



## **Guidelines for BC's Organic Certification Regulation**

### **Background**

These guidelines are intended to provide guidance to operators in BC who are seeking clarity on how to be compliant with BC's Organic Certification Regulation.

As of September 1, 2018, the term "organic" is now a protected label within BC for agricultural products that have been produced or processed in BC, and for which certified organic programs exist. Currently Certified Organic programs exist in BC for food and beverages, flowers, cannabis, pet food and any product made from 100% agricultural products that can be assessed using the Canadian Organic Standard CAN/CGSB 32.310; 32.311 or 32.312.

Under BC's Organic Certification Regulation, BC's protected labels are expanded to include the term "organic", including:

- Other grammatical forms of the term;
- Phonetic representations of that term; and,
- Abbreviations and symbols for that term.

A person or enterprise may use a protected label with respect to agricultural products if they hold organic certification through the BC Certified Organic Program (BCCOP) or the Canadian Organic Regime (COR). Holding an organic certificate requires operators to act in compliance with organic certification requirements and production standards.

Organic producers, processors, distributors and others in the supply chain who use the 'organic' protected label are expected to be able to produce proof of up-to-date certification or attestation upon request by a Ministry of Agriculture enforcement officer. Uncertified operators in the province marketing their agricultural products as 'organic' could face penalties, including fines.

Resources are included in Appendix 1 at the end of this document including links to legislation and regulations.

## **Certification Requirements for Producers and Processors**

Organic certification is required for any producers or processors who make an organic claim, including “made with organic ingredients” or “made with X% organic ingredients” claims.

## **Certification Requirements for Retail**

Retailers are required to have organic certification for any products they process and that are marketed with an organic claim.

Organic certification is currently voluntary for selling bulk or prepackaged organic products, for changing the packaging/container of organic products, or for cutting singular organic products. Retailers can make organic claims on products without having certification as long as:

- a) the organic products have been certified by a producer or processor earlier in the supply chain and the retailer provides consumer labelling identifying the original organic claim (e.g. a logo or name of the certifier) and has the documentation on hand to back up that claim;
- b) the organic integrity of the product is not compromised in any stage of preparation or handling, which includes storing, grading, packing, shipping, marketing and labelling;
- c) the retailer has not processed the organic ingredients.

See Appendix 2 for specific examples of when certification is and is not required.

## **Organic Integrity**

British Columbia’s and Canada’s organic regulations require that the organic integrity of a product is not compromised in any stage of preparation or handling, which includes storing, grading, packing, shipping, marketing and labelling.

To ensure organic integrity is maintained through to final sale, producers or processors marketing their produce through retailers are required to get a signed affidavit from the retailer confirming they will follow best organic practices. BC is developing a training program for retailers to transfer knowledge about best practices – particularly with respect to high-risk areas of the store such as bulk, fresh produce and meat.

## **Organic Logos**

Certified organic products may be marketed with a BCCOP, COR or Certifiers logo. In the case where the retailer doesn't require certification to sell a product (eg. bulk organic apples) they should provide consumer labelling identifying the original organic claim (e.g. a logo or name of the certifier) and have the documentation on hand to back that up that claim.

## **Importing Organic Products**

Federal regulations separately govern interprovincial or international organic products. If an organic product is imported across provincial or international borders and is re-packaged or labelled at retail, and bears an organic claim, then the packing and labelling of the organic product is subject to Part 13 - Organic Products, Safe Food for Canadians Regulation, that replaced the Organic Products Regulation in January 2019.

## **Appendix 1 - BC's Organic Certification Regulation Resources:**

### ***Food and Agricultural Products Classification Act:***

<http://www.bclaws.ca/civix/document/id/complete/statreg/16001>

### **Organic Certification Regulation:**

[http://www.bclaws.ca/civix/document/id/lc/statreg/304\\_2016](http://www.bclaws.ca/civix/document/id/lc/statreg/304_2016)

### **Organic Certification Regulation Amendment (in force September 1, 2018):**

[http://www.bclaws.ca/civix/document/id/complete/statreg/304\\_2016](http://www.bclaws.ca/civix/document/id/complete/statreg/304_2016)

### **BC's Certified Organics Program:**

<http://www.certifiedorganic.bc.ca/cb/certification.php>

### **Information on BC Organic Certification:**

<https://www2.gov.bc.ca/gov/content/industry/agriculture-seafood/animals-and-crops/organic-food-and-beverages/certification>

**Certified Organic Associations of BC (COABC):** <http://www.certifiedorganic.bc.ca/>

The COABC is an umbrella association representing organic certifying bodies in BC. COABC is authorized by legislation and regulation to provide accreditation to organic certification bodies across BC. Organic certifying bodies certify organic producers, processors and others along the supply chain.

