

## Certification Rules

**Company Information:** FSNS Certification and Audit LLC (FSNS C&A) is a legal entity located in San Antonio, Texas, accredited by ANAB under ISO 17065 (accreditation number 1107) and ISO 17021 (accreditation MS-4293) licensed by BRCGS, SQFi, and FSSC to perform certification activities on their behalf.

**Certification Procedures:** The audit will be carried out as defined in the current scheme owner standard. Only items included in the scope of certification will be evaluated against the certification audits. The audit duration will be based on the current scheme owner duration requirements. In the event that changes are made to the certification requirements, these changes will be communicated to the client by FSNS C&A and compliance with the updated requirements is verified by FSNS C&A.

**Application:** The client agrees to provide accurate and complete information when completing the Application for Certification and the Scope Proposal forms. This information is required to adequately plan for, and complete, the certification audit in accordance with scheme owner requirements. Following the application review, FSNS C&A holds the right to refuse certification activities to a site.

**Scope of Certification:** Only those products and processes detailed in the scope of the audit will be covered by the certificate. The scope of the audit will be pre-determined and mutually agreed to prior to the time of the audit. Any processes or products that the customer does not wish to be included in the scope of certification must be declared prior to commencement of the audit. Exclusions from the scope of the audit must meet the requirements outlined by the scheme owner.

**Auditor Qualification:** Auditors are qualified following the requirements established under the BRCGS Global Standard for Food Safety, SQF, or FSSC scheme owner requirements. Auditor qualifications and impartiality is verified by the Certification Management prior to audit assignment. Note: you, the client, have the right to deny an auditor proposed by FSNS C&A.

**Conducting the Audit:** Per the Certification and Audit Terms and Conditions; the auditee agrees to provide the auditor with accurate and complete information. The auditee commits to assisting the auditor and to provide all necessary and appropriate information requested by the auditor that is within the scope of the certification audit. Where possible, the widest range of products shall be in production and subcontractors available when applicable. The auditee agrees to allow the scheme owner to provide audit records to GFSI upon request.

Note: In the event that an unannounced audit is performed the auditor must be given immediate entry into the facility as detailed in the audit plan. Failure to accommodate the auditor for unannounced audits may result in suspension and/ or withdrawal of certification.

- **FSSC:** For initial audits, the certification audit will consist of two parts: a desk audit and the facility. The Stage 1 audit is conducted to assess the preparedness of the client. This audit is conducted on-site. Significant concerns regarding the site's implementation of the food safety management system may result in a delay of the Stage 2 audit. The Stage 2 audit focuses on the full implementation of the food safety management system and PRPs. **Surveillance Audits:** Surveillance audits are required to be performed a minimum of annually, however, FSNS C&A may increase the frequency of the surveillance activity to 6 months based on the performance of the facility. Surveillance audits are conducted as defined in ISO 17021 as well as in FSSC 22000 Part 4: Requirements for Certification bodies. Where appropriate, FSNS C&A may carry out further audits or question activities to validate continued certification at any time. A site can voluntarily elect to have an Unannounced audit during surveillance and recertification audits following the initial certification audit

**Corrective Actions:** Corrective actions must be submitted within 21 days from the commencement of the on-site audit per Certification Body requirements to ensure corrective actions are approved with the timeframe required by BRCGS, SQF, or FSSC. Evidence of corrective actions shall be submitted to FSNS C&A for review. FSNS C&A commits to maintaining confidentiality during the review of corrective actions and all material provided by auditee. If corrective actions are not implemented and made available to FSNS C&A within the required timeframe (28 calendar days) a re-audit may be required or potential suspension.

**Inquiries/Appeals:** Per ISO 17065, ISO 17021, and scheme owner requirements, certification decisions may be appealed. Appeals must be communicated to the certification body within 7 days of the certification decision. Please note that appeals against the certification decision will not delay the suspension or withdrawal of certification. Inquires in reference to non-conformities issued may also be lodged. Inquiries must be filed with the FSNS C&A within 7 to 10 days of the audit depending upon the scheme owner.

