



SCHEME REGULATIONS

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SFQC SCHEME REGULATIONS

1. SFQC & Certification Schemes

- 1.1 SFQC is an independent Certification Body operating a Certification System for a number of Certification Schemes.
- 1.2 The Certification System is an independent third party system for determining product conformity against Scheme Standards. The Certification System may require examination of the product, the production process, the production environment, the production and distribution facilities and, where appropriate, assessment of the quality system records. Certification after initial assessment is followed by continuing assessment. Certified members of a Certification Scheme receive a Certificate of Conformity and authorisation to use an appropriate Scheme Certification Mark.
- 1.3 The structure of SFQC, its operating and certification procedures follow the general criteria for certification bodies operating certification defined in ISO/IEC Guide 65 (EN45011), the International Standard for Product Certification.
- 1.4 Scheme Standards are those set by a Scheme Owner in order to meet consumer, trade and legislative product requirements.

2. Member/Applicant Obligations

All certified Scheme members/applicants must:

- 2.1 comply with all the requirements detailed in the appropriate Scheme Standard.
- 2.2 provide access announced or unannounced to SFQC assessment staff (and, where appropriate, accompanying authorised personnel) for the purpose of assessment of the member/applicant's product, the production process, the production environment, the production and distribution facilities and records against the requirements of the Scheme Standard.
- 2.3 notify SFQC of any significant changes to the ownership or management structure of the unit producing certified product or changes in the facilities or methods of production, which may effect the certification granted.
- 2.4 at all times ensure compliance with all applicable legislation. Where reference has been made to legislative requirements within the Scheme Standards, certification does not imply that all aspects of the referenced legislation have been met.
- 2.5 immediately notify SFQC of any prosecutions or failure to comply with legislation of which the member/applicant is aware of at time of application or becomes aware of relating to the operation of their business or personnel/staff involved with the operation of their business. SFQC shall be entitled to suspend membership/application immediately if it is notified of (or becomes aware of) a prosecution relating to a member/applicant's business or if notified of (or becomes aware of) a breach of legislation. If the member/applicant is subsequently convicted of an offence in relation to a member/applicant's business, SFQC shall be entitled to suspend membership/application with immediate effect, to accept undertakings from the member/applicant or to take no further action. If SFQC accepts undertakings from the member/applicant, membership/application shall be reinstated subject to satisfactory compliance with the member/applicant's undertaking. If SFQC decides to take no further action membership/application shall be reinstated with immediate effect. SFQC handles suspensions of this nature in accordance with its Membership Suspension Policy. This is available on request from the SFQC office.
- 2.6 maintain a system for the recording and actioning of complaints received in relation to the products certified.
- 2.7 pay the necessary fees determined for the Scheme.
- 2.8 notify SFQC of all units/businesses owned by the member/applicant, whether participating or not in the Scheme.
- 2.9 not bring the Scheme, the Scheme Owner or SFQC into disrepute. If, in the reasonable opinion of SFQC, the member/applicant is bringing, or will bring, one of these parties into disrepute, SFQC shall be entitled to suspend membership/application with immediate effect.

3. SFQC Obligations

As the certifying body for a Scheme SFQC undertakes to provide for members/applicants of a Scheme the following:

- 3.1 an independent assessment of the member/applicant's product, the production process, the production environment, the production and distribution facilities and records to ascertain for certification purposes compliance with the requirements of the Scheme Standard.

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- 3.2 timely notification of any changes to the Scheme Standards.
- 3.3 a Certificate of Conformity and authorisation to use the designated Scheme Mark following Certification.
- 3.4 confidentiality of all information regarding the member/applicant's business obtained during the course of an assessment, unless required to do so by law or with the express permission of the member/applicant. (please also note Regulation 10)

4. Role of SFQC Technical Advisory Committee (TAC)

- 4.1 Where appropriate, SFQC appoints a TAC to advise on technical matters relating to the issue, maintenance and withdrawal of Certificates of Conformity.
- 4.2 The composition of a Scheme TAC is available from the SFQC office.

5. How to join a Scheme

- 5.1 Application to join a Scheme must be made on the appropriate application form available from the SFQC office and be accompanied by the appropriate payment. Fees are shown on current application forms and, if necessary, are available from the SFQC office. A separate application is required for each production or processing unit. On receipt of an application form and the membership fee, a copy of the Scheme Standards is sent to the applicant.
- 5.2 Unless otherwise notified, all memberships shall be due for renewal annually. SFQC shall notify existing members of their renewal fee prior to the renewal date.

