

Agrichemical Warehousing Standard Association

COMPLIANCE AND ENFORCEMENT PROCESS

1. Complainant notifies AWSA

A written or faxed complaint is to be sent to AWSA c/o Project Manager at fax 416-968-6818 or by e-mail to mail@awsacanada.com. The complainant is to outline details of the alleged infraction. AWSA Project Manager will respect the confidentiality of the complainant.

2. Qualification Process:

- AWSA to send auditor to site to check all details.
- Complaint is verified within three working days.
- Project Manager makes final recommendation to AWSA management.
- AWSA to notify complainant on or before the fourth working day as to status.

3. Resolution Process:

First Offence

- Warehouse has three working days to undertake and complete corrective action.
- Warehouse operator to confirm issue corrected in writing.
- Infraction record remains on file for two years from date of infraction.
- If situation is not corrected within three working days, certification is withdrawn and manufacturers/distributors are notified. A complete reaudit is required at the warehouse operators' expense. Recertification is issued following a successful audit. Infraction record remains on file for two years from date of infraction.
- AWSA has option for second auditor visit to confirm compliance.
- Unannounced audits will be performed at AWSA's expense the following year.

Second Offence (same warehouse, same violation, within a 2-year period (730 days) from 1st offence)

- A fine of \$5,000.00 is levied and payment is due is 30 days.
- Warehouse has three working days to undertake and complete corrective action.
- Warehouse operator to confirm issue corrected in writing.
- Infraction record remains on file for two years from date of second infraction.
- If situation is not corrected within three working days, certification is withdrawn and manufacturers/distributors are notified. A complete reaudit is required at the warehouse operators' expense. Recertification is issued following a successful audit. Infraction record remains on file for two years from date of second infraction.
- All manufacturers & distributors advised of second offence.
- AWSA has option for second auditor visit to confirm compliance. Follow up visits will be unannounced.
- Unannounced audits will be performed at AWSA's expense the following years.

Third Offence (same warehouse, same violation, within a 2-year period (730 days) from 2nd offence)

- A fine of \$10,000.00 is levied and payment is due is 30 days

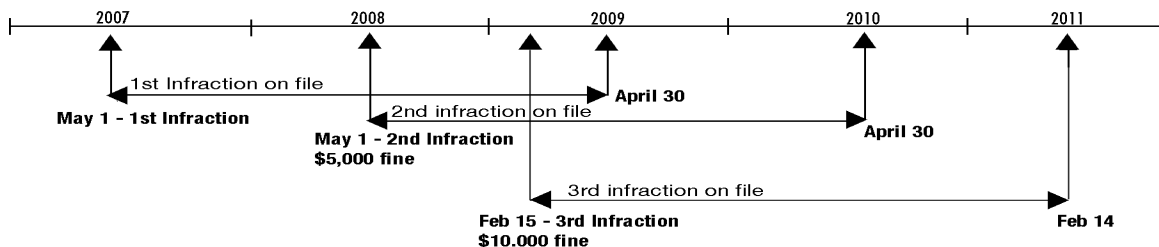
- Warehouse has three working days to undertake and complete corrective action.
- Warehouse operator to confirm issue corrected in writing.
- Infraction record remains on file for two years from date of second infraction.
- If situation is not corrected within three working days, certification is withdrawn and manufacturers/distributors are notified. A complete reaudit is required at the warehouse operators' expense. Recertification is issued following a successful audit. Infraction record remains on file for two years from date of second infraction.
- All manufacturers & distributors advised of second offence.
- AWSA has option for second auditor visit to confirm compliance. Follow up visits will be unannounced.
- Unannounced audits will be performed at AWSA's expense the following years

Fourth Offence (same warehouse, same violation, within a 2-year period (730 days) from 3rd offence)

- Certification immediately withdrawn for 547 days (1.5 years), no three-day grace period. Manufacturers immediately notified that warehouse is ineligible for receipt for agrichemical products. Following 547 days, a complete reaudit is required at the warehouse operators' expense. Recertification issued following a successful audit.

Example:

1. Warehouse has verified complaint on May 1, 2007 (but rectified within three working days).
2. 1st infraction on file until April 30, 2009.
3. 2nd infraction committed (same protocols) on May 1, 2008 (but rectified in three working days). Warehouse now in 2nd infraction status which is on file for two years from date of second infraction (until April 30, 2010). A \$5,000.00 fine is levied.
4. 3rd infraction committed (same protocol) on February 15, 2009 (but rectified in three working days). Warehouse now in 3rd infraction status which is on file for two years from date of third infraction (until February 14, 2011). A \$10,000.00 fine is levied.
5. If warehouse has 4th infraction (same protocol) between February 15, 2009 and February 14, 2011 certification is withdrawn for a 547 day period and all manufacturers/distributors are notified.



VIOLATION APPEALS PROCESS

- a) If AWSA Management has issued notification that the Compliance Accreditation be withdrawn or a notice of violation has been issued, the audited operation (“appellant”) may appeal by submitting a written statement to the AWSA project manager explaining the circumstances and grounds for the appeal. This request shall be sent by registered mail or via email (manager@awsa.ca). It will be deemed received when acknowledgment of its receipt is given. An appeal fee of two thousand dollars (\$2,000.00) payable via credit card or wire transfer to AWSA must be paid to initiate the appeal. If the appeal is upheld, the fee will be refunded;
- b) The AWSA management shall require a written report concerning the matter(s) under appeal from the appropriate Auditor, which is to be forwarded to the program’s Technical Committee;
- c) The hearing of the AWSA Technical Committee shall do the following:
 1. Provide a copy of the report of the senior Auditor to the appellant;
 2. Invite the senior Auditor and the appellant to submit any further information within five working days of receiving the invitation;
 3. Review any relevant matter with the senior Auditor and the appellant either in person, via telephone or in writing;
 4. Render a written decision on the appeal as expeditiously as possible while respecting the principles of procedural fairness;
 5. In the event that withdrawal of Accreditation is confirmed upon appeal, the withdrawal of accreditation will be in effect at such time as the operation receives correspondence from AWSA management;
 6. In the event the withdrawal of Accreditation is denied upon appeal, the withdrawal of accreditation Certificate will cease to be in effect at such time as the operation receives correspondence from AWSA management. In addition the appeal fee will be reimbursed within 3 working days of the operation receiving correspondence on the decision.