

## Order of the General Administration of Quality Supervision,

### Inspection and Quarantine No. 155

The "Administrative Measures for the Certification of Organic Products" has been deliberated and approved by the bureau meeting of the General Administration of Quality Supervision, Inspection and Quarantine on April 23, 2013, and is hereby promulgated for implementation on April 1, 2014. Amended in accordance with the Decision of the General Administration of Quality Supervision, Inspection and Quarantine on Amending Some Regulations on August 25, 2015 (AQSIQ Order No. 166).

### Organic Product Certification Management Measures

#### Chapter I General Provisions

Article 1 In order to protect the legitimate rights and interests of consumers, producers and sellers, further improve the quality of organic products, strengthen the management of organic product certification, and promote ecological environmental protection and sustainable development, in accordance with the "People's Republic of China Product Quality Law", The Republic of Import and Export Commodity Inspection Law, the Regulations of the People's Republic of China on Certification and Accreditation, and other laws and administrative regulations have formulated these Measures.

Article 2 These Measures shall be followed for certification of organic products and production, processing, import and sales of certified organic products within the territory of the People's Republic of China.

Article 3 The term "organic products" as mentioned in the present Measures refers to the production, processing and sale of products for human consumption and animal consumption that comply with China's national standards for organic products.

The organic product certification referred to in these measures refers to the conformity assessment activities conducted by the certification body in accordance with the provisions of these measures and in accordance with the organic product certification rules for the

production, processing, and sales of relevant products in accordance with China's national standards for organic products.

Article 4 The National Certification and Accreditation Administration (hereinafter referred to as the National Certification and Accreditation Administration) is responsible for the unified management, supervision, and overall coordination of organic product certification nationwide.

Local quality and technical supervision departments at various levels and local entry-exit inspection and quarantine agencies (hereinafter collectively referred to as local certification and supervision departments) shall be responsible for the supervision and inspection of organic product certification activities and administrative enforcement in accordance with the law according to the division of responsibilities.

Article 5 The State promotes a unified organic product certification system, a unified certification catalog, unified standards and certification implementation rules, and a unified certification mark.

The State Certification and Accreditation Administration is responsible for formulating and adjusting the organic product certification catalog, certification implementation rules, and publicizing it.

Article 6 The State Certification and Accreditation Administration shall organize international cooperation on organic product certification in accordance with the principle of equality and mutual benefit.

International mutual recognition of organic product certification shall be carried out within the international cooperation agreement signed by the country.

## Chapter II Certification Implementation

Article 7 The ability of a certification body to implement certification activities shall meet the requirements of the relevant national standards of product certification bodies.

Inspectors engaged in organic product certification inspection activities shall be registered with the national certification body registration agency before they can engage in organic product certification inspection activities.

Article 8 Organic product producers and processors (hereinafter collectively referred to as certification clients) may voluntarily entrust certification agencies to carry out organic product certification and submit application materials specified in the implementation rules for organic product certification.

The certification body shall not accept the certification entrustment of the organic product production environment that does not meet the national regulations, and the certification clients of products outside the organic product certification catalog.

Article 9 The certification body shall complete the material review and make a decision on whether or not to accept the application within 10 days from the date of receiving the application materials of the certification client. For those that are not accepted, the client of the certification shall be notified in writing, explaining the reasons.

The certification body shall, within 5 days before the on-site inspection of the certification client, submit basic information such as the certification client and certification inspection plan to the information system determined by the State Certification and Accreditation Administration.

Article 10 After the certification body accepts the certification commission, the certification body shall conduct on-site inspections of organic product production and processing sites by certification inspectors in accordance with the provisions of the Organic Product Certification Implementation Rules, and shall entrust inspection agencies with legal qualifications to apply for certification. Products are inspected.

In accordance with the provisions of the Organic Product Certification Implementation Rules, if the environmental monitoring (inspection) of the production site (base) is required, the monitoring (inspection) test report issued by a legally qualified monitoring (inspection) testing agency or other certification provided by the client Legal and effective environmental monitoring (inspection) conclusions.

Article 11 If the organic product certification requirements are met, the certification body shall promptly issue an organic product certification certificate to the certification client and allow it to use the Chinese organic product certification mark; if it fails to meet the certification requirements, it shall notify the certification client in writing and explain reason.

The certification body and certification personnel shall be responsible for the certification conclusions they make.

