



## **REGULATIONS FOR THE CONTROL AND CERTIFICATION OF ORGANIC PRODUCTS IN THIRD COUNTRIES**

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These regulations for certification of the Suolo e Salute s.r.l. Control Body were drafted by the department head, verified by the Quality Manager and approved by the Board of Directors. They are in force from 01 January 2012, and supersede any previous similar document and it is the only document that is actually operational.

THE R.AQ

THE PRESIDENT

## **REGULATIONS FOR THE CERTIFICATION OF ORGANIC PRODUCTS IN THIRD COUNTRIES**

### **01 Introduction**

Suolo e Salute s.r.l. (hereinafter referred to as the OdC) is a Control Body for organic agriculture which took over the certification business of the original Associazione Suolo e Salute.

The purpose of these regulations is to regulate the activities of control and certification of controlled operators who manage their activities under Regulation EC 1235/08, in equivalence to Regulation (EC) 834/07, as amended. Certification of conformity is issued after assessment of the activities through audits undertaken in accordance with a standardised procedural process drawn up by an OdC, and based on documentary evidence and assessment of the results of any analyses carried out on samples taken from the controlled companies. Certification of conformity to organic farming methods is applied to agricultural and food production of plant and/or animal origin, regardless of the various stages of the supply chain the beneficiaries operate in during the production, preparation, processing, marketing and import processes. "Organic product" means crop and livestock production obtained using an "organic method", in accordance with current national and international legislation relating to agricultural and industrial production. The OdC's activities are aimed at verifying conformity by controlled operators to the above legislation in order to provide, in the various stages of the supply chain, adequate guarantees for the inspection system and the end consumer. Suolo e Salute does not provide, either directly or through affiliated companies, any technical or management consultancy or support activities for the drafting of documentation required for product certification schemes.

### **Scope**

The scope of these regulations includes all firms in the other countries in the organic food supply chain. The OdC operates in conformity with the rules set out in Regulation (EC) 834/07, Regulation EC 889/08 and Regulation EC 1235/2008, as well as internal Technical Standards that are an integral part of the above-mentioned EC Regulations. Also, as an OdC accredited by the Ente Unico Nazionale di Accreditamento (sole national accreditation body) (Accredia), it operates in accordance with the UNI CEI EN 45011 standard which defines the requisites that product certification bodies must possess,

### **General requirements**

The OdC carries out audits, issues certificates of company conformity and certificates of inspection of products imported from other countries, as well as approval of the wording, in terms of conformity, of labels and the issuance of company certificates to all controlled entities which request them and meet all the requirements of the inspection system.

### **02 Definitions and Abbreviations**

CONFORMING COMPANY: a company that meets the requirements to start organic activities and therefore enter the inspection system.

**NON-CONFORMING COMPANY:** a company that does not meet the requirements to start organic activities and therefore enter the inspection system.

**CERTIFICATE OF ELIGIBILITY:** a document certifying the company's inclusion in the Suolo e Salute inspection system for the specific notified activity.

**BIG PLOT:** a legally uniform group or aggregation of elementary plots or similar included in an administrative area.

**SAMPLE:** a quantity of sampled material, belonging to the same field or lot, divided into four parts that are similar to each other of a minimal amount sufficient to allow analytical testing to be carried out.

**Board:** Board of Directors.

**CTDE:** Overseas Technical Deliberation Committee.

**TDE:** Overseas Deliberation Technician.

**CSI:** Committee for the assurance of independence.

**CERTIFICATE:** this is the document is issued to a company certifying that it has implemented production standards equivalent to those under Headings III and IV of Regulation EC 834/2007;

**CERTIFICATE OF INSPECTION:** a certificate defined by Regulation EC 1235/2008 authorising the release for free circulation in the Community of consignments of products imported under the system of equivalence referred to in Article 33 of Regulation (EC) 834/2007;

**CERTIFICATE OF TRANSACTION:** a document certifying that a specified amount of product, subject to a commercial transaction within an individual other country, was obtained in accordance with production standards equivalent to those referred to in Headings III and IV of Regulation EC 834/2007;

**FORMAL WARNING:** a written warning to remove a non-conformity.

**DT:** Technical Division

**D.T.E:** Overseas Technical Services Department

**EXCLUSION FROM INSPECTION SYSTEM:** deletion of an operator from the inspection system for a period of not less than one year, readmission must be preceded by the submission of a new application (first notification with the requirement, for an agricultural and zoo-technical company, to an under conversion return, respectively, of the allotments and animals).

