# RSPO Specific Terms and Conditions for Certification Services

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# RSPO Specific Terms and Conditions for Certification Services

This document presents Bureau Veritas Certification procedures concerning RSPO SCCS certification. These procedures are developed according to RSPO certification system requirements.

This document specifies also the relations and mutual rights and obligations between Bureau Veritas Certification and its Client in respect of RSPO certification. The following requirements apply to RSPO Supply chain certificate issuance regarding processing, trading or supplying activities conducted by the Client. In case that the Client violates any term provided herein, the Certificate (as defined below) and the certification trademark use right will be suspended or withdrawn by Bureau Veritas Certification.

## 1 General presentation of the RSPO Certification system

### 1.1 Presentation of the RSPO

The Roundtable on Sustainable Palm Oil (RSPO) is a not-for-profit, international membership organization that unites stakeholders from the different sectors of the palm oil industry: oil palm producers, processors and traders, consumer goods manufacturers, retailers, banks/investors, and environmental and social non-governmental organizations (NGOs), to develop and implement global standards for sustainable palm oil production.

### 1.2 RSPO SCCS system requirements

RSPO system requirements are defined by the RSPO supply chain standards. The RSPO standards related to supply chain are named RSPO Supply Chain Certification standards, coded as RSPO SCCS on this document.

When Bureau Veritas Certification issues an RSPO SCCS certificate to a company, it provides a guarantee that the company has demonstrated conformity with all the applicable RSPO requirements at the time of Bureau Veritas' verification.

BUREAU VERITAS Certification overall performance; review of independence; used policies; certification decision process, implementation of policies and dispute resolution are available on request

## 2 Bureau Veritas Certification rights and obligations towards the client

Bureau Veritas Certification undertakes to:

- Supply to the client the necessary information and documentation regarding the RSPO Supply chain certification system
- Provide the client with the contact details as well as the name of the contact person regarding the certification
- Organise and conduct audits as specified through the certification contract
- Require appointed auditors to precede the audits under a confidentiality commitment in regard to the client's operations and the audits results
- Submit an audit report to the client within 3 weeks following the end of the audit
- Communicate the full audit reports only to the Certification Committee and to the RSPO
- Make the certification decision no later than 14days after the initial or complementary audit report finalisation
- Promptly inform the client in writing about any evolution of the RSPO Supply chain referential standard or of the certification system to allow the client to conform to this evolution in the next 12 months
- Make public the documentation required by the RSPO to be in accordance with the related standards.

Bureau Veritas Certification reserve the rights to:

- Access the clients' premises, documents and records deemed necessary.
- Conduct witness assessment, compliance assessment, unannounced assessment, or any other special short notice assessment.
- Ensure RSPO Accreditation Body has the access to the clients' premises, documents and records deemed necessary.
- Ensure RSPO Accreditation Body has the rights to conduct witness assessment, compliance assessment, unannounced assessment, or any other special short notice assessment to the client.

## 3 Client rights and obligations towards Bureau Veritas Certification

The client undertakes to:

- In case of certificate conditional granting, conform to the time schedule for the minor corrective actions as specified in audit reports and, if necessary, subject to Bureau Veritas Certification's any modification of this schedule
- Fulfil the RSPO Supply chain referential requirements for the RSPO Supply chain certificate period of validity (5 years)
- Ensure to Bureau Veritas Certification approved auditors its full and constant collaboration during the audits
- Seek no consultation with the approved auditors
- Ensure to Bureau Veritas Certification, RSPO and RSPO Accreditation Body a free access to the premises, documents and records deemed necessary during the certificate validity period and, if a complaint requires extra information, after a certificate suspension or withdrawal.
- Ensure to Bureau Veritas Certification, RSPO and RSPO Accreditation Body a free access to conduct witness assessment, compliance assessment, unannounced assessment, or any other special short notice assessment
- Inform Bureau Veritas Certification, in writing, as soon as possible about modifications in its organization having potential consequences in regard to RSPO Supply chain referential requirements conformity
- Accept, after the parties' agreement, a new audit when important modifications justify an urgent audit
- Make a correct use of RSPO trademarks and of certificate registration code according to the aforesaid provisions
- Include RSPO products nature and quantity and the RSPO certificate registration code in the corresponding sale documents (invoices, shipping documentation…)
- Limit RSPO trademarks use to the products included in the certificate scope
- Supply upon inquiry, every year, the exhaustive list of products that has used any RSPO trademarks. The list will clarify the specie, the nature and the quantity of products bought and sold as well as the name of the suppliers or the customers of the client
- Accept RSPO decisions in regard to RSPO certificate issuance. RSPO has power to require the Certification Committee to suspend or withdraw a certificate
- Make public the documents as specified by RSPO Supply chain referential
- Allow Bureau Veritas Certification, in the absence of opposite information, to use its name as commercial reference
- Respect the present document terms whatever the audits results are
- Send back to Bureau Veritas Certification, in case of certificate withdrawal or termination, the awarded certificates as well as logos, materials and other documents in relation to the use of RSPO trademarks
- Satisfy the new requirements related to any evolution of the RSPO Supply chain referential within request timeline upon notice by Bureau Veritas Certification
- Satisfy the Certification Committee's demands and decisions following audits.

