	Program of Evaluation Inputs for use in Organic Agriculture KIWA BCS Öko Garantie		MANUAL Services – Procedures - Conditions	
	Customer:		Country:	Date:

ANNEX N° 1

SERVICES, PROCEDURES AND CONDITIONS OF THE PROGRAM


This manual has been prepared by KIWA BCS Öko-Garantie, GmbH (KIWA BCS), in order to serve as guideline in the process of compatibility study of inputs or products to be used in organic agriculture. It constitutes Annex No.1 of the Service Contract for the Confirmation of Compatibility of Inputs to be used in Organic Agriculture.

This manual was prepared based upon technical and scientific principles of the organic agriculture, to be a reference for the execution of confirmation of compatibility studies of inputs for use in organic agriculture. It comprises of 3 sections, which are described as follows:

SECTION A: SERVICES

As part of the evaluation process of inputs for its use in organic agriculture, KIWA BCS offers the following services:

1. Review of the technical specifications of the inputs focused on: ingredients/raw materials (compositions), formulation, origin of the ingredients, production process, function and scope of application.
2. Compatibility assessment of the information submitted by the client with the regulations for organic production N° 834/2007 and N° 889/2008 of the European Union, 7 CFR Section 205 USDA / NOP and JAS / MAFF of Japan. Other national regulations may be evaluated in mutual agreement with the customer and assuming the additional cost as it should.
3. In case of detecting incompatibility of ingredients/processes with the regulations for organic production, guidelines that allow the client to opt for changes in order to meet the requirements of these regulations will be notified.
4. Once concluded the evaluation process an **“Evaluation Report”** will be issued.
5. If the result is positive at sole criteria of KIWA BCS under one or more of the organic regulations a **“Confirmation of Compatibility (CC)”** stating that the input is compatible to the standards of organic agriculture, will be issued. The CC will be valid in any country; thus, it is not necessary to apply again for the evaluation by the same client. This document will include QR code that will allow to redirect the document to the official list of inputs published by Kiwa BCS.
6. The inclusion of the name of the input and client details on the list published by KIWA BCS. Said list will be available to the public in the KIWA BCS website: (www.kiwabcs.com). The list of inputs will be updated on regular basis every 3 months. Nonetheless, KIWA BCS does not guarantee that the inputs or products appearing in the list, still maintain its qualification as compatibles for its use in organic agriculture, but only guarantees that they were evaluated to

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be compatible on the date appearing at the bottom of the list corresponding to the latest update.

7. Permanent update on changes in the regulations for organic production that could affect somehow the client and may imply modifications/adaptations of the products.
8. Inputs with CC in full force and effect (valid) may include in its labeling or other promotional material the KIWA BCS Öko Garantie GMBH logo, provided that KIWA BCS has executed the authorization for use of logo with the respective client.
9. KIWA BCS guarantees the confidentiality, impartiality and the absence of conflicts of interest that may influence the evaluation process (principles that are present on the Guide ISO 17065).
10. All information provided by the client is protected as strictly confidential. Third parties and KIWA BCS are committed to safeguard this information, and to use it for no different purposes than of the evaluation/issuance process of CC. The information contained in the Application Form is exclusively used for the study of equivalence of the inputs with the generic list of permitted substances for organic production from each of the regulations on the matter.
11. Contact coordinates for delivery of information and samples to KIWA BCS Costa Rica are:

Manager: Ing. Humberto Gonzalez (humberto.gonzalez@kiwa.lat).

Responsible officer: Ing. Evelyn Hernández Pleitez (evelyn.hernandez@kiwa.lat).

Tel: (506) 2241 2794 y (506) 2235 5590 / Fax: (506) 2235 2082

Physical address for delivery: Calle 14, entre avenidas 63 y 65,


San Juan de Tibás, San José.

Costa Rica, América Central.

SECTION B: PROCEDURES

As part of the evaluation process of inputs for its use in organic agriculture, KIWA BCS has defined the following procedures:

1. Evaluations of inputs for its use in organic farming will be carried out by offices of KIWA BCS in Costa Rica.
2. The client must first send (by email) the "**Application Form**" dully filled and signed by the legal representative of the client company. It is necessary to fill one form per input. This form corresponds to sworn declaration.
3. Based on the Application Form submitted by the client, KIWA BCS issues the formal "**Quotation**" for the services to be rendered. This quotation is sent by e-mail to the client.
4. If the quotation is accepted, the client shall submit this document "**Manual**" and the "**Contract**" dully filled and signed by the legal representative.
5. Before starting the evaluation process the client must pay the total amount quoted and send a copy of proof of the bank deposit to KIWA BCS Costa Rica Limitada (by email). The evaluation process will not start until the proof of payment (wire transfer or bank deposit) has been verified to be allocated in KIWA BCS bank account. Information for the wire transfer is included in the quotation.