Article 12 The certification body shall ensure the integrity, objectivity and authenticity of the certification process, make a complete record of the certification process, keep it on file, and ensure that the certification process and results are traceable.

The product inspection and testing and environmental supervision (inspection) inspection agencies shall ensure that the conclusions of the inspection, testing and monitoring are true and accurate, and make a complete record of the inspection, testing and monitoring process, and keep them on file. Product inspection and testing, environmental monitoring agencies and their related personnel shall be responsible for the contents and conclusions of the inspection and testing and monitoring reports made by them.

The record retention period specified in this article is 5 years.

Article 13 The certification body shall implement effective follow-up inspections on the certified products and their production and processing processes in accordance with the provisions of the certification implementation rules to ensure that the certification conclusions can continue to meet the certification requirements.

Article 14 The certification body shall promptly issue a sales certificate of organic products to the certification client to ensure that the category, scope and quantity of organic

products sold by the certification client of the certified product are consistent with the records in the certification certificate.

Article 15 Processed products with an organic ingredient content (referring to weight or liquid volume, excluding water and salt, the same below) equal to or higher than 95% shall not be included in the product or product packaging and labeling until it has obtained organic product certification. "Organic" is marked on it, and the organic product certification mark is added.

Article 16 The certification body shall not perform organic certification on processed products with an organic ingredient content of less than 95%.

### Chapter III Import of Organic Products

Article 17 The organic product authorities of countries or regions that export organic products to China may submit an application for the evaluation of the equivalence of the organic product certification system to the CNCA. The CNCA accepts their applications and organizes relevant experts to submit Application for evaluation.

The assessment can be carried out by means of document review and on-site inspection.

Article 18 If the organic product certification system of a country or region that exports organic products to China is equivalent to the Chinese organic product certification system, the CNCA may sign the relevant memorandum with its competent department.

Organic products exported from this country or region to China shall be managed in accordance with the relevant memorandum.

Article 19 Imported products from countries or regions that have not signed a relevant memorandum with regard to the equivalence of the organic product certification system with the State Certification and Accreditation Administration, and are intended to be exported to China as organic products, shall comply with Chinese organic product laws and regulations and China Organic Product national standard requirements.

Article 20 Manufacturers, sellers, importers or agents of imported products that need to obtain Chinese organic product certification (hereinafter collectively referred to as the “imported organic product certification client”) shall submit a certification commission to a certification agency approved by the State Certification and Accreditation Administration.

Article 21 The client for the certification of imported organic products shall submit relevant application materials and documents to the certification body in accordance with the provisions of the implementation rules of organic product certification, including application forms, survey forms, processing processes, product formulas, and production and processing processes. The input materials and documents used for certification such as input products shall be submitted in Chinese at the same time. If the application materials do not meet the requirements, the certification body shall not accept its certification entrustment.

Certification agencies engaging in certification of imported organic products shall comply with the provisions of these Measures and the implementation rules of organic product certification, and the certification inspection records and inspection reports shall be in Chinese.

Article 22 When applying for entry inspection and quarantine for imported organic products, they shall submit a copy of the Chinese organic product certification certificate, a copy of the organic product sales certificate, certification mark, and product identification.

Article 23 The entry-exit inspection and quarantine institutions at various places shall perform entry verification on the imported organic products declared, and check the copies of the certification certificate, the copy of the organic product sales certificate, the certification mark and the product identification, and check whether the goods certificates are consistent. Inconsistencies shall not be entered as organic products.

When necessary, the entry-exit inspection and quarantine agency may conduct supervision sampling inspection on the imported organic products declared to verify whether their product quality meets the requirements of China's national standards for organic products.

Article 24 Within 30 days of issuing the organic product certification certificate to the client of the certification of imported organic products, the certification body shall submit the following written materials to the CNCA:

- (1) the category, scope and quantity of the certified products;
- (2) the name, address and contact information of the client of the certification of imported organic products;
- (3) the name, address and contact information of the certified product manufacturer and importer;
- (4) Copies of the certificate and inspection report (in both Chinese and foreign languages);
- (5) Other materials specified by the State Certification and Accreditation Administration.

#### Chapter 4 Certificate and Certification Mark

Article 25 The State Certification and Accreditation Administration is responsible for formulating the basic format, numbering rules, and certification mark patterns and numbering rules for organic products.

Article 26 The validity period of a certificate is one year.

