

## Sanction Catalogue for NPOP

### Explanation for each Category of Sanction:

Sanctions that may be levied upon licensee can only be made with reference to the definition below:

**Non-Compliance** – failure to comply with a standard.

**Sanction** – requirement to comply with the standard in future implemented via the compliance form.

**Irregularity** – failure to comply with a number of standards, failure to correct a previous non-compliance, or failure to comply with a standard that directly affects the status of the registered land or product.

**Sanction** – requirement to comply with the standards within a short time period (usually 3 months) after which a further ‘secondary’ inspection is carried out at their expense to ensure that full compliance has been affected. The issue may also be forwarded to the Certification Committee if it is recommended that an unannounced ‘spot’ inspection should be made.

**Manifest Infringement** – use of a prohibited input or process, which affects the organic status or the land or products. Where an infringement that affects the organic integrity is found, SNRMS shall ensure that the indication of certification is removed from the entire lot of the production run which is affected by the infringement concerned.

Continued or persistent failure to comply with standards following an irregularity and secondary inspection.

**Sanction** – the issues must be considered by the Certification Committee where the suspension or withdrawal of the license shall be considered either on a temporary or permanent basis. This may be for an area of land, crop, product, enterprise or the whole license.

**Offences Categories** - offences are categorized in terms of their degree of severity in to major and minor. Accordingly, the sanctions to be imposed shall depend on the nature, degree and extent of such offences.

- ✓ Minor Offences - Offences that do not affect the integrity of the accreditation process and are rectifiable.
- ✓ Major Offences - Offences that affect the integrity in general and certification process in particular. SNRMS shall ensure that when a certificate is suspended or withdrawn then the information about their decision is passed to APEDA.
- ✓ SNRMS shall ensure that processing of any issue related to violations is done with highest priority.

## Sanction Catalogue:

The non-conformities and sanctions may add up depending upon any change in the applicable standards. Sanction catalogue shall be updated annually and recorded. The potential identified non-conformities and the sanctions are listed below.

S.No	Conditions for imposing Sanctions	Type of NC	Possible Sanctions that may be imposed
1	Deficiencies in documentation and records in the organic management plan, in production activities, in purchases and applications of external inputs.	MI	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.
2	Don't inform SNRMS and don't update the Organic Management Plan when the operation have changes in their practices and activities.	MI	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.
3	Failure to maintain a complete record system, but as long as it is reliable and does not compromise the organic integrity of the product or leave doubt of the flow of the volume.	MI	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.
4	Failure to establish an effective internal control system	MJ	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.
5	Not having preventive measures to avoid possible contamination by water or wind (runoff or drift), depending on the risk of contamination	MI	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.

6	Failure to comply with corrective actions and obligations of previous inspections.	MJ	If a written response is not received within the required time period, additional action, including the proposed suspension or revocation of certification, may apply.
7	Failure to implement the corrective actions and major obligations stipulated prior to granting the certificate.	MJ	If a written response is not received within the required time period, additional action, including the proposed suspension or revocation of certification, may apply.
8	Recurrences of minor non-conformities from previous inspections.	MJ	Corrective actions are requested within 30 days and a follow-up audit is planned to verify if the actions have been implemented.
9	Failure to Pay the fees/other expenses of SNRMS.	MJ	A deadline is defined to cover the expenses with fine; if the deadline is not met, a suspension or revocation proposal is sent.
10	Operator is purposefully violating the standards requirements or if they fail to correct existing major noncompliance issues	MJ	Suspension or withdrawal of the certification granted
11	Use of prohibited synthetic chemical inputs on the certified area or area to be certified, intentionally or accidentally.	MJ	Suspension or withdrawal of the certification to the affected area, and to a buffer area around it.
12	The improper use of the logo by the operator to process or market non-inspected or unauthorized products.	MJ	Suspension or withdrawal of the certification granted pertaining to the sufficient evidence gathered.
13	Using a forged or expired certificate for any business transaction of organic product.	MJ	Suspension or withdrawal of the certification granted.
14	Provide false information to SNRMS concerning changes to the operation which effect the operation's Organic status, falsification of documentation, selling non - organic crops or products as organic.	MJ	Suspension or withdrawal of the certification granted.
15	Threatening or trying to bribe the inspector or a member of the department of evaluation and assessment to obtain certification.	MJ	Suspension or withdrawal of the certification granted.
16	If SNRMS receives repetitive negative feedbacks from Buyers, importing countries, certification bodies and regulatory authorities about an operator	MJ	1st instance- Warning letter issued 2nd instance - 30 days minimum suspension 3rd instance - Withdrawn of Certificate.  Special control measures/restrictions will be issued for export of organic products.

17	Not accepting inspections by SNRMS inspectors, including without prior notice; not allowing the taking of samples for analysis, or the access to all types of relevant documents as well as to all parcels and locations	<b>MJ</b>	Suspension or withdrawal of the certification granted.
18	If SNRMS observes repetitive residue detection from laboratories and regulatory authorities.	<b>MJ</b>	1st instance- Warning letter issued 2nd instance - 30 days minimum suspension 3rd instance - Withdrawn of Certificate/ Reduction of scope may be done. Special control measures/restrictions will be issued for export of organic products. Unannounced/Additional inspections may be increased.

**MI: Minor Non-Conformity**

**MJ: Major Non-Conformity**