

# PROTERRA CERTIFICATION PROTOCOL V3.0

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## 1. Introduction

### 1.1 ProTerra Foundation

ProTerra Foundation is a non-for-profit organisation that envisages a world where all businesses contribute to the protection of biodiversity by switching to sustainable production, conserve natural resources and ensure that workers and local communities are treated with dignity and respect. The ProTerra Foundation owns the ProTerra Certification Standard and related audit methodology. More information [www.proterrafoundation.org](http://www.proterrafoundation.org)

The ProTerra Foundation's mission is to be a global network of businesses supporting more sustainable agricultural practices, in the food and feed supply chains, where relevant the conversion to non-GMOs and full respect of workers and communities' dignity.

We envisage a world where all businesses contribute to the protection of biodiversity by switching to sustainable production, conserve natural resources and ensure that local communities are treated with dignity and respect.

Businesses enterprises which support the ProTerra Foundation mission and vision may sign a membership declaration to commit to:

- Support the credibility of the ProTerra Certification Standards and their adaptability to the reality they operate in.
- Raising awareness about impact on biodiversity and climate change.
- Empowering farms and businesses throughout the food supply chain, to become vectors of environmentally and socially responsible business practices.

### 1.2 ProTerra Certification System

The ProTerra Certification System responds to the growing demand for products that are produced according to higher standards of social responsibility and environmental sustainability and for full traceability, especially in the case of non-GMO products.

The ProTerra Certification System consists of two main elements: the ProTerra Standard and the ProTerra Certification Protocol. The current versions are published on the ProTerra Foundation website.

Certificates or statements of conformity with ProTerra Certification System are exclusively issued by recognized Certification Bodies that have been approved and have executed a Cooperation Agreement with the ProTerra Foundation.

### 1.3 ProTerra Standard

The aim of the ProTerra Standard for Social Responsibility and Environmental Sustainability is to foster good agricultural practices, secure the supply of sustainably produced, fully traceable, non-GMO ingredients for feed and food, protect the

environment and promote that workers and communities be treated with dignity and respect.

Certification is applicable to distinct levels of operation across the food and feed production chains:

- Level I – Agricultural production
- Level II – Transport, Storage, Traders and Dealers
- Level III – Industrial Processing

Food and feed production can be agricultural or industrial.

- **Agricultural production** is the growth of crops and seeds. The unit of certification includes the entire farm, both nongrowing activities and noncultivated areas, including all activities ongoing on site at the time of certification.
- **Industrial production** refers to any operation that transforms the agricultural production output, such as a crushing plant or a food product manufacturer.

#### 1.4 ProTerra Certification Protocol

This Certification Protocol has been developed for certification bodies, auditors and economic operators, and establishes the process and procedures for certification against the ProTerra Standard. It includes:

- a) Rules and requirements for Certification Bodies
- b) Certification requirements for economic operators
- c) Audit procedures for Certification Bodies

## 2. Scope of this document

ProTerra works with accredited Certification Bodies to perform independent certification, audits and training. This document sets out the procedures and requirements by which a Certification Body can be approved by ProTerra, and gives criteria for the selection, qualification monitoring and evaluation of these certification bodies that wish to operate and undertake assessments in conformance with the ProTerra Standard.

This ProTerra Certification Protocol details the qualification criteria of lead auditors, auditors and scheme manager.

Also are described the auditing procedures that a Certification Body shall follow to arrange and conduct a ProTerra audit and to verify the conformance of an economic operator that is seeking certification against ProTerra Standard.

## 3. Definitions and Abbreviations

System User is any natural or legal person that executed an agreement with a Cooperating Certification Body or Service provider regarding the use of services

based on the ProTerra Standard and has agreed to the Terms of Use of the ProTerra Foundation.

Economic operator is an organisation or individual with legal ownership or physical control of agricultural commodities, derived products, and products made with them, i.e. organisations that apply for certification or become certified organisations. Economic operators may be in any node of the supply chain.

Standard related services are certification and verification audits, risk assessment in the form of gap-audits against the ProTerra Standard and trainings for farmers and farmer organizations, based on the content of the ProTerra Standard, and the use of sustainability reporting tools and other innovative tools developed by the ProTerra Foundation related to the ProTerra Standard.

Audit is an assessment of the compliance with the indicators of the ProTerra Standard and related legal requirements performed by a Certification Body, by ProTerra Foundation or by a person commissioned by ProTerra Foundation. Audits against the ProTerra standard can be done on Level I – Agricultural production; Level II – Transport, Storage, Traders and Dealers; and Level III – Industrial Processing. Those organizations that act only as chain of custody economic operators, Level II, have a more limited scope in relation to the Standard and are only audited under Principle 10 - Traceability and Chain of Custody and, if applicable, Principle 5 – No use of Genetically Modified Organisms (GMOs), and those indicators that make specific reference to Level II.

A distinction shall be made between the following:

- Certification audits and/or re-certification audits performed by a Certification Body with the aim of issuing certificates or statements of conformity for the first time and/or for renewing them.
- Audits as risk assessments without issuing a certificate but providing a report on non-compliances and critical points to be corrected.
- Consulting on how to correct non-conformances; and
- Integrity assessments or surveillance audits as described.

Integrity Assessment is an audit performed by ProTerra Foundation or by independent auditors commissioned by the ProTerra Foundation with regard to certified organizations and certification bodies as part of the ProTerra Foundation Integrity Program, following certification, certification renewals, gap-audits or any service performed under the ProTerra Standard or using the ProTerra System.

Personal Data are all particulars about the personal or factual circumstances of a specific or identifiable natural person. This includes such data by means of which the identity of a person can be determined, e.g. name, address, e-mail address or IP address.



Confidential Company Data are all non-published particulars about a company or factual circumstances of a specific site or company. This includes the name, location, turn-over or factual circumstances related to a specific site, such as results of audits.

Audit Guidelines are guidance information provided for certification bodies regarding audit procedures and interpretation and application of the indicators which are defined respectively in the Certification Protocol and in the ProTerra Standard. The currently applicable Audit Guidelines are available on the ProTerra website.

Certificates are attestations issued by a Cooperative Certification Body which confirm that the economic operator has met the requirements imposed upon their business in relation to the ProTerra Standard requirements.

Cooperating Certification Body is a Certification Body approved by the ProTerra Foundation that has executed a Cooperation Agreement with The ProTerra Foundation.