Article 27 The certification shall include the following:

- (1) the name and address of the authentication client;
- (2) The name and address of the producer, processor and place of production (base) of the certified product;
- (3) the number of certified products, the area of origin (base) and the types of products;
- (4) certification categories;
- (5) National standards or technical specifications on which it is based;

(6) The name of the certification body and its responsible person's signature, date of issue, and validity period.

Article 28 In the validity period of the certification certificate, the certified client shall apply to the certification body for change within 15 days if one of the following circumstances occurs. The certification body shall change the certification certificate within 30 days from the date of receiving the application for change of the certification certificate:

(1) The name of the certification client or organic product production or processing unit or the nature of the legal person is changed;

(2) The types and quantities of products are reduced;

(3) Other circumstances where the certification certificate needs to be changed.

Article 29 Under any of the following circumstances, the certification body shall cancel the certification certificate and make it public within 30 days:

(1) The expiration of the validity period of the certification certificate without applying for continued use;

(2) The certified products are no longer produced;

(3) The certification client of the certified product applies for cancellation;

(4) Other situations where the certification certificate needs to be cancelled.

Article 30 Under any of the following circumstances, the certification body shall suspend the certification certificate within 15 days, and the certification certificate shall be suspended for 1 to 3 months and shall be announced to the public:

(1) Failure to use a certification certificate or certification mark in accordance with regulations

(2) The activities of production, processing, and sales of the certified products or the management system do not meet the certification requirements, and the certification body evaluates that it can take effective corrections or corrective measures within the suspension period;



(3) Other situations where the certification certificate needs to be suspended.

Article 31 Under any of the following circumstances, the certification body shall revoke the certification certificate within 7 days and make it public:

(1) The quality of the certified product does not meet the compulsory requirements of relevant national laws and regulations or standards, or the substance prohibited by the national standard of organic products is detected;

(2) the use of or contamination by prohibited substances in national standards for organic products in the production and processing of certified products;

(3) The certification client of the certified product falsely reports or conceals the information required for certification;

(4) The certification client of the certified product uses the certification mark beyond the scope;

(5) The environmental quality of the origin (base) of the certified product does not meet the certification requirements;

(6) The activities of production, processing, sales, etc. of the certified products or the management system do not meet the certification requirements, and no effective correction or corrective action has been taken during the suspension of the certification certificate;

(7) The certified products are reprocessed, repacked, or divided outside the production and processing sites indicated on the certification certificate;

(8) The client of the certification of the certified product has a major complaint against the relevant party and fails to take effective measures to deal with the problem;

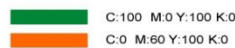
(9) The certified client of the certified product engages in organic product certification activities and is subject to relevant administrative penalties for violating national laws and regulations on agricultural products and food safety management;

(10) The client of the certification of the certified product refuses to accept the supervision of the certification supervision department or certification body;

(11) Other situations in which the certification certificate needs to be revoked.

Article 32 The organic product certification mark is the Chinese organic product certification mark.

The Chinese organic product certification mark is marked with "Chinese Organic Products" in Chinese and "ORGANIC" in English. The pattern is as follows:



Article 33 The Chinese organic product certification mark shall be used within the product category, scope and quantity specified in the certification certificate.

The certification body shall uniquely number each certification mark (hereinafter referred to as the organic code) in accordance with the unified numbering rules of the State Certification and Accreditation Administration, and adopt effective anti-counterfeiting and traceability technologies to ensure that each certification mark issued can be traced to its corresponding certification. Certificates and certified products and their production and processing units.

Article 34 The client of the certification of the certified product shall affix the Chinese organic product certification mark, organic code and the name of the certification body to the certified product or the minimum sales package of the product.

The certified organic product certification mark can be printed on the certified product labels, instructions and advertising materials, and can be enlarged or reduced in proportion, but it must not be deformed or discolored.

Article 35 Under any of the following circumstances, no unit or individual may mark the product, the minimum sales package of the product, and its label with the words "organic"

and "ORGANIC" and may mislead the public into thinking that the product is an organic product. Text and graphics:

(1) failing to obtain certification for organic products;

(2) The certified products have been reprocessed, repacked and divided outside the production and processing sites indicated in the certification certificate.

Article 36 During the suspension of the certification certificate, the certification client of the certified product shall suspend the use of the certification certificate and certification mark; after the certification certificate is cancelled or revoked, the certification client shall return the certification certificate and the unused certification mark to the certification body .

