**Purpose:** The purpose of this procedure is to outline GO4AGRI’s standardized approach to handling the suspension, cancellation, termination, or withdrawal of organic certifications for both. It also outlines the appeal pocedure and provides clear timelines and responsibilities for reinstatement of certification where applicable.

**Scope:** EU 2018/848 and its delegated acts,Canadian Organic Regime

**Responsibility:** Top management, Quality Manager

**Procedure:**

1. **Suspension, Cancellation, termination, or Withdrawal:**
2. **For CFIA accredited COS Certified Clients (in addition to point A.3 of this document)**:

* GO4AGRI shall suspend an organic certification as per subdivision C of part 13- [Safe Food for Canadians Regulations](https://laws-lois.justice.gc.ca/eng/regulations/SOR-2018-108/page-21.html#h-846326) as amended from time to time.
* GO4AGRI shall report to its CVB all suspensions and cancellations it issues on the 25th of each month, in case such decisions are made, or shall be provided as defined by the CVB. All suspensions and cancellation reports shall include the name of the operator, the date of issue and the reason for the action.
* GO4AGRI shall reinstate suspended certification only after the CFIA has been notified and the date of the certification reinstatement is posted on the CFIA published list of suspended and cancelled organic certifications
* GO4AGRI shall not grant certification to an operator who had its certification previously cancelled and whose name appears on the CFIA published list of suspended and cancelled organic certifications unless the operator has submitted an application for certification of agricultural product to GO4AGRI as per section C.2, has completed the organic certification process and the GO4AGRI has received a confirmation from the CFIA that the date of the certification reinstatement is posted on the CFIA list.
* GO4AGRI shall submit to the CFIA a request for having the date of the certification reinstatement posted on the CFIA list of suspended and cancelled organic certifications within 5 working days from the certification decision
* The CFIA shall post the date of the certification reinstatement on the CFIA list of suspended and cancelled organic certifications and shall send a confirmation to the GO4AGRI within 5 working days from the GO4AGRI request receipt.

**Reinstatement procedure for COR certified client whose certification is cancelled:**

A cancelled operator who wishes to be reinstated must apply as a new applicant as per section 344 of the SFCR. CFIA interprets the requirements as follows:

* The production unit (the applicant) must be under Go4Agri oversight for at least 12 consecutive months prior to the harvest of a product in order for it to be covered by the organic certificate (issued by Go4Agri at the end of the 12 months).
* An applicant cannot market products harvested during or prior to the start of the 12 months of oversight as organic.
* For the requirements of the standard to be met, the oversight is based on the time of harvest, and not the expected time of sale.

1. **For EU Organic Certified Clients (in addition to point A.3 of this document):**

**A suspension, withdrawal/ revoke can be done in the following cases:**

* Where a competent authority has fully or partially withdrawn the delegation of certain official control tasks or certain tasks related to other official activities in accordance with point (b) of Article 33 of Regulation (EU) 2017/625, it shall decide whether any certificates issued by the control bodies concerned before the date of that partial or full withdrawal are to remain valid and shall inform the operators concerned of that decision.
* In case of irregularity or infringements observed by GO4AGRI, of its registered operator, it shall without delay inform EU Commission.
* When GO4AGRI finds any irregularity or infringements with regard to the products of the operator which was under the certification of the previous Certification Body, it shall inform the latter without delay
* GO4AGRI may receive a notification from the commission or it’s accreditation body regarding an established non-compliance for its client, or for any other relevant organization (for example, supplier of it’s certified client).
* **Reinstatement of cancelled (withdrawn/ revoked) certification as per EU 2018/848**: Any operator who certificate is withdrawn will not be considered for recertification for at least next two years. They can reapply as a new applicant after the period of two years from the date of withdrawn, unless the recognition of the previous control authority or control body has been withdrawn by the commission and will be treated in the same way as of the cases for transfer of certification.

1. **Common procedure for both COR and EU:**

A suspension, withdrawal, or revoke can be initiated if an operator is found to violate the relevant organic regulations, and when it is the outcome of the audit/ certification process or an investigation process against any complaint. A few examples include, but are not limited to the decisions or results of the following:

1. Result of a complaint investigation
2. a non-conformance raised (please refer to the sanction catalogue)
3. where the use of a non-authorized substance is substantiated in an organic product
4. failure to implement corrective action or on ineffective corrective action
5. misuse of certificate or certification mark
6. violation of contractual obligations
7. failure to address complaints
8. failure to allow audits

The decisions of suspension, or withdrawal/ revoke/ cancelled are communicated immediately to the client and a notice is sent within not less than within 2 working days. The decision of Go4Agri can be appealed to by the affected client, the policy remains the same as described earlier in this document.

**Consequences and Process:**

* **Notice of Suspension:** Go4Agri will provide a formal notice of suspension, outlining the reasons and the requirements to lift the suspension through email, &/or issuing a letter to the certified operator.
* **Timeframe for Resolution:** The affected operator is given a specific timeframe to address the issues leading to the suspension and submit corrective actions. These corrective actions are subject to be reviewed by Go4Agri before lifting the suspension.
* **Potential Withdrawal or Revoke:** If the client fails to resolve the issues within the given timeframe, the certification may be withdrawn or revoked.

