



Assured Land-Based Contractor (Agricultural Waste Collection) Scheme

October 2010



Representing Agricultural and Amenity Contractors



NAAC Assured Land-Based Contractor (Agricultural Waste Collection) Scheme Standard Contractor Guidance Notes (VERSION 1)



October 2010

1. Aims

Quality control and traceability are essential elements in the agricultural waste collection service and the NAAC has taken a proactive role in establishing an independently audited quality standard for agricultural waste collection contractors. This will cover the quality of service which the contractor provides and will be known as the NAAC Assured Land-Based Contractor (Agricultural Waste Collection) Scheme. Waste collection contractors and their customers must co-operate to ensure a safe, traceable waste collection service can take place. This Scheme offers customers genuine assurance about the activity of contractors. Contractors will only be certified if they can meet the appropriate standards.

In addition to the NAAC's Agricultural Waste Collection Specific Standard, the contractor must also have been assessed against the NAAC Assured Land-Based Contractor (Generic) Standard in the current scheme year. Ideally, both audits will be carried out together. Please note, certification cannot be granted without conformity with the generic and waste collection standards.

2. Scope

The scheme aims to produce a safe and responsible agricultural waste collection service that will promote a traceable route between waste producer, waste collection contractor and the next point of process.

3. Objectives

The NAAC scheme is designed to help contractors involved in the agricultural waste collection service to identify the hazards and critical control points of the collection process. The scheme aims to help the person(s) collecting waste to fully understand, and to be able to show full understanding of, the waste collection process and the control points of that process. These will include:

- Personnel involved in the waste collection are suitably skilled.
- The agricultural waste collection process is fully traceable;
- Collection equipment / vehicles are regularly and appropriately maintained and cleaned;
- Production processes are adopted, such as record keeping which ensures full traceability;
- Hazards are identified and controlled.

The scheme will establish a framework of good and safe working practices to be verified by independent external assessors that will enable members of the scheme to produce a safe, fully traceable service to meet requirements of national farm assurance schemes.

4. Requirements

All clauses of this standard are compulsory requirements of the scheme. They have to be met in full at all times for sites to be granted or to retain their certification.

Contractors must also comply with national law.

5. Multiple Depots

A depot is defined as a separate satellite base at which waste is stored.

Where a contracting operation has multiple depots, each depot must be audited annually as a part of the agricultural waste collection scheme.

6. Operating Procedures

Certification to this standard is conditional on a successful initial assessment visit and surveillance assessments thereafter. The certification system is an independent third party system for determining conformity with product standards. The certification system requires examination of product, the production process, the production environment, and assessment of the quality management system. Acceptance after initial assessment is followed by ongoing surveillance. The certification system is linked to a Certificate of Conformity and, where appropriate, approved scheme trade marks. The trade mark is the property of NAAC and is issued, under licence, through NSF-CMi Certification.

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**NAAC Assured Land-Based Contractor (AGRICULTURAL WASTE COLLECTION) Specific Standard
October 2010**

Std No.	Agricultural Waste Collection Specific Standard	Guidance for Contractors
W 1.0 Personnel		
W 1.1	Staff collecting waste must have appropriate documented skills and training to match the scale, risks and complexity of the collection operation. The company is required to keep records of all training.	The inspector will ask to see your staff training records*. Training can be in-house and should cover areas such as: <ul style="list-style-type: none"> • <i>health and safety;</i> • <i>the duty of care;</i> • <i>record keeping;</i> • <i>traceability</i>
W 1.2	If a mechanical lifting device (i.e. loader or forklift) is used during the waste collection process then an up-to-date certificate must be held by each operator.	The inspector will ask to see certificates if applicable. Certificate numbers must be logged with the individual operator's training records (W 1.1).
W 1.3	If a lorry mounted crane (for example a HIAB) is used as part of the waste collection process then a certificate of competence for a lorry mounted crane must be held by each operator. They must gain the certificate from a training organisation approved by the Health and Safety Executive (HSE).	The inspector will ask to see the certificates held by the operators. Certificate numbers must be logged with the individual employee training records (W 1.1).
W 1.4	For operations where more than one person is involved, there must be an organisational chart detailing all persons working in the waste collection service and the tasks that they are authorised to perform.	Keep a copy of your up-to-date organisational chart* ready for inspection.