**INFRINGEMENT:** a manifest breach, or a breach with a prolonged effect, of the obligations prescribed by Regulations(EC) 834/2007, 889/2008 and 1235/2008, both in documentary terms, and contravention of the additional obligations borne by the operator, including the failure to comply with Technical Standards and certification regulations, as well as contractual obligations.

**IRREGULARITIES:** failure to comply with formal documentary aspects, as well as failure to apply the provisions of the Regulations(EC) 834/2007 and 889/2008 and 1235/2008, without prolonged effects that can change the company's status.

**INSPECTOR:** an expert technician who carries out audits on operators.

**LABORATORY TESTING:** an analysis laboratory that operates in accordance with the UNI CEI EN ISO/IEC

17025 standard, which possesses ACCREDIA accreditation for its testing methods with measurement precision and uncertainty in the ranges required by the ODC

TECHNICAL APPLICATION STANDARDS FOR COMPANIES UNDER AN EQUIVALENCY SYSTEM: internal instructions on the management of operational aspects which are used to assess equivalence to Regulation EC 834/2007.

NON-CONFORMITY: an action or situation that does not comply with the regulations, contractual agreements and technical specifications for organic production.

OdC: Control Body

OPERATOR: a natural or legal person who produces and/or prepares and imports products of agricultural or animal origin from other countries for trade purposes, or who carries out conditioning, distribution and/or the exclusive sale of these products. Persons who individually harvest vegetable products are also operators.

LOT: a quantity of products covered by a single certificate of inspection submitted by the same means of transport and imported from the same country.

PRODUCT UNDER AN EQUIVALENCY SYSTEM: product imported from another country produced according to production standards equivalent to those under Headings III and IV of Regulation (EC) 834/2007 (Article 33);

CONFORMING PRODUCT: product imported from another country produced according to production standards that meet the requirements of Headings II, III and IV of Regulation (EC) 834/2007 (Article 32);

TEST REPORT: document describing the test results and providing additional on them. It normally concerns a document showing the results of analytical testing.

CLAIM: means a dispute relating to control and certification activities with regard to actions taken by the OdC, concerning suppliers, and directly in relation to certified products.

REMINDER: a written invitation to remove a non-conformity.

APPEAL: a dispute brought by the supplier to adverse decisions taken by the OdC regarding disputes or decisions it has taken that concern the operator.

INSPECTION SYSTEM: organisation of all the activities and control processes related to conformity pursuant to Regulations (EC) 834/2007, 889/08 and 1235/08

SE: Headquarters/overseas branch

SUSPENSION OF CERTIFICATION: temporary withdrawal of certification for a maximum period of 12 months in relation to one or more allotments and/or production and/or preparation and/or import units, as well as individual production lines.

DELETION OF INFORMATION: ban for the operator to use information related to organic production methods on its labels and documents in relation to lots or all its products.

SUB PLOT: parts of land that are uniform from an agricultural standpoint and which are part of a cadastral parcel of land (plot).

Suolo e Salute: Suolo e Salute S.r.l.

T.I.: Technical Inspector

AUDIT: visit to check an operator's activities.

### 03 References

The following are the reference documents that are the basis of these Regulations: EU legislation and that of the foreign state regarding organic farming, the UNI CEI EN 45011 "General requirements for product certification bodies" standard; the UNI CEI 70006 "General rules of an independent body for a standard product certification system"; the quality manual; company by-laws, articles of association, resolutions of the Board of Directors, and Accredia regulations, circulars and guidelines.

