

## Global Trust Certification Ltd.

# CERTIFICATION TERMS AND CONDITIONS

### 1. ACCESS TO THE SCHEME

Applications to participate in the Certification Schemes are open to all companies and producers with operations meeting the scope of the standard. Applications must be made using the designated application form stating the products or process for which certification is sought. Applicants are required to give an undertaking to comply with the requirements of the relevant Scheme and with the company's Rules Governing Certification by signing an application form, and thereby give access to the site, relevant documentation and facilities as may be required for assessment purposes.

### 2. THE CERTIFICATION SCHEME

#### 2.1 Rules Governing Certification

- 2.1.1** These Rules relate to the Certification Schemes operated by Global Trust Certification, henceforth GTC, for determining conformity with the relevant Standard
- 2.1.2** Applicants who satisfy GTC that they are capable of compliance with the requirements of the relevant Certification Scheme and the regulations and compliance criteria and who give the company such undertakings as may be required shall, subject to complying with these rules as amended from time to time, be entitled to a Certificate of Conformity which shall remain the property of GTC.
- 2.1.3** Certificates are valid from the date of issue subject to satisfactory performance assessed at a frequency determined by the Standard or Scheme regulations. Certificates remain valid until their expiry date; a new certificate will be issued following successful completion of the re-assessment process. Certificates issued without a specified expiry date rely on other registers to demonstrate continued certification. The right to use a certificate is not transferable.

#### 2.2 Certified Companies or Producers shall:

- (a)** At all times comply with these Rules as amended from time to time;
- (b)** Retain a copy of the most recent Scheme Standards and Regulations for the relevant Certification Scheme;
- (c)** Inform GTC immediately of any change to scope of activity of an issued certificate;
- (d)** Have a nominated a management representative and one or more deputies who shall be responsible for all matters in connection with the requirements of the Certificate of Conformity;
- (e)** Comply with all requirements of the relevant Certification Scheme until the Certificate expiry
- (f)** Implement appropriate changes when they are communicated by GTC;
- (g)** If supplying copies of certification documents to others, supply these in their entirety or as specified by the scheme;
- (h)** Maintain and document a quality system in accordance with the Scheme Standards and make available copies of all or any part of the documented system should they be required by GTC for reference purposes;

- (i)** Keep a record of all complaints made known to them relating to compliance with certification requirements and makes these records available to GTC when requested, and take appropriate action with respect to such complaints and any deficiencies found in products/processes that affect compliance with the requirements for certification; document the actions taken;
- (j)** Provide information regarding previous certifications held whether or not they are still valid; release copies of previous certificates and reports if required under the scheme rules;
- (k)** Not significantly vary the quality system under which any Certificate is issued during the period of certification unless agreed with GTC or as required by changes to scheme rules or requirements;
- (l)** Notify GTC of:
  - Any major changes to methods of production or storage which would affect the operation of the quality system or changes in the ownership, structure, or management of the organisation.
  - Any potential or actual prosecution relating to products or services within the scope of the certification,
  - Any potential or actual withdrawal/recall of any product or service included within the scope of certification,
  - Any event, activity or media which brings into question or threatens to bring into question the suitability of the producer to produce any of the products or services included within the scope of the certification;
- (m)** Maintain at all times compliance with all relevant legislation pertinent to the scope of activity of which Certification has been granted;
- (n)** Correct non-compliances noted during an assessment in accordance with the timescale specified by GTC and scheme requirements;
- (o)** Give access to premises during normal working hours to representatives of GTC for the purposes of evaluation, surveillance and to ensure that continued compliance to the scheme standard is being achieved at times other than the scheduled assessment dates, or to establish that the procedures for the termination of approval have been carried out if necessary. This may include; the examination of products, processes, records, the production environment, distribution facilities, methods of test, details of internal audits and systems, personnel, sub-contractors, biosecurity arrangements etc. Assessment teams may be a single auditor or teams of auditors including those in training undergoing assessment or fully trained auditors being witnessed as part of the internal audit process
- (p)** In the case of an accredited scheme, on request allow an accreditation body representative to accompany the GTC auditor to assess the performance of the GTC assessor.
- (q)** In the case of an accredited scheme, imply that any product, service, or management system is approved by the relevant accreditation body
- (r)** Allow GTC, the scheme owner or their representatives to undertake unannounced or short notice audits. In exceptional circumstances no notice may be given. The certified company or producer is required to allow entry to, and assist the auditor appointed in this task;
- (s)** Use any product marks in accordance with the conditions defined herein and consistent with the scope of certification;
- (t)** Not use certification in such a manner as to bring GTC into disrepute and shall not make any statement regarding its certification that GTC may consider misleading or unauthorised;

