



GLOBALG.A.P. General Regulations

Rules for Flexible Distribution

ENGLISH INTERIM FINAL VERSION 6.0_APR22

VALID FROM: 26 APRIL 2022

OBLIGATORY FROM: 1 MAY 2023*

*Date on which IFA v6 GFS requirements become obligatory depends on GFSI recognition and will be confirmed

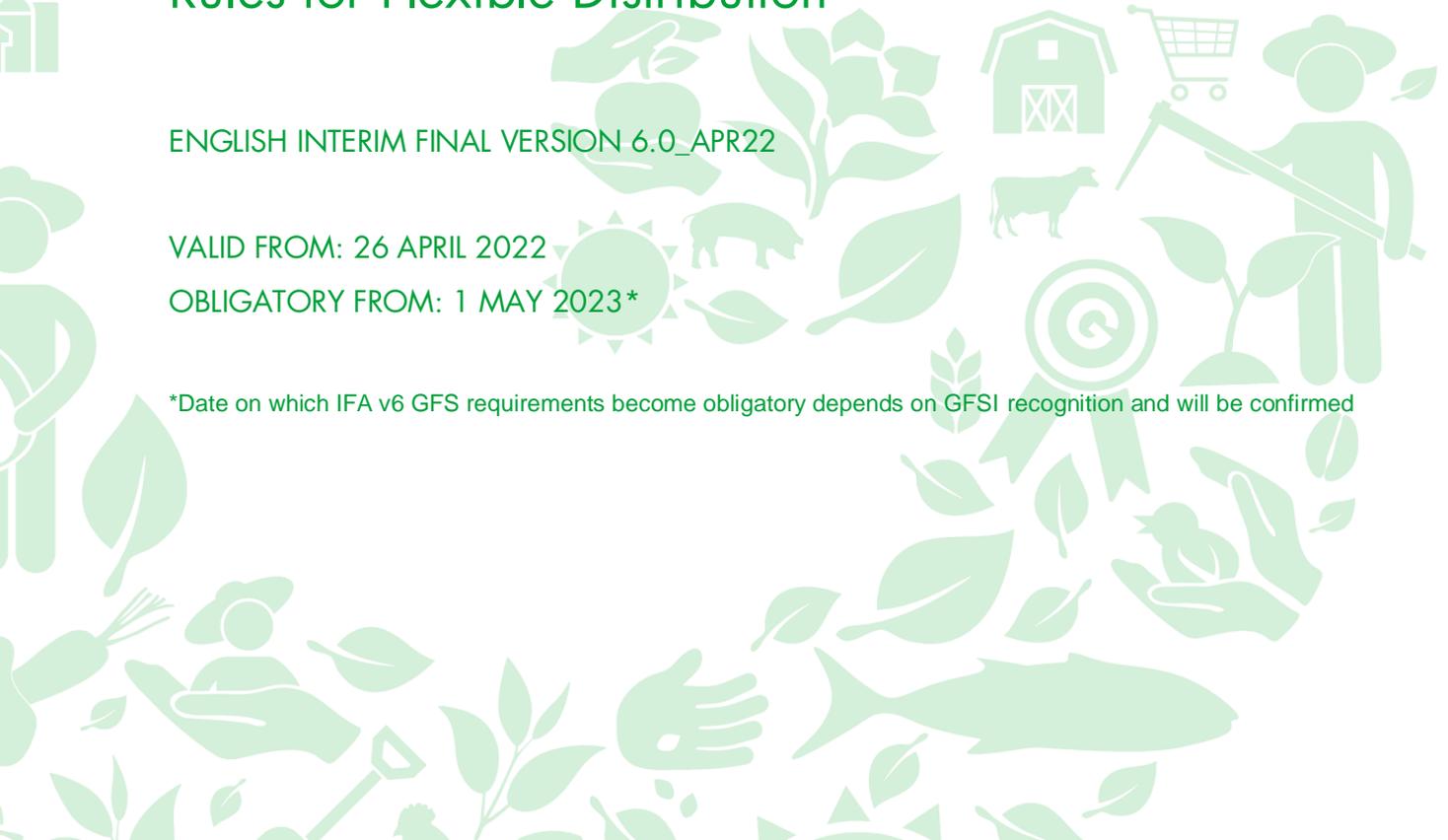


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1 INTRODUCTION

This document, part of the GLOBALG.A.P. general regulations (GR), applies to the fruit and vegetables category of the Integrated Farm Assurance version 6 GFS (IFA v6 GFS) edition and to the Harmonized Produce Safety Standard (HPSS).

These rules shall be used in combination with “GLOBALG.A.P. general regulations – Rules for producer groups and multisite producers with QMS” and with “GLOBALG.A.P. general regulations – Rules for certification bodies” but is not relevant for individual producers.

The term “shall” is used throughout the GLOBALG.A.P. normative documents to indicate mandatory provisions.

2 TERMINOLOGY

For the sake of simplicity, in this document:

- Whenever the term “CB auditor” is used, it shall refer to a CB farm auditor or CB QMS auditor.
- Whenever the term “CB audit” is used, it shall refer to a CB farm audit or CB QMS audit.
- The terms “certified producer” or “certified producer group member” will be used. However, producers and producer group members are not certified but their production processes are certified.

3 PURPOSE

These modifications of the GLOBALG.A.P. producer group certification rules allow producer group members to directly distribute products outside of the producer group to external entities (e.g., packers, warehouses, or marketing/distribution companies) and claim these products as coming from a GLOBALG.A.P. certified production process. Such business practice is limited to commodity-specific sectors, generally in situations where property rights or exclusive selling rights are granted and is referred to as “flexible distribution” within the GLOBALG.A.P. standards.

