1	**Aim**
	This policy acts as the main document for precise analysis of Inspection findings-NC categorisations/sanctions with reference to relevant Sanction catalogues pertaining to specific schemes. Detailed sanctions are in relevant sanction catalogue (For EU 2018/848, please refer to Pol 4.1.14A). Procedures for Suspension and Withdrawal/Cancellation of Certification is described in WI 4.2.15.1. The Categorisation of findings as per different standard interpretations for the detected non-conformities are also detailed accordingly.
2	**Background**
	When an irregularity is committed by the operator which affects the organic integrity of the product, the entire lot or production affected by irregularity will be removed from the production site/chain and sanctions shall be imposed on the operator.
3	**Normative framework**
3.1	**NPOP** Chapter 4 Accreditation of Certification Bodies 4.9 Violations by Operator and Investigation by Certification Body 4.9.1 Disciplinary measures and sanctions: (i) The accredited Certification Body shall have a clear policy for sanctions in the event of noncompliance's by the operators. (ii) The accredited Certification Bodies shall have a documented range of disciplinary measures (sanctions) including measures to deal with minor and major infringements of the standards. The sanction catalogue should have provision for upgrading repeated minor non-conformity to major non-conformity. (iii) In case of Grower Group, sanction should be applied to the entire Grower Group when inspections, based on the representative sample of farmers, show that the ICS has failed to comply with the certification norms applicable to a Grower Group. 6.2 Violations by Service Provider of the ICS 6.2.1 In the case of a Grower Group managed by an external Service Provider, provisions of this Chapter shall *mutatis mutandis* apply to an external Service Provider of the ICS.
3.2	**NOP** Title 7: Agriculture PART 205—NATIONAL ORGANIC PROGRAM §205.662 Noncompliance procedure for certified operations. (a) Notification. When an inspection, review, or investigation of a certified operation by a certifying agent or a State organic program's governing State official reveals any noncompliance with the Act or regulations in this part, a written notification of noncompliance shall be sent to the certified operation. Such notification shall provide: (1) A description of each noncompliance. (2) The facts upon which the notification of noncompliance is based; and

	(3) The date by which the certified operation must rebut or correct each noncompliance and submit supporting documentation of each such correction when correction is possible. (b) Resolution. When a certified operation demonstrates that each noncompliance has been resolved, the certifying agent or the State organic program's governing State official, as applicable, shall send the certified operation a written notification of noncompliance resolution. (c) Proposed suspension or revocation. When rebuttal is unsuccessful or correction of the non-compliance is not completed within the prescribed time period, the certifying agent or State organic program's governing State official shall send the certified operation a written notification of proposed suspension or revocation of certification of the entire operation or a portion of the operation, as applicable to the noncompliance. When correction of a noncompliance is not possible, the notification of noncompliance and the proposed suspension or revocation of certification may be combined in one notification. The notification of proposed suspension or revocation of certification shall state: (1) The reasons for the proposed suspension or revocation. (2) The proposed effective date of such suspension or revocation. (3) The impact of a suspension or revocation on future eligibility for certification; and (4) The right to request mediation pursuant to §205.663 or to file an appeal pursuant to §205.681. (d) Wilful violations. Notwithstanding paragraph (a) of this section, if a certifying agent or State organic program's governing State official has reason to believe that a certified operation has wilfully violated the Act or regulations in this part, the certifying agent or State organic program's governing State official shall send the certified operation a notification of proposed suspension or revocation of certification of the entire operation or a portion of the operation, as applicable to the noncompliance. (e) Suspension or revocation. (1) If the certified operation fails to correct the noncompliance, to resolve the issue through rebuttal or mediation, or to file an appeal of the proposed suspension or revocation of certification, the certifying agent or State organic program's governing State official shall send the certified operation a written notification of suspension or revocation.
3.3	**Canada Organic Regime Operating Manual** **C.2.3 Review** C.2.3.1 The CB shall inform the operator of all NCs regarding the applicable clause from the standard and shall require the operator to respond to the NC report issued by the Certification Body within 30 working days of its receipt. The response shall either provide evidence of completion of corrective action(s) taken to address each NC or present a plan with milestones as to how each NC will be addressed. This plan shall include a completion date not exceeding 90 working days from receipt of the NCs. The CB shall accept times greater than those stated for the closure of an NC as long as they are justified and documented. C.2.3.2 In the case where the operator requests and the CB grants a one-time extension (SFCR 349 (2) (b)), the period of extension may extend beyond 90 working days from receipt of the NCs as long as the times are justified and documented. C.2.3.3 The CB shall ensure that corrective actions aiming to address all non-conformities have been implemented by the operator by conducting an on-site visit or other appropriate forms of verification.
3.4	**EU 2018/848 Art 27: Obligations and actions in the event of suspicion of non-compliance** Where an operator suspects that a product it has produced, prepared, imported or has received from another operator does not comply with this Regulation, that operator shall, subject to Article 28(2): (a) identify and separate the product concerned;

