# Procedure for registered Certification Bodies conducting audits against the MarinTrust Programme

Document PRO-004 (Prev. A4) – Version 4.0

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# 1. Purpose & Scope

This document outlines the procedure for registered Certification Bodies (CB) to implement when carrying out audits on behalf of the MarinTrust Programme to ensure efficiency, consistency, and reporting, of the planning, conducting, and reporting of all audits.

Please note that this procedure relates to certification (or acceptance in case of the Improver Programme) against any of the following key components of the MarinTrust Programme:

- The MarinTrust Standard
- The MarinTrust Chain of Custody (CoC) Standard
- The Improver Programme (IP)

The term "MarinTrust Standards" refers to requirements for both the Global Standard for Responsible Supply of Marine Ingredients (The MarinTrust Standard) and the MarinTrust Chain of Custody Standard.

Certification Bodies are required to manage, process and approve applications in accordance with ISO/IEC 17065. Requirements of ISO/IEC 17021 are used for the purposes of conducting audits. ISO 9001 is used as a base for the purpose of the audit.

# 2. Pre-audit Process

Prior to an audit being carried out on a facility, the CB shall:

2.1. Manage, process, and approve all applications for certification or acceptance of the allocation of the auditor and scheduling in accordance with document PRO-002 (A2) - *Guidelines for Certification Bodies Managing Applications to Certification for the MarinTrust Programme*.

2.2. Manage, coordinate, and carry out the required fishery assessments in line with the '*Procedure for the monitoring and allocation of fishery and by-product assessments'*, document PRO-003 – (Prev. doc A3) '*Conducting MarinTrust fishery and by-products assessments by registered CBs*'.

All auditors, whether for initial audit or recertification audits, are required to declare to the CB any situation, which may give rise to a conflict of interest with respect to facilities they have been requested to audit. Each auditor shall confirm that they will notify the CB should such a situation arise through a signed Conflict and Confidentiality Declaration form.

# 3. Audit Procedures

Upon completion of the pre-audit process, the audit shall be carried out as follows:

## 3.1. Stage 1 – Planning of the audit

The auditor shall verify that the objectives of audit outlined in the audit plan can be achieved and shall be informed of any onsite activities.

***Note:*** All audits shall be carried out onsite unless otherwise authorised by the MarinTrust Secretariat. In the event of an extraordinary event being declared, the extraordinary event procedure shall take precedent over audit frequency requirements See the *Process on Handling Remote & Enhanced Remote Factory and Chain of Custody Audits during Extraordinary events of Circumstances* for further information.

Auditors shall use guidance provided by MarinTrust for the effective planning of audits.

The scope of the audit shall be as per the approved application and scope extension (where applicable) which the CB receives from MarinTrust.

Auditors shall audit the facilities listed in the application form. Where the applicant/certificate holder notifies the CB and/or auditor of any changes to the scope of the audit, such as change of address, the CB shall:

- inform the applicant/certificate holder to submit a scope extension to MarinTrust for review and approval.
- notify MarinTrust for any confirmation/clarification before carrying out the audit.

Where possible audits shall typically be conducted in the language of the country where the facility is based, but all reports shall be written in English. Where audits cannot be conducted in the applicant's local language, CBs shall provide/offer an **independent** translator/interpreter who does not have conflict of interest to attend. The use of a translator/interpreter provided by the applicant or certificate holder is not allowed due to impartiality risks. It is advisable that the translator/interpreter has some knowledge of marine ingredients and/or auditing. As an alternative, where both the auditor and representatives from the facility speak a different language to a good level (e.g. English) that may be used if both parties agree.

Where the marine ingredient, such as fishmeal or fish oil, is not produced continuously, for initial and recertification audits the facility shall be in production for the audit. Confirmation of corrective actions relating to critical and major nonconformities shall be required to take place when the facility is in production.

For surveillance audits, the facility is not required to be in production, although this is advisable. However, the facility must have MarinTrust certified product onsite, and the auditor shall conduct traceback exercises to verify that conformity with segregation requirements has been maintained throughout.

For subcontractor sites used by a facility or processor (i.e. those certified under the CoC), if the subcontractor already holds a valid MarinTrust CoC certification then no additional audit needs to be conducted on those subcontracted sites. The subcontracted facility has already been audited and demonstrated it meets requirements. However, the auditor will carry out traceability checks of MarinTrust product in those subcontracted facilities during the audit of the main facility.

## 3.2. Stage 2 – The audit

The CB shall have a defined process for conducting MarinTrust audits. The on-site audit schedule shall consist of the following elements (applicable to audits against the MarinTrust Standard and CoC Standards):

- An opening meeting.
- An onsite audit to obtain and verify information which shall include:
  - Documentary review
  - A walk through of the facility to observe processes and activities
  - Interview with personnel
- Identification and review of findings
- Preparation of audit findings
- A closing meeting

See Sections 3.2.1 – 3.2.8 for further detailed information.