#### Chapter V Supervision and Management

Article 37 The State Certification and Accreditation Administration shall conduct supervision and inspection and irregular special supervision and inspection on organic product certification activities.

Article 38 Local certification and supervision departments shall, in accordance with their respective responsibilities, supervise and inspect organic product certification activities in areas under their jurisdiction, and investigate and punish illegal acts in the production, processing, and sales of certified organic products.

The entry-exit inspection and quarantine institutions in various places are responsible for the supervision and inspection of foreign-funded certification bodies, certification and sales of imported organic products, and certification, production, processing, and sales of export organic products.

The local quality and technical supervision departments at various levels are responsible for supervising and inspecting the certification, production, processing, and sales activities of Chinese-funded certification bodies, organic products that are produced and processed in China and sold in China.

Article 39 The methods of supervision and inspection by the local certification supervision department include:

- (1) Supervision and inspection on the compliance of organic product certification activities with these Measures and the implementation rules of organic product certification;
- (2) Supervision and random inspection of certified products;
- (3) Supervision and inspection of certification, production, processing, import, and sales of certified products;
- (4) Supervision and inspection of organic product certification certificates and certification marks
- (5) Supervision and inspection on whether the organic product certification consulting activities conform to relevant regulations;
- (6) Investigation and handling of reports on organic product certification and certification consulting activities;
- (7) Investigation and punishment of illegal acts in accordance with law.

Article 40 The National Certification and Accreditation Administration shall regularly publish the dynamic information of organic product certification through the information system.

Before issuing a certification certificate, the certification body shall promptly submit information related to organic product certification to the information system and obtain the certification certificate number as required.

Before issuing a certification mark, the certification body shall upload the relevant information about the certification mark and organic code to the information system.

The local certification supervision department shall, through the information system, supervise and inspect the organic product certification activities carried out in the area under its jurisdiction according to the certification-related information submitted and uploaded by the certification body.

Article 41 The client of the certification of the certified product, as well as the organic product sales unit and individual, shall establish a complete product quality and safety traceability system and production and processing in the process of product production, processing, packaging, storage, transportation and sales. 2. Sales record file system.

Article 42 Organic product sales units and individuals shall, in the activities of purchasing, storing, transporting, and selling organic products, comply with the provisions of national standards for organic products, and guarantee the type, scope and quantity of organic products sold and the products in the sales certificate. The category, scope and quantity are the same, and a copy of the certification certificate and organic product sales certificate consistent with the original can be provided for the relevant administrative supervision department or consumer inquiry.

Article 43 The certification supervision department may timely release information on the certification area and certification of organic products in accordance with the information on animal and plant epidemics, environmental pollution risk warnings issued by relevant state departments, as well as supervision and inspection, consumer complaints and reports, and media reports Pre-warning information on certification risks of products and their certification clients and certification agencies, and take relevant countermeasures.

Article 44 If the certification client of the certified product provides false information, the use of prohibited substances in violation of regulations, the use of organic certification marks beyond the scope, or a major accident of product quality and safety, the certification body shall not accept the enterprise and its production base, Commissioned for organic product certification at processing sites.

Article 45 If the certification client disagrees with the certification body's certification conclusion or processing decision, it may appeal to the certification body, and if it still has objections to the certification body's processing conclusion, it may appeal to the State Certification and Accreditation Administration.

Article 46 Any unit or individual may report illegal acts in the certification of organic products to the State Certification and Accreditation Administration or the local certification

supervision department. The State Certification and Accreditation Administration and the local certification supervision department shall investigate and deal with it in a timely manner, and keep confidential for the reporter.

## Chapter VI Penalties

Article 47 Where the certification mark is forged, counterfeited or illegally traded, the local certification supervision department shall comply with laws and administrative regulations such as the “Product Quality Law of the People’s Republic of China”, “The Import and Export Commodity Inspection Law of the People’s Republic of China” and its implementing regulations. Provide penalties.

Article 48 Where a certification certificate is forged, altered, misused, illegally traded, transferred, or altered, the local certification supervision department shall order correction and impose a fine of 30,000 yuan.

In violation of the provisions of Article 40, paragraph 2 of these Measures, the certification body shall prepare the certification number on the certification issued by itself, which shall be deemed as a counterfeit certification.