### 04 Organizational and operating structure

The organizational and operational structure of the OdC for the organic farming method certification scheme is composed of the following:

#### At national level

- a Board of Directors (Board) which is responsible for all of the company's technical and administrative functions: Quality Department (UF.QUA); Deliberations Technical Committee (CTD/TDE); Italian Services Technical Division (DT), Administration Directorate, Overseas Services Technical Division (DTE), Software Division, Marketing and Promotion Division and the Other Certifications Department.

- Committee for the handling of Appeals (CO.TRICO), the Committee for the Protection of Impartiality (CSI) which are independent bodies which support certification activities.

#### at a peripheral level

- Regional Directorate (DR) linked to the D.T that is responsible for it. It is responsible for the operational management of the organic farming inspection and certification service in its area of responsibility;

- Overseas branches linked to the Overseas Services Technical Division, responsible for operational management of the organic farming inspection and certification service according to areas of responsibility.

### 05 Application for certification (entering the inspection system)

An application to enter the inspection system concerns different types of operators: companies undertaking the production, preparation and packaging of food products, companies that only market products, and companies that import them.

#### ***Production companies***

This category covers agricultural companies which produce crops and/or livestock, operating in accordance with current legislation regarding hygiene and other industry specifications. Applications must be formalised by the DTE sending the SE a copy of the "Notice of production with an organic method". Operators who wish to submit to a prior audit must send an original copy to the SE and the relevant territorial Authority, where this is required by local regulations. Notification must be supplemented by copies of the following documents:

1. An identity document of the notification holder;
2. VAT number or tax identification code, or equivalent document.

3. Plans showing the declared surface areas/aerial photos which include the GPS coordinates required to facilitate the identification of the company's allotments;
4. Declaration of controlled areas (Declaration Form);
5. Programme for the use of zoo-technical fertilisers;
6. Livestock management programme;
7. Administratively defined plots list;
8. Tenure status and/or personal declaration of the proprietor in self-certification format.

***For companies that prepare, condition, or market food products, notification must be supplemented by the following documents in addition to points 1 and 2:***

1. Synoptic plans of buildings appropriately showing the dimensions and with evidence of their use and volumes;
2. Authorisations to trade issued by the relevant Authorities (except for operators who only market products without handling or storing them);
3. Specific contracts for processing performed by third parties.
4. HACCP Manual or equivalent.

Companies that carry out multiple activities (e.g. production and preparation), must include information in the notification that is specific to each type of activity.

Signing the contract is tantamount to acceptance of the payment of fees for the service defined by the Board on an annual basis, and an undertaking given by the inspected company to allow access to OdC staff or a party appointed by the latter to locations where products are produced, processed and handled Access must also be allowed for the formal verification of technical and administrative documentation concerning the activities subject to certification.

## **06 Application proceedings and preliminary assessments**

The SE receives applications for entry into its inspection system from any persons who operate in the agro-food industry, without any limitations or discrimination. It assesses the documentation, and if it is correct, a first start-up audit is planned. If the documentation is incomplete or inconsistent, the SE must notify the party concerned of the entity of additions and/or measures necessary to overcome the highlighted non-conformities, indicating the timescales and deadlines. The entry process is considered to be suspended until the operator has completely complied with the OdC's requirements.

Following the completion of the initial process, a person shall be appointed by the OdC to proceed with a start-up audit to determine the conformity of the application of the organic farming method, about in relation to the operator's environmental, operational, structural and management activities.

In particular, the audit assesses the state of conformity to the technical Suolo e Salute standards (IO 19.04E) adopted for production under the equivalency system.

The SE must acquire the controlled operator's entire file and send a copy of the documentation and audit report to the DTE.

The DTE must assess the documentation it has received, and where it satisfies the requirements it must send it via internet to the TDE for its opinion regarding admission to the Inspection system. Once it has examined the file for conformity, the TDE must then state its opinion.

Where there is a favourable opinion the company is entered in the register of operators controlled by the SE and receives a certificate of company conformity to the OdC's inspection system.

Submission to the inspection system starts from the date of first notification with all the necessary documentation or, if documents are added after this date, the date the SE registers the missing documentation.

Where there is an adverse opinion, the SE must inform the company of the outcome and reasons that led to temporary ineligibility to enter the inspection system and any necessary corrective measures to overcome these deficiencies, indicating the maximum timescale for remedying them, on pain of the complete failure of the application.