Certification Agreement or Service Agreement is the contract executed between the economic operator and the Cooperating Certification Body for certification or gap-audits respectively.

Certification and Standard Committee (CSC) is the committee appointed by the ProTerra Board handling implementation and credibility issues related with certification on behalf of ProTerra Foundation among other responsibilities.

Supplier of Core input is a supplier of a core input that is added as part of the formulation of the final product to be certified under the certification ProTerra program. A supplier of soybeans is a supplier of a core input to a soy crushing plant. A core service provider is a provider of essential services to the production system, such as outsourcing of harvesting or planting labour.

#### **4. Approval procedures for Certification Bodies**

Only approved Certification Bodies by ProTerra are allowed to audit against the ProTerra Standard.

ProTerra aims to assure that certification bodies consistently deliver the ProTerra Certification System to the highest standards, and that economic operators wishing to become certified can choose from a number of credible and reliable Certification Bodies.

Here are described the procedures and requirements by which a Certification Body can be approved by ProTerra.

A list with the approved Certification Bodies is maintained on the ProTerra web page.

#### **4.1 Formal Approval Procedure**

- 4.1.1 The Certification Body can apply for approval by the ProTerra Foundation. Following documents are to be sent with the application:
- a) ISO/IEC 17065:2012 Accreditation Certificate showing that the Certification Body is operating at least one accredited scheme which is relevant to the sustainability criteria as required by this certification protocol;
  - b) Curriculum Vitae, audit log, diploma and certificates of scheme manager, lead auditors and auditors evidencing the qualification and experience specified in section 4.4 of this Protocol;
  - c) Quality Management System documents.
- 4.1.2 The application form and the attached documentation are reviewed and verified by an assigned evaluator. The ProTerra Standard and Certification Committee has to approve of any new Certification Body and make a recommendation to the ProTerra Board, which takes the final decisions. If all requirements are met, a Cooperation Agreement is sent to the Certification Body, allowing the use of ProTerra certification documents, the ProTerra Logo and website, as well as confirming the impartiality, confidentiality, liability and secrecy arrangements as specified in section 4.2 of this Protocol.
- 4.1.3 ProTerra will monitor and evaluate the performance of the Certification Body in line with the Certification Protocol. It may include witness audits.
- 4.1.4 Individuals cannot be approved as a Certification Body.
- 4.1.5 Subcontracting by the approved Certification Body of another Certification Body or a free-lance auditor is allowed. The subcontracted body must have a contract with the Certification Body, be controlled by it and be included in the scope of a recognized accreditation certificate.

#### **4.2 Certification Body Organizational Structure**

- 4.2.1. The Certification Body is required to meet specific procedures for the management of safeguarding impartiality evidence including liability and financing, and non-discriminatory conditions.
- 4.2.2 The Certification Body shall ensure that all personnel contributing to the certification process including decision of certification, disclose in writing to the Certification Body all interests which could possibly be perceived as, constitute and/or result in a conflict of interest as soon as they become evident. All Certification Body personnel must operate at high levels of professional integrity, be free from commercial, financial or other pressures that might affect their judgment, and are expressly forbidden from promoting any goods or services during evaluation activities.

- 4.2.3 Information relating to the applicant producer including details of products and processes, evaluation reports and associated documentation shall be treated as confidential.
- 4.2.4 The Certification Body shall establish documented procedures for determining timely and appropriate responses to such declarations of interests as they arise, to ensure that the declared interests neither influence, nor are perceived to influence, the certification process and/or certification decision making.

### **4.3 Certification Body Operations**

- 4.3.1 The Certification Body has to be accredited in ISO/IEC 17065:2012 by an Accreditation Body that is member of the International Accreditation Forum (IAF) or European Co-operation for Accreditation (EA) and signer of the Multilateral Agreement, which includes peer to peer verification by other IAF or EA member accreditation bodies. The Certification Body has to operate at least one accredited scheme under ISO/IEC 17065:2012 which is relevant to the sustainability criteria as required by ProTerra Standard.
- 4.3.2 The Certification Body shall demonstrate that it has developed all of the required, documented procedures as specified in ISO/IEC 17065:2012 and in this document.
- 4.3.3 The Certification Body shall base its operations related to ProTerra Standard and the ProTerra Certification System and all aspects thereof on documented systems including but not limited to all operational procedures and associated instructions to be followed in order to evaluate conformity with ProTerra Standard.
- 4.3.4 The Certification Body shall make the documentation of its systems available to the personnel involved in the Certification Body operation, and at the level of its related bodies.
- 4.3.5 The Certification Body shall conduct its certification operations in full conformity with its documented systems.
- 4.3.6 The Certification Body shall ensure that documents and records related to ProTerra Certification System are compiled and maintained accurate, complete, up-to-date and legible for at least 5 years. Some records are the following, among others:
  - a) Certification Body's personnel (staff, auditors, peer reviewers and committee members) records including CVs, qualifications, confidentiality agreements, training records, performance appraisals and declarations of conflicts of interest;
  - b) List of and contracts with external bodies and/or persons subcontracted for work related to certification;

- c) Applications for certification services, certification evaluations and certification contracts and all documents related;
- d) Internal audits and management reviews.

4.3.7 The internal audits and review of the certification process must be carried out at least annually. This procedure includes the verification of updates taking into account any communication of ProTerra. A copy of the report of the internal audit has to be given to the ProTerra Certification and Standard Committee upon request.

4.3.8 The internal verification process shall include the evaluation of subcontractors, complaints, appeals, disputes and other comments from ProTerra stakeholders and governments on the functioning of certification bodies, their auditors and technical management that are operating the ProTerra Certification System.

#### **4.4 Qualifications of Scheme Manager, Auditors and Lead Auditor**

In this section are described the minimum qualification requirements in terms of training and experience to ensure that auditors and scheme managers working for Certification Bodies recognized by ProTerra consistently possess the knowledge, skills and experience to consistently, comprehensively and transparently implement the ProTerra Certification System and carry out evaluations against the ProTerra Standard.

##### **4.4.1 Scheme Manager**

The Scheme Manager is the person within the Certification Body that is responsible for:

- a) Implementation of the ProTerra requirements specified in the ProTerra Certification Protocol;
- b) Ensuring and supervising that all auditors meet the qualification requirements of ProTerra and conduct the audits as specified in the ProTerra Certification Protocol;
- c) Making the final certification decision and ensuring that the final certification decision, certificate and audit report are handled according to the requirements as specified in the Protocol;
- d) Attending ProTerra training when necessary and remaining up-to-date with ProTerra Certification System procedures, requirements, and documentation.