Article 49 In violation of the second paragraph of Article 8 of these Measures, the certification body shall issue a certification certificate to a certification client who fails to meet the requirements of the state for the production of the organic products in the environmental requirements of the region, or the certification client for products outside the organic product certification catalogue, and shall be ordered to correct it. A fine of 30,000 yuan shall be imposed; if there is illegal income, the illegal income shall be confiscated.

Article 50 In violation of the provisions of Article 35 of these Measures, products or product packaging and labels marked with the words "organic" and "ORGANIC" may mislead the public into thinking that the product is an organic product's textual expression and pattern. The local certification supervision department ordered the correction and imposed a fine of less than 30,000 yuan.

Article 51 If the certification body has any of the following circumstances, the State Certification and Accreditation Administration shall order correction, give a warning, and make it public:

(1) failing to upload the organic product certification mark and organic code to the information system determined by the State Certification and Accreditation Administration in accordance with the provisions of Article 40, paragraph 2 of these Measures;

(2) failing to submit relevant authentication information to the information system determined by the State Certification and Accreditation Administration or the information submitted by it is not true in accordance with the provisions of Article 9, paragraph 2 of these Measures;

(3) Failure to submit relevant materials for the record to the State Certification and Accreditation Administration in accordance with the provisions of Article 24 of these Measures.

Article 52 In violation of the provisions of Article 14 of these Measures, the number of organic product sales certificates issued by a certification body exceeds the actual number of organic products produced and processed by the certified client of the certified product. Fines ranging from RMB 30,000 to RMB 30,000.

Article 53 In violation of the provisions of Article 16 of these Measures, if a certification body conducts organic certification on processed products with an organic ingredient content of less than 95%, the local certification supervision department shall order correction and impose a fine of less than 30,000 yuan.

Article 54 Where a certification body violates the provisions of Articles 30 and 31 of these Measures and fails to suspend or revoke the certification certificate in a timely manner and publish it to the public, it shall comply with the provisions of Article 60 of the Regulations on Certification and Accreditation of the People's Republic of China. Punishment.

Article 55 If the certification client has any of the following circumstances, the local certification supervision department shall order correction and impose a fine of 10,000 yuan to 30,000 yuan:

(1) Processed products that have not obtained certification for organic products, in violation of the provisions of Article 15 of these Measures, marked with an organic product certification mark;

(2) Failure to use the certification mark in accordance with Article 33, paragraphs 1 and 34 of these Measures;

(3) Continue to use the certification certificate and certification mark during the period of suspension of the certification certificate or after being cancelled or revoked

Article 56 If a certification body or a client of a certified product refuses to accept the supervision and inspection of the State Accreditation Administration or the local certification supervision department, it shall be ordered to make corrections within a time limit; if it fails to make corrections within the time limit, it shall be fined up to 30,000 yuan.

Article 57 When entering the country for inspection and quarantine of imported organic products, it is not possible to truthfully provide the true status of imported organic products, obtain relevant certificates from entry-exit inspection and quarantine institutions, or avoid inspection for organic products subject to legal inspection and evade inspection The entry-exit inspection and quarantine agency shall be punished in accordance with Article 46 of the Implementation Regulations of the Import and Export Commodity Inspection and Inspection Law of the People's Republic of China.

Article 58 Other illegal acts in the certification of organic products shall be punished in accordance with the relevant laws, administrative regulations and departmental regulations.

#### Chapter VII Supplementary Provisions

Article 59 The fees for organic product certification shall be implemented in accordance with the relevant national price laws and administrative regulations.

Article 60 Organic products exported shall meet the requirements of the importing country or region.



Article 61 The term "organic ingredients" as used in these Measures refers to any substance, including additives, used in the manufacture or processing of organic products and existing (including modified forms).

Article 62 The General Administration of Quality Supervision, Inspection and Quarantine is responsible for the interpretation of these measures.

Article 63 These Measures shall be implemented as of April 1, 2014. The "Administrative Measures for Organic Product Certification" (AQSIQ Order No. 67) promulgated by the General Administration of Quality Supervision, Inspection and Quarantine on November 5, 2004 shall be repealed simultaneously.

Organic product certification bodies (hereinafter referred to as certification bodies) shall obtain legal personality in accordance with the law and be approved by the State Certification and Accreditation Administration before engaging in organic product certification activities within the scope of approval.