

Rules for Appeals against Decisions by ICB AG

1. Basic principles

Decisions made by International Certification Bio Suisse AG (ICB AG) will become effective immediately. An appeal against an ICB AG ruling can be lodged in writing. However, an appeal will have no deferring influence. This means the decision by the certification body will remain in force until an ultimate decision on the appeal has been pronounced. Once a final ruling has been issued, the defendant will be immediately notified by ICB AG.

2. Conditions for an appeal

- The appeal must be clearly stated as such.
- The appeal must be lodged within 30 days after the decision has been received.
- The appeal must be well-founded and should be submitted together with any available evidence to International Certification Bio Suisse AG.
- The operator or a person authorized by the operator is entitled for the appeal.

3. Procedure for the first instance – ICB AG

- After the appeal has been deposited the defendant will receive confirmation of receipt (incl. instructions on the defendant's right of appeal) and a copy of this information sheet.
- ICB AG demands that the defendant's inspection body make a statement on the correctness of both the documentation and facts. Should ICB AG deem it necessary, the inspection body can request on-the-spot inspections to be made. The latter will be charged to the defendant.
- If new facts arise, the decision may be reviewed. The defendant will receive a new ruling.
- If no new facts arise or if the review does not result in a revision of the decision, the appeal will be referred to the independent appeals body of ICB AG.

4. Procedure for the second instance – Independent appeals body

- The independent appeals body* handles appeals lodged by producers, processors and traders against certification rulings concerning compliance with the Bio Suisse Standards.
- If an appeal is referred to the appeals body, the defendant will again be notified. At this juncture, he/she can decide whether or not to withdraw their objection.
- If the defendant decides to have the ruling reassessed in the second instance by the independent appeals body, 500.00 euros must be transferred. This amount will be charged by International Certification Bio Suisse AG to holdings/operations outside Switzerland prior to proceedings by the appeals body. Should an appeal be rejected, that amount will be used towards covering the procedural costs. In which case there will be no further costs for the defendant. Should the appeal be decided in favour of the defendant, the amount will be reimbursed in full.
- The appeals body is the highest authority. Its decision is final and may no longer be contested.

* Independent „Common Appeals Body“ of bio.inspecta and Bio Test Agro: Both – in Switzerland leading Bud certification bodies, bio.inspecta AG and Bio Test Agro AG - are trustees of the „Common Appeals Body“ with which ICB AG is also associated. The Appeals Committee comprises seven independent, competent and experienced experts.