The Scheme Manager has to be competent in the auditing process of the ProTerra Standard. This includes the following minimum qualification requirements:

- a) Advanced post high school education degree in the area of agriculture, chemical technology, or food-related disciplines;
- b) Successful completion of an ISO 9001/14001 lead auditor course or other training/experience deemed equivalent and acceptable by the ProTerra Foundation;



- c) Demonstrable knowledge and experience of production and processing systems similar to the ProTerra Certification System;
- d) Completion of the ProTerra training on the practical application of the ProTerra Standard and ProTerra Certification Protocol;
- e) Working language skills in English for verbal and written communication to ProTerra, and working language skills suitable for verbal and written communication with the auditee and the auditee's relevant stakeholder groups;
- f) The technical manager shall have audit skills and audit experience with certification in agricultural, forestry and/or industrial areas covering the following issues:
  - Labour Conditions and social aspects
  - Health and Safety
  - Environmental
  - Non-GMO production, if applicable
  - Legal Frame for production of the commodity being certified
  - Traceability / Chain of Custody systems

The proof of the qualification requirements for scheme managers needs to be handled as part of the Certification Body approval process. Exceptions to any of these requirements must be approved and registered in advance by the ProTerra Certification and Standard Committee.

#### 4.4.2 Auditor

The Auditor is the person within the Certification Body that performs the on-site audit. As such the Auditor is responsible for:

- a) Performing audits of producers and/or producer groups in compliance with the ProTerra Standard;
- b) Performing audits of organisations in compliance with the ProTerra Standard;
- c) Producing accurate and timely audit reports as specified in the ProTerra Protocol;
- d) Staying up to date with the ProTerra Certification System procedures, requirements, and documentation.

The auditor has to be competent in the audit of the ProTerra Standard. This includes the following minimum qualification requirements:

- a) Post high school education degree in the area of agriculture, chemical technology, or food-related disciplines;
- b) Proof of participation and completion of the ProTerra auditor training on the practical application of the ProTerra Standard and Certification Protocol;
- c) Working language skills in English for verbal and written communication to ProTerra, and working language skills suitable for verbal and written communication with the auditee and the auditee's relevant stakeholder groups;
- d) Demonstrable knowledge and experience of production and processing systems similar to the ProTerra Certification System;

- e) Supervised period of training in practical auditing by a qualified lead auditor with at least 15 days' audit experience in similar certification schemes, achieving a minimum of 2 audits at different organizations;
- f) Contract with a ProTerra approved Certification Body.

In addition to the above and in the understanding that not all of the above qualifications may be with 1 auditor, the audit team shall be a multi-disciplinary team composed under the responsibility of the lead auditor and approved by the Scheme Manager. The team as a whole needs to be qualified on each of the individual fields of experience as specified below, where the auditor needs to be a qualified expert for that particular field of expertise.

The audit team shall have audit skills and audit experience with certification in agricultural, forestry and/or industrial areas covering the following issues:

- Labour Conditions and social aspects
- Health and Safety
- Environmental
- Non-GMO production, if applicable
- Legal Frame for production of the commodity being certified
- Traceability / Chain of Custody systems

Exceptions to any of these requirements must be approved and registered in advance by the ProTerra Certification and Standard Committee.

#### 4.4.3 Lead Auditor

The Lead Auditor is the person within the Certification Body that is the leader of the audit team.

The Lead Auditor has to be competent in the audit of the ProTerra Standard and ProTerra Certification Protocol. In addition to the required qualification of an auditor (see Auditor section), the lead auditor fulfils the following extra requirements and qualifications:

- a) Demonstrable experience in the auditing processes operating with Mass Balance Tracking and Tracing;
- b) Successful completion of an ISO 9000/9001 lead auditor course;
- c) The lead auditor should have performed a minimum of 5 audits as team member and is witnessed in his position as team leader by the Scheme Manager or another Lead Auditor of the Certification Body during a ProTerra audit before qualification as lead auditor in the ProTerra scheme.

### 4.5 Internal qualification review

4.5.1. In order to maintain auditor's qualifications and achieve consistency, all auditors shall be subject to review and appraisal of their performance by the Certification Body. The Certification Body will conduct this by combining a number of activities:

- Updating of the auditor training record and/or experience record;
- Regular reviews of the audit reports;
- Annual appraisal;
- Reviewing of any complaints or compliments;

- Annual witnessed audit.
- 4.5.2. A report on these internal appraisal activities and potentially necessary corrective actions shall be transferred to the ProTerra Certification and Standard Committee upon request.

## **5 Certification Requirements**

- 5.1 To achieve certification against ProTerra Certification System, the economic operator must demonstrate compliance with 80% of all applicable indicators, in which all core indicators are included. Compliance shall be independently verified by an accredited Certification Body approved by ProTerra Foundation to perform audits under the ProTerra Certification System. Repeated noncompliance with non-core indicators in successive audits shall not be tolerated; corrective actions are expected. In case of chain of custody operators for whom only Principle 5 and 10 are applicable, to achieve certification against Proterra, 100% of all indicators must be met.
- 5.2 Only ProTerra certified economic operators are allowed to participate in the scheme and trade and trace ProTerra sustainable agricultural commodities and derived products and claim conformity with the ProTerra Certification System.
- 5.3 ProTerra certified materials and products shall be identified using correct claims, ProTerra logo, seal and certificates, according to the Guidelines and Requirements for the Use of the ProTerra Logo and Seal.

### **5.4 Scope of Certification**

- 5.4.1 The ProTerra certification is applicable to three levels of operation within the food and feed production chains:
- Level I – Agricultural production
  - Level II – Transport, Storage, Traders and Dealers
  - Level III – Industrial Processing
- 5.4.2 The economic operators must be classified in one of these operation levels, and the audit is carried out against the applicable indicators in ProTerra Standard, which indicates the applicability of each of its indicators regarding each of the three levels of operation.
- 5.4.3 ProTerra certification can apply to raw materials, ingredients or multi-ingredient products. This may be accomplished using two basic approaches:
- a) Each actor in the food and feed supply chain can be certified in its own right against the relevant ProTerra Standard set of indicators or
  - b) Certified organisations that use inputs from sources that are not ProTerra certified in their own right shall implement systems to control and monitor these supply chain(s) to ensure that the relevant ProTerra Standard

indicators are met. In this case the verification of this system will be considered as part of the user's own ProTerra certification responsibilities and verified by the Certification Body.

- 5.4.4 Those organizations that act only as chain of custody economic operators, Level II, have a more limited scope in relation to this Standard and are only audited under Principle 10 - Traceability and Chain of Custody and, if applicable, Principle 5 – No use of Genetically Modified Organisms (GMOs), and those indicators that make specific reference to Level II.

## **6 Audit Requirements and Procedures**

In this chapter are described the basic requirements related to the process and procedures that a Certification Body shall follow in arranging, conducting, and reporting upon an audit of an economic operator that is seeking certification against the ProTerra Standard.

### **6.1 Application and Certification Agreement**

- 6.1.1 The economic operator shall provide all relevant information about its organization and activities related to the certification scope, including name, address, and operation level (Level I – Agricultural production, • Level II – Transport, Storage, Traders and Dealers, and Level III – Industrial Processing) through completing an application form. This information will be necessary for the Certification Body to generate a certification proposal and application.
- 6.1.2 After receiving all necessary information, the Certification Body must verify that the economic operator is a registered member of ProTerra Foundation. If the economic operator is not a member, the CB shall request that it contact ProTerra Foundation to seek membership. In confirming membership, the CB issues a formal certification proposal to the applicant and an application form, detailing the scope and conditions of certification services, general rules and applicable fees.
- 6.1.3 Once the applicant accepts the conditions, and signs the certification proposal and application form documents, the Certification Body shall prepare a legally enforceable contract, the Certification Agreement, within the limits of the ProTerra Terms of Use and of this Protocol.
- 6.1.4 The Certification Agreement shall specify the certification scope, duration and costs relating to the assessment procedure, and outline the rights and obligations of the Certification Body and of the auditee. This shall include relevant provisions on confidentiality and no conflict of interest.
- 6.1.5. The required audit frequency is one full audit every year for all levels except if any relevant fact is made public in this meantime deeming, at the discretion of CB

and/or ProTerra Foundation, that a new audit is necessary. A relevant fact includes, but it is not limited to: fines, sanction and investigation from/by public authorities that come to the public knowledge associated to: child labour, slavery, breaches to human rights, conflict with traditional community's or indigenous population, illegal deforestation, used of GMO material and major pollution events. Costs associated to audits motivated by relevant facts are to be fully paid by the auditee.

## **6.2 Audit Planning**

Upon request by the economic operator for evaluation for compliance with the ProTerra Standard within the ProTerra Certification System, the Certification Body shall initiate the evaluation planning, and appoint the lead auditor to undertake and coordinate all activities necessary to conduct and conclude the evaluation as specified in the ProTerra Standard.

- 6.2.1 The Certification Body shall have a process for selecting and appointing the audit team, including the audit team leader. Collectively they shall be able to cover all elements of the ProTerra Standard, taking into account the competencies needed to achieve the objectives of the audit.
- 6.2.2 The Certification Body shall have documented procedures for determining audit time needed for each economic operator. The following aspects shall be considered:
- a) The level of the economic operator (Level I, II or III);
  - b) Number of applicable criteria and indicators of the ProTerra Standard;
  - c) Size and complexity of the economic operator;
  - d) Technological, cultural and regulatory context;
  - e) Any outsourcing of core activities included in the scope of certification, and
  - f) The results of previous audit.
- 6.2.3 The Certification Body shall provide the name and, when requested, make available background information about each member of the audit team, with sufficient time for the economic operator to object the appointment of any particular auditor or technical expert and for the Certification Body to reconstitute the team in response to any valid objection.
- 6.2.4 The audit plan shall be prepared by the lead auditor, approved by the scheme manager and forwarded to the economic operator prior to the on-site visit. It shall contain as a minimum: audit objectives and scope to match the contract, audit standard, time of opening and closing meeting, audit team meetings, time allocated for each audit activity, working language for the audit, and the roles and responsibilities of audit team leader and team members.

## **6.3 Certification Audit**

The certification audit is compulsory and necessary to obtain and evaluate objective evidence to determine the extent to which the economic operator is in compliance with the requirements of the ProTerra Standard.

- 6.3.1 The audit will be undertaken at the location of the economic operator, using this Protocol and the most recent version of the ProTerra Standard, available on the ProTerra website.
- 6.3.2 The on-site audit shall include:
- a) Opening meeting during which the lead assessor shall inform about the certification process, agree logistics for the assessment, confirm access to all relevant documents, field sites and personnel, and agree on the timing of the closing meeting.
  - b) The verification of the scope of certification, process and locations, and related regulatory aspects and compliance (social, environmental, labour, health and safety).
  - c) Verification of the management documentation, including a sufficient number and variety of records, procedures, programs, and all available documents related to the indicators of the ProTerra Standard.
  - d) Visual inspections.
  - e) Interviews with key staff and workers, and other professionals and people involved in, or affected by the operation. The interview partners have to be selected by the auditor, not the management.
  - f) Closing meeting with the management including review of any non-conformances.
  - g) Agree on when non-conformities will be solved and how CB will verify the implementation of corrective actions to confirm the closure of the non-compliance.
- 6.3.3 The Certification Body shall develop a checklist to be used during the audit process. This checklist shall be approved by ProTerra in advance.
- 6.3.4 ProTerra reserves the right to accompany auditors on audits.
- 6.3.5 The evaluation of economic operators from Level III (Industrial Processing) shall include the verification of a sample of their core suppliers.
- 6.3.5.1 When farm areas are verified as part of the supply chain of a Level III operator, it will be assessed with the requirements that are valid for ProTerra Level I. For these farms a verification statement will be issued indicating their participation in the ProTerra program. This document will be valid for 2 years.
- 6.3.6 The auditees shall grant access to the area(s) under certification and administrative premises, be available for interviews and make worker available. Auditees should also provide all the required and necessary documents and evidence as requested by CB in a timely manner and as necessary make arrangements for the visit at the supplier's sites.

#### **6.4 Selection of sites for Evaluation**

- 6.4.1 The evaluation of economic operators shall include the verification of core suppliers and/or service providers (refer to 6.5.6).
- 6.4.2 In cases that there are a large number of core suppliers, a sampling can be done. The sample must be representative of the diversity of production methods and cover risk areas. The CB is to document the definition of its sample size for each audit done.
- 6.4.3 On repeated audits, the auditor shall attempt to sample farms and core suppliers not previously visited, in order to achieve a greater coverage of all suppliers over time.
- 6.4.4 For the suppliers that are visited a verification statement will be issued indicating their participation in the ProTerra program. This document will be valid for 2 years.
- 6.4.5 The Sampling Methodology for farms is described in Appendix 2.

#### **6.5 Non-conformities and Corrective Actions**

- 6.5.1 ProTerra classifies the indicators in two levels of compliance: Core Indicators and Other Indicators as follows:
  - 6.5.1.1 The Core Indicators are those that are considered by the ProTerra Foundation as essential to mitigate sustainability negative impacts. This indicator is essential and must be met by applicants to be granted the ProTerra Standard certification. The Core Indicator shall be complied with from the beginning and maintained throughout the entire certification period.
  - 6.5.1.2 Auditee and CB must agree with a written timetable and plan (corrective actions plan) to close all non-compliances. Additionally, all certified organizations shall present a progress report on the implementation status of the action plan yearly, which will be verified during the annual ProTerra audit.
- 6.5.2 The categorization of each indicator is covered in the ProTerra Standard.
- 6.5.3 All non-conformities that are identified by the team during an audit shall be systematically recorded, and the economic operator shall receive a non-conformity report indicating what are non-conformities together with the Audit Report. The Audit report is due in 3 (three) months from the end of the site visit of the certified economic operator.
- 6.5.4 The economic operator shall answer the non-conformity report with the corrective actions and their deadlines and send it to the Certification Body within 3 months after receiving the audit report.



- 6.5.5 The implementation of the corrective actions for non-core non-conformities will be verified at the next annual audit.
- 6.5.6 Verification of core supplier
- 6.5.6.1 All non-conformities that are identified during verification audits on suppliers of core inputs and services shall be systematically recorded, and the economic operator shall receive a report on the non-conformities together with the audit reports. The audits reports are due in 3 (three) months after the last audit on suppliers of core inputs. A summary of non-conformities shall be given to each supplier of core inputs, at the end of the verification audit.
- 6.5.6.2 Corrective action plans are to be submitted with respect to non-conformities of the suppliers of core inputs and services within 3 months of receiving the reports.
- 6.5.6.3 Non-conformities regarding land use change or human right violations or the use of GMO material and seeds for the certified chain will exclude suppliers immediately from participation in the certified supply chain of the certified economic operator. Excluded suppliers may be re-included if they are able to demonstrate that cleared area has been duly recovered with native vegetation; human rights violations have been eliminated and victims have been duly compensated and that there is no presence of GMO material or seeds at the farm for the certified chain. Re-inclusion will be confirmed or not by a specific verification done by CB at the expenses of the supplying farm or the economic operator.
- 6.5.6.4 The implementation of corrective actions on the part of suppliers of core inputs and services will be mandatory to achieve the minimum 80% compliance of all applicable indicators, included in these all core indicators.
- 6.5.6.5 Verification of implementation of corrective actions non-conformities to core indicators, by suppliers of core inputs and services, is responsibility of the certified economic operator, who will send evidence of implementation to the Certification Body within 9 months after receiving the audit reports on suppliers of core inputs.
- 6.5.6.6 In case evidence of implementation of these corrective actions of non-conformities to core indicators is inconclusive, a verification re-audit of the supplier of core inputs or services shall be done, at the cost of the certified economic operator.
- 6.5.6.7 Verification of compliance to ProTerra Standard, of suppliers of core inputs and services that are not audited during the certification cycle, shall be carried out by the auditor upon a review of the management system and suppliers' controls of the certified organization, and contract terms regarding suppliers, during the annual on-site audit of the certified organization.



6.5.6.8 Exclusion of a core supplier farm does not preclude the remaining approved core suppliers to be part of the certified chain. The volume produced by the excluded supplier farms will not be certified.

## **6.6 Multi-Site Certification – Specific Aspects**

6.6.1 For multi-site certification, all sites to be included in the program must operate under the same management system, have a formal link and a central office or administration.

6.6.2 The audit plan shall always include an audit at the unit managing the group/central administration. The number of sites to be audited every year will depend of the total number of sites in the group. This is to be calculated to ensure that all sites that are part of the group are audited once in the cycle of 3 to 5 years.

6.6.3 After the yearly on-site audits are done, if successful, certification will be granted to all sites participating in the group.

6.6.4 A summary of non-conformities will be left with the quality/technical manager responsible for the group at the closing audit.

6.6.5 Should one site be suspended/ withdrawn (please refer to item 8), the CB shall evaluate the extension of the problem to identify if it is a management system aspect or a localized issue. In case of a management system breach all sites are suspended/withdrawn.

## **7. Certification**

7.1 In order to achieve certification with the ProTerra Standard, the economic operator has meet 80% of all applicable indicators, in which all core indicators are included. In case of chain of custody operators for whom only Principle 5 and 10 are applicable, to achieve certification against Proterra, 100% of all indicators must be met.

7.2 The Issuance of the certificate is only possible within a maximum of 6 months after the audit. After this time, if no agreement has been made with respect to the terms of corrective actions plan (refer to 6.5.1.2 above), a full new audit is necessary at the expenses of the auditee, should the economic operator still wish certification. Should economic abdicate of the certification, all fees agreed with the CB are nevertheless due.

7.3 If there are CORE non-conformities, the certificate will not be issued until objective evidence has been received and verified by the Certification Body that these are corrected. This verification can include additional on-site audit at the economic operator cost. Issuance is only possible within a maximum of 6 months after the audit. After this time, if no evidence is provided of the closures of CORE non compliances, a full new audit is necessary at the

expenses of the auditee, should the economic operator still wish certification. Should economic operator abdicate certification, all fees agreed with the CB are nevertheless due.

- 7.4 The certification decision cannot be subcontracted by the Certification Body.
- 7.5 The validity of certification is 1 year for all Levels.
- 7.6 At least at the end of each calendar year the CB will submit to ProTerra Foundation a list of certificates issued, their validity and open non compliances that may exist associated to a given economic operator.

## **8. Suspension and Withdrawal**

- 8.1 The certificate of any economic operator shall be suspended for a maximum period of six (6) months by the CB if it fails to address any non-conformity issued within the deadline specified in the approved corrective action plan. When a certificate is suspended, the CB shall inform the economic operator that it shall not promote or advertise their certification in any way. It shall not claim to be certified. ProTerra Foundation shall publicize the suspension to interested parties.
- 8.2 A new action plan outlining the steps to be taken to address the pending non-conformity shall be required by the economic operator within the suspension period. The CB may lift a suspension and re-instate the certificate once it has verified the implementation of the action plan which may include an on-site audit at the expenses of the economic operator.
- 8.3 Where objective evidence indicates that there has been a breakdown in the supply chain caused by an economic operator actions or inactions, and/or that products have been falsely identified as ProTerra certified, the CB shall suspend the certificate until evidence has been received and verified and the situation addressed to the satisfaction of the CB. Evidence and verification must be provided within a maximum of 3 months from suspension. The CB shall notify ProTerra Foundation within forty-eight (48) hours of this occurrence.
- 8.4 If the auditee, within the suspension period, fails to prove the solution of non-conformities, the CB shall withdraw the certificate and inform ProTerra of the withdrawal. The CB shall notify ProTerra Foundation within forty-eight (48) hours of this occurrence.

### **8.5 Variation Request**

- 8.5.1 In certain exceptional cases, the CB may wish to request a variation from the requirements in this Protocol. This should be done by applying to ProTerra Foundation in writing, specifying for which clause(s) of the Certification Protocol the variation is applied for and providing justification for the variation



including an explanation of how the request does not alter the conformity of the economic operator with the ProTerra Standard.

- 8.5.2 Any variation requests shall be submitted in advance as ProTerra Foundation will not accept retrospective variation requests.
- 8.5.3 The decision of ProTerra Foundation will be considered final with no right of appeals.

## **Appendix 1 – ProTerra General Terms of Certification**

### **Preamble**

ProTerra Foundation operates globally verification and certification systems for evidencing social responsibility, sustainability, traceability and Non-GMO requirements for agricultural commodities due to legal regulations or voluntary agreements. Furthermore, ProTerra Foundation provides training to farmers, trainers and auditors based on the ProTerra Standard. ProTerra Foundation develops research projects in the area of agriculture, agricultural commodities and related industries. ProTerra Foundation being the Scheme Owner does not perform any certifications itself. Pro Terra Foundation takes all the necessary measures that conformity with sustainability, Non-GMO requirements and complete traceability of the agricultural commodities is demonstrated on a reliable basis and services based on ProTerra Standard are provided on a high-quality level. It is ensured by way of a worldwide consistent application of the ProTerra Standard and quality assurance monitoring on all levels.

Certificates or statements of conformity are exclusively issued by recognized Certification Bodies that have been approved and have executed a Cooperation Agreement with the ProTerra Foundation.

### **1. Scope of Application and Contract Documentation**

- 1.1 These Terms of Certification applies to all business dealings between the Certification Body and ProTerra Foundation and form a part of the Cooperation Agreement. Additional contractual documents shall be mentioned in the Cooperation Agreement.
- 1.2 Any deviating General Terms and Conditions of the Certification Body are explicitly rejected.
- 1.3 The Requirements on Certification Bodies and the ProTerra Certification System (ProTerra Standard and ProTerra Certification Protocol) shall form the basics of cooperation and the certification by the certification bodies.
- 1.4 The Certification Body shall be notified in case of changes in the General Terms of Certification, the Guidelines and Requirements for the Use of the ProTerra Logo and Seals and in the fee and tariff structure, no later than two months before the proposed effective date. The Certification Body shall be deemed to have agreed to the changes if it does not submit its rejection of them in written form before the proposed effective date.

### **2. Definitions**

As used in this document, the following terms have the indicated meanings:

ProTerra Certification System: The ProTerra Standard and the Certification Protocol are the basic principles of the ProTerra Certification System. They are published in the currently applicable version on the ProTerra website.

Audit is an assessment of the compliance with the indicators of the ProTerra Standard and related legal requirements performed by a Certification Body, by ProTerra Foundation or by a person commissioned by ProTerra Foundation. Audits against the ProTerra Standard can be done on-Level I – Agricultural production; Level II – Transport, Storage, Traders and Dealers; and Level III – Industrial Processing. Those organizations that act only as chain of custody economic operators, Level II, have a more limited scope in relation to the Standard and are only audited under Principle 10 - Traceability and Chain of Custody and, if applicable, Principle 5 – No use of Genetically Modified Organisms (GMOs), and those indicators that make specific reference to Level II.

A distinction shall be made between the following:

- Certification audits and/or re-certification audits performed by a Certification Body with the aim of issuing certificates or statements of conformity for the first time and/or for renewing them.
- Audits as risk or gap assessments without issuing a certificate but providing a report on non-compliances and critical points to be corrected.
- Integrity assessments audits as part of the ProTerra Foundation Integrity Program.

Audit Guidelines are guidance information provided for certification bodies regarding audit procedures as well as interpretation and application of the indicators which are defined respectively in the ProTerra Standard and the Certification Protocol.

Certificates are attestations issued by a Cooperative Certification Body which confirm that the System User has met the requirements imposed upon their business.

Certification Body is a Certification Body approved by the ProTerra Foundation that has executed a Cooperation Agreement with The ProTerra Foundation.

Cooperation Agreement is the agreement (including its appendices) concluded between the Certification Body and ProTerra Foundation, based on the General Terms of Certification.

ProTerra Integrity Program means the review procedures and processes provided in order to ensure the integrity and quality of the services based on the ProTerra Standard. For this purpose, integrity assessments audits are performed.

Integrity Assessment is an audit performed by ProTerra Foundation or by independent auditors commissioned by the ProTerra Foundation with regard to certified organizations and Certification Bodies as part of the ProTerra Integrity Program, following certification, certification renewals, gap-audits or any service performed under the ProTerra Standard or using the ProTerra System.

Personal Data are all particulars about the personal or factual circumstances of a specific or identifiable natural person. This includes such data by means of which the identity of a person can be determined, e.g. name, address, e-mail address or IP address.

Confidential Company Data are all non-published particulars about a company or factual circumstances of a specific site or company. This includes the name, location, turn-over or factual circumstances related to a specific site.

System User is any natural or legal person that executed an agreement with a Certification Body or Service provider regarding the use of services based on the ProTerra Standard.

