

OneCert International Sanction Catalogue- NPOP

OneCert International categorizes noncompliance(s) as major and minor based on the severity and their consequences. Major and minor 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 NPOP 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;

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; or repeatedly fails to correct other categories of non-compliances;
4. The affected product can be identified in the supply chain and can be stopped for further organic claim and/or sale;
5. The minor noncompliance is repeated.

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Disciplinary Measures (Sanctions): The disciplinary measures (sanctions) including measures to deal with minor and major infringements of the standards are listed in below table.

The disciplinary measures (sanctions) imposed in case of minor and major noncompliance(s) will be in accordance with seriousness of non-compliances.

Category of non-compliances	Disciplinary Measures (Sanctions)
Minor	<ul style="list-style-type: none"> • Submission by the operator of an action plan within a time limit setting on the correction of the non-compliance(s)
Major	<p>Following disciplinary measures, either any of these or in combination, will be imposed in case of major noncompliance(s) according to the seriousness of non-compliances:</p> <ul style="list-style-type: none"> • No reference to organic production in the labelling and advertising of the entire lot or production run concerned (crop(s) or product(s) affected). <p>or</p> <ul style="list-style-type: none"> • Prohibition of sale for the purpose of placing that product on the market as organic production for a given period <p>or</p> <ul style="list-style-type: none"> • New conversion period required <p>or</p> <ul style="list-style-type: none"> • Warning Letter to the certified operator <p>or</p> <ul style="list-style-type: none"> • Denial of certification <p>or</p> <ul style="list-style-type: none"> • Limitation of the certificate’s scope <p>or</p> <ul style="list-style-type: none"> • Suspension of the certificate (minimum of six months or the remaining validity period of scope certificate) <p>or</p> <ul style="list-style-type: none"> • 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>or</p> <ul style="list-style-type: none"> • Improvement of the implementation of the precautionary measures and the controls that the operator has put in place to ensure compliance

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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 NPOP	Major
Intentional omission of information leading to incomplete records	Major
Falsification of documents connected with the certification of organic products	Major
Intentional re-labelling of downgraded products as organic	Major
Intentional mixing organic with in-conversion or non-organic products	Major
Intentional use of non-authorized substances or products within the scope of the NPOP	Major
Intentional use of GMOs	Major
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	Major
Failure to notify OneCert of the changes which effect the Operation's Organic Status and organic system plan	Minor
Receipt of complaint and/or OFIS case from APEDA and other regulatory authority	Major
Receipt of repetitive negative feedbacks and complaint from buyers, importing countries, certification bodies and regulatory authorities	Major
Detection of prohibited substances in the samples drawn by OneCert	Major
Failure to submit the annual update	Minor
Failure to take label approval before using	Minor
Use of incorrect and unapproved labels	Major
Failure to keep the effective separation between organic and non-organic and in-conversion products as required by NPOP	Major
Failure to notify OneCert in case of suspicion that a product it has produced, prepared, sold or has received from another operator does not comply with NPOP	Major
Ionising radiation is used in the treatment of organic food or feed, and in the treatment of raw materials used in organic food or feed.	Major
The farm map is not accurate and does not match with actual condition	Major
The internal control system is not appropriately documented as required by NPOP	Major
The ICS inspector(s) is not competent with regard to the products and activities of the group as required by NPOP	Major

Note: This list only has examples of the noncompliance that may occur during the course of certification activities, however, the noncompliance(s) are not limited only to this list. This will be updated as and when required.

For the new noncompliance(s) that are not listed in the sanction catalogue concerning NPOP regulations:

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- Inspector will refer to OCI- 232 NC & OFI List, if the issue observed during inspection is listed in the OCI-232 then the noncompliance will be issued according to the prescribed category- major or minor.
- If the issue observed during inspection is not listed in the list, then inspector will go for the definitions and categorization of the noncompliance categories in the Sanction Catalogue and NPOP Regulations.