(b) check whether the suspicion can be substantiated;
(c) not place the product concerned on the market as an organic or in-conversion product and not use it in organic production, unless the suspicion can be eliminated;
(d) where the suspicion has been substantiated or where it cannot be eliminated, immediately inform the relevant competent authority, or, where appropriate, the relevant control body, and provide it with available elements, where appropriate;
(e) fully cooperate with the relevant competent authority, or, where appropriate, with the relevant control body, in verifying and identifying the reasons for the suspected non-compliance.

EU 2018/848 Art29: Measures to be taken in the event of the presence of non-authorised products or substances

1.Where the competent authority, or, where appropriate, the control authority or control body, receives substantiated information about the presence of products or substances that are not authorised pursuant to the first subparagraph of Article 9(3) for use in organic production, or has been informed by an operator in accordance with point (d) of Article 28(2), or detects such products or substances in an organic or an in-conversion product:
(a) it shall immediately carry out an official investigation in accordance with Regulation (EU) 2017/625 with a view to determining the source and the cause in order to verify compliance with the first subparagraph of Article 9(3) and with Article 28(1); such investigation shall be completed as soon as possible, within a reasonable period, and shall take into account the durability of the product and the complexity of the case;
(b) it shall provisionally prohibit both the placing on the market of the products concerned as organic or in-conversion products and their use in organic production pending the results of the investigation referred to in point (a).
2.The product concerned shall not be marketed as an organic or in-conversion product or used in organic production where the competent authority, or, where appropriate, the control authority or control body, has established that the operator concerned:
(a) has used products or substances not authorised pursuant to the first subparagraph of Article 9(3) for use in organic production;
(b) has not taken the precautionary measures referred to in Article 28(1); or
(c) has not taken measures in response to relevant previous requests from the competent authorities, control authorities or control bodies.
3. The operator concerned shall be given an opportunity to comment on the results of the investigation referred to in point (a) of paragraph 1. The competent authority, or, where appropriate, the control authority or control body, shall keep records of the investigation it has carried out.
Where required, the operator concerned shall take such corrective measures as necessary to avoid future contamination.
6.The competent authorities shall document the results of the investigations referred to in paragraph 1, as well as any measures they have taken for the purpose of formulating best practices and further measures to avoid the presence of products and substances not authorised pursuant to the first subparagraph of Article 9(3) for use in organic production.

EU 2021/1698 Art 22: Additional rules on actions to be taken in case of non-compliance

1. In addition to the measures referred to in Article 29(1), (2) and (3) of Regulation (EU) 2018/848 and Article 2 of Implementing Regulation (EU) 2021/279, where a control body suspects or receives substantiated information, including information from other control authorities or control bodies, that a product, which may not be in compliance with Regulation (EU) 2018/848, is

intended to be imported from a third country for the purpose of placing that product on the market within the Union, but which bears terms referring to the organic production, or where such a control body has been informed by an operator of a suspicion of non-compliance in accordance with Article 27 of that Regulation:

(a) it shall immediately carry out an investigation with a view to verifying compliance with Regulation (EU) 2018/848 or with the delegated or implementing acts adopted pursuant to that Regulation; such investigation shall be completed as soon as possible, within a reasonable period, and shall take into account the durability of the product and the complexity of the case;

(b) it shall prohibit the import from that third country for the purpose of placing the product concerned on the market within the Union as organic or in-conversion product pending the results of the investigation referred to in point (a). Before taking such a provisional decision, the control body, shall give the operator or group of operators an opportunity to comment.

2. In the event that the results of the investigation referred to in point (a) of paragraph 1 do not show any non- compliance affecting the integrity of organic or in-conversion products, those products shall be allowed to be used and labelled as organic or in-conversion products.

3. The control body shall develop a catalogue of measures to be taken in case of established non-compliance. That catalogue of measures shall be based on the elements specified in Annex IV to this Regulation and shall cover at least:

(a) a list of non-compliances with reference to the specific rules of Regulation (EU) 2018/848 or of the delegated or implementing acts adopted pursuant to that Regulation. That list shall include, at least the non-compliances listed in Part B of Annex IV to this Regulation;

(b) the classification of the non-compliances into three categories: minor, major and critical as set out in Part A of Annex IV to this Regulation, taking into account at least the following criteria:

(i) The application of precautionary measures referred to in Article 28(1) of Regulation (EU) 2018/848, the practical measures referred in point (a)(ii) of Article 10(1) of this Regulation and the reliability of own controls carried out by the operator or group of operators in line with point (f) of Article 11(1) of this Regulation;

(ii) The impact on the integrity of the organic or in-conversion of products;

(iii) The ability of the traceability system to locate the affected product(s) in the supply chain and prohibition of importing from a third country for the purpose of placing the product(s) on the market within the Union with reference to organic production;

(iv) The response of the operator or group of operators to previous requests from the control body;

(c) the measures to be applied for each non-compliance.

