

Post-Harvest Treatment Scheme



Version 5: 19 October 2020



National Association of
Agricultural Contractors

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NAAC Assured Land-Based Contractor (Post-Harvest Treatment) Standard Contractor Guidance Notes

VERSION 5
19 October 2020

1. Aims

Quality control, safety, professionalism and traceability are essential elements in carrying out Post Harvest Treatment (PHT) and the NAAC has taken a proactive role in establishing an independently audited quality standard for all those that apply a potato sprout suppressant. This will cover the quality of service which the contractor and self-applicator provides and will be known as the NAAC Assured Land-Based Contractor (Post-Harvest Treatment) Scheme. Product applicators and their customers must co-operate to ensure a safe, professional operation can take place. This Scheme offers customers genuine assurance about the application process. Businesses will only be certified if they can meet the appropriate standards.

In addition to the NAAC's Post Harvest Treatment 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 PHT standards.

2. Scope

This scheme applies to the post-harvest treatment of stored potatoes.

Where the term 'contractor' is used in this standard it refers to the applicator of post-harvest potato treatments.

3. Objectives

The NAAC scheme is designed to help those involved in post-harvest application to identify the hazards and critical control points of the process. The scheme aims to help the person carrying out the operation to fully understand, and to be able to show full understanding of, the operation and the critical control points of that process. These critical control points will include:

- Ensuring that personnel involved in the operations are suitably skilled;
- Ensuring that machinery is regularly and appropriately tested to National Sprayer Test Standards (NSTS), maintained and cleaned;
- Adopting production processes, such as record keeping, which ensures full traceability;
- Identifying and controlling hazards which might occur.

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 provide a safe, traceable and professional application service to meet the requirements of national quality assurance programmes.

4. Requirements

All clauses of the post-harvest storage treatment standard are compulsory. Compulsory standards must 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 which includes a chemical store/independently operating office. Where contracting operations have multiple depots, each depot must be audited annually as a part of the Post-Harvest Treatment standard.

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 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 marks. The mark is the property of NAAC and is issued, under licence, through the certification body.

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FINAL 19/10/20

Assured Land-Based Contractor (Post-Harvest Treatment) Standard Version 5
*indicates NAAC Quality System Recording Forms available

NAAC Assured Land-Based Contractor (Post-Harvest Treatment) Standard

Std No.	Post-Harvest Treatment Standard	Guidance for Contractors
P 1.0 Personnel		
P 1.1	Staff carrying out post-harvest application must have appropriate documented skills and training to match the scale, risks and complexity of the operations. The company is required to keep records of all training.	The assessor will ask to see your staff training records (refer G 2.5).
P 1.2	Applicators must be qualified to PA1 and PA9 issued by the City and Guilds Land-Based Services (formerly NPTC). <i>Additional training can be in-house and should cover areas such as:</i> • <i>health and safety;</i> • <i>an understanding of operations;</i> • <i>the need for accuracy in use of equipment;</i> • <i>record keeping;</i> • <i>specialist machinery.</i>	The assessor will ask to see proof of training (refer P 1.1).
P 1.3	All operators must be members of the National Register of Sprayer Operators (NRoSO).	The assessor will ask to see their membership card for NRoSO, also the assessor will ask to see proof that continued professional development points are being collected/obtained, a record of CPD points must be kept on file refer P 1.1.
P 1.4	A BASIS Certificate (either in Crop Protection or Stored Potatoes) must be held by each person who advises on the application and the rate of application. They must also be a member of the BASIS Professional Register.	If there is a requirement for a BASIS certificate in crop protection, then the assessor will ask to see the certificate. The certificate number should be recorded in the training records refer P 1.1.
P 1.5	For operations where more than one person is involved, there must be an organisational chart detailing all persons working and the tasks that they are authorised to perform.	Keep a copy of your up-to-date organizational chart* ready for inspection.

