

General Rules of Procedure — Chain of Custody of Forest Products

FSC Program

PEFC Program

SFI Program

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FOREWORD

This document gives the BNQ's general rules of procedure applying to the certification programs for chain of custody (CoC) systems in the framework of the following sustainable forest management (SFM) programs:

- a) **FSC:** *Forest Stewardship Council* (international recognition program for sustainable forestry initiative);
- b) **PEFC:** *Program for Endorsement of Forest Certification Schemes* (international recognition program of national SFM certification programs);
- c) **SFI:** *Sustainable Forestry Initiative* (US sustainable forestry initiative program).

These certification programs apply to organizations seeking to have their CoC control systems certified for processed material from the forest and for the forest products themselves. Obtaining certification for a CoC control system of forest products according to these standards gives access to a labelling system from the target standard, although the CLIENT is nevertheless obliged to obtain official authorization from the competent authorities of the FSC, PEFC or SFI programs to use their respective product labels.

These programs were established to support environmentally appropriate, socially beneficial and economically viable management of forests. The CoC control system, which also includes a component involving labelling, makes it possible to track wood all the way from an FSC- or SFI-certified forest to the points where the finished products are sold, thus helping consumers make enlightened choices when purchasing forest products.

NOTE — The SFI's SFM program is recognized and endorsed by the PEFC.

To be considered in the framework of these programs, forest products will meet at least one of the following conditions:

- a) Originate from forests certified according to sustainable forest management (SFM) standards recognized by the SFM, FSC or SFI programs;
- b) Be considered as other acceptable forest product sources according to one of the FSC, PEFC or SFI standards.

The CoC control system also seeks to protect supply systems from the intrusion of uncontrolled forest products stemming from socially or environmentally controversial sources, such as:

- a) Illegally harvested forests;
- b) Forests harvested in violation of traditional or civil rights;
- c) Forests in which high conservation values are threatened;
- d) Forests that are being converted to plantations or non-forest use;
- e) Forests in which genetically modified trees are planted.

This document specifies:

- Steps in the certification process of a CoC control system leading to the issuing of a certificate;
- Provisions foreseen to:
 - Deal with situations that might have impacts on the certification issued;
 - Manage situations that might lead to suspension or withdrawal of a certificate;
 - Ensure follow-up of complaints and appeals submitted to the BNQ.
- Provisions regarding the use of the BNQ certificate and of certification marks.

DEFINITIONS

audit, n. A systematic, independent and documented process for obtaining audit evidence and evaluating it objectively to determine the extent to which the audit criteria are fulfilled. (Reference: ISO 9000 and ISO/IEC 17000.) French: **audit**.

NOTES —

- 1 Internal audits, sometimes called first-party audits, are conducted by, or on behalf of, the organization itself for management review and other internal purposes, and may form the basis for an organization's declaration of conformity. In many cases, particularly in smaller organizations, independence can be demonstrated by the freedom from responsibility for the activity being audited.
- 2 External audits include those generally termed second- and third-party audits. Second-party audits are conducted by parties having an interest in the organization, such as customers, or by other persons on their behalf. Third-party audits are conducted by external, independent auditing organizations, such as those providing certification/registration of conformity to ISO 9001 or ISO 14001.
- 3 When two or more management systems are audited together, this is termed a combined audit.
- 4 When two or more auditing organizations cooperate to audit a single auditee, this is termed a joint audit.

audit team, n., A team responsible for conducting an audit, composed of an audit team leader, lead auditors, team member auditors, auditors-in-training or, if needed, technical experts. French: **équipe d'audit**.

audit team leader, n. A person with the necessary competence to act in the capacity of an individual responsible for conducting an audit and for leading a team. French: **auditeur responsable d'équipe**.

auditor, n. A person who conducts an audit. (Reference: ISO/IEC 17021-1.) French: **auditeur**.

certification, n. Third party attestation related to products, processes, systems or persons. (Reference: ISO 9000 and ISO/IEC 17000.) French: **certification**.

NOTES —

- 1 Certification of a management system is sometimes also called registration.
- 2 Certification is applicable to all objects of conformity assessment except to conformity assessment bodies themselves, to which accreditation is applicable.

certification body, n. A third-party conformity assessment body operating certification programs. (Reference: ISO/IEC 17065.) French: **organisme de certification**.

certification program, n. A conformity assessment system applying to management systems, to which are applied the same specified requirements, as well as specific procedures and rules. French: **programme de certification**.

certified client, n. An organization whose management system has been certified. (Reference: ISO/IEC 17021-1.) French: **client certifié**.

