

# CUSTOMER INFORMATION 25-01

## April 2025

**kiwa**

### New EU certificates validity date, NOP anniversary date and general annual certification update process (contract termination and surrender procedure)

Dear Customer,

With this newsletter, we want to briefly explain the meaning of certain terms, remind you of your legal duties, and the process that Kiwa BCS carries out when it comes to renewing your organic certification.

**NOTE:** In December 2024, Kiwa BCS released new version of Contractual agreements which includes extended and more detailed information Rights and obligations, legal requirements, Terms, etc. All certified customers interested in renewing their old contracts can contact [de.service-international.bcs@kiwa.com](mailto:de.service-international.bcs@kiwa.com).

## 1 EU CERTIFICATE VALIDITY DATE, ANNUAL CERTIFICATION UPDATE PROCESS AND CONTRACT TERMINATION PROCEDURE

In parallel with the implementation of the new Regulation (EU) 2018/848, Kiwa BCS decided to standardize the validity of the certificate/expiry date of those companies which already have received inspection under Regulation (EU) 2018/848 and qualified to receive certificate issued in TRACES. According to the new decision, all certificates will be issue with validity date always **31<sup>st</sup> January, inspection´s year + 2.**



EXAMPLE:

Inspection date	Valid to (valid until)
28.11.2024	31.01.2026
31.03.2025	31.01.2027
31.07.2027	31.01.2029



# CUSTOMER INFORMATION 25-01

## April 2025

**kiwa**

Despite the longer validity of the certificate, each certified operation **MUST receive at least one physical on-site inspection per calendar year** (2021/1698 Art. 9 point. 4) which includes the inspection of the whole project, verification of the Organic System Plan and reassessment of customer's risk-analysis. Normally, annual on-site inspection should be announced but it is also possible to perform it unannounced. The purpose is always to ensure ongoing validity of the demonstration of fulfilment of requirements. Where operators or groups of operators run several production units or premises, including purchase and collection centers, all production units, or premises, including purchase and collection centers, used for non-organic (conventional and in-conversion) products shall also be subject to the annual on-site inspection. The inspection should cover the operator's implementation of preventive and precautionary measures, the physical and documentary separation of organic, in-conversion and conventional production and products in place or time, and how products are identified and traceable.

Kiwa BCS requires from the operators submission of complete Organic System Plan and all accompanying documents **prior** the on-site inspection.

### **END/TERMINATION OF CONTRACT FOR EU ORGANIC CERTIFICATION:**

- The period of notice for the operator is 6 months to the end of the respective year. This must be communicated to Kiwa BCS immediately in writing. If no activity subject to inspection has taken place since the last full inspection, the contract may be terminated prematurely. Kiwa BCS reserves the right to carry out a final inspection - even after the end of the contract - on the instructions of the monitoring bodies. After termination by the operator a final inspection by Kiwa BCS may be dispensed with, provided that the cessation of the activity subject to inspection can be plausibly proven.
- In case there is a delay in payment for over three months by the operator, Kiwa BCS can terminate the contract within four weeks' time, without thereby extinguishing the payment obligation for the operator.
- If the operator does not fulfil his obligations to cooperate as specified in contract (e.g., no cooperation regarding inspection scheduling), Kiwa BCS reserves the right to terminate this contract extraordinarily.
- In case of additional association control: The contractual relationship regarding additional association control between the operator and Kiwa BCS is based on a contract between the operator and its association (monitoring body). The contractual relationship with Kiwa BCS will end when the operator has terminated its contract with the association. Kiwa BCS must be notified about this immediately in writing.

# CUSTOMER INFORMATION 25-01

## April 2025

kiwa

## 2 NOP ANNIVERSARY DATE, ANNUAL CERTIFICATION UPDATE PROCESS AND SURRENDER PROCEDURE

NOP Organic certificates don't include expiration dates and operation remains certified until *surrendered, suspended, or revoked*.

NOP Organic certificates have **anniversary date** which is the last day until operation must submit its annual update (existing certified operations).



For an annual update, certified operation must submit to Kiwa BCS:

- *A summary of any deviations, changes to, modifications to, or other amendments made to the **OSP** submitted during the previous year, pursuant to § 205.406(a)(1);*
- *Any additions or deletions to the previous year's OSP intended to be undertaken in the coming year, pursuant to § 205.406(a)(2)-(3);*
- *and pay the **fees** to Kiwa BCS as per offer to continue its organic certification.*

Each certified operation **MUST receive at least one physical on-site inspection per calendar year** to determine whether it's certification should continue. If a certified operation fails to submit an annual update or submits incomplete OSP prior to the onsite inspection, Kiwa BCS will issue a Notice of Noncompliance.