Suspension is a serious action, intended to prompt corrective action from the client, ensuring continued compliance with certification requirements.

**Subsequent actions:**

* If certification is terminated/ cancelled, suspended, or withdrawn, by Go4Agri or voluntarily withdrawn by the client, GO4AGRI makes necessary modifications to formal certification documents, public information, authorizations for use of marks, etc., ensuring it provides no indication that the product continues to be certified.
* If a scope of certification is reduced GO4AGRI makes necessary modifications to formal certification documents, public information, authorizations for use of marks, etc., to ensure the reduced scope of certification is clearly communicated to the client and clearly specified in certification documentation and public information.
* If certification is reinstated after suspension, GO4AGRI shall make all necessary modifications to formal certification documents, public information, authorizations for use of marks, etc., in order to ensure all appropriate indication, exist that the product continues to be certified.
* **Right to appeal**: An operator has the right to appeal against the decision of GO4AGRI’. The appeal must be filed in writing within thirty (30) days of the decision of the GO4AGRI along with all the necessary documents in support of the appeal. Appeal policy is publicly available on the website and timelines and conditions mentioned din shall be followed.

1. **Appeal:**

As per EU 2017/625 Article 138, and EU 2017/625 Article 7, and COR OM part C (C.2.4.2), operator has right to appeal against any adverse action by Go4Agri.

**Procedure for Handling Appeals Against GO4AGRI Decisions**

An appeal is a formal request by a client to reconsider an adverse decision made by GO4AGRI regarding their certification status.

Grounds for Appeal: Any individual or organization may file an appeal for the following reasons:

1. Refusal to accept an application.
2. Denial of certification.
3. Cancellation of certification.
4. Certification decisions, such as scope reduction, suspension, etc.

**Filing an Appeal:**

* Appeals must be submitted in writing within 30 days of the decision, accompanied by supporting documentation.
* Appeals should be directed to the Quality Manager.

**Appointment of Responsible Personnel**: Upon receiving an appeal, top management will appoint a qualified individual, typically the Quality Manager, to manage the appeal process. Impartiality is ensured throughout.

**Verification and Acknowledgement**: The appointed person will verify the completeness of the submitted documents and may request additional information if necessary. Once the documentation is complete, the appeal will be acknowledged and registered in the appeals log. Based on the content, the appointed person may either:

* Disallow the appeal,
* Address the appeal, or
* Refer the matter to the Advisory Board (AB).

**Invalid Appeals**: An appeal may be considered invalid if it is based on clear and well-defined requirements, such as:

* Failure to comply with suspended status conditions.
* Failure to respond to non-conformity (NC) issues by the agreed deadlines.
* Submission of falsified documentation or information.

**Appeal Committee Formation**: Once an appeal is accepted, top management will appoint an appeals committee. This committee may consist of members of the Advisory Board or other certification team members not involved in the original inspection or certification process. The operator must confirm no objections to the appointed committee before proceeding. The committee will have at least three members.

The operator can raise objections against any committee member if valid concerns, such as conflicts of interest, exist.

**Role of the Appeals Committee**: The appeals committee may request relevant facts from certification staff to facilitate the appeal review. Their decision and recommendations are final. Necessary corrective actions will be taken based on their conclusions.

**Communication and Outcome**: Top management is responsible for informing all involved parties, including the client, certification team, and auditors, about the appeal decision. The progress and outcome of the investigation will be communicated to the appellant as needed. Upon completion of the appeal process, the appellant will receive formal notification of the results.

During this process, GO4AGRI ensures that the submission, investigation, and decision on appeals do not lead to any discriminatory actions against the appellant.

**Conclusion and Preventive Actions**: The appointed individual will ensure the appeal reaches a resolution and initiate preventive actions, if necessary. The effectiveness of these actions will be reviewed in management meetings.

**Resolution of Nonconformities**:

* If the appeal results in agreement with the objection, the non-conformity is withdrawn, and previous actions may be reversed (e.g., reinstating a suspended certification).
* GO4AGRI procedures and timelines for reinstating certifications will follow the guidelines outlined in PRO18a and PRO18b.

**Disagreements and Next Steps**: If the appeals committee disagrees with the objection and upholds the non-conformity, the operator will be informed. At this point, the operator can:

* Submit corrective action documentation within the original or extended timeframe (14 working days),
* Have the corrective action documentation reviewed through the normal process.

**Corrective Actions**: When an appeal is upheld, the Quality Manager and top management will determine if the original decision was overturned due to an internal failure by GO4AGRI. If so, appropriate corrective actions will be determined and implemented promptly. These actions will be verified during internal audits or management reviews.

**Relevant Record:**

PRO18a-Sanction catalogue procedure COR

PRO18b-Sanction catalogue procedure EU 2018/848

Procedure for follow-up on positive chemical residue results as per canadian organic regime