

# ANNEX 16

## CU Inspection Regulation

This Regulation applies to all programs where reference is made to this Regulation in the contract, but at least for the following:

	Program
A	Organic Production methods <ul style="list-style-type: none"> <li>- Perú: Reglamento Técnico para Productos Orgánicos D.S.044-2006-AG Senasa (RTPO)</li> <li>- Ecuador: Normativa e Instructivo para Promover y Regular la Producción Orgánica – Ecológica – Biológica en el Ecuador (Registro Oficial N° 34 del 11 de Julio del 2013 y Resolución DAJ-20133EC-0201.0099)</li> <li>- Colombia: Resolución No. 187 de 2006 por la que se adopta el Reglamento para la producción primaria, procesamiento, empackado, etiquetado, almacenamiento, certificación, importación, comercialización de productos agropecuarios ecológicos. Resolución 199 de 2016 por la cual se modifica parcialmente el Reglamento, Resolución 148 de 2004 por la cual se crea el Sello de Alimento Ecológico y se reglamenta su otorgamiento y uso, y Resolución 036 de 2007 que modifica la Resolución 148</li> <li>- Paraguay: Reglamento de los procesos de la producción orgánica de origen vegetal. Resolución 143/11 Senave (Paraguay)</li> <li>- Bolivia: Ley N° 3525 de Regulación y promoción de la producción agropecuaria y forestal no maderable ecológica y su Reglamento***</li> <li>- <i>Chile: Ley N° 20.089 que creó el Sistema nacional de certificación de productos orgánicos agrícolas y su reglamento D.S. N° 3/2016, sus normas técnicas D.S. N° 2/2016, y sus normas complementarias*</i></li> <li>- Bird Friendly</li> </ul>
B	Equivalence Program
C	CU Green Choice Sustainable Tourism Standard
D	Marine Stewardship Council (MSC)
E	Aquaculture Stewardship Council (ASC)
F	Best Aquaculture Practices (BAP)
G	Globalgap Fruits and Vegetables

\* In Process of accreditation

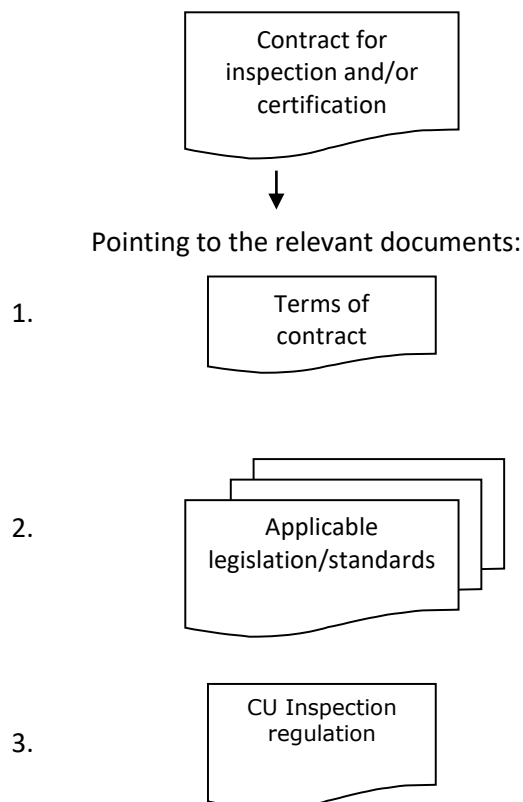
\*\*\* Under the responsibility of Control Union Bolivia S.R.L office.

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## Introduction and Scope

- This Inspection Regulation contains regulation regarding our policy on inspection and certification of Control Union Peru.
- It mentions what clients' rights and obligations are, as well as those of CU.
- It also mentions additional rules for specific programs.
- It also contains contract-related regulation.
- In this sense the Inspection Regulation is complementary to the applicable standards, the offer letter, as well as the Terms of Contract.

Please refer to the structure diagram below.



The Inspection Regulation consists of several chapters. Chapter 1 contains general rules that are applicable for all clients concerned and contains the following paragraphs:

1. Applicability
2. Definitions
3. Inspection

4. Inspection report
5. Certification
6. Certificates
7. Use of indications and symbols
8. Appeal
9. Final provisions
10. Policy in relation to projects from other certification bodies

The other chapters contain rules specified for individual certification programs. In every sentence where the singular form is in a context, the plural form should be supposed. This is also the case for male and female word expressions.