### 3.2.1. Conducting opening meeting

The auditor shall conduct an opening meeting with the applicant/certificate holder to explain:

- the audit activities that will be carried out,
- the agreement of all participants to the audit plan,
- the objective, scope, and criteria of the audit visit to determine the availability of relevant personnel,
- access to required areas,
- confidentiality and information security,
- activities on site that can impact the conduct of the audit and
- the reporting process.

### 3.2.2. Conducting the audit

Auditors shall conduct all audits, in a professional manner, as diligently as possible, with **minimum disruption as possible to the day-to-day activities of the facility undergoing the audit, and in compliance**

**with local legislation** and any in-house policies (unless otherwise stated) whilst at the location undergoing audit.

The audit shall consist of a combination of activities relevant to the scope, criteria and objectives of the programme as follows:

- **Document review:** The auditor shall review relevant documented information and records to gather evidence to support audit activities and to confirm whether reviewed systems are in accordance with MarinTrust requirements. This shall include a review of the documented traceability systems back to the approved raw material or accepted in the case of the Improver Programme (IP), source.
- **Observation of processes and activities**: The auditor shall conduct a walk-through inspection of the facility to observe practical implementation of processes and activities. This shall include traceability systems back to the approved raw material or accepted (in the case of IP) source.
- **Interviews with personnel**: The auditor shall conduct interviews with relevant personnel who are involved in the control of activities related to the audit.

All audits shall be conducted against the current issue of the relevant MarinTrust Standard requirements and interpretations (STG-002, STG-003), and the auditor shall use the approved audit report template format (TEM-001, TEM-022). *It is the responsibility of the CB to ensure they have the most up-to-date copy of the relevant standard requirements under the MarinTrust Programme.*

**Note: In all cases, legal requirements will take precedence over any requirements of the Standard.**

Auditors shall ensure:

**3.2.2.1.** All aspects of the Standard requirements are addressed. At no stage can relevant elements of the relevant MarinTrust Standard be omitted.

**3.2.2.2.** Sufficient notes are taken during the audit to demonstrate an identifiable audit trail against each clause. These notes shall include reference to location, product identification, equipment or documents used, and compliance with and availability of the applicant's own documented policies and procedures where these form part of the MarinTrust Standard or MarinTrust CoC Standard requirements.

**3.2.2.3.** Confirm whether the information provided by the applicant/certificate holder gives sufficient objective evidence (complete, correct, consistent and current) to demonstrate that the requirements of each clause are met. In cases where information is provided in a way other than expected, the integrity of that information shall be assessed.

**3.2.2.4.** Special care is taken for information security especially information which lies outside the audit scope, but it is also contained in a document submitted by applicant or certificate holder due to applicable regulations on protection of data.

**3.2.2.5.** In the case of current certificate holders only, where a new species has been added to the raw material scope as part of a scope extension application, and has achieved 'approval' status, the auditor shall conduct a traceability check of the added species to verify compliance of segregation requirements has been maintained prior to the approval status of the species being granted. For additional information please refer to documents PRO-002 (A2) – *Guidelines for certification bodies managing applications for certification to the MarinTrust Programme* and PRO-005 (A5) – *Procedure for the issuing and withdrawal of certificates to the MarinTrust Programme.*

**3.2.2.6.** Where a certificate holder/applicant subcontracts a certificate holder withdrawn due to noncompliance, fraud and/ or corruption for non-certified MarinTrust activities, they shall be deemed as high risk.

**Initial Audits**. The auditor shall ensure that all areas within the scope of the approved application are evaluated during the audit. All areas, covering only those marine ingredients (fishmeal and fish oil) products and processes that are from approved sources stated within the approved application for certification, or acceptance in the case of Improver Programme, must be evaluated. If not, reasoning must be noted in the final report.

**Surveillance and Re-certification Audits**. The auditor shall consider nonconformities and results from previous audits and may focus more attention on areas of concern, ensuring that all applicable areas of the applicable MarinTrust Standard has been evaluated.

After 3 consecutive audits of a single facility, the auditor may not be used on the 4th audit unless they have been given permission by MarinTrust.

- The duration of an on-site audit of the MarinTrust Standard shall typically be: up to 1.5 days for those facilities which utilise a recognised Standard a significant proportion of the time will be spent reviewing Traceability Based Systems and assessment of its practical implementation.
- 2 full days for those without a recognised Standard who must comply with all sections of the MarinTrust Standard.