The operator must send a declaration to the SE of the corrective actions taken within the defined deadline. These actions must be verified during the first audit. If no communication is received the application for entry shall be considered to have lapsed in accordance with the preceding paragraph.

If the company was previously certified by another OdC, the DTE must request it to issue a release document that contains all information on previous controls, as well as the actual date of withdrawal (Article 31 of Regulation EC 834/2007). All infringements will become the responsibility of the OdC taking over the operator's case by sending written notice to the operator requiring it to remedy the non-conformities.

## **07 Company documentation**

The documents listed below are sent by the SE and must be filed and kept up to date by the inspected company. The types of documents are different depending on the different types of companies:

### ***- Companies that produce crops and zoo-technical products***

**The raw materials file** is a tool used to record the origin, nature, quantity, and raw material produced by the company or from external sources.

**The crops activities file** is a tool used to record the productive use of technical means (protective products, technical resources, etc.) and the agronomic activities carried out by companies that produce crops.

**The sales file** is a tool used to record the nature, quantity, and reference to tax or accounting documents, of each product that leaves the company.

**Annual register of workstations (RAP)** is a tool for recording the status of beehives, requiring a fortnightly



update and accompanied by adequate descriptive mapping. It is in a free format but must summarise the size and location of the beehives, their loading and unloading, the duration and mode of transportation, length of stay, conversion period and type of products obtained.

**- Companies that prepare and package food products**

Apart from the raw materials and sales files, the companies in question are obliged to correctly complete the **product processing file**, a recording tool which must contain the origin, nature, quantity and uses of all materials, raw materials, and the technical means used for processing.

**- Companies that that only market or store products**

These companies are obliged to complete the **raw materials** and **sales files**.

Companies engaged in multiple activities (e.g. production and preparation or preparation and import) are required to keep records for each specific activity.

Records may be kept on paper or computer files. In any case, during the audit updated copies of these records, duly completed in such a way as to allow the technical inspector, on the spot, to initial and/or sign them at the bottom of each page, must be made available by the controlled operator during audits. The controlled operator is responsible for the filing and subsequent updating of the records on a systematic basis. The fiscal and contract documentation regarding purchases, sales and the performance of services must be kept on file and made available, together with the records, whenever necessary.

## **08 Analytical activities**

Representative samples may be taken by the Inspector in charge during audits, based on the forecasts in the annual sampling plan, drafted up by the Technical Manager of the SE, or depending on any reasonable doubt or suspicions regarding the use of forbidden substances, or lastly, for monitoring purposes, to highlight the risks related to possible sources of pollution that are from outside of the inspected company. The guidelines for the sampling plan are based on the analysis of corporate risk, with particular reference to the more "sensitive" production supply chains, defined on the basis of scientific and technical considerations and the statistical elaboration of acquired historical data. Products subject to sampling may be either of vegetable or animal origin produced by the company, and any other substance that in various ways enters the production processes.

The OdC does not possess its own test facilities, so testing is delegated to external affiliated laboratories. These laboratories must have certified in accordance with the ISO 17025 standard.

## **09 Audits**

The SE requires companies that carry out ordinary activities to be subjected to audits on the basis of the audits plan. Audits are carried out within 90 days of notification for companies in the start-up phase.

**- companies in the start-up phase**

In the start-up phase particular attention is paid to checking the correspondence of documentary material and what really happens in operational terms. A start-up audit is aimed at ascertaining the eligibility to enter the inspection system, and therefore it must take into consideration the following aspects: technical know-how, the situation regarding the existing ecosystem and the extent of accidental and environmental risk factors.

In the case of producer groups, all the producers must be inspected during the start-up audit.

The audit must end with an opinion on eligibility by the T.I. and the date it will be carried out on must be agreed with the inspected company.

#### **- Companies subject to the control scheme**

Companies in the control scheme are audited at least annually in accordance with standard inspection plan drawn up by the individual offices abroad with the approval of the Overseas Technical Division, in order to assess the application of the production method in accordance with Regulation EC 834/07 and the Technical Application Standards for companies in the equivalency scheme.