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## CHAPTER 1: GENERAL REQUIREMENTS FOR INSPECTION AND CERTIFICATION

### 1.1 APPLICABILITY AND CONFIDENTIALITY

<b>Article 1</b>	
	<b>Applicability</b>
1	This regulation has been adopted by the Managing Director of the private limited company Control Union Peru (CU) on January 1 <sup>st</sup> 2009, and can be referred to as <b>CU Inspection Regulation</b> .
2	The CU Inspection regulation and the amendments shall be published within one month after the Managing Director CU has adopted them.
3	The Managing Director CU has the right to change or extend this regulation by amendments. The amendments shall be mentioned in italics.
4	For any change or extension of this regulation, a transition period is given. In all cases where no transition period for the individual amendment is given, a transition period of three months after the adoption will be in force.
5	The CU Inspection regulation is applicable for all programs mentioned in the scope.
6	In any case where conflicting rules in both the client contract and the CU Inspection regulation are encountered, the client contract shall overrule the CU Inspection regulation.
7	CU commits itself to conduct its activities impartially and in a professional manner. CU understands the importance of impartiality in carrying out its certification activities, managing of conflicts of interest and ensuring the objectivity of its management system certification activities.
8	Programs which are not within the scope described on the first page of this document are subject to the Inspection Regulation of Control Union Certifications (CUC)
	<b>Confidentiality</b>
9	CU and its employees at all levels of the organization, including committee members, suppliers, personnel of external agencies or persons acting on behalf of CU, are required to consider all information obtained in the course of their business activities as confidential information, already considered to be confidential.
10	CU will not disclose this information to any third party without the client's written consent.
11	When required to CU, by law or authorization of contractual provisions, the disclosure of confidential information of the Client, CU <b>will notify</b> the client regarding said request; unless the law prohibits it.
12	CU is obliged to inform any person about the status of their certification when they request it.
13	As a client, you may disclose confidential information about our procedures and methods to your affiliates (that is, to any person who directly or indirectly controls or is under your direct control), its officers, employees or suppliers only in a basic knowledge need. Disclosure to any third party is prohibited.
14	Information that is available to the public is not considered confidential information. Or if such information is developed by CU independently of your information or activities; or if such information is disclosed by CU in good faith by a third party that has an independent right to that information; or, when it is agreed between the client and CU (for example, in order to respond to complaints).
15	The customer information obtained by CU from sources other than the customer (for example, from a claimant or a regulatory body) will be treated as confidential information, unless both the information source and the client give their written consent to disclose it.

### 1.2 DEFINITIONS

#### Article 2 Definitions

1. This document adopts all definitions as defined by:
  - General requirements for bodies operating product certification systems (ISO 17065:2012)

- ISO 19011
- Perú: Reglamento Técnico para los Productos Orgánicos DS 044-2006-AG
- El Reglamento de la Normativa de la Producción Orgánica Agropecuaria en el Ecuador, Acuerdo Ministerial Nº302, Registro Oficial 384 del 25 de Octubre del 2006.
- Colombia: Resolución No. 187 de 2006 por la que se adopta el Reglamento para la producción primaria, procesamiento, empaçado, etiquetado, almacenamiento, certificación, importación, comercialización de productos agropecuarios ecológicos
- Paraguay: Reglamento de los procesos de la producción orgánica de origen vegetal. Resolución 143/11 Senave
- CU Green Choice Sustainable Tourism Standard.
- CU Equivalence program\*
- Marine Stewardship Council (MSC)
- Aquaculture Stewardship Council (ASC)
- Best Aquaculture Practices (BAP)
- Globalgap Fruits and Vegetables

\* For Equivalence program definitions are adopted under:

Regulation (EEC) No 834/2007 and 889/2008 and their amendments (EUROPE), National Organic Program, USDA United States of America (NOP/USDA), Japanese Agricultural Standards, MAFF Japan (JAS - Notifications No. 1180, 1464, 1465 and 1466), El Reglamento Técnico para los Productos Orgánicos – D.S. Nº 044-2006-AG (PERU), la Normativa e Instructivo para Promover y Regular la Producción Orgánica-Ecológica-Biológica en el Ecuador (ECUADOR), el Programa Ecológico Nacional del Ministerio de Agricultura de la República de Colombia (COLOMBIA), el Reglamento de los Procesos de la Producción Orgánica de Origen Vegetal - Resolución MAG Nº143/11 (PARAGUAY). El Manual del Programa de Equivalencias de CU, los requisitos generales para organismos que manejan los sistemas de certificación de productos (Guía ISO/IEC 17065: 2012).

This document uses the following additional definitions:

Corrective actions	Are actions that are the root cause of nonconformity found during an internal or external audit;
Preventive actions	Is the action that removes the source of the cause of a situation that could result in non-conformity;
Appeal	Formal notification of disagreement with a certification decision by CUP, or request by the provider of the item of inspection to the inspection body for reconsideration by that body of a decision it has made relating to that item;
Approval (approval decision)	Action by one party (in this case: the certification body, CU) to confirm that there is confidence that a satisfactory product is in compliance and is compatible with one or more than one of the Organic Program under which was evaluated .
Client File	File of all documents related to certification of a specific customer, which includes digital documents stored in CUSI.
Auxiliary for crop production	Those inputs that do not provided with nutrients to the plants, do not have soil conditioner functions, no function of crop protection against pests (diseases, pests and weeds), or growth regulators are considered. This category contains adjuvants, products for cleaning equipment, insect traps, compost inoculants, plant extracts without nutritional or protective function against pests (E.g. amino acids as chelating agents for evaluation), among others.

