1. Objective

To establish guidelines for an effective and impartial receipt, treatment and record of appeals against QIMA IBD's certification decisions or verification results.

2. Applicability

This procedure applies to any appeal against any certification/verification process of QIMA IBD, regarding any certification/verification scheme.

Appeal is defined as any client's request for QIMA IBD to reconsider a decision regarding the compliance assessment.

For the NOP of the USDA:

- The term "Rebuttal" (NOP 205.405 & 205.662) applies only to Notices of Non-Compliance (5.2-NNC) and is covered by this Procedure.
- The term "Appeal" (NOP 205.405 & 205.662) only applies to the appeals addressed by the client to the Program Administrator with regards a Notice of Certification Denial (5.2-NEG), a Notice of Proposed Suspension (5.2-NPS) or a Notice of Proposed Revocation (5.2-NPC) and treated exclusively by the Program Administrator (NOP 205.680 & 205.681). "Appeals" are not covered by this Procedure.

3. Reference standards

Always consider the last applicable version:

- ISO/IEC17065
- MAPA Normative Instruction 19/2009
- USDA National Organic Program
- European Regulation (EC)889/2008, (EU2018/848 and associated regulations
- IFOAM Accreditation Requirements
- NATRUE requirements for Certification Bodies
- ROC^{TM} Certification Body Requirements

4. Associated Quality System documents

- Appeal / Rebuttal Protocol (doc. 5_1_4)

5. Involved areas

- Gerentes Tecnicos
- Quality Assurance Department

6. Authorities and responsibilities

- Appeal/Rebuttal request evaluation and first instance decision regarding appeal / rebuttal: Technical Analyst/Reviewer
- Maintenance of the appeals records: Quality Assurance Department and Technical Analyst/Reviewer

7. Procedure

a. Receipt of the rebuttal (NOP) or appeal (other schemes)

A client who communicates its intention to appeal against a decision of QIMA IBD must be instructed to fill in the Rebuttal/Appeal Protocol (doc. 5_1_4).

In the event that the client refuses to complete the document, expressing its intention to appeal only verbally, the employee that receives the client's request must register in the protocol the justifications presented (indicating that they were presented verbally) and request client's confirmation of the text redacted. Even in the absence of the client's reply, it is indicated to proceed with the rebuttal/appeal request.

If the Rebuttal/Appeal concerns certification activities for which QIMA IBD is responsible, upon receipt of the completed Rebuttal/Appeal Protocol, the employee must formally acknowledge receipt to the client and register it in the appropriate electronic system.

If not, the client must be notified of the reason of non acceptance of the rebuttal/appeal and all the applicable information must be registered in the electronic system indicated as "unfounded". If any forwarding is necessary, it should be directed at this moment.

b. Rebuttal / Appeal evaluation

At least two technical analysts/reviewers will be assigned to the process of rebuttal/appeal evaluation when related to Organic schemes (and at least one for RSPO schemes)

They must be independent and impartial, and will be responsible for gathering and verifying all necessary information to process the rebuttal/appeal in accordance with the applicable certification scheme requirements, until final decision is taken. These people must not have participated of the audit or the decision that is being rebutted/appealed.

The entire decision process to resolve the rebuttal/appeal must be made, or reviewed and approved, by person(s) not involved in the certification activities relating to the rebuttal/appeal. To ensure that there is no conflict of interest, the personnel reviewing and approving the resolution of a rebuttal/appeal must not have provided advice to the appellant in the 2 years prior to the rebuttal/appeal.

When the assigned peer-reviewers reach a consensus regarding the evaluation, they must register their evaluation in Rebuttal / Appeal Protocol and sign it. In case they do not reach a consensus, the issue shall be discussed widely with the management team, in order to produce a decision.

In case the rebuttal/appeal is accepted by QIMA IBD, a new decision must be produced to correct and substitute the original decision object of the rebuttal/appeal.

In case the rebuttal/appeal is denied by QIMA IBD, just register the justification in the Rebuttal / Appeal Protocol.

In both cases, the final signed Rebuttal / Appeal Protocol must be sent to the appellant.

c. Disagreement with the decision

When the client disagrees with the outcome of the challenge/appeal assessment, they can take the matter up with the scheme owner.

d. Deadlines

The deadline for completing the assessment of the rebuttal/appeal is 30 days from receipt of all the information supporting the claim.

If the client does not send all the information needed to fully assess the rebuttal/appeal, it will be registered in the electronic system as unfounded and the process will be concluded.

The rebuttal/appeal requests must be evaluated promptly.

For ROC™, the Certification Body, represented by the Technical manager shall manage and solve all appeals and complaints related to their respective certification services. If the Certification Body does not meet the timelines and requirements outlined, the appelant may present the appeal to the ROA (Regenerative Organic Alliance). The ROA Operations Team will review the actions of the Certification Body.

Certified operations can be directed by the CB to submit complaints directly to the ROA using the online Complaint Form available at https://regenorganic.org/resources, in accordance with the ROC's Dispute Process Policy and Procedure.

If a Client wishes to recover ROC™ certification after having their ROCTM certificate withdrawn, the Client shall re-apply for certification.

e. Rebuttal / Appeal Record

All information relating to the request for a rebuttal/appeal must be recorded in the applicable electronic system, from the time of the request to the final communication of the result to the client.

The Quality Assurance department and the Technical Analyst (Reviewer) are responsible for maintaining these records.