- Continue to pay all specified evaluation fees and costs.

The client reserves the rights to:

- Appeal in relation to Bureau Veritas Certification's assessment process including decision making.

## 4 Certification Proposition

### 4.1 Certification process description

The RSPO SCCS is designed for application at the site level of supply chain operations. In case of a number of sites to be jointly included under the same certificate, the verification system takes place at the site level and then at the upper level (central office) and so on depending on the management organization of the applicant.

### 4.2 Useful definition

**Standard:**
Bureau Veritas Certification developed a management system for RSPO certification based upon RSPO recommendations. This management system defines the requirements that the applicant shall meet and serves as an evaluation basis during audits.
BUREAU VERITAS Certification management system evolves at the same time as the standards and other RSPO reference documents.

**Applicant:**
Bureau Veritas Certification considers as an applicant any legal entity applying for a certification and linked contractually with Bureau Veritas Certification.

**Site:**
Bureau Veritas Certification considers as a "site" any location of a legal entity where the supply chain is completely or partly managed. A single legal entity can have several sites. Depending on the management implemented by the applicant, a multisite scheme can be required. (i.e. Holding with different legal entities who have different sites)

**Multi-Site Scheme:**
A certification option for a group of sites that have a legal or contractual link with a defined Central Office, who acts as ICS. Such sites must include a minimum of two (2) participating sites and may consist of groups of refineries, kernel crushers, or processing facilities, etc. that are administered by an ICS (Central Office).

**Outsourcing/subcontracting:**
Bureau Veritas considers outsourcing or subcontracting an organization in which any part of the supply chain is managed by a third-party company.

## 5 Certification application

Any company interested in certification receives the document RSPO application form on request.

### 5.1 Documentation list for application

#### 5.1.1 For a single site application

The company shall provide the application form fulfilled and the leaflet (or any similar document) describing its activity. If existing, the company provides its supply chain monitoring procedure and RSPO products planned to be sold and propose the scope of the certification to be audited.

#### 5.1.2 For a multi-site certification scheme

Certification management procedure at the site level shall be transmitted as well.
Any document allowing to evaluate the dispositions specifically taken for certification, in particular concerning the supply chain or monitoring of RSPO products and the responsibilities taken at group level and at the level of each group member or of each site.

### 5.2 Request and offer of service preliminary examination

#### 5.2.1 Quotation preparation

On return of the application form duly filled in, Bureau Veritas Certification prepares a certification quotation based on the information given by the applicant.

#### 5.2.2 Particular cases

##### 5.2.2.1 Outsourcing:

Depending on its organization, the company may have to include its subcontractors in the certification scope. In this case, the company should mention the subcontractor's names & address and the number of employees and the type of outsourcing to be included in the application form.
A subcontractor's risk review will be done in order to quote the auditing time needed to have a reliable overview of the complete supply chain. A sample of the "high risk" leveled subcontractors will be audited by Bureau Veritas according to Bureau Veritas Supply chain audit sampling plan. Outsourcing usually increases the auditing time.

The risk level is considered as "high" if one of the following mentions is true:

- physically transforming products
- If there is a risk of uncontrolled, non-deliberate or accidental cross-contamination resulting in mixing of certified and non-certified products.

