

OneCert International EU Sanction Catalogue

OneCert International categorizes noncompliances as major, minor and critical based on the severity and their consequences. Major, minor and critical non compliances can be described as following:-

Minor Noncompliances:- Noncompliances that do not affect the integrity of the certification process and are rectifiable. Examples of such minor noncompliances include, but are not limited to, failure to submit information on time, improper document & record submission, etc.

Minor issues, whether found in operational practices or recordkeeping, indicate no systemic failure in the design or implementation of the organic system plan (OSP), i.e., they do not show an inability to comply with the EU organic regulations. Certification can be granted or continued before correction, but correction must occur within a time period specified by the OneCert. OneCert grants certification which includes requirements for the correction of minor noncompliances within a specific time period as a condition of continued certification.

Certification can be granted along with notification to the operation, typically a “minor issue letter or along with certification letter,” describing the noncompliance. OneCert requires correction during a specific period that can be no later than prior to the next inspection or annual update. OneCert keeps written records of the issues identified and their corrections.

The case of non-compliance is minor when:

1. The precautionary measures put in place by the operator are proportionate and appropriate, and the controls that the operator has put in place are efficient according to the assessment by OneCert.;
2. The non-compliance does not affect the integrity of the organic or in-conversion product;
3. The traceability system can locate the affected product(s) in the supply chain and the product can be prevented from being imported from a third country for the purpose of placing that product on the market within the Union with reference to organic production;

Major Noncompliances:- Noncompliances that affect the integrity of the organic standard in general and certification process in particular. Examples of such major noncompliances include, but are not limited to, noncompliance with organic standard, knowingly providing false information/documents, misrepresentation as to certification status, repetition of same non conformities, failure to rectify such noncompliances, etc.

The case of non-compliance is major when:

1. The precautionary measures are not proportionate and appropriate and the controls that the operator has put in place are inefficient according to the assessment by OneCert;
2. The non-compliance affects the integrity of the organic or in-conversion product;
3. The operator did not correct in a timely manner a minor non-compliance;
4. The traceability can locate the affected product(s) in the supply chain and the product can be prevented from being imported from a third country for the purpose of placing that product on the market within the Union with reference to organic production;

Critical Noncompliances: Critical noncompliances are the most serious of the three. Critical noncompliance render the integrity of the organic standard completely unusable and/or could cause harm to the user or someone in the vicinity of the product.

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The case of non-compliance is critical when:

1. The precautionary measures are not proportionate and appropriate and the controls that the operator has put in place are inefficient according to the assessment by OneCert;
2. The non-compliance affects the integrity of the organic or in-conversion product;
3. The operator fails to correct previous major non-compliances or repeatedly fails to correct other categories of non-compliances;
4. There is no information from the traceability system to locate the affected product(s) in the supply and the products cannot be prevented from being imported from a third country for the purpose of placing that product on the market within the Union with reference to organic production.

S. No.	Noncompliance Type	Description	Action
1.	Major	Refusal to notify certifying agent of the changes which effect the Operation's Organic Status,	<ol style="list-style-type: none"> 1. 1st Incidence- Warning letter and/or Suspension of certificate Minimum 15 days. 2. 2nd Incidence- 30 days minimum suspension 3. 3rd Incidence- Termination of Certificate.
2.	Major	Provide false information to certifying agent concerning changes to the operation which effect the operation's Organic status, falsification of documentation, selling non - organic crops or products as organic.	Termination or denial of certification or strict disciplinary action will be based on the severity of incidence.
3.	Major	In case the NC raised by last Certifier is Major & no Corrective action will be taken	Denial of certification.
4.	Major	Application of prohibited materials, falsification of records concerning application of prohibited materials.	Termination or denial of certification or disciplinary action will be based on the severity of incidence.
5.	Major	If product and label profile are not completed, and ingredients certifiers details are not available.	Product will not be listed in certificate or removed from certificate.
6.	Major	If operator is willfully/purposefully violating the requirements of standards, or if they fail to correct existing major noncompliance issues	Termination or denial of certification or disciplinary action.

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7.	Major	If OneCert receives repetitive negative feedbacks from Buyers, importing countries, certification bodies and regulatory authorities about an operator	<ol style="list-style-type: none"> 1. 1st Incidence- Warning letter and/or Suspension of certificate Minimum 15 days. 2. 2nd Incidence- 30 days minimum suspension 3. 3rd Incidence- Termination of Certificate. <p>Action will be based on the severity of incidence. Special control measures/restrictions will be issued for export of organic products.</p>
8.	Major	If OneCert observes repetitive residue detection from laboratories, regulatory authorities or any other reliable sources	<ol style="list-style-type: none"> 1. 1st Incidence- Warning letter and/or Suspension of certificate Minimum 15 days. 2. 2nd Incidence- 30 days minimum suspension 3. 3rd Incidence- Termination of Certificate. <p>Action will be based on the severity of incidence. Special control measures/restrictions will be issued for export of organic products. Reduction of scope may be done.</p>
9.	Major	If operator fails to submit certification fee	<p>Late fee will be charged. Certification may be denied.</p>

Measures:

Category of non-compliances	Measure
Minor	Submission by the operator of an action plan within a time limit setting on the correction of the non-compliance(s)
Major	<p>No reference to organic production in the labelling and advertising of the entire lot or production run concerned (crop(s) or animal(s) affected) according to Article 42(1) of Regulation (EU) 2018/848</p> <p>Prohibition of import from a third country for the purpose of placing that product on the market within the Union as organic production for a given period according to Article 42(2) of Regulation (EU) 2018/848</p> <p>New conversion period required</p> <p>Limitation of the certificate's scope</p>

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	Improvement of the implementation of the precautionary measures and the controls that the operator has put in place to ensure compliance
Critical	<p>No reference to organic production in the labelling and advertising of the entire lot or production concerned (crop (s) or animal(s) affected) according to Article 42(1) of Regulation (EU) 2018/848</p> <p>Prohibition of import from a third country for the purpose of placing that product on the market within the Union as organic production for a given period according to Article 42(2) of Regulation (EU) 2018/848</p> <p>New conversion period required</p> <p>Limitation of the certificate's scope</p> <p>Suspension of the certificate</p> <p>Withdrawal of the certificate. OneCert will not consider the application for at least three years after certificate is withdrawn. After three years, the verification of corrective and preventive actions on previous noncompliances shall be verified during certification procedure.</p>

List of cases of non-compliance and the corresponding classification:

Non-compliance	Category
Significant deviation between input and output calculation (mass balance)	Major
Absence of records and financial records showing the compliance with Regulation (EU) 2018/848	Critical
Intentional omission of information leading to incomplete records	Critical
Falsification of documents connected with the certification of organic products	Critical
Intentional re-labelling of downgraded products as organic	Critical
Intentional mixing organic with in-conversion or non-organic products	Critical
Intentional use of non-authorized substances or products within the scope of the Regulation (EU) 2018/848	Critical
Intentional use of GMOs	Critical

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The operator refuses the control authority or the control body access to premises subject to controls, or to its book keepings, including financial records, or refuses to allow the control authority or control body to take samples	Critical
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