Auxiliaries for livestock production	Those inputs used in agricultural production which have no nutritional function or direct health function. Includes inputs for the cleaning of equipment and facilities, pet grooming aids, and other inputs used in animals and their breeding areas.
" Confirmation of Compatibility – Use of inputs in organic production" letter	Document issued under CU Equivalence Program demonstrating that an evaluated product is in compliance and supports one or more than one of the Organic Program under which they were evaluated.
Product category	Refers to the classification of a product within a specific class. The categories are based on the use and application of the product (E.g. Category Fertilizers and soil improvers, which belongs to the class of "Inputs for crop production").
Certification	Action taken by one party (in this case: the certification body, CU) to confirm that there is confidence that a satisfactory product, process or activity sufficiently identified, is in accordance with a rule, regulation or rule.
Scope Certificate	Document issued under the rules of a certification system that demonstrates that adequate confidence is provided whenever a product, process or service meets properly identified with a specific standard or other normative document.
Transaction Certificate	Certificate in which CU declares that- on the basis of a certificate scope issued- the process of producing a particular product batch is inspected and evaluated positively.
Certifier	Person under the supervision of the Program Manager is responsible for marketing of programs, instructions of the Inspector (Senior) certification decision; inform the customer, issuing certificates, customer relations and post-certification activities.
Product class	Refers to the type of production system whereby a product submitted is used for evaluation under the Equivalence Program. They have 3 kinds of products: <ul style="list-style-type: none"> <li>- Inputs for crop production.</li> <li>- Inputs for livestock production.</li> <li>- Inputs for food processing.</li> </ul>
Client	A contract partner of CU for inspection and certification programs, with the aim of being
Client contract	A written agreement between CU and the client concerning all rights and duties concerning a CU certification program. The client contract does not indicate that the client is certified. For understanding the applicable Contract equivalents shall be understood as follows: <ul style="list-style-type: none"> <li>- Certifier = Evaluator</li> <li>- Certification decision = Assessment Decision (approval or disapproval)</li> <li>- Certificate = Letter " Confirmation of Compatibility – Use of inputs in organic production"</li> </ul>
Disapproval (decision of disapproval)	Product deviation of the specific requirements of one or more than one organic programs under which is evaluated.

Product Specification	Declaration where a producer/processor specifies all the ingredients of the concerned product.
Evaluation	A systematic assessment of the extent to which a system, product, process or service fulfils a specific requirement. For Equivalence Program is the action to determine, according to the technical information of the product, if it is or is not compatible with one or more than one of the Organic Program regulations.
Evaluator (also called Certifier)	Person under the supervision of the CU Equivalence Program Manager is responsible for marketing of programs, evaluation decision of a product, to complete the product evaluation form, issuance of the Compatibility Letter, customer relations and related downstream activities.
Fertilizers and soil improvers	Those inputs that contain one or more essential nutrients to plants. Used mainly by its content of plant nutrients and can be applied to soil or foliage. Include, but are not limited to, compost, animal manures, fertilizers simple compound fertilizers mined minerals, micronutrients, plant extracts for nutritional purposes. Soil improvers include materials for liming or acidification of the soil, mulches, and any other input applied as a soil conditioner.
Phytosanitary and Growth Regulators	Those inputs that are used as pesticides for controlling plant diseases, insect control, control of mites and weed control as well as those used as growth regulators. They can be applied both to plants or soil, except with a restriction thereon.
Source	Location where the product comes.
Program Manager	Person responsible for the development and maintenance of certification programs and quality systems
Smallholder farmer groups	Farmers Group as described in the correspondence chapters of this document
Ingredients for livestock feed	It is limited to those inputs that are added to cattle feed, such as additives and supplements that are used in animal feed. Not include agricultural inputs like food itself, fodder or rations formulated, which must meet all the requirements of organic certification, except in cases where the standards allow non-organic origin of such foods. Additives for livestock feed are inputs that are added in small amounts to food to fill a specific nutritional need (essential nutrients in the form of amino acids, vitamins and minerals). Supplements for livestock feed are a combination of nutrients that are added to animal feed to improve the nutritional balance or functionality of the whole food.
Agricultural Ingredients and Auxiliaries for processing	Includes organically produced agricultural inputs and non-agricultural inputs allowed under articles, annexes or specific sections of the organic production standards applicable to food processing (E.g. NOP Rule 205.606, Annex IX to Regulation (EC) N ° 889/2008, JAS - Notification No. 1464, Table 4 (those considered agricultural).
Non-agricultural Ingredients and	Includes non-agricultural inputs allowed under articles, annexes or specific sections of the organic production standards applicable to food processing.

