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.

A. Type of identified deficiency, for all other schemes than EU. *Refer point B of this document here for procedure of 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/ Major NC (including repeated minor deficiencies) **Character: unintentional**		
Repeated occurrence of the same minor deficiencies (see a)	Major	Additional inspection (eventually including sampling) culminating in reduction of scope, 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 but has not happened yet.	Major	
Cultivation of the same crop on conventionally as well as organically managed fields	Major	
Unintentional or unconscious use of illicit inputs/ingredients	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/ major nonconformance); Character: intentional		
Repeated occurrence of the same severe deficiencies/ major non-conformance (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 NC/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".

d) Opportunity for improvement:

OFIs (Obs as per COS) are observations by the inspector. The Client shall treat this as an observation made by the inspector for betterment of the system. Action on raised OFIs are checked in the next inspections, if the inspectors find that CA has not been implemented, a minor NC is raised.

B. Examples on definitions of findings and sanction catalogue as per Commission Regulation (EU) 2018/848 and it's delegated acts.

1. Definitions:

OFI

Observations made by the inspector for the betterment of the system

Minor non-compliance

Does not directly compromise the integrity of the product but needs correcting. For example, when one or more of the following situations apply:
(i) 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 the control authority or control body.
(ii) the non-compliance does not affect the integrity of the organic or in-conversion product.
(iii) the traceability system can locate the affected product(s) in the supply chain and the product can be prevented from being imported from a third country for the purpose of placing that product on the market within the Union with reference to organic production.

Major non-compliance

May compromise the integrity of the product if not corrected or may result from not correcting a previous minor non-compliance. For example, when one or more of the following situations apply:
(i) 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 the control authority or control body.
(ii) the non-compliance affects the integrity of the organic or in-conversion product.
(iii) the operator did not correct in a timely manner a minor non-compliance.
(iv) the traceability can locate the affected product(s) in the supply chain and the product can be prevented from being imported from a third country for the purpose of placing that product on the market within the Union with reference to organic production.

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. For example, when one or more of the following situations apply:
(i) 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 the control authority or control body.
(ii) the non-compliance affects the integrity of the organic or in-conversion product.
(iii) the operator fails to correct previous major non-compliances or repeatedly fails to correct other categories of non-compliances; and
(iv) there is no information from the traceability system to locate the affected product(s) in the supply and the products cannot be prevented from being imported from a third country for the purpose of placing that product on the market within the Union with reference to organic production.

Non Compliance or Violation	Level (Minor/Major/Critical)	Sanction and Followup
Minor NC		
Lack or default of the operator's obligations for appropriate record keeping.	Minor	Presentation by the operator, within the set deadlines, of an action plan for correcting the
Lack or default of the operator's obligations to	Minor	

maintain a transparent bookkeeping system		breach
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	
Major NC		
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	Major	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
Lack of transparency or discrepancy in the traceability & mass balance, with no history of non-compliant product on market.	Major	Improved implementation of precautionary measures and controls put in place by the operator to ensure compliance
Unintentional attachment of labels on non-complying products, which are not placed in market yet.	Major	Improved implementation of precautionary measures and controls put in place by the operator to ensure compliance
Not allowing access to non-organic area, or other relevant area of the premises.	Major	Additional inspection (eventually including sampling) culminating in reduction of scope, partial or complete suspension. Additional corrective action is needed wherever relevant.
Repeated occurrence of the same minor deficiencies (see a)	Major	Additional inspection (eventually including sampling) culminating in reduction of scope, 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 but has not happened yet.	Major	Additional inspection (eventually including sampling) culminating in reduction of scope, partial or complete suspension. Additional corrective action is needed wherever relevant.
Critical NC		
Absence of reference to organic production in the labeling and advertising relating to the entire batch or production concerned [product(s) or animal(s) concerned] in accordance with Article 42(1) of the Regulation (EU) 2018/848	Critical	New conversion period required Limitation of the scope of the certificate Suspension of certificate Withdrawal of certificate
Accidental mixing of unauthorized substance/ ingredient in an organic product, and product placed on market as organic.	Critical	Extent of analysis Proper Corrective actions to verify it won't re-occur. Recall Suspension of certificate Unannounced inspection. Withdrawal of certificate
Intentional addition of unauthorized substance/ ingredient in an organic product. Or Fraud	Critical	Revoking the certificate Immediately informing the EU commission, relevant accreditation body(ies) national authority, relevant certification bodies, and any other relevant parties for example it's supplier and buyers.
Antibiotics to livestocks, without any prior approval from the Certification Body and marketing the dairy product as organic.	Critical	Extent of analysis Proper Corrective actions to verify it won't re-occur. Recall

