

Appendix III

Description of the Certification System

The *Qualitätsgemeinschaft Bio-Mineralwasser e.V.* has formulated a standard for organic mineral water, organic spring water and organic beverages made from these waters, which must be observed and fulfilled by those wishing to display the quality seal on their products, e.g., mineral water companies. Those fulfilling the standard are allowed to label their water with the seal, denoting it as organic mineral water. Alternatively, in the case of organic beverage products made exclusively with organic mineral water, the seal is utilized as an additional reference. Evaluations for compliance with these criteria is carried out through inspections by the independent agency Kiwa BCS ÖKO-Garantie GmbH based in Nuremberg, Germany. This agency is accredited according to EN ISO 17065 and has been officially approved as an organic verification authority by the German agency *Bundesanstalt für Landwirtschaft und Ernährung*.

1. The certification process

Companies desiring the certification of their mineral water as organic according to the valid standard must submit their request to the Organic Mineral Water Quality Association. The applicant is always the producer or company responsible for distributing the mineral water or beverages containing organic mineral water to be certified. Upon acceptance of the application by the Quality Association and conclusion of the license agreement with the company, Kiwa BCS Öko-Garantie GmbH and the Quality Association's Standard Commission are notified. Kiwa BCS sends an offer to the company for certification together with the contractual agreement. The company then places the order for certification.

In preparation for the verification and certification process, the interested party receives a checklist to be completed for each mineral water submitted. The information about the individual test criteria stipulated in the standard must be entered in the checklist. The relevant documents necessary for proof of organic quality, particularly analyses not older than the previous year and performed by accredited mineral water laboratories, should be submitted together with the checklist (exception: more current evidence if explicitly specified in the criteria). The company sends the entire set of documentation and the checklist to Kiwa BCS Öko-Garantie for review. The required number of individual product samples of mineral water must also be submitted.

If beverages are produced using organic mineral water or organic spring water and this water is declared or advertised as an ingredient, information on these products (labels, list of ingredients, proportion of organic mineral water in %) is required.

The completed checklist and the individual pieces of evidence are first checked by Kiwa BCS. In case of missing or implausible analytical results, Kiwa BCS may commission a specialist laboratory appointed by the Quality Association to carry out the missing analyses at the applicant's expense. Prior to the on-site audit, the company receives a report on the outcome of the documentation review along with any corrective action to be taken. Implementation of corrective measures must be demonstrated before the inspection is performed. An on-site audit can take place only after the documents submitted have been approved.

1.1 On-site audit

During the on-site audit of the company and/or the bottling facility, the inspector uses the checklist to determine fulfillment of the test criteria as stipulated in the organic mineral water standard. In addition, the inspector also determines whether the documentation and analysis results submitted are valid.

If organic mineral water is utilized for the production of organic beverages, the inspector confirms the traceability of this water and the proper separation of process lines between the supply of certified organic mineral water in the production process and, if applicable, non-certified water products for other purposes.

Any unfulfilled test criteria are noted in the checklist. The company defines the corrective measures to be taken to ensure fulfillment of the test criteria. Proof of implementation of these measures must be provided by the company within 30 days in order to obtain certification.

In the on-site audit, the management is to be represented and must be informed by the inspector regarding his/her results and conclusions.

After completion of the on-site audit, the checklist is signed by the inspector as well as by the person legally responsible for the company.

1.2 The timeline for the certification process

Part I

- The application for certification is submitted to the Quality Association by the company.
- The licensing agreement is signed by the company wishing to receive certification and becomes active if the certification process is successful.
- The approved application is then forwarded to Kiwa BCS and the Standard Commission.

Part II

- Subsequently, Kiwa BCS sends an offer to the company, and the company places an order for certification through Kiwa BCS.
- Kiwa BCS sends the relevant documents to the company.
- The company sends the completed checklist and individual supporting documents to Kiwa BCS.
- Kiwa BCS reviews the documents submitted, if necessary, with the technical assistance of the Standard Commission. The results of the audit are sent to the company.
- If corrective measures or any supplementary information are required, these are defined and carried out by the company. Any new documentation must be forwarded to Kiwa BCS.

Part III

- Selection of the inspection agency/inspector; if deemed necessary, Kiwa BCS will consult with external parties to obtain any further expertise required.
- Planning of the on-site audit and scheduling is carried out.
- The results are reviewed during the on-site audit of the company and the bottling facility.
- Corrective measures are defined and executed by the company.
- The on-site audit report is received at the Kiwa BCS headquarters.
- Kiwa BCS evaluates the inspection report, with technical assistance provided by the Standard Commission if needed.
- If applicable, any corrective measures are implemented by the company. If required, an additional inspection is carried out prior to certification.
- Kiwa BCS approves certification of the company or bottling facility and issues the official certificate.

- The decision to approve the applicant for certification is communicated to the Standard Commission and to the company.

1.3 Certification conditions

The prerequisites for certification as organic mineral water are as follows:

- the fulfillment of all the major criteria and at least 50 % of the minor criteria
- payment of all fees associated with the inspection and certification process and/or the costs for the certification office, and if applicable, costs for laboratory analysis
- the acceptance of the principles and conditions laid down in the guiding principles put forth by the *Qualitätsgemeinschaft Bio-Mineralwasser e.V.*.

In the case of certification for the first time, it is possible that some of the test criteria may have not yet been met or can only be fulfilled at a later time. By definition, proof of the test criteria I.1, I.2, I.3, I.10 and I.11 are first required at subsequent any certifications.

1.4 The certificate and subsequent renewal

The certificate for organic mineral water applies exclusively to the mineral water/spring water and organic beverages which are filled or produced by the company named on the certificate. After the certificate has been issued, should the company wish to obtain certification for any additional products containing mineral water/spring water, it must submit another application to the Quality Association and undergo a new inspection process to have the certificate expanded to include these products. Furthermore, it may be necessary to perform another on-site audit.

Each certificate issued is valid for a period of 12 months. At least 3 months before the certificate expires, the company/mineral water bottler must apply to Kiwa BCS for a renewal of its certificate and provide information regarding any changes in company operations. The audit for re-certification should take place at least six weeks before the expiration of the certificate. The certificate is renewed after each successful audit. The audit takes place on an annual basis, at which time Kiwa BCS will issue a new certificate. The 12-month validity period of subsequent certificates is always based on the validity of the first certificate issued to the company. There is no legal entitlement to the renewal of a certificate.

If the company has requested a subsequent audit and there is good reason to delay the following audit and certification, Kiwa BCS may elect to extend the validity of the existing certificate for a maximum period of 3 months until the certification process is completed.

1.5 Rules for temporary exemptions

Companies awarded the quality seal can submit an application for a temporary exemption from compliance with certain criteria specified in the organic mineral water standard. The Standard Commission of the *Qualitätsgemeinschaft Bio-Mineralwasser e.V.* makes the decision on whether to grant an exemption. The following provisions apply to such exemptions for those awarded the quality seal:

- An exemption must under no circumstances contradict the principles of the Quality Association as set out in the standard on pages 3–5.
- Applications for exemptions must be submitted to the Chair of the Quality Association. The Standard Commission evaluates the applications and makes a decision. The decision must be made prior to certification by an inspection agency.
- An exemption must be based on a factual and temporary incapacity for the licensee to meet a specific criterion of the standard, which is outside of its sphere of influence or authority. The company applying for an exemption must provide proof of this incapacity. The company submitting the application must answer questions from the Standard Commission and provide the necessary documents. If deemed necessary, the applicant has to accept an onsite visit of the Standard Commission or a contracted third party at the applicant's expense.

- Exemptions are generally only possible for a limited period of time. Their total duration should not exceed 12 months.
- The exemption must be documented in the inspection report by the inspection body. The deviation from the standard must be made publicly available through this method and through publication by the Quality Association.

1.6 Withdrawal of organic mineral water certification and sanctions

Should any violations of the general or specific test criteria outlined in the Quality Association's standard be observed during the certification process, this may serve as grounds for rejection of the application for certification. Alternatively, the applicant may be subject to certain conditions, or sanctions may be levied against the company by the certification agency.

Any violations of the test criteria and/or organic mineral water certification criteria, negative assessments from subsequent certification tests or conditions not fulfilled in due time will lead to the organic mineral water certification being revoked. A warning will be issued, and a reasonable deadline shall be set to allow the company to remedy the problem. Violations of these criteria can cause the company to be excluded from certification in the future.