The COABC also works with the BC provincial government to update and maintain the **BC**

### **Certified Organic Management Standards:**

[http://certifiedorganic.bc.ca/standards/docs/Book\\_2\\_V11.pdf](http://certifiedorganic.bc.ca/standards/docs/Book_2_V11.pdf)

**Permitted Substances Standards:** <https://www.certifiedorganic.bc.ca/standards/docs/CAN-CGSB-32.310-2015E.pdf>

### **Best Practices for Retail in BC:**

[https://www.certifiedorganic.bc.ca/toolkits/docs/organic\\_retailing\\_guide.pdf](https://www.certifiedorganic.bc.ca/toolkits/docs/organic_retailing_guide.pdf)

## **Appendix 2 – examples of when certification is and is not required**

### ***Examples when certification is required:***

Example 1: A retail store takes organic certified blueberries and organic certified yogurt and makes a parfait. The parfait is marketed with an organic claim.

Example 2: A retail store takes organic certified spinach and organic certified strawberries and makes a salad. The salad is marketed with an organic claim.

Example 3: A retail store takes an organic certified whole raw chicken, adds organic certified paprika and then roasts it in store. The roast chicken is marketed with an organic claim.

Example 4: A retail store bakes bread made from certified organic ingredients. All ingredients used were certified. The retail store sells the bread in house and also transports that bread to several other stores where they are purchased by consumers. In all cases the bread is marketed with an organic claim.

Example 5: A retail store makes and bakes a baked lasagna dish from six certified organic products. All ingredients used were certified. The lasagna is marketed with an organic claim.

Example 6: A producer grows apples and vegetables following the organic standards and sells them at a farmers market and through a local retailer. The produce is marketed with an organic claim.

Example 7: A processor buys certified organic herbs and mixes them with non-organic herbs to make a tea blend that is marketed through local markets and retailers. The product is marketed with a “made with 70% organic ingredients” claim.

### ***Examples when certification is not required:***

Example 1: A retail store takes an organic certified frozen parbaked whole wheat loaf out of the suppliers box and then bakes it in store. Nothing is added. The baked bread is placed into a clean clear bag and marketed with an organic claim.

Example 2: An operator of a coffee cart at a Farmer’s Market takes certified organic ground coffee beans and pours water on them to make coffee. Nothing is added. The coffee is placed into a clean paper mug and marketed with an organic claim.

Example 3: A retail store takes an organic certified whole wheat bread out of a supplier’s master case and then bags the bread in store. The bread is marketed with an organic claim.

Example 4: A retail store takes ten certified organic oatmeal cookies out of a supplier's master case and then places in a clean clamshell. The cookies are marketed with an organic claim.

Example 5: A retail stores takes several kinds of certified organic cookies out of the suppliers master cases to make an in store variety pack. The variety pack is marketed with an organic claim.

Example 6: A retail store takes a shipment of certified organic apples and places it in an open produce bin in the store. The apples are marketed with an organic claim.

Example 7: A retail store takes a shipment of certified organic almonds and places it in a bulk bin. The almonds are marketed with an organic claim.

Example 8: A retail store takes an organic certified cantaloupe and cuts the organic cantaloupe at the store produce counter and places into a clean clear clamshell container. The cantaloupe is marketed with an organic claim.

Example 9: A retail store takes an organic certified whole wheat bread loaf out of the supplier's package, and slices the bread at the store bakery counter and then places into a clean clear bag. The bread is marketed with an organic claim.

Example 10: A retail store takes an organic certified steak (Ribeye) out of the suppliers' package and then dices the meat at the store butcher counter and places onto a clean tray and overwraps it. The steak is marketed with an organic claim.

Example 11: A coffee truck takes certified organic coffee beans, grinds the beans and pours hot water over them to make coffee. The coffee is marketed with an organic claim.

Example 12: A food product is made with organic ingredients and the organic items are listed under the ingredients list (ie. Ingredients: organic dried blueberries, organic oats, organic sugar cane) but an organic claim is not made anywhere else on the packaging or in the marketing of that material. The ingredient list follows all CFIA regulations including font, location, and legibility requirements.