4. The control body shall document the results of the investigations referred to in point (a) of Article 29(1) of Regulation (EU) 2018/848.

EU 2021/1698 Art 23 Additional rules on measures in the event of non-compliance

1. In the event of non-compliance affecting the integrity of organic or in-conversion products throughout any of the stages of production, preparation and distribution, for example as a result of the use of non-authorised products, substances or techniques, or commingling with non-organic products, the control body shall ensure, in addition to the measures to be taken in accordance with paragraphs 2 and 3 of this Article, that no reference is made to organic production as set out in Chapter IV of Regulation (EU) 2018/848, in the labelling and advertising of the entire lot or production run of the product intended to be imported from a third country for the purpose of placing that product on the market within the Union.

2. Where the non-compliance is established, the control body shall:

   (a) take any action necessary to determine the origin and extent of the non-compliance and to establish the responsibilities of the operator or group of operators; and

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

When deciding which measures to take, the control body shall take account of the nature of that non- compliance and the past record of the operator or of the group of operators with regard to compliance.

3. When acting in accordance with paragraph 2 of this Article, the control body shall take any measure it deems appropriate to ensure compliance with Regulation (EU) 2018/848 and the delegated and implementing acts adopted pursuant that Regulation, including:
   (a) applying the catalogue of measures referred to in Article 22(3) of this Regulation;

   (b) ensuring that the operator or group of operators increases the frequency of own controls;

   (c) ensuring that certain activities of the operator or of the group of operators are subject to increased or systematic controls by the control body.

4. In the event of serious, or repetitive or continued non-compliance, the control body shall ensure that the operator or group of operators, in addition to the measures laid down in paragraphs 2 and 3, is prohibited from placing on the market within the Union for a given period products which refer to organic production, and that its certificate referred to in point (b)(i) of Article 45(1) of Regulation (EU) 2018/848 be suspended or withdrawn, as appropriate.

5. The control body shall provide the operator or group of operators with a written notification of its decision concerning the action or measure to be taken in accordance with this Article, together with the reasons for that decision.

As per EU 2017/625 Article 138, Actions in the event of established non-compliance

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. 2. 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. 3. 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. 4. 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. 5. All expenditures incurred under this Article shall be borne by the responsible operators. 6. 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).
4	**Terms**
	Non-conformity: Deviation or irregularity from the EU Organic Standards (EU 2018/848 and it's delegating and implementing acts Deviation or irregularity from the EU Organic Standards (EU 2018/848 and it's delegating and implementing acts), NPOP, COS or NOP-USDA **Sanction:** The penalty for noncompliance.
5	**Policy**

5.1	**Type of non-conformity**
5.1a	**Categorisation of NC for EU Organic Standards (EU 2018/848 and it's delegating and implementing acts**
	As per Aditi's sanction catalogue: **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. **Timescale for major NC & minor NC:** 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. **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.

	Timescale for critical 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.
5.1b	**Categorisation of NC for NPOP/NOP**
	Major/Severe non-conformities (NC) or infringements: Whenever the inspector detects a major non-conformity, he/she shall report to the certifier/evaluator immediately and the certification committee will take appropriate action. The non-addressal of such major NC may lead to partial suspension or termination/revocation of the organic certificate as per sanction catalogue published by Aditi. Certification Committee will communicate such decisions to the operator. Managing Director will be involved if a unanimous decision is not concluded by the certification committee. All the nonconformities will be communicated to the operator during debriefing the inspection finding and the operator has given an opportunity to propose corrective action/s and the time taken to implement the same during closing meeting. Certification decision will not be taken unless all the major nonconformities are addressed adequately, and proof/evidence are submitted to Aditi within 30 days from the last date of physical inspection of the project. 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. Minor non-conformities (NC) or infringements: The Inspector will debrief the findings during end of the inspection (closing meeting) and the operator has given an opportunity to suggest the corrective action and indicate the timeline for the implementation. All NCs- Major or minor shall have to be responded to with a Corrective Action Plan for a closure within 30 days of inspection. The extension of time for closure of minor NC will be given on a case-to-case basis (90 days) by the certification committee. In some practical cases, if the minor NC closure needs a deadline of more than 30 days, certification decisions can be taken with conditions or additional recommendations. **Opportunity for improvement (OFI):** Opportunities for improvement are observations by the inspector. The Client shall treat this as an observation made by the inspector for the betterment of the system. The evaluation team sends an email as a notification of detected NCs through an email communication to the client. The client is expected to respond to Aditi with the implementation status of the corrective actions within the timeline indicated by the Evaluation Office. The Evaluation team evaluates the corrective actions taken by the client and communicates the status of NCs before the certification decision is taken by the certification committee. The certification Committee is the final authority to categorize the detected non-conformity before a certification decision has been taken. The operator will be communicated if the