4 RULES AND CONDITIONS

4.1 Prerequisites

- a) The certification body (CB) auditing producer groups that registered for flexible distribution shall be GLOBALG.A.P. approved and accredited for IFA v6 GFS and/or for HPSS and shall be additionally approved by the GLOBALG.A.P. Secretariat to audit flexible distribution.
- b) The producer group shall be registered or certified for IFA v6 GFS and/or HPSS.
- c) Any producer group may apply for flexible distribution with their CB and shall do so prior to the CB audit during the annual registration or reregistration process.
- d) Flexible distribution is only applicable to fruit and vegetables harvested annually (one harvest season per year) and only with short harvest season (less than four months).
- e) The producer group shall only produce a limited range of similar crops, whereas the crops have similar production, harvesting, and product handling activities.

- f) The producer group shall include a justification for applying for flexible distribution and provide it to the CB. Justifications include purpose or nature of the outside distribution (e.g., a producer group member may distribute outside of a producer group because they grow club or specialty varieties), licenses for growing and marketing by a plant breeder or another corporate entity that owns the legal right to that variety, producers have signed contracts including property rights or exclusive selling rights.
- g) The CB shall present the producer group's application, including their justification, to the GLOBALG.A.P. Secretariat by sending an email to standard_support@globalgap.org. The GLOBALG.A.P. Secretariat grants permission to include flexible distribution in the certificate on a case-by-case basis.
- h) The producer group shall complete their self-assessment utilizing the GLOBALG.A.P. flexible distribution checklist prior to applying for flexible distribution.

4.2 Specific requirements for producer groups with flexible distribution

For those producer groups that gained prior approval for flexible distribution, the following requirements apply and shall be audited by the CB annually:

- a) Producer group members who distribute (sell) products outside of the producer group shall be identified in the producer group's internal product registry.
 - (i) The producer group shall update its internal member register and send it to the CB whenever changes are made, including if producer group members choose to distribute outside of the producer group.
- b) Any producer group member that distributes at least part of its production outside of the producer group shall be authorized for such activity in writing by the producer group as part of the contract between the producer group and the specific producer group member. The contract shall:
 - (i) Indicate that the liability for products included in the producer group's certificate, which are not distributed through the group, shall remain with the individual producer group member, where stipulated by local law. Examples of incidents that concern liability may include, but are not limited to recalls, residue exceedances, and food safety issues. Where the GLOBALG.A.P. certification status of the individual producer group member is concerned, the producer group is still responsible for the producer group member's certification status.
 - (ii) Only in cases where it is required (e.g., parallel ownership occurs), shall products from certified production processes that are shipped in consumer-level packaging (either at the farm level or after product handling/packing) be identified with the GLOBALG.A.P. identification number of the producer group, the GLOBALG.A.P. identification number of the individual producer group member, or both numbers.
 - (iii) All transaction and shipping documentation (e.g., invoices, bills of lading, etc.) related to the distribution of products outside of the producer group shall indicate the GLOBALG.A.P. identification number of the producer group, the GLOBALG.A.P. identification number of the individual producer group member, and the GLOBALG.A.P. certification status.
- c) The producer group is responsible for the development and effectiveness of a written procedure for mass balance of the producer group members that distribute outside of the group. The mass balance shall be managed at the quality management system (QMS) or at the farm level. If managed at farm level, it shall be checked during the internal farm audit and annually by the CB during the surveillance/certification/recertification audit.

- (i) The producer group members shall maintain full traceability (batch level) of all delivered products and to whom it was delivered.
- (ii) Mass balance information collected during the internal farm audit shall be recorded and verified by the producer group. Quantities harvested, stored, and shipped (weight, volume, bin counts, etc.) shall be summarized. Price information is not required to be recorded in the QMS or recorded internal farm audit reports.
- d) The certified producer group or the producer group member shall have an agreement (contract) with the outside packhouse or packing/selling organization where the producer group member is distributing directly. The contract shall:
 - (i) Include acknowledgement that any distribution shall contain reference to the applicable producer group certificate
 - (ii) Indicate that the products are under the control and responsibility of the producer group's QMS
 - (iii) Indicate that such products originate from a certified production process
- e) The producer group member is required to know the destination market and its maximum residue limit (MRL) restrictions if their product is sold outside of the producer group.
 - (i) The outside packer shall communicate to the producer the country(ies) of destination at the beginning of the growing season
 - (ii) The producer group member shall demonstrate that all products sold outside of the producer group comply with the MRL restrictions of the country(ies) of destination
 - (iii) If the country(ies) of destination is unknown and not specified during registration, only the country of production shall be included on the certificate as country of destination. In this case, the product sold outside of the producer group shall comply with the MRLs of the country of production.
- f) If for a given product the total quantity to be sold directly by producer group members is higher than the total quantity of this same product to be sold by the producer group, then flexible distribution shall not be allowed. In this case, those producers wanting to sell their products directly shall proceed with Option 1 certification for that product or reduce the volume of the direct sale.

4.3 CB audit

- a) Producer group members doing direct sales shall be audited annually by the CB, no sampling is allowed.
- b) The required number of CB farm audits shall not be used mainly and/or only for those producer group members participating in flexible distribution every year. This is to avoid non-representative sampling by the CB (the CB sample is largely limited to those producers participating in flexible distribution while excluding or underrepresenting the other producer group members).
- c) GLOBALG.A.P. certificates may additionally be issued by the CB to the producer group members that were audited as part of the sample. These certificates shall be clearly distinguishable from certificates that are issued to individually certified producers and shall state explicitly that the recipient is part of a producer group that holds a certificate, and any limitations to the scope of certification shall be transparent to customers.

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