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1. OBJECTIVE AND SCOPE

The purpose of this guideline is to determine the minimum requirements for the transfer of halal conformity certificates issued by Halal Conformity Assessment Body (HCAB), whose Halal Accreditation scope has been reduced or withdrawn, in order to ensure the continuation of the issued halal conformity certificates through another accredited HCAB **in reduced or withdrawn scopes**.

The operations of the transfer of the halal conformity certificate, which constitute the basis of this guideline, have been prepared based on the subparagraphs (e) and (ğ) of paragraph 1 of Article 8 of the Communiqué About Procedures and Principles Regarding the Suspension, Reduction of Scope or Withdrawal of Halal Accreditation published in the Official Gazette dated May 16, 2020 with number 31129.

HCABs shall not prevent a third party's freedom to choose another HCAB.

2. DEFINITIONS

Withdrawal of Halal Accreditation: Cancellation of halal accreditation completely.

Reduction of the Scope of Halal Accreditation: Status resulting from the withdrawal of a part of the Halal Accreditation scope.


Halal Conformity Certificate: a document issued as a result of the activities carried out by HCAB for the purpose on certification of halal products/services/processes and/or management systems.

Third Party: a firm certified by the HCAB.

For the definitions not specified in this guideline, the definitions in the Communiqué About Procedures and Principles Regarding the Suspension, Reduction of Scope or Withdrawal of Halal Accreditation apply.

3. NORMATIVE DOCUMENTS

- Communiqué About Procedures and Principles Regarding the Suspension, Reduction of Scope or Withdrawal of Halal Accreditation published in the Official Gazette of The Republic of Turkey on May 16, 2020 with number 31129
- OIC / SMIIC: 2 2019 Conformity Assessment-Requirements for Bodies Providing Halal Certification

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4. TRANSFER OF HALAL CONFORMITY CERTIFICATE

4.1 General

Pursuant to Comminique About Procedures and Principles Regarding the Suspension, Reduction of Scope or Withdrawal of Halal Accreditation, a HCAB whose scope has been reduced or withdrawn shall be obliged to take the necessary precautions to protect the rights of third parties for whom halal conformity certificate has been issued and shall be submitted the records of its activities in this direction to the Halal Accreditation Agency (HAK) upon requested.

At this point, the transfer of halal conformity certificate is the process of accepting of halal conformity certificate which has been issued by HCAB (issuing HCAB), whose scope of halal accreditation has been reduced or withdrawn, and issuing a new halal conformity certificate by another accredited HCAB (accepting HCAB) in related scope.

This process shall be performed following the notification of third parties by the issuing HCAB regarding the reduction or withdrawal of halal accreditation provided that the same third party gives its consent.

4.2 Minimum Requirements

Only the currently valid halal conformity certificate shall be transferred. The certificate whose validity period has been expired and reducing or withdrawing of halal accreditation scope has been suspended as of the date of decision shall not be transferred.

The transfer for the continuation of halal conformity certificate that issued by HCAB whose halal accreditation scope was reduced and withdrawn through another accredited HCAB shall be made until the end of the validity period of the halal conformity certificate. In any case, this period shall not exceed six (6) months.


When the halal conformity certificate is transferred, HAK and the relevant third parties shall be notified.

4.3 Pre-Transfer Review

The accepting HCAB shall have a procedure for obtaining the necessary information in order to make a certification decision. The accepting HCAB shall inform about this procedure to the third parties whose halal conformity certificate will be transferred.

The accepting HCAB shall carry out a review in the light of the information and documents that have been obtained regarding third party whose halal conformity certificate will be transferred. As a result of the review of the information and documents, if significant non-conformities have been detected by the accepting HCAB, the third partys shall be visited prior to the transfer. The competence of the personnel to visit shall be defined by HCAB to be same as the competence of personnel who can perform certification audit in the product group/category subject to the halal conformity certificate. This visit is not necessarily an audit.

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The review process shall cover the following aspects as a minimum, and all findings obtained during this process shall be documented:

- Confirmation that the third party's halal conformity certificate scope falls within the halal accreditation scope of both HCABs.
- Confirmation of the reasons of transfer.
- Confirmation that the third party that approves the transfer has an accredited halal conformity certificate.
- Reviewing the received complaints and related activities.
- Reviewing the issues related to creating the audit program and audit plan (if possible, it is recommended to examine the audit program of the issuing HCAB).
- Reviewing the legal regulations that the third party is subject to.

Review of the audit reports of initial certification or the most recent certification and surveillance reports and evaluation of the status of nonconformities related to these reports and review other documents related to the halal certification process. If the mentioned audit reports could not be obtained or the issuing HCAB did not perform the surveillance or renewal audits specified in its own audit program, the transfer shall be deemed invalid, and the third party shall be considered as "a new client".

4.4 Transfer

In accordance with Article 9.1.9 of the OIC/SMIIC 2:2019 standard, the transfer of the halal conformity certificate shall be made provided that the correction and corrective action plans are accepted and/or the implementation of correction and corrective action plans are verified.


In the pre-transfer review, where issues that prevent the transfer have been detected, the third party shall be considered as a "new client". These reasons shall be explained to the third party and shall be properly documented by the accepting HCAB, and the relevant records needs to be maintained.

The procedures regarding the certification decision shall be applied as described in the relevant articles of the OIC/SMIIC 2:2019 standard.

It shall be ensured that the HCAB personnel who perform the pre-transfer review are not among the certification decision makers.

If no problems are identified as a result of the pre-transfer review, then the accepting certification body shall develop the audit programme for the remainder of the certification cycle.

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In this case, the accepting HCAB can quote the date of initial certification in the halal conformity certificate with the indication that the relevant third party was previously certified by a different HCAB.

On the other hand, if the result of the pre-transfer review is to deem the third party as a new client, the certificate cycle period shall start with the accepting HCAB's decision date.

The accepting HCAB shall take a decision prior to any surveillance or recertification audit.

4.5 Communication between the HCABs

It is essential to establish a healthy communication between the issuing HCAB and accepting HCAB in order to carry out the transfer in a correct and effective way.

In case of demand, all documents essential for carrying out the procedures required by this guideline, shall be delivered to the accepting HCAB by the issuing HCAB.

If communication cannot be established with the issuing HCAB, the accepting HCAB should make maximum effort to access the relevant documents from other sources. In such a case, the accepting HCAB shall record the reasons for not communicating.

The third party subject to the transfer shall give approval to issuing HCAB for submitting the requested information. After the approval given in this context, the issuing HCAB shall not suspend or withdraw the halal conformity certificate of the third party (as long as it meets the halal conformity requirements).

In case the information requested have not been provided or the halal conformity certificate of the third party subject to the transfer have been withdrawn or suspended without any reason by the issuing HCAB, the accepting HCAB and/or related third party shall inform this situation to HAK. After that, the necessary administrative actions shall be conducted by HAK.