



BRITISH COLUMBIA

Guidelines for B.C.'s Organic Certification Regulation

This Policy Guideline is intended to provide guidance to operators, manufacturers, and retailers in B.C. who are seeking clarity on how to be compliant with B.C.'s Organic Certification Regulation. This Guideline may be revised and new Guidelines issued from time-to-time.

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

Under B.C.'s Organic Certification Regulation, B.C.'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 if they hold organic certification through the B.C. 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

Organic certification is required for any sort of organic claim, including “made with organic ingredients”, “made with X% organic ingredients”, “grown following organic principles”, “grown using organic sprays”, or “better than organic”. Claims such as “uncertified organic” are not permitted.

See Appendix 2 for specific examples of organic claims.

Processors and 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 COR or BCCOP Certifying Body earlier in the supply chain and the retailer has the documentation on hand to back up that claim;
- b) the retailer has not processed, mixed or combined the organic ingredients.
- c) the retailer provides consumer labelling identifying the Certifying Body of the commodity;
- d) the organic integrity of the product is not compromised in any stage of preparation or during handling, which includes storing, grading, packing, shipping, marketing and labelling.

See Appendix 3 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.

The Certified Organic Associations of B.C. (COABC) has created a B.C. Organic Retailing Guide and the Canadian Organic Trade Association is developing a training program for retailers to transfer knowledge about organic best practices – particularly with respect to high-risk areas of the store such as bulk, fresh produce and meat.

Organic Logos and Certification Body Identification

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

The Certification Body can be identified anywhere on the product, including the front label, except the bottom of the container. Minimum type size for the certifier's name is 1.6mm based on the lower-case letter "o." If an organic claim is made on a PLU sticker, the name of the Certification Body must also appear on the PLU. The label can display the name only of the Certification Body or a phrase containing it such as 'certified by X Certification Body' or 'certified organic by X Certification Body';

Importing Organic Products Across Borders

Federal regulations separately govern interprovincial or international organic products. If an organic product is imported across provincial or international borders 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.

Questions?

Any questions about B.C.'s Organic Certification Regulation can be directed to the BC Ministry of Agriculture's Organic Industry Specialist, Karina Sakalauskas at Karina.Sakalauskas@gov.bc.ca or 604 556-3148

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

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

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

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

Appendix 2 - examples of organic claims



Any claims related to following organic practices or principles require organic certification.



Any claims pertaining to uncertified organic or non-certified organic are not permitted under the BC Organic Regulation.



Transitioning farms or “farms in conversion to organic” selling all their products within BC may identify their products as “transitional organic” or “in conversion to organic” or other similar language on all marketing materials including websites signs and labels. But they cannot refer to their operation or transitional products as “organic”, “organically grown”, “organically raised”, or “organically produced”.



Any claims pertaining to a product being better or more than organic require organic certification.



Any claims pertaining to a product being made with organic or certified organic ingredients requires certification. The only reference to organic ingredients that can be made by uncertified processors is in the ingredient list (e.g. Ingredients: Organic flour, organic raisins, salt) provided the processor has obtained proof that those ingredients have been certified. Ingredient lists must follow all CFIA regulations including font, location, and legibility requirements. The word organic cannot be included anywhere else on the labelling of the product and the ingredient list cannot be used in an inappropriate location (ie. putting in on your market banner).

Appendix 3 – examples of when certification is and is not required

** The term operator includes any food producer, processor, or business that markets food products including retail stores, deli's, small farmer's market based business', butcher shops, etc.*

Examples when certification is required:

Example 1: If an operator takes organic certified blueberries and organic certified yogurt and mixes them together to make a parfait, and the parfait is marketed with an organic claim, the operator is required to have organic certification.

Example 2: If an operator takes organic certified spinach and organic certified strawberries and adds them together to make a salad, and that salad is marketed with an organic claim, the operator is required to have organic certification.

Example 3: If an operator takes an organic certified whole raw chicken, adds organic certified paprika and then roasts it in store and the roast chicken is marketed with an organic claim, the operator is required to have organic certification.