	certification committee makes the changes against the inspector/s categorization of the non-conformities, which is also mentioned in the concerned Organic Management Plan and the NCR form (4.3.11 section -ADITI's evaluator/certification officer use only).	
5.1c	**Categorisation of Non-Conformity (NC) for COS/COR Certification and communication**	
	NC: Failing to comply with the requirements of the regulations and/or standards **Observations (Obs)**: Opportunity for improvement, recommendations, or similar terms are not to be considered non-conformities. The Inspector will debrief the audit findings to the client during the closing meeting and shall obtain concurrence from the operator concerning inspection findings for the Operator by filling in the NCR form. Notification of all findings will be sent to the Client by the Evaluation personnel with an applicable deadline date for closure. Categorizations of findings are subject to changes during the process of evaluation/certification decisions. The Evaluator/Certification committee holds the right to re-access the findings or add appropriate interpretations to the findings regarding the ADITIs Sanction Catalogue. The client is obliged to address these with a Corrective Action Plan or with closure supporting documents within 30 working days of receipt of notifications. The extension of time for implementation of the CAP is given up to 90 working days on a case-to-case basis depending on the severity of the detected NC, by the evaluation/certification committee. In such practical cases, the certification decision shall be taken with conditions and/or additional recommendations.	
5.2	**Sanctions and remediation measures**	
	This policy relates to the sanction catalogue in the form of INF 4.9.2. The sanctions catalogue (POL 4.9.3 and POL 4.1.14A) objective binds the operator who has become certified to a Standard (e.g., EU/NPOP/NOP/COS etc.) for Organic Food Production to comply with the respective Standards requirements. The document details on sanctions with respect to Noncompliance related to Crop production, Wild collection, Group farming, Livestock production, Beekeeping and Processing on the basis of relevant standards (e.g. NPOP, NOP Final Rule /NOP and COS standards). This policy and information urges the operators to fulfil the respective requirement and also acts as guidance for the evaluation and certification process. In event of non-compliance, and on actions to be taken in case of non-compliance, sanction catalogue and investigation procedure shall be followed. And the procedure of investigation as described in WI 4.2.15.1 applies in case of Article 22 & Article 23 of the EU 2021/1698.	
6	**Related Documents**	• Organic Management Plans w.r.t different Schemes. • Sanction Catalogue-Organic Production (INF 4.9.2) • Policy on Sanction Catalogue as per EU 2018/848 (POL 4.1.14A) • Pol 4.9.3 Sanction Catalogues (All Schemes) • F 4.3.11_NCR & CAP form for EU, NPOP, NOP, Voluntary, BioSuisse. • F 4.3.11.1_NCR and CAP form for COS
7	**Access to this policy**	• This policy is available to all interested public • It must be available to Inspection, evaluation and certification personnel.

8. Revision history:

Revision date	Version	Description of Changes
02-09-2020	02	Normative Framework section has been modified as per relevant standards. The categorization of NC w.r.t ADITIs interpretation of standards has been updated.
09-12-2020	03	Categorization of NC w.r.t COS is updated briefly section 6 is updated to include relevant reference documents.
15-01-2021	04	Section 5.1b is updated to include clear Categorization of NC as per COR. MI (Missing Information) categorization is removed. The deadline date for implementation is given clearly as 30 days and up to 90 days on a case-to-case basis.
09-11-2022	05	Updated Normative framework for the EU Regulation requirement.
22-12-2023	06	Updated the COS changes as per the version 19 in the section C.2.3.
01-07-2024	07	Updated to include EU standard reference related to non-conformance and inclusion of EU critical NC categorization.
02/09/2024	08	Document number of Sanction Catalogue updated, EU reference updated.
03/06/2025	09	• Normative Framework section updated as per NPOP:8th Edition • Updated the section 3.4, 4, 5.1a and 5.2 - Categorisation of NC for EU Organic Standards (EU 2018/848 and it's delegating and implementing act)