chain of custody control system, n. (abbrev.: CoC control system) A system developed and implemented by an organization for ensuring the integrity of the chain of custody of the certified materials passing through the facilities where their legal ownership will be assumed. French: **système de contrôle de (la) chaîne de traçabilité**.

chain of custody of forest products, n. (abbrev.: CoC) The path taken by raw materials, processed materials, finished products and co-products from the forest to the consumer or (in the case of reclaimed/recycled materials or products containing them) from the reclamation site to the consumer, including each stage of processing, transformation, manufacturing, storage and transport where progress to the next stage of the supply chain involves, or not, a change of ownership of the materials or the products. (Reference: FSC-STD-40-004.) French: **chaîne de traçabilité**.

chain of custody standard, n. (abbrev.: CoC standard) A document that stipulates the requirements for implementing a chain of custody control system of forest products. French: **norme de chaîne de traçabilité**.

claim control system, n. A component of a chain of custody control system (specifically the credit system, the percentage system or the transfer system) used by an organization to determine which claim (credit claim, percentage claim or transfer claim) to associate with one or more certified product groups, based on the approach selected to track the certified materials according to the treatment they receive from the time the organization takes legal ownership of them. French: **système de contrôle des déclarations**.

client, n. An organization whose management system is being audited for certification purposes. (Reference: ISO/IEC 17021-1.) French: **client**.

corrective action, n. Action to eliminate the cause of a detected non-conformity or other undesirable situation. (Reference: ISO 9000 and ISO/IEC 17000.) French: **action corrective**.

NOTES —

- 1 There can be more than one cause of non-conformity.
- 2 Corrective action is taken to prevent recurrence whereas preventive action is taken to prevent occurrence.
- 3 There is a distinction between correction and corrective action.

corrective action request, n. (abbrev.: CAR) A request for action to eliminate the cause of a non-conformity in order to prevent its recurrence. (Reference (amended wording): ISO 9000.) French: **demande d'action corrective**.

NOTES —

- 1 A major CAR addresses a major non-conformity defined as the non-implementation or inadequate or partial implementation of one or several applicable requirements of the audit reference text having a serious impact on the achievement of results anticipated.
 - a) The non-conformity has continued over a long period of time;
 - b) It is repeated or systematic;
 - c) It adversely affects a large portion of the production;
 - d) At the subsequent audit, the non-conformity is not corrected or adequately addressed by the personnel in charge after having been initially identified as a minor non-conformity by the group of small enterprises or by the BNQ.

Under no circumstances does the BNQ allow a major non-conformity to be downgraded to a minor non-conformity.

- 2 A minor CAR addresses a minor non-conformity defined as the inadequate or partial implementation of one or several applicable requirements of the audit reference text having little or no impact on the achievement of the intended results. A non-conformity is therefore considered minor if it has one or more of the following characteristics:
- It is a temporary lapse;
 - It is unusual or non-systematic;
 - It does not result in a fundamental failure to achieve the objective of the requirement in question;
 - The impacts of the non-conformity are limited in their temporal and organizational scale and the non-conformity does not present the characteristics of a major non-conformity.

A previously detected minor non-conformity that is recurrent from one audit to another automatically becomes a major non-conformity.

credit system, n. A credit system is a chain of custody control system applied to a product group allowing a proportion of outputs to be sold with a credit claim corresponding to a quantity of post-consumer inputs. French: **ystème de crédits**.

NOTE — By taking account of the applicable conversion factors, the post-consumer inputs can accumulate as credits in a credit account.

forest product, n. Organic timber material (wood) originating from the forest and processed into a unique and clearly identifiable good (see the definition of product). French: **produit forestier**.

lead auditor, n. A person with the necessary competence to act in the capacity of an individual responsible for conducting an audit. French: **auditeur responsable**.

non-conformity, n. Non-fulfillment of a requirement. (Reference: ISO 9000 and ISO/IEC 17000 [amended wording]) French: **non-conformité**.

organization, n. A legal entity filing an application with the Bureau de normalisation du Québec (BNQ) to undertake activities leading to chain of custody certification of forest products. French: **organisation**.

NOTE — An organization may be any company participating in the processing, handling, manufacturing or distribution of a forest product and that, at one time or another, takes legal ownership of it. These characteristics include, without however being limited to, saw mills, primary and secondary processing industries, wood brokers, distributors and wholesalers, pulp and paper mills, paper merchants, printers and printing brokers.

percentage system, n. A chain of custody control system applied to a product group allowing all outputs to be sold with a percentage claim that corresponds to the proportion of post-consumer inputs over a specified period of time. (Reference: FSC-STD-40-004.) French: **ystème de pourcentage**.

preventive action, n. Action to eliminate the cause of a potential non-conformity or other potentially undesirable situation. (Reference: ISO 9000 and ISO/IEC 17000.) French: **action préventive**.