Complaints may be filed at any time. Inquiries, appeals and complaints may be communicated to FSNS C&A via phone or email. FSNS C&A will complete the investigation and provide written communication of the resolution or final decision regarding the appeal no later than thirty calendar days from receipt of the appeal request. The FSNS C&A policy relating to appeals and complaints will be made available upon request.

**Granting Certification:** The final certification decision is based on information collected throughout the certification process including the application, scope proposal, on-site audit, corrective actions and technical review. The decision to grant certification is retained by FSNS C&A management personnel and is not, under any circumstance, delegated to a third party. In the event that FSNS C&A finds the client to be in compliance with requirements defined by the scheme owner, the facility will be granted certification as defined by the scheme owner.

**Additional Audits:**

- **BRCGS:** A final grade of D or C requires an on-site verification of corrective actions within 28 days. The certification is valid for a period of 6 months. A final grade of C does not require on-site corrective actions; however, the certification is valid for a period of 6 months. In the event a facility fails an audit (refer to the BRCGS Global Standard for Food Safety), the certification will be withdrawn and a re-audit must be conducted to attain certification. Where a C grade is issued with 2 majors, an onsite or remote verification of corrective actions is required within 28 days. Where appropriate, regardless of the outcome of the certification audit, FSNS C&A may carry out further audits or question activities to validate continued compliance to certification requirements at any time. BRCGS reserves the right to conduct its own audit or visit to a site once certified in response to complaints or routinely to ensure the integrity of the Global Standard schemes. Such visits may be announced or unannounced. Additionally, BRCGS may contact you, the client, directly regarding your certification status or for feedback related to the certification body (FSNS C&A). Failure to allow BRCGS into your facility or to deny responsible requests made by BRCGS may impact your certification status.
- **SQF:** A final grade of C will require an on-site verification of corrective actions within 30 days and the certification is only valid for a period of 6 months. A Surveillance audit shall be conducted every 6 months until an appropriate audit result is achieved; see Section 4 of the Code. Note: if the 30 day time frame is not met the supplier's certification may be suspended. Surveillance or re-certification audits may be necessary in the event that significant changes are made to the facility, process or products included in the scope of certification. FSNS C&A must be notified of a product recall within 48 hours. Where appropriate, FSNS C&A may carry out further audits or question activities to validate continued certification at any time.
- **FSSC:** Short-notice, or non-routine, audits may be conducted at any time in response to a complaint received regarding the facility, product recall, significant regulatory activity that may call into question the client's food safety management system, in response to suspended certification or other instance which requires additional monitoring to maintain confidence in client's certified status. The need for a non-routine audit will be verbally communicated to the client prior to the commencement of the audit. Additional audits may also be required in order to expand the scope of certification.

**Communication:** Significant changes made to the facility or process must be communicated to FSNS C&A. The client must inform FSNS C&A, within three working days or 48 hours if SQF certified client, of a product recall, regulatory activity requiring public notification, serious events that impact food safety and /or the integrity of the certification and the organization, legal proceedings, facility modification, natural disaster, change in ownership, organizational or management changes, changes in the scope of operations at the facility, significant changes which may affect the food safety management system, fraudulent activities, corruption, serious situations where the integrity of the certification is at risk and/ or where the Foundation can be brought into disrepute, or extraordinary events to determine if a short-notice surveillance audit is required. Changes to the scope of operations, products produced, and the FSMS which may render the certificate inaccurate, must be communicated. Extraordinary events include, but are not limited to, war, strike, riot, political instability, geopolitical tension, terrorism, crime, pandemic, flood, earthquake, malicious computer hacking, other natural or man-made disasters.

**Certificate Validity:**

- **BRCGS:** The certificate issued to the auditee is valid during the timeframe indicated on the certificate unless withdrawn or suspended by the certification body. It is the responsibility of the auditee to schedule re-certification audits in a timely manner to ensure no lapse in certification. Re-audits must be conducted on or no greater than 28 days prior to the audit

due date listed on your certificate. Audits performed earlier than the 28 day timeframe will reset the anniversary date. Justification for audits performed outside the 28 day time frame must be provided.

