

OP-07

Procedure for Complaint, Suspension and Revocation

Purpose: To establish and maintain, an effective procedure, for handling the complaints related to operator's certification.

Scope: complaints regarding OneCert International operation and/or procedures; the auditors, reviewers, staff of the OneCert International; certified operator; misuse of accreditation or certification status either in scope or in use of the logo or mark

Responsibility: Chief Executive Officer, Quality Assurance & Managing Director.

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

- A. OneCert International, its operation and/or procedures
- B. the auditors, reviewers, committee members, staff of the OneCert International
- C. Certified operator.
- D. 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 (NPOP).

Upon receipt of a complaint, the OneCert International 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 or appeals received from any party on all other matters will be handled by the OneCert International Chief Executive Officer (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 decided by the Chief Executive Officer who will determine appropriate subsequent action.

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

2. Procedure for complaints regarding:

- A. OneCert International, its operation and/or procedures

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B. the auditors, reviewers, staff of the OneCert International

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 follows:-

- a. When a complaint has been received, the Chief Executive Officer along with reviewer and Quality Assurance evaluate the complaint (Persons investigating the complaint should not be involved in operation under investigation). Appropriate technical experts may be co-opted to assist, where necessary.
- b. The decision to be communicated to be the complainant will be made by, or reviewed and approved by individual(s) not previously involved in the subject of the complaint.
- c. 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.
- d. The corrective actions taken will also be verified for their effectiveness.
- e. Whenever possible, OneCert International will acknowledge receipt of the complaint, and will provide the complainant with progress reports and the outcome.
- f. Operator should inform about the closure of the complaint to OneCert International.
- g. OneCert International will give formal notice of the end of the complaints handling process to the complainant.
- h. OneCert International 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.
- i. The certified operator must reply within the defined time period. He should mention the proposed corrective action & the time limit to accomplish it. The corrective actions taken by the certified operator will also be verified for their effectiveness.
- j. OneCert International will evaluate the complaints relating to customer by reviewing records of previous audits or if necessary, re-auditing the certified operator, by conducting the special/ surprise inspection.
- k. All cases involving detection of prohibited material need on inspection.
- l. Where an infringement that affects the organic integrity is found, OneCert will ensure that the non-compliant lot of production is removed from the entire lot of the production cycle which is affected by the infringement concerned.
- m. In case of any violation by the operator, OneCert shall withdraw certification from the operator for a specified period and inform about their decision to APEDA and shall also publish the same on the website.

3. Investigation Procedure of Certified Operation:-

During the investigation of a Complaint, if a noncompliance is confirmed, the noncompliance procedure for certified operations will be followed.

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Noncompliance procedure for certified operations:-

- a. If certification cannot be continued for a certified operation based on a review of information received from or about the operation, OneCert will provide a written notification of noncompliance to the certified operation, including:
 - A description of each noncompliance;
 - The facts upon which the notification of noncompliance is based; and
 - The date by which the certified operation must rebut or correct each noncompliance and submit supporting documentation of each such correction when correction is possible.
- b. The notification will inform the certified operator that they may respond by correcting noncompliance and submitting a description of the corrective actions taken with supporting documentation;
- c. The notification will also inform operators that in addition to suspension or termination, any certified operation that:
 - Knowingly sells or labels a product as organic, except in accordance with the Act, shall be subject to action as per the Indian Panel Code and NAB.
- d. After issuance of a notification of noncompliance, OneCert will:
 - Evaluate the applicant's corrective actions and supporting documentation or the written rebuttal, and then conduct an on-site inspection if necessary and then:
 - Issue the applicant a written notice of noncompliance resolution and an approval of certification when the corrective action is sufficient for the applicant to qualify for certification, or
 - Issue the applicant a written notice of suspension or denial of certification when the corrective action is not sufficient for the applicant to qualify for certification.
 - Issue a written notice of suspension of certification to an applicant who fails to respond to the notification of Suspension or denial.
 - All actions must be in line with the OneCert Sanction Catalogue of NPOP OCI-066 and OCI-066.
- e. When correction of a noncompliance is not possible, a notification of noncompliance and a notification of suspension or denial of certification may be combined in a single notification.
- f. In case of any violation by the operator, OneCert shall take actions on the certification issued to the operator and inform about their decision to APEDA and shall also publish the same on the website.
- g. OneCert will treat the new application from an operation that includes a notification of noncompliance or a notice of denial of certification as a new application and begin a new application process.
- h. A notice of suspension will include the following information:
 - A certified operation whose certification has been suspended under this section may at any time, unless otherwise stated in the notification of suspension, submit a request to the NAB for reinstatement of its certification. The request **must** be accompanied by evidence demonstrating correction of each noncompliance and

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corrective actions taken to comply with and remain in compliance with the regulations.

4. Withdrawal of Certification:

Where an infringement that affects the organic integrity is found, OneCert will ensure that the non-compliant lot of production is removed from the entire lot of production cycle that is affected by the infringement concerned.

