



Demeter Canada

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PROCESSING AND LABELLING OF DEMETER PRODUCTS IN CANADA
NON - PROFIT COMPANY REGULATING FARM PRODUCTION, COMMERCIAL

Trader – Import/Export Certification Process Manual

Revised 2017

FOOD FOR LIFE

Introduction

Demeter is the trademark for food from certified biodynamic production. Visit our website for a description of biodynamics at <http://www.demetercanada.ca>

The Trader Certification Process manual provides concise information regarding all aspects of importing/exporting certification. It describes the procedure for initial and renewal Application for Certification. As well, the policies regulating registered users of the Demeter trademarks and the mandate of the Certification Committee is included. The process of evaluation by the inspector and the Certification Committee is also outlined, for certification in the stated categories.

It is the responsibility of the Trader in contract with Demeter Canada to be familiar with the provisions of this manual. In addition, importers/exporters in contract must be familiar with and adhere to the most recent issue of the *Demeter* Production, Processing and Labelling Standards, published by Demeter International e.V. These documents can be unofficially observed or downloaded from www.demetercanada.ca

Regional Standards approved and used by the local organic sector also apply to Trader in contract, and in the case of a conflict of Standards, the more stringent rule is to be observed. In addition, the contract includes agreement to observe the conditions of the fee schedule as well as any other provisions supplied by the Certification Committee.

Use of material or methods not allowed in the said Standards, or use of regulated practices without written permission from the Certification Committee shall result in de-certification of the affected products, or possible de-certification of the entire enterprise.

This manual will be published annually and is subject to change and amendment from time to time, at the discretion of the Board of Directors representing Demeter Canada.

If necessary, the trademarks will be defended in a legal court in Canada.

Trademarks

The **Demeter**, **Demeter Canada**, and **Demeter Flower** logos are registered trademarks in Canada, and appear as follows.



The Demeter Canada logos pictured above are presently being used commercially. The above Demeter flower (left) may be used for aesthetic accent in accompaniment with contractually authorized *Demeter* trademarks usage.

A usage manual regulates all aspects of size, position, colour, text placement, borders, backgrounds etc. for all labelling and packaging types. This manual and associated graphics is supplied on CD to all Trader in contract eligible for Demeter usage. A request for the CD should be made to the Administrator at demetercanadainfo@gmail.com. Any

final decision regarding the use and placement of the Demeter logos will be made by the Demeter Canada Certification Committee.

The Labelling Standards for Demeter products (June 2017) published by Demeter International e.V. apply to its usage in Canada.

Use of the Demeter trademarks requires a contract with Demeter Canada. A signed contract will be kept by Demeter Canada; an officially signed certification certificate constitutes contractual agreement and stipulated rights to use the trademarks. Any usage of the trademarks without an agreement constitutes trademark infringement and may be subject to litigation.

Application

Preparation

Any Trader interested in applying for *Demeter* certification should previously evaluate their own enterprise with respect to the requirements of the Demeter Processing and Labelling Standards.

The Certification Committee will look for compatibility of the operation with the Processing and Labelling requirements of *Demeter*, and base application acceptance on the evaluation findings.

Application package

Application packages can be downloaded from the website at www.demetercanada.ca

- *Demeter* Production Standards
- *Demeter* Labelling Standards
- *Demeter* Processing Standards
- Initial Questionnaire (for those applying for the first time)
- Trader Application Form
- Trader Licensing Agreement
- Letter of Consent
- Trader Licensing Fee Schedule
- *Demeter* Individual Product Profile

Application submission

After careful review of the documents, the applicant completes the appropriate Application for Certification, reads, understands and signs the contract, and Letter of Consent and prepares the requested attachments.

New applications should allow up to 4 weeks for processing of the application.

Applications should be submitted to the Demeter Canada *Administrator* along with the appropriate fee, payable to Demeter Canada.

Renewal Application

A renewal version of the Application form will be sent electronically. These documents need to be completed and returned, with the appropriate fee payment or payment plan, to the Certification Committee **before February 1st** of that year. The documents are in pdf format and can be filled in electronically and e-mailed to

demetercanadainfo@gmail.com. Forms received after the due date will automatically be subject to a late fee.