P 2.0 Hazard Analysis and Quality Control		
P 2.1	A designated person with awareness and understanding of HACCP (Hazard Analysis and Critical Control) must take responsibility for quality control and produce, approve, implement and review a written Quality Control plan. This person must be at a managerial level and their duties must be incorporated in his/her job description. The quality control plan must contain: • details of the whereabouts of various documentation or record keeping systems; • identification of any hazards that must be prevented, eliminated or reduced to acceptable levels; • information on any critical points in the operation that could give rise to hazard and undue risks, together with controls; • the operator contamination procedure (refer P 4.0) • details of cleaning operation protocols, to include machinery and equipment; • a summary of the operational procedures in place to ensure the desired quality of service.	The assessor will ask to see your organisational chart (refer P 1.5) and training records (refer P 1.1). The assessor will ask to see your written Quality Control Plan.
P 2.2	The designated person in P 2.1 must record any departure from procedures agreed in the Quality Control plan.	If you change your procedures keep a record*.
P 3.0 Emergency Action Plans		
P 3.1	The contractor must have a written emergency action plan in place for each site/depot and it must be readily available to all staff. <i>(The emergency action plan must include:</i> • <i>Contractors yard/depot address and telephone numbers;</i> • <i>A list of any hazardous substances and their location;</i> • <i>Location of fire extinguishers, spillage kits, washing facilities, mains water supply, surface and foul water drains and access points and gas and electricity isolation points;</i> • <i>Contact details for the local authority/environmental health, doctor, local police, electrical company, gas company, water company, emergency waste disposal company).</i>	The assessor will ask to see the emergency action plans for the contractors' yard/depot.
P 3.2	Records must be available in the event of a product emergency to include:	The assessor will ask to see your product emergency records.

	• Safety data sheet details of the product being applied, to be carried in each vehicle; • the address of the store; • contact information for the store owner and any persons who need to be notified to cover any risks associated with lone working. <i>Remember that, in some isolated locations, it may not be possible to rely on mobile communications and a landline may need to be identified for emergency communications. ‘What three words’ is also a useful tool to identify remote locations.</i>	
P 4.0 Operator Contamination		
P 4.1	The company must have a written procedure in place to deal with operator contamination. <i>(For further guidance refer Code of Practice for the Use of Plant Protection Products in essential documents)</i>	The assessor will ask to see the written procedure in the quality control plan (refer P 2.1).
P 4.2	All staff involved in the operation must be made aware of and understand the operator contamination procedure.	The assessor will ask how this is done.
P 5.0 Transport of post-harvest treatment products		
P 5.1	Transporting and use of post-harvest treatment products must be carried out in accordance with the Code of Practice for Using Plant Protection Products, Defra’s Yellow Code and The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment Regulations 2009 ("CDG 2009"), SI 2009 No 1348 . (refer essential documents P 14.1)	The assessor will ask how the products are transported.
P 5.2	No chemical must be carried in any vehicle cab.	The assessor will ask to see the protocol within the quality control plan refer P 2.1.
P 5.3	Fire extinguishers must be carried in all vehicles, in accordance with the Carriage of Dangerous Goods requirements.	The assessor will ask to see your fire extinguishers.
P 6.0 Storage of post-harvest treatment products		
P 6.1	The contractor’s chemical store must be BASIS registered if the contractor sells or supplies any pesticides. If the	If the contractors chemical store is BASIS registered, then the assessor

	company does not sell or supply then the chemical store must meet the criteria in APPENDIX 1. <i>(Where the contractor provides the chemical as part of the service then a BASIS registered store is not required).</i>	will ask for a valid up-to-date BASIS certificate for the chemical store. If it is not BASIS registered the assessor will assess the contractors' chemical store using the criteria in APPENDIX 1.
CS 3.3 REVISED	Contractors storing chemical for sale or supply must have a nominated storekeeper who holds a BASIS Certificate of competence in the Storage and Handling of Crop Protection Products (Storekeepers certificate). <i>(It is recommended that contractors should have a suitably trained nominated storekeeper if supplying chemical as part of the service).</i>	If relevant the assessor will ask to see the storekeepers certificate number, this number must be recorded in the training records refer A 1.1.
P 7.0 Application Equipment		
P 7.1	All application equipment must have an up-to-date National Sprayer Testing Scheme (NSTS) Certificate. <i>(If the NSTS certificate runs out within two weeks of the product application audit then the assessor will require a copy of the pass certificate for the equipment once it has passed the NSTS test)</i>	The assessor will ask to see the up-to-date NSTS certificate.
P 7.2	Regular calibrations must be carried out to ensure chemicals are applied to their statutory requirements - at a minimum on an annual basis. Records of these calibrations must be kept.	The assessor will ask to see records of when these calibrations are carried out*.
P 8.0 Biosecurity		
P 8.1	Persons entering or leaving a premise should ensure their footwear, clothing and machinery are clean when they enter and again when they leave. Contractors should, where possible, make use of any facilities provided on-farm. Contractors must follow up-to-date Defra guidance on biosecurity; the contractor must follow the farms/customers biosecurity policy if it is more stringent than Defra's biosecurity policy.	The assessor will ask how this is achieved. A copy of the Defra guidance should be kept refer essential documents.
P 9.0 Farmer Supplied Inputs/Responsibility		
P 9.1	The contractor must obtain the following information before any work is carried out:	The assessor will ask how this is carried out.