NOTES —

- There can be more than one cause for a potential non-conformity.
- Preventive action is taken to prevent occurrence whereas corrective action is taken to prevent recurrence.

process, n. A set of interrelated or interacting activities that use inputs to deliver an interested result. (Reference: ISO 9000.) French: **processus**.

NOTES —

- 1 Whether the “intended result” of a process is called an output, product or service depends on the context of the reference.
- 2 Inputs to a process are generally the outputs of other processes and outputs of a process are generally the inputs to other processes.
- 3 Two or more interrelated and interacting processes in series can also be referred to as a process.
- 4 Processes in an organization are generally planned and carried out under controlled conditions to add value.
- 5 A process where the conformity of the resulting output cannot be readily or economically validated is frequently referred to as a “special process”.

product, n. A unique and clearly identifiable good (having no ambiguity with any other goods originating from the same production site), manufactured according to a defined process and unique and reproducible specifications, always from identical or equivalent raw materials. French: **produit**.

product group, n. One or more products specified by the organization, which share basic input and output characteristics and thus can be combined for the purpose of chain of custody control, percentage calculations and labelling according to the material categories. French: **groupe de produits**.

scope of certification, n. Indication:

- of the product or products, processes, services or systems for which certification is issued;
- of the applicable certification program;
- of the standards and other normative documents, including a publication date, to which the product or products, processes, services or systems are deemed to comply.

(Reference: ISO/IEC 17065 [amended wording].) French: **portée de la certification**.

single chain of custody control system, n. (abbrev.: single CoC control system) A single chain of custody control system implemented in a plant with one or more buildings grouped on the same property and at the same address, where materials (inputs) are processed into products (outputs). French: **système de contrôle de (la) chaîne de traçabilité individuel**.

sustainable forestry management standard, n. A normative document determining sustainable forest management (SFM) requirements capable of generating results deemed acceptable at the environmental, social and economic levels by the committee responsible for developing this document. French: **norme d'aménagement forestier durable**.

technical expert, n. A person who provides knowledge or specific expertise to the lead auditor or audit team, where applicable. French: **expert technique**.

NOTE — The knowledge or specific expertise is related to the organization, the process or the activity to audit, or it consists of linguistic or cultural assistance. Within the audit team, the technical expert does not act in the capacity of auditor.

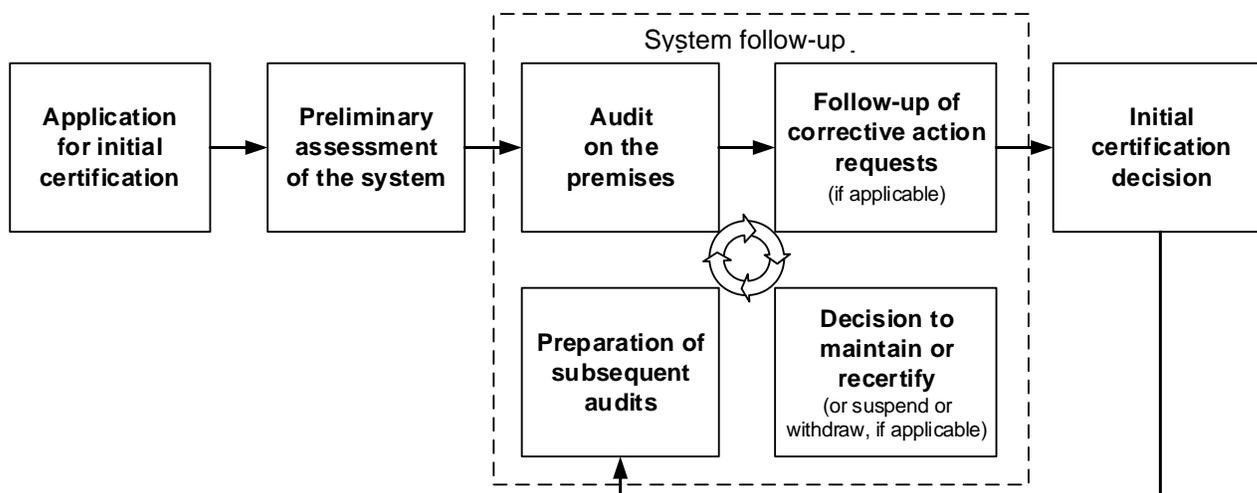
transfer system, n. A chain of custody control system applied to a product group allowing all outputs to be sold with a claim that is identical to the input material category and, if applicable, the lowest associated post-consumer percentage claim or credit claim per volume of inputs. (Reference: FSC-STD-40-004 [amended wording].) French: ***système de transfert***.

NOTