**ANDHRA PRADESH STATE ORGANIC PRODUCTS CERTIFICATION AUTHORITY (APSOPCA), GUNTUR-522034**

**SANCTIONS PROCEDURE**

* In the event of failure by the operator to take corrective actions within the time prescribed and failure to comply with the requirements of National Standards for Organic Production and rules & regulations of APSOPCA, the Authority may impose one or more of the Sanctions described in this section.
* The inspector shall take precautionary measures by assessing the risk of non-compliance during the inspection.
* When an irregularity is committed by the operator relating to organic production as non-compliance to NPOP, the entire lot or production affected by irregularity shall be made to be removed from the production site / chain and sanctions shall be imposed on the operator.
* APEDA shall be informed within 30 days about the action taken on the operator.
* Instances of non-compliance and the active measures taken by the ICS with special reference to sanctions shall be assessed from the documentation.
* APSOPCA shall document a range of disciplinary measures (sanctions) including measures to deal with minor and major infringements of the standards from Farmers List who have been issued sanctions with the reason and the duration of the sanction (if relevant).
	1. **Scale of Sanctions**
		1. **Oral Instructions to Operators**

APSOPCA may give oral instructions to Operators if any of the minor non-compliances are not corrected within the time limit. Operator shall be orally instructed to take corrective action within a week.

**Example:**

In case where the operator fails to inform APSOPCA about the person responsible for organic operations.

* + 1. **Issue of Warning Letter**

APSOPCA shall issue a warning letter to operator in the event of failure to take corrective action for minor and /or major non-compliance within two weeks.

* + 1. **Impose Additional Conditions**

In certain cases, Certification Authority may impose additional conditions and insist for rectification within a prescribed time period.

**Example:**

If an Operator declares yields higher than the estimates or when the actual yield is not matching with the local average yield of a particular crop in a particular season, the Authority may impose additional condition such as to produce the average yield data of that particular crop for the last three years within 15 days.

* 1. APSOPCA may impose penalty as decided by Certification Committee, not only for not correcting the non-conformity but also for being late or for submission of deficit annual production plan.
	2. Initially, the Authority shall issue a warning letter to the Operator duly giving time limit to take corrective actions and if the operator fails to comply with the warning letter, another reminder shall be issued. If the operator fails to respond even to the reminder then Certification Committee shall suspend the certification of operator for a specific period duly informing the operator in writing.
	3. Certification of Operator can be suspended even without issuing warning letter on valid reasons. When suspension is imposed, the operator shall be informed of the necessary action to be taken and time frame for lifting of suspension.
	4. Suspension shall be communicated to the operator through registered mail.
	5. Even after suspension, if the operator fails to take corrective action in a time frame or in the event of deliberate fraud of any kind by the Operator or if the test results are found positive, APSOPCA may terminate certification of operator permanently duly informing the operator in writing under copy to APEDA. Authority will maintain a list of Suspended / Terminated Operators.
		1. **Issue of Serious Warning Letter**
* APSOPCA shall issue a Serious Warning Letter to those operators who repeatedly commit the same mistake every time whether intentionally or unintentionally.
* A serious Warning Letter shall be issued even in a case where the operator does not respond to a normal warning letter or fails to comply with the instructions.
	+ 1. **Suspension of Certification**

APSOPCA shall suspend the certification of Operator in the following cases:

* Persistent non-compliances and failure to improve.
* Intentional use of prohibited inputs.
* Intentional mislabelling of products as organic.
* Intentional false reporting.
* Intentional commingling of Organic and Non-organic produce.
* Fraud of any kind, which affects the “Organic Integrity” of the product.
* Failure to comply with any sanctions imposed.
* Intentional misleading advertisement of non-certified products.
* Intentional failure to comply with the instructions of APSOPCA.
	+ 1. **Termination of Certificate**

APSOPCA shall terminate certification of operators in the following cases:

* When the test results are found positive.
* Deliberate fraud of any kind by the Operator.
* Misuse of logo / license.
* Hindering full access to organic operations/activities.
* Failure to pay requisite fee and charges on time.
* No response from operator with in stipulated time, in spite of repeated reminders from APSOPCA (Minimum three)