Certification

Certified organic Trader (import/export) operations

Importers/Exporters applying for Demeter certification that are already certified Organic should be prepared to immediately discontinue any practices prohibited by the *Demeter* Processing Standards. Demeter Standard requirements should be implemented immediately.

Demeter Canada does not offer a certified Organic status explicitly. Explicit Organic certification should be sought from an alternative certification provider.

Labelling

The Standards for the labelling of Demeter products with the Demeter trademark logo' shall be observed. The Standards can be downloaded at www.demetercanada.ca

The final decision for label placement rests solely with the Demeter Certification committee.

Marketing Aids

A CD with the manual governing the labelling format and all the necessary graphics for label production will be supplied to certificated Traders eligible to use the Demeter marks. To request a copy of the CD contact demetercanadainfo@gmail.com

Certificate

Approved import/export operations will receive a certificate signed by a Demeter Canada representative and will have the Demeter Canada seal. It will indicate the appropriate category, with description of all products or areas included in the certification. The certificate shall state the company and owner's / manager's names, as well as the location of the company. The certificate shall indicate the period of binding contractual agreement.

Termination of the certification contract, if so requested by the Certification Committee, shall include returning the certificate by the Trader to Demeter Canada. Certificates shall otherwise remain in the keeping of the certified enterprise. When a certificate is terminated, the holder is no longer eligible to use the Demeter trademarks.

Contract period

The contract period shall begin April 1st and expire March 31st of the following year. Receipt of a renewal application will automatically extend the contract to November 30th of that same year. Confirmation of receipt will be sent to the Trader, in writing, to validate this extension. This extension allows for a thorough review of the application, without causing a certification lapse.

Evaluation

Application

The Demeter Canada Administrator will acknowledge receipt of the application and check it for completeness. The Certification Committee will determine if Demeter certification will be possible within the application period.

Rejection

A recommendation for necessary changes will be made to unapproved operations. New application is possible as soon as the recommended changes have been made. If changes are readily possible and duly carried out in time, application for that same year may be possible with the already submitted fee. Impossible situations will receive a refund of the Application Fee less \$100.00.

Approval

For approved applicants, arrangements will be made for a visit to the processing site by a qualified inspector. The inspector will contact the applicant to schedule a mutually satisfactory date. During the visit, the inspector will verify the information on the application and take notes for the production of an inspection report.

Reports

The regional Certification Committee will review the inspection reports and make recommendations to the processor. Recommendations will be prepared as soon as possible, and will be sent not later than 6 months from the date of application. However, if the report indicates the use of prohibited materials or methods, then immediate action is required of the Certification Committee.

Decisions

The *Demeter* Processing and Labelling Standards as well as any applicable Organic Standards will form the basis for certification decision making.

Decisions will be rendered by the regional Certification Committee regarding approval, or any conditions it may deem necessary, or denial of certification.

Appeals

Decisions deemed inappropriate or unreasonable by the processor may be appealed to the representatives of Demeter Canada less any member on the committee in question.

Appeals should be submitted in writing, and include any reports, decisions rendered, or other information pertinent to the appeal. This information can be submitted to the Administrator at demetercanada@gmail.com. A personal meeting may be necessary, or a secondary inspection visit.

Additional expenses incurred from the appeal process other than the review by the committee itself, will be the responsibility of the Trader making the appeal.

Decisions rendered by the members of Demeter Canada will then be considered final.

Inspection

Site Visit

An I.O.I.A. accredited Inspection Officer will arrange a visit to the Trader for which he/she has authorization from Demeter Canada to verify. The inspector shall also be formally trained in Demeter inspection.

The Inspector will be provided with:

- Demeter Production, Processing & Labelling Standards
- Relevant Organic Standards
- A Trader Certification Process Manual
- A Trader Inspection Guide
- The previous year's Report
- Inspection forms

The Inspector should spend sufficient time on the site to observe it thoroughly. **Any issues from previous reports MUST be commented on.**

The Report shall cover all aspects of organic and biodynamic production relevant to the respective operation. It should be submitted to the Certification Committee within 30 days if possible. A copy will be submitted to the Trader.