During the inspection, the inspector in charge may be assisted by outside observers (public supervisory authority or accreditation body), and internal staff for the completion of the process of formation of the role of inspector or for internal monitoring of its activities.

#### **- criteria for the assignment of audits**

The routine audits are planned on the basis of risk assessment and are carried out on each company at least once a year.

Audits are assigned to technical inspectors who possess the requisites specified in Prq 10E, and as far as new personnel are concerned, only after having completed the training programme.

The indicative no. of technical inspectors/ no. of companies ratio may vary depending on the complexity of corporate structure being audited.

#### **- operating phases**

The following are the operating phases that characterise audits: verification of the correspondence between hard copy documents and what really happens in the production process; in the field verification of plants, structures and warehouses; analysis of company documentation; lastly, the preparation of an audit report. The T.I. must send the report to the SE within 15 days of the audit. The SE may provide the inspected company, at its specific request, with an official copy of the audit report.

#### **- operating areas**

The following are the operating areas of the standard auditing procedure: Production activities; survey of the company's structures; verification of documents and contractual aspects.

### **10 Issuance of certificates and approval of conformity wording**

The DTE, if the exporter is controlled by Suolo e Salute, controls the congruity between the quantities which the operator intends to export and the quantities which are really certifiable; if the result of the control is positive, Suolo e Salute issues Certificate of Inspection for Import and the responsibility for their issuance is that of the President of Suolo e Salute.

After assessing applications from operators for the approval of a label, which requires the completion of Form RQ 16.13, where the operator describes the process and ingredients contained in its product, and provides a draft label, the DTE must approve the final label under its own responsibility. Approval only concerns the wording and logos related to organic production, in accordance with the requirements of Regulation (EC) 834/2007 on labelling.

On the basis of the certificate of company conformity, and after it has checked that the products are certifiable, the SE must issue, under its own responsibility, the Certificate and a Transaction Certificate.

For a transitional period following the entry into force of this Regulation, which may have a maximum duration of 18 months, the DTE will issue the Certificate in all the other countries in which Suolo e Salute carries out monitoring activities, and responsibility for its issuance is that of the President of Suolo e Salute.

The responsibility for issuing the Certificate is the President of the Soil and Health.

Suolo e Salute issues the following certificates:

- The **certificate of company conformity** is the declaration issued by Suolo e Salute, under the responsibility of the CTDE, which indicates the products for which an operator is controlled. It is initially issued as the final step in the notification process.
- The **Certificate of zoo-technical exemption** is the document that completes the notification for admission of zoo-technical companies who request it during start-up audits. Its validity depends on the types of derogation and the period prescribed by Regulation EC 834/07, as amended. It is issued under the responsibility of the CTDE, even after the entry of a company, based on technical requirements identified by the operator which are deemed necessary by the inspector during the audit.

## 11 Maintenance of certification

Before 28 February of each year, the SE must prepare a standard audit plan, which must be submitted to the DTE for approval. Changes may be made to the plan, and in this case they must be authorised and approved in advance. For the companies already included in the inspection system, by 31 January of each year the SE acquires declarations of the surface areas under control (Declaration) and any variations. The SE checks these declarations and in case of changes from the previous areas it can decide whether it is necessary to change the auditing plan.

The SE acquires notifications of changes from companies already included in the inspection system, retains the original documentation at its headquarters and sends a copy to the DTE.

All the notifications of changes are object of new assessment by TDE and therefore the SE should send them to the DTE who proposes the change to TDE. The DTE is responsible for the electronic sending to TDE of the documents related to the notification of changes.

For all notifications of changes concerning the following aspects relevant to the operator's activities such as:

- an increase in the company's surface areas of more than 30% or in any case above 50 hectares;

- inclusion of new production processes;
- inclusion of zoo-technical products in the inspection system;
- inclusion of processing and/or new processing plants

it is necessary to carry out a specific inspection visit.

Therefore, they must be sent to the DTE for a consequent variation proposal. The DTE is responsible for (electronically) sending it to the TDE, in compliance with the previously described procedure.

