

# OCI Complaint and Appeal Procedure

**Scope:** This procedure is applicable to all certification and inspection services offered by OneCert International.

## **Section 1: Complaint Handling**

The aim of this procedure is to establish and maintain, an effective procedure for handling the complaints (in addition to procedure described in Certification Procedures and EU Noncompliance Procedures) related to operator's certification granted by OneCert International (herein after referred as OneCert).

Complaints represent a source of information as to possible nonconformity. A Complaint can be made by any person or body against the following:

- OneCert, its operation and/or procedures
- the auditors, reviewers, committee members, staff of the OneCert
- Certified operator.
- Misuse of accreditation or certification status either in scope or in use of the logo or mark.

### **1. Receiving, validating & recording of complaints**

The complaints can be received on our website, through e-mail, by post, by hand or by any other possible means of communication and it can be done by any person; including our applicant/ certified operator, any stake holders, a person other than operator, certified operator's customers or any other person; related the scope of organic certification.

Upon receipt of a complaint, OneCert confirms whether the complaint relates to certification activities that it is responsible for and, if so, shall deal with it. If the complaint relates to a certified operator, then examination of the complaints shall consider the effectiveness of the certified Operation.

Any complaint about a certified operator will also be referred by the certification body to the certified operator in question at an appropriate time, which can be a week to three weeks, depending on the severity of the complaint.

Complaints-received from any party on all other matters will be handled by the OneCert Chief Executive Officer or person assigned by him (in case if CEO is involved in any certification activity related to complaint then MD will handle the complaint). Cases involving certification requirements of the may be referred to one or more reviewers for additional evaluation. Those reviewers will not have been involved in earlier review or audit of the contested case. Cases involving certification decisions of other certification agencies will be referred to those agencies. All other matters will be investigated and concluded under supervision of Chief Executive Officer who will determine appropriate subsequent action.

After receiving the complaints OneCert will be responsible for gathering and verifying all necessary information to validate the complaint.

### **2. Procedure for complaints regarding**

- A. OneCert, its operation and/or procedures
- B. the auditors, reviewers, staff of the OneCert

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The OneCert CEO will be responsible for the investigation of complaints. Investigation of complaints of noncompliance with the regulations can include unannounced inspections, sampling, or any other method intended to assess the veracity of the complaint. The procedure to address a complaint will be as following: -

- a. When a complaint has been received, the Chief Executive Officer along with reviewer and Quality Assurance will evaluate the complaint (Persons investigating the complaint should not be involved in operation under investigation). Appropriate technical experts may be co-opted to assist, wherever necessary.
- b. The EU noncompliance procedure will be followed for all complaints and/or investigations pertaining to operations certified under EU program.
- c. The decision to be communicated to be the complainant will be made by, and/or reviewed and approved by individual(s) not previously involved in the subject of the complaint.
- d. A log of complaints will be maintained in a way that will allow tracking and recording, it will also include actions undertaken to resolve them.
- e. The corrective actions taken will also be verified for their effectiveness.
- f. Whenever possible, OneCert will acknowledge receipt of the complaint, and will provide the complainant with progress reports and the outcome.
- g. OneCert will determine, together with the certified operator and the complainant, whether and, if so to what extent, the subject of the complaint and its resolution shall be made public.
- h. The corrective actions taken by the certified operator will also be verified for their effectiveness.
- i. A notice of closure will be sent to the complainant wherever necessary.

### 3. Investigation Procedure of Certified Operation

During the investigation of Complaint, if a noncompliance is confirmed, the Noncompliance Procedure for certified operations described in *Certification Procedures OC-002* and EU Noncompliance Procedures will be followed.

OneCert will determine the following while carrying out an investigation:

- ✓ the name, lot identification, ownership and physical location of the organic or in-conversion products concerned;
- ✓ whether the products concerned are still placed on the market as organic or in-conversion products or used in organic production;
- ✓ the type, name, quantity and other relevant information of the present non-authorized products or substances;
- ✓ at which stage of production, preparation, storing or distribution and where exactly the presence of non-authorized products or substances has been detected, in particular for plant production, whether the sample was taken pre- harvest or post-harvest;
- ✓ whether other operators in the supply chain are affected;
- ✓ the results of previous official investigations on the organic or in-conversion products and operators concerned.

The official investigation will at least conclude on:

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- ✓ the integrity of organic and in-conversion products;
- ✓ the source and the cause of the presence of non-authorized products or substances;
- ✓ the sanction measures taken on the concerned operator.

OneCert will prepare a final report of the investigation including.

- ✓ the records of the investigation;
- ✓ the records of the information exchanged with other certification bodies.

