A company may enter an appeal against a decision made by an accredited certifier to the Accreditation Committee which may then decide to reject the appeal and uphold the decision or to allow the appeal and cancel the decision or even request modifications to it. All appeals entered will effectively suspend the decision made by the certifier until a decision is handed down, and as such the certification status remains unchanged during the course of appellate proceedings.

14.2.2 Any appeal must be filed out within the 30 days following the reception of the certifying body's decision notification. It must include all the documents required by the CAEQ. It must be submitted with the amount of money necessary to cover the cost of the appeal.

14.2.3 In order for an appeal to be admissible, it must give cause to a justifiable procedural error or irregularities justification, misinterpretation.

14.2.4 All appeals meeting the acceptance criteria as listed above shall then be forwarded to the Accreditation Committee.

14.2.5 This Committee shall investigate the appeal on the basis of the line of reasoning submitted in the appeal form. The Committee's decision is final when the Board is the accrediting authority.

14.2.6 The company can make an appeal of the Accreditation Committee's decision, if the certifying body to which it is subjected is accredited by an administrative authority other than the Board and if this administrative authority has provided for an additional level of appeal in its procedures.

14.2.7 The ACA2PL7921 policy relative to appeals entered by a company in response to an unfavourable decision made by an accredited certifier specifies the steps to be taken by the Accreditation Committee to handle appeals lodged on decisions made by certification bodies pertaining to firms having requested an initial certification for their products or its renewal.

15. Complaints

15.1 Complaints regarding the Accreditation Committee

15.1.1 Should a certifying body believe that its rights have been violated, it may file a complaint with the CAEQ Manager.

15.1.2 Any complaint from a certifier shall be brought to the attention of the Board, which responds to the body within 15 days following the date of receiving the complaint.

15.2 Complaints Concerning an Accredited Certifying Body

15.2.1 Complaints or even verification requests regarding the performance of an accredited certifying body shall be submitted in writing and accompanied by justifying evidence or documents. The admissibility of any complaints must be determined.

15.2.2 If it seems appropriate, the Accreditation Committee may both inform the body concerned by the denunciation, and invite it to comment. A confidential investigation may be initiated on behalf of the Board in order to provide elements of proof.

15.2.3 The case shall be heard by the Board as soon as enough items of evidence have been gathered.

15.2.4 Should it be justified by the results of the investigation, the Board may impose disciplinary measures.

16. Confidentiality and Conflict of Interest Management

16.1 All information provided by the applicants in connection with an information request about accreditation, an application for accreditation or an assessment, is confidential. Such information is entirely or partly examined by a small group of CAEQ staff, external evaluators if necessary, the Accreditation Committee and the accreditation authority representatives. All of them are made aware of the confidentiality requirements. Such information shall not be released unless either the applicant or accreditated organization provides to the CAEQ permission in writing to do so. As long as it is not accredited, the CAEQ does not disclose the name of the applicant organization unless it makes such a request in writing.

16.2 In order to avoid actual or apparent conflicts of interests, any person directly involved in the evaluation or deliberations leading to decisions related to the accreditation of certifying bodies shall abide by to the rules of conflicts of interests published in the CARTV's code of ethics and deontology. These rules are consistent with the principles set forth in *ISO/CEI 17011*. In order that its accreditation services be impartial and objective, any person directly involved in actions relating to the accreditation process of a certifier shall avoid direct participation in CAEQ or Board's activities that may involve an actual or apparent conflict of interest.

17. Accredited Certifying Body Profile and Public Information

17.1 Once an accreditation status has been established by an administrative authority, a descriptive profile of the accredited certifying body shall be drawn up by the CAEQ. The ACA2PL8211 policy relative to information disseminated to the public on accredited certifiers specifies the information elements on certifying bodies made public by the CAEQ, once the certifiers have been accredited. This profile includes at least the full name of the body, the address of its main office, the way of displaying the certifying body's name on the labels of the products that it certifies, the initial accreditation date, the accreditation scope that defines the categories of products, and the geographic scope (i.e., the regions where it is authorized to certify products).

17.2 The purpose of this profile is to provide the public and regulatory authorities with a summary describing the accredited certifying body and its certification program.

17.3 The accredited certifying body profile shall be drafted to meet requirements for establishing an equivalency for any Québec products that are intended for various geographic markets and that are subject to equivalence agreements.