## 12 Monitoring procedures

The supervision of the operator commences after the issuance of the certificate of conformity, in order to ensure the maintenance of the general requirements set out by REGULATION (EC) 834/07 and the specific Technical Standards of the OdC for companies in the equivalency scheme, including all products that are marketed. During the monitoring audits, the operator must give access to all its land and company facilities to the personnel assigned by the OdC, and ensure they are given full cooperation.

Supervisory audits are announced before they are carried out, agreeing the audit date with the operator. Based on a decision taken by the SE, if it is necessary for the evaluation of company conformity, extraordinary inspection visits can be carried out; furthermore on the basis of the operator risk and anyway on the basis of a minimum percentage of 10% of the total visits foreseen by the control plan, unannounced audits or audits at short notice (max 12 hours) are carried out.

Samples may be taken under the conditions listed in paragraph 8 of these Regulations. A specific report must be prepared when samples are taken, signed by the Inspector and the operator. The operator is given one of the four samples taken and the remaining three are sent by the SE, according to their composition to one of the affiliated laboratories, within a reasonable amount of time and not later than 15 days after they have been taken. The sample left with the inspected company must be properly stored in appropriate conditions to prevent its perishability. In case of a positive outcome of the analysis on the first set a second set must be sent to another laboratory affiliated to Suolo e Salute, and that is ISO 17025 certified, for confirmation of the results. Where the first analysis report shows a positive outcome of the tests or investigations are on-going, SE must send a precautionary suspension communication with which the operator is informed of the outcome of the test report and of its responsibility for placing nonconforming product on the market. In case of confirmation of the positive results in the second analysis, after notifying the SE the DTE must initiate the infringement process. The DTE must assess the documentation and propose an infringement to the TDE that is based on OdC's sanctions framework. The TDE must assess the documentation and issue the sanction.

Where the results of the second analysis contrast with the outcome of the first analysis, a third sample must be sent to another affiliated laboratory in order to determine a definitive outcome and thus the action that needs to be taken, which may be the cancellation of the precautionary suspension based on a negative outcome of the analysis or the initiation of the infringement process if the outcome is positive.

If a company moves from Suolo e Salute to another OdC, subject to the request of the body that will be taking over the certification of the operator, the DTE must issue a release document within 30 days that

includes the information contained in the certificate of conformity, the date control activities ceased, and a list of any non-conformities and penalties applied to the operator.

#### **14 Changes to certification conditions**

The conditions of certification and the rules of the inspection system can, over time, vary due to legislative changes, resolutions passed by the Board of Directors and other changes of tools for the assessment of activity assessment.

If certification conditions are modified, the OdC must inform all the operators of the changes that have occurred, the corrective actions and the time within which they must be carried out. Failure to take these corrective actions shall result in the withdrawal of certification. A delay in implementing the corrective actions shall result in the suspension of certification.

#### **15 Sanctions**

On the basis of Community law there are two levels of non-conformity: infringements and irregularities, which are followed by sanctions whose type is graduated according to the capacity to affect the reliability of the inspection system.

The ODC has set out the procedure for the application of sanctions, in consideration of irregularities and infringements, in a specific procedure.

The following are the applicable sanctions:

- Reminder
- Formal warning
- Deletion of information on organic methods
- Suspension of certification
- Exclusion of the operator

**Reminder:** this is a measure that has no effect on certification. The verification of corrective action is carried out during the next audit. Failure to comply with a recall leads to the application of a more significant sanction, i.e. a formal warning.

**Formal warning:** this is a measure that has no effect on certification provided it is remedied by the specified deadline. The verification of corrective action is carried out during the next audit. Failure to comply with a recall leads to the application of a more significant sanction, i.e. the deletion of organic information.

**Deletion of organic information:** the deletion of information entails the prohibition for the operator to include statements concerning organic farming methods on product labels and documents involved in the irregularity, relating to a lot or the entire production affected by the irregularity. Verification of the implementation and its effectiveness is carried out during the next audit. Failure to comply with the deletion of organic information leads to the application of a more significant penalty, i.e. the suspension of

certification.