- (u)** In making reference to its certification in communication media such as documents, brochures, or advertising, comply with the requirements of GTC or as specified by the certification scheme;
- (v)** Discontinue any use of any product mark or Certificate of Conformity which is unacceptable to GTC or any form of statement with reference to the authority of the Producer to claim compliance with the scheme which, in the opinion of GTC might be misleading;
- (w)** Ensure that certified products continue to fulfil the product requirements and not deliver or knowingly permit the delivery or sale of downgraded products as complying with the Standards defined in the Certification Scheme;
- (x)** Not conduct operations in a manner which may have an adverse effect on the integrity and reputation of the Certification Scheme or GTC;
- (y)** Upon withdrawal of the Certificate of Conformity (however determined) forthwith discontinue the use of the any product mark and all advertising matter which contains it or any reference thereto. In addition, any other documents in the possession of the producer which bear reference to the Certificate shall, if GTC requires, be so treated to eliminate them and on request return them to GTC;
- (z)** The client shall allow GTC to process and publish, excluding confidential annexes, data and information collected from the certification process for the purpose of transparency, as an integral part of the scheme owner programme.

**2.2.1** Having regard for GTC costs related to the administration of the scheme, applicants and producers shall pay:

- The relevant fee for assessments and certification, irrespective of the outcome of the assessment;
- The scheme owner royalty if applicable;
- The cost of any additional assessment deemed necessary;
- The cost of any additional sampling or testing deemed to be necessary;
- Any additional cost incurred by the company due to non-compliance with these Rules;
- The cost of any booked travel in case of assessment cancellation;
- Pre-determined cancellation fees in the case of assessment cancellation.
- These fees will be reviewed regularly by the GTC Board and nominated Managers.
- Failure to pay valid invoices shall give the right to GTC for the withdrawal of certification and scheme membership.

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**2.3 GTC shall:**

- (a)** Undertake continuing assessments periodically at the production establishments of certified producers for the purpose of verifying that the obligations defined by the Scheme are being met;
- (b)** Reserve the right to immediately suspend the assessment or withdraw a current certificate where appropriate, if the producer or company personnel are in any way verbally or physically abusive to the assessment team, by acceptance of these rules, the producer acknowledges any derived incurred costs will be chargeable to the producer/site;

- (c) Reserve the right to decline to accept an application or maintain a contract for certification when fundamental or demonstrated reasons exist. These include but are not limited to the client participating in illegal activities, a history of repeated non-conformance;
- (d) Notify certified producers of any changes in the Scheme Standards and give them such time as, in the opinion of GTC is reasonable in which to adjust their processes and relevant procedures to meet the revised requirements;
- (e) Not disclose any information concerning the producer which is of a confidential nature other than information which is already in the public domain unless otherwise required to do so by law, requested/permitted to do so by the Approved Producer or during the course of accreditation.
- (f) Provide a copy of the report and/or certificate and/or audit data to those standard owners in accordance with the specified scheme regulations;
- (g) Notify the producer of complaints relating to products which the Certificate of Conformity applies.

**2.3.1** If a producer is temporarily unable to comply with the requirements of these Rules as amended from time to time, GTC may require the producer to discontinue the use of the any mark or any claim of compliance with the Scheme with immediate effect until it is satisfied that compliance is again achieved or pending the results of an appeal.