W 2.0 Health and Safety		
W 2.1	All operators collecting waste must have up-to-date Tetanus injections.	The inspector will ask to see up-to-date tetanus injection records. This could be included in the operator's personnel file (refer G 4.2).
W 3.0 First Aid and Fire Extinguishers		
W 3.1	<p>There must be an appointed person for first aid within the business. This person must:</p> <ul style="list-style-type: none"> • Take charge when someone is injured or falls ill, including calling an ambulance if required. • Look after the first aid equipment, e.g. restocking the first aid box. <p>Where businesses employ 5 or more people, a designated member must have an up-to-date certificate of competence in first aid at work. They must gain the certificate from a training organisation approved by the Health and Safety Executive (HSE). The certificate lasts for three years after which a refresher course is required.</p>	The inspector will ask to see a record of the appointed person for first aid. If there is a requirement for a certificate of competence in first aid at work, then the inspector will ask to see the up-to-date certificate (refer W 1.1).
W 3.2	On each waste collection vehicle there must be a First Aid kit, including eye irrigation equipment (within its expiry date). A record of its location must be retained in the office and all staff must be made aware.	The inspector will make sure that there is at least one first aid kit including eye irrigation equipment on each waste collection vehicle and that staff are aware of its location*.
W 3.3	At least one fire extinguisher must be kept on each waste collection vehicle. A record of its location must be retained in the office and all staff must be made aware.	The inspector will make sure that there is at least one fire extinguisher on each waste collection vehicle, that it is clearly visible and a record of the location is kept in the office*.
W 4.0 Hazard Control		
W 4.1	A designated person must be assigned to take responsibility for quality control. This person must be at a managerial level and must be trained and competent, and their duties must be incorporated in his/her job description.	The inspector will ask to see your organisational chart (W 1.4) and training records (W 1.1).

W 4.2	<p>A designated person must be responsible for producing, approving, implementing and reviewing a written Quality Control plan. This must contain:</p> <ul style="list-style-type: none"> • details of the whereabouts of various documents or record keeping systems; • identification of any hazards that must be prevented, eliminated or reduced to acceptable levels; • information on any critical control points in the collection process that could give rise to hazard and undue risks, together with controls; • details of waste collected, including specific information on types of hazardous agricultural waste accepted and the controls in place: • details of cleaning operations, to include machinery and equipment. 	The inspector will ask to see your written Quality Control Plan*.
W 4.3	Record any departure from procedures agreed in the Quality Control plan.	If you change you procedures keep a record*.
W 5.0 Collection Vehicles		
W 5.1	Each machine must be permanently identified (e.g. registration number or serial number) and a register of machines must be kept.	The inspector will ask to see your machinery register*.
W 5.2	Machinery must be maintained in a clean condition and in a good state of repair. Records of cleaning must be kept.	The inspector will ask to see your cleaning records*.
W 6.0 Duty of Care		
W 6.1	Waste carriers who operate in England, Scotland and Wales must register or be licensed with the Environmental Agency (EA) or the Scottish Environment Protection Agency (SEPA). In Northern Ireland you must register with the Environment and Heritage Service (EHS).	The inspector will ask to see your waste carriers licence or registration.
W 6.2	To carry out agricultural waste collection up-to-date waste management licence exemptions must be held.	<p>The inspector will ask to see copies of the waste management licence exemptions.</p> <p><i>The following exemptions must be held:</i></p> <ul style="list-style-type: none"> • <i>In England and Wales exemptions 11, 17 and 18</i> • <i>In Northern Ireland Exemptions 12,17 and 18</i> • <i>In Scotland Exemptions 11,17 and 18</i>