**Suspension of certification:** this is applied in the event that the reliability of the controlled operator is compromised, and it consists in the suspension of certification and return to the conversion period for the plot or animals affected by the measure. The suspension means that the operator is forbidden, for a defined period of time, from marketing products with indications referring to organic farming. This may refer to one or more processing areas or the entire company, as well as to individual processing lines. Verification of corrective action is carried out in accordance with the terms and manner prescribed by the relevant measure. Failure to comply with a suspension leads to the operator's exclusion.

**Exclusion of the operator:** this happens in cases of infringements of such a level that they compromise the reliability of the operator's management, and therefore inclusion in the inspection system, including when the commission of offenses is repeated, or if where the operator fails to fulfil the undertakings made to the relevant Authorities and its contractual obligations to the OdC.

## **16 Contractual Obligations**

If an operator is excluded from the inspection system for non-fulfilment of contractual obligations, it may be readmitted to the inspection system after sending a proposal with appropriate reasons to the Manager of the SE. The proposal will be examined and may be accepted with a formal decision or document drafted by the Board and/or a delegate that has been assigned this responsibility. It is agreed that readmission will be subject to remedying the impediments that have generated them, with the restoration of the conditions and process defined in the first notification.

## **17 Publications**

Every year Suolo e Salute compiles the following and makes it available to the public: the list of certified products and those of the companies that produce them.

## **18 Confidentiality and conflict of interest**

The OdC must ensure that all information acquired during audits is kept strictly confidential unless otherwise prescribed by legislation.

To this end all internal staff and assessors of the OdC, contracted to the company in various capacities depending on the situation and needs of the OdC, sign a formal confidentiality undertaking. This implies that all information on applicants and certified companies are processed as confidential information and all necessary measures are adopted to restrict access to company documentation.

Furthermore, in order to ensure impartiality and independence, all OdC personnel involved in auditing, deliberation, or ratification are inhibited from carrying out any kind of consultancy activities for the operators they audit. Also, they may not carry out activities that are in conflict or contrast with the activities of operators.

## **19 Appeals and claims**

Controlled operators have the right to appeal against adverse decisions taken by the OdC. With regard to

decisions taken by the TDE or any other deliberating organizational structure of the OdC, individuals or companies who consider their rights, of any nature, have been adversely affected, can appeal to the CO.TRICO. The decisions of the CO.TRICO are final. The relevant forum for any disputes is the Pesaro Court of Law and/or the relevant court in the country in which business activities are located.

Claims regarding the operating activities of the OdC must be addressed according to their nature or to the SE or directly to the DTE. The OdC will answer any claims it receives within thirty days.

## **20 Presentation of appeals and claims**

Appeals must be made within thirty days of receipt of the measures being disputed, and they must contain the details of the arguments and documentation supporting them, which must be sent by registered mail, or delivered by hand, addressed to the CO.TRICO at one of the OdC's locations. After the deadline has expired the right to appeal shall be deemed to have lapsed. Arguments or documents produced after the first application which the Appellant did not reserve the right to subsequently submit shall not be taken into consideration.

## **21 Appeals management procedure**

The president of the CO.TRICO, having received the President's communication (which must occur within 15 days) must commence proceedings and convene the committee, after acquiring all the necessary documentation.

The CO.TRICO must issue its opinion within 30 days of receiving the appeal, except in cases where, for reasons that will be specified on a case-by-case basis, the decision will be taken within 60 days.

The CO.TRICO shall judge appeals by adopting the principle of majority voting. If any two Committee members are absent, decisions must be taken unanimously.

The CO.TRICO has procedural autonomy and access to all of the OdC's archives

The legal costs of the appeal shall be borne by the losing party.

## **22 Revision notes**

These Certification Regulations for Other Countries of the Suole e Salute S.r.l. control body, with code EM/REV 01:00, substitutes any earlier version with the same code.

The revision concerned the following:

points highlighted in grey, which identify the parts that have been changed.

**This document commits the parties (OdC and operator), and establishes their mutual rights and duties with regard to issued certification.**

These regulations are deemed to have been accepted and stipulated on the date the contract is signed.

**THE R.A.Q**

**THE PRESIDENT**

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