Certification Agreement or Service Agreement is the contract executed between the System User and the Certification Body or the Service provider.

Complaints are the formal expression of dissatisfaction by any person or organization which relates to the services based on the ProTerra Standard.

Appeal is a request for reconsideration of any decision made by the Board, a Committee or the management of the ProTerra Foundation.

### **3. Duties of the Certification Body**

- 3.1. Activities under any ProTerra certification system may be carried out only if the Certification Body has a valid recognition issued by a competent government agency or an Accreditation Body, which is a member of ISEAL, the International Accreditation Forum (IAF) or European Co-operation for Accreditation (EA).
- 3.2 The Certification Body is required to inform ProTerra and document about any changes that may affect its accreditation. This may include reports of audits and surveillance by the accreditation body.  
ProTerra will monitor and evaluate the accreditation status including the validity of accreditation certificates of the approved Certification Bodies.
- 3.3 The Certification Body shall timely inform System users (their clients) that they must apply for membership of the ProTerra network and accept the Terms of Use in order to execute a Certification or Service Agreement with the Certification Body for conducting certification or gap-audits or other services under the ProTerra Standard. The Certification Body shall be permitted to perform an audit only if the System User has applied for membership of the ProTerra network.

- 3.4 The Certification Body is responsible for its decisions and its obligations towards its clients and cannot subcontract these, unless subject of former approval by ProTerra.
- 3.5 Audits are to be performed in accordance with the respective applicable documents and the ProTerra Standard. ProTerra may give binding instructions to the Certification Body regarding the application of the Standard, define audit requirements, and provide conditions for the System User according to which certificates are to be issued.
- 3.6 Audit reports are to be filled out completely and correctly and sent to the ProTerra Foundation within 30 days after the audit report release date.
- 3.7 The Certification Body shall be obliged to verify within the framework of each audit the correctness of the information provided by the System User during the ProTerra network application for membership and/or any subsequent update of such information and to notify ProTerra via e-mail of any change without delay, at the latest, however, together with the transmission of the certification documents. Such obligation shall also apply if the Certification Body becomes aware of any change to such information outside an audit.
- 3.8 After an audit and a positive certification decision, the Certification Body shall issue the certificate to the System User within four weeks if the conditions for the issuing of a certificate are fulfilled.
- 3.9 Twice a year (on the end of July and of December), the Certification Body shall provide ProTerra Foundation with to date information related to:
  - A list of certificates issued, their validity and open non compliances that may exist associated to a given certified economic operator;
  - A copy and/or a scan of the completed audit reports (PDF, Word or Excel document), and
  - A copy of the consolidated Corrective Action Plan agreed with the core suppliers and provided by the certified organization.
- 3.10 In the event of a surveillance audit by the Certification Body, the Certification Body shall be obliged to forward to ProTerra the documents according to point 3.9 after completion of the audit immediately and without further request.
- 3.11 The Certification Body shall be obliged to enable and allow Integrity Assessments Integrity Assessments if requested by ProTerra. This will be organized based on the audits scheduled at the time of request by ProTerra, on a case by case basis.
- 3.12 The Certification Body has to nominate a primary contact person (and his/her delegate) per business unit or region who is defined as the Key Account Manager of the ProTerra Foundation. Besides being responsible for operational improvement and controlling all necessary documents that have to be sent to

the ProTerra Foundation or uploaded as defined under 3.9 in this document, the primary contact person is responsible for the following:

- On request of the ProTerra Foundation Secretariat, additional-data shall be sent to the ProTerra Foundation Secretariat within 30 working days.

3.13 The Certification Body shall motivate a timely re-certification of the System User.

#### **4. Use of the ProTerra Logo and the ProTerra Seal**

4.1 The Certification Body shall be both entitled and obliged to proper use of the ProTerra Logo on the issued certificates.

4.2 The Certification Body checks the correct use of the ProTerra Logo in printed matters or on the Systems User's website or any other means of media and communications. Misuse or infringement of the ProTerra Logo has to be reported by the Certification Body to the ProTerra Foundation, also when detected either during an audit or upon notification otherwise. The obligation to inform ProTerra of misuse or infringe of the ProTerra Logo and Seal where applicable shall also include misuse by a third party.

4.3. If the System User wishes to use the logo in any other way, especially in the form of the ProTerra Seal on-product, the Certification Body shall inform ProTerra Foundation of this accordingly. An agreement on the use of the ProTerra Logo and Seal shall in such an event be concluded directly between ProTerra Foundation and the System User. The exclusive rights to the ProTerra Logo and Seal held by ProTerra Foundation shall be unaffected by this.

#### **5. Integrity Program/ Rights of Access and Inspection**

5.1 In order to ensure a consistent and objective audit and certification process by all Cooperating Certification Bodies, ProTerra Foundation may perform Integrity Assessments. These audits are planned randomly or targeted based on risk evaluation or reacting to complaints.

5.2 At all locations where the Certification Body performs activities associated with the Cooperation Agreement and on which it exercises material control, the Certification Body must enable employees of ProTerra Foundation and/or auditors commissioned by ProTerra Foundation:

- to enter sites, offices, production and storage premises and means of transport during business hours or hours of operation;
- to undertake inspections



- to inspect and audit all relevant written and electronic business records available;
- to request the necessary information,
- to take samples; and
- to accompany the Certification Body on ProTerra audits and/or carry out its own control audits of companies that have already been certified (surveillance audit by ProTerra Foundation).

## **6. Complaint and Appeal**

In principle, resolutions for conflicts shall be made near the source of the dispute, with the participation of the parties involved and with the aim to reach an amicable settlement. If such an amicable settlement cannot be reached, the procedures defined in the latest version of the PTF Complaints Procedure apply.

## **7. Certificate Fees and Licence Fees**

- 7.1 The Certification Body is to collect certification fees from System Users according to the ProTerra Fees and Tariff Structure by invoicing the fees to System Users. Payment to the ProTerra Foundation according to the above specified invoices is due within 30 days after the Audit has taken place. Other arrangements for payment of fees to the ProTerra Foundation are to be agreed between the Certification Body, The ProTerra Foundation Managing Director and President, and by the System user.
- 7.2 The Certification Body must pay the annual licence fees and the licence fees per certificate or statement of conformity issued.
- 7.3 The annual licence fee shall become due for the first time upon conclusion of the Cooperation Agreement and subsequently, once a year as of the respective anniversary of the conclusion of the Cooperation Agreement in accordance with the latest version of the Cooperation Agreement.
- 7.4 The licence fees per certificate or statement of conformity issued shall become due for the Certification Body at the moment the Certification Body issues a certificate or statement of conformity to the System User. ProTerra notifies the Certification Body about and invoices the sum of the due licence fees for certificates at least quarterly or monthly upon request by the Certification Body.