In case of any violation by the Operator, OneCert will withdraw certification from the Operator for a specified period in case serious noncompliances affecting the organic integrity are observed. In case of severe infringement or repeated violations of the NPOP norms, the certification of the Operator will be terminated. and OneCert will inform about its decision to APEDA and shall also publish the same on its website.

5. Recertification of Terminated Operators:

- In cases where the certification of an Operator (including Director/ Promoter) has been terminated, the Operator can apply for recertification after a period of two years from the date of termination. In such cases, the producer shall have to undergo the full conversion cycle (2 years for annuals & 3 years for perennials).
- OneCert while recertifying such operators will ensure due diligence and compliance by the Operator to the certification requirements.
- In case of Operators (including Director/Promoter) where in certification has been terminated twice, such Operators will be debarred from organic certification for five years.
- In case it is revealed that the Operator/Company, its directors and promoters have changed their identity to register by another identity, OneCert will inform the NAB for further actions.
- The recertification of terminated operators must be done as per NPOP 4.4.2.5. Recertification of Terminated Operators and APEDA advisories.

6. 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 International conditions for use of India Organic Logo, OneCert Logo will be referred.

Procedure for this handling any misuse will be same as given in complaint procedures.

7. Compliant regarding the OneCert International Staff: - Compliant regarding the OneCert International staff will be handled by CEO. If a staff was found violating the confidential policy and do not respect the code of conduct, appropriate action will be taken as OneCert International COI policy.

Note:

1. **All kinds of complaints will be handled or reviewed by one or more persons and will be kept confidential.**

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2. *In case, if complainant is not satisfied by our decisions, then complaint will be transferred to OneCert International Impartiality Committee.*
3. *Effected Operator against whom action was taken may appeal against OneCert International Decision as per appeal process.*

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OneCert International Procedure for Handling Appeals

Purpose: To make a procedure for handling appeals from the certified operator.

Standard Reference:- NPOP 9.3

Scope: All kinds of appeals that come under the scope of organic certification-NPOP.

Responsibility & Committee: Chief Executive Officer, Managing Director, Quality Assurance, Reviewer, External Expert if required.

Procedure:

OneCert International has an appeals-handling process to enable its certified operators to appeal against the decision that does not result in an acceptable resolution or where the proposed procedure is unacceptable to the appellant or other parties involved.

This appeals-handling process shall provide for an independent and impartial appeal process. Any certified operators can submit an appeal against the decisions taken by OneCert International.

The appeal is only received through written or printed format.

OneCert International provides an option for the appellant to access its appeal-handling process through website or printed media.

It is also made sure that the personnel involved in the appeals-handling process are different from those who carried out the audits and made the certification decisions thereby maintaining its policy of impartiality.

The procedure for appeal is as follows:

1. Certified operators subject to the regulations who believe that they are adversely affected by a noncompliance or certification decision may appeal such decision to Chief Executive Officer OneCert International or the Managing Director OneCert International. In case if the Chief Executive Officer OneCert International will be involved in the certification decision of the organization which is appealing, then he will give the responsibility for handling appeal to the Executive Quality Assurance. If still the person making the appeal didn't satisfied then he/she can also appeal to the Accreditation Body (NAB_APEDA) of OneCert International who will initiate handling of the appeal pursuant to appeal procedures. Appeal can be made in following cases
 - Persons subject to the regulations who believe they are adversely affected by a noncompliance decision of the NPOP Inspector/Reviewer.
 - Persons subject to the regulations who believe that they are adversely affected by a noncompliance decision of a certifying agent.
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Note:- If Chief Executive Officer and Managing Director both are involved in non-compliance and decision making, appeal will be forwarded to impartiality Committee and will be handled in supervision of impartiality Committee by Executive Quality Assurance.

2. All written communications 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.
3. A certified operator can appeal within 30 days of receiving the decision letter from OneCert International, 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.
4. Certified operator must include the following information in their appeal:
 - a. A copy of the decision they are appealing; and
 - b. A statement of their reasons for believing that the decision was not proper or did not follow the required standards
5. If no appeal has been received by the OneCert International against the notice of suspension or withdrawal, or if in the opinion of the OneCert International the explanations submitted are not satisfactory, OneCert International will, on the expiry of the notice, suspend or withdraw the certification and inform the certificated operator in writing.
6. OneCert International will be responsible for all decisions at all levels of the appeals handling process.
7. Submission, investigation and decision on appeals will not result in any discriminatory actions against the appellant.
8. The appeals handling process includes the following elements and methods:
 - An outline of the process for receiving, validating and investigating the appeal, and for deciding what actions are to be taken in response to it, taking into account the results of previous similar appeals;
 - Tracking and recording appeals, including actions undertaken to resolve them;
 - Ensuring that any appropriate correction and corrective action are taken.
 - OneCert International 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 International will give formal notice to be appellant of the end of the appeals handling
9. If during investigation it is found that there is some gap in OneCert International's system while decision making regarding operator's Organic management system then an appropriate

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& timely correction & corrective action will be taken & it will be ensured for its appropriateness by Executive Quality Assurance or a person appointed by it.