- **SQF:** The certificate issued to the auditee is valid during the timeframe indicated on the certificate. It is the responsibility of the client to schedule re-certification audits in a timely manner to ensure no lapse in certification. Re-audits must be scheduled within a 60 day period of the anniversary date; the 60 day period is defined as 30 days on either side of the anniversary date as outlined in Section 4 of the Code. The client must inform FSNS C&A of a product recall or other food safety event requiring public notification relating to certified products or of any legal actions relating to the safety or legality of certified products.
- **FSSC:** The certificate issued to the client is valid during the timeframe indicated on the certificate. It is the responsibility of the client to schedule re-certification audits in a timely manner to ensure no lapse in certification. Recertification audits are scheduled three years from the calendar date of the initial certification audit. The certification audit may not be scheduled more than 30 days prior to the last day of the initial audit. The recertification audit may not be scheduled later than the initial certification date. Additionally, the facility must work with FSNS C&A to schedule an annual surveillance audit. The surveillance audit must be completed within each calendar year within the certification cycle. Upon certificate expiry, FSNS C&A can reinstate certification within six month if the site completes the outstanding recertification activities or at a minimum a Stage 2 audit shall be conducted.

**Seasonal Products:** If the client wishes seasonal products to be included in the scope of the certification the client must inform FSNS C&A of seasonal products and the time of year they are in production. Seasonal products will be managed as outlined in the scheme owner requirements. Additional information relating to seasonal products will be provided upon request.

**Certification Suspension or Withdraw:** It is the responsibility of client to maintain compliance with the requirements outlined in scheme owner requirements. FSNS C&A reserves the right to suspend or withdraw certification. Suspension or withdrawal may be determined based on legal or regulatory actions taken against the client, audit or surveillance activity outcomes or other occurrence at the site that would raise serious questions related to the safety and/or quality of the products produced under certification. It is the responsibility of the client to ensure that products and processes defined in the scope meet the requirements defined by the scheme-owner and that necessary food safety and quality programs and systems are adequately maintained to ensure continued compliance. If it is discovered that these criteria are not being met by the client, certification may be withdrawn or suspended.

Corrective action plans for all non-conformities identified in the certification audit must be implemented within 28 days of the commencement of the audit. If corrective actions are not implemented within this timeframe, the certificate may be suspended or withdrawn. The FSNS C&A policy for withdrawal or suspension will be made available upon request.

Abuse or misuse of the scheme-owner or FSNS C&A logos may result in withdrawal or suspension of certification.

Upon suspension or withdrawal of certification the auditee must immediately remove any reference made regarding certification, this includes websites. Failure to do so may result in legal action.

At time of suspension, FSNS C&A may require corrective actions in response to the suspension. Once information provided by the supplier is reviewed, FSNS C&A will determine whether to reinstate or withdraw certification. The decision to reinstate certification must be performed by management personnel who were not involved in the evaluation process. Note: an appeal will not delay the suspension of a certificate.

- **FSSC:** Upon suspension or withdrawal of certification the client must immediately remove any reference made regarding certification. Failure to do so may result in legal action.
- At time of suspension, FSNS C&A may require corrective actions in response to the suspension. Once information provided by the supplier is reviewed, FSNS C&A will determine whether to reinstate or withdraw certification. The decision to reinstate certification must be performed by management personnel who were not involved in the evaluation process. Note: an appeal will not delay the suspension of a certificate. If a site receives a critical non-conformity during a FSSC 22000 certification audit, the certificate must be suspended within three working days of being issued, for a maximum period of six months.

**Restoring Certification:** In the event of a suspended certificate, the site must take action for the certificate to be restored. Upon notification of suspension, FSNS C&A will provide the general actions required for the certificate to be restored. Actions are required to be completed within 6 months upon notification of the suspension. In the event of a withdraw, the site must reapply for certification.

**Refusal of Certification:** FSNS C&A may refuse certificate services based solely on our ability to provide the requested services. FSNS currently only offers certification against, FSSC 22000.