In the event of justified suspicion of violations, the Quality Association reserves the right to purchase samples of the affected mineral water from retail outlets or visit the production facility unannounced and remove them. Should analysis of these products reveal that the company or bottler is in violation of the criteria set forth in the standard, the costs will be fully borne by the company or bottler in question.

2. Certification and inspection agencies

2.1 Responsible certification agency

The Quality Association commissions the independent inspection and certification agency Kiwa BCS Öko-Garantie Nürnberg, an EN ISO 17065 accredited organic inspection agency, to carry out certification of organic mineral water. In addition, other inspection agencies approved by the Quality Association are also allowed to perform inspections.

2.2 Requirements and approval of inspection agencies

Agencies interested in carrying out inspections of companies on behalf of the Quality Association must possess EN ISO 17065 accreditation. The inspection agency must provide proof of current accreditation for the scope of application as described in the EC regulation 2018/848 governing the production and labelling of organic products. The accreditation must be carried out by an accreditation authority which is a member of the international accreditation forum.

Each inspection agency recognized and approved by the quality association must appoint a contact person, who is responsible for representing the inspection agency and providing all relevant information, and who will act as the contact person for Kiwa BCS Öko-Garantie regarding all aspects of the inspection process.

The following documents must be submitted in order to be recognized as an official inspection agency:

- a copy of the current and valid accreditation certificate according to EN ISO 17065
- proof of qualification for inspectors

After the documents are reviewed and approved, a licensing and inspection contract is signed, which regulates the relationship between the Quality Association and the inspection agency. The inspection agency must grant the Quality Association and Kiwa BCS unlimited access to

any documents relevant for certification. Further details are defined in the subcontractor agreement.

There is no legal right to approval as an inspection agency. In general, the Quality Association reserves the right to deny the approval of any application.

2.3 Professional qualifications for inspectors

Inspectors carrying out inspections in accordance with the test criteria of the Quality Association should fulfill the minimum requirements. Inspectors:

- a) have completed a relevant educational or vocational program in the food industry, beverage technology or the equivalent.
- b) have at least 15 days of inspection experience (e.g. organic, environmental or quality audits, etc.).
- c) possess at least two years of practical work experience in their learned profession.
- d) have attended a qualification training course offered by the Quality Association.

Prior to their initial approval to become an inspector, inspectors must pay for and attend the training course offered by the Quality Association. This training course must be taken on a regular basis in order to maintain the qualification required for performing inspections.

Further requirements for the professional quality and proficiency of the auditors are determined by the Standard Commission.

2.4 Carrying out inspections

Authorized inspection agencies receive an order to perform inspections at the companies applying for certification as well as all relevant documents and information necessary for carrying out the inspection. Upon completion of the inspection, the inspection agency must send the inspection report within 14 days to Kiwa BCS Öko-Garantie, the agency in charge of certification.

2.5 Monitoring the certification and inspection agencies and levying sanctions

The Quality Association regularly monitors the performance of certification and inspection agencies. Among other actions, this can involve attending audits with inspectors and visits to their respective offices.

The following may lead to sanctions levied against the aforementioned agencies:

Non-fulfillment of the contract

Breach of contract through non-compliance exists if an agency does not fulfill the contract which it has signed with the Quality Association.

This may include, but is not limited to the following:

- a) incorrect or misleading information regarding the inspection
- b) loss of accreditation
- c) confirmed fraud

Non-compliance with the standard

Non-compliance with the standard occurs when a monitoring agency does not check the test criteria according to the standard set forth by the Quality Association.

This may include, but is not limited to the following:

- a) filling out the verification checklist incorrectly or entering false information

- b) failure to participate in training sessions for inspectors
- c) failure to submit the documents required for the inspection in a timely manner (either routinely or late)
- d) failure to respond to notifications and/or complaints from the Quality Association.
- e) conflicts of interest
- f) delayed communication or lack of communication from the company or bottling facility regarding any instances of non-compliance with the test criteria

2.6 Types of sanctions

If necessary, the Quality Association can impose sanctions against individual inspection agencies. The type of sanction depends on the seriousness of the breach or the degree of non-compliance.

Sanctions may include, but are not limited to the following:

- a) warnings
- b) warnings with corrective measures or conditions
- c) temporary suspension of certification
- d) termination of the subcontractor's contract