Example 4: If an operator bakes bread made from certified organic ingredients and then markets the bread with an organic claim, the operator is required to have organic certification.

Example 5: If an operator makes and bakes a lasagna dish from six certified organic products and markets it with an organic claim, the operator is required to have organic certification.

Example 6: If an operator makes a sandwich using certified organic ingredients and then markets it with an organic claim, the operator is required to have organic certification.

Example 7: If an operator grows apples and vegetables following the organic standards and the produce is marketed with an organic claim (through a Farmer's Market, farm stand, retail store, CSA box, etc.), the operator is required to have organic certification.

Example 8: If an operator buys certified organic herbs and mixes them with non-organic herbs to make a tea blend that is marketed with a "made with 70% organic ingredients" claim, the operator is required to have organic certification.

Example 9: If an operator imports a bulk shipment of certified organic potatoes from across a border (provincial or international) and repackages the potatoes in 5 lb bags and markets them with an organic claim, certification is required for repackaging and relabelling activities because the product crossed a provincial or international border and now falls under the jurisdiction of the National Safe Food for Canadians Regulation Part 13 - Organic Products.

Examples when certification is not required:

Example 1: If an operator takes a certified organic frozen parbaked whole wheat loaf out of the suppliers box and bakes it in store without adding any other ingredients, and markets the bread with an organic claim and the name of the Certification Body appears on the label, the operator is not required to have certification (given that the bread was produced and marketed in B.C.).

Example 2: If an operator takes certified organic ground coffee beans and pours water on them to make coffee and does not add any other ingredients, and then markets the coffee with an organic claim, the operator is not required to have organic certification (given that both the coffee beans and final coffee product are purchased and marketed within B.C.).

Example 3: If an operator takes an organic certified whole wheat bread out of a supplier's master case, slices the bread, and then bags the bread in store without adding any toppings or other ingredients to the bread, and then markets the bread with an organic claim and the name of the Certification Body appears on the label, the operator is not required to have organic certification (given that the wholesale bread was produced and marketed within B.C.)

Example 4: If an operator takes ten certified organic oatmeal cookies out of a supplier's master case and then places in a clean clamshell, and does not add any toppings or ingredients to the cookies, and then markets them with an organic claim and the name of the Certification Body appears on the label, the operator is not required to have organic certification (given that the cookies were produced and marketed within B.C.).

Example 5: If an operator takes several different kinds of certified organic cookies out of the suppliers master cases to make an in store variety pack and does not add any toppings or ingredients to the cookies, and then markets them with an organic claim and the name of the Certification Body appears on the label, the operator is not required to have organic certification (given that the cookies were produced and marketed within B.C.).

Example 6: If an operator takes a shipment of certified organic apples and places it in an open produce bin in the store, and does not alter or add anything to the apples, and then markets them with an organic claim and the name of the Certification Body, the operator is not required to have organic certification (given that the apples were produced and marketed within B.C.).

Example 7: If an operator takes a shipment of certified organic roasted almonds and places it in a bulk bin, and does not alter or add anything to the almonds, and then markets them with an organic claim and the name of the Certification Body appears on the label, the operator is not required to have organic certification (given that the bulk almonds were purchased and marketed within B.C.).

Example 8: If an operator takes an organic certified cantaloupe and cuts it at the store produce counter and places into a clean clear clamshell container, and does not add any other

ingredient to the cantaloupe, and then markets the cantaloupe with an organic claim and the name of the Certification Body appears on the label, the operator is not required to have organic certification (given that the cantaloupes were produced and marketed within B.C.).

Example 9: If an operator takes an organic certified steak (Ribeye) out of the suppliers' package and then dices the meat at a butcher counter and places it onto a clean tray and overwraps it without adding any other ingredients, and then markets it with an organic claim and the name of the Certification Body appears on the label, the operator is not required to have organic certification (given that the steak was produced and marketed within B.C.).

Example 10: If an operator makes a food product from organic ingredients and uses the term organic in 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 operator is not required to have organic certification. The ingredient list must follow all CFIA regulations including font, location, and legibility requirements.