

Australian Quarantine and Inspection Service

2007 Rules for Design and Procedure governing the AQIS  
regulatory mark for *certified* produce

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## 1. INTRODUCTION

The Australian Quarantine and Inspection Service (AQIS) regulatory mark is a representation that indicates certified products have been produced and/or manufactured in accordance with the National Standard for Organic and Bio-dynamic Produce. The regulatory mark is a clear and public demonstration that an AQIS approved certifying organisation has verified a system for organic, bio-dynamic, or in conversion produce.

## 2. OBJECTIVE

2.1 This document outlines the "conditions for use" of the regulatory mark.

## 3. OTHER REFERENCES

- a) Export Control (Organic Produce Certification) Orders 1997.
- b) National Standard for Organic and Bio-dynamic Produce.
- c) AQIS Organic Notices.

## 4. DEFINITIONS

- 4.1 **Product of Australia** or **Made in Australia** terms have the same intent as prescribed under the Part V of the Trade Practices Act: Division 1 AA - Country of Origin requirements.
- 4.2 **Regulatory mark** has the same meaning as "official mark" under the Export Control Act 1982.

## 5. SANCTIONS

- 5.1 Unauthorised use of a regulatory mark is an offence under the Export Control Act 1982.
- 5.2 Unlawful use of the regulatory mark will be investigated with a view to imposing sanctions and/or legal action.

## 6. REGULATORY MARK

- 6.1 A regulatory mark shall be reproduced exactly as shown in Figure 1.
- 6.2 Under no circumstances is a regulatory mark to be reproduced in a colour combination other than that detailed in Figure 1.
- 6.3 A regulatory mark must be uniformly enlarged or reduced without alteration to the aspect ratio, and shall be of a sufficient size for the wording to remain legible.
- 6.4 Where a decision to use a regulatory mark has been made, logos of similar style must not be included on packaging.

## 7. CONDITIONS FOR USE

### *General*

- 7.1 Use of the regulatory mark is voluntary; no direct charge will be imposed for its use other than the cost of verification during an inspection or audit.
- 7.2 The regulatory mark must not contribute to any misleading or deceptive trade description claims.
- 7.3 The use of the regulatory mark on certified organic or bio-dynamic or in conversion produce deemed as "Product of Australia" or "Made in Australia" is permitted.
- 7.4 Certified imported organic, bio-dynamic or in conversion products displaying country-of-origin labeling other than Australia cannot be labeled using the regulatory mark.
- 7.5 The use of a regulatory mark on any packaging, documents, promotional, or stationery materials is permitted.
- 7.6 Strict compliance to the National Standard for Organic and Bio-dynamic Produce is necessary to maintain on going approval to use the regulatory mark.

### *Approved certifying organisation*

- 7.7 The approved certifying organisation must include documented procedures within their QM system for the management of the regulatory mark including, but not limited to:
  - a) maintain a register of certified operators who have been "approved" to use the regulatory mark; and
  - b) each inspection activity will verify (and record) that the certified operator satisfies the requirements in this document.
- 7.8 As a result of inspection/verification and non-compliance; or the certified operator's accreditation is suspended or cancelled, the approved certifying organisation will:
  - a) take all necessary steps to ensure the use of the regulatory mark ceases forthwith; and
  - b) advise AQIS of any subsequent action.

### *Certified operator*

- 7.9 A certified operator must apply in writing to an approved certifying organisation to use the regulatory mark.
- 7.10 The regulatory mark can be applied to inner and outer packaging materials, as well as stationery or promotional material providing the certified operator satisfies the requirements of the National Standard for Organic and Bio-dynamic Produce.
- 7.11 The certified operator will record the type and number of certified products to which the regulatory mark is applied.

- 7.12 Where a certified operator chooses to use the regulatory mark, it must be done so in conjunction with the logo of the approved certifying organisation.
- 7.13 When a regulatory mark is used on certified products, it must be clearly positioned when used in combination with other trade descriptions.
- 7.14 In the event that certified operator "approval" is withdrawn by an approved certifying organisation, use of the regulatory mark must cease immediately and all representations must either be destroyed or defaced.

**8. DECLARATION**

8.1 As a duly nominated management representative I, \_\_\_\_\_ hereby agree that the policies and procedures of the following certifying organisation will abide by the requirements specified in this document.

*Signature:* \_\_\_\_\_

*Official position:* \_\_\_\_\_

*Certifying organisation:* \_\_\_\_\_

\_\_\_\_\_

*Date:* \_\_\_\_\_

Stamp/Seal

8.2 I, \_\_\_\_\_ as a Senior Executive Service employee within the Australian Quarantine and Inspection Service do hereby approve the above organisation to use and/or distribute the regulatory mark in accordance with this document.

*Signature:* \_\_\_\_\_

*Date:* \_\_\_\_\_

Stamp/Seal

9. FIGURE 1

