1. Scope

The sanctions catalogue's objective is to bind the operator who has become certified to a Standard (e.g. NPOP, EU, NOP, COS, etc.) for Organic Food Production to comply with the respective Standards requirements.

The listed sanctions may be applied individually or in combination. The order of the sanctions (when listed as part of the certification decision) does not represent any emphasis or priority.
For further details about corrective actions, sanctions, remediation measures, additional and/or unannounced inspections, etc. please refer to the following QM documents:

- Standard Operating Procedure - 4.2.0 Control Systems NPOP, EU, NOP, COS etc.
- Work Instruction 4.2.2 - Inspection Including Pre-Inspection
- Work Instruction 4.2.2.1 - Assignment of Inspectors and Preparing the Inspection
- Work Instruction 4.2.4 - Unannounced Inspections
- Work Instruction 4.2.6 - Preparation of Inspection Reports
- Work Instruction 4.2.8 - Report Revision
- Information 4.9.1 - Sanctions and Remediation Measures

Remark: This compilation is only for internal use at ADITI.

2. Non-compliance with standards requirements and their respective sanctions

The following table refers to the non-compliance of the relevant standards requirements to the respective applicable sanctions (warning, suspension, or cancellation).
The letters in the cells do refer directly to the examples for the kind of deficiencies given after the table.

Type of identified deficiency (NOTE: For EU 2018/848, read minor deficiency as minor NC, *Severe deficiencies as major NC and Severe infringements as critical NC. Also, refer to annex 1 of this document for a detailed procedure for handling sanctions as per the EU 2018/848.*

Minor deficiency (Observations) Character: unintentional for examples see a)	Severe deficiencies (including repeated minor deficiencies) Character: unintentional (for examples see b) *	Severe infringements (including repeated severe deficiencies); Character: intentional for examples see c) *
▼	▼	▼
Type of imposed sanction		
▼	▼	▼
Increased documentation	Additional inspection (eventually including sampling) culminating in partial or complete suspension	Suspension and Termination

* = Requires immediate communication to the operators' buyers (NAB/APEDA in case of NPOP Certification, European Union in case of EU Certification, USDA-NOP-Administrator in the event of NOP certification, and CAEQ/CFIA in case of COS/COR Certification)

Non Compliance or Violation	Level (minor/major)	Sanction and Followup
a. Minor deficiency (Observations) **Character: unintentional**		
Lack or default of the operator's obligations for appropriate record keeping.	Minor	A deadline is defined to receive a corrective action plan. The proposed corrective actions are evaluated to determine if they will correct the violation. Additional documentation and/or inspections may be necessary to verify that corrective actions have been implemented.
Lack or default of the operator's obligations to maintain a transparent bookkeeping system	Minor	
Missing or outdated certificates of raw material providers	Minor	
Delayed submission of the Organic Management Plan	Minor	
Inappropriate action concerning the complaint management	Minor	
Detection of unallowed substances with unknown sources of contamination.	Minor	
b. Severe deficiencies (including repeated minor deficiencies) Character: unintentional		
Repeated occurrence of the same minor deficiencies (see a)	Major	Additional inspection (eventually including sampling) culminating in partial or complete suspension. Additional corrective action is needed wherever relevant.
Any event which might put at risk the "organic integrity" of the certified goods	Major	
Cultivation of the same crop on conventionally as well as organically managed fields	Major	
Unintentional or unconscious use of illicit inputs	Major	
Lack of transparency or discrepancy in the traceability & mass balance.	Major	
Unintentional attachment of labels on non-complying products	Major	
Unintentional misleading advertisement (including advertisement of non-certified products of the operator)	Major	
Denied access to documents, fields, production and storage facilities	Major	
Denial of payment for the established certification fee	Major	
Refusal of sampling	Major	

Repeated detection of unallowed substances due to unintentional use	Major	
c. Severe infringements (including repeated severe deficiencies); Character: intentional		
Repeated occurrence of the same severe deficiencies (see b)	Major	Suspension and Termination
Intentional use of illicit inputs	Major	
Intentional mislabelling	Major	
Intentional misleading advertisement (including advertisement of non-certified products of the operator)	Major	
Intentional fraud in what refers to the separation and "organic integrity"	Major	
Infringement of the order/ruling of the certification body or the competent authority, e.g. order to remove labels of products that obviously do not comply with the respective standard	Major	
Giving false information, falsifying records or falsifying signatures are considered major infractions since they question the veracity of the information obtained.	Major	
Threatening or trying to bribe the inspector or a member of the department of evaluation and certification to obtain certification.	Major	
Repeated detection of unallowed substances due to intentional use.	Major	

a) Minor non-compliances or violations:

The minor non-compliances or violations are those that do not immediately jeopardize the organic integrity of the product and/or process, such as deficiencies in documentation and records, etc. They can be corrected and do not impede the certification or continuation of certification of an organic producer or processor.

b) Major/Severe non-compliance or violations

Observations made that endanger the organic integrity of the product and/or process to be certified or question the veracity of the information obtained. They include those operators that are not complying with their contractual obligations with Aditi., such as not implementing the corrective actions, not covering certification fees, using a counterfeit certificate, marketing non-certified products ... etc. If this was done unintentionally, it would entail further inspection, potentially involving sampling, leading to partial or complete suspension based on findings.

c) Major/Severe infringements

Observations made that endanger the organic integrity of the product and/or process to be certified or question the veracity of the information obtained. They include those operators that are not complying with their contractual obligations with Aditi. If this was done intentionally, it may lead to the suspension, partial withdrawal, or complete revocation of an operator's certification.

Remarks

- Sometimes the type of identified sanctions cannot be exactly related to one of the above-listed sanction categories (e.g. the decision whether the deficiency/infringement was made intentionally or unintentionally). In such cases, the examples and the referring sanction categories will serve as an orientation and the final decision will be made by the certification officer, eventually by the certification officers at large.
- If an operation was suspended, the duration of this suspension depends on the decision by the Aditi Certification Committee (CC).
- Instructions for the handling of non-conformities will be found in the ADITI standard operating procedure "Control Systems NPOP, EU, COS, NOP the ADITI work instruction "Report Revision by Certification Officers", the ADITI work instruction "Suspension and Withdrawal of Certificates" as well as in the ADITI work instruction "Notification to Competent Organizations like NAB/APEDA, EC, USDA Administrator and/or CAEQ/CFIA".

Annex 1

1. Definitions:

Minor non-compliance
Does not directly compromise the integrity of the product but needs correcting.
Major non-compliance
May compromise the integrity of the product if not corrected or may result from not correcting a previous minor non-compliance.
Critical non-compliance
The integrity of the operation, product/batch, or lot has been directly compromised or lost, or repeated failure to correct a previous major non-compliance.

Category of breach	Measure
Minor	Presentation by the operator, within the set deadlines, of an action plan for correcting the breach
Major	Absence of reference to organic production in the labelling and advertising relating to the entire batch or production concerned [harvest(s) or animal(s) concerned] in accordance with Article 42(1) of the Regulation (EU) 2018/848 A new conversion period required Limitation of the scope of the certificate Improved implementation of precautionary measures and controls put in place by the operator to ensure compliance
Critical	Absence of reference to organic production in the labeling and advertising relating to the entire

	batch or production concerned [harvest(s) or animal(s) concerned] in accordance with Article 42(1) of the Regulation (EU) 2018/848 Prohibition on marketing products accompanied by a reference to organic production for a specified period, in accordance with Article 42(2) of Regulation (EU) 2018/848 New conversion period required Limitation of the scope of the certificate Suspension of certificate Withdrawal of certificate

2. Addressing corrective actions by the operators:

For corrective actions to be signed off, the operator must demonstrate that the non-compliance has been immediately resolved where possible, and sufficient action taken to prevent it from happening in the future. Evidence is required to be sent in to illustrate this i.e. updated procedures or records, photographic evidence, etc.
The following should be demonstrated when providing a corrective action;
Root Cause Analysis
Immediate actions (Corrections) (if applicable)
Long Term (Corrective/ preventive) Actions