W 6.3	Copies of all waste transfer notes must be retained for at least 3 years.	The inspector will ask to see the retained waste transfer notes.
W 6.4	The contractor must advise all their waste producing customers on how different waste streams must be segregated and stored ready for collection.	The inspector will ask how this is communicated to the waste producer. <i>(advise issued by the contractor can be in the form of leaflet or as part of the customer proforma refer W 15.1)</i>
W 6.5	All waste storage devices sold/provided to the customer to store and/or transport waste must be leak proof and sealable. Waste storage devices include: <ul style="list-style-type: none"> • Bins • Hoppers • Bags 	The inspector will ask to see examples of the waste storage devices.
W 6.6	If a weighbridge (public or privately owned) is used then all weighbridge tickets must be retained on file for a minimum of 2 years.	The inspector will ask to see copies of the weighbridges tickets.
W 6.7	If the customer is charged by the weight of the waste collected, all weighing equipment must be regularly calibrated and checked at intervals of not more than six months by an Inspector of Weights and Measures or an Approved Verification Body. Examples of weighing equipment are: <ul style="list-style-type: none"> • weigh cells on lorry mounted lifting equipment (for example HIAB) • weighing equipment fitted to the chassis of the vehicle • weighbridges 	The inspector will ask to see calibration records for all weighing equipment*.
W 7.0 Transporting Waste		
W 7.1	Liquid wastes must be transported in leak proof and sealable containers to prevent them from being spilled. Suitable containers include: <ul style="list-style-type: none"> • Tankers • Intermediate Bulk Containers (IBC's) • Drums 	The inspector will ask to see your waste collection vehicle(s)/containers. Protocol should be included in your quality control plan (refer W 4.1).

W 7.2	Loose waste such as crop cover, fertilizer bags and bale wrap must be securely tied down during transport to eliminate the risk of being blown away.	The inspector will ask how the waste is tied down securely. Protocol should be outlined in the quality control plan (refer W 4.1)
W 7.3	<p>All waste must be kept segregated into the individual streams on the vehicles throughout the waste collection service and when unloaded at the collector's depot/yard.</p> <p>A few examples of waste streams are:</p> <p>Polyethylene (PE) such as:</p> <ul style="list-style-type: none"> • Silage Wrap • Small Plastic Packaging Bags • Crop Cover and Mulch Film <p>Polypropylene (PP)</p> <ul style="list-style-type: none"> • String • Feed Lick Buckets • Fertilizer and Feed Bags <p>High Density Polyethylene (HDPE)</p> <ul style="list-style-type: none"> • Triple Rinsed Agrochemical Containers and Detergent Drums 	The inspector will ask how this is achieved. Protocol should be included in your quality control plan (refer W 4.1).
W 8.0 Waste Collection		
<p>Waste Collection includes the contractor:</p> <ul style="list-style-type: none"> • collecting from a farm • accepting waste into the contractor's own depot • hub collection (for example, the collection contractor is situated at a cattle market and the waste producer brings in the waste) 		
W 8.1 General		
W 8.1.1	Before accepting any waste, the waste must be segregated into its individual streams.	The inspector will ask how this is achieved and will ask what will happen if, upon arrival, the waste is not segregated. This should be outlined in the quality control plan (refer W 4.1).

W 8.1.2	Any waste not presented as advised by the contractor (see W 6.4) for collection/recycling must be rejected.	The inspector will ask what happens if the contractor rejects the waste. Details of the process used by the contractors when waste is rejected must be outlined in the quality control plan (refer W 4.1).
W 8.1.3	A waste transfer note must be completed before responsibility of the waste is transferred from the waste producer to the waste collection contractor.	All waste transfer notes must be kept on file. The inspector will ask to see records of the waste transfer notes.
W 8.1.4	Once the responsibility of the waste is accepted by the contractor then steps must be taken to prevent the waste from escaping (leaking or blown away).	The inspector will ask what precautions are carried out to prevent waste escaping.
W 8.1.5	If waste is delivered to a contractor's depot/hub, the contractor must be present when waste is being unloaded by the waste producer.	The inspector will ask what procedure is used by the contractor for accepting waste at his depot/hub. This should be outlined in your quality control plan (refer W 4.1).
W 8.1.6	A safe, hazard-free area must be provided for the waste producer to deliver the waste.	The inspector will ask to see the designated area for waste unloading.
W 8.2 Segregated Bagged Waste		
W 8.2.1	All bagged waste destined for collection must be labeled. The label must include information unique to the waste producer. This will allow bagged waste to be traced by the contractor back to the producer if required. A permanent marker pen can be used to write the waste producer's information on the bagged waste	The inspector will ask to see an example of the labeled bags. <i>(Unique Information can be business names and address' or a customer reference number)</i>
W 8.2.2	All bagged waste must be checked by the contractor to ensure that its content is as described by the farmer on the waste transfer note.	The inspector will ask what happens if the waste is not as described.