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6. A commercial sample of each input shall be sent (by courier) to be evaluated to the KIWA BCS office Costa Rica. when is required a minimum of 500 grams or 500 ml of each product is needed to carry out the respective laboratory analysis.
7. The client shall submit a copy of the commercial label and technical sheet of the final product, and shall also provide all information requested during the evaluation process. In addition, the client shall also sign a sworn declaration, confirming that the information included in the label is true and exact of the one contained by the product. Prior to the approval of labeling (advertising material), KIWA BCS will verify the correct use of the logo in accordance with the provisions established in Section C (Conditions), number 14 of this Manual.
8. Once concluded the process of evaluation an Evaluation Report will be issued. In this report will be stated under which regulations and for which use the input is evaluated, if the conclusion is that it complies with the organic regulation requirements; otherwise, it will state the reasons for which the input does not comply with the requirements of one or more of the regulations. This document will be send to the client by email.
9. The estimated time for the issuance of CC is 15 business days from the day from which the test results were received, as long as the client has submitted all the documentation / information requested during the assessment process precisely/ accordingly, and the evaluation confirms equivalency with one or more organic rules. The original of the CC will be sent by email only.
10. To renew the CC, the client must submit the "**Renewal statement**" (prepared by KIWA BCS) dully filled and signed one month prior to the expiration date. A letter for each input to be renewed must be prepared.
11. Based on the information provided in the letter of renewal, a quotation for the renewal services of the CC will be render. The client shall pay the total amount quoted and send any other information requested by KIWA BCS prior to the issuance of the CC. KIWA BCS reserves the right to request further samples, proceed with re-testing and request additional statements / information.
12. The CC will remain valid for one calendar year. The expiration date for a renewal CC is exactly one year in regards to the CC that precedes it. Open terms will not be permitted.

SECTION C: CONDITIONS

As part of the evaluation process of inputs for its use in organic agriculture, KIWA BCS offers the services under the following conditions:


1. Submitting the Application Form, a sample of the input and additional information by the client does not guarantee the issuance of CC.
2. The amount quoted / paid for the evaluation service is independent of the final outcome, if the input is deemed incompatible with organic production standards, the evaluation will conclude negatively on the input equivalence and no reimbursement will be acknowledge.
3. The evaluation is made based on the information provided in the Application Form (signed as a sworn statement) and additional information submitted by the client. Any error in the evaluation/renewal process caused by false, incomplete or misleading information (including chemical analysis) is the exclusively responsibility of the legal representative of the client. In that case, KIWA BCS will be free from any responsibilities and liabilities.

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4. KIWA BCS evaluates the input only under the scopes of use stated by the client.
5. KIWA BCS reserves the right to request additional information from the one included in the Application Form, in case it is not sufficient to determine compatibility / equivalence of the input with the regulations for organic production.
6. The CC does not supersede regulations or decisions of the supervisory authorities of each country.
7. Any change of supplier (raw material and others), composition, formulation, process and / or presentation of the input must be informed to KIWA BCS prior to its implementation for their respective review and approval. In case of non-reported changes and to the Regional Office of KIWA BCS in Costa Rica, the CC will be automatically annulled and appropriate legal action will be taken. KIWA BCS will be free from any liability if the client has not reported on changes in the the product.
8. In the event that the changes justify a new evaluation process (reevaluation), KIWA BCS reserves the right to make a new decision and deny / cancel the CC if it believes that the changes violate the requirements of the regulations for organic production.
13. KIWA BCS reserves the right to carry out inspection visits to the input's production facilities, with or without previous notice in order to verify the accuracy, veracity and precision of the information submitted by the client.

9. KIWA BCS may locate product samples of evaluated products (from the market), in order to carry out laboratory analysis to confirm the veracity and accuracy of the information provided during the evaluation process. The original of the CC will be sent only via email.

10. If there are changes in the regulations for organic production KIWA BCS proceed with a review of inputs that may be affected by those changes and, if considered necessary, will perform a revaluation. In these cases, KIWA BCS has the right to annul the CC prior the revaluation of the input. The annulment will be effective even without notice, however, the KIWA BCS decision and regulatory changes will be immediately inform to the client in order to enable the necessary adjustments and apply for the reevaluation. The client will deliberate KIWA BCS from all kinds of liability for legal changes affecting the previous decision.
11. The input and client information will be removed from the list published on the website once the CC is no longer valid (www.kiwabcs.com).
12. If there is clear evidence that an input evaluated fails to meet the evaluation requirements or in any provision of the Contract or this Manual, CC will be annulled immediately. KIWA BCS reserves the right to take legal actions. Any liability will exclusively have to be covered by the client.
13. It will be authorized the use of KIWA BCS logo on the input label or any other promotional material, if:
 - a. The input has a CC valid (in full force and effect).
 - b. Have been executed the "**Authorization for use of logo**".
 - c. Utilizes the inputs logo of KIWA BCS (provided with the execution of the authorization for the use of the logo).

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- d. Is included on the label the legend (authorized by KIWA BCS), where it is indicated that the product was evaluated for its use in organic agriculture (this legend will be provided once the process has concluded positively for one or more regulations)

It is not permitted to use KIWA BCS inputs logo (or other reference to the agency) on the labeling or promotional material, if the input does not have a valid and active CC. If such breach have been proven, KIWA BCS may proceed with any legal actions that consider pertinent.

14. Requests, suggestions and complaints should be made directly to the Regional Office of KIWA BCS in Costa Rica.

15. KIWA BCS reserves the right to authorize or reject changes on the submitted information contain in the Application Form, the Contract, on the Authorization for the use of the logo and in any other document required for the preparation and execution of the study for the inputs compatibility, either in its structure or its content, in order to grant the evaluation of the input according to the specifications given by the client.

16. KIWA BCS may request additional information or writing clarifications at any time and without notice to the client. Refusing to answer the request is reason enough to terminate an evaluation process or annul the CC.

17. It is not authorized the use of the terms "certificate", "organic", "biological", "ecological" or other similar phrases suggesting a concept of certification, on the labeling or other promotional material of inputs since de CC is not a certification.

18. If after starting the evaluation process the client takes more than 90 business days to answer inquiries from KIWA BCS, the process will be terminated; however, the client may request in writing, an extension (before the term elapses). Failure to request the extension, KIWA BCS will issue the evaluation report with negative final decision, rejecting the compatibility of the input with organic agriculture, and it will be sent to the client.

19. If the final decision of the evaluation process is negative for one or more regulations, meaning that the input is not compatible for use in organic agriculture, the client shall deliver the Report of Evaluation signed by its legal representative. If the decision is negative, KIWA BCS will send the Report of Evaluation as a notification that the process has been concluded

20. If required, KIWA BCS may amend this Manual as well as any other document from the Evaluation Process of Inputs for Organic Agriculture, in which case, the client shall send any amended document signed again by its legal representative.

21. Every document shall contain the client's legal representative signature in order to be considered as valid and binding among the parties.

22. Every signed document shall be delivered by email and physically to the office of KIWA BCS in Costa Rica.


23. The client shall cover for any expenses incurred as a result of additional actions taken by the KIWA BCS agency necessary to guarantee the accuracy of the results of the evaluation process (inspection visits, analysis and collection of market samples, among other).

24. KIWA BCS reserves the right to adjust the "Table of Tariffs" with previous notice to the client.

25. Comments concerning the **"Table of Tariffs of inputs"**:

- The unitary cost of the evaluations decreases, as more inputs applications are filed.

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- If an Application Form for different inputs is sent in different dates, it is considered that a separate quotation will be sent for each one and the discount on volume does not apply.
- Costs for renewal of CC will be 60% of the original cost, but only when the number of inputs remains the same.
- For clients in Europe the cost might vary depending on the exchange rate of the US Dollar.
- The table of tariffs of inputs does not include costs for laboratory analysis, shipping and handling of samples, customs clearance, banking costs, delivery of the CC document by courier, nor sales' taxes or other type of taxation established at national level; thus these costs must be covered later by the client.
- This table does not include the costs / expenses for additional inspections and actions taken by KIWA BCS agency to ensure the consistency of the evaluation results, which shall be covered by the client.
- In case of evaluation of more than one input, KIWA BCS will group them in the minimum number of CC's. If the client desires individual CC's for every input, an additional amount of US\$40.00 for each CC will be charged.
- If the client desires to incorporate different commercial names (trademarks) for an already evaluated input – for example for different countries – it will be charged the cost an additional amount of US\$ 120.00 for each trademark.
- If an client desires to include changes on an approved and issued CC, it will be charged an additional amount of US\$50.00, except if the change is necessary due to an error of KIWA BCS.
- If the client requests a CC in other languages different from English and Spanish, it will be charged an additional amount of U.S. \$ 120.00 per document.

I: _____ ID#: _____ Legal representative of the company:
_____ hereby certify that I have read, understood and accepted the conditions described in this "Manual" for the Program of Evaluation of Inputs for Use in Organic Agriculture of KIWA BCS Oko Garantie. I declare that the information included in the Application Form and other document submitted to KIWA BCS's GmbH agency is true and accurate.

Signature of business representative

Date and place