**2.3.2** If the producer fails to comply with these Rules as amended from time to time, GTC may, as appropriate:

- (a) Withdraw the Certificate of Conformity or reduce its scope and inform the scheme owner of these changes,
- (b) Refuse to grant a Certificate of Conformity or extend its scope,
- (c) Reserve the right to initiate legal action.

Such decisions, and the grounds for them, shall be communicated to the producer in writing.

**2.3.3** GTC may, at its sole discretion withdraw or refuse to grant a Certificate of Conformity

- (a) If the producer's business is likely to be liquidated or unable to pay its debts,
- (b) If the producer or actions of the producer are deemed to bring the scheme into disrepute,
- (c) If the producer fails to maintain the standards against which certification has been granted.

**2.3.4** These Rules may from time to time be altered by GTC. No such alterations shall affect the right of a Producer to use the appropriate Certification Mark or claim compliance with the scheme unless it shall have been given notice in writing of such alterations by GTC who will notify the producer of the date by which it must comply with the altered regulations, which shall normally be less than six months from the date of notification of the alteration.

**2.3.5** A register of Approved Producers and Products shall be kept by GTC and shall be open to inspection at its registered office.

**2.3.6** Any notice under these Rules shall be in writing and signed by or on behalf of the party giving it and may be served on site, by either fax, receipted email, pre-paid recorded delivery, or registered post at its address. Any notice served by post shall (unless the contrary is proved) be deemed to have been served forty-eight hours from the time of posting.

**2.3.7** GTC is financed by charges of certification. The cost of scheme registration is determined by scheme owners.

## 2.4 Certificate of Conformity

A Certificate of Conformity granted to a producer is valid from the date of issue until the expiry date with its maintenance being subject to satisfactory performance assessed at a frequency determined by Scheme Owners.

## 2.5 Assessments

It is a condition of granting a Certificate of Conformity that assessments shall be carried out to ensure that the criteria defined in the Scheme Standards are being met and maintained.

Where non-compliances to the scheme standard are identified at an assessment, documentary corrective action or a further assessment in accordance with the scheme may be required to maintain the certification status.

Change of status may, depending on scheme requirements, be a change of certification grade reflecting change in assessment frequency or notification of withdrawal of approval.

If approval is withdrawn the reason will be clearly specified in writing to the producer. Should the producer wish to appeal against the withdrawal of a Certificate of Conformity the process described in Section 5 Appeals will be followed.

## 3 PRODUCT CERTIFICATION MARK

**3.1** Approved producers holding a valid Certificate of Conformity may use the Certification Mark appropriate to the scheme, as supplied by the scheme owner.

**3.2** The Mark must be used only in accordance with the specific rules issued as a condition of use and in strict compliance with the Scheme and only on documents which are associated to the subject of the Certificate of Conformity issued to the producer concerned.

## 4 COMPLAINTS

Complaints categories may include but are not limited to;

- Allegations of fraud or attempted fraud (by any personnel involved in the certification process)
- Allegations of auditor misconduct
- Complaints regarding the cost of assessments or memberships
- Customer service, such as complaints relating to timeliness or scheduling of assessments

Complaints can be registered externally by anyone at the NSF Website: [Contact Us | NSF](#), alternatively following the instructions on the website: [GTC \(GTC\) From NSF | NSF](#)

### 4.1 Complaints Related to Products or Systems within the Scope of Certification

The responsibility for complying with the requirements of the Scheme as defined by the Scheme and in the Standards, and for complying with Statutory requirements rests absolutely with the Producer and, therefore, any complaint about a product or system arising from possible infringements of the law shall be dealt with by the producer or company concerned. Complaints of this nature coming directly to GTC will be referred to the producer or company for appropriate corrective action to be taken. The certified producer or company is required to maintain a record of all complaints and any subsequent action taken and make this available to assessors during assessment on request.

#### **4.2 Complaints Related to Certification**

Complaints concerning the Certification process or Certified Producer may be received by any individual, organisation, worker within a certified company, scheme owner or other interested party. GTC recommend any complaints are also sent to the scheme owner for their information, to view the scheme owners complaints process, please visit the relevant website.