W 8.3 Segregated Loose Waste		
W 8.3.1	Loose waste collected from more than one waste producer must be checked before loading to ensure the waste is as described on the waste transfer note. If loose waste is collected from a single waste producer then the loose waste can be checked at the contractors depot.	The inspector will ask what process is used when collecting loose waste. Details of the process for collecting loose waste must be outlined in the quality control plan (refer W 4.1)
W 8.3.2	Loose waste delivered to the contractors depot/hub must be checked by the contractor on delivery to ensure the waste is as described on the waste transfer note.	The inspector will ask what process is used when accepting a delivery of loose waste. Details of the process must be outlined in the quality control plan (refer W 4.1)
W 8.4 Liquid Waste		
W 8.4.1	Liquid waste must be kept segregated from all other wastes and must be held in leak proof and sealable containers. Individual liquid waste streams must also be kept segregated. All containers containing liquid waste must be clearly labeled with their contents and the waste producer's unique information. <i>(a marker pen can be used to label the containers)</i>	The inspector will ask what process is used to keep liquid waste segregated. Details of the process used must be outlined in the quality control plan (refer W 4.1). <i>(unique information can be business names and address' or a customer reference number)</i>
W 8.4.2	All liquid waste must be checked by the contractor to ensure that its content is as described by the farmer on the waste transfer note.	The inspector will ask what happens if the waste is not as described.
W 9.0 Waste Storage Site		
W 9.1	All waste stored and handled by the contractor must be prevented from escaping (eg leaking or blown away).	The inspector will ask to see the contractor's waste storage facilities.
W 10.0 Hazardous Agricultural Waste		
<p>This section only covers the collection of hazardous agricultural waste. <i>Examples of hazardous agricultural waste include;</i></p> <ul style="list-style-type: none"> • <i>Waste oil</i> • <i>Some veterinary medicines</i> • <i>Pesticides and herbicide concentrates</i> 		

- Sheep dip
- Lead acid batteries
- Cleaning chemicals such as disinfectants and bleach
- Anti-freeze
- Fluorescent light tubes
- Agrochemical concentrates
- Agrochemical containers that have not been triple rinsed

(for full guidance on types of hazardous agricultural waste see <http://farmwaste.netregs.gov.uk/download.aspx?path=/libraries/document/127.pdf>)

W 10.1	A waste consignment note must be completed when hazardous agricultural waste is transferred from the waste producer to the contractor. All consignment notes must be retained for 3 years.	The inspector will ask to see the retained consignment notes.
W 10.2	Hazardous waste must be kept separate from all other waste whilst being transported. It must be transported separately in designated, secure, waterproof, bunded containment areas which are clearly signed. If more than one stream of hazardous waste is being transported then they must be kept segregated throughout the journey.	Details of the process for collecting and transporting hazardous waste must be outlined in the quality control plan (refer W 4.1).
W 10.3	<p>If hazardous waste is stored, the contractor's storage facility must be authorised to accept hazardous waste. The facility must hold a suitable:</p> <ul style="list-style-type: none"> • Environmental Permit or an Exemption (England and Wales) • Waste Management Licence or an Exemption (Northern Ireland and Scotland) • Pollution Prevention and Control (PPC) permit (Northern Ireland and Scotland). 	If hazardous waste is collected by the contractor, then the inspector will ask to see details of the Environmental Permits or Exemption, Waste Management Licence or Pollution Prevention and Control permits.
W 10.4	Each hazardous waste stream must be stored separately in designated, secure, waterproof, bunded containment areas, which are clearly signed.	The inspector will ask to see the storage facilities for the hazardous waste.
W 10.5	An inventory of hazardous waste stored on-site must be kept, together with a plan of the location of the hazardous waste.	The inspector will ask to see the inventory of hazardous waste and a map of its location*.

W 11.0 Traceability/Tagging/Labelling		
W 11.1	<p>All bagged waste must be identifiable. The label must contain information unique to the waste producer to assist traceability. A permanent marker pen can be used to write the unique waste producer information on the bag.</p> <p><i>(Unique Information can be business names and address or a customer reference number)</i></p>	<p>The inspector will ask how the waste is traced back to its origin.</p>
W 12.0 Final Destination/Next Point of Process		
W 12.1	<p>As a minimum the contractor must recycle 70 % of the waste collected.</p>	<p>The inspector will ask to see confirmation that 70% of the waste collected/received has been recycled.</p> <p><i>(Evidence to show that the waste is being recycled could be in the form of a delivery ticket issued by the recyclers, washing and processing plants)</i></p>
W 12.2	<p>Waste must go to a legal site i.e. a site suitably authorized to accept such waste which has the required Pollution Prevention Control (PPC) permit, waste management licence or relevant exemptions. The contractor must keep details of the final destination or next process point of the waste. This should include:</p> <ul style="list-style-type: none"> • All recycling sites • Washing sites • All processing plants • Landfill site <p><i>(address, delivery date and times must be recorded)</i></p>	<p>The inspector will ask to see details of the final destination or the next process point for all the waste that is collected*.</p>
W 12.3	<p>Any waste that cannot be recycled must be pre-treated or processed before it can go to landfill. All three criteria below must be satisfied:</p> <ol style="list-style-type: none"> 1. It must be a physical, thermal, chemical or biological process including sorting; 	<p>The inspector will ask for a description of the pre-treatment or process that the waste goes through before it goes to landfill. This must be outlined in the quality control plan (refer W 4.1).</p>

	<p>2 It must change the characteristics of the waste;</p> <p>3 It must do so in order to:</p> <ul style="list-style-type: none"> a) Reduce its volume; or b) Reduce its hazardous nature; or c) Facilitate its handling; or d) Enhance recovery 	
W 13.0 Emergency Spillage Cleaning Equipment		
W 13.1	<p>Emergency spillage cleaning equipment must be kept on the waste collection vehicles and at the contractor's waste storage facilities. This must include:</p> <ul style="list-style-type: none"> • An inert absorbent material, such as: <ul style="list-style-type: none"> ▪ Sand ▪ Granules ▪ Cat Litter • A brush with soft bristles and a shovel must be kept with the absorbent material to help in the cleaning up process. • Heavy-duty impermeable bags and ties must be kept on the waste collection vehicle and at the waste storage facilities to contain any spillage waste. 	The inspector will check that there is a suitable inert compound, soft brush, bags and ties available on the waste collection vehicles and at the storage site.
W 13.2	The company must have a spillage procedure in place. Copies of the spillage procedure must be present in the office and on all waste collection vehicles.	The inspector will ask to see a copy of the spillage procedure*.
W 14.0 Biosecurity		
W 14.1	Persons entering or leaving a premises should ensure their footwear, clothing and machinery are clean when they enter and when they leave. Contractors should make use of any facilities provided on-farm. Contractors must follow up-to-date Defra guidance on bio-security; the contractor must follow the farms/customers biosecurity policy if it is more stringent than Defra's biosecurity policy.	The inspector will ask how this is achieved. A copy of the Defra guidance should be kept (refer W 17)

W 14.2	In the event of a disease outbreak contractors must adhere to Defra guidance for biosecurity.	The inspector will ask what procedures are carried out in the event of a disease outbreak. Details of the procedure must be outlined in the quality control plan (refer W 4.1).
W 15.0 Farmer Responsibility		
W 15.1	The contractor must request that the waste producer provides the contractor with a hazard-free, safe collection area.	The inspector should ask how this is communicated between contractor and the waste producer. This can be achieved by writing to the producer or by asking each waste producer to complete and sign a customer proforma prior to collection*.
W 16.0 Record Keeping		
W 16.1	Records must be kept up to date and retained for a minimum of 3 years.	The inspector will ask to review your records.
W 17.0 Essential Documents		
W 17.1	<p>The following documents must be available at the main office headquarters:</p> <ul style="list-style-type: none"> • NAAC Assured Land-Based Contractor Generic and Agricultural Waste Sector Specific Standards (latest versions). • Defra guidance for biosecurity to prevent the spread of animal diseases • Industry Guidance, Safety on Farms – A Shared Responsibility. • Environment Agency, Waste – Can You Handle It - http://farmwaste.netregs.gov.uk/download.aspx?path=/libraries/document/127.pdf 	Ideally keep a 'document library'* together at the main office. CD versions are acceptable.