#### 4. Misuse of accreditation or certification status either in scope or in use of the logo or mark

For the complaints regarding use of logo or misinformation about the certification or accreditation body *OneCert Standards OC-006* (Subpart D: Labels, Labeling and Market Information) will be referred.

#### 5. Compliant regarding the OneCert Staff

Compliant regarding the OneCert staff will be handled by CEO. If any staff member is found violating the confidential policy and do not respect the code of conduct, appropriate action will be taken as OneCert COI policies.

#### 6. Additional Remarks

- All kinds of complaints will be handled or reviewed by one or more persons and will be kept confidential.
- In case, if complainant is not satisfied by decisions made by OneCert, then complaint will be transferred to OneCert Impartiality Committee.
- Affected Operator against whom action is taken may appeal against decision of OneCert as per appeal procedure.
- All complaints of textiles operations shall be handled as per “Textile Sanction Matrix”.

### Section 2 Appeal Handling

The aim of this procedure is to establish and maintain, an effective procedure (in addition to procedure described in Certification Procedures) for handling the appeals made by certified and applicant operators.

This procedure describes the procedure to enable its certified and/or applicant operators to appeal against the decision which does not result into acceptable resolution or where the proposed procedure is unacceptable to the appellant or other parties involved.

The operator must include the following information in their appeal:

- a copy of the decision they are appealing; and
- a statement of their reasons for believing that the decision was not proper.

If the appeal is admissible, it is processed by OneCert Managing Director assisted by Quality Assurance Executive. An appeal does not affect the decision until the investigation and final decision for filed appeal is taken.

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This appeal handling procedure shall provide for an independent and impartial appeal procedure. Any certified and/or applicant operators can submit an appeal in written and printed format, against the decisions taken by OneCert.

OneCert ensures that personnel involved in the appeal handling are different from those who were previously involved in certification decisions against which appeal is filed, thereby maintaining its policy of impartiality.

The steps to be taken during appeal handling are as following:

- a. Certified operators subject to the regulations who believe that they are adversely affected by a noncompliance or certification decision may appeal such decision to Managing Director of OneCert within 30 days of receiving the decision letter, or within the time frame specified in that letter—whichever is later. Unless the appeal is timely, the decision to deny, revoke, or suspend the certification will become final.
- b. If appellant is not satisfied with the decision made after appeal handling, then he/she can also appeal to respective Accreditation Body of OneCert who will initiate handling of the appeal pursuant to appeal procedures.
- c. Appeal can be made in following cases
  - Persons subject to the regulations who believe they are adversely affected by a noncompliance decision of the OneCert Inspector/Reviewer.
  - Persons subject to the regulations who believe that they are adversely affected by a noncompliance decision of a certifying agent.

*Note:-If Chief Executive Officer and Managing Director both are involved in noncompliance and decision making, appeal will be forwarded to impartiality Committee and will be handled in supervision of impartiality Committee by Executive Quality Assurance.*

- d. All written communication between parties involved in appeal proceedings must be sent to the recipient's place of business by a delivery service which provides dated return receipts.
- e. A certified operator can appeal within 30 days of receiving the decision letter from OneCert, or within the time frame specified in that letter—whichever is later. Unless the appeal is timely, the decision to deny, revoke, or suspend the certified operator's certification will become final.
- f. Certified operator must include the following information in their appeal:
  - A copy of the decision they are appealing; and
  - A statement of their reasons for believing that the decision was not proper or did not follow the required standards

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- g. If no appeal has been received by OneCert against the notice of suspension or withdrawal, or if in the opinion of the OneCert explanations submitted are not satisfactory, OneCert will, on the expiry of the notice, suspend or withdraw the certification and inform the certificated operator in writing.
- h. OneCert will be responsible for all decisions at all levels of the appeals handling procedure.
- i. Submission, investigation and decision on appeals will not result in any discriminatory actions against the appellant.
- j. The appeal handling procedure includes the following elements and methods:
- An appeal will be received and acknowledged by OneCert.
  - OneCert Managing Director will validate the appeal and decide to dismiss or investigate it.
  - Investigation will be done by Managing Director assisted by Quality Assurance Executive and decision on what actions to taken will be made accordingly.
  - Tracking and recording appeals, including actions undertaken to resolve them;
  - Ensuring that any appropriate correction and corrective action are taken.
  - OneCert will acknowledge receipt of the appeals and will provide the appellant with progress reports and the outcome.
  - The decision to be communicated to the appellant will be made by or reviewed and approved by individual(s) not previously involved in the subject of the appeals.
  - OneCert will give formal notice to be appellant of the end of the appeals handling
- k. If during investigation it is found that there is some gap in OneCert 's system while decision making regarding operator's Organic management system, then an appropriate & timely correction & corrective action will be taken & it will be ensured for its appropriateness by Executive Quality Assurance or a person appointed.