#### 5.2.2.2 Multi-site certification

If the company applies for a multi-site certification, it shall mention it on the application form précising the name, address, activities, number of employees and the turnover of the concerned sites.

To have a precise overview of the multisite organization, a chart displaying any available documentation justifying hierarchy and schemes is required
Bureau Veritas certification will evaluate a sample of sites to be audited in compliance with the RSPO standard.

### 5.2.3 General and specific terms and conditions of sale

Together with the RSPO proposal are sent the following annexes:

- RSPO SCCS General Certification Process
- Generic Terms and Conditions for Certification Services
- RSPO Terms and Conditions for Certification Services
- Commercial Terms and Conditions for Certification Services
- the applicable Supply chain standard(s). The whole RSPO standards, policies and guidance are available on the RSPO web site in the resource center.

These conditions as the present GP01 document are part of the contractual agreement.

### 5.3 Contract

When Bureau Veritas Certification's proposal is sent back signed, it becomes a contract between the company and BUREAU VERITAS Certification.

At this precise part of the certification process, the company is called the applicant for certification. The optional pre-audit realization shall be validated at this step.

## 6 Audit preparation

Bureau Veritas Certification and the applicant have to find an agreement on the audit team's timetable and composition to prepare the pre-audit (if applicable) and the initial audit. Also, the audit scope shall be defined and proposed by the applicant to Bureau Veritas certification. This scope will be validated during the auditing process.

The applicant can ask for a revision of the audit team composition to avoid any conflict of interest between the company and one or several audit team members. Bureau Veritas Certification reserves the audit team composition final choice.

The audit preparation is finalized and presented to the applicant. The documents that will have to be examined before the audit according to the audit scope are requested and shall be provided in a reasonably agreed timeframe.

### 6.1 Bureau Veritas Certification Forest & Wood & food department Auditors

#### 6.1.1 Auditor's qualification

BUREAU VERITAS Certification only works with Forest-Wood/food industry specialists, to honor the following points:

- Independence
- Mastering the processes and industrial techniques
- Industry knowledge.

To be considered as a BUREAU VERITAS Certification auditor, these specialists shall:

- prove technical competence and professional experience in the related industry field
- Have followed specific training for the audit and RSPO system standard
- Have validated that training by having achieved at least three audits.

For audits realization, specialist auditors are designated according to the 3 following criteria:

- Competence in the Company's field of activity
- Nearness of the Company's offices
- Availability on the certification dates wished by the Company.

BUREAU VERITAS Certification auditor cultivates a pragmatic and efficient approach. Priority is given to the evaluation of the RSPO Supply chain system as a tool allowing the company to master its activities and to improve them.

#### 6.1.2 Audit team composition

An audit team is formed of at least one BUREAU VERITAS Certification lead auditor, sometimes helped by other auditors or consultants.

To convene with a particular competence field BUREAU VERITAS Certification may call on specialist consultants who come with the adapted skills.

## 7 Pre-Audit

### 7.1 Pre-audit interest and realization

The pre-audit stage gives the opportunity to precise the scope of audit by identifying the industrial process implemented as well as the critical monitoring points, and to demonstrate how the audit is managed by our services. A gap analysis is realized between the monitoring/managerial system and the requirements of the RSPO Supply chain standard. Consequently, the applicant can decide when to proceed to the next step.

That step is not compulsory in the certification process; nevertheless, it becomes necessary when the industrial process is complex or when the company to be evaluated is important. The pre-audit is mostly carried out by the auditor who will be the future initial audit manager.

A pre-audit report is given to the applicant; it specifies the opportunities for improvement which can be implemented before the initial audit. The time limit to carry out these actions between the pre-audit and the initial main audit shall not exceed one year.

### 7.2 Opportunity for Improvement

On the pre-audit report basis, the applicant for certification sets up updating actions to find a solution to dysfunctional points identified during pre-audit.

The applicant then notifies BUREAU VERITAS Certification by mail that the updating actions have been carried out and BUREAU VERITAS Certification appoints an audit team to prepare the initial audit. A period of about 3 weeks is necessary for that stage.

# 8 Initial Audit

## 8.1 Certification Audit program

In reasonable timelines, BUREAU VERITAS Certification sends to the Company a looking forward intervention program which specifies the schedule and the scope of the evaluation.

## 8.2 Initial audit realization

### 8.2.1 Opening meeting

At the beginning of the audit an opening meeting is organized by the lead auditor to:

- Confirm the certification scope (definition of the Supply chain managed by the applicant and precise listing of the product groups and species into the SCCS.)
- Present the audit course
- Confirm the audit program according to the latest changes that the Company may have done.

Company managers are invited to have a clear view of the audit course and schedule. Therefore, they can inform their colleagues and help with the audit course fluency.

### 8.2.2 Audit course

First the audit team checks the company's documents, then inspects the applicant's office and production site. The audit team will assess respectively the managerial process and the operational monitoring implemented by the applicant against the RSPO standard applicable within the audit scope. Employee interviews are held in accordance with the audit scope. If necessary, outside participants may be interviewed (suppliers, subcontractors...).
Audit team will also check the coherence between the products and the audit scope and a coherence checking between input and output as well.
Ongoing problems within the SCCS and proposition of corrective actions can be discussed with the auditor who will not give solutions but just inform the applicant if the corrective actions are pertinent.

### 8.2.3 Closing meeting

At the end of the audit, a closing meeting is organized by the lead auditor. If possible, it should gather the same participants who were at the opening meeting.
During the closing meeting the lead audit should:

- Present the audit findings and results
- Gather issued "nonconformity reports" and give the original documents
- Present audit conclusions to the Company's representative (signed agreement).

The Lead auditor leaves the Company representatives the original set of non-conformity reports.

No certification decision can be taken at the end of the audit.

Within two days after the onsite audit, the Lead auditor produces a temporary audit report and transmits it to Bureau Veritas for revision.

### 8.3 Nonconformities and Corrective Actions

#### 8.3.1 Nonconformities

It's the dysfunctions part of the process which are not compliant with the requirements of the applicable standard(s) that are formalized on a nonconformity report.
Nonconformities shall always meet the following 3 criteria:

- Being objective and arguing based on the relevant standard requirement.
- Being based on facts and evidence. No presumptions, wishes or discriminatory argument is acceptable.
- Being understood and accepted by the Company.

According to their importance, nonconformities are balanced as:

**Recommendations (Level 2)**: remarks concerning either dysfunctions or risks not treated by the standard or an imperfect ad equation between the implemented supply chain system and the RSPO Supply chain standard requirements. The company can be certified but shall improve these points. Recommendations are usually reviewed during the next audit.

**Major non-conformity (Level 1**): It's an isolated or sporadic failure regarding the related standard or systemic and/or systematic failure generating a permanent non-conform status toward the related standard.

If the major non-conformity damages the image of the RSPO Brand, it may lead to direct suspension of the certificate

If the major non-conformity is considered as significant risk of RSPO SC, the certificate will be suspended immediately.

#### 8.3.2 Corrective Actions

When non-conformities (NC) are raised, Corrective Actions Requests are issued (CAR) according to the level of the raised non-conformities. The corrective action shall answer the non-conformity and avoid any recurrence in the future. The applicant can start corrective actions to close the nonconformities as soon as the nonconformity reports are signed. According to the Corrective action, BUREAU VERITAS Certification auditors decide the closing of the NC on the NC report and return it to the lead auditor who will acknowledge and transmit it to the Applicant with Bureau Veritas as a copy.

**Major corrective actions requests (major CAR)**: During the certification audit or re-certification audit, the company cannot be certified or maintain its certificate valid as long as it has pending major CARs. Any major non-conformity shall be solved in 1 month (3 months for initial audit) due time to avoid certificate suspension.
To verify on-site the corrective action implementation, a complementary audit can be requested.

## 9 Certification

### 9.1 Certification Decision

The certification decision is taken regarding audit documentation (e.g. audit report, checklists, NC reports, annexes). Usually, the certification decision process takes within 14 days, depending on the complexity of the applicant's organization.
The certification Committee will reconsider the certification decision during its yearly meeting.

### 9.2 Certificate Issuance

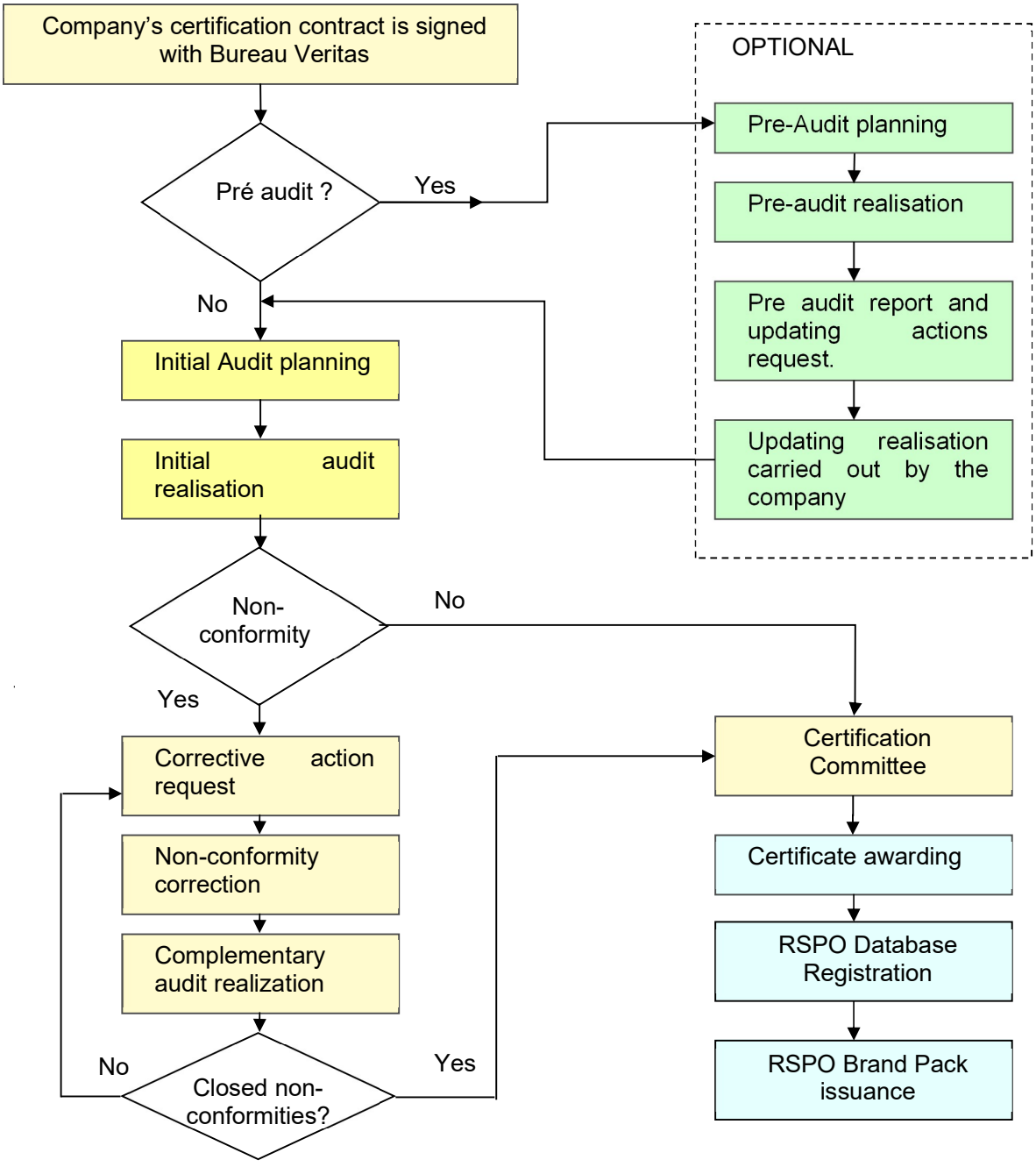
When the certificate awarding is approved and recommendations or possible minor corrective actions requests are accepted by the applicant, Bureau Veritas Certification, upon the approval from its Certification Committee, issues a RSPO Supply chain certificate to the client. This Certificate is identified by a specific registration code and the applicant becomes a certified organization.

The RSPO SCCS Certificate period of validity cannot exceed (5) five years.

When the certificate is issued, the company can communicate on its certification and use the RSPO label for promotional use or on-product labeling in accordance with trademark usage relevant standards.

Further to the audits, the Certification Committee has the right to decide on the granting, conditional granting, maintaining, conditional maintaining, extending, suspending and withdrawing of the Certificate. At the expiration date of the Certificate, a renewal audit may be proceeded in order to review the client's activities and allow a certificate renewal

## 10 Certification process synthesis



## 11 Certification Maintenance

### 11.1 Surveillance Audits

Surveillance audits are carried out on a yearly basis with the certification decision date as reference. The conditions and intervention periods of the surveillance audits are specified in the certification contract.

In addition, short notice audit or compliance audit may be carried out in both the offices and production sites of the client by Bureau Veritas Certification.

Surveillance audits enable monitoring:

- Compliance continuation as evaluated during the initial audit
- Corrective actions requests and recommendations implementation
- RSPO trademark usage compliance.

During the certificate period of validity, if Bureau Veritas Certification notices major nonconformities entailing major corrective actions requests, the certificate may be suspended until the company implements the appropriate measures to be compliant.

Once per year, before the surveillance audit, the certified company shall provide Bureau Veritas Certification the list of “RSPO certified products” purchased and sold with, when applicable, species, nature, quantity and suppliers. The information is considered as strictly confidential.

If the certificate holder would like to include a new product in its RSPO product group list, the related product description shall be provided to Bureau Veritas Certification and formally asked to be included in the certification scope.

### 11.2 Renewing Audit

The last surveillance audit is called renewing audit. During this audit Bureau Veritas Certification makes a complete evaluation as if it was an initial audit.

To reduce the risk of gap between two (2) certification periods, the certification holder is supposed to ask for re-accreditation at least four (4) months before the certificate validity expires.

### 11.3 Certificate Scope modification

The scope of the certificate can be modified (extended or reduced) at the request of each party (BUREAU VERITAS Certification or the certificate holder).
In case of scope extension, BUREAU VERITAS Certification reserves the right to inspect the site of the certificate holder. Any scope modification cannot extend the validity period of the certificate.

## 12 Certification Costs

### 12.1 Certification process cost and fees

The costs of the certification process include:

**Administrative fees**
The audits preparation: Gathering of the applicants' information and planning of the operations (audit team constitution, stakeholders' preliminary consultation, diverse documents realization, and communication to the applicant).

**Audits cost (**Pre-audit, initial audit, complementary audit and surveillance audit)
Correspond to the evaluation time, on the field, of the audit team
Report's redaction cost: It depends on the evaluation length and the number of auditors involved.

**Traveling and accommodation costs**
During the audits, the auditors' travel and accommodation costs are charged to the applicant or the certified organization, based on written proof provided and within the limits of a budget predefined in the contracts.

**Scope and certification modification fees**
It includes any modification on the RSPO website and (or) the certificate. The cost shall be charged according to the contract with the certificate holder.

**RSPO fees**
The RSPO certification excludes an annual fee chargeable to the client (i.e. Accreditation Administration Fee). This fee is paid to RSPO to cover the management and promotion costs of the brand. The amount of the annual fee may be modified by the RSPO at any time. The nonpayment of the annual RSPO Fee will lead to the certificate withdrawal.

**13 Certificate: Suspension/Withdrawal**

In case of disrespect of the certification rules or damage in the image or in the reputation of RSPO or Bureau Veritas Certification, Bureau Veritas Certification reserves the right not to grant or to withdraw the Certificate, with immediate effect, even without RSPO official inquiry.

For example:

- Absence of corrective action implementation in the defined timelines The Certification committee then takes the suspension decision depending on the importance of the nonconformity.
- Evidence of a deliberate non-conform status
- Delay of payment against the payment clauses

Where objective evidence indicates that there has been a demonstrable breakdown in the supply chain caused by the certified client's actions or inactions, and that oil palm products have been or are about to be shipped which are falsely identified as RSPO certified product, then Bureau Veritas Certification takes immediate action, and the RSPO Supply Chain certification will be suspended until such time that the situation has been addressed. RSPO will also be informed within 24 hours of the decision to suspend certification.

If certification is suspended or removed, for example based on lack of effective corrective actions, the site shall inform their supply chain customers within 3 (three) business days.
To cancel a certificate suspension, a complementary audit (documentary or onsite audit) shall be conducted in order to verify the carrying out of the requested corrective action(s).

If the certificate holder (RSPO member) refuses to pay the fees, the certificate will be suspended and if no action is taken by the Certificate holder, the certificate will be withdrawn after 6 months of suspension. A suspended certificate doesn't give the allowance to sell any RSPO certified products.

In case of certificate suspended or withdraw, the organization shall remove all RSPO Trademark uses within 3 months after certificate termination.

**14 Certificate: Scope modification**

During its period of validity, the RSPO certificate holder may require an extension of the scope of its certificate but cannot extend the period of validity of the certificate. Bureau Veritas Certification reserves the right to inspect the site of the specified operation before agreeing to the scope extension. In case of scope modification requirement, the certificate holder shall return its old certificate in order to receive a new one with the new wording for the scope.
A reduction RSPO Supply chain certificate scope may also be considered on request from the client to Bureau Veritas Certification. In case of certificate suspension, the period of suspension cannot exceed 6 months. After this 6-month suspension, the certificate will be terminated.

## 15 Complaint, Appeal and Objection

### 15.1 Definitions

**Complaint**: It's a formal expression of dissatisfaction (different from an appeal) relating to the activities of Bureau Veritas Certification and/or its subsidiaries. Bureau Veritas Certification has its own process to manage appeals and complaints.
**Appeal**: The applicant or certificate holder may request reconsideration of a certification decision or non-conformity issuance related to its certification status.
**Objection**: disagreement with the BV's audit process

### 15.2 Management of complaints, appeals and objections

The client will have:
- 21 days, after communication of audit reports by Bureau Veritas Certification, to indicate in writing to Bureau Veritas Certification any complaint or disagreement regarding the audit reports and their conclusions
- 15 days, after notification of Certification Committee's decisions, to indicate in writing to Bureau Veritas Certification any appeal, complaint or disagreement regarding such decisions.

After the above periods, the appeals, complaints and disagreement will not be accepted by Bureau Veritas Certification.

Bureau Veritas Certification will do its best to resolve the disputes in a amicable way, however if an agreement cannot be found after the parties' negotiation, the RSPO General Certification Conditions should apply to commercial disputes and the RSPO Organization.
Center (Kular Lumper) will be the only competent authority for the disputes in regard to the RSPO Supply chain referential requirements interpretation or to the RSPO trademarks use.

The client can refer to its complaint to Bureau Veritas's dispute resolution procedures.
Appeals shall be transmitted to the managing office and copied to the accredited office (address on the front page).
In case of complaint, the formal complaint shall be transmitted to Bureau Veritas Certification (address on the front page).

## 16 Applicable Standards

To demonstrate the efficiency of the supply chain implemented in the company, compliance with the RSPO Supply Chain applicable version shall be demonstrated.

The RSPO Supply Chain standard (RSPO-PRO-T05-001) is applicable for all the supply chain applicants.

RSPO Supply Chain standard must be respected in all sites concerned by the certification scope.

## 17 Confidentiality

The parties oblige themselves to handle in a confidential way all subjects under this contract and to take all necessary measures to ensure compliance with this commitment.

However, to promote the certified products, Bureau Veritas Certification could use the client's name and contact details and may give information about certified products (products nature and quantity) launched on the market by the client.

Confidentiality can be invalid in the following conditions:
- Legal appeal
- Written agreement granted by the Company.

## 18 Observer's participation in audit

BUREAU VERITAS Certification can be led to associate observers to its Certification or monitoring audits. These observers can be:

- BUREAU VERITAS Certification in-house auditors (within the scope of BUREAU VERITAS Certification in-house audit activities)
- BUREAU VERITAS Certification International in-house auditors (BUREAU VERITAS Certification in-house audit by BUREAU VERITAS Certification International network)
- BUREAU VERITAS Certification auditors in training.

ASI auditors (Accreditation Services International - Accreditation Organization for RSPO) (at the time of a BUREAU VERITAS Certification audit within the scope of accreditation programs)

The company must accept the presence of an accreditation organization representative during BUREAU VERITAS Certification audits. In other cases, the observer's presence is submitted to the Company's agreement