

# UTZ ASSURANCE

## Certification Protocol for Brazil

Version 1.1 March 2019



Copies and translations of this document are available in electronic format on the  
UTZ website:  
[www.utz.org/resource-library](http://www.utz.org/resource-library)

Please send your comments or suggestions to:  
[Certification@utz.org](mailto:Certification@utz.org)

Or via regular mail to:  
UTZ  
Standards & Assurance Department  
De Ruyterkade 6 bg  
1013 AA Amsterdam  
The Netherlands

© UTZ 2019

No part of this publication may be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording or otherwise without full attribution.

## Contents

1. INTRODUCTION .....	4
1.1. What is the Certification Protocol for Brazil for? .....	4
1.2. Why an updated version? .....	4
1.3. When to comply with the Certification Protocol for Brazil version 1.0 .....	4
1.4. Scope of this document .....	4
1.5. Other relevant documents and translations .....	5
1.6. Contacting UTZ .....	6
1.7. Abbreviations .....	6
1.8. Definitions .....	6
1.9. Compliance with national laws .....	9
2. CERTIFICATION PROCESS .....	10
2.1. Introduction .....	10
2.2. Who shall be certified and/or licensed? .....	10
2.3. General certification process .....	14
2.4. Certification Process for Code of Conduct .....	27
2.5. Certification Process for Chain of Custody .....	34
2.6. Rights reserved by UTZ .....	37
3. CERTIFICATION BODIES .....	38
3.1. Compliance with ISO 17065 and/or ISO 17021 .....	38
3.2. Impartiality and confidentiality .....	38
3.3. Reporting audit results and requesting licenses .....	39
3.4. Surprise audits .....	39
3.5. Annual report .....	41
3.6. Protection of the integrity of UTZ .....	41
3.7. Communication about UTZ and use of the UTZ logo .....	41
3.8. Fees .....	41
4. ASSURANCE OF THE UTZ PROGRAM .....	42
4.1. Grievance Procedure .....	42
4.2. CB Monitoring System .....	42
4.3. Sanction Policy .....	42
4.4. CB Training Program .....	42

# 1. INTRODUCTION

## 1.1. What is the Certification Protocol for Brazil for?

UTZ is a program and label for sustainable farming worldwide.

The UTZ Certification Protocol for Brazil describes the process for becoming an UTZ certified member in Brazil. It explains which members need to receive an audit in Brazil, and how and when this audit shall be conducted. The Certification Protocol for Brazil also describes the arrangements determining the relationship between the CBs operating in Brazil and UTZ.

The UTZ Certification Protocol has four parts:

1. **INTRODUCTION:** contains the generalities of this document, such as why an updated version, the scope, abbreviations, and definitions.
2. **CERTIFICATION PROCESS:** describes the procedures and conditions for certification against the UTZ standards.
3. **CERTIFICATION BODIES:** describes the obligations and responsibilities that arise from being an UTZ approved CB.
4. **ASSURANCE:** describes the assurance system of the UTZ program, including the UTZ Grievance Procedure, CB Monitoring System, Sanction Policy and Training Program for CBs.

## 1.2. Why an updated version?

The UTZ standards and policies are revised, improved, and updated periodically based on changes in the UTZ program, past experience with the standards/policies, and feedback received from stakeholders.

The previous version of the UTZ Certification Protocol for Brazil (version 1.0 December 2018) has been revised to:

- Provide a clearer definition of the UTZ certification process, correcting inconsistencies;
- Harmonize the group sampling procedure with local context;
- Establish guidance for surprise audit criteria and its quota.

## 1.3. When to comply with the Certification Protocol for Brazil version 1.1

The UTZ Certification Protocol for Brazil version 1.1 March 2019 supersedes the UTZ Certification Protocol for Brazil version 1.0 December 2018 for CBs operating in Brazil. Version 1.1 is an amended version of version 1.0 December 2018. From June 1<sup>st</sup>, 2019 onwards, the UTZ Certification Protocol for Brazil version 1.1 becomes mandatory and version 1.0 December 2018 is no longer valid.

## 1.4. Scope of this document

This document applies to the following parties:

- UTZ members in Brazil
- Prospective and approved CBs operating in Brazil
- UTZ

## 1.5. Other relevant documents and translations

The UTZ Certification Protocol for Brazil 1.1 is available in English and Portuguese. In case there is any doubt about the accuracy of the information in any translated version of this document, please refer to the English version which is the official and binding version.

The translations as well as additional relevant documents are available on the UTZ website. These documents include:

- **Code of Conduct (Code):** standard for producers / producer groups covering better farming methods and working conditions as well as better care for nature and next generations. If a producer / producer group implements the requirements of the Code and receives an audit carried out by an approved CB which results in certification, they are allowed to sell their products as UTZ certified.
- **Chain of Custody Standard (ChoC):** standard for supply chain actors (SCAs) designed to provide a high level of confidence that UTZ certified products are physically or administratively (in the case of mass balance) related to UTZ certified producers, and ensures the traceability of UTZ certified product. Certification against the Chain of Custody Standard ensures that the products sold by a certified supply chain actor (SCA) are UTZ certified, and have been traded and handled according to the requirements set forth by UTZ.
- **Requirements for Certification Bodies in Brazil:** together with the Certification Protocol, this document describes the UTZ Assurance System in Brazil. The document includes the process and requirements for becoming an UTZ approved CB in Brazil, as well as the approval requirements for CB staff. Furthermore, the methodology used by UTZ to monitor the performance of CBs is described, as well as the Sanction Policy applicable whenever the assurance of the UTZ Standards is compromised. Lastly, the document explains the UTZ CB Training Program, which forms an integral part of the approval process.
- **List of approved CBs:** list of CBs which are approved by UTZ to perform UTZ certification audits. Indication of the region/country where each CB can perform audits is also provided.
- **Code and ChoC checklists:** summarized lists of all control points (CPs) and questions included for monitoring and evaluation purposes, with an additional column for adding comments. These documents shall be used by members (and their subcontractors) for carrying out the self-assessment and may be used by auditors from CBs for conducting audits (see *section 2.3*).
- **Labeling and Trademark Policy:** document that defines the requirements for:
  - o On-pack labeling of both retail and foodservice products, e.g. the UTZ label on packages for the retail market and bean packages for the out-of-home markets.
  - o Off-pack use of the UTZ trademark, e.g. use of the UTZ trademark on a website, advertisement or corporate report.
 Labeling includes all references to UTZ certified ingredients, both with and without the logo. The correct wording (text claims) is part of the policy as well as details on the correct logo use (color, positioning, size).
- **Guidance Documents:** this collection of documents provides guidance on the implementation and auditability of the UTZ standards for specific topics or specific countries.
- **Guidance Document for UEBT/UTZ Program:** document that explains the structure and process of certification according to the joint herbal tea program of the Union for Ethical BioTrade and UTZ. The UEBT/UTZ Program is a partnership based on the recognition by UTZ of the Ethical BioTrade Standard and the UEBT/UTZ Certification Protocol. After issuance of the Code of Conduct certificate by UEBT, the UTZ Chain of Custody and the UTZ Certification Protocol apply for the remaining part of the supply chain until the manufacturing of consumer-end products

## 1.6. Contacting UTZ

### CB Support

CBs can contact the UTZ Standards & Assurance department by using the following e-mail addresses, e.g. for questions about the UTZ standards, problems in complying with the Certification Protocol for Brazil, communication about members (e.g. suspensions and withdrawals of certificates and licenses) and CB approval and training.

- [certification@utz.org](mailto:certification@utz.org) for Coffee, Cocoa, Tea (including Rooibos and Herbal Tea) and Hazelnut certification.
- [cbmanagement@utz.org](mailto:cbmanagement@utz.org) for CB accounts and approvals
- [cbmonitoring@utz.org](mailto:cbmonitoring@utz.org) for CB monitoring
- [cbtraining@utz.org](mailto:cbtraining@utz.org) for CB training

### Member Support

Members can contact the UTZ Member Support Team at [membersupport@utz.org](mailto:membersupport@utz.org), for e.g. questions about the UTZ standards, problems in complying with this Certification Protocol for Brazil, and applications for audit exemptions.

### Traceability Support (for members and CBs)

Members and CBs can contact [techsupport@utz.org](mailto:techsupport@utz.org) for assistance in accessing or using the UTZ traceability systems (Good Inside Portal or MultiTrace).

## 1.7. Abbreviations

The following abbreviations are used in this document:

CB	Certification Body
CBA	Collective Bargaining Agreement
Code	Code of Conduct
ChoC	Chain of Custody Standard
CP	Control point
GIP	Good Inside Portal <sup>1</sup>
IMS	Internal Management System
IP	Identity Preserved (traceability level)
MB	Mass Balance (traceability level)
S&A	Standards & Assurance (department of UTZ)
SCA	Supply Chain Actor
SG	Segregation (traceability level)

## 1.8. Definitions

Unless indicated otherwise, the terms “producer(s)”, “producer group(s)”, “SCA(s)” and “CB(s)” in this document refer to UTZ certified producer(s), UTZ certified producer group(s), UTZ certified SCA(s), and UTZ approved CB(s) respectively.

<b>Additional Audit Report Template</b>	Word template used by CBs to report audit results to UTZ, to be used for those audits results that are not recorded in the UTZ traceability system, e.g. in the case of surprise audits, an extension (that requires a CB’s audit), and/ or other audits outside the regular certification process (see <i>section 2.4</i> and <i>2.5</i> ).
<b>Auditor</b>	Qualified person who carries out audits on behalf of and under the responsibility of a CB. According to a sound methodology, auditors collect evidence in order to evaluate how well standards criteria are met. They shall be objective, impartial, and competent.

<sup>1</sup> One of UTZ’s online traceability system, accessible at [www.goodinsideportal.org](http://www.goodinsideportal.org).

<b>Audit</b>	Systematic, independent and documented process for obtaining and assessing audit evidence to determine the extent to which the requirements for UTZ certification are fulfilled.
- Certification audit	Audit conducted by a CB to determine to what extent a member fulfills the requirements for UTZ certification and based on which a certification decision is taken, and a certificate can be issued.
- Extension audit	Audit conducted by a CB in order to evaluate changes in the certification information during the validity of a certificate. Extension audits provide a means for certifying additional volume or new processing activities, and/or to add new area, sites and/or group members to a certificate.
- Follow-up audit	Audit conducted by a CB to verify the implementation of corrective actions. Follow-up audits provide a means to close non-conformities found in a previous audit. Follow-up audits can but do not need to be physical audits.
- Parallel audit	Audit conducted on behalf of UTZ after a CB has performed an audit on the same auditee against the same scope. Parallel audits are used to evaluate the performance of the CB and auditor who conducted the previous audit.
- Physical audit	The visit of an auditor to any of the facilities of a member to obtain audit evidence to determine the extent to which the requirements for UTZ certification are fulfilled.
- Pre-audit	Audit carried out by a CB on a (prospective) member with the aim to assess what actions still need to be taken before a certification audit is likely to be successful. Pre-audits are not considered consultancy activities.
- Shadow audit	Audit conducted on behalf of UTZ by witnessing an audit (certification or physical follow-up audit) conducted by a CB. Shadow audits are used to evaluate the performance of the CB and auditor who conducts the audit.
- Surprise audit	Audit that is announced to the member with short notice and conducted by a CB during the validity of a certificate. This is done in order to evaluate if the member still meets all applicable UTZ requirements and/or to evaluate the performance of the CB's auditor who conducted the last audit.
<b>Calendar year</b>	Time period between and including the 1 <sup>st</sup> of January and the 31 <sup>st</sup> of December.
<b>Certificate</b>	Document issued by an UTZ approved CB when a member complies with the requirements of one or more of the UTZ standards. The certificate provides a means to request a license in the GIP for the certified member to trade UTZ certified products.
<b>Certification Body</b>	Third party company that conducts audits against one or more of the UTZ standards.
<b>Certifier</b>	CB staff member (or hired independent contractor) who is approved by UTZ to take certification decisions.
<b>Continuous harvest</b>	A situation in which certified product is harvested continuously for at least 10 months. The rules for continuous harvest are applicable only to the UTZ tea program.
<b>Correction</b>	Action to eliminate a non-conformity.
<b>Corrective action</b>	Action to eliminate the cause of a non-conformity in order to prevent recurrence. Corrective actions shall be appropriate to the effects of the non-conformities encountered.
<b>Farm</b>	All land and facilities used for agricultural production and processing activities covered by the same management and by the same operational procedures. A farm may consist of several non-contiguous UTZ certified crop plots and non-UTZ certified crop plots, provided that they all share the same means of production, such as labor, machinery, farm buildings, water supply, equipment, etc. The control points from Block A and Block B apply to the UTZ certified crop, while the control points from Block C and Block D apply to the whole farm. A farm cannot simultaneously be included under the scope of more than one UTZ certificate holder.  If a farm joins a multi-site certification, the owner or operator merges his management system with that of the others under a joint management system.
<b>Intermediary</b>	Any actor that trades (buys and sells) UTZ certified product before it reaches first buyer level. Intermediaries can also physically handle and based on their activities, intermediaries shall be compliant with the applicable requirements of the Code of Conduct. UTZ does not promote the use of intermediaries but acknowledges that they are crucial to certain supply chains. Therefore, they may be included in the certification scope as long as compliance can be guaranteed by the producer/producer group.
<b>Internal inspection</b>	Inspection carried out on behalf of the IMS and by one or more internal inspectors to assess conformity of group members and intermediaries with all applicable requirements of the UTZ Code of Conduct.
<b>Internal Inspector</b>	Person appointed by the IMS to undertake internal inspections of individual group members.
<b>Internal Management System</b>	A documented system of quality management required for group and multi-group Code of Conduct certification. The purpose of an IMS is to facilitate the efficient organization and management of the group and to ensure that the group and group members comply with the applicable requirements of the UTZ Code of Conduct.



<b>License</b>	Permission granted by UTZ to its members to use the UTZ trademarks and to use the UTZ traceability system to record transactions and manage and store labeling approvals of UTZ products.
<b>License Request</b>	Questionnaire in the UTZ traceability system, filled in by CBs to report audit results to UTZ and to request a license on the member's behalf.
<b>Member</b>	All producers, producer groups and SCAs that have successfully registered with UTZ.
<b>Non-conformity</b>	No fulfillment of a requirement of one of the UTZ standards.
<b>Out of Home operator (also called foodservice)</b>	A company which purchases consumer-end product and handles the product before serving or selling to consumers.
<b>Parallel production</b>	Any production where the same farm is growing the same product on some plots that are UTZ certified, and other plots that are not.
<b>Physical handling</b>	Any activity that includes physical contact with un-bagged, un-sealed, or un-packaged product. Activities considered as physical handling are listed in the product specific annexes of the ChoC.
<b>Plot</b>	A contiguous land area within a farm. A plot is cultivated with a specific UTZ certified crop, regardless of its development stage, and grown by itself or in association with other crops. A plot is cultivated using the same farming practices and inputs.
<b>Producer</b>	The person or organization who represents the farm and has responsibility for the produce sold by the farm.
<b>Preliminary investigation</b>	Investigations on specific issues before starting the on-site certification audit. The need to carry out these investigations is based specifically on the UTZ standards and guidelines, auditing techniques or evidence gathering dictated by the risk assessments or the nature of a complaint or incident, if these are considered to be an issue for the audited member. Some examples of preliminary investigations include interviews with workers and members of the community outside of the certification scope, meetings with interested stakeholders, obtaining information from local authorities, public consultations and other external sources.
<b>Producer group</b>	A group of organized producers that are part of a shared IMS and are certified together under the option "group certification" or "multi-group certification". The group can be organized in an association or cooperative or managed by a supply chain actor (such as an exporter) or another entity.
<b>Retailer</b>	Supermarket chain or other point of sale for final consumer-end product, which can be accessed by consumers directly. Wholesalers are included in this category.
<b>Root cause</b>	The fundamental reason for the occurrence of a problem.
<b>Scheme Manager</b>	CB staff member who is responsible for the administrative management of the CB's account in the UTZ program.
<b>Self-assessment</b>	Evaluation performed by or on behalf of a member of its own implementation level of one or more of the UTZ standards.
<b>Small Volume SCA</b>	A SCA who physically handles a small volume of total product (UTZ product + non-UTZ same product). The amount of volume that defines this category is product specific (see section 2.2.2).
<b>Subcontractor</b>	A legal entity contracted by a certified or prospective member to carry out specific tasks included in the scope of their UTZ certification. Such activities can range from agricultural (spraying of agrochemicals) to administrative services (distribution of premium). Subcontractors by definition do not take legal ownership of UTZ certified product. Depending on the subcontractor's activity, any applicable requirement from Code of Conduct and/or Chain of Custody Standard shall be complied with.
<b>Supply Chain Actor</b>	An entity that operates within the UTZ supply chain and is not a producer / producer group. Examples of SCAs are processors (including subcontractors) and traders.
<b>Traceability level</b>	<p>Defines to what degree a product can be traced back to its certified source. In the UTZ program, there are three options (IP, SG, MB) of traceability levels that can apply to the certified product and related processes.</p> <p><b>Identity Preserved (IP):</b> The identity of a certified producer/producer group is maintained along the supply chain. The product can be traced all the way back to the producer/producer group that it originates from.</p> <p>A variation of the IP traceability level is <b>Mixed Identity Preserved (MixIP)</b>. Under this level, the product from multiple producers/producer groups is mixed, but the product can be traced back to this group of producers/producer groups. Requirements which apply to the IP traceability level also apply to MixIP.</p> <p><b>Segregation (SG):</b> UTZ certified product from different producers/producer groups is mixed. The product was produced by UTZ certified producers/producer groups; however, the identity of the specific producers is lost.</p> <p><b>Mass Balance (MB)</b> (Note: the MB option is only possible for UTZ certified cocoa and hazelnut SCAs): Administrative traceability of a certified product. Mass balance traceability allows a proportion of the outputs of a SCA to be sold with an UTZ MB claim, corresponding to the quantity of UTZ certified inputs (and considering the conversion rates).</p>



<b>UTZ certified product</b>	For IP and SG: product produced by an UTZ certified producer / producer group and kept physically separated from non-UTZ certified products. For MB: product administratively related to an equal amount of product produced by an UTZ certified producer / producer group.
<b>UTZ traceability system</b>	An online platform used by all actors in the UTZ program to store CB and member information, plan audits, report audit findings, register transactions of UTZ certified product, and request and obtain labeling approvals. UTZ currently works with two traceability systems in parallel: The Good Inside Portal (GIP) and MultiTrace. The term UTZ traceability system refers to either of these platforms interchangeably, unless explicitly mentioned otherwise.

In accordance with ISO terminology, the following definitions apply in understanding how to interpret this Certification Protocol:

- "shall" indicates a **requirement**
- "should" indicates a **recommendation**
- "may" is used to indicate that something is permitted
- "can" is used to indicate that something is possible, for example, that an organization or individual is able to do something.

### 1.9. Compliance with national laws

UTZ strives for its members and CBs to be exemplary figures for improving social, economic, and environmental conditions in their areas of operation. In this regard, members and CBs obey national laws, regulations, and sector agreements or collective bargaining agreements.

## 2. CERTIFICATION PROCESS

### 2.1. Introduction

In order to promote sustainable farming, UTZ has developed two standards: The Code of Conduct (Code) and the Chain of Custody Standard (ChoC) (see *section 1.5*). Producers/producer groups and SCAs that would like to sell and/or buy their product as UTZ certified shall become an UTZ member<sup>2</sup> and meet all applicable requirements from the applicable standard(s)<sup>3</sup>.

Most members also need to be certified (receive a certification audit) and/or receive a license to use the UTZ trademarks. The remainder of this chapter explains for which members this is the case and describes the certification and license process.

### 2.2. Who shall be certified and/or licensed?

#### 2.2.1. Who shall be certified?

Certification is the provision by an independent body of written assurance (a certificate) that a product, service or system meets specific requirements. For UTZ certification, this requires receiving an audit from an UTZ approved CB against the Code and/or ChoC requirements.

#### Producers / producer groups

All producers / producer groups who sell their own produce as UTZ certified shall be certified against the **Code**.

Producers / producer groups shall (also) be certified against the **ChoC** if they:

- Perform physical handling activities not included in the Code<sup>4</sup>, and/or
- Purchase UTZ certified product from one or more other UTZ certified members and fulfill all of the three criteria for ChoC certification explained below.

#### Supply Chain Actors

SCAs shall be certified against the **ChoC** if they fulfill all of the following three criteria.

1. **Take legal ownership of UTZ certified product**
2. **Physically handle UTZ certified product:** all activities carried out (by the SCA itself or a subcontractor) on un-bagged, un-packaged, or un-sealed products are considered physical handling activities. The product annex of the ChoC provides a list of the activities considered as physical handling for the specific product.
3. **Make product claims about UTZ:** An UTZ product claim is any on-pack or off-pack communication, with or without the use of the UTZ logo, that makes a direct or indirect reference to UTZ, and that is in relation to the offering or selling of a product. This includes any general reference to the sustainable or

<sup>2</sup>By registering at the UTZ website, which also explains the costs this might entail.

<sup>3</sup>Except for retailers who are not brand owners. These companies do not need to register as a member if they make UTZ product claims.

<sup>4</sup>Included in the Code are all physical handling activities up to and including:

- Coffee: production of green coffee
- Cocoa: drying, sorting, or bagging of cocoa beans
- Tea: production of made tea
- Rooibos: packaging of consumer-end product
- Hazelnut: production of hazelnut kernel

responsible sourcing of a product based on UTZ origin. UTZ reserves the right to take the final decision on whether or not something is considered a product claim<sup>5</sup>.

The following examples are considered to be a product claim:

- If the member mentions UTZ or the sustainable sourcing of the product or ingredient(s) on an invoice to its clients;
- If the member refers to UTZ or the sustainable sourcing of the product or ingredient(s) in brand or product communications, including online, press, advertisements, point-of-sale;
- If the member refers to UTZ or the sustainable sourcing of the product or ingredient that has been delivered to them.

For tea and rooibos certification, the following rules apply:

- a) For tea certification, SCAs who handle up to made tea shall be certified against the Core Code and Tea Module.
- b) For rooibos certification, SCAs who handle up to consumer-end rooibos product, shall be certified against the Core Code and Rooibos Module. Rooibos SCAs conducting only activities after secondary processing shall be certified against the ChoC.

### 2.2.2. Who does not need to be certified?

Although all UTZ members shall comply with the applicable UTZ standard, not all actors in the supply chain need to receive an audit and be certified.

#### Intermediaries and subcontractors at Code of Conduct level

The producer/producer group is responsible for the compliance of any of their subcontractors and/or intermediaries with the applicable requirements. Therefore, there is no need for intermediaries or subcontractors to have an independent certificate. Applicable requirements that the subcontractor and/or intermediary shall comply with include also the requirements of Block C and D of the Code of Conduct. For both intermediaries and subcontractors, compliance shall be shown for at least all the workers whose activities fall under the scope of the certificate holder.

Subcontractors may be independently certified. If independently certified for the subcontracted activity and commodity, there is no need to additionally audit the subcontractor's activities as part of the certification scope of the producer/producer group that makes use of the subcontractor.

#### **Verification for compliance – internal inspection**

*Intermediaries:* if part of the producer/producer group's certification scope, the performance of intermediaries shall be assessed during an internal inspection regarding all applicable requirements.

*Subcontractors:* if part of the producer/producer group's certification scope, subcontractors without independent certification shall be internally inspected regarding all applicable requirements.

#### **Verification for compliance – external audit**

*Intermediaries:* if part of the producer/producer group's certification scope, the square root of all intermediaries shall be physically audited on all applicable requirements.

*Subcontractors:* if part of the producer/producer group's certification scope, the square root of all subcontractors without independent certification shall be physically audited on all applicable requirements.

A subcontractor or intermediary performing any of the activities in the table below shall **always** be physically audited.

---

<sup>5</sup> Examples of cases that are in general not seen as product claims are: CSR reports (published, printed, online, etc.), advertorials or other publications referring to company performance regarding sustainable sourcing, shareholders' or employees' internal communications, sustainable indexes or measurements on company performance regarding sustainable sourcing, other communication at company level referring to sustainable sourcing or about the multi-certified sourcing of the brand or product.

Product	Physical handling activities
Coffee	All physical handling activities up to and including production of green coffee
Cocoa	All physical handling activities up to and including drying, sorting, or bagging of cocoa beans
Tea	All physical handling activities up to and including production of made tea
Rooibos	All physical handling activities up to and including packaging of consumer-end product
Hazelnut	All physical handling activities up to and including production of hazelnut kernel

The producer/producer group's own collection points, warehouses, transport etc. shall be externally audited as part of the product flow control calculation and shall be sampled based on the CB's risk assessment.

The Code of Conduct certificate holder is responsible for maintaining a list with their intermediaries and/or subcontractors, including their activities. The list shall be shared with the CB prior to the audit for the CB to determine the audit sample. Depending on the CB's risk assessment, more intermediaries or subcontractors than the minimum specified above may be included in the sample.

### SCAs who do not meet the three criteria for being UTZ certified

SCAs who do not meet the three criteria (owning, physical handling, and making product claims) do not need to be certified. These SCAs include:

1. **Subcontractors (at Chain of Custody level):** subcontractors shall comply with the applicable ChoC requirements but do not need to be certified because they do not take legal ownership of UTZ certified product.

The subcontracting member is responsible for the conformity of the subcontractor with the ChoC requirements. If the subcontractor already has its own UTZ ChoC certificate, the activities subcontracted by the SCA do not need to be audited by the CB: presenting a valid ChoC certificate is sufficient. If the SCA subcontracts **all** of its activities to an UTZ certified subcontractor, the SCA does not need to be certified.

If the subcontractor is not certified, the subcontractor (or the subcontracting member on their behalf) shall conduct a self-assessment using the UTZ ChoC checklist. Additional documentation from the subcontractor may also be requested by the CB.

Based on the risk assessment (see *section 2.5*), the CB may decide to physically audit the subcontractor. Subcontractors who perform any of the physical handling activities included in table below, shall always be physically audited.

Product	Physical handling activities
Coffee	All physical handling activities up to and including production of green coffee
Cocoa	All physical handling activities up to and including drying, sorting, or bagging of cocoa beans
Tea	All physical handling activities up to and including production of made tea
Rooibos	All physical handling activities up to and including packaging of consumer-end product
Hazelnut	All physical handling activities up to and including production of hazelnut kernel

The subcontracted activity is considered part of the scope of activities of the subcontracting member, but this does not mean the subcontractor is certified. The name of the subcontractor therefore does not appear on the certificate of the member.

2. **SCAs who do not physically handle UTZ product:** these SCAs shall comply with the applicable requirements from the ChoC, but instead of being certified they may sign the Chain of Custody Audit Exemption Declaration and submit it to the UTZ Member Support Team (see *section 1.6*). This category includes traders who subcontract all physical handling of the UTZ certified product from ChoC certified members.

3. **SCAs who do not make product claims about UTZ:** these SCAs shall comply with the applicable requirements from the ChoC, but instead of being certified they may sign the Chain of Custody Audit Exemption Declaration and submit it to the UTZ Member Support Team (see *section 1.6*).

### **Small Volume SCAs**

SCAs who physically handle a small volume shall comply with the applicable requirements from the ChoC but may be exempt from having to receive a certification audit and becoming certified. In order to apply for such an exemption, they are required to sign the Chain of Custody Audit Exemption Declaration and submit it to the UTZ Member Support Team (see *section 1.6*). Small Volume SCAs shall receive labeling approvals for any products sold with the UTZ logo.

This exemption applies to individual and multi-site SCAs who perform physical handling activities not included under the scope of Code of Conduct certification (see *section 2.2.2, footnote 5*) and physically handle less than the following total volumes (UTZ certified + non-UTZ certified product) per calendar year, and including all sites (if a multi-site SCA):

- **Coffee:** 200 MT of green coffee equivalent;
- **Tea:** 200 MT of tea equivalent;<sup>6</sup>
- **Cocoa:** 100 MT of cocoa bean equivalent;
- **Hazelnut:** 50 MT of hazelnut kernel equivalent.

### **Retail and Out-of-Home operators**

Retail and Out-of-Home operators (including foodservice operators) do not need to be certified. If they are the brand owner of an UTZ certified product, they do need to register as a member and are responsible for complying with the UTZ Labeling and Trademark Policy.

### **Member Monitoring**

UTZ reserves the right to conduct audits on members who have signed and submitted a Chain of Custody Audit Exemption Declaration. The goal of these audits is to verify that these members meet the requirements to be exempt from certification and that they comply with the applicable ChoC requirements.

In case such an audit reveals the member does not comply with the applicable ChoC requirements or does not meet the conditions for exemption from a certification audit, UTZ reserves the right to charge the costs of the audit to the member and cancel the license and labeling approvals of the member in the UTZ traceability system.

## **2.2.3. Who shall be licensed in the UTZ traceability system?**

A license is a permission granted by UTZ to use the UTZ trademarks and to use the UTZ traceability system to record transactions and manage and store labeling approvals of UTZ products. All certified members and other members that trade pure UTZ certified product (UTZ product that has not been mixed with other ingredients, i.e. sugar, milk) shall hold a valid license.

For certified members, the CB requests a license through the UTZ traceability system, as part of the certification process (described in *section 2.3*). For members who are not certified (e.g. Small Volume SCAs and SCAs who do not claim or physically handle UTZ product), the license is issued by the UTZ Member Support Team, upon request from the member and completion of required Chain of Custody Audit Exemption Declarations.

---

<sup>6</sup> Tea equivalent includes made tea, processed rooibos, processed green rooibos and dried herbs.

## 2.2.4. Certificate Holder

A certificate holder is the certified member and entity that is responsible for implementing and complying with the requirements of the UTZ Code of Conduct and/or Chain of Custody. CBs are responsible to match the name of the certificate holder with the UTZ Traceability System registration.

The Code of Conduct certificate holder is an individual producer or an entity organizing a producer group. The name that appears on the certificate is the name of the farm followed by the name of the producer or producer group. For example, the name of the certificate should be FARM NAME – Producer Name; and in an event the farm has more than one owner considering multi-site certification, it should be FARM NAME – Main Owner name & others.

UTZ allows two entities to appear on the certificate. For example, if an exporter or trader financially supports a producer group's certification, its name may also appear on the certificate. However, UTZ's policy requires that the main name is that of the individual producer or producer group. e.g.: PRODUCER NAME (mandated by exporter/trader).

In a case a farm, or multi-site unit has more than one owner, the CB should indicate the persons that take ownership of the farm in the certificate.

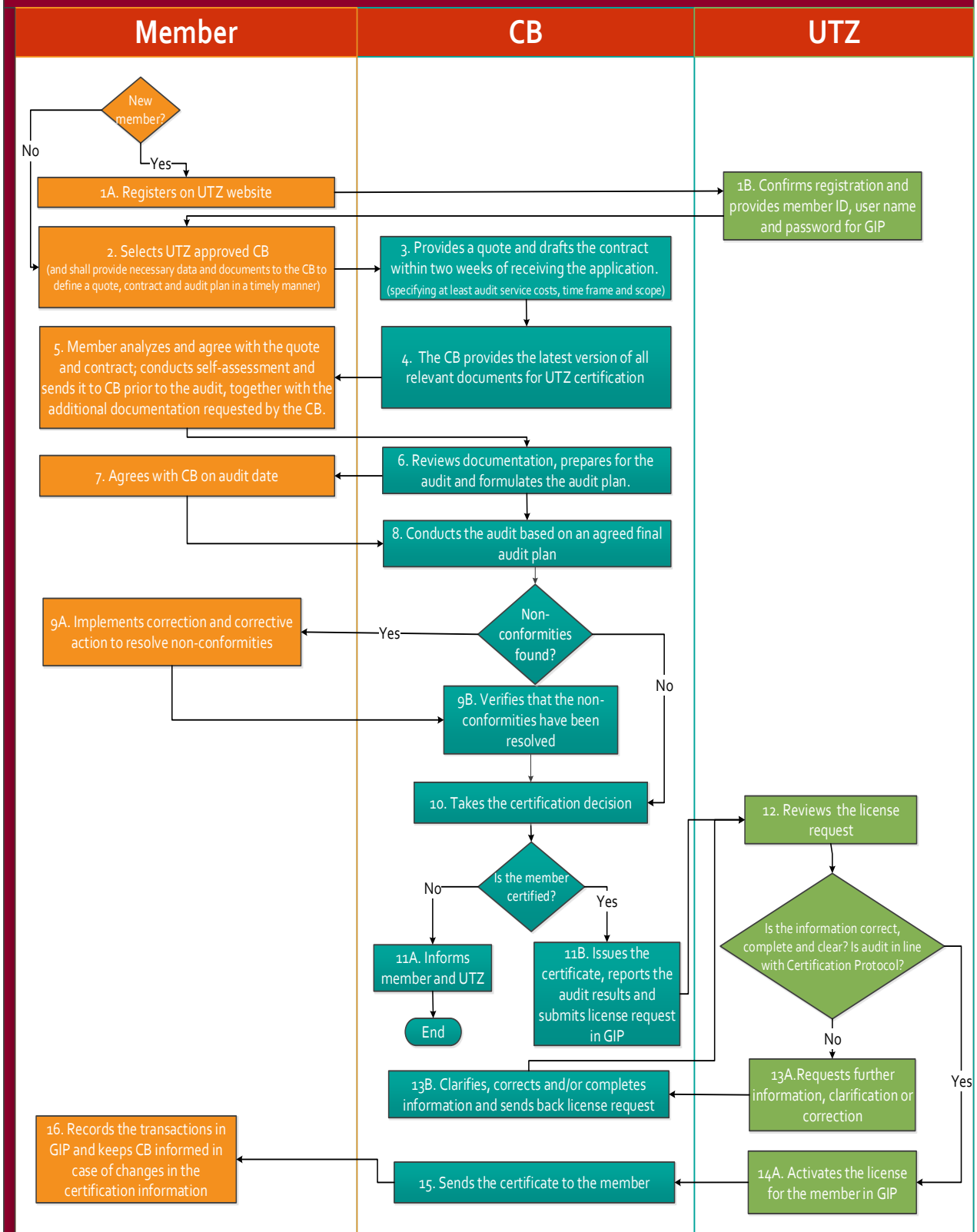
## 2.3. General certification process

As explained in the previous section, most UTZ members shall be certified against the Code and/or ChoC, which means they shall receive an audit from an UTZ approved CB. The following three sections outline the steps to be followed in Brazil during this process, as well as the conditions that apply. Section 2.3 describes what is applicable to both Code and ChoC certification in Brazil, while sections 2.4 and 2.5 describe the specifics of the certification process for Code and ChoC respectively in Brazil.

### 2.3.1. General Certification Procedure

The general certification procedure is shown in the following flow chart. A detailed description can be consulted in the table below.

# General Certification Procedure



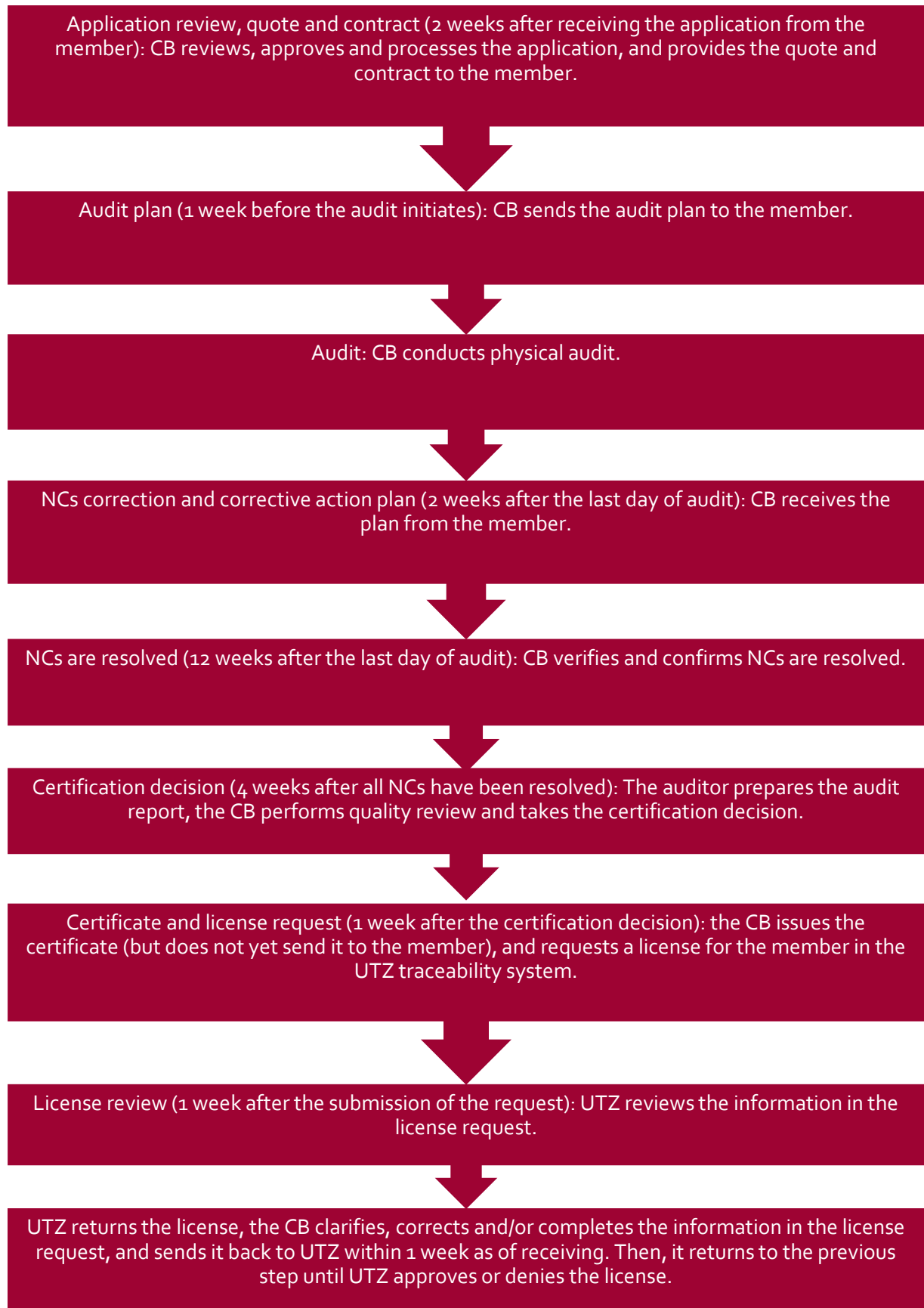


General Certification Procedure		
1	A	A new member registers by filling out the registration form on the UTZ website.
	B	UTZ provides the new member with a confirmation of the registration in the UTZ traceability system that contains the member's ID, username and password.
2		<p>The member is responsible for contacting the CB, requesting an audit, a service quote, and providing all necessary data and documents according to the conditions described in this Certification Protocol. The timeline described in this chapter and summarized in <i>Illustration of the timeline required for the general certification procedure</i> shall be respected and considered by members and CBs. The member shall plan accordingly and meet all steps of the certification procedure to allow scheduling of audits according to the audit timeframe described in <i>section 2.3.2. General Conditions</i>.</p> <p>The CB is responsible for requesting all necessary data and documents using a standardized, UTZ-approved application form in a timely manner according to the steps and conditions of this Certification Protocol. A standardized template of the application form prepared by the CB shall be submitted to UTZ for approval via <a href="mailto:cbmanagement@utz.org">cbmanagement@utz.org</a>. UTZ can require that harmonized templates submitted by CBs be binding for all CBs and members.</p> <p>To dimension the quote and draft the contract, the CB shall request, including but not limited to:</p> <ul style="list-style-type: none"> <li>- Disclosure of any current enrolment with other CBs in standards systems other than UTZ.</li> <li>- Characteristic of the member: number and location of sites (production areas, processing units and storage units), type of certificate holder, traceability level, size of operations (area, volume) and activities performed under the scope of the certification.</li> <li>- A list of all intermediaries and/or subcontractors (if applicable), including their activities.</li> <li>- List of sites belonging to the multi-site, or group members belonging to the group (including group members' sites, if applicable) or multi-group (if applicable). If a multi-site member operates uniquely at MB level and meets the criteria as described in <i>section 2.5.1</i>, the member can request the CB to audit the sites of the audit sample remotely from the central location.</li> <li>- Results and supporting documentation of previous UTZ audits, including of those audits that did not result in certification (e.g. surprise audits and audits conducted by different CBs).</li> </ul> <p>It is possible to request quotes from several CBs. In case a member changes CB, the member shall request the previous CB to provide the new CB with the results, including at least the Summary Reports, certification decisions and certificates. The previous CB shall honor such a request within one week.</p>
3		<p>The CB finalizes the technical and administrative reviews of the application within 2 weeks of receiving the application. The CB shall examine the application and approve it or not, verifying if the information received is complete and matches the information on the traceability system. The CB confirms the approval of the application and provides a quote and a contract to the member, based on the CB's reviews.</p> <p>Among other elements, the contract shall mention:</p> <ol style="list-style-type: none"> <li>1) The contract is subject to the quote and conditions of the UTZ standards and Certification Protocol.</li> <li>2) Description of preconditions for the CB to approve the application and carry out the audit, as well as to suspend and decertify the member's certificate and license. These preconditions shall not conflict with UTZ standards and Certification protocol, and include, but are not limited to: <ol style="list-style-type: none"> <li>a. There is no violation of national laws, local laws or CBAs.</li> <li>b. Members and activities under the scope of the certificate are not listed in official databases for misconduct and violation of national laws and human rights.</li> <li>c. There is no misconduct of the member or CB that deviates from the UTZ Standards and Certification Protocol and affect the credibility of the UTZ program.</li> </ol> </li> </ol> <p>The quote shall:</p> <ol style="list-style-type: none"> <li>a) be subject to the audit plan and conditions in the UTZ Standards and Certification Protocol; be subject to the audit plan and conditions in the UTZ Standards and Certification protocol;</li> <li>b) follow a procedure for credible resource estimation, conditions of this Certification Protocol;</li> <li>c) describe each cost separately: <ol style="list-style-type: none"> <li>i) CB operating costs (e.g., staff salary, office costs, eventual changes in audit sample, surprise audits, etc.);</li> <li>ii) Audit preparation costs (audit planning, prior research, preliminary review of documentation, preliminary investigations, pre-audit), at least have 0.5 man per day);</li> <li>iii) Audit time and costs: <ol style="list-style-type: none"> <li>(1) Traveling time (including auditor daily rates for traveling to, from and between sites/farms);</li> <li>(2) Auditing time per site/farm, including number of days (according UTZ defined audit length parameters);</li> <li>(3) Per diem (transportation, accommodation and meal expenses).</li> </ol> </li> <li>iv) Audit reporting and reviewing costs (auditor's reporting time, quality review, license submission and certificate issuing) (at least have 0.5 man per day).</li> </ol> </li> </ol>

4		The CB provides the latest version of all relevant documents for UTZ certification (i.e. Certification Protocol, Code and/or ChoC) together with the quote and contract to be read and understood by the member.
5		<p>The member conducts a self-assessment to evaluate its compliance with the standard and sends at least the following documentation to the CB, at the latest two weeks prior to the audit:</p> <ul style="list-style-type: none"> <li>- Self-assessment using the applicable UTZ checklist, indicating which CPs the member does and does not comply with or are not applicable, including an explanation for all CPs. The CB shall ensure that they have received the member's self-assessment at least two weeks prior to the audit;</li> <li>- Self-assessment of the subcontractor(s) (if applicable);</li> <li>- If a multi-site member operates uniquely at MB level and meets the criteria as described in <i>section 2.5.1</i>, the member can request the CB to audit the sites of the audit sample remotely from the central location.;</li> <li>- Management plan of the farm or group;</li> <li>- Extract of all the activities in the GIP (including all transactions and stock activities).</li> </ul> <p>Multi-site members may fill in one single self-assessment. On the checklist, multi-site members should indicate for each non-conformity which specific sites were found non-compliant.</p>
6		<p>The CB prepares for the audit and formulates the audit plan. The CB shares the audit plan with the member at the latest one week prior to the audit.</p> <p>The CB reviews the documentation submitted by the member in step 2 and 5, the information about the member available in the UTZ traceability system, as well as any other relevant information the CB may have received and researched, and the CB's Scope Risk Assessment and Risk Registry. Based on this information, the CB analyses the risks of the members to evaluate and determine whether preconditions are met for certification and for conducting the audit. If preconditions are met, CBs identify what topics require special attention. The CB also uses this information to determine the preliminary audit sample planning and interview planning. CB shall schedule dates according to the risk assessed (e.g., working conditions in block C can only be audited on working days). The CB's Risk Scope Assessment and CB's Risk Registry (as requested in <i>Requirements for Certification Bodies operating in Brazil</i>) shall be used as reference and to feed the risk analysis of each member individually prior to the audit. The CB shares the audit dates and the scope of the audit with the member.</p> <p>The audit plan can change with justifications after preliminary investigation and on-site audit observations. CBs can carry preliminary investigations on specific issues before starting the on-site audit, as well as pre-audits. CBs shall clearly indicate in the audit plan the preliminary investigations and pre-audits that will be carried out.</p>
7		The member and the CB agree on an audit date. Once agreed on the audit date, the member cannot change the audit date.
8		<p>The CB presents the audit plan and collects member's agreement on the audit plan. The CB conducts the certification audit against the Code and/or ChoC requirements (see <i>section 2.4</i> and <i>2.5</i>).</p> <p>CB reserves the right to modify the audit plan during the audit using its procedure and method to calculate the audit length and sample, as well as the interview plan under the conditions described below:</p> <ol style="list-style-type: none"> <li>1. If the audit observations do not match with the information, data and documents provided by the member, the auditor modifies the audit plan and communicates the changes to the member. In this case, the member is responsible for the extra costs incurred;</li> <li>2. If new findings (not associated with point 1 above) require increasing the sampling size or audit length, the CB modifies the audit plan and communicates it to the member. Modification of samples and time shall not be more than 1.5 times the original planned numbers and time. These costs shall be anticipated by the CB as part of the CB operational costs in step 3;</li> <li>3. If the member does not agree with the new audit plan, the auditor shall stop the audit, and the CB shall not grant certification by applying point f. Non-certification (<i>Section 2.3.2 General Conditions</i>);</li> <li>4. All modifications have to be reported and justified in the audit plan and audit report.</li> </ol> <p>If, during the audit, an auditor finds risks or non-conformity with the UTZ standards that might compromise the integrity of UTZ, the auditor and the CB shall inform UTZ of its findings immediately and include this information in the audit report, followed in due course by a documented investigation that includes the actions to be taken by the CB. The evidenced or non-evidenced risks identified about the member or region shall be used to feed the CB's Risk Scope Assessment.</p>
9	A	<p>In case non-conformities are found during the audit, the member is responsible for implementing a correction and corrective action to resolve the non-conformities.</p> <ol style="list-style-type: none"> <li>1) The member submits a correction and corrective action plan to the CB within two weeks after the closing meeting. A standardized template, pre-approved by UTZ, shall be provided to the member by the CB;</li> <li>2) The CB agrees or disagrees with the proposed corrective action plan within one week. If the CB disagrees, the CB justifies the reasons and the member submits a new proposal of corrective action plan;</li> <li>3) The member implements the corrective action plan, respecting the deadlines agreed upon with the CB.</li> </ol>

	B	<p>The CB conducts a physical follow-up audit or desk review to confirm that the correction and corrective action have been implemented and that the non-conformities have been resolved. This shall be done no later than 12 weeks after the last day of the audit.</p> <p>A standardized non-conformity plan template prepared by the CB shall be submitted to UTZ for approval via <a href="mailto:cbmanagement@utz.org">cbmanagement@utz.org</a>. UTZ can require that harmonized templates submitted by CBs be binding for all CBs and members.</p>
10		The auditor prepares the audit report, the CB performs quality review and takes the certification decision. This shall be done no later than 4 weeks after all non-conformities have been resolved, or, in case no non-conformities were identified, after the last audit day.
11	A	<p>If the CB decides not to (re)certify the member, the CB informs the member and UTZ (through the UTZ traceability system and by e-mail) about the decision. In order to re-apply for certification, the member shall follow the certification conditions described in this chapter of the Certification Protocol.</p> <p>If the member has a complaint about, appeal to, or dispute with a CB or subcontractor of the CB about the audit and/ or audit process, the member can submit this in writing to the CB. The CB shall have a procedure in place for registering and addressing complaints, appeals, and disputes. The CB shall reply to the plaintiff within 3 weeks. If the complaint, appeal, or dispute is not resolved within 4 weeks (after the complaint, appeal, or dispute was submitted by the member to the CB), the CB shall report it to UTZ (<a href="mailto:cbmanagement@utz.org">cbmanagement@utz.org</a>). If the plaintiff feels that the complaint, appeal, or dispute was not handled properly by the CB, the plaintiff can report this to UTZ using the UTZ Grievance Procedure (see <i>section 4.1</i>).</p>
	B	If the CB decides to certify the member, the CB issues the certificate (but does not yet send it to the member) and requests a license for the member in the UTZ traceability system no later than one week after the certification decision was taken. The CB shall proceed as described in point <i>d. license</i> of <i>section 2.3.2. General Conditions</i> .
12		UTZ reviews the information in the license request no later than one week after it was submitted by the CB.
13	A	If UTZ considers that the information in the license request is incorrect, incomplete, or unclear, or that the audit was not conducted in line with this Certification Protocol, further information, clarification, or correction from the CB to the audit report and/or license request is requested.
	B	The CB clarifies, corrects and/or completes the information in the license request, and sends it back to UTZ within one week.
14		If UTZ considers that the information in the license request is correct, complete, and clear, and that the audit was conducted in line with this Certification Protocol, it activates the license in the UTZ traceability system.
15		The CB sends the certificate to the member.
16		The member records the transactions in the UTZ traceability system and keeps the CB informed in case of changes in the certification information.

*Illustration of the timeline required for the general certification procedure*



## 2.3.2. General Conditions

The following conditions are applicable to members and CBs operating in Brazil, for all types of certification and products. Specific conditions for Code and ChoC certification are explained in *sections 2.4* and *2.5* respectively.

### a. Audit Preparation and Audit Planning

#### i. Audit preparation

To prepare for the audit and elaborate the audit plan, the CB also considers the following factors to be evaluated and recorded, including but not limited to:

- CB's Scope Risk Assessment and Risk Registry;
- Geographic location of the member and their activities – region and country, proximity to protected areas;
- Member characteristics: size and type of activities; number of sites; crops and production system;
- Other land uses within the operation's property, the presence or proximity of protected areas and buffer zones;
- Production quantities, yields, and sales of products for which the organization is requesting certification;
- Presence of local stakeholders to be consulted/interviewed such as schools, hospitals, government authorities, NGOs, etc.;
- Presence and types of processing operations;
- Receipt, purchase or processing of products from non-certified farms or groups;
- Valid certifications under other schemes;
- Languages and cultural factors;
- Number and characteristics of workers, such as origin, employment status (permanent, temporary, subcontracted);
- Presence of labor unions or other types of worker organizations;
- Types of farm infrastructure (housing, sanitary facilities, product processing facilities, roads, etc.);
- For recertification, history of NCs and compliance, including status and evaluation of the implementation of correction and corrective actions by members;
- Compliance risks according to the risk assessment carried out by the CB or specified by UTZ.

The CB shall review location details based on the geographic information provided by the member and shall consider all relevant information and methodologies when selecting the member sample.

#### ii. Audit Plan

The objective of the audit plan is to describe all activities for the audit procedure. The CBs shall have and use a standardized template for the audit plan. The template prepared by the CB shall be submitted to UTZ for approval via [cbmanagement@utz.org](mailto:cbmanagement@utz.org). UTZ can require that harmonized templates submitted by CBs be binding for all CBs and members.

The audit plan shall include the following aspects:

- 1) The thematic, geographic and documentary focus of the audit, as well as the individuals to be interviewed. It also indicates the applicable UTZ standard and certification protocol, the type and scope of the audit (e.g.: extension audit, certification audits) and any required preliminary investigations. For extension audits, the audit scope can be restricted to subject of the extension.
- 2) The composition of the audit team, indicating names and roles of the auditors who will participate in the audit. All members of the audit team shall meet the respective requirements included in the *Requirements for Certification Bodies operating in Brazil* and be qualified to participate in audits within the indicated certification scope. For the team composition, the CB shall include a free of conflict of interest declaration.
- 3) The time required to perform the audit, to prepare the audit, and for the subsequent certification processes according to the relevant conditions and requirements described in this certification protocol. The plan can indicate the audit date(s) when possible.
- 4) The number and distribution of interviews.
- 5) Sampling size, methodology and justification.

### iii. Interview planning

The objective of the interviews shall always be to obtain information in the most objective and open way possible. Interviewing is a key audit method and source of evidence for verification of compliance with the UTZ standards.

- 1) CBs and/or auditor(s) shall determine the total number of interviews and their distribution among the member's workforce and administration in order to be able to calculate length and costs of the audit. The CB shall allocate sufficient time for the auditor(s) to conduct the necessary interviews without having to rush or reduce the number of interviews due to time and cost pressures. The auditor(s) can refine the number and distribution of interviews during the opening meeting and site observations according to factors such as the activities on the farm during the audit; the types of workers available and their characteristics, responsibilities and distribution on the property; and other factors related to information not available during the audit planning process. The rules for extending the scope shall meet the conditions and requirements described in this certification protocol.
- 2) When selecting personnel to be interviewed the CB and/or auditor(s) shall consider, in addition to the factors mentioned above in *i. Audit preparation*, the specific interview planning conditions for Code of Conduct audits (*point b. in section 2.4.3. Code of Conduct Certification Conditions*) and Chain of Custody audits (*point a. in section 2.5.3. Chain of Custody Certification Conditions*).
- 3) Audit teams should make every effort to carry out at least the number of interviews in the audit plan. Any variations from this number will need to be justified in the audit report.
- 4) UTZ reserves the right to set the parameters for interviewing and selecting interviewees, or even request specific interviews.

### b. Certification audit

In order to obtain and maintain UTZ Code of Conduct and/or ChoC certification, members shall receive a certification audit from a CB that has been approved by UTZ to perform UTZ audits for the applicable standard (standard scope), product (commodity scope) and country (geographical scope).

A written agreement between the member and the CB shall be in place before the audit is conducted. The agreement shall include at least the fee, the time frame and scope of the audit (i.e. range of activities and records that will be evaluated during the audit).

The minimum audit length shall be calculated using pre-defined parameters. The CBs are responsible for developing credible, UTZ-approved parameters to calculate the audit length scopes that UTZ do not provide parameters. UTZ can require that harmonized parameters or calculation mechanisms submitted by CBs be binding for all CBs and members.

During the audit, the auditor shall use the UTZ checklist.

The auditor shall include comments on the CPs which were evaluated (indicating at least a description of the evidence). CPs indicated as non-applicable shall include a justification as to why. Evidence collected during the audit shall be kept by the CB for a period of at least 3 years.

The member shall ensure that all required information to evaluate compliance against the UTZ standards is available to the auditors. When information to be verified is not available (including farmers to be interviewed), a NC shall be raised by the CB. In case of Code of Conduct certification for groups or multi-groups, the IMS is responsible for informing all group members that they may be requested to be inspected during the agreed dates. CBs shall inform the IMS of the farmers to be visited during a particular day at most 24 hours in advance.

### c. Certificate

If no non-conformities are found during the certification audit, or if all non-conformities identified are resolved in a satisfactory way (see below in point e.) the CB issues a certificate using the UTZ certificate template for the applicable scope. The Code of Conduct certificate is valid for a period of 365 days<sup>7</sup> and the ChoC certificate can be valid for 365 or 730 days<sup>8</sup> (see *section 2.5.3*). All certificates may be extended for a period of up to 3 or 4 months (see below in *point i.* for more details).

<sup>7</sup> 366 in a leap year.

<sup>8</sup> With one day extra in the case of a leap year.

How to determine the start date of the first certificate of a member (and certificates issued after the certification process has been interrupted) is described *in section 2.4.3* (Code) and *2.5.3* (ChoC). Subsequent certificates start the day after the previous certificate expires, since certification is considered a continuous process.

It can happen, however, that certification from one year to the next is interrupted (e.g. because the member does not pass the audit or decides not to re-apply for certification). In such cases there is a time gap between certificates for the duration of the non-certified period. During this period the member shall not sell any produce as UTZ certified and the produce of this period (e.g. harvested or manufactured product) shall not be sold as UTZ certified product in a later stage.

#### d. License

After issuing the certificate (but before sending it to the member), the CB shall report the audit results to UTZ and request a license for the member. This is done by filling in a license request and uploading the UTZ certificate, group member list and (if applicable), the member's self-assessment, filled-in checklist and audit plan in the UTZ traceability system. The license reflects the certification information and data collected by the CB about the member (e.g. validity dates, certified volume and certified activities).

#### e. Non-conformities

If one or more non-conformities are found during a certification audit, the member shall implement a correction (to resolve the non-conformity) and a corrective action (to eliminate the root cause of the non-conformity and prevent it from reoccurring), before they may be certified.

The member is responsible for determining and implementing the appropriate correction and corrective action to prevent recurrence of the non-conformity. Corrective actions shall focus on long term, sustainable solutions, which eliminate the root cause of the non-conformity. In order to identify the root cause of the non-conformity, the member shall perform a root cause analysis. This results in the member submitting a proposed corrective action plan to the CB, within the time frame agreed upon during the closing meeting. The plan includes the root cause, correction, corrective action and the time frame in which the corrections and corrective actions shall be undertaken.

The CB agrees or disagrees with the proposed corrective action plan within one week. If the CB disagrees, the CB justifies the reasons and the member submits a new proposed corrective action plan.

The CB has the responsibility to verify (through a physical follow-up audit or desk review) that the corrections and corrective actions have been taken and have been effective in eliminating the non-conformity and its root cause. The entire process of resolving non-conformities (including the member undertaking the correction and corrective action and the CB verifying the effectiveness) shall be conducted within a maximum of 12 weeks from the last day of the audit.

In case of severe non-conformities, the CB may decide to immediately **withdraw** the current certificate of the member and/or decide to **not certify** the member, following the procedures described below in points f and g. The CB has discretion to determine what constitutes a severe non-conformity. The following is a non-exhaustive list of examples that may lead to immediate non-certification or decertification:

- Systemic failure of the IMS;
- Violation of national laws, local laws or CBAs, including members' being listed in official databases for misconduct and violation of national laws and human rights;
- Fraud, inaction or cover-up (e.g. conventional volume claimed as UTZ or misuse of premium payment);
- Irreversible non-compliant practices, for example issues impacting human health, nature or the integrity of the UTZ product.

#### f. Non-certification

If the corrective actions have not been implemented satisfactorily within the time frame described above (12 weeks from the last day of the audit), or severe non-conformities have been identified, the CB shall not grant the certification (i.e. a first certificate or a new certificate following expiry of the previous certificate shall not be issued). Moreover, in case the member still has an active certificate, the CB shall decertify the member, following the conditions described below in point g. In order to become certified following a non-certification decision, the member shall receive a new audit. For Code of Conduct certification, the member shall wait at



least one harvest period (main/big or mid/small) from the date the non-certification decision was taken, or six months if the harvest is continuous.

The CB immediately informs UTZ (by e-mail and through the UTZ traceability system) and the member about the non-certification, sharing with UTZ the audit checklist and the reasons for the non-certification.

#### **g. Decertification**

Throughout the validity period of the certificate, the CB may decide to decertify the member by withdrawing their certificate, should this be necessary to safeguard the credibility of UTZ and/or the CB. Decertification cannot be lifted. In order to recertify, the member shall receive a new audit. The following is a non-exhaustive list of examples that may lead to immediate decertification:

- Severe non-conformities;
- Violation of national laws, local laws or CBAs;
- Members and activities under the scope of the certificate are listed in official databases for misconduct and violation of national laws and human rights;
- Misconduct of the member or CB that deviates from the UTZ Standards and Certification Protocol and affect the credibility of the UTZ program.

For Code of Conduct certification, the member shall wait at least one harvest period (main/big or mid/small) from the end date of the withdrawn certificate (excluding any time extensions issued). If a member's audit results in de-certification or non-certification and the member still has an active certificate, the CB shall decertify the member and withdraw the active certificate.

The CB immediately informs UTZ (by e-mail) and the member about the decertification, and on behalf of UTZ withdraws the member's license from the UTZ traceability system.

#### **h. Suspension**

Throughout the validity period of the certificate, a CB may decide to suspend a member's certificate for a period of up to 3 months, in case of risks and deviations from the UTZ standards found outside of the (re)certification process.

In cases where the credibility of UTZ and/or the CB is at risk, the process described in point *g. Decertification* shall be applied.

In all cases of suspension, the CB immediately informs UTZ (by e-mail) and the member about the suspension, and on behalf of UTZ suspends the member's license in the UTZ traceability system. In addition to this, the following conditions apply:

- i) In the case where an evidenced deviation or risk is identified during an audit, the *points e., f., and g.* above applies;
- ii) In the case where a non-evidenced deviation or risk is identified during an audit, a documented investigation shall be carried out following the rules and conditions in step 8 in *section 2.3.1. General Certification Procedure*;
- iii) In the case where an evidenced or non-evidenced deviation or risk is found outside an audit (via complaints, for example), the CB immediately carries out a preliminary investigation and a surprise audit.

While the member's license is suspended, the member may not sell its product as certified. Once the CB has verified that the underlying reasons for the suspension have been satisfactorily addressed, the CB lifts the suspension of the certificate, informs UTZ (by e-mail) and the member, and on behalf of UTZ lifts the suspension in the UTZ traceability system.

Please note that if following a (re)certification audit, the member fails to resolve the NCs within the stipulated time period, the CB shall take a non-certification decision, rather than issuing a suspension.

#### **i. Extensions**

Changes in the certification information that occur during the validity of a certificate and that imply an increase (i.e. more volume, group members, sites or time), may be included through extensions.

Extensions shall be requested by the member to the CB with whom the member has a valid contract. The CB shall respond to all extension requests. A CB may decline an extension if the member does not provide enough evidence that the extension is justified. In this case, the CB shall notify the member of the decision and shall identify the reasons for the decision. It is mandatory for the CB to inform UTZ whenever an extension request is denied with a justification of the decision.

The CB shall report any extension to UTZ and request an extension of the license through the UTZ traceability system before the current certificate and license expire. The information and documentation required for this includes:

- reason for the extension;
- date of the next audit (only for time extensions);
- extension certificate;
- filled in Additional Audit Report Template of the additional audit (if applicable);<sup>9</sup>
- updated group member list (in case of group extension).

The following table shows the types of extensions that are possible. A combination of two or more of the extensions listed below is also possible.

Extension Type	Applicable to	Conditions
<b>Time</b>	Code + ChoC	<p>A time extension lasting up to 3 months after the expiry date of the original certificate may be granted, but only if the time extension is requested while the certificate is still valid, and a recertification audit has been planned and confirmed.</p> <p>The next certificate is issued for the remaining time of the new certification period (e.g. if a 2-month extension is granted; the new certificate will be valid for the next 10 months).</p> <p>During the time extension, Code of Conduct members shall not sell produce from their new harvest as UTZ certified, since the new harvest shall only be certified under the new certificate.</p>
<b>Volume and area</b>	Code	<p>Up to 10% of the certified production area and/or volume of a member may be added to the certificate annually by registering the additional production area and/or volume with the CB. No further verification by the CB is necessary.</p> <p>If the increase in the production area and/or volume of a member is more than 10% in one year, an additional audit is required during that year, before the extension can be added to the existing certificate. This extension audit shall focus on the new area and/or volume.</p> <p>When the member decides not to have an extension but instead wishes to include the extra volume in the next certificate, the CB includes the extra volume as carry-over in the new certificate after the extra volume is assessed during the next certification audit. The member may not sell the product until it is verified by an auditor and included in the new certificate.</p> <p>If a group or multi-group as a whole increases its production area and/or volume by more than 10% in one year, an additional audit of the IMS and of at least the square root of the number of new group members and/or members with new area and/or volume (with a minimum of 5) is required during that year before the extension may be added to the existing certificate.</p> <p>Volume may only be added if during the harvest of the product the producer or group member already complied with all applicable CPs of the Code.</p>

<sup>9</sup> If an additional audit has been performed to issue an extension, the CB shall send a report of the audit, using the Additional Audit Report Template available upon request from [cbmanagement@utz.org](mailto:cbmanagement@utz.org).

Extension Type	Applicable to	Conditions
<b>Sites</b>	Code + ChoC multisite	For producers and SCAs operating under the IP/ SG traceability level, to include new sites in a multi-site certification, an audit of the new sites and of the central location is required before the extension is added to the existing certificate. The extension audit shall be conducted no later than 4 months after the site has received its first purchase of UTZ product. Product handled at the new site may only be sold as UTZ once the site has been successfully added to the existing certificate. SCAs operating under the MB traceability level may add a new site(s) to the certificate by registering the additional site(s) with the CB. No further verification by the CB is necessary until the next audit. In the next audit, the new site(s) shall be included in the audit sample as described in <i>section 2.5.1</i> (Chain of Custody Certification Options). If the additional site is already certified under an individual or multi-site certificate, then no additional audit is required.
<b>Group members</b>	Code (multi)-group	Up to 10% of new group members may be added annually to the certificate by registering the additional group members (with their production area and volume) with the CB. No further verification by the CB is necessary. If more than 10% of group members are added in one year, an additional audit of the IMS and of at least the square root of the number of new group members (with a minimum of 5) is required before the extension is added to the existing certificate. The extension audit may take place at any time of the year and is not restricted by the start date of the harvest. Any new group members will be certified for the same validity period as the active certificate. Independently of their number with respect to the group's original size, if the added new group members include large group members, an additional audit of these large group members is required before the extension is added to the existing certificate.
<b>Processing activities</b>	Code + ChoC	For producers and SCAs operating under the IP/ SG traceability level, to add a new processing activity, an audit of the new activity is required before the extension is added to the existing certificate. SCAs operating under the MB traceability level may add a new processing activity to the certificate by registering the new processing activity with the CB. No further verification by the CB is necessary until the next audit.
<b>Product</b>	ChoC	When an SCA wishes to add a different product (but both the processing activity and the site are the same), the CB is not required to perform an extension audit.
<b>Traceability level</b>	ChoC	SCAs may request a traceability level extension. Members that operate at IP/SG and wish to add MB to their traceability (or vice versa) shall be audited on all the activities and documents included in the new traceability level before the extension is added to the existing certificate. No audit is required for members that either operate at IP and wish to add SG or operate at SG and wish to add IP.

#### j. Record keeping

Plans and evidence of implementation of non-conformities and corrections and corrective actions (based on certification and surprise audits), internal inspection reports (for group and multi-group certification) and self-assessments, shall be documented, archived for a minimum period of three years, and be available to the auditor.

### 2.3.3. Combined and Integrated Audits

UTZ facilitates combined and integrated audits, as described below:

**Combined Audit:** For one member (client), the same auditing team completes the auditing and certification processes for several schemes' standards consecutively or in parallel, using each scheme's own standard, checklists, tools and guidelines. For this type of audit, permission from UTZ is not required.

**Integrated audit:** For one member (client), the same auditing team integrates several schemes' standards in one auditing processes, using an integrated version of the standards, checklists, tools and guidelines. The member has one operational/ management system that integrates the application of the requirements for these multiple Standards. For this type of audit, permission from UTZ shall be obtained prior to the audit.

The audit model is to be agreed upon between the CB and the member. The following requirements shall be evaluated:

Requirements	Combined	Integrated
<b>Scheme permission</b>	Not mandatory for UTZ	Mandatory, from involved schemes collectively
<b>Auditor / certifier competence</b>	Auditor / certifier separately approved per scheme	Full recognition of each other's approved auditors/ certifiers <sup>10</sup>
<b>Audit checklist</b>	Separate checklist per standard	One integrated checklist, listing: - all overlapping CPs (applicable to all standards to avoid duplication), and - the additional individual CPs per standard that are not mutually recognized (if applicable).
<b>Audit Preparations</b>	Separate planning: - One audit plan, indicating the specific samples and sample justification per scheme - Multiple client self-assessment reviews per scheme	Joint planning: - One audit plan - One audit sample and justification - One client self-assessment review
<b>Audit</b>	Full audit per scheme: - Audit sample per scheme - IMS audit per scheme - Internal inspection review per scheme - Interviews per scheme	One integrated audit: - One sample - One IMS audit - One review of internal inspection
<b>Alignment of certification validity periods</b>	Per scheme, i.e. different validity timeframes following the guidelines/protocol of each scheme	Per scheme, i.e. different validity timeframes following the guidelines/protocol of each scheme
<b>Alignment of certified volume</b>	Certified volume ascertained per scheme, and CB shall check the risk of double-selling	Certified volume ascertained per scheme, and CB shall check the risk of double-selling
<b>Reporting</b>	Separate audit report per standard	One integrated audit report

#### Additional requirements for both combined and integrated audits

For both combined and integrated audits, double selling of certified volume (i.e. selling the same volume multiple times under each scheme's programs) is not permitted. Members receiving a combined or integrated audit shall sign a "No Double Selling Declaration" prior to the audit (to be obtained from [cbmanagement@utz.org](mailto:cbmanagement@utz.org)). The risk of double selling shall be verified by the CB during the audit. Combined and integrated audits can be conducted for different commodities (e.g. audit for scheme 1 is in coffee and audit for scheme 2 is in cocoa), provided that the checklists include all applicable control points of involved schemes.

#### Additional requirements for combined audits:

In the case of a combined audit (for the Code of Conduct scope only), the total audit time (covering both schemes) shall be multiplied by a factor 1,5.

**Example:** A group is UTZ certified and certified for scheme X. If the group was only UTZ certified, the entire audit (farmers and IMS) would have taken 2 days. Now the group undergoes a combined audit, and the total audit time (farmers and IMS) for both schemes shall be multiplied by at least factor 1,5, which is: 2 days\*1,5 = 3 days.

#### Additional requirements for integrated audits:

In the event of an integrated audit, and when mutual recognition of involved schemes is not achieved yet, the following activities shall first take place before the involved schemes can mutually recognize each other, and can allow for the integrated audit to take place:

- a) Comparison, alignment and recognition on the content of the applicable standards (especially on the recognition of the integrated checklist), to be consented by all involved scheme owners;
- b) training of the CB/auditor on how to conduct the integrated audit (if applicable); and
- c) a full alignment of the validity period and certified volume of the applicable standards.

<sup>10</sup> If additional training to certifiers/ auditors is required, this is to be commonly agreed upon between involved schemes.

For integrated audits, the request for an integrated audit shall be made by the CB (or member) to each scheme individually. For UTZ, this request shall be made by contacting: [cbmanagement@utz.org](mailto:cbmanagement@utz.org). Neither UTZ, nor other involved scheme owners, can assure that scheme recognition and consent for the integrated audit can be granted and/or can be granted in a certain timeframe.

## 2.4. Certification Process for Code of Conduct

### 2.4.1. Code of Conduct Certification Options

Five different options exist for Code of Conduct certification. The option to select depends on the type of member. The certification option determines which Core Code of Conduct shall be complied with, who is responsible for compliance, and how the sample for the certification audit shall be determined. This is explained in the tables below.

Option 1: Individual certification	
<b>Applies to a member who is:</b>	An individual producer, owning or managing one farm with an independent organizational structure.  Individual members, for their entire UTZ certified crop area, may not simultaneously be certified under more than one UTZ Code of Conduct certificate.
<b>Responsibility for compliance:</b>	The individual producer complies with all applicable CPs.
<b>Sample for certification audit:</b>	The minimum number of plots to be physically audited by the CB is the square root of the total number of plots on the farm, rounded up to the next whole number. The CB shall conduct a risk assessment before the audit to assess which plots will be physically audited. If the risk assessment results in a high risk (for all or specific plots) the CB can decide to increase the number of plots to be physically audited.  Every year a different sample of plots shall be audited. The identification of the sampled plots and the criteria used for the risk assessment shall be recorded by the auditor.
<b>Applicable Core Code</b>	Core Code for Individual and Multi-site certification (plus product specific Module)

Option 2: Multi-site certification	
<b>Applies to a member who is:</b>	Two or more farms owned or rented by one or more producers which operate a joint management system. There is an identified central location where the activities of the(se) producer(s) and their farms are managed. There is evidence that proves that the central management is owned or is contracted by the producer(s) to manage the production and processing areas. A farm from an UTZ certified multi-site may not simultaneously be included under the scope of other UTZ Code of Conduct certificate holder(s).  This type of certification is targeted towards single individual members renting or owning two or more farms, and/or towards individual members who want to get certified under a joint management system.
<b>Responsibility for compliance:</b>	The central management is responsible for all producers complying with all applicable CPs.
<b>Sample for certification audit:</b>	All sites under the central management shall be physically audited by the CB, following the conditions for individual certification.
<b>Applicable Core Code</b>	Core Code for Individual and Multi-site certification (plus product specific Module)

Option 3: Group certification	
<b>Applies to a member who is:</b>	<p>A group of organized producers (group members) that implements an IMS. The group can be organized as an association or cooperative or managed by a supply chain actor (such as an exporter) or another entity. The group can be composed of large and non-large group members. A producer member of the group may have one or more sites under their scope, since all of these sites shall be owned by the group member, be under same legal entity and same management system.</p> <p>Producers are considered large group members if they have more than four fiscal modules, according to what has been defined by INCRA (Instituto Nacional de Colonização e Reforma Agrária) for the municipality where the farm is located and/or more than 10 permanent workers working on the entire farm. They may decide to become certified individually or as part of a group. Large group members shall comply with all CPs from the Individual and Multisite Code of Conduct, instead of the CPs from the Group and Multi-Group Code of Conduct.</p> <p>Group members, for their entire UTZ certified crop area, may not simultaneously be certified under more than one UTZ Code of Conduct certificate.</p>
<b>Responsibility for compliance:</b>	<p>Either the group or an entity organizing the group is responsible for the proper functioning of the IMS and for conformity with the CPs applicable to the group. The same group or entity is also responsible for the conformity of the group members with the CPs applicable to the group members, depending on their certified area and number of permanent workers.</p>
<b>Sample for certification audit:</b>	<p>The sample of the entire group that is physically audited is composed of the IMS, the sample of large group members (if any), and the sample of non-large group members.</p> <p>The sample of large group members is at least 1,5 times the square root of the total number of large group farms (rounded up to the next whole number, with a minimum of one when there are large group members in a group). This sample shall be physically audited by the CB. The CB may increase this number based on the risk assessment.</p> <p>The sample of the non-large group members is at least the square root of the total number of non-large group farms (rounded up to the next whole number and with a minimum of 5). This sample shall be physically audited by the CB. The CB may increase this number based on the risk assessment.</p> <p>The sample of group members that is physically audited shall be representative of the entire group (including sharecroppers and farm operators). The sample is chosen based on a combination of risk-based evaluation and stratified random selection. The following sampling parameters should be considered:</p> <ol style="list-style-type: none"> <li>i. CB's Scope Risk Assessment and Risk Registry;</li> <li>ii. Farm size and complexity;</li> <li>iii. Number of sites owned by the group member;</li> <li>iv. Number of workers;</li> <li>v. Differences in production systems and activities;</li> <li>vi. Geographic areas with significant differences in climate, soil conditions or ecosystems;</li> <li>vii. Geographic location: group members located distant from the rest of the group;</li> <li>viii. Cultural differences;</li> <li>ix. Seasonality: type of work being carried out in the farm at the time of the audit;</li> <li>x. Length of time a farm has been in the group, or the date it was added;</li> <li>xi. Group members that have not been audited previously or recently;</li> <li>xii. Group members improvement points or non-conformities in previous audits;</li> <li>xiii. Member farms with permanently hired labor should form part of the sample, especially in groups that consist of both plantations and smallholders;</li> <li>xiv. Group members with multiple certificates (from similar certification schemes).</li> </ol> <p>The CB shall keep a record of which group members were audited as part of the audit sample, as well as the justification for the sample chosen.</p>
<b>Applicable Core Code</b>	<p>For the IMS and non-large group members: Core Code for Group and Multi-group certification (plus product specific Module);</p> <p>For large group members and multi-site members: Core Code for Individual and Multi-site certification (plus product specific Module).</p>

Option 4: Multi-group certification	
<b>Applies to a member who is:</b>	<p>A group composed of two or more sub-groups of organized producers that are managed by a common IMS. Each sub-group also implements its own IMS. The IMS coordinator of each sub-group and the IMS manager of the multi-group work together to assure the proper management of the multi-group.</p> <p>Multi-group certification is chosen in situations in which certified produce is exported under the name of the multi-group. The multi-group reserves the option to indicate the name of the sub-groups in the sales documentation and in the UTZ traceability system.</p>
<b>Responsibility for compliance:</b>	The multi-group is responsible for the proper functioning of the IMS of the multi-group and the IMS of the sub-groups, for the CPs applicable to the group, and for the conformity of the group members with the CPs applicable to the group members.
<b>Sample for certification audit:</b>	<p>The sample of the entire multi-group that is physically audited is composed of IMS of the multi-group and the samples of each sub-group.</p> <p>Each sub-group of the multi-group certification shall be sampled for physical audit according to the rules from <i>Sample for certification audit</i> for groups found above in <i>Option 3: Group Certification</i>. If the multi-group includes large group members, the rules in <i>Sample for certification audit</i> mentioned above under <i>Option 3: Group Certification</i> apply.</p> <p>The CB shall keep a record of which group members were audited as part of the audit sample, as well as the justification for the sample chosen.</p>
<b>Applicable Core Code</b>	<p>For the IMS and non-large group members: Core Code for Group and Multi-group certification (plus product specific Module);</p> <p>For large group members and multi-site members: Core Code for Individual and Multi-site certification (plus product specific Module).</p>

Option 5: Individual/ Multi-site plus outgrowers certification	
<b>Applies to a member who is:</b>	<p>A tea/ rooibos or coffee member, i.e.:</p> <ul style="list-style-type: none"> <li>- An individual processing unit (with or without its own farm) plus outgrowers, or</li> <li>- A multi-site processing unit (with or without its own farm) plus outgrowers</li> </ul>
<b>Responsibility for compliance:</b>	<p>The processing unit (with or without its own farm) shall comply with all applicable CPs of the Code of Conduct for Individual and Multi-site certification.</p> <p>The processing unit organizing the outgrowers is responsible for the proper functioning of the IMS and for the outgrowers' conformity with the CPs of the Code of Conduct for Group and Multi-group certification.</p> <p>If the volume purchased from outgrowers is <u>less than 5%</u> of the total certified volume processed by the processing unit, there is a <u>grace period of two years</u> to reach conformity with the Code of Conduct for Group and Multi-group certification and product specific Module, starting from the moment that the outgrowers are included in the certificate. In this period, the processing unit, responsible for setting up the IMS, shall demonstrate that steps are taken to reach full compliance. During this start-up phase, the volume can be accepted as certified, even though the IMS is not fully set up yet.</p>
<b>Sample for certification audit:</b>	<ul style="list-style-type: none"> <li>- Individual processing unit: as described in <i>section 2.4.1</i> for individual certification;</li> <li>- Multi-site processing unit: as described in <i>section 2.4.1</i> for multi-site certification;</li> <li>- Outgrowers: as described in <i>section 2.4.1</i> for group certification.</li> </ul>
<b>Applicable Core Code:</b>	<ul style="list-style-type: none"> <li>- Processing unit: Core Code for Individual and Multi-Site certification (plus product specific Module);</li> <li>- Outgrowers: Core Code for Group and Multi-group certification (plus product specific Module).</li> </ul>

#### **Additional information regarding the definition of large group member**

For producers already in the UTZ program at the time version 4.2 of the Protocol becomes mandatory, and which fit the definition of large group member, there is a grace period until the 1<sup>st</sup> of April 2019 to reach conformity with the Code of Conduct for Individual and Multi-site certification for the following audit, or to leave the group. These producers, independently of their year of compliance whilst part of the group certification, may select the year of compliance they will be audited against for their first year of certification against the Code of Conduct for Individual and Multi-site certification.



### **Additional information regarding certification of outgrowers**

This certification option exists to allow outgrowers to be included in the certification of an individual or multi-site processing unit. Outgrowers are producers who, due to lack of processing capacity for their produce, enter into a written or oral agreement to supply their produce to a separately owned processing unit (which can be an individual or multi-site processing unit with or without its own farm).

This certification option combines, in one license and certificate, an individual or multi-site certification with a group certification. The certificate holder in this case is the individual or multi-site processing unit. This certification option can only be used by tea/rooibos and coffee members. The CB reports and informs UTZ on the number of outgrowers, the total volume the processing unit purchased from outgrowers, and on the status of the certification of the outgrowers.

## **2.4.2. Code of Conduct Certification Procedure**

Audits against the Code shall include the following steps:

<b>Code of Conduct Audit Procedure</b>	
1	Opening meeting with at least a management representative including the objective of the audit. This meeting serves to confirm the audit plan and key information relating to the audit (such as scope and locations), and to explain the methodology and nature of the audit (sampling, confidentiality and impartiality).
2	<p><b>Only for (multi-)group certification:</b> Evaluation of the structure and functioning of the IMS, including:</p> <ul style="list-style-type: none"> <li>- verification of the list of group members;</li> <li>- verification of the contract or agreement between the group members and the group or IMS management</li> <li>- review of the records of the annual internal inspection conducted by the IMS;</li> <li>- review of the way non-conformities are dealt with by the IMS;</li> <li>- When possible, witness audits of a representative sample of internal inspectors, in order to assess the competence and performance of internal inspectors. If not possible, it should be included as a surprise audit criterion (see <i>section 3.4. Surprise Audits</i>);</li> </ul> <p>The minimum duration for this evaluation, excluding the witness audits, is 0.5 days (if deemed necessary more time can be dedicated).</p>
3	Review of the results of the previous audit(s) (if applicable), and the annual self-assessment conducted by the member.
4	Review of all relevant documentation, including at least (if applicable): <ul style="list-style-type: none"> <li>- Yield estimations and yield estimation methodology;</li> <li>- Traceability procedure;</li> <li>- "Use of UTZ premium" procedure;</li> <li>- List of approved pesticides (to be compared with <i>UTZ List of Banned Pesticides and Watch List</i>);</li> <li>- Workers association and collective bargaining;</li> </ul>
5	Evaluation of records, including at least those related to: <ul style="list-style-type: none"> <li>- Traceability, including evaluation of transactions recorded in the UTZ traceability system;</li> <li>- Use of the UTZ premium;</li> <li>- Crop management: planting, application of fertilizers, use of pesticides;</li> <li>- Harvesting: dates, plot info, volumes (purchase records and estimated harvested volumes for (multi-)group certification);</li> <li>- Personnel: contracts, hours registration, payrolls.</li> </ul>
6	Product flow control calculations.
7	On-site assessment, including observation of activities, checking of facilities, interviews with workers/staff, and confirmation of data (good agriculture practices, yields, working conditions).
8	Office review, including documentation review, cross checking of records, control of product flow and traceability testing (identification of raw materials batches until lots of final products, and backwards)
9	Closing meeting with at least the management, in which the auditor/s shall present to the auditee the conclusions of the audit, including: <ul style="list-style-type: none"> <li>• the non-conformities identified, including the evidence and an explanation of why these are considered a deviation from the UTZ standard;</li> <li>• the next steps to be taken by the auditee: submission of a corrective action plan within the agreed timeframe;</li> <li>• an explanation of what is expected in terms of evidence as part of the corrective action plan: corrections (immediate solutions) and corrective actions (tackling the root causes of the issues) for every non-conformity.</li> </ul>

## 2.4.3. Code of Conduct Certification Conditions

### a. Compliance

#### Core Codes and product specific Modules

The Code of Conduct consists of two Core Codes (one for individual and multi-site certification, and one for group and multi-group certification) and several product specific Modules.

In order to obtain Code of Conduct certification, members shall comply with the Core Code **and** the product specific Module applicable to their situation (e.g. a cocoa cooperative needs to comply with the Core Code for (multi-) group certification **and** the cocoa Module). They shall comply with all requirements from these two documents which, depending on the activities they perform, are applicable.

If there is a contradiction between what is required from the Core Code and what is required from the Module, the requirement from the Module takes precedence.

#### Year of compliance

New members shall comply with the 1<sup>st</sup> year requirements of the Code. Members who recertify shall move on to the following year of certification (e.g. from year 1 to 2) until they reach year 4. This also applies when the member changes CB.

A member may always request to be assessed against requirements of a higher year. Similarly, producer groups with group members in different years of compliance may request all of their members to be assessed against the highest year.

When the certification is interrupted (e.g. because the member does not meet the requirements of certification or decides not to re-apply for certification for a period of time), the following applies if the member decides to recertify:

Uncertified period*	Year of certification
1.5 years or less	Year of last certification + 1
More than 1.5 and less than 3.5 years	Same year as last certification
3.5 years or more	Year 1 (member is considered as a new member)

\* Period between the expiry date of the last certificate and the beginning of the next certified harvest \* Period between the expiry date of the last certificate and the beginning of the next certified harvest.

Each year, the member shall comply with all applicable mandatory CPs as well as a defined number of additional points. The member chooses which additional CPs to comply with<sup>11</sup>. Subcontractors included in the certification of a member shall comply with the same year's requirements as the member itself.

#### Parallel production

Parallel production is not allowed in case of (multi-)group certification. In other words, group members may not have some plots which are UTZ certified, and others that are excluded from UTZ certification. For individual and multi-site certification this is allowed, but only if an identification and segregation system is in place that guarantees the integrity of the UTZ product.

### b. interviews

- i. Specific workers or work crews can be chosen by the auditor(s) during the opening meeting. The audit team can choose the workers to interview directly from the payrolls, work rolls or assignment lists, lists from training events or other similar lists or records. The auditor(s) can also choose workers based on the tasks they perform in order to confirm information about pay, training, and related topics in subsequent document reviews. In both cases, the workers would be located in the field or at their work stations for interviews. Conversely, workers can be chosen in the field for interviews. In both cases, the results of interviews can be cross-verified with documentation or later observations.
- ii. Interviews with workers shall only be conducted in the absence of supervisors and managers, and the identity of interviewees shall be kept anonymous at all times.

<sup>11</sup> Additional CPs which the member did not choose (yet) to comply with, should not be included in the license request as being a non-conformity. It is optional to mention these points, or some of them, as points which need to be addressed in future certifications.

- iii. Under special circumstances, it may be necessary to interview workers or community members off-site during audits, as preliminary investigations. This is particularly true for interviewing union members and representatives or members of local communities. The auditor(s) shall make the effort to arrange these interviewees in advance to make the best use of auditor time during the audit. Off-site interviews are best conducted where interviewees feel safe and secure, with limited possibilities of being seen by co-workers or operation management.
- iv. Interviews about gender discrimination, violence, or sexual harassment shall be conducted by auditors who have been trained in conducting interviews about these topics. It is recommended to have, whenever possible, a female auditor on the team to conduct the interviews on these topics with women.
- v. CBs and/or auditor(s) shall consider, but not limited to, the following criteria for selecting persons for interview:
  - 1) The number of permanent, temporary and subcontracted workers present during the audit as well as their distribution in different areas and tasks;
  - 2) Production and processing activities in the operation during the audit;
  - 3) The personnel responsible for important control points and areas of risk identified;
  - 4) Sufficient representation of vulnerable groups;
  - 5) The distribution of ages, ethnicity including origin and ethnic group (workers of different origin within the same country, foreigners, indigenous people from different tribes), gender (women and men – by work function), years of experience in the operation, employee status (permanent, temporary, part time workers, workers paid by piece rate), hierarchy level (operations, supervision, management) and the various positions of the available workers, type of work performed by the employee;
  - 6) Non-conformities or points of improvement from previous audits;
  - 7) Complaints and incidents received;
  - 8) The existence of land or resource use concessions, operations with high influxes of seasonal workers, or other conditions that have impacts on the surrounding communities;
  - 9) Presence or absence of unions or other labor representation or negotiating entities;
  - 10) Existence of committees for matters such as occupational health and safety, working conditions, or empowerment of women;
  - 11) Special factors, such as workers recently returned from sick leave, new employees, migrant or temporary workers, young workers (between 15 and 17 years of age), and pregnant women.

#### **c. (Re)Certification audits**

The (re)certification audit (for new members, for members whose certification has been interrupted and for members changing CBs) shall be conducted in the period spanning from the first harvest day to 3 months after the beginning of the first harvest to be certified. Harvest can refer to main/big or mid/small harvest. If there is a continuous harvest, the first audit may take place at any moment in time. If the audit is conducted outside of these periods, the harvest may not be certified.

The CB is responsible for verifying the actual harvest as part of the audit. If the audit observations do not match with the days provided by the member, the auditor shall stop the audit, and the CB shall not grant certification by applying *point f. Non-certification (Section 2.3.2 General Conditions)*.

**DISCLAIMER: The point c. (Re) Certification audits will be re-evaluated for 2020. Based on knowledge and experiences gained in the upcoming year, and after careful consideration, the UTZ program may decide to increase the number of audits or change the timing of audits.**

#### **d. Duration of the audit**

For (multi-)group certification, the following time limits shall be respected for the on-site inspection:

- Maximum of 6 non-large group members per day per auditor (expected to be fewer in most cases)<sup>12</sup>; in case of large group members, the limits shall respect the UTZ-approved audit length calculation parameters for individual certification as mentioned in point *b. Certification Audit in section 2.3.2. General Conditions*.
- Minimum duration for inspection of a processing unit: 0.25 man-days (if deemed necessary more time can be allocated).

For individual and multi-site certification, the minimum audit length shall be calculated using the calculation tool provided by UTZ. In the absence of UTZ pre-defined parameters, the CBs are responsible for developing credible, UTZ-approved parameters to calculate the audit length. UTZ can require that harmonized parameters or calculation mechanisms be binding for all CBs and members.

#### **e. Certified volume**

The certified volume is the volume of produce that a member may sell as UTZ certified. It is based on an estimation made by the member of the volume they will produce during the harvest(s) included on the certificate. This estimation is verified by the CB and shall be made using a credible methodology, based on e.g. previous year harvest(s), density/tree count, age, input use, pests and diseases, plant variety, soil quality, geographic location, climate.

#### **f. Carry-over stock**

Carry-over stock is the physical stock remaining from the previous certificate that is added to the volume of a new certificate of a producer/producer group. It can apply to two situations:

1. If during the previous certificate period the harvested volume was higher than the certified volume, this volume may be included in the new certificate as carry-over volume.
2. If the member has certified produce from the previous certificate period in stock (physically present at the moment of the audit) that will not be sold during the previous certificate period, the difference between the two may be included in the new certificate as carry-over volume.

In both cases, the CB shall assess the quantity and includes this quantity in the certificate as “carry-over volume”.

Volumes delivered to a warehouse and announced in the UTZ traceability system may not be taken as carry-over in the new certificate. (These volumes are added automatically to a new license).

#### **g. Certificate**

The validity of the first certificate (as well as the first certificate after their uncertified period for members whose certification has been interrupted) starts at the beginning of the harvest of the member, so that the entire harvest period is included in the certificate.

If the harvest is continuous, the validity of the first certificate starts from the date a positive certification decision has been taken, or at the earliest 4 months before the last day of the audit if all required records have been verified retrospectively since that date.

Subsequent certificates start the day after the previous certificate expires.

Certificates for multi-sites and multi-groups list the names of the sites and groups covered under the certificate. The name that appears on the certificate is the same as the name registered by the member in the UTZ traceability system.

---

<sup>12</sup> In the event that the CB wishes to audit more than 6 farms per day per auditor, the S&A department shall be contacted prior to the audit (see *section 1.6*).

## 2.5. Certification Process for Chain of Custody

### 2.5.1. Chain of Custody Certification Options

Two different options exist for ChoC certification. The option to select depends on the type of member. The certification option determines who is responsible for compliance and how the sample for the certification audit shall be determined. This is explained in the tables below.

Option 1: Individual certification	
<b>Applies to a member who is:</b>	An individual SCA, whereby central management and handling, processing and storing units are located on the same site, at the same single physical location.
<b>Responsibility for compliance:</b>	The individual SCA complies with all applicable CPs.
<b>Sample for certification audit:</b>	All processes and certifiable activities performed by the individual SCA shall be physically audited by the CB.
<b>Audit duration</b>	Between 0.5 and 1 man-day.

Option 2: Multi-site certification										
<b>Applies to a member who is:</b>	An identified central location under which two or more sites handling, processing or storing UTZ certified product are operating. All sites and the central location are subjected to a common management system that can be verified from the central location. A multi-site member may be composed of different legal entities and all sites shall have a legal or contractual link with the central location of the organization.									
<b>Responsibility for compliance:</b>	All the sites under the central management comply with all applicable CPs.									
<b>Sample for certification audit:</b>	<p>The CB shall decide which sites to include in the audit sample based on the following rules, in order of precedence:</p> <ol style="list-style-type: none"> <li>1) All sites that received non-conformities during the previous audit;</li> <li>2) Any sites operating under the MB traceability level that were added to the previous certificate as part of a site extension (without having received an audit).</li> <li>3) Sampling based on the traceability level of the member: <table border="1" data-bbox="459 1171 1361 1352"> <thead> <tr> <th>Traceability level</th> <th>First certification audit</th> <th>Subsequent audits</th> </tr> </thead> <tbody> <tr> <td>IP and SG</td> <td>Square root of total number of sites*, including the central location</td> <td>Square root of total number of sites*, including the central location<sup>33</sup></td> </tr> <tr> <td>MB</td> <td>Central location</td> <td>Square root of total number of sites*, including the central location</td> </tr> </tbody> </table> <p>*rounded up to the next whole number. Please note that rule 1 and 2 take precedence, meaning that the sample may need to be larger than the square root.</p> <ol style="list-style-type: none"> <li>4) Different sites shall be audited in each audit cycle. All central locations and sites should receive a physical audit. There is one exception to this rule: for the subsequent audits of multi-site SCAs operating uniquely under the MB level, the sites of the audit sample may be audited remotely from the central location (e.g. from the head office), under the condition that the member makes the request to the CB and meets the following two criteria prior to the audit: <ol style="list-style-type: none"> <li>1. The member has a central management including a central administration at the central location which includes all sites within its scope, and;</li> <li>2. The member has a credit account<sup>34</sup> that reflects the input and output volumes of this central administration and is compliant with <i>control point 19</i> of the UTZ Chain of Custody Standard.</li> </ol> <p>In case the CB doubts whether the above two criteria are met (while preparing for or during the audit) the CB may decide to physically audit the sampled sites.</p> </li> </ol> </li> </ol>	Traceability level	First certification audit	Subsequent audits	IP and SG	Square root of total number of sites*, including the central location	Square root of total number of sites*, including the central location <sup>33</sup>	MB	Central location	Square root of total number of sites*, including the central location
Traceability level	First certification audit	Subsequent audits								
IP and SG	Square root of total number of sites*, including the central location	Square root of total number of sites*, including the central location <sup>33</sup>								
MB	Central location	Square root of total number of sites*, including the central location								
<b>Audit duration:</b>	Between 0.5 and 1 man-day for the central location, plus between 0.25 and 0.5 man-days for each additional site. In the case that the MB sites are audited remotely from the central location, between 0.25 and 0.5 man-days may be added per site to the audit duration of the central location.									

<sup>33</sup> For instance: 2 sites + 1 central location =>  $\sqrt{2+1} = \sqrt{3} = 2$  sites to be audit (sq. root is rounded up). In this audit sample of 2 sites, at least the central location shall be audited, plus one other site.

<sup>34</sup> If the use of a credit account is required, see Chain of Custody control point 19.

## 2.5.2. Chain of Custody Certification Procedure

Audits against the UTZ ChoC shall include the following steps:

Chain of Custody Audit Procedure	
1	Opening meeting with at least a management representative.
2	Review of the results of the previous audit (if applicable), and the self-assessment conducted by the member and any subcontractors (if applicable).
3	Review of all relevant documentation.
4	Evaluation of records.
5	Product flow control calculations.
6	Discussions/interviews with key staff members.
7	Physical audit to verify conformity with all applicable CPs of the ChoC and, if applicable, documentation check for sites that are not physically audited.
8	Closing meeting with at least the management, in which the auditor/s shall present to the auditee the conclusions of the audit, including: <ul style="list-style-type: none"> <li>the non-conformities identified, including the evidence and an explanation of why these are considered a deviation from the UTZ standard,</li> <li>the next steps to be taken by the auditee: submission of a corrective action plan within the agreed timeframe,</li> <li>an explanation of what is expected in terms of evidence as part of the corrective action plan: corrections (immediate solutions) and corrective actions (tackling the root causes of the issues) for every non-conformity.</li> </ul>

## 2.5.3. Chain of Custody Certification Conditions

### a. interviews

When selecting personnel to be interviewed the CB and/or auditor(s) shall consider, but not be limited to, the following:

- I. The personnel responsible for important control points and areas of risk identified;
- II. Processing and handling activities in the member's operations;
- III. Non-conformities from previous audits;
- IV. Complaints or incidents reported or researched.

### b. First certification audit

For SCAs who operate under IP or SG level, the first audit shall be conducted no later than 4 months after the SCA has received their first purchase of UTZ product. Product received more than 4 months before the audit date may not be claimed as UTZ.

For SCAs who operate at MB level, the first audit shall be conducted no later than 4 months after their first purchase of UTZ product. Product purchased more than 4 months before the audit date may not be claimed as UTZ.

The auditor shall verify the records requested in the ChoC for the 4 months prior to the date of audit in order to have an overview of the record keeping of the organization. The records shall comply with the ChoC requirements from the beginning of the validity of the certificate. SCAs may not sell UTZ product until they have received a valid certificate.

### c. Subsequent certification audits

Subsequent certification audits (or recertification audits), shall be conducted in the period spanning from 4 months before to 4 months after the expiry date of the certificate. During this audit, the auditor shall verify all records requested in the ChoC going back to the previous audit.

As of the 1<sup>st</sup> of January 2016, CBs shall issue certificates with a longer validity period for UTZ certified members<sup>15</sup> who perform well in ChoC audits. The validity period will increase from one year to two years<sup>16</sup> for those who consistently demonstrate good performance. New members<sup>17</sup> still need to receive a ChoC audit in their 2<sup>nd</sup> year.

<sup>15</sup> UTZ member that is already certified for the Chain of Custody for one or multiple UTZ programs.

<sup>16</sup> 730 days (or 731 days in case of a leap year).

<sup>17</sup> UTZ member that is registered with UTZ, but not UTZ certified yet (has not completed a successful certification audit yet), or whose certification has been interrupted for any period of time.

- New members that pass their first certification audit, shall receive a certificate/license with a validity of one year. During the second audit, one year after the first audit, the member may be considered and evaluated as an 'UTZ certified member' (see *footnote 17*);
- UTZ certified members that pass the audit with 0 - 2 non-conformities, shall receive a certificate/ license with a validity of two years<sup>18</sup>. The next audit shall be scheduled for two years later. Members may only qualify for a certificate with a longer validity period if their certification has been uninterrupted. In case of an interrupted certification cycle, the SCA will have to follow the same procedures as if it were a new member. The volume traded during the non-certification period may not be retroactively claimed as UTZ once the member is certified again;
- UTZ certified members that pass any of their certification audits with 3 or more non-conformities shall receive a certificate/license valid for one year. In their subsequent certification audit, the member may qualify again for a validity of two years;
- Members shall inform the CB of any significant changes that might affect their compliance with the UTZ standard (e.g. changes in the management system, changes in location, etc.), upon which the CB shall decide if the SCA is to be considered a new member.

#### **d. Certificate**

For SCAs who operate at IP or SG level, the validity of the first certificate starts on the date that the SCA received their first purchase of UTZ product. If the SCA has not received any UTZ product yet, the validity of the first certificate starts when the certification decision is taken by the CB.

For SCAs who operate at MB level, the validity of the first certificate starts when the certification decision is taken by the CB.

Subsequent certificates start the day after the previous certificate expires. The validity period of the license is always aligned with the validity period of the certificate. The CB specifies on the certificate which sites are included in the certificate.

#### **e. Geographical scope of the certificate**

For coffee and tea (including rooibos and herbal tea) there is no limit to the geographical scope of ChoC certification: sites from all countries may be certified together and included in the same certificate.

For cocoa and hazelnut, sites may only be certified together and included in the same certificate if they are from the same country. There are three exceptions to this rule. The following groups of countries are considered as single geographical units. Sites from different countries but the same geographical unit may be certified together and included in the same certificate.

1. EU-28<sup>19</sup> plus EFTA (Iceland, Liechtenstein, Norway and Switzerland);
2. NAFTA (Canada, Mexico and the USA);
3. ANZCERTA (Australia and New-Zealand);  
ASEAN<sup>20</sup> (Southeast Asia).

<sup>18</sup> When mentioned here and further "... will receive a Certificate/License." the extended license/certificate validity can only be granted provided all NCs are closed.

<sup>19</sup> For a full list, visit <http://ec.europa.eu/eurostat/statistics-explained/index.php/Glossary:EU-28>.

<sup>20</sup> For a full list, visit <http://asean.org/asean/asean-member-states>.



## 2.6. Rights reserved by UTZ

UTZ reserves the right to:

- Issue and amend the content and requirements stated in this document.
- Have a final say regarding the interpretation of the content and requirements stated in this document.
- Not allow any (prospective) member or prospective/approved CB from entering/continuing in the UTZ program if they have misused the UTZ name or in any way participated in fraudulent behavior against the UTZ program and its members.
- Conduct additional quality control assessments of audits conducted by CBs by:
  - o Requesting further documentation (e.g. UTZ checklist signed by the certifier and auditor, or risk assessment);
  - o Requesting clarification or correction of the reported information;
  - o Requesting a field visit;
  - o Conducting a parallel audit, shadow audit, or CB office audit;
  - o Requesting from the CB the name, CV, and proof of compliance with the requirements described in the *Requirements for Certification Bodies*;
  - o Cross-checking the information reported by the CB with external sources, particularly enabling mutual cross-check with other sustainability standard owners;<sup>21</sup>
- Use the reported audit information for performance monitoring, statistical analysis and research, and aggregated reporting.
- For the purpose of transparency, make the following information publicly available on the UTZ website: name, country, product (e.g. coffee), role in supply chain (e.g. producer), number of ha, Member ID, certification and license status, traceability level (e.g. mass balance).
- Ask CBs for further information based on the certification and surprise audits reports.
- Inform the CB about misbehavior or non-conformities by the member.
- Request a surprise audit of a particular member and/or advice on sample selection for and/or scope of surprise audits.
- Request revision of the certified volumes and/or certified area if they differ from averages known for the country or region and a convincing justification for this is not provided by the CB.
- Deny a license request or suspend or withdraw an active license in case UTZ considers that the member does not comply with the Code, ChoC, or Certification Protocol, or that the audit was not conducted in line with this Certification Protocol.
- Grant exceptions to the requirements in the Code, ChoC, and/or Certification Protocol to members and/or CBs adversely affected by humanitarian crises, natural disasters or other exceptional circumstances.
- Apply the UTZ Sanction Policy in case a CB violates the requirements of this Certification Protocol.
- Open or close the CB application process for CBs to become a new 'UTZ approved CB', and/or to change the conditions of the application criteria, e.g. to only open up the application process for a specific scope (standard, commodity or geographical scope).
- Take the final decision on whether or not something is considered a product claim.
- Conduct audits on members who have signed and submitted a Chain of Custody Audit Exemption Declaration. The goal of these audits is to verify that these members meet the requirements to be exempt from certification and that they comply with the applicable ChoC requirements.

---

<sup>21</sup> Such cross-checks are done with the sole aim of ensuring the credibility of the sector (sustainability certifications) and are performed using the utmost discretion.



## 3. CERTIFICATION BODIES

Only CBs that have been approved by UTZ are allowed to perform audits against the UTZ standards. This chapter describes the obligations and responsibilities that UTZ approval entails for CBs.

CBs and their staff that were already approved under previous versions of the UTZ Protocol remain approved, subject to the conditions explained in the *Requirements for Certification Bodies operating in Brazil*.

UTZ is committed to providing a level playing field for CBs that offer UTZ certification to producers, producer groups and Supply Chain Actors (SCAs). UTZ also believes that producers, producer groups and SCAs are best served when they are able to select from several CBs that can offer high quality services. CBs and their partners working in the UTZ system are expected to adhere to the following principles.

### 3.1. Compliance with ISO 17065 and/or ISO 17021

As a consequence of the proxy accreditation system used to approve CBs, UTZ requests the implementation of the provisions needed to be compliant with ISO 17065 or ISO 17021 (for ChoC only). Moreover, CBs shall apply these provisions for the UTZ program, in addition to any requirements stated in this Certification Protocol.

### 3.2. Impartiality and confidentiality

During the office audits (see the *Requirements for Certification Bodies operating in Brazil*) and at any other time upon request, the CBs shall be able to provide UTZ with financial information that shows how the revenues arising exclusively from certification activities are enough to cover the associated costs (so sources of income from other activities are not used and financial independence is ensured).

Certifiers and auditors are expected to fulfill their tasks with the highest ethical standard. They shall not carry out any activities that may affect their impartiality or confidentiality. Certifiers and auditors shall immediately report any situation that can influence their impartiality or confidentiality to the management of their CB. Examples include but are not limited to:

- Certifiers and auditors shall not audit clients with whom they have any financial or commercial involvement;
- Certifiers and auditors shall not audit clients with whom they have a personal relationship (i.e. friends, family or close acquaintances);
- Certifiers and auditors shall not carry out consultancy activities for members on whom they or their CB perform audits and they shall not have worked as an employee or independent contractor (e.g. consultant, advisor, or trainer) for these members within 2 years prior to the audit.

Training is not considered consultancy, so CBs are free to deliver training for their clients, under the following conditions:

- trainers shall not act as auditors or certifiers for the same clients that participate in the training, for a period of 2 years (even if the training is based on a different standard);
- training is limited to explaining to the participants the content and topics covered by the UTZ standards. To provide an explanation of the way in which UTZ topics should be implemented is considered consultancy;
- training shall be clearly disconnected from the certification activities and cannot represent any obligation for clients.

If a CB conducts a pre-audit for a member, it shall ensure that the same auditor does not perform the certification audit or take part in the certification decision. In order to maintain professional integrity, CBs shall avoid that one auditor conducts more than three audits in a row for the same member (including audits conducted while working for a different CB, and excluding physical follow-up audits and surprise audits)<sup>22</sup>. CBs shall plan the training and approval of auditors in advance to guarantee the intended rotation of auditors.

<sup>22</sup> Audits conducted before 1 July 2015, the launch date of UTZ Certification Protocol version 4.0, are not taken into account for this rule.

Certifiers and auditors shall strictly observe and respect the internal procedures on confidentiality of information and records of both the CB and the member. Information and records of the audit may only be given to third parties other than UTZ if written consent from the client and from the CB is granted. Any doubts CBs may have regarding impartiality, independence and confidentiality should be discussed with UTZ (by sending an e-mail to [cbmanagement@utz.org](mailto:cbmanagement@utz.org)).

### 3.3. Reporting audit results and requesting licenses

CBs shall report the results of certification audits (those resulting in positive as well as those resulting in negative certification decisions) and request licenses for certified members in the UTZ traceability system by:

- Filling in a license request;
- Uploading the UTZ certificate;
- Uploading the group member list (only for group and multi-group certification). The UTZ certificate template and group member list template that shall be used for this are available upon request at [cbmanagement@utz.org](mailto:cbmanagement@utz.org). The uploaded UTZ certificate and group member list shall contain at least the information included in these templates;
- Uploading the member's self-assessment, filled-in checklist and audit plan.

CBs shall provide accurate information. All information provided in the summary reports shall be based on field observations, written records, and interviews with the member.

### 3.4. Surprise audits

#### Purpose

The purpose of surprise audits is based on the following factors:

- 1) Is carried out to supervise conformity with the UTZ Standard on a sample of certified members.
- 2) May happen at any time during the audit cycle, and the related certificate is maintained or cancelled as a result of a surprise audit.
- 3) Is an unannounced process, therefore any prior notice to the member should not be longer than 72h prior to the surprise audit to happen, so logistical challenges can be avoided. See section *Timing*.
- 4) It will be used by the CB Monitoring to evaluate the performance of the CB's auditors. As such, the auditor conducting the surprise audit shall be a different individual from the auditor that conducted the previous (re-)certification audit.

#### Number

Each calendar year, CBs that issued 10 or more UTZ certificates during the previous calendar year, shall conduct surprise audits. The number of surprise audits to be conducted by a CB shall be at least 20% (rounded down to the next whole number) of the total number of UTZ certificates the CB issued during the previous calendar year (all products and scopes combined)<sup>23</sup>.

#### Scope and duration

The minimum duration of a surprise audit is outlined in the following table:

	Individual Multi-site	Group / multi-group
<b>Code of Conduct</b>	Minimum of 0.5 man-days	Min. 2 man-days (excluding travel time). <i>NB: During the surprise audit, the IMS shall be verified, and good implementation of the IMS shall be cross-checked through verification of relevant CPs at farmer level.</i>
<b>Chain of Custody</b>	Minimum of 2 hours	Min. 2 hours for central location + at least 2 hours for each sampled site (excluding travel time). <i>NB: Sampled sites may either undergo a desk audit or physical audit depending on the traceability level, see rules explained under "Option 2: Multi-site certification" of section 2.5.1.</i>

<sup>23</sup>Taking into account the ChoC audit frequency rules, the amount of surprise audits is still to be calculated based on the amount of certificates issued by the CB in the previous calendar year.

The CB shall use the version of the UTZ Code of Conduct Standard (including the product specific Module) or Chain of Custody standard that was used during the last (re-)certification audit. UTZ reserves the rights to establish specific audit length calculation for its certification scopes also for surprise audits. Should these be communicated by UTZ, they immediately apply.

### **Selection of members, sample and control points**

The number of Code and ChoC members that are selected to receive a surprise audit shall be proportional to the total number of Code and ChoC audits performed during the previous calendar year. The selection of Code and ChoC members to receive a surprise audit shall be based on the following criteria, to be applied in the given order:

1. Requests received from UTZ (if any);
2. CB's Scope Risk Assessment and Risk Registry (included in the *Requirements for Certification Bodies operating in Brazil*);
3. The CB's risk analysis of the member, taking into account the number and severity of non-conformities identified during the previous (re-)certification audit, and the implementation of corrections and corrective actions, and other relevant justifiable reasons the CB may have, including possibilities of national law violations, violation to human rights and appearance in official databases that represent risk of credibility to UTZ, CB and member;
4. Complaints received about the member (e.g. from the government, NGOs, or UTZ);
5. The time period that the annual audit was conducted (during the harvest or not), see below under *Timing*;
6. New members that are in their first year of certification;
7. Rotation - members that did not receive a surprise audit yet;
8. Random selection.

The sample of farmers (in case of (multi-)group certification) or sites (in case of multi-site certification), as well as the selection of CPs that are checked during the surprise audit shall follow the group member sampling rules described in *Option 3: Group certification in 2.4.1. Code of Conduct Certification Options*.

If the CB has certified members under the (multi-) group scope of certification, it should plan witness audits of a representative sample of internal inspections, in order to assess the competence and performance of internal inspectors, as part of the surprise audit program.

The justification for the selection of members, as well as the CB's risk assessment with the justification for the sample and selected CPs shall be submitted to UTZ along with the reporting of the surprise audit results.

### **Timing**

A surprise audit shall be conducted at least three months after the last certification audit. For Code members that have more than one harvest per year and did not receive their last certification audit during the harvest, surprise audits shall take place during the harvest, else in any moment of the year.

Members receiving a surprise audit shall be notified as late as possible, at most 72 hours in advance.

### **Payment**

CBs shall not request extra payment to members who receive a surprise audit. UTZ therefore recommends that CBs take into account the costs of surprise audits in the fee charged to all members for their annual audit.

### **Non-conformities**

If no non-conformities are found during the surprise audit, the member maintains its certificate.

If non-conformities are found, they shall be handled the same way as those found during certification audits (**described in points e., f., g. and h. of section 2.3.2 General Conditions**). The only difference is that resolving all non-conformities does not mean that a new certificate is issued, but that the current certificate is maintained. Not resolving non-conformities will result in suspension and/or withdrawal of the current certificate.

### Submission of surprise audit results to UTZ

The results of each surprise audit reporting shall be submitted to UTZ ([cbmanagement@utz.org](mailto:cbmanagement@utz.org)) within 13 weeks after the surprise audit was conducted. For each surprise audit, this includes:

- justification why the member was selected and the CB's risk assessment, with justification for the selected sample and CPs (to be indicated in the Additional Audit Report Template), and;
- the UTZ checklist, UTZ audit summary report, CB's surprise audit report (signed and dated by the auditor and certifier). Comments shall be made on the UTZ checklist for those selected CPs that were audited during the surprise audit (indicating at least a description of the evidence). Also, the CB should clearly indicate in the UTZ checklist if, how and when the non-conformities were closed.

The UTZ checklist, CB risk assessment template and Additional Audit Report Template that shall be used for this are available upon request from [cbmanagement@utz.org](mailto:cbmanagement@utz.org).

CBs shall send a summary overview of all surprise audits conducted throughout the year latest together with the annual reporting (see below).

## 3.5. Annual report

All CBs shall report annually to UTZ on:

- the annual audits conducted in the previous calendar year;
- the auditors contracted/employed in the past calendar year, currently, and/or in the coming year;
- a summary overview of all surprise audits conducted throughout the previous year (if applicable).

This reporting shall be completed before the 31<sup>st</sup> of January of the next calendar year. The format for the annual report is available upon request from [cbmanagement@utz.org](mailto:cbmanagement@utz.org). Failure to submit the annual report and the results of the surprise audit in due time may impact the CB Monitoring score and/or result in sanctions. UTZ will review all annual reports and a selection of the submitted surprise audit results.

## 3.6. Protection of the integrity of UTZ

In the event that a CB finds a non-conformity with the UTZ standard that might compromise the integrity of UTZ, the CB shall inform UTZ of its findings, followed in due course by a documented case study that includes the actions to be taken by the CB.

## 3.7. Communication about UTZ and use of the UTZ logo

The UTZ logo is copyright material and is a registered trademark, owned by the UTZ Foundation. Approved CBs may use the UTZ logo on the Code and ChoC certificates they issue. Any communication of UTZ on a homepage, folder, brochure or other material of the CB shall be checked before release (by sending an e-mail to [cbmanagement@utz.org](mailto:cbmanagement@utz.org)).

## 3.8. Fees

Currently, UTZ does not charge CBs any fees for the approval process or for carrying out inspection and certification activities within the framework of the UTZ program. UTZ reserves the right to introduce a fee in the future, upon prior notice to the CB.

## 4. ASSURANCE OF THE UTZ PROGRAM

### 4.1. Grievance Procedure

Any grievance concerning UTZ shall be handled according to the UTZ Grievance Procedure, available on the UTZ website.

### 4.2. CB Monitoring System

The main goal of the UTZ CB Monitoring System is to ensure that audits performed against the UTZ standards are consistent and of high quality. It includes the periodic assessment of the performance of CBs against a series of pre-defined indicators. CBs shall use the results of these assessments for their continuous improvement. A detailed description of the UTZ CB Monitoring System can be found in the *Requirements for Certification Bodies operating in Brazil.*, available on the UTZ website.

### 4.3. Sanction Policy

UTZ reserves the right to sanction CBs based on evidence of improper procedure or behavior that jeopardizes the credibility of UTZ and/or compromises its assurance system. A full explanation of the procedure and the different sanctions can be found in the *Requirements for Certification Bodies operating in Brazil.*, available on the UTZ website.

### 4.4. CB Training Program

The requirements of the CB Training Program remain in place but have now been included in the *Requirements for Certification Bodies operating in Brazil.*, available on the UTZ website.