Auxiliaries for processing	(E.g. NOP Rule 205.605, Annex VIII of Regulation (EC) No 889/2008 (except those marked with an asterisk *) JAS - Notification No. 1464, Table 4 (those considered non-agricultural)).
Inspection/ Audit	Investigation by competent judgment and/or by testing a product, process or activity and determination in accordance with a standard or other normative document and includes inventories (first inspection).
Inspector (Senior Inspector)/ Auditor (Senior Auditor)	Person responsible for carrying out inspections and report to the Program Manager or Certifier and the customer.
Inputs	A product or auxiliary for which standards in CU certification program are applicable, except the materials that are subject to the certification program For CU Equivalence Program, shall mean as one input for use in organic production.
Inputs for the health care of livestock	Includes those inputs used as animal drugs, internal and external parasite, topical medications, and biological (vaccines, toxins, live microorganisms, killed microorganisms, etc.). Also includes inputs such as pesticides that are used to handle problems with flies or other pests outside for animal husbandry.
Inputs for hygiene in food processing facilities	Includes inputs used to remove dirt, debris and foreign matter from food and utensils and equipment used in food manufacturing operations. These inputs are used also for monitoring microorganisms that may contaminate the food. Include inputs that may come into direct contact with food or those used on surfaces in contact with food. This category also includes the inputs used for the disinfestation or to prevent infestation by pests (insects, diseases, rodents and other organisms) in stores and food manufacturing facilities (including post-harvest facilities).
Logo de CU	Graphic representation that identifies Control Union and is used by the company Control Union as a continuation of the symbol.
Approval mark	Distinctive given to a product that has been approved as complying with one or more than one of the Organic Program under which was evaluated according to the CU Equivalence program, and has a letter of "Confirmation of Compatibility – Use of inputs in organic production " in force.
Certification Mark	Property sign of the certification body, intended to be applied to products or services whose quality or other characteristics have been certified by the owner of the mark.
Organic Production Methods	Production method according to Reglamento de la Normativa de la Producción Orgánica Agropecuaria en el Ecuador, Acuerdo Ministerial N°302, Registro Oficial 384 del 25 de Octubre del 2006, Reglamento Técnico para los Productos Orgánicos DS 044-2006-AG, Sello Ecológico Colombiano. EU: Regulation (EEC) No 834/2007 and 889/2008; NOP/USDA: National Organic Program, USDA United States of America; JAS: Japanese Agricultural Standards for Organic production; Reglamento de los Procesos de la Producción Orgánica de Origen Vegetal en Paraguay, Resolución MAG N°143/11.
Non-conformity	Product deviation of the specific requirements or impossibility of maintaining



	one or more elements of the management system required;
Standard	Document established by CU or any other agency that provides regulations for activities or their results;
Client Number	Unique number that CU provides to the client to be identified as a CU client. The customer number does not indicate that the client is certified;
GMOs (Genetic Modified Organisms)	Agency to have been unchanged in the genetic material (DNA), using artificial methods of biotechnology.
Certification Body	Body that conducts certification of conformity.
Certification Program	A system (or program) that has its own procedure and management to carry out certification of conformity;
Supplier / subcontractor	The part that is responsible for ensuring whether those products conform and, if necessary, continue to meet the requirements on which the certification is based;
Complaint	A formal expression of dissatisfaction by any person or organization with the conduct of an employee of CU, CU methodology or work executed under the contractual liability of a critical office.
Claim	Request for financial settlement.
Quality Management System	Quality management system should be defined as the management system;
CU Branch office	CU Office is legally entitled to represent CU.
Processing Unit	Companies or business unit where the actions are carried out under the definition of "preparation" in the various policy documents;
Production unit	Companies or business unit where the actions are carried out under the definition of "production" in Normativa e Instructivo para Promover y Regular la Producción Orgánica – Ecológica – Biológica en el Ecuador (Registro Oficial N° 34 del 11 de Julio del 2013 y Resolución DAJ-20133EC-0201.0099). Also referred to as farm units or units of farmers (organic farming) or units of management of the forest industry (for forestry).

### 1.3 INSPECTION

<b>Article 3 Conditions for inspection</b>	
1	By accepting any offer made by the Control Union Certifications, the customer enters into an agreement with UC in accordance with the terms and conditions mentioned in the offer letter as well as all other documents (including the terms of the contract) that are applicable or have been declared applicable to the Agreement.
2	In the event that it is not possible to carry out the inspection at a relevant time because of delayed payment; CU has the right to cancel the inspection and certification.
3	In the event that it is not possible to carry out the inspection due to safety issues (e.g. in the event of unforeseen natural disasters or political instability), CU has the right to cancel the inspection and certification. The judgment is among other things based on internationally (e.g. official statements of ministry of foreign affairs) and locally available information. If the inspection is cancelled, CU shall inform the client as soon as possible. CU shall decide case-by-case whether the certification

	can take place on the basis of other information or the certification has to be cancelled
4	If the objectivity of the inspection is compromised, the inspector has the right to abort the inspection. Reasons can be for example the interference of accompanying persons. All costs arising from this case is to charge to the client.
5	If the company decides to be represented during the audit by a representative other than those listed in the application form will need to be formalized through a written designation by the legal representative.

<b>Article 4 Inspector</b>	
1	The CU inspector shall be able to identify himself with a valid CU identification card.
2	The CU inspector operates in conformity with the CU procedures.
3	The CU inspector shall also respect the CU Code of Conduct/ Confidentiality (No conflict of interests, which is signed by him/her).

<b>Article 5 Inspection</b>	
1	CU has the right to carry out announced and unannounced inspections. Un announced inspections primarily would be done based on the general evaluation of the risk of non-compliance with the applicable rules. CU has the right to carry out additional inspection activities for certification purposes and to charge the costs in addition to the fees as stated in the client contract.
2	CU has the right to request additional information whenever it believes this to be necessary to guarantee that the regulations are observed and are verifiable.
3	If requested by CU, translation services from the local language into a language chosen by CU staff shall be provided. The costs will be charged to the client.
4	AGROCALIDAD of Ecuador may require CU to conduct additional inspections for the Reglamento de la Normativa de la Producción Orgánica Agropecuaria en el Ecuador, Acuerdo Ministerial N°302, Registro Oficial 384 del 25 de Octubre del 2006, in order to verify compliance of operations operator with respect to the requirements of the certification program.
5	The client will provide CU and any authority involved in the certification process (including but not limited to accreditation bodies, scheme owners, observers), access to all areas, equipment, premises, personnel and units within the scope of the contract. <b>Specific for programs accredited by SAE (ORG-ECU, GlobalGAP, BAP):</b> If the client does not accept the participation of observers from the accreditation body, it will imply the impossibility of granting an accredited certification, or withdrawing it if it already exists. <b>For programs accredited by other agencies:</b> will be evaluated case by case and will be determined some type of action.
6	SENASA of Peru may require CU to conduct additional inspections for the Reglamento Tecnico para los Productos Organicos DS044-2006-AG, in order to verify compliance of operations operator with respect to the requirements of the certification program.
7	ONAC of Colombia may require CU to conduct additional inspections for the Sello Ecologico Colombiano, in order to verify compliance of operations operator with respect to the requirements of the certification program.

<b>Article 5a Target of Evaluation</b>	
1	During the inspection, then carried the application of a new or amended certificate, the requirements for the preparation or marketing can be evaluated through a comparable process. The comparable process can also be defined as preparation or marketing the same product or similar conventional product.
2	If a certificate has been granted based on review of comparable process, the client is obliged to inform CU before the first processing. CU can decide further evaluation.

<b>Article 5b Method of evaluation/inspection</b>
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Evaluation whether the applicable requirements are met, can be performed by the following methods:	
1	Administrative evaluation at a CU Office;
2	Physical and administrative evaluation at the client's project or elsewhere;
3	Sampling and analysis;
4	Interviews;
5	Cross-checking information received from all of the above.

<b>Article 6 Samples</b>	
1	The inspector has the right to take samples for analysis. These samples will be analysed in laboratories selected by CU. See valid Terms of Contract art. 4.4.
2	When samples are taken, the inspector shall provide the client with a duplicate of the sample that is taken, as counter sample. This counter sample must be kept under freezing conditions at temperatures below 0 ° to reduce the risk of deterioration or alteration.
3	Samples sent to CU sub contracted laboratories, and counter samples for CU and client should be stored so as to avoid contamination and deterioration of the same in all stages of storage to avoid any risks that could affect the results until it is analysed.
4	CU shall carry out the analyses on samples by laboratories that are accredited according to ISO/IEC 17025 and inform the client as soon as the results are available.
5	If the results of the analyses prove that the applicable regulations are not complied with, the results may cause changes in the certification.

<b>Article 7 Register of complaints and remedial actions</b>	
1	<p>The client shall safeguard that all complaints received from:</p> <ol style="list-style-type: none"> <li>1. Anyone at any stage of the project (production- and processing units), 2. Customers and/or 3. Other third parties are centrally registered.</li> </ol> <ul style="list-style-type: none"> <li>- This client shall keep records of all received complaints concerning the certified production method or products and of all remedial actions that are taken to respond to the individual complaints. Clients must have on location, and available on request a clearly identifiable document for customers complaints.</li> <li>- There are documents of the actions taken with respect to such complaints and any deficiencies found in products or services.</li> <li>- The complaints procedure must ensure that complaints are adequately recorded, studied and followed up, including a record of actions taken with respect to complaints and any deficiencies found in products or services.</li> </ul>

<b>Article 8 Responsibility and Liability</b>	
1	The client has the responsibility for all production and processing units, products and activities that are mentioned in the client contract to comply with the applicable standards.
2	The client shall, with regard to the inspection and certification activities of CU, be responsible for persons who work in or for his business.

#### 1.4 INSPECTION REPORT

<b>Article 9 Inspection report</b>	
1	During the inspection, the inspector shall record his findings on standardized inspection forms. These forms have to be signed by the client or the official representative of the client during the inspection visit to acknowledge the inspector's findings. If the official representative signs, his/her signature is

	only valid if this person is officially registered as authorized to sign within the company.
2	The inspector shall provide the Certifier with all inspection forms with his findings as to the conformity with all the certification requirements.
3	The findings in the inspection forms shall be evaluated and signed by the certifier.
4	After an inspection has taken place CU shall send a summary of the evaluation to the client without undue delay, moreover (the evaluation) conforming to any specific program requirements. The client has the right to react on the content of the report within a period of 6 weeks after sending by CU (date of postmark) or from the date on which the inspector presented the inspection results.
5	CU has the right to charge a fee for providing copies of the reports, as well as carry out other services if this is permitted by the client concerned.

## 1.5 CERTIFICATION

<b>Article 10 Certification</b>	
1	Based on the certification decision, CU will issue, update or withdraw the scope certificate.
2	CU has the right to publish the list of its suspended clients.

## 1.6 CERTIFICATES

<b>Article 11 Scope certificate</b>	
1	The scope certificate is only valid if signed by the managing director of CU or a person who has been authorized for it by the Managing Director.
2	CU shall renew the scope certificate within the timeframe indicated in the applicable standards as long as the circumstances are not in conflict with the applicable regulations, the client contract is continued, and financial liabilities are fulfilled.
3	The client shall keep the valid certificate issued in his records.
4	CU has the right to request clients to return any certificates (e.g. scope certificates, Import or Transaction Certificates), as these are legally owned by CU.
5	CU shall keep a copy of the scope certificate for authenticity in its records.
6	The scope certificate shall contain an indication of: <ul style="list-style-type: none"> <li>- the name and address of the client;</li> <li>- the client number;</li> <li>- the certified products and related units;</li> <li>- the applicable certification program;</li> <li>- the standards, regulation or other normative documents to which each product, production unit, or processing unit is certified;</li> <li>- the effective date of certification and / or place and date of issue of the certificate;</li> <li>- a hologram;</li> <li>- any program specific indications applicable.</li> </ul>

<b>Article 12 Invalidity and duplicates of certificates</b>	
1	The client is obliged to inform CU as soon as possible if any changes occur which interfere or might interfere with the requirements as mentioned in the concerned regulations or which indicate a change in the scope of the certificate. If these changes are not reported to CU, the scope certificate loses its validity.
2	From the moment of termination of the client contract, the scope certificate issued becomes invalid.
3	In the event of the certificate being lost by the client, the rights to be derived from the certificate shall cease to exist. In those cases, CU shall only issue a new copy of the certificate if the client concerned provides CU with a written declaration in which the client obliges himself to return the original certificate when it is found.

4	In the event of invalidity of a certificate, CU has the right to notify buyers concerned, inspection bodies' concerned, competent authorities and other third parties concerned.
5	CU has the right to confirm validity of certificates that are issued by CU on request of third parties, without prior permission of the client.

<b>Article 13 Accreditation</b>	
1	CU obliges itself to be accredited or recognized by: <ul style="list-style-type: none"> <li>- The Ecuadorian Accreditation Service (SAE) for the Normativa e Instructivo para Promover y Regular la Producción Orgánica – Ecológica – Biológica en el Ecuador (Registro Oficial N° 34 del 11 de Julio del 2013 y Resolución DAJ-20133EC-0201.0099). Best Aquaculture Practices y Globalgap F&amp;V.</li> <li>- SENASA of Peru for the Reglamento técnico para los Productos Orgánicos DS 044-2006-AG</li> <li>- ONAC of Colombia for Resolución No. 187 de 2006 por la que se adopta el Reglamento para la producción primaria, procesamiento, empaçado, etiquetado, almacenamiento, certificación, importación, comercialización de productos agropecuarios ecológicos (Sello Ecológico Colombiano)</li> <li>- ONA (of Paraguay) for the Reglamento de los Procesos de la Producción Orgánica de Origen Vegetal en Paraguay. Resolución 143/11-Senave; and registered with Senave.</li> <li>- ASI for Aquaculture Stewardship Council (ASC) y Marine Stewardship Council (MSC) programs.</li> </ul>
2	CU shall give a copy of the accreditation certificates on request to the client.
3	CU has the right to show the accreditation bodies insight into all records containing client information.