However, the failure of an operation to submit an annual update does not relieve Kiwa BCS nor the client of its obligation to conduct/receive an annual on-site inspection § 205.403(a)(1).

**NEW CUSTOMERS:** For the new customers, if during initial Organic System Plan review Kiwa BCS determines that information provided is not enough to determine whether the operation may be able to comply with the regulations, initial on-site inspection cannot take place as long as required information communicated by Kiwa BCS is not provided and operation is not compliant with the regulation requirements. Without provision of required information, Kiwa BCS must take appropriate compliance actions.

Please also be aware of our Refund policy in our service fees on our homepage.

[https://www.kiwa.com/48dadf/globalassets/germany/downloads-bcs/d-en\\_09-030-service-fees\\_702.pdf](https://www.kiwa.com/48dadf/globalassets/germany/downloads-bcs/d-en_09-030-service-fees_702.pdf)



# CUSTOMER INFORMATION 25-01

## April 2025

**kiwa**

### **NOP SURRENDER PROCESS AND CONTRACT TERMINATION:**

- According to NOP §205.404 (d), once certified, organic certification continues until surrendered by the operator or suspended or revoked by Kiwa BCS, the State organic program's governing State official, or the Administrator.
- The NOP contract with Kiwa BCS will be renewed automatically every year unless the operator submits a written surrender.
- In case of surrender by the operator the contract will be terminated with immediate effect and the certificate loses its validity.
- The operator may surrender its certification at any time for example in the event of insolvency, liquidation, cessation of business, takeover of business or discontinuation of control-related activities.
- When changing certifying agents, the certified operation must either maintain the prior certification according to the USDA organic regulations or surrender their prior certification in writing. Certified operations that are changing certifying agents and intend to continue to produce or sell products as organic must maintain their current certification until they have been granted certification by the new certifying agent.

The certified operations and those aiming to be certified by Kiwa BCS must aware of NOP organic certification process, referring to NOP-instruction #2601 *"The Organic Certification Process"* <https://www.ams.usda.gov/sites/default/files/media/2601.pdf>.

# CUSTOMER INFORMATION 25-01

## April 2025

kiwa

### 3 VISUALISATION OF CERTIFICATION RENEWAL PROCESS BY KIWA BCS

#### ANNUAL INSPECTION PLANNING

- Annual inspection planning will be sketched by Kiwa BCS at the beginning of the new season. Inspection must be in general planned in months, in which is possible to observed activities like beginning of vegetation, end of harvest, processing and any other relevant activities necessary to determine compliance with regulation.
- Kiwa BCS service team or designated assessor will get in contact with the customer regarding approximate inspection date.

#### ANNUAL INVOICE

- Kiwa BCS invoicing team will send the customer annual invoice latest one month prior the planned on-site inspection.
- Each invoice contains **14 days due on** date until which customer is responsible to pay the invoice.
- In case that due on date has been overdue, customer will receive reminder by Kiwa BCS. If after reminder, customer still didn't pay the invoice, Kiwa BCS will issue Notice of Noncompliance for NOP Standard and reserves the right to terminate this EU contract extraordinarily.

#### OSP

- Kiwa BCS service team will pararely to the invoice submission provide the latest version of the Organic System Plan(s) with all additional necessary accompanying Kiwa QM Documents.
- Customer **\*\*must** send the Organic System Plan (completely filled in and signed) or written statement to Kiwa BCS within a reasonable time, preferably **latest 4 weeks prior** the scheduled on-site inspection date.
- If certified operation fails to submit Organic System Plan/written statement prior the on-site inspection, Kiwa BCS will issue notice of noncompliance for NOP Standard and if necessary, re-schedule the inspection date.