The duration for a typical MarinTrust Chain of Custody Standard audit shall be 1 day. However, more time may be required for facilities with multiple sites, or that use subcontractor facilities, or have complex traceability.

## 3.2.3. Identifying and recording audit findings

To determine audit findings, audit evidence shall be evaluated against the requirement of each clause of the relevant Standard.

When determining the audit findings, auditors shall consider follow up from previous audits as well as the results of the current audit.

The results of the audit shall include all the conformity and nonconformities, as outlined in Annex 1, of each clause with supporting evidence recorded.

Each clause shall be rated with one of the following conformity levels, without any limitations or additions. Criteria for each rating is included in auditor interpretation guidance for the respective Standard:

- Full conformity
- Minor nonconformity
- Major nonconformity
- Critical nonconformity
- Not applicable

Definitions of each rating can be found in Annex 1.

The auditor shall substantiate the conformity rating with positive and/or negative evidence and/or justification against each clause of the relevant Standard.

If the auditor is unsure how to score the evidence collated during an audit to a specific clause within the MarinTrust Standard requirements, they shall consult with their CB for further guidance before the clause can be rated.

**Time bound clauses – MarinTrust Chain of Custody Standard**

Time bound clauses are included in the MarinTrust CoC Standard.

The MarinTrust CoC Standard guidance includes information for what constitutes full compliance for each clause, and the circumstances which would lead to a rating of nonconformity. All clauses in the MarinTrust CoC Standard shall be closed off prior to certification, recertification, or continuous maintenance of the MarinTrust CoC certificate, apart from the clauses that have **a time bound period** to enable an applicant to meet these requirements.

The time bound period is based on one complete certification cycle (3 years) to reach full compliance. However, there are specific requirements that the applicant shall need to show at each annual surveillance assessment, to demonstrate how they are progressing towards full compliance. If the facility cannot show progress from the initial certification to the next annual surveillance, this shall be deemed a nonconformity which could result in the certificate being suspended and possibly withdrawn.

## 3.2.4. Closing meeting

**Preparation**

**3.2.4.1.** Upon completion of the audit, the auditor shall prepare for the closing meeting. The auditor shall review the audit findings and any other information collected during the audit, against the audit requirement. The content of audit conclusion shall include, at a minimum:

- how the audit objectives were achieved
- whether the audit scope was covered
- how the audit requirements were fulfilled and the extend of conformity with the audit clauses
- any necessary follow up actions.

**Conducting the closing meeting**

**3.2.4.2.** A formal closing meeting shall be held with the applicant or certificate holder to present the audit findings and conclusions. The auditor shall:

a) discuss any nonconformities raised, agreeing a corrective action plan (see **Annex 1** for a definition of an effective corrective action plan) and completion date for each.
b) prepare a hand-written copy of the agreed nonconformity, which is signed and left with the applicant's or certificate holder's technical representative.
c) Not indicate whether the applicant/certificate has achieved or maintained certification status.

**3.2.4.3.** Where nonconformities are noted, the auditor shall:

a) refrain from instructing the applicant to take any particular course of corrective action. Auditors offering a recommended course of action to close out a nonconformity shall be seen as consultancy and is in breach of MarinTrust procedures.
b) record the corrective action(s) and completion date(s) on the Nonconformity Report (NCR) form agreed by both the auditor and applicant/certificate holder at the closing meeting.
c) provide the applicant/certificate holder with the opportunity to ask questions if needed.
d) discuss and resolve any disagreement/issue regarding the audit findings where possible.
e) refer to the CB where it is not possible to agree and/or resolve audit findings.

**3.2.4.4.** Where there is more than one auditor used, e.g., in an integrated facility, a thorough and precise hand-over meeting must be held. This will serve to fully equip the second auditor with information regarding previous findings or missing components.

## 3.2.5. Audit Reporting

**Distribution**

**3.2.5.1.** After each audit the auditor shall:

a) prepare a full written audit report using the approved audit report template (TEM-001 (prev. FAC1, TEM-022 (prev. FAC2) which shall include:
   - an audit summary,
   - an overview of performance,
   - summary of nonconformities and corrective actions to be taken,
   - comprehensive details of how the applicant complies with each clause.

b) Submit the audit report to the Scheme Manager or designated/responsible person, within 7 working days at the end of the audit. *All notes taken during the audit shall be submitted together with the audit report to the CB's Scheme Manager or delegated/responsible person.*

c) In the case of nonconformities, send a copy of the NCR to the CB within 24 hours of the end of the audit.

**3.2.5.2.** The audit report shall be a factual record of the results of the audit and shall clearly document any nonconformity against the relevant MarinTrust Standard requirements and, where appropriate, corrective actions. In addition, objective evidence is required and agreed timescales for completion.

**3.2.5.3.** The Scheme Manager or delegated/responsible person, shall, within 3 working days of the end of the audit:

a) check the form for completeness and accuracy.

b) despatch a final copy to the applicant/certificate holder via email.

c) confirm that the applicant/certificate holder shall have up to 21 working days to close out the nonconformities raised.

d) complete and submit the MarinTrust certification timeline tracker to the applicant/certificate holder and the MarinTrust Secretariat (for initial and recertification audits only).

*Note - On the final audit report the auditor shall record where it has not been possible to agree a nonconformity with the applicant/certificate holder. This nonconformity shall still stand, and the applicant/certificate holder can appeal the decision to the CBs and to the MarinTrust Governance Body Committee (See Appeals and Complaint Document).*

## 3.2.6. Nonconformity Follow-up

The CB shall require that the applicant/certificate holder provide them with written confirmation that the corrective action has or will be taken with respect to all critical, major, and minor nonconformities identified

during the audit. This confirmation shall describe the corrective actions already taken or which are identified.

Depending upon the extent of the nonconformity, either documentary evidence or a re-visit shall be required to evaluate full conformity before a certificate of conformity, or acceptance in the case of Improver Programme, can be granted.

The CB Scheme Manager or assigned/responsible person, shall check the applicant's file after 15 working days to evaluate the progress of the corrective actions. If necessary, they will contact the applicant to remind them of their obligation to provide evidence within the timeframes defined and agreed.

All nonconformities shall be closed out within the specified timeframes unless a request for extension has been approved. Extensions shall only be permitted for up to six months.

Where this results in an extension of the validity of the certificate, CBs must also share the certificate extension with both the client and MarinTrust one month before the certificate expiry for posting on the MarinTrust website. Please refer to document PRO-005 (A5) – *Issuing and Withdrawal of Certificates Procedure*, for further information.

The auditor shall review and check the evidence within 5 working days of either the submission of all evidence provided by the applicant/certificate holder or passing of the submission deadline, whichever comes first. The auditor shall determine the effectiveness of this evidence in addressing the nonconformity, before submitting the final audit report, evidence, and recommendations to the Scheme Manager or delegated/responsible person, for technical review.

## 3.2.7. Technical Review

**3.2.7.1.** Prior to the certification decision, the Scheme Manager, delegated/responsible person, shall be responsible for the coordination and completion of the technical review within 5 working days of receiving the final audit report.

**3.2.7.2.** The technical review shall be carried out by technically competent and authorised personnel, in accordance with document PRO-014 (B2) - *Procedure for Appointment, Training, and Approval of Certification Body Personnel involved in the assessment, audit, and certification process*, who shall confirm:

a) The final audit report and all associated information fully substantiates the auditor recommendations and any nonconformities raised in the final report. All evidence is available, presentable, and clearly identifiable.

b) That the nonconformities have not been recorded as a statement of corrective action or direction, and the corrective action plan and actions have been reviewed, accepted, and checked.

c) There is sufficient evidence of corrective actions and timescales to close out nonconformities, and that these have been agreed between the applicant/certificate holder and the auditor at the closing meeting.

**3.2.7.3.** Within 5 working days of completing the technical review, the Scheme Manager, or assigned/responsible person, shall submit the technically reviewed final report and evidence to the certification committee or delegate/responsible person.

## 3.2.8. Certification Decision

**3.2.8.1.** Within 5 working days of receiving the technically reviewed audit report and evidence, the certification committee, or delegated/responsible person, shall review the final report and evidence file and determine if the applicant conforms with all the clauses as required in the MarinTrust Standard and/or Chain of Custody Standard.

The result of a certification decision, or acceptance in the case of Improver Programme, shall be categorised as follows:

- Certification (*acceptance*) achieved
- Certification (*acceptance*) not achieved[1]
- Certification (*acceptance*) not granted

The Scheme Manager, or delegated/responsible person, shall notify the auditor of the need for their presence at any certification or acceptance (in the case of Improver Programme) decision meeting at which the report shall be reviewed if applicable.

The certification decision, final audit report, and certificate (if achieved) shall be despatched via email to the applicant/certificate holder and MarinTrust Certification Programme Officer or MarinTrust delegated/responsible person, within 5 working days of the certification decision. For further information on the issuing and withdrawal of certificates, refer to document PRO-005 (A5) – *Issuing and withdrawal of certificates to the MarinTrust Programme.*

In the case of acceptance for the Improver Programme, the acceptance decision and final audit report shall be despatched via email to the applicant/accepted site and MarinTrust Certification Programme Officer, or MarinTrust delegated/responsible person, within 5 working days of the acceptance decision.

The Improver Programme applicant shall not be referred to as 'certified' and a certificate of conformity shall not be issued. Instead, a letter of acceptance shall be issued by the MarinTrust Secretariat within 5 working days of notification of the acceptance decision. For further information on the issuance of IP Acceptance letters, please refer to the *Improver Programme Acceptance Mechanism* (IPAM) document.
All IP audit reports received shall be reviewed by MarinTrust prior to issuance of the IP acceptance document.

If any issues are raised during this review, the IP acceptance document may not be issued until those issues are resolved.

[1] In such instances, further information shall be requested from the applicant with a maximum of 5 working days permitted for submission of the required additional evidence if the certification committee or delegate/responsible person, feel that more information is required to meet the intent of the relevant MarinTrust Clause.

Ownership of the audit report shall be maintained by the CB, however, MarinTrust shall use these audit reports and certification decisions for standard consistency, monitoring and record keeping purposes, and for the publication of certificate on the MarinTrust website. The contents of audit reports shall be treated as strictly confidential and shall not be placed in the public domain.

## 4. Notification of Serious Food Safety/Legality Issues

As applicable, MarinTrust shall immediately notify buyers of certified products of any serious traceability and/or legality issues arising out of a supplier audit. In this unlikely event, MarinTrust shall discuss with the applicant/certificate holder what action is necessary to meet the wishes of the purchaser(s) involved. In all cases, audit reports are only distributed to third parties provided the applicant, certificate holder, or Improver Programme Accepted Site has consented in writing.

## 5. Records

A copy of the final audit report, information and evidence NCR form, and correspondence conveying the certification committee's, or delegated person, certification decision shall be held in the applicant/certificate holder's file for a period of 6 years.

Where a certificate has lapsed, moved to another CB, or if it is a current certificate, records for the previous two certification cycles shall be maintained.

# Further information

For further information on appeals and complaints requirements, please refer to document PRO-006 (A6) – *Appeals and complaints procedure for the MarinTrust Programme*

# Annex 1 – Definitions

## Conformity ratings

**Definitions (the first set was slightly updated to make them clearer)**

| Full conformity | Minor nonconformity | Major nonconformity | Critical nonconformity |
|---|---|---|---|
| The requirement of the clause is fully met.<br>There is evidence to demonstrate conformity to all the requirements of the clause. | The requirements of the clause are partially met.<br><br>- The non-conformity does not adversely affect the health or safety of a product or person. | The requirements of the clause are not met.<br><br>- The non-conformity cannot be completely eliminated by re-work or reduced to a minor non-conformity (excludes critical non-conformity).<br>- A requirement of the Standard has been addressed but there is insufficient evidence to demonstrate that it has been properly controlled or implemented. | The requirements of the clause are not met.<br><br>The non-conformity may:<br>- result in imminent and/or highly probable hazardous or unsafe conditions for individuals.<br>- result in serious injury or death.<br>- be a legal or regulatory violation.<br>- be a marine ingredient safety failure.<br>- be a programme integrity risk from a failure to implement the clause. |

| | Full conformity | Minor nonconformity | Major nonconformity | Critical nonconformity |
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| **Examples** | All requirements of the clause are met and there is evidence to fully demonstrate this. | There is a small discrepancy with demonstrating full compliance with all the requirements of the clause BUT safety, welfare or product integrity is not compromised. | The traceability system is found to be inadequate to meet the requirements of the statement of intent or any clause of the Standard. | The auditor provides evidence to show that the marine ingredients labelled, or intended to be labelled, as compliant were found not to have originated from an approved fishery or by-product of the MarinTrust Programme, or from an officially recognised fishery that has been accepted into the MarinTrust Improver Programme, or the auditor has been deliberately misled on the credibility of |

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| | | | | the information provided by the applicant.<br>More generally, that the applicant has broken a legal obligation which puts food/feed safety, employee safety, or worker welfare at risk. This does not necessarily need to relate to a specific requirement in the MarinTrust Standards, but the details of the critical nonconformity must be detailed by the auditor. |
| **Timescale to act** | At the initial certification audit all nonconformities shall be addressed in an effective action plan and closed off prior to certification. | Where a Minor nonconformity is identified at the initial certification, the CB shall not issue a certificate until this has been addressed in an effective action plan that has been agreed by the CB and closed off prior to certification | All major nonconformities must be closed off or with an agreed action plan before the applicant can be certified to the MarinTrust Standards.<br><br>If the CB cannot close off a major nonconformity in a period of 3 calendar months for new applications or 1 calendar month for an annual surveillance, from the point at which it is raised, the CB shall instigate a full re-audit. At this point in the process, where it is an existing client, their MarinTrust or CoC certificate shall be suspended until the re-audit has been conducted.<br><br>If the re-audit determines that no nonconformities were found, the client's certificate shall be re-instated.<br>If there is persistent failure to meet the requirements of the MarinTrust Certification the certificate may be | In the event of a critical nonconformity, the auditor will end the on-site audit immediately, if the safety of the auditor is compromised. The CB shall not grant certification to the applicant, and any future applications to the MarinTrust Programme by the applicant must include documented evidence of the policies and/or systems put in place to ensure the critical nonconformity does not re-occur. MarinTrust shall review the evidence submitted and may ask for further evidence or clarification where required. Following the review, MarinTrust will notify the applicant of the outcome.<br>A period of no less than 6 months after the audit shall pass before an applicant can reapply for certification to the Standard, to ensure that the systems that are preventive of the critical |

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| | | | completely withdrawn. Please refer to the MarinTrust issuing and withdrawal of certificates procedure (A5) for further guidance | nonconformity re-occurring have been fully embedded into the applicant's quality management systems and culture.<br>Where the withdrawal is not due to critical NC, this will be discussed and decided on a case-by-case basis. |

At the initial certification audit **all nonconformities shall be addressed** in an effective action plan and closed off prior to certification.
***Note:*** *If a critical nonconformity is established at an existing certificate holder of the programme, the CB scheme Manager, or delegated/responsible person, shall instruct the certificate holder to immediately inform its customers to make them aware of the circumstances in line with MarinTrust requirements. The certificate holder shall inform both their CB and MarinTrust when this communication has been sent to their customers, and on its content, to allow MarinTrust to support their customers in obtaining a different supply of MarinTrust compliant marine ingredients until they can reattain certification. See document PRO-005(A5) MarinTrust issuing and withdrawal procedure for further guidance.*

The CB shall immediately suspend the MarinTrust certificate pending a full investigation by the CB. If the nonconformity is upheld the client shall have their certificate withdrawn and shall not be allowed to re-apply for the Standard for a period of 6 months. Please refer to document PRO-005 (A5) - *The Issuing and Withdrawal of Certificates to the MarinTrust Certification Programme Procedure*.

## Effective corrective action plan

For an action plan to be deemed as effective it shall address the following key areas:

- An appropriate time frame to address and resolve the nonconformity shall be given.
- A root cause analysis of why the nonconformity occurred.
- Identify the actions required to ensure that future nonconformities shall not re-occur (to include changes to policy and procedures).
- An appropriate person to oversee that the non-compliance has been resolved shall be identified.

At an annual surveillance, a raised minor nonconformity does not prevent the applicant from maintaining its certification to the MarinTrust Standards. An action plan is presented, and this shall be a focus of the subsequent surveillance audit. If subsequently the organisation is deemed to still fall short of full compliance, the auditor will upgrade the nonconformity and raise a major nonconformity. Corrective action will be required before certification can be maintained.

*Note - The only exception to this rule is under circumstances where a minor nonconformity is raised due to records not being maintained for a sufficiently long duration. In these circumstances, the minor nonconformity will remain minor as long as records continue to be built up. This is to reflect the impossibility of creating 3 years of records in 1 year*.

# Annex 2

## Code of Conduct for all CB Staff/Auditors

**Objective**

To define the code of conduct, which shall be adhered to when operating the CBs certification services.

**Responsibilities**

Everyone in the CB, both office and home based has the responsibility to ensure their conduct does not compromise the independence, integrity, and impartiality of the CB.

All managers are responsible for ensuring that staff is aware of the need to maintain independence, integrity and impartiality and operate in accordance with this procedure.

**Procedure Independence, Impartiality, and Integrity**

It is essential that audits and related activities are independent of pressure from the applicant or any other parties. The CB must take steps to ensure that commercial activities, which have the potential to conflict with the certification process, are always avoided.

The CB must not provide consultancy, advice, or bespoke training. It is essential that the CB's staff, including the auditors, do not offer advice, or provide information either at the time of the Audit or at any time that may compromise the independence, integrity, or impartiality of CB.

The following are examples of activities, but not limited to, that are prohibited:

- Providing specific recommendations to an applicant on how requirements of the MarinTrust standards could be met.
- Providing documentation other than the MarinTrust standards, CB certification protocols or auditor guidance notes.
- Providing advice in response to specific queries that could be interpreted as how an applicant can comply with the correct MarinTrust standard.
- Providing advice on the design/ development of facilities or processes.
- Participating in the decision-making process on applicant's management system matters.

Where unsolicited requests for such services are received the CB's staff is required to politely decline such requests and inform the applicant of the CB's policy.