### 1.7 USE OF INDICATIONS AND SYMBOLS

<b>Article 14 Use of indications and symbols</b>	
1	From the moment CU has issued the scope certificate, the client has the right to use indications, statements and symbols as referred to on the scope certificate on products or with regard to processing activities as mentioned on the scope certificate.
2	The use of indications that refer to the certified production method or to CU is only allowed after the concerned scope certificate has been issued
3	The labels and the use of logo and/or certification marks according to programs will be evaluated during the inspection.
4	Use of labels, logos and/or certification mark must be according to the program specific requirements.
5	Certified clients are entitled to use the CU logo/certification mark according the requirements described in Annex 2.
6	Control Union includes in its certificates the authorized accreditation symbol; however, it is forbidden for customers to use them and/or make reference to the Accredited Status in their publications, commercial or transactional documents, otherwise they will be sanctioned.

### 1.8 APPEALS/COMPLAINTS

<b>Article 15 Appeals/Complaints</b>	
1	The following are established in the Contract Terms (art. 13), in relation to appeals against certification decisions. <ul style="list-style-type: none"> <li>• Appeals must be received by the Company within 6 (six) weeks after the inspection decision or certification decision.</li> <li>• An appropriate employee (certifier/program or quality manager) will confirm receipt of your appeal and within a maximum period of 3 months resolution will be given.</li> </ul>

2	<p>If you wish to submit a complaint to CU, please use the form in Annex 1.1.</p> <ul style="list-style-type: none"> <li>We kindly request you to specify your complaint as much as possible (“who, what, where, when”) and provide any necessary documentation if applicable.</li> <li>You can send this form with any attachments to our certification branch offices or to our principal certification office in Lima, Peru (<a href="mailto:calidad.peru@controlunion.com">calidad.peru@controlunion.com</a>, fax:00-511-7190410)</li> <li>An appropriate member of staff (certifier /program or quality manager) will confirm receipt of your complaint, with a timeframe of handling the complaint, within two weeks if no improvement can be made before that time.</li> <li>The Quality Manager, Program Manager or Certifier will inform the complainant of the results in writing or verbally, depending on the size and nature of the complaint.</li> <li>Incomplete complaints cannot be processed.</li> </ul>
3	<p>- Specific for ASC: In case CU and the appellant cannot reach an agreement in terms of Union Control procedures, the appellant may present a complaint to the accreditation body ASI. The procedure is available at <a href="http://www.asi-assurance.org/s/disputes">http://www.asi-assurance.org/s/disputes</a> In case of complaints related to ASC organization, its standards, etc., unrelated to the certification process, the ASC complaint procedure can be used on its website: <a href="http://www.asc-aqua.org">http://www.asc-aqua.org</a>.</p> <p>- On the Control Union Peru website, ASC program encourages complainants to submit copies of their complaints directly to ASC at: <a href="mailto:disputes@asc-aqua.org">disputes@asc-aqua.org</a>; or to the following addresses: Correspondence: P.O. Box 19107, 3501 DC Utrecht, The Netherlands; Office: HNK Utrecht Centraal, Arthur van Schendelstraat 650, 3511 MJ Utrecht, The Netherlands.</p>
4	<p>- Specific to Globalgap: in case CU and the appellant cannot reach an agreement in terms of the Control Union procedures, the appellant can direct his appeal to the GLOBALG.A.P Secretariat through the Incident/Claims Form of GLOBALG.A.P. Available on the web <a href="http://www.globalgap.org">www.globalgap.org</a>.</p>

## 1.9 FINAL PROVISIONS

<b>Article 16 Documents and publication</b>	
1	The language in which all documentation, regulations and communication shall take place is English and/or Spanish, unless otherwise agreed or otherwise mentioned in an individual document.
2	CU shall have all normative documents as mentioned in this regulation available at its web-site and (on paper) at the Guayaquil and Lima CU offices.
3	CU is entitled to modify the CU documents and regulations and shall publish them as amendments for existing clients.
4	In the event that changes are made in documents or regulations, CU shall inform the client concerned in writing about the changes and about the day they come into effect.
5	The client is unconditionally bound to the changed documents and regulations from the day they come into effect.
6	CU has the right to publish a list with clients’ names and addresses, type of production/processing activities and products besides the certification status.

<b>Article 17 Cases not covered by this regulation</b>	
1	The Managing Director of CU shall decide in all cases not covered by this regulation or by any other applicable regulations or agreements.

## 1.10 POLICY IN RELATION TO PROJECTS FROM OTHER CERTIFICATION BODIES

<b>Article 18 Policy in relation to projects from other certification bodies</b>	
1	This article describes the general policy of CU in the event that a project has been inspected and/or certified by another certification body, or is currently inspected and/or certified by another certification body decides to apply for certification with Control Union Peru.

The operator must indicate on the CU application format if your project has been inspected and / or previously certified by another certification body or is currently inspected and/or certified by another certification body.