**Publication:** Audit reports will remain the property of the client. According to the contract between FSNS C&A and the scheme owner, a list of companies certified by FSNS C&A, the audit report, certificate, and the certification decision will be communicated to the scheme owner via their certification data-base. A copy of the audit report and certificate is uploaded in scheme-owner's confidential directory while the certification status of the company is listed in the public directories. Information related to the certification audit will be made available to the scheme-owner, Accreditation Body, IAF, GFSI, or governmental authorities (when required) upon request and treated as confidential. Additionally, information provided to FSNS C&A during the certification process may be reviewed by the accreditation body employed by FSNS C&A, the scheme owner and by the certification committee who oversees the activities performed by FSNS C&A. Certification status will be made publicly available where possible through the scheme owner's website. Confidentiality agreements are maintained between FSNS C&A and the accreditation body and with the certification committee. A list of certification committee members is available upon request and certified sites can communicate concerns to the certification committee. Information provided to FSNS C&A will remain confidential and will not be shared with third parties, other than those listed above, without prior written consent.

**Conflict of Interest:** FSNS C&A maintains a Policy on Ethics in Business conduct and Undue Pressure. This policy is signed by certification body personnel. A copy of the policy will be provided upon request.

**Refusal of Certification:** FSNS C&A may refuse certificate services based solely on our ability to provide the requested services. FSNS currently only offers certification against BRC Global Standard for Food Safety, BRC Global Standard for Storage and Distribution, SQF, FSSC 22000, BRCGS for Gluten-Free and BRCGS for Plant-Based. Please contact FSNS C&A for more details regarding our certification services.

**Scope Reduction:** In the event that FSNS C&A determines, through objective evidence, that the client holds a certificate whose scope exceeds the capability of capacity of the client, FSNS C&A reserves the right to reduce the scope of certification. In this instance, the client agrees to inform clients of the scope reduction and cease making reference to processes removed from the scope as a result of the reduction.

#### **Use of FSNS C&A and Scheme-Owner Logos:**

- **BRCGS:** Under no circumstances shall the FSNS C&A logo be used by the client for any purpose. The BRCGS logo may be used as outlined in the BRCGS Global Standard for Food Safety. The logo and references made to certification may only be used during the time period in which the facility maintains certification. The duration of certification is clearly documented on the certificate provided at the time of certification. Note: References made to certification that are untrue or misleading may result in suspension or withdrawal of certification. References to certification may only be made to products listed in within the scope of certification.
- **SQF:** The client must abide by logo and shield usage requirements outlined in Appendix 3 of the Code. The supplier must request and receive approval from FSNS C&A prior to using the SQF Logo or Quality Shield. As part of the request procedures the client must agree to abide by SQF and FSNS C&A requirements. Contact FSNS C&A for more information. Note: References made to certification that are untrue or misleading may result in suspension or withdrawal of certification. References to certification may only be made to products listed in within the scope of certification.
- **FSSC:** The FSNS C&A logo may only be used with written approval from FSNS C&A. The FSSC Logo may only be used in accordance with scheme owner requirements. Verification of proper logo usage will be conducted during recertification and surveillance audits. The logo may only be used for the purpose as indicated by FSSC and may only be used while certification is maintained by the facility. The duration of certification is clearly documented on the certificate provided at the time of certification. . Logos or references made to certification may not be listed on product packaging or product. Note: References made to certification that are untrue or misleading may result in suspension or withdrawal of certification. References to certification in a manner which indicates products are certified, shall not be made. References to certification may only be made to products listed in within the scope of certification. References made to sites or processes excluded from the scope of certification will result in certificate withdrawal. Logos shall not be used on laboratory tests, calibration or inspection reports or certificates.

**Complaints:** Complaints received regarding products within the scope of certification or operations at a site shall be documented with appropriate investigation and corrective action. This information shall be made available to FSNS C&A personnel when a

reasonable request is made. A request will not be made without proper cause. In the event that FSNS C&A receives a complaint regarding a certified site a surveillance audit may be performed.

**Fees and Pricing:** FSNS C&A is a financially independent entity who maintains independence through fees charged to the client. Information related to audit and certification fees will be made available up request.