**\*\* The OSP should be filled out with outmost care to provide Kiwa BCS with sufficient information for determining compliance with the respective standard. For annual renewal of the certificate, the OSP must be updated if any changes in the production or handling process have occurred, or new version of the document has been released by Kiwa BCS. IF no changes have occurred the operator is required to submit to Kiwa BCS a written statement, that no changes have occurred and that the previously submitted OSP remains valid.**

# CUSTOMER INFORMATION 25-01

## April 2025

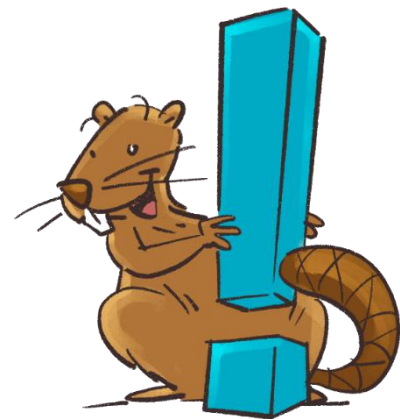
**kiwa**

### 4 GOOD TO KNOW: CUSTOMER DOWNLOAD AREA

In our customer download area, you will find important documents for organic inspections. We provide you all latest OSP documents as well as additional useful documents to prepare for inspection.

This download area will grow soon so that you can find all relevant information for all schemes at one place.

<https://www.kiwa.com/de/en/downloads-kiwa-bcs/important-documents-for-your-organic-certification/>



Kind regards,

**Kiwa BCS Öko-Garantie GmbH**

i. V. Karlo Zeljko  
-Head of Team Operations international-

i. V. Ronald Wesner  
-Technical Management-

# CUSTOMER INFORMATION 25-01

## April 2025

**kiwa**

If you have any queries or general questions about the control procedures, we will be happy to help you during our office hours by telephone (+49 911 42439 - EXT) or all day by e-mail.

On our website you will find some documents like applications, all published customer newsletters and some additional information & literature related to organic certification.

- <https://www.kiwa.com/de/en/downloads-kiwa-bcs/important-documents-for-your-organic-certification/>

### Office hours (Central European Time)

Monday to Thursday: 9:00 am to 4:00 pm

Friday: 9:00 am to 2:00 pm

### Service: OSP updates, company name/ address change/ tour-planning/ submission of documents for correction of NCF (non-conformities)



[de.service-international.bcs@kiwa.com](mailto:de.service-international.bcs@kiwa.com)



#### Contact

- Beate Erlbeck (EXT -33)
- Roxana Cruz (EXT -68)

### Quotations, additional certification services, contracts



[de.sales.bcs@kiwa.com](mailto:de.sales.bcs@kiwa.com)



#### Contact

- Oliver Altwasser (EXT -37)
- Kristina Grocholl (EXT -76)

### Request / creation of import control certificates (COI), transaction certificates (TC)



[de.tc.in.bcs@kiwa.com](mailto:de.tc.in.bcs@kiwa.com)



#### Contact

#### Applications Germany, Eastern Europe and Africa

- Tobias Süß (EXT -53) Deputy: Claudia Valencia (EXT -54)

#### Applications Asia, Saudi Arabia

# CUSTOMER INFORMATION 25-01

## April 2025

**kiwa**

- Claudia Valencia (EXT-54) Deputy: Tobias Süß (EXT -53)
- Applications China and Turkey**
- Applications Germany, Eastern Europe and Africa**
- Tobias Süß (EXT -53) Deputy: Claudia Valencia (EXT -54)
- Applications Asia, Saudi Arabia**
- Claudia Valencia (EXT-54) Deputy: Tobias Süß (EXT -53)
- Applications China and Turkey**
- Marco Hafner (EXT -55) Deputy: Claudia Valencia (EXT -54)

### Invoicing

For questions  
about your  
invoice



[Dimitri.regel@kiwa.com](mailto:Dimitri.regel@kiwa.com)



#### Contact

- Dimitri Regel (EXT -63)

### Residues cases



[de.residues.bcs@kiwa.com](mailto:de.residues.bcs@kiwa.com)



#### Contact

- Marlene Radolf (EXT -29)
- Natalia Redam (EXT -49)

### Head of Team Operations International 49702 & 49703

Coordination of  
control  
implementation,  
certification,  
technical support  
of control  
procedures



[karlo.zeljko@kiwa.com](mailto:karlo.zeljko@kiwa.com)



#### Contact

- Karlo Zeljko (+49 (0) 175 636 4406)

### Technical Management



[ronald.wesner@kiwa.com](mailto:ronald.wesner@kiwa.com)



#### Contact

- Ronald Wesner (EXT -14)

# CUSTOMER INFORMATION 25-01

## April 2025

**kiwa**

### General Management



[ivonne.wimmer@kiwa.com](mailto:ivonne.wimmer@kiwa.com)



#### Contact

- Ivonne Wimmer (EXT -10)