17.4 The CARTV publishes a list of accredited bodies on its Web site, including a profile of each certifying body. This profile is included in the list of bodies under the CAEQ's supervision that appears on its Web site.

18. Program Verification

18.1 The CAEQ's accreditation activities are subject to an internal audit at least once a year to ensure that these activities are carried out in accordance with the requirements of its quality management system.

18.2 An independent evaluation carried out by an external auditor may replace the internal audit, as long as internationally accepted audit techniques are applied.

19. Amendments to the Regulations

The CARTV Board is responsible for passing or repealing these regulations. It is the only body authorized to make amendments to the regulations, and it may do so at any time, either by its own initiative or in response to recommendations made under an audit exercise.

Appendix A-1: Documents to Submit Along with Application for Initial Accreditation

Certifying bodies that submit an application for full or limited accreditation to any administrative authority that has given the CAEQ the mandate to evaluate certifying bodies must provide the CAEQ secretariat with a copy of each of the following documents. Documents have to be submitted in an official English or French version.

1. Documents Pertaining to the Certifying Body

1.1 Documentation on its legal entity status (either a domestic legal entity or an international organization);

1.2 The corporate structure graphically and quantitatively demonstrating relations of control by shareholders, companies or other groups associated with the organization, including names of individuals owning the certifying body;

1.3 General bylaws;

1.4 The names, qualifications, experience and terms of reference (including specific functions, duration of mandate, and affiliations) of senior management personnel such as the senior executive, Board members, senior officers and other relevant personnel of:

a) the applicant certification body;
b) any related organization[1] (if applicable);

1.5 Addresses of all locations where the firm does business, and where are performed one or more key activities[2] covered by the scope(s) relevant to the application;

1.6 Copy of the compliance mark including the body's name as it appears on the label of certified products and any property rights related to it;

1.7 Copy of the liability insurance for directors and employees;

1 A related organization is a separate legal entity that is linked by common ownership or contractual arrangements to the certification body.

2 Key activities include : policy formulation, process and/or procedure development and, as appropriate, contract and document review, planning conformity assessments, review, approval and decision on the results of conformity assessments.

1.8 In the case of organizations already accredited by an official organization, a copy of the accreditation certificate and the most recent ISO Guide 65 / EN45011 assessment and compliance report from the accreditation or evaluation body.

2. Decision-Making Structures

2.1 Individuals or internal bodies in charge of:

a) Developing policies and principles regarding the certification system's content and function;

b) Making decisions regarding product certification;

c) Reconsidering decisions that are subject to appeals.

as well as the terms of reference and operation applying to each of them, including the manner in which those who participate in are appointed.

2.2 An organizational chart showing lines of authority, responsibilities and allocation of functions, including names of persons occupying management positions in both Head Office and Affiliates (where applicable).

3. Information on Certifying Body's Operations

3.1 Copy of the latest annual financial statements, including balance sheet, revenues and expenses;

3.2 List of countries, provinces or states in which the body is carrying out certification activities;

3.3 Complete list, including the name and address of all companies to which the body has granted a compliance certificate for all range of products comprised in the certification program scope.

4. Policies and Technical Procedures (Quality Manual)

4.1 Its quality assurance policy and procedures manual on how the entity conducts verification and certification activities.

4.2 List of steps of the certification process indicated on a flow chart.

4.3 List of steps for the continuation of the certification indicated on a flow chart.

4.4 Particular documents and control plan to the "sectoral scope" relevant to the accreditation application, including as a minimum;

a) List of the characteristics or requirements to be evaluated according to the specification manual;
b) The target value to satisfy each of the characteristics or requirements;
c) The preferred evaluation method for each characteristics or requirements (document review, visual control, tests, etc.);
d) The frequency of verifications for each characteristics or requirements;
e) The person responsible for the verification of each characteristics or requirements;
f) The penalties to be applied when irregularities, infringements (detected non-conformities) are found.

4.5 Form used to prepare the inspection reports including the annexes that must accompany each report when submitted by the inspector (i.e. inspection checklist).

4.6 Inspector's qualification requirements including those related to their training and experience, as well as records certifying professional qualifications, when applicable.