If such information is indicated in the application form, the certification of CU and/or Certification Program Manager contacts the previous/current certification body in writing with in relation to the following:

- Inform that CU will evaluate the farmers/units;
- Asking for the latest certificates issued reports, non-conformities, farmer lists and any other relevant information.

CU will evaluate the received information with special attention to any open non-conformity.

All open conditions or non-conformities given by the previous/current certification body shall be evaluated and closed before CU can make a positive certification decision.

Regardless of the information received, CU will always carry out its own complete on-site inspection with respect to the applicable standard. Information received from the previous/current certification body can never replace our own evaluation.

El certificador de CU decidirá sobre el estatus del proyecto, basado en las conclusiones del inspector de CU y de acuerdo a los procedimientos de CU.

The CU certifier decides on the status of the project, based on the findings of the CU inspector, according to CU procedures.

The certifier never deviates from the procedures of UC or change the type or the possible deadline of any non-conformity with the aim to bring his decision in line with the previous/current certification body's decision.

## **Annex 1: Complaint form/appeal**

If you wish to submit a complaint/appeal to Control Union Perú, please use this form.

- For certain programs separate dispute protocols are in force as specified in the applicable contract: FSC, MSC, C.A.F.E Practices (see also specific organizations website).
- An appeal can only be made against a certification decision of CU as per procedures described in the Terms of Contract. For that purpose, this form can also be used.
- We kindly request you to specify your complaint as much as possible (“who, what, where, when”) and provide any necessary documentation if applicable.
- Complaints/appeals must be received by the Company within 6 (six) weeks after the event that resulted in the complaint and/or the inspection/certification decision.
- You can send this form with any attachments to our principal certification office in Lima, Peru ([calidad.peru@controlunion.com](mailto:calidad.peru@controlunion.com), fax:00-511-7190410)
- An appropriate member of staff (certifier/ manager) will confirm receipt of your complaint, with a timeframe of no more than 10 calendar days, indicating the timeframe for handling the complaint, which not exceed four weeks (30 calendar days). The timeframe for resolving the appeal is within 3 months of reception the appeal, if no improvement can be made before that time.
- The resolution of the complaint/appeal will be informed in writing.
- In case this solution is unsatisfactory the dispute protocol as described in article 14 of the Terms of Contract comes in force.
- Incomplete complaints cannot be processed.





## Annex 2: Conditions for Publication and use of the CU certification logo

Introduction:

This document describes the conditions concerning publication and use of certification/approval logos by customers of Control Union (the certificate-holder) with a valid certificate/compatibility letter.

Articles:

### a. When can be used the logo:

1. The certificate-holder can only publish those certification-logos that are concerning the valid issued certificate, and does not make or permit any misleading statement regarding its certification, and do not imply that the certification applies to activities that are outside the scope of certification.
2. The certificate-holder can use the CU certification-logo, to be requested at the local office (for a specimen see below).
3. In case the validity of the certificate is ended, for whatever reason, the certificate-holder has to stop immediately with the use and/or distribution of promotion-material on which the certification-logo is printed.

### b. Where can be used the logo

1. The certificate-holder can use the certification-logos on letterheads, brochures and other promotion-material.
2. **For product certification:** CU logo can be used on the product, packaging, samples or any other declarations concerning a product, as long as customers comply with the requirements set out in this document and have a valid product certificate.
  - The logo can also be used on the secondary packaging, being understood as the designed to constitute a group of primary packages used only in order to protect them and to facilitate handling.
  - The use of CU certification logo on product labels or packaging must be approved by CU.
3. **For certification of the QMS:** Quality Management System certificate projects are **not** allowed to use the logo on products, packaging, samples or any other declarations concerning a product.
4. It is not permitted that the logo is applied to laboratory test, calibration or inspection report, as such reports are deemed to be products in this context.

### c. Characteristics of the logo:

1. The certification logos can be used in full colour, as well as in black and white.
2. The color-codes for the logo are the following:
  - Grey: PMS 5497
  - Blue: PMS 2985
  - Black: Process black
3. It is allowed to reproduce the logo in any other size with exception of the logo of the accreditation council which can never be smaller than 7 mm in diameter.
4. The certification-logo may never be bigger than the size of the company logo on the same document.
5. The logo needs to be reproduced completely (in one piece) always.

### d. Sanctions:

1. When the certificate-holder does not respect the conditions mentioned in the previous articles, the certification-holder will stop immediately, without delay, the use against which CU has objected.

2. Besides in case the customer does not comply the considerations mentioned in previous articles, CU can take all or any of the following measurements:
  - Suspension or withdrawal of the certificate
  - Publication of the non-compliance
  - Juridical proceduresThe action taken is depending on the severity of the non-compliance, the results of the non-compliance, and if the non-compliance was made intentionally.
3. Irrespective of the measures taken as per Article d.1, the decision of Control Union Peru will in all cases be decisive.

Logo example:

