**认证委托人和认证机构义务和权力**

**Rights and Obligations of Applicant and Certification Body**

**申请者（甲方）的义务和权利 Rights and Obligations of Applicant (Party A)：**

1. 在生产/加工过程中持续满足有机认证标准，包括变更的认证要求；如实向乙方提交认证调查表及有关认证材料，并保证提交资料的真实性和客观性，同时为乙方提供检查的必要工作条件。Strictly follow the Organic Standards for Organic Certification in its operation (production/processing), includes changes to certification requirements, fill out the questionnaire truthfully as it is and hand it in along with relevant supporting material; and ensure reality and objectivity of the submitted materials; and provide necessary conditions for work of Party B.
2. 检查员在现场检查时若认为有必要增加本合同之外规定的样品采集数，则增加的样品分析费由甲方另行支付。The inspector may take additional samples beyond the number in the contract for test when it is deemed necessary during the inspection, and Party A shall bear the extra cost of the additional sample test.
3. 有义务向乙方开放与申请检查有关的所有生产/加工原始记录、销售台帐，生产设施和仓储设施等在内的全部经营管理过程；同意乙方在现场拍摄与检查有关的照片。接受乙方安排的未通知检查和对投诉的调查，保存已知的与认证要求符合性有关的所有投诉记录，针对投诉以及在产品中发现的影响认证要求符合性的任何缺陷采取适当的措施并保持记录，在乙方要求时提供上述记录。Party A is obligated to let the inspector to have access to all sections of the entire operation processes, including primary records, sales account, production facilities, and storage facilities, of the farm/processing plant/handler to be certified, and have freedom to take photos of any parts of the operation on the site. Party A is obligated to accept unannounced inspections and investigations of complaints arranged by Party B, keep records of all complaints known to be related to compliance with certification requirements, take appropriate action against complaints and any defects found in products affecting compliance with certification requirements and maintain records, and provide the above records upon Party B's request.
4. 同意接受认可机构和认证监管等行政执法部门的监督和检查。Party A agrees to accept supervision and audit from accreditation bodies and administration authorities.
5. 获证后，具有按规定正确使用认证证书和标志标识的合法权益，具有对外正确宣传其获得认证证书资质的权利，向第三方提供认证文件的复印件时，应提供完整的文件复印件，不应采用误导方式使用或部分使用认证检测报告、检查报告、认证证书和认证标志。在宣传本企业认证结果时，严格按认证证书范围进行宣传，不损害乙方的声誉。After being certified, Party A has the legal right to use the certificate and certification mark and to publicize its qualification of certification by right way. If Party A provides copies of the certification documents to others, the documents shall be reproduced in their entirety.Any misleading using of any part of the test report, inspection report for certification, and the certificate and certification mark are prohibited. The advertisement for certification shall be within scope of the certificate, and shall not damage reputation of OFDC.
6. 建立信息通报制度。发生下列情况之一时，在认证证书有效期内，及时向乙方通报 Set up information notification system, and report the following information to Party B in time, within the valid period of the certificate。

（1）法律地位、经营状况、组织状态或所有权变更的信息Changes of legal status, operation situation, organization status or ownership；

（2）管理层、联系地址变更的信息Changes of management and contact address；

（3）有机产品管理体系、生产、加工、经营状况、过程或生产加工场所变更的信息Changes of organic management system, situation, process or premises of production, processing and handling；

（4）认证产品的生产、加工、经营场所周围发生重大动植物疫情、环境污染的信息Significant animal epidemic, plant disease or environmental pollution near the production, processing or handling site for organic certification；

（5）生产、加工、经营及销售中发生的有机产品质量安全重要信息，如相关部门抽查发现存在严重质量安全问题或消费者重大投诉等；Significant accident related to quality safety of organic product during production, processing, handling and sales, such as serious problem of the product quality found by administrative authority, or vital problem from consumer’s complaint;

（6）获证组织因违反国家农产品、食品安全管理相关法律法规而受到处罚；Party A was punished because of violation to national laws/regulations of agricultural/food safety;

（7）采购的配料或产品存在不符合认证依据要求的情况；Non-compliance was found in the purchased ingredients or products;

（8）不合格品撤回及处理的信息；Withdrawal of or treatment to unqualified product;

（9）销售证的使用情况；Usage of transaction certificates;

（10）其他重要信息。Other important information.

申请OFDC有机认证标准（IFOAM认可）时，在甲方发生上述（1）～（8）条款的情况下，甲方应在向乙方通报的同时停止获证产品的出货/销售，直至乙方确认相关变更/变化发生后甲方仍符合标准要求时，甲方可继续出货/销售获证产品。If certified to OFDC Organic Certification Standard(IFOAM Accredited), Party A shall not distribute/sell certified products whenever changes described in (1)~(8) occur, until granted permission by the Party B.

1. 要求变更认证证书时，须向乙方提出书面申请。 Party A shall submit written application to Party B once Party A requires changing certification.

**认证机构（乙方）的义务和权利 Rights and Obligations of Certification Body (Party B)：**

1. 及时向甲方提供最新的有机认证标准和公开文件。Provide Party A with the latest edition of organic certification standards and public files in time.
2. 在确认甲方已缴纳有机认证费后，尽快组建检查组，并及时书面通知甲方。选派的检查员须与甲方无任何利益冲突关系。Upon confirming that Party A has paid organic certification fees, nominate inspection team as soon as possible and inform Party A of the nomination. The nominated inspector shall not has any interest conflict with Party A.
3. OFDC颁证委员会在接到检查报告后应及时根据有机认证标准、检查报告和申请者提交的相关材料做出认证决定。对符合有机产品认证标准的认证委托人颁发认证证书。对不符要求或达不到颁证条件的须向甲方说明原因。OFDC Certification Committee shall make a final decision based on the relevant standards for organic certification, the inspection report and the supporting materials provided by Party A. Issue organic certificates to Party A who comply with the organic standards or requirements. Or, explain reasons of denial of certification to Party A who fails to comply with the organic standards or requirements for organic certification.
4. 应甲方的申请，对符合要求的签发销售证、发放有机产品防伪追溯标签或有机码。At the request of Party A, issue the transaction certificate, anti-fake and traceable label or organic code to the qualified products.
5. 不得将甲方经营、生产状况及技术资料以任何方式泄露给第三方，但以下情况除外：a)应甲方要求公开的信息；b) 甲方在本单位范围外已公开的资料；c) 法律另有要求时；d) 监管部门要求时。The information of business, production and technical materials of Party A shall not be disclosed to any third party, except: 1) Party A requires to open the information; 2) Party A has publicized the information outside its operation; 3) When required by related law; 4) When required by supervisingauthorities.
6. 通过OFDC网站或其它途径公布获证组织名录。同时有权公布甲方的批准、注销、暂停、撤销认证状态的信息。Party B has the right to publicize the list of certified operators through OFDC official website and other ways; and to publicize the information of the granting, suspension, revocation and withdrawal of certification of Party A.
7. 认证要求发生变更时，应及时通知甲方。Party B shall inform any changes of certification requirements to Party A in time.
8. 必要时，有权对甲方安排未通知检查以及投诉的调查。Party B has the right to arrange unannounced inspection and complaint investigation to Party A if necessary.