Complaints received will be dealt with by GTC who will, in accordance with the GTC complaints procedure:

- acknowledge the complaint
- impartially Investigate the complaint
- Respond with an outcome to the complainant
- Prepare a summary for the Impartiality Board of GTC to consider at its next meeting, this may result in preventative measures being identified
- Complaints and Appeals will be reviewed annually by the relevant accreditation body
- Ensure that there is no discriminatory action against a client or other party as a result of being the subject of or involved within the investigation of a complaint.

Where complaints are in relation to a non-conformance, certification decision, or an outcome of an existing complaint, this complaint shall be noted as an appeal and handled in accordance with the Appeals process below.

## **5 APPEALS**

The definition of an Appeal is outlined below:

- Appeal against an outcome of a complaint decision
- Appeal against a certification decision by GTC

Appeals can be submitted via Client ServicesIE [ClientServicesie@nsf.org](mailto:ClientServicesie@nsf.org) and including the detail of the appeal and any relevant evidence.

This process covers appeals against the outcome of a complaint or certification decision made within respect to any of the Schemes operated by GTC.

In such an event, they are entitled to appeal the outcome by responding in writing giving reasons. First Appeals will follow the same process as complaints with focus on Investigating Manager delegation, acknowledgement, and review. Where the Scheme has their own appeals procedure then this will be used instead of the GTC procedure.

GTC would normally expect Appeals to be made within 14 days of notification of the certification decision or outcome of complaint or review.

To maintain impartiality, should an appeal be generated due to an outcome of a complaint, the investigating manager will be different to the linked complaints investigating manager.

If the decision is not accepted the Appeal, where allowed under the Certification Scheme, will be progressed to a Second Appeal.

During Second Appeal GTC will appoint a member of the GTC Impartiality Board or another industry/ sector expert chosen whom will be responsible for the review of the Appeal.

The review will examine the appeal process, outcomes, correspondence, and actions of both the appellant and GTC. The outcome of the review will be communicated by GTC. Should the outcome of this review still be unacceptable to the appellant, they have recourse to contact the Scheme owner.

### **5.1 Second Appeal Costs**

GTC reserves the right to charge the appellant for a second appeal and reasonable costs for the second appeal reviewer as defined above. These will be notified and may be charged to the appellant ahead of any review commencing. GTC will not be liable for the appellants' costs of second appeal review.

## **6 DATA PROTECTION**

The NSF Data Privacy policy can be viewed at any time from our website: [NSF | The Public Health and Safety Organization](#)

## **7 LIABILITIES**

Under no circumstances shall GTC or its employees or agents be liable for any losses, damages, charges, costs, or expenses of whatever nature which any producer, applicant or scheme member may suffer or incur by reasons of or arising from the administration or the performance of their respective obligations in connection with the Scheme, except where costs arise as a result of the gross negligence or wilful default of such persons.

## 8 DEFINITIONS

*Applicant* - A business or person who has applied for, but has not yet been granted a Certificate of Conformity

*Assessment* - End to End activity/process to ensure conformity to the relevant scheme

*Producer/Company* - A business or person holding a valid Certificate of Conformity for the production or system specified on the Certificate of Conformity.

*Certificate of Conformity* - A Certificate issued under a specific serial number by GTC to Approved Producers for a designated location(s) or site(s).

*Scheme* - The Certification Scheme which is designed to certify conformity in accordance with a Standard using a quality system complying with the requirements of accreditation.

*Statement of Conformity* - A document issued by an Approved Producer to a customer confirming the products supplied have been produced in accordance with and meets the scheme standards.

*Scheme Regulations* - The document which contains the details of how the certification standard shall be operated by the Certification Body.

*Scheme Standards* - The document which defines the product, system, or compliance criteria which participants in the Certification Scheme must meet and maintain

*Impartiality Board* – A group independent of GTC with industry, certification, and producer experience