APPENDIX 1

Operating Procedures

Certification to these standards is conditional on a successful initial assessment visit and surveillance assessments thereafter. The certification system is an independent third party system for determining conformity with product standards. The certification system requires examination of product, the production process, the production environment, and assessment of the quality management system. Acceptance after initial assessment is followed by ongoing surveillance. The certification system is linked to a Certificate of Conformity, documentation/ stickers and where appropriate approved scheme marks. The mark is the property of NAAC and is issued, under licence, through NSF-CMi Certification.

APPLICATION

1. NAAC/NSF-CMi Certification will send contractors wishing to be certified to the Standards an application pack and supporting literature.
2. Contractors should normally make an application in respect of all their enterprises which they run as a single business.
3. Contractors should complete the relevant form in full and submit it to the NAAC together with the appropriate fee. The owner of the business or a duly authorised employee must sign the form(s).
4. By signing and returning an application form contractors agree to be bound by the Scheme standards and operating procedures. The scheme owners reserve the right to alter the standards and operating procedures for schemes where, at their absolute discretion, they consider it necessary to do so and changes will be notified.

MEMBERSHIP

5. New Applicants - Applications will be renewed every October and assessments will be carried out against the standards in force at that time. Fees payable will be notified and may reflect a payment for a past year.
6. Renewal for Existing members– Renewal of Certification will be conditional upon the receipt of the appropriate fee on or before 1 October in the year prior to the season to be assured, and a signed declaration that the contractors will continue to follow the Standards and operating procedures.

INDEPENDENT ASSESSMENT

7. Routine surveillance assessment will be carried out annually
8. Once the application or renewal form has been accepted, arrangements will be made for an assessment visit.
9. Assessment visits will normally be by appointment with the contractor. However, NSF-CMi Certification reserves the right to make short notice or unannounced visits.
10. All participants agree to give employees and agents of NSF-CMi Certification reasonable access to their business and relevant sites to carry out the assessment visits required. Failure to do so will result in the suspension of membership. Reasonable notice will be given of any routine assessment visit.

11. Once the assessment visit has been completed, NSF-CMi Certification will either issue the applicant with a 'notice to remedy' for non conformances or forward the assessment report for certification.
12. Certificates may be granted to participants who have had an assessment against the appropriate NAAC Standard and have closed any non-conformances identified at the assessment

Non conformances may be closed by submission of documentary evidence or by revisit. Non-conformances must be closed within 3 months of an initial assessment or 28 days for any subsequent annual assessment.

13. The contractor should inform NSF-CMi Certification once any non-conformance(s) has been remedied and submit documentary evidence. NSF-CMi Certification may then arrange for a site revisit in circumstances where product integrity may be compromised. The costs associated with these procedures, including any additional visits will be borne by the contractor, but will be kept as low as reasonably possible.
14. Assessors may refuse to carry out an assessment in the presence of a third party who they believe will, intentionally or otherwise, influence its outcome in an inappropriate manner.
15. Certificates will be issued when the contractor meets the certification requirements. Certificates are not transferable and remain the property of NSF-CMi Certification. Once a Certificate has been issued, a contractor may promote themselves as 'assured'.

SUSPENSION/TERMINATION OF MEMBERSHIP

16. Failure to supply satisfactory documentary evidence within 3 months of the initial assessment 28 days of a surveillance assessment or pass a revisit where necessary will result in the contractor being suspended, and the database altered accordingly, until the end of the scheme year at which time they will be deemed to have lapsed. All re-visit costs will be borne by the contractor.
17. NSF-CMi Certification reserves the right to suspend or withdraw certification when it considers that it is necessary to do so, such as in the event of a serious food safety issue or the Scheme being brought into disrepute. The suspension will remain in force until either the contractor is accepted back into full membership (by revisit or submission of documentary evidence) or until the end of the scheme year when membership will lapse.

APPEALS

18. In the event that a contractor feels he/she has been incorrectly assessed during an assessment visit, he/she has the option to ask, within 14 days, for a re-assessment by another assessor appointed by NSF-CMi Certification. If the contractor's complaint is upheld, there may be no cost for this and any suspension of membership that may have been imposed will immediately be lifted. If the findings of the original assessment are corroborated, or if it is clear that the company has taken action in the interim that will materially affect the outcome of the re-assessment, the cost of the visit will be borne by the contractor. Any requests for re-assessment visits will be undertaken as soon as possible by NSF-CMi Certification.
19. If a contractor still feels that he/she has been incorrectly assessed following the procedure outlined in the above clause, he will have the option of having their appeal heard by a panel convened for this purpose by NSF-CMi Certification. This panel will consist of at least three persons and will normally include one person involved in grain and feed trade management, one person involved at another stage in the grain and feed industry and one person not directly involved in the areas covered by the Scheme. A contractor may either put their own appeal to the panel or nominate someone to do so on their behalf. In the latter case the contractor will still be expected to attend the panel session. Both parties will endeavour to keep costs to a minimum. In the event that an appeal to the panel is upheld, all costs reasonably incurred by the appellant will be met by NSF-CMi Certification. If an appeal is turned down, any costs reasonably incurred through the operation of the panel will be borne by the contractor.

USE OF TRADE MARK AND/OR LOGO

20. Contractors certified to the standards shall be permitted to indicate that they hold a certificate and, for that purpose only, shall be permitted to use on stationery, publicity materials, exhibition stands and signage, the Verified Seed 'Trade Mark' and/or the Assured Land-Based Contractor 'Logo' in accordance with any directions given from time to time by the Company with regard to the use of the Trade Mark and/or the Logo. Certified participants agree to observe all such directions.
21. The above consent, in so far as it applies to use of the Trade Mark, is limited to using the entire designation "Assured Land-Based Contractor" and, in so far as it applies to using the Logo, is limited to using the Logo in an identical form to that used by the Company. The consent is personal to the certified participant and may not be transferred or licensed to any other person.
22. Certified participants shall not use (or authorise or license others to use) the Trade Mark and/or the Logo in any way outside the scope of the above consent and they shall not use or authorise or license others to use any name, mark, sign or device confusingly similar to the Trade Mark and/or the Logo nor file or cause to be filed any trade mark or company name registration applications containing or confusingly similar to the Trade Mark and/or the Logo. The certified participant will not oppose or cause any opposition to be filed to any trade mark applications filed by the NAAC, register the Trade Mark and/or the Logo anywhere in the world nor otherwise cause any question to be raised concerning the company's ownership of the Trade Mark and the Logo.
23. NAAC reserves the right to withdraw from any certified participant the permission granted hereunder, after giving one months' notice or upon immediate notice if the certified participant fails to observe the directions of the Company with regard to the use of the Trade Mark or the Logo or if certification is suspended or terminated for whatever reason.

CONFIDENTIALITY

24. For the purposes of paragraphs 24, 25, 26 and 27 all references to agents of NAAC refer only to those persons appointed, employed or contracted by NAAC to provide computing and/or database services or in connection with such services as are required to maintain the database referred to in paragraph 24.

Details of registered participants are held on a database. Where an enquirer is able to quote the name and address or name and registration number of a certified participant NAAC or its agents will confirm the member's status as follows: 'Full Member' or 'Suspended Member'. The date of the last assessment visit may also be given. Subject to paragraph 24 no other specific information will be given without the permission of the certified participant.
25. NAAC and its agents reserve the right to also release information from its database about the certification status of a member to a person (for example such as Assured Food Standards) with a legitimate interest in knowing that information if proof of certification might be in the member's interest. The member accepts that information about his lack of certification status may be revealed under the provisions of this paragraph.
26. NAAC may produce and publish statistical reports drawing upon aggregated Scheme data so that individual data cannot be traced back to individual applicants or members.
27. Membership data may be retained on the above mentioned databases and will be treated as specified above for a reasonable time after a person has ceased to be a member of NAAC or one of its land based contractors schemes.

DISCLAIMER

28. Under no circumstances will NAAC or its employees or agents (e.g. NSF-CMi Certification) be liable for any losses, damage, charges, costs or expenses of whatever nature (including consequential loss) which any contractors may suffer or incur by reason of or arising directly or indirectly out of the administration by NAAC or its employees or agents or the performance of their respective obligations in connection with the standards save to the extent that such, loss, damage, charges, costs and, or, expenses arise as a result of the finally and judicially determined gross negligence or willful default of such person.
29. If any competent authority considers that any of the operating procedures are unreasonable, then the operating procedures shall be taken to be varied in such a way as shall make them reasonable but no other part of the operating procedures shall be affected.
30. These operating procedures represent the entire understanding between the contractors and NAAC and each contractor acknowledges that they have not relied upon any other statement (written or oral) in applying to be certified to the standards.