	• Designated responsibility for waste produced from the operations carried out by the contractor; • Clear and detailed instruction on the operation(s) to be carried out by the contractor (in writing if advice is given by a BASIS advisor); • Store location requiring treatment; • Product to use; • Dosage required; • Designated responsibility for the notification of neighbours; • Agreement that storage of the treated crop is solely the responsibility of the farmer/customer; • Any hazards that may affect the contractor carrying out the operation such as; ○ Members of the public/public footpaths ○ Manhole covers ○ Drains. The contractor can obtain this information verbally from the farmer/customer. <i>Recommendation: It is recommended that a check list is used containing the above information and it is signed by the farmer/ customer before any work is carried out.</i>	This can be achieved verbally or by asking each customer to sign and complete a written proforma*. The written proformas should be kept on file for inspection.
P 10.0 Product Application		
P 10.1	Warning signs must be displayed during and following treatment in the vicinity of the store and at any entry points to the store. These must include details of what has been applied and when it is safe to re-enter the store, as per the label.	The assessor will ask how this is achieved.
P 10.2	The product must be applied according to the statutory and label requirements. <i>Assess and plan the usage of the product taking into account any specific requirements on the label which are pertinent to the crop to be treated.</i> All products must have a current approval.	The assessor will ask how this is achieved.
P 11.0 Storage of Treated Potatoes		
P 11.1	The farmer/customer must take sole responsibility for the storage of the treated crop.	The assessor will want to see evidence of how this is communicated to the customer (refer P 9.1)

	<i>Ideally a safety datasheet should be left with the customer.</i>	
P 12.0 Disposal of Waste		
P 12.1	If the empty product containers and waste are taken away by the contractor then they must be disposed of in accordance with: • Defra Code of Practice for Using Plant Protection Products • Environment Agency recommendations • Any manufacturers' guidelines (e.g. returnable's) • Local waste disposal contractor.	The assessor will ask how the contractor disposes of waste pesticide packaging.
P 13.0 Record Keeping		
P 13.1	Records must be kept up to date and retained for a minimum of 12 months.	The assessor will ask to review your records.
P 13.2	The information which must be recorded will include: • date of application, date of recommendation and machine used • name of person requesting application and/or name of person formally recommending application (with BASIS number) • product name and MAPP number • batch number • store/crop identification and tonnage treated • volume/weight of product applied and dose rate per tonne used • calibration records and service/testing records of the machine, with NSTS records • the name of the operator • declaration of earliest dates for crop removal from the store for sale or processing • An example of the product data sheet should also be retained. <i>Contractors must ensure these records are made available to the store owner/manager.</i>	

P 14.0 Essential Documents	
P 14.1	The following documents must be available at the main office headquarters: • NAAC Assured Land-Based Contractor Generic and Post-Harvest Treatment Standard (latest versions). • Defra: <u>Code of Practice for Using Plant Protection Products</u>. Defra, revised 2006, A4 166pp, PB 11090 (electronic linked version is also acceptable) • Defra: <u>Code of Practice for Suppliers of Pesticides to Agriculture, Horticulture and Forestry (The Yellow Code)</u>. A4 67pp, PB3529 (electronic linked version is also acceptable).

APPENDIX 1
NAAC Assured Land-Based Contractor (Post-Harvest Treatment) Standard
Plant Protection Product Storage
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The following chemical storage criteria must be met to pass the NAAC Assured Land-Based Contractors (Post-Harvest Treatment) Standard unless the company is operating a BASIS registered store (refer P 6.1).

PS 1.0 General		
PS 1.1	The walls and the floor of the pesticide store must be constructed from a material that will withstand fire for 30 minutes.	The assessor will assess the suitability of store construction.
PS 1.2	The bund must be located around the periphery of the store or must be an integral part of the store (i.e. the walls and the floor form part of the bund).	The assessor will make sure that the bund is in the correct place.
PS 1.3	The bund must be able to contain 110% of the total quantity of chemical stored. This figure will increase to 185% in an environmentally sensitive area.	The assessor will visually make sure the bund in place is sufficient in size.
PS 1.4	The bund must be manufactured from materials that are resistant to liquids. The bund must be constructed from the following: • Metal (with special relevance to cabinet and chest stores) • Concrete* • Brick* • Stone Slab*	The assessor will assess the bund to make sure he is satisfied that the bund will retain any pesticide spillages.

	<i>* Rendering or sealing maybe required, especially on the joints.</i>	
PS 1.5	The floor must have no cracks and its sealant must be in good condition	The assessor will make sure that there are no cracks in the floor that could lead to further contamination.
PS 1.6	All windows/doors/lids must be locked when not in use.	The assessor will check that all windows can be securely locked, and all doors have a secure lock, and both are locked when the store is not in use.
PS 1.7	Sufficient lighting must be provided so that chemical labels can be clearly read.	The assessor will make sure that there is sufficient light in the pesticide store.
PS 1.8	Water pipes must not be routed through the bunded area.	The assessor will make sure that there are no water pipes running through the bunded area.
PS 1.9	The store must protect the pesticides from frost. Any heating equipment must not have an exposed element.	The assessor will make sure that the pesticides are protected from frost and if any heating equipment is being used it does not have any exposed elements.
PS 2.0 Signs		
PS 2.1	The General Danger sign must be on the exterior of the chemical store. If the chemical store forms a part of a larger building, then a general danger sign must be mounted on the exterior of larger building by the entrance. General Danger (BS 5378)	The assessor will make sure that the General Danger sign is located on the chemical store or it appears on the outside of the larger building in which the chemical store forms a small part.
PS 2.2	The “No Smoking” and “No Naked Flames” signs must be mounted on the exterior of the chemical store door. No Smoking	The assessor will check to see these signs are on the door of the chemical store.

	 No Naked Lights	
PS 3.0 Fire-Fighting Equipment		
PS 3.1	Fire extinguishers must be present in the chemical store and labelled with the last date of inspection.	The assessor will make sure that there is a fire extinguisher in the pesticides store, and it has been regularly checked and maintained according to manufacturer guidelines.
PS 3.2	Fire-fighting equipment location signs must be in place.  Fire extinguisher location sign	The assessor will make sure that fire extinguisher location signs are in place.
PS 4.0 Personal Protective Equipment (PPE)		
PS 4.1	Appropriate PPE for the products contained in the store must be available on-site. The PPE listed below must be chemically resistant and contaminant free: • Face shield • Coverall • Apron • Boots • Protective Gloves.	The assessor will check that all items on the list are available in-store.
PS 4.2	Respiratory Protective Equipment (RPE) must be available on-site if any of the products stored require the use of breathing apparatus.	If there are products in the chemical store that require the use of RPE then it must be available in the store and the assessor will check this.
PS 4.3	The PPE and RPE must be kept in a dry, clean, well ventilated locker or separate container.	The assessor will make sure that the PPE and RPE are kept clean and dry and away from the chemicals in store.