		Unannounced inspection. Suspension of certificate Withdrawal of certificate
Repeatition of a major NC	Critical	Extent of analysis Proper Corrective actions to verify it won't re-occur. Recall Unannounced inspection. Suspension of certificate Withdrawal of certificate
Intentional mislabelling	Critical	Suspension and Termination
Intentional misleading advertisement (including advertisement of non-certified products of the operator)	Critical	Suspension and Termination
Intentional fraud in what refers to the separation and "organic integrity"	Critical	Suspension and Termination
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	Critical	Suspension and Termination
Giving false information, falsifying records or falsifying signatures are considered major infractions since they question the veracity of the information obtained.	Critical	Suspension and Termination
Giving false information, falsifying records or falsifying signatures are considered major infractions since they question the veracity of the information obtained.	Critical	Suspension and Termination
Threatening or trying to bribe the inspector or a member of the department of evaluation and certification to obtain certification.	Critical	Suspension and Termination
Repeated detection of unallowed substances due to intentional use.	Critical	Suspension and Termination

2. Addressing corrective actions by the operators:

For corrective actions to be accepted, the operator must demonstrate that the non-compliance has been immediately resolved, and sufficient action is taken to prevent it from happening. Evidence must 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 with identified timelines to implement

3. Timescale:
3.1 Certified clients:

3.1.1 Major and Minor:
Within 30 working days of the submission of the NCR (NC report) by Aditi, the certified clients submit the Corrective action plan and 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 can be formed to conclude the effectiveness of a critical non-conformance.

3.1.2 Critical non-conformities (NC): In the case of EU 2018/848 inspections, for any critical NC's raised, the operator must submit the proposed Corrective Actions within 15 days, CA shall be implemented within 30 days of the submission of the NC report by Aditi to the operator. The non-addressal of the critical NC may lead to partial suspension or termination/revocation of the organic certificate as per sanction catalogue published by Aditi. Certification Committee will take the certification decision and communicate it to the operator. If the operator is new and a critical NC is found, the application for certification will be rejected and the operator needs to reapply.

Rules of Certification committee (CC):

- All members of a cc shall be competent in making a decision.
- A cc will be formed of minimum 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.

3.1.3 Timeline for Critical: The operator needs to submit the proposed Corrective Action Plan within 15 days, The Corrective Action shall be implemented within 30 days of the submission of the NC report by Aditi to the operator. Verification is carried out to ensure the implementation, examples include, but are not limited to, verification of corrective action documentation and/ or where applicable sampling and testing, and/or where applicable- follow-up inspection.
All Critical NC(s) are subject to the CC for the certification decision. In the case of a new applicant, if a Critical NC is found, the application may be rejected and the operator needs to reapply for certification.

3.2 Applicants:

For applicants, only Major and Minor NC will need to be closed, they can not be suspended as they are not certified yet. However, if the CA is not submitted within a period of 180 working days from

the date of NC raised by Aditi, application may be terminated. Extension to this period may be given if justified reason is given by the applicant.

For Processors and traders, the implementation of critical, major and minor NCs needs to be found in compliance before the certificate is issued.

For Livestock and Beekeepers, the implementation of critical, major and minor NCs needs to be found in compliance before the certificate is issued.

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.

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 can be found in WI 4.2.19 Follow up on non-conformity as per EU.