6. Assessments

- 6.1 Assessors appointed by SFQC carry out all assessments. Member's product, the production process, the production environment, the production and distribution facilities and records shall be assessed annually or at an interval determined by SFQC. Applicants shall be contacted to arrange a suitable date for an assessment within 4 weeks of SFQC receiving the application. Unless otherwise notified, re-assessment visits shall be by appointment. When arranging assessments if the initial prospective date is unsuitable then a further date must be arranged. Failure to agree to an appointment within the required timescale could lead to suspension of membership until a visit is completed. Spot-checks may be carried out by assessors. These may be unannounced.
- 6.2 The assessment shall be conducted against the current issue of the relevant Scheme Standards and related documents. At the time of the assessment, a check shall be made that records and circumstances support the declaration of the calculation of the membership fee, if appropriate.

7. Certification Decisions

- 7.1 Following consideration of the assessment report by SFQC, the member/applicant shall be notified in writing of the outcome of the assessment and, where appropriate, the certification category awarded. This letter shall include, if appropriate, notification of any non-compliances requiring corrective action and, where appropriate, timescale for completion. A Certificate of Conformity shall also be issued along with Certification Scheme Mark, e.g. stickers or post harvest treatment declaration forms, where appropriate.
- 7.2 A Certificate of Conformity granted to an approved member is valid from the date of issue with its maintenance being subject to the member continuing to meet the requirements of Scheme Standards and Scheme Regulations.
- 7.3 The Certification Scheme Mark may only be used in a form approved by SFQC and only on products which are subject to the Certificate of Conformity issued to the producer concerned.
- 7.4 A member may be suspended from the Scheme for failing to meet the requirements of Scheme Standards or Scheme Regulations. A member may withdraw voluntarily at any time, having paid all outstanding fees. In cases of suspension or withdrawal the Certificate of Conformity is no longer valid, the Certification Scheme Mark can no longer be used by the member and no refund of membership fees will be made.

8. Membership Categories

- 8.1 An explanation of membership categories for each Scheme is available from the SFQC office.

9. Amendments to Scheme Standards & Scheme Regulations

- 9.1 The Scheme Standards are subject to a formal review by the appropriate Scheme Owner at least once per 12-month period. Approved members shall be notified in writing of any amendments to the Scheme Standards and conditions that may affect them.

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9.2 Scheme Regulations may be altered at any time. SFQC shall provide (through publications, electronic media or other means) updated Scheme Regulations as soon as reasonably practicable. The most current issue of Scheme Regulations is available from the SFQC office and website at www.sfqc.co.uk .

10. Approved Lists

- 10.1 SFQC may make available to Scheme Owners and authorised parties, on request, an up to date list of all members and the products for which they hold approval.
- 10.2 Any member who does not wish to have their membership details circulated on the list must notify the Scheme office in writing.
- 10.3 Regardless of action taken under 10.2, the Scheme Owner may notify those with a commercial interest, that a member's certification has been withdrawn.

11. Right of Decision Review and Appeal

11.1 Review

A member/applicant has the right to request a review of a decision on certification taken by SFQC by lodging notice of request for review in writing stating appropriate grounds to the Scheme Manager within 14 days of being notified of the decision against which the review is being made. The Scheme Manager shall refer the review to the appropriate SFQC TAC or competent individual and the decision will be reviewed. The member/applicant shall be informed in writing of the decision made within 14 days of receipt by the Scheme Manager of the review documentation. During the period of review the original SFQC certification decision will stand.

11.2 Appeal

If a member/applicant wishes to appeal against the review decision, they shall do so in writing to the SFQC Board within 14 days of receipt of the review decision, giving details of the grounds for appeal. The SFQC Board shall acknowledge receipt of the appeal within 7 days and shall advise the member/applicant of the appeal process, including the formation of an independent committee to investigate and the time scale for dealing with the appeal. SFQC reserves the right to charge the costs of appeal to the appellant should the appeal fail. During the period of appeal the original SFQC certification decision will stand.

12. Complaints

12.1 Complaints Related to Product

The responsibility for complying with the requirements of the Certification Scheme as defined in the Scheme Standards and for complying with statutory requirements rests absolutely with the member/applicant. Therefore, any complaint about a product or any complaint arising from possible infringements of the law shall be dealt with by the member/applicant concerned. Complaints of this nature coming directly to SFQC shall be referred to the member/applicant concerned for appropriate corrective action to be taken. Members/applicants are required to maintain a record of all complaints and any subsequent action taken and make this available to assessors during assessment visits.

12.2 Complaints concerning the Certification Scheme

Written complaints concerning the operation of the Certification Scheme shall be dealt with in accordance with SFQC's Complaint Procedure. SFQC shall:

- a) acknowledge the complaint.
- b) investigate the complaint and the responsible manager shall advise the complainant in writing of the outcome of the investigation.
- c) inform the Board of SFQC of the complaint and the outcome of the investigation at its next meeting.

12.3 Complaints Related to Scheme Members

SFQC handles all complaints relating to scheme members in accordance with its Complaints Policy. This is available on request from the SFQC office.

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