4.7 Copy of the certificate(s) issued by the organization when granting certification according to the aimed standards.

5. Certifying Body's Human Resources Management

5.1 A complete list of employees, including the status and position held by each one;

5.2 Copy of standard contract with employees;

5.3 The policy and procedures for the recruitment and training of personnel, for ensuring their competence for verification and certification functions, and for monitoring their performance;

5.4 Copy of standard contract between certification body and inspectors;

5.5 List of inspectors assigned for the certification program;

5.6 Copy of standard contracts used with any other type of subcontractors (if applicable).

6. Rights and Obligations of Operators joining the Accreditation Program

6.1 Detailed fee schedule for the various services offered;

6.2 Copy of the forms used for certification application (initial and renewal) to be filled out by the applicants;

6.3 Copy of standard contract(s) to be signed by certification applicants, regulating the use of marks of compliance (licensing).

7. Statements and Declarations

7.1 A declaration that the applicant entity has not pending any juridical process for malpractice, fraud and/or other activity incompatible with its functions as an accredited independent entity.

7.2 A statement establishing that the applicant entity's operations are in compliance with applicable national laws in any countries where it carries out certification activities.

7.3 If the entity is part of a larger organization and where parts of that organization are, or may become, involved in the identification, development or financing of any activity related to the sectoral scope(s) relevant to the accreditation application:

i) a declaration of all the organization's actual and planned involvement in activities related to relevant scope(s), if any, indicating which part of the organization is involved and in which particular activity;

ii) a clear definition of links with other parts of the organization, demonstrating that no conflict of interest exists.

Note: The certifying body must fill out the form "Requested Documents for Accreditation Checklist" in order to identify the documents to be transmitted to the CAEQ. This CAEQ official form must be forwarded to the CAEQ secretariat along with the required documents.

Appendix A-2: Documents to Submit Along with Application for Extension of the Accreditation Scope

1. Documents Pertaining to the Certifying Body

1.1 Copy of the compliance mark including the body's name as it appears on the label of certified products and any property rights related to it

2. Decision-Making Structures (only for major extensions)

2.1 Individuals or internal bodies in charge of:
- a) Developing policies and principles regarding the certification system's content and function,
- b) Making decisions regarding product certification,
- c) Reconsidering decisions that are subject to appeals,

as well as the terms of reference and operations applying to each of them, including the manner in which those who participate in are appointed

2.2 Organization chart showing lines of authority, responsibilities and allocation of function, including names of persons occupying management positions in both Head Office and Affiliates (where applicable)

3. Information on Certifying Body's Operations

3.1 List of countries, provinces or states in which the body is carrying out certification activities for that specific program

3.2 Complete list, including the name and address, of all companies to which the body has granted a compliance certificate for all range of products comprised in the certification program scope relevant to the application for extension

4. Policies and Technical Procedures

4.1 Quality assurance policy and procedures manual on how the entity conducts verification and certification activities with regards to this specific program

4.2 List of steps of the certification process indicated on a flow chart

4.3 List of steps for the continuation of the certification indicated on a flow chart

4.4 Particular documents and control plan associated to the evaluation of product conformance with respect to the sectoral scope related to the application for extension, including as a minimum;

a) List of the characteristics or requirements to be evaluated,
b) The target value to satisfy each of the characteristics or requirements,
c) The preferred evaluation method for each characteristic or requirement, (document review, visual control, testing, etc),
d) The frequency of verifications for each characteristic or requirement,
e) The person responsible for the verification of each characteristic or requirement,
f) The sanctions to be applied when irregularities, infringements (detected non-conformities) are found

4.5 Form used to prepare the inspection reports including the annexes that must accompany each report when submitted by the inspector (ex. Inspection checklist)

4.6 Inspector's qualification requirements including those related to their training and experience, as well as records certifying professional qualifications, when applicable

4.7 Copy of the certificate(s) issued by the organization when granting certification according to the aimed standards

5. Certifying Body's Human Resources Management

5.1 The policy and procedures for the recruitment and training of personnel, for ensuring their competence for verification and certification functions pertaining to this program, and for monitoring their performance (Only for a major accreditation extension)

5.2 List of inspectors assigned for the certification program

6. Rights and Obligations of Certified Operators enrolled in the Certification Program

6.1 Detailed fee schedule for the various services offered

6.2 Copy of the forms used for certification application (initial and renewal) to be filled out by the applicants

6.3 Copy of standard contract to be signed by certification applicants, regulating the use of marks of compliance (licensing)

Appendix B: Fee Schedule

A) Accreditation Service Fee Schedule

The CAEQ provides accreditation services to bodies that certify agricultural food products and foods subjected to regulations for the following fields of certification:

- FIELD P: Production Methods (including organic method of production)
- FIELD O: Geographic Origins (DO and PGI)
- FIELD S: Attestations of Specificity

It also provides accreditation services to bodies that certify that products are compliant with private specification manuals, under voluntary compliance assessment systems.

