

**Rights and responsibilities of the client using the licence/ mark of conformity (India Organic Logo).**

1. All clients with permission to use license/ mark of conformity (India Organic Logo) are subject to follow the “Regulations Governing Use of the Certification Trade Mark (India Organic Logo)” as prescribed in Chapter 6 of NPOP standard.
2. A licensee on grant of a license to use of the mark of conformity shall:
  - a. In a continual manner comply with the requirements of NPOP, rules for the use of mark of conformity (India Organic Logo), Getcert logo and any amendments made in the same thereto.
  - b. At all times complies with NPOP requirements as amended from time to time, uses Getcert logo in accordance with the conditions defined in the procedure, only in respect of the production and supply of products that are subject to the certification from the address stated on the certificate.
  - c. Use India Organic Logo as per the requirements of NPOP, only in respect of the production and supply of products that are subject to the certification from the address stated on the certificate.
  - d. Code numbers of Getcert Pvt. Ltd. shall be used correctly as and when required. Logo of Getcert Pvt. Ltd. shall be used in a manner as depicted in the rules for the use of Getcert logo.
  - e. Only claim that he/ she is holding a license in respect to the capability which is the subject of the license and which relates to the products or processes in accordance with NPOP and license requirements,
  - f. Not use the license in any manner to which accreditation agency may object and shall not make any statement concerning use of the license which may be considered misleading by Getcert Pvt. Ltd.
  - g. Submit to Getcert Pvt. Ltd. for approval, the proforma in which he proposes to use his license or proposes to make references to the license,
  - h. Upon suspension or withdrawal or cancelation of certification and / or the right to use the license/ mark of conformity, the client(s) shall-
    - i. Immediately stop the use of Getcert logo and mark of conformity
    - ii. Inform about the same to its clients, stakeholders and other interested parties without any delay.
    - iii. Immediately stop to issue or use any certificates, reports, labels displaying Getcert logo and mark of conformity or containing references to Getcert certification.
    - iv. Shall ensure the discontinuation of any materials (whether electronic or hardcopy) usage and distribution which refers to certification in force and display mark of conformity and Getcert logo.
    - v. In the event of a withdrawal of certification and/ or the right to use the license/ certification mark, the client shall return the certificate or the license to Getcert without any delay. The right to use the Certification Mark expires at the same time without giving rise to any indemnification claim against designated accreditation agency and/or Getcert Pvt. Ltd.
    - vi. When a license has been suspended or cancelled, Getcert shall so advise the licensee in writing and publish such a suspension or cancellation in a manner as found appropriate by Getcert Pvt. Ltd..
  - i. Permit access to the inspector of Getcert for purposes of assessment, audit or surveillance, sampling and investigation of complaints, if any.

- j. The licensee shall give full details of all actions taken in response to field problems arising from allegations of defects in products or processes covered in the license/ certification and allow the inspector of Getcert to access all relevant records and documents for the purpose of verifying such details,
  - k. The licensee is required to produce evidence of continuous compliance the products or processes covered under the license/ certificate.
  - l. Licensee shall notify Getcert in writing of discontinuance of operations under certification for three months or more in a row. Discontinuance of a license for six months or more may lead to cancellation of license. In such cases, a new application shall be furnished to Getcert and an assessment visit will be necessary prior to grant of a new license/ certificate.
  - m. Pay all financial dues to Getcert in the manner prescribed by it, even for the period of discontinuance or suspension of license.
  - n. The mark of conformity shall be used in such manner as it may be easily visible as a distinct mark on the products or the packaging or on test certificates relating to articles which cannot be labeled or covered.
  - o. The mark of conformity shall be applied to only such types, grades, classes, varieties, sizes of the products for which the license/ certificate has been granted.
  - p. The manner, in which the licensee proposes to place or use the mark of conformity, must be approved by Getcert.
  - q. When mark of conformity has been specified in respect to the products or process, no person other than the licensee in possession of a valid license/ certificate shall make any public claim, through any advertisement, sales promotion leaflets, pricelists or other, that his product conforms to the relevant mark of conformity or carries the mark of conformity.
  - r. Every licensee shall institute and maintain, to the satisfaction of Getcert, a system of control to keep up the quality of his production or process by means of a scheme of testing and inspection, so as to ensure that the products or process, in respect of which the mark of conformity is being used, comply with the relevant norms and procedures of Getcert and NPOP.
  - s. The licensee shall maintain a complete record of the tests and inspection and such other data as specified in NPOP for testing and inspection, to establish to the satisfaction of Getcert that the required control of production or process has been and is being satisfactorily maintained. Such records shall, on demand, be made available for inspection to Getcert.
  - t. Do not change the system of production, processing or manufacture under which the certification is issued during the period of its validity unless give Getcert a notice in writing of the intention to do so and receive confirmation in writing from Getcert, that such variations do not render the certificate invalid. Such changes are subject to additional verification and inspection as per the procedures set by Getcert.
3. In case of any difficulty or technical problem in maintaining the conformity of the product with NPOP and product specification established, if testing and calibration equipment are not accessible or not functioning or any other reason; the licensee shall cease to use the mark of conformity and making reference to the certification on any such product. In such case the licensee shall inform Getcert without any delay. Use of mark of conformity can be resumed

followed by validation of process by Getcert, as soon as such defects/ difficulties are eliminated, Getcert shall be informed without any delay.

4. If there are evidences that the products marked with mark of conformity are not complying to the requirements of NPOP, norms and procedures set by Getcert; such licensee will be notified to stop using mark of conformity and making reference to Getcert certification for such products/ systems. Further resumption will be provided to the licensee upon verification by Getcert that such deficiencies have been removed. In such cases the licensee shall not use mark of conformity and refer to the certification unless permitted by Getcert Pvt. Ltd.
5. Such decision will be communicated to the licensee in writing along with the reasons for such decision. Such decision can only be revoked verification of compliance with NPOP requirement by Getcert. Such verification may consider surveillance of the use of mark of conformity, additional sampling, additional inspection as the case may be.
6. In event of misleading or improper use of Getcert logo and mark of conformity by any means, Getcert has every right to take action against the defaulters. Such action may include periodic surveillance of the licensee, corrective action by the licensee, withdrawal of license, publication of the transgression and if necessary other legal actions.
7. In event of misleading or improper use of Getcert logo and mark of conformity by non-committed client(s) (subcontracted by the client but not under direct control of Getcert or any other party who is not in contract with Getcert) by any means, Getcert has every right to take action against the defaulters. Such action may include periodic surveillance of the licensee, corrective action by the licensee, withdrawal of license, publication of the transgression and if necessary other legal actions.
8. In case of corrective action to be taken for the misleading or improper use of mark of conformity, the licensee or the other party shall prepare and implement a corrective action plan considering minimizing the negative consequences of the misuse. Such corrective action plan may be case specific based on the situation.
9. Surrender of a license-
  - a. If the licensee is temporarily unable to comply with the certification requirements, the license can be surrendered by the licensee at any time in writing to Getcert.
  - b. In the case of surrender, the licensee shall return the license/ certificate with all the related documents to Getcert, and thereon shall not use or refer the certification mark and Getcert logo on the products, label, and document or advertisement material.
  - c. Getcert will inform all interested parties about the same including accreditation body and will make necessary changes in its records, public information and other.