3. Timescale:
3.1 Certified clients:

3.1.1 Minor and major: correction shall be done and CA to be proposed within 30 working days of the submission of the NCR (NC report) by Aditi with a proposed date of implementation of the CA/ PA within 60 working days from the date of the submission of the NCR by Aditi.
An extension to this timeline can be provided if a valid justification is given by the operator and if this will not impact the integrity of the organic status of the project or the product.
Note: A minor NC may be closed by an evaluator when missing information is received. The closure is to be verified by the certifier before taking a decision.
A major and a critical NC can be closed by only a certifier. Where needed, a certification committee of more than one certifier and/or evaluator can be formed to conclude the effectiveness of a critical non-conformance. Rules of CC:

- All members of a cc shall be competent in making a decision.
- A cc will be formed of min 3 people, out of which at least two should be certifiers.
- The result will be based on the majority of responses.
- Minutes of the **cc meeting** will be recorded.
- Any CC meeting results will be concluded to the affected client in writing through an email.

3.1.2 Timeline for Critical: submit proposed CA within 15 days, CA shall be implemented within 30 days of the submission of the NC report by Aditi to the operator.
All Critical NC(s) are subject to the CC.
3.2 Applicants:
For applicants, only minor and major NC will apply as there is no certification yet.
For processor/ trader: Before certification;
or livestock/ Beekeeping: Before in-conversion certification in case of a new client;

In case of major: Before initiating the conversion period/ before in-conversion- depending on the severity of the non-conformance.
For example, if the non-conformance is related to the operator applying a non-authorized medicine to their livestock/ apiary, then the in-conversion period might be calculated from the day the CA was implemented effectively.
But for a major non-conformance relevant to
In case of minor: before in-conversion certification

4. As per EU 2022/0626 Article 138, Aditi understands that actions in the event of established non-compliance comply with the following:

1. Where the non-compliance is established, the competent authorities shall take:

(a) any action necessary to determine the origin and extent of the non-compliance and to establish the operator's responsibilities; and

(b) appropriate measures to ensure that the operator concerned remedies the non-compliance and prevents further occurrences of such non-compliance.

When deciding which measures to take, the competent authorities shall take account of the nature of that non-compliance and the operator's past record with regard to compliance.

2. When acting in accordance with paragraph 1 of this Article, competent authorities shall take any measure they deem appropriate to ensure compliance with the rules referred to in Article 1(2), including, but not limited, to the following:

(a) order or perform treatments on animals;

(b) order the unloading, transfer to another means of transport, holding and care of animals, quarantine periods, the postponement of the slaughter of animals, and, if necessary, order that veterinary assistance be sought;

(c) order treatments on goods, the alteration of labels or corrective information to be provided to consumers;

(d) restrict or prohibit the placing on the market, the movement, the entry into the Union or the export of animals and goods; and prohibit their return to the Member State of dispatch or order their return to the Member State of dispatch;

(e) order the operator to increase the frequency of their own controls;

(f) order certain activities of the operator concerned to be subject to increased or systematic official controls;

(g) order the recall, withdrawal, removal and destruction of goods, authorising, where appropriate, the use of the goods for purposes other than those for which they were originally intended;

(h) order the isolation or closure, for an appropriate period of time, of all or part of the business of the operator concerned, or its establishments, holdings or other premises;

(i) order the cessation for an appropriate period of time of all or part of the activities of the operator concerned and, where relevant, of the internet sites it operates or employs;

(j) order the suspension or withdrawal of the registration or approval of the establishment, plant, holding or means of transport concerned, of the authorisation of a transporter or of the certificate of competence of the driver;

(k) order the slaughter or killing of animals provided that this is the most appropriate measure to safeguard human health as well as animal health and welfare.

3. The competent authorities shall provide the operator concerned, or its representative, with:

(a) written notification of their decision concerning the action or measure to be taken in accordance with paragraphs 1 and 2, together with the reasons for that decision; and

(b) information on any right of appeal against such decisions and on the applicable procedure and time limits with respect to such right of appeal.

4. All expenditures incurred under this Article shall be borne by the responsible operators.

5. The competent authorities, in the case of issuance of false or misleading official certificates or in the case of abuse of official certificates, shall take appropriate measures, including:

(a) the temporary suspension of the certifying officer from its duties;

(b) the withdrawal of the authorisation to sign official certificates;

(c) any other measure to prevent a reoccurrence of the offences referred to in Article 89(2).