## **8. Confidential data handling and publications of third-party data**

- 8.1 The ProTerra Foundation collects, stores and uses personal data and non-published company data insofar as necessary for a credible application of the ProTerra Standard with the services defined and permitted by legal regulations or ordered by the legislator.

- 8.2 ProTerra shall exclusively store and process the data of the Certification Body for the purposes resulting from the Cooperation Agreement taking into account the relevant statutory provisions and the present General Terms of Certification.
- 8.3. ProTerra Foundation will treat personal data and non-published company data as confidential and according to the provisions of the applicable data protection law. The confidential treatment of data covers ProTerra Foundation Staff as well as all the non-employed members of Committees and the ProTerra Foundation Board during the time of their service as well as at least 5 years after termination of their service term.
- 8.4. Certificate Reports may also encompass information regarding third parties that are not System Users (company name/trade name, address, country). This data is subject matter of the certification. The Certification Body shall ensure the complete and accurate provision by the System User of such data.
- 8.5. The Certification Body agrees to the publication of its name, logo, address, point of contact, e-mail address and web address on the ProTerra website as well as in print media of ProTerra Foundation and other public and non-public appearances of ProTerra Foundation.  
If the Certification Body provides personal data regarding third parties, for example by naming contact persons, it shall be responsible for the completeness and correctness of such data and shall ensure that ProTerra Foundation is entitled to use, make publicly available and transmit such data to third parties within the framework of the execution of the Cooperation Agreement without violating third party rights. The Certification Body shall indemnify and hold harmless ProTerra Foundation from any and all claims, including claims for compensation for damages, asserted against ProTerra by third parties due to any violation of their rights based on the use, publication or disclosure of such data to third parties.
- 8.6 Subject to the stipulations above, as a rule, any data collected, stored and used by ProTerra shall not be made publicly available or passed on by ProTerra to third parties. Such data (e.g. including, but not limited to audit reports, completed audit reports) shall only be made publicly available by ProTerra or be passed on to third parties if the Certification Body and the respective third party or System User concerned have given their explicit consent to the publication or passing on of this data, or if ProTerra Foundation is obliged to pass on this information by law or due to official or judicial conditions or orders. The consent of the Certification Body and third party has to be given in writing.
- 8.7 Should the System User change to another Certification Body, ProTerra shall be entitled to forward to the new Certification Body any and all data collected by ProTerra concerning the System User in connection with the performance of the System Usage Agreement, in particular with regard to previous certifications and audits of the Certification Body and/or previous integrity assessments.

- 8.8 ProTerra Foundation takes technical and organisational security measures to protect data collected, including any personal data, against loss, manipulation or unauthorised third-party access. The technical procedures used in this context are developed further and improved according to the technological progress. ProTerra Foundation however points out that it is not possible to guarantee comprehensive absolute protection.

## **9. Infringements of ProTerra Standards by System Users**

- 9.1 In the case of any infringement of the System User against the ProTerra Standard and Procedures, the Certification Body shall be obliged to inform ProTerra Foundation as soon as possible upon discovery and in all detail of the event, the circumstances resulting in the infringement being discovered, the cooperation of the System User in discovering the infringement and the measures already taken by the System User for the purposes of damage prevention or damage limitation and to ensure future fulfilment of the requirements. At first request of ProTerra Foundation, the Certification Body shall provide ProTerra Foundation without delay with any and all documents related to the event and provide a written statement, in particular with regard to the severity of the infringement in accordance with the Terms of Use applicable to the System User as well as with regard to the degree of fault (simple or gross negligence, intent, fraudulent information).
- 9.2 If ProTerra Foundation defines obligations in case of minor infringements, the Certification Body shall verify the fulfilment of such obligations within the framework of the next audit.
- 9.3 In the case of any culpable, serious infringement of the System User in accordance with the Terms of Use applicable to the System User, the Certification Body shall be obliged to promptly declare the System User's certificate null and void and to withdraw it. ProTerra may also give corresponding instructions.

## Appendix 2 – SAMPLING METHODOLOGY - PROCEDURE FOR SELECTING THE SAMPLE FOR AUDITING FARMS UNDER THE PROTERRA STANDARD

### INTRODUCTION

The approach for auditing the agricultural supply under ProTerra Standard comprises the assessment of the productive system providing core input to an industry. For this purpose, the audited sample must be representative of agricultural area or jurisdiction supplying a given industrial processing facility. The following is a methodology for determining farm samples in any production area where there is a large number of farms (more than 50) are supplying an industrial operation (e.g. crushing plant or mill).

The CB shall determine the minimum number of farms to be audited using Table 1. The sample chosen shall be representative of the diversity of production methods used (e.g. mechanized harvesting, manual harvesting) and operational set-up of the farms. If there are known risks in specific areas, the CB may adapt the sampling method and where adaptations are made, shall document and explain how and why these were made.

The basic approach considers that the crop volume delivered to industrial processing as the main indicator for determining the classification of the farm. Experience has shown that (1) this is the parameter of most relevance to the certified operator, and (2) this parameter relates closely with the organizational capacity of the farm operation.

Table 1: Minimum sample size of farms to be audited

Case 1	> 50 supply farms of variable size (large, small)	Select farms supplying 80% of crop volume or amount	Calculate a minimum of 50% of these farms and select farms considering this number
		Select farms supplying 20% of volume or amount	Calculate a minimum of 5% of these farms and select farms considering this number
Case 2	> 50 supply farms, homogeneous base, similar size	Select a minimum of 20% of the number of farms	
Case 3	≤ 50 farms, any size	Select a minimum of 25% of the number of farms	



When planning for an audit the CB shall always include the main site (headquarter).

### **Sample Size for Interviews**

Additional procedures for human rights and labour issues are required for interviews. For the interview sample size and length CB should consider, as much as feasible, the guidance provided by Sedex Members Trade Ethical Audit (SMETA) best practice guidance (Version 5.0, December 2014).