Type of service	Registration, maintenance and renewal fees	Document assessment fees	On-site audit fees (applicable to all type of services)
Registration in accreditation program for first field of certification	$7,000 CAD when the body does not have any accreditation that meets ISO 65 requirements for certification of agricultural products and foods in a certification field that is already included in the CARTV accreditation services.	Costs included in registration fees	Per diem of $550 CAD per auditor for time related to assessment work Hourly rate of $35 CAD for travel time Accommodation and travel costs according to policies in effect N.B. When assessment work is subcontracted to another organization, the on-site audit fees correspond to subcontracted organization charges plus administration fees of 10%
	$4,000 CAD when the body has ISO 65 accreditation that meets certification requirements for agricultural products and foods, issued by an authorized accreditation body, in a certification field that is already included in the CARTV accreditation services.	Costs included in registration fees	
Continued accreditation granted	a) $2,000 CAD annually + fees paid by Québec operators (See Table 1) b) Outside of Québec or for private specifications: $200 CAD + variable fees set according to the number of certificates issued by the certifying body for operation sites where are produced organic products certified in accordance with the Canadian standard, at $50 CAD by file, up to a maximum of $2,000 CAD	Costs included in maintenance fees	
Renewal at end of accreditation period	$4,000 CAD	Costs included in renewal fees	
** Major extension to accreditation scope **	$2,000 CAD	Costs included in extension fees	
*** Minor extension to accreditation scope*	No fees	Hourly rate of $70 CAD	

* ***Major extension***: addition of new accreditation scope to control product within a *certification field that is different* than those for which the body was already accredited,

such as certification based on an additional reference manual for designation of product origins (Field O). The actual accreditation scope only covers certification of products based on a reference manual for products derived from organic production (Field P).

** ***Minor extension***: addition of new accreditation scope to control products within the *same field of certification*, such as certification based on an additional reference manual for organic production methods (Field P), if the body's accreditation scope already includes one or more reference manuals for the certification of products derived from organic production methods or geographic regions (Field O), if the scope of the body's accreditation already includes one or more reference manuals for certification of geographic product origins (DO and PGI).

B) Other Fees

Type of service	**Fees applicable for each service**	**Document evaluation fees**
Accreditation application documents	$100 CAD	Not applicable
Appeal intended by a certifier to an administrative authority to the Board regarding an adverse decision given by the Accreditation Committee	$500 CAD	Hourly rate of $70 CAD (refundable if decision is overturned)
Appeal intended by a company to the Accreditation Committee following an adverse decision given by a certifier	$250 CAD	Hourly rate of $70 CAD (non-refundable)

Table 1: Factors Used To Determine Fees Paid by Québec Operators

Fees paid by Québec operators are based on the number of sites operated by companies licensed by a given certifier within Québec, according to the following fee schedule that specifies the categories of operation sites:

Operation categories	Specifications	Fees per site
Maple production	Less than 20,000 taps	$85 CAD
	20,000 taps or more	$135 CAD
Agricultural production	Less than 10 hectares	$50 CAD
	From 10 to 99.9 hectares	$85 CAD
	100 hectares or more	$135 CAD
Farm preparation	Company that carries out farming activities	$135 CAD
Cottage preparation (5 or less employees)	Company that does not carry out any farming activities and a portion of whose production is sold to merchants and shopkeepers, including restaurateurs	$250 CAD
	Company whose consumers are the only direct customers	$135 CAD
Industrial preparation (more than 5 employees)		$650 CAD
Repackaging	Resulting from brokerage activities	$400 CAD
	In facilities not used for retail	$400 CAD
	Conducted exclusively in retail outlets	$85 CAD
Approved services		$50 CAD
Allowed inputs		$85 CAD

The aforementioned fees apply to all companies licensed by the certifying body in Québec and whose products are subject to a specifications manual approved by the Board and in accordance with which the certifying body has been accredited.

The fees do not apply to companies whose operating site(s) are in pre-certification.