Confidentiality

Agreement

Confidentiality and Certification Committee Mandate Agreements are signed by authorized representatives of Demeter Canada and the regional Certification Committees. All Traders in contract are party to this agreement when they submit a signed Contract with their application.

A copy of the agreement shall be sent to all approved applicants. It shall contain provisions like the following, for maintaining confidence regarding:

1. The recommendations ruled by the committee, pertaining to suggested changes
2. The Trader's production plans
3. The Trader's development and processing plans

In addition to maintaining confidentiality, the respective Certification Committees and the Certification Administrator will operate according to the provisions of the Demeter Canada 'Certification Committee and Administration Guidelines' and the mandates contained in this manual.

Protests rulings or conduct related to provisions of the agreement or guidelines may be submitted to the Administrator at Demeter Canada.

Public information

The Certification Committee shall make available to the public any information regarding certification status of any Trader at any time.

The location of each Trader and a contact number may also be made available to the public.

Administration

Structure

Certification Committees are composed of experienced volunteers appointed by the respective regional Biodynamic Society's board of directors and are familiar with all *Demeter* Standards. They will continue to evaluate regionally on a volunteer basis.

The board of directors for each provincial Society is ratified annually by the members. Each board in turn appoints two directors to Demeter Canada. For more information about Demeter Canada, visit our website at www.demetercanada.ca.

Certification fees

The costs for certification are outlined in a Trader Fee Schedule included in the Application Package, and are subject to change and amendment from time to time.

Certification fees should reflect the market gains which the grower receives for certified product. Therefore, we have a Trader Fee Schedule that is based on gross product sales.

Late Fees

Late Fees – ALL RENEWALS ARE DUE ON February 1st of the renewal year.

For renewal applications postmarked or received between February 16th and March 1st, a late fee of \$50 will be assessed.

For renewal applications postmarked or received between March 2nd and April 30th, a late fee of \$150 will be assessed.

For renewal applications postmarked or received May 1st or later, a late fee of \$200 will be assessed.

Incomplete applications

A fee of \$50 will be assessed for any applications that need to be returned to the applicant due to incompleteness.

Late Payment Fees

A late fee of 2.5% will be charged monthly on invoiced amounts over 30 days past due.

Traders discontinuing certification can avoid penalties by informing the Certification Committee before February 1st.

Policies and mandates

Policies binding the Trader in contract

- 1.The Trader will provide complete disclosure of his/her production methods and volume providing all documentation as required. All material and substance application or removal associated with the production will be stated.
- 2.All conditions of the Certification Committee, and all requirements of the *Demeter* Production, Processing and Labelling Standards and any applicable Organic Standards shall be observed during the entire period governed by the certification contract.
- 3.All production must be marketed according to its level of certification. Every effort must be made to clarify to the consumer the implications of the certification level of any given product. No ambiguity about the origin or certified status of a product is allowed.
- 4.If regulated substances or practices are deemed necessary, the Trader must request approval in writing from the Certification Committee, **prior to the application**. A Request for Exemption for may be obtained from the Demeter Canada Administrator at demetercanadainfo@gmail.com

Mandate of the Certification Committee

1. Determine if applications meet or can meet the requirements of the *Demeter* Production, Processing and Labelling Standards. Evaluation shall not bias for religion, race, gender or professional background.
2. Ensure by signed declaration including all committee members that evaluations be fair and free of conflicts of interest. The declaration shall bind to the Confidentiality Agreement.
3. Ensure that all requirements for certification are being met, and that the grower is informed of all deficiencies.
4. Use the Certification Committee and Administration Guidelines as a basis for evaluation, rulings and processing.
5. Maintain minutes for all meetings with clear record of all decisions and rulings.
6. Provide all minutes, the declaration, and the confidentiality agreement all signed and dated, to Demeter Canada.