**Audit Process**

Auditors shall be aware that applicants require audits which challenge their systems against the applicable MarinTrust Standard and which identify deficiencies that require appropriate corrective action. In addition, the judgment of the auditor must be based upon objective evidence and be independent of any outside pressure or influence.

It is essential that the audit is seen as 'challenging' by the applicant due to the thoroughness of the audit method, not because of the way in which the auditor conducts the audit or communicates with employees of the facility.

It is the 'questions asked' and 'not the way in which they are asked' which should determine this issue.

Audits shall therefore:

- Be thorough and be undertaken diligently.
- Auditors must be always courteous and avoid being influenced by their own emotions.
- Be aimed at gathering objective evidence to either support compliance to standards or to identify deficiencies.
- Conform to the CBs documented structure.
- Results in reports, which contain only those deficiencies discussed and agreed at the closing meeting.

**Hospitality and Gifts**

At all times the CBs staff and auditors shall remain above reproach and their integrity and credibility maintained.

Whilst staff/auditors may be provided with lunch or may be invited to dinner by applicant's staff, it is clear that there is a 'fine line' between normally accepted Standards of Hospitality and possible bribery and corruption. The CB's staff therefore needs to act with caution and if in doubt refuse such hospitality.

Similarly, in relation to gifts, it is advisable to refuse such offers, but again common sense needs to prevail. Factors to consider in such situations are as follows:

- Is the hospitality or gift within the normal bounds of commercial practice?
- What are the company's intentions?
- What is the stage of the audit – is the offer made after the closing meeting?
- Would public knowledge of the gift undermine the auditor's or the CBs integrity and credibility?
- Would a legal defence in court be undermined by the offer?
- Is the gift an example of product produced on-site or has it been specifically purchased for the auditor.

Where there is a clear attempt to bribe the auditor, then the audit process should be ended, and the CB's Senior Manager or Programme Manager/Administrator informed immediately.

**Disciplinary Action**

Any CB staff/ auditors found to contravene this code of conduct would be judged to have contravened their contract of employment and will be subject to official proceedings.

## ANNEX 3: Certification Timeline

| Activity | Timeframe |
|---|---|
| Submission of audit report to the Scheme Manager | Within **7 working days** at the end of the audit. |
| In the case of nonconformities, send a copy of the NCR to the CB | Within **24 hours** of the end of the audit. |
| Nonconformity close out | Within **21 working days** |
| Review of the NC evidence provided by applicant/certificate holder | Within **5 working days** of either the submission of all evidence provided by the applicant/certificate holder or passing of the submission deadline, whichever comes first. |
| Coordination and completion of the technical review. | Within **5 working days** of receiving the final audit report. |
| Submission of the technically reviewed final report and evidence to the certification committee | Within **5 working days** of completing the technical review |
| Certification committee review of the final report and evidence file and determination if applicant conforms with all the clauses in the Standard. | Within **5 working days** of receiving the technically reviewed audit report and evidence. |
| Certification decision and dispatch of final audit report, and certificate (if achieved) | Within **5 working days** of the certification decision. |

# AMENDMENT LOG

| DATE | ISSUE | AMENDMENT | AUTHORISED BY |
|---|---|---|---|
| 08/05/2015 | 1.3 | Summary of changes available upon request | Francisco Aldon |
| 26/01/2016 | 1.4 | | Francisco Aldon |
| 12/09/2017 | 1.5 | | Francisco Aldon |
| **Version 2 edits (MarinTrust conversion)** | | | |
| 01/10/2020 | 2.0 | MarinTrust Header & Footer inserted | Libby Woodhatch |
| 01/10/2020 | 2.0 | Wording throughout document amended to read *'MarinTrust Programme'* to encompass both the MarinTrust Standard and | Libby Woodhatch |
| 01/10/2020 | 2.0 | Addition of wording ', upon receiving the MarinTrust application form of an applicant from the MarinTrust secretariat,' and '5 working days' , in section 1.0, first paragraph | Libby Woodhatch |
| 01/10/2020 | 2.0 | Inclusion of minimum data to be captured in the Certification Tracker held by the CB, in section 1.0, fourth paragraph | Libby Woodhatch |
| 01/10/2020 | 2.0 | Addition of note '*Note in the event of an extraordinary event being declared, the extraordinary event procedure shall take precedent over audit frequency requirements' in section 1.0* | Libby Woodhatch |
| 01/10/2020 | 2.0 | Addition of further guidance on language and conducting audits in section 2.0 – general, information, first paragraph | Libby Woodhatch |
| 01/10/2020 | 2.0 | Inclusion of wording 'The auditor after 3 consecutive audits of a single plant may not be used on the 4th unless they have been given permission by MarinTrust.' And further guidance on key elements for consideration during the on-stie audit in section 2.0, page 4. | Libby Woodhatch |
| 01/10/2020 | 2.0 | Inclusion of specific audit duration guidance and requirement for the completion of the certification timeline tracker in section 2.0, final paragraphs | Libby Woodhatch |
| 01/10/2020 | 2.0 | Conformance definitions split into own section, now section 2.2., and addition of further guidance in the case of a critical non-conformance raised for new and existing applicants in the final paragraphs | Libby Woodhatch |

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| 01/10/2020 | 2.0 | Addition of section 2.3 – closing meeting | Libby Woodhatch |
| 01/10/2020 | 2.0 | Addition of section 2.4 – derogations for the Chain of Custody | Libby Woodhatch |
| 01/10/2020 | 2.0 | Additions of Sections 2.5 – Notification of Serious Food Safety / Legality issues, 2.6 – Audit frequency, 3.1 – Initial Audit Reports, 3.2 Non-conformance follow-up and 3.3 – Distribution of Final Audit Report from appendix A2 removed and included in appendix A4 – Guidelines for CBs managing applications to certification for the MarinTrust Programme. | Libby Woodhatch |
| 01/10/2020 | 2.0 | Addition of further guidance on records in section 4.0, first paragraph. | Libby Woodhatch |
| 02/08/2022 | 3.0 | Inclusion of additional guidance and clarification of the scope, and reference to Improver Programme throughout | Governing Body Committee |
| 02/08/2022 | 3.0 | Streamlining of section 2 for alignment with ISO/IEC 17065 accreditation requirements | Governing Body Committee |
| 02/08/2022 | 3.0 | Removal of registered and subcontracted requirements to reduce duplication. Instead, this is outlined in appointment, training, and approval requirements | Governing Body Committee |
| 02/08/2022 | 3.0 | Addition of further guidance in Section 3 for the process of carrying out site audits and increased alignment with ISO/IEC 17065 requirements. This includes further guidance on production requirements in Section 3.1. | Governing Body Committee |
| 02/08/2022 | 3.0 | Increased alignment with ISO/IEC 17065 requirements in section 3.2. including addition of guidance for the evaluation of new species (raw material) added as part of a scope extension prior to audit to section 3.2.2.5 and further detailed information on the process and personnel responsibilities for the technical review of audit reports (section 3.2.7), and Improver Programme requirements in Section 3.2.8 Certification Decision | Governing Body Committee |
| 02/08/2022 | 3.0 | Addition of 'further information' for procedures on appeals and complaints requirements | Governing Body Committee |
| 02/08/2022 | 3.0 | Renumbering and reformatting of sections throughout the document for clarity and clear order of process requirements | Governing Body Committee |

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| 31/10/2023 | 3.1 | Section 3.2 and 3.2.1: correction of the reference to requirement from 'ISO/IEC 17065' to ISO 17021-1 requirements. | Governing Body Committee |
| 29/01/2024 | 4.0 | Update from 'Operations Manager' to 'Certification Programme Officer' | Governing Body Committee |
| 29/01/2024 | 4.0 | Inclusion of further guidance about scope extension, Section 3.1 | Governing Body Committee |
| 29/01/2024 | 4.0 | Addition of criteria for selecting a translator or interpreter | Governing Body Committee |
| 29/01/2024 | 4.0 | Addition of information regarding subcontracted sites that already holds MarinTrust CoC certification. | Governing Body Committee |
| 29/01/2024 | 4.0 | Removal of reference to specific section of the MarinTrust Standard to be audited for facilities without a recognised Standard | Governing Body Committee |
| 29/01/2024 | 4.0 | Inclusion of further guidance for auditors where a certificate holder/applicant subcontracts a certificate holder withdrawn due to noncompliance, fraud and/ or corruption for non-certified MarinTrust activities. | Governing Body Committee |
| 29/01/2024 | 4.0 | Addition of information regarding review of IP audit reports. | Governing Body Committee |
| 29/01/2024 | 4.0 | Update from 5 years to 6 years, section 5. | Governing Body Committee |
| 29/01/2024 | 4.0 | Section 3.2.4.3: Inclusion of further information regarding audit closing meeting. | Governing Body Committee |
| 29/01/2024 | 4.0 | Further update to the close out of NCs for initial audits. | Governing Body Committee |
| 29/01/2024 | 4.0 | Inclusion of steps to take upon receiving an application from a withdrawn certificate holder particularly when the withdrawal is due to critical NC. | Governing Body Committee |
| 22/08/2024 | 4.0 | All references to ISO 17021 and IS0 17065 removed throughout | Governing Body Committee |
| 22/08/2024 | 4.0 | Changed from 'derogation clauses' to 'time bound clauses' | Governing Body Committee |