If several operations are carried out on the same site, the fees are totalled if the majority of the goods used for a given operation come from outside the company. Otherwise, the highest fee is applicable.

With prior notice, the aforementioned fees are subject to change during subsequent years.

Appendix C: Required Information on Each Operator

Data concerning operators on the Québec territory

The following list of information must be completed for each applicant who has obtained a license from the certifier. Every company that has a distinct legal identity and that has the on-going responsibility for ensuring that designation products meet certification requirements, must have obtained this license in order to use the certifier's mark (name and logo) on the label and/or transaction papers pertaining to these products when certified.

The accredited certifying body must declare to the CAEQ the licensed companies based in Québec and involved in operations that make it possible to obtain a product designated with a reserved designation belonging to the following categories:

a) Companies licensed as individual operators and to which the certifier has granted a certificate for the products they sell;
b) Companies that do not hold a compliance certificate but that are affiliated with individual operators to whom they sell their products exclusively;
c) Companies potentially capable of providing certified products, but which are not doing so because they are currently inactive, certification of all their products has been suspended or their production is to be launched at a later date;
d) Companies that hold approval of service or ingredient verification certificates;
e) Companies that hold a pre-certification status.

For companies included under the above-mentioned 1 and 2 categories, all information listed below (nos. 1 to 26) must be recorded by the certifier and submitted to the CAEQ. On the other hand, for companies included in the above-mentioned 3 and 4 categories, only general information (nos. 1 to 10) needs to be submitted to the CAEQ. Information detailed in numbers 1 to 13 needs to be submitted to the CAEQ for companies included in the above-mentioned 5 category.

DATA TO BE SUBMITTED TO THE CAEQ
1. Business name of operator (a legal person, partnership or individual).
2. Name of person in charge of operations resulting in company's products.
3. Full address of company’s head office.
4. Phone number of company’s head office.
5. Fax number of company’s head office.
6. Company’s e-mail address (if one exists).
7. Company’s website (if one exists).
8. All names and codes used to identify the company on labels of certified products.
9. Type of operator: a) Individual licensed operator; b) Subcontractor or operator affiliated exclusively with another operator;

c) Operator deprived of license due to abandonment or withdrawal of certification (including date of decision).
10. Distribution of overall company production: a) Conventional products; b) Products in pre-certification; c) Certified products (70% and more ingredients compliant with standards); d) Products for which certification is currently suspended (including date of suspension); e) Verified products (less than 70% of ingredients in compliance with standards); f) Approved services. g) Approved inputs
11. Municipality in which each of the company's operation sites is located.
12. Date of most recent annual inspection on each operation site.
13. Type(s) of operation(s) from which certified products on each operation site come from: (choose one or more): a) Crop production; b) Livestock production; c) Maple production; d) Specialized productions (bee keeping, aquaculture, etc.); e) Farm preparation; f) Cottage preparation (equivalent to 5 or less full-time employees); g) Industrial preparation (equivalent to 6 or more full-time employees); h) Repackaging by distributors/merchants; i) Repackaging by retail operations; j) Brokerage (including sales agencies).
14. Area (in *hectares)* of each site used for crop, livestock or maple production (included in granted certification).
15. Number of taps included in the certification of a maple operation site.
16. Average quantity or observed amount of breeding livestock per site included in granted certification.
17. Generic name of the certified product(s) for each identified operation site, as registered on the compliance certificate.
18. National standards to which these products comply (CARTV, NOP).
19. Date of first registration (following initial application or resulting from terminated suspension) for each product on site included in the granted certification
20. Date of withdrawal of any products belonging to site included in the granted certificate.
21. All certified product trademarks (including those belonging to distributors under contract with the operator). *If no distinct trademark exists then the name of the company will be considered as the standard trademark.*
22. Quantity (indicated in appropriate measuring unit) of certified products sold outside the province of Québec during previous calendar year to direct clients, within each category listed below: 1) Other Canadian provinces; 2 The United States; 3) All other mentioned countries.

This data may be filled out confidentially by each certifying body on the CARTV or CAEQ Website.

Data concerning operators based outside of Québec

The data in numbers 1, 3, 4, 5, 13 and 17 must be sent to the CAEQ. A specimen of each product's label must be sent to the Canadian Food Inspection Agency (CFIA).

END OF THE REGULATIONS