PS 5.0 Emergency Spillage Clean Up Equipment		
PS 5.1	The company must have a spillage procedure in the chemical store.	The assessor will ask to see a copy of the spillage procedure in the chemical store.
PS 5.2	An inert absorbent material must be kept in the store in case of a spillage or leakage. <i>The following are suitable:</i> • Sand • Granules • Cat Litter.	The assessor will check that there is a suitable inert compound available in the pesticide store.
PS 5.3	A brush with soft bristles and a shovel must be kept with the absorbent material to help in the cleaning up process.	The assessor will make sure they are available in the store.
PS 5.4	Heavy duty impermeable bags with ties must be kept in the pesticide store to contain any spillage waste.	The assessor will make sure they are available in the store.
PS 6.0 Store and Product Management		
PS 6.1	All labels on the pesticide containers must be legible.	The assessor will make a visual check to make sure the containers and their labels are in good condition.
PS 6.2	All pesticides and adjuvants must carry a MAPP number on the label.	The assessor will make a visual assessment on the containers to make sure they are approved.
PS 6.3	Any leaking containers must be put into a sealed impervious container and kept within the bunded area.	The assessor will ask what is done with leaking containers.
PS 6.4	Stock rotation must be practiced keeping all pesticides within their storage life.	The assessor will ask how this is completed.
PS 6.5	Products having exceeded their storage life must be segregated and disposed of safely and in accordance with legislation.	The assessor will ask how this is achieved.
PS 6.6	The company store must have an up-to-date stock list, a copy of which must be available in a location away from the store.	The assessor will ask to see the stock list for the chemical store.
PS 6.7	All dry formulations must be stored above liquids.	A visual assessment by the assessor will be carried out to make sure that all dry chemicals are stored above the liquid chemicals.

PS 6.8	Good store management should be adopted; herbicides, fungicides and insecticides should be kept segregated within the store.	A separated area within the store will be sufficient; this will be checked by the assessor.
PS 6.9	Flammable products must be segregated from other products in an area with the general danger sign clearly marked.	A separated area within the store will be sufficient; this will be checked by the assessor.
PS 6.10	Sodium Chlorate must be kept segregated from other products.	A separated area within the store will be sufficient; this will be checked by the assessor.
PS 6.11	All doorways must be kept clear.	The assessor will make sure that the doorways are clear.
PS 7.0 Loading and Un-loading Areas		
PS 7.1	The floor of the loading and un-loading areas must be impermeable; to reduce the risk of further contamination and to ease the cleaning process.	The assessor will check for an impermeable floor.
PS 7.2	Pollution prevention items must be available such as drain bungs, sandbags and a spillage kit.	The assessor will ask to see evidence.

APPENDIX

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, and where appropriate approved scheme marks. The mark is the property of NAAC and is issued, under licence, through SCI.

APPLICATION

1. Contractors wishing to be certified to the Standards should join online (go to www.naac.co.uk/albc for link to application form).
2. Contractors should normally make an application in respect of all their enterprises which they run as a single business. However, this is not compulsory.
3. Contractors should complete the online form in full and submit with payment.
4. By joining the Scheme, contractors agree to be bound by the Scheme standards and operating procedures and SCI Certification Obligations and Rules. 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 – SCI will contact the applicant to arrange the audit. Audits will be booked within a maximum of 14 calendar days of the application being received. Assessments will be carried out against the standards in force at that time. Fees must be paid on application and renewal, prior to the audit taking place.
6. Renewal for Existing members – Renewal of Certification will be conditional upon the receipt of the appropriate fee, and confirmation that the contractors will continue to follow the Standards and operating procedures. On renewal, an annual audit will take place within 8-14 months of the previous audit.

INDEPENDENT ASSESSMENT

7. Routine surveillance assessment will be carried out annually.
8. Once the application or renewal has been accepted, arrangements will be made within 14 days for an assessment visit to be booked.
9. Assessment visits will normally be by appointment with the contractor. However, SCI reserves the right to make short notice or unannounced visits.
10. All participants agree to give employees and agents of SCI 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, SCI 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 ALBC 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 SCI once any non-conformance(s) has been remedied and submit documentary evidence. SCI 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 SCI. Once a Certificate has been issued, a contractor may promote themselves as 'assured' and will be included in the List of Assured Contractors on the NAAC website: <https://www.naac.co.uk/listofalbc/>

SUSPENSION/TERMINATION OF MEMBERSHIP

16. Failure to supply satisfactory documentary evidence within 3 months of the initial assessment or 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 accepted back into the scheme by a revisit or the end of the scheme year at which time they will be deemed to have lapsed. All revisit costs will be borne by the contractor.
17. SCI 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 SCI. 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 SCI.

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 SCI. 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 SCI. If an appeal is turned down, any costs reasonably incurred through the operation of the panel will be borne by the contractor.

USE OF TRADEMARK 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, '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. The Assured Land-Based Contractor Logo may only be used by contractors who are audited and certificated under the ALBC standards (as in points 1-17 above).

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 month's 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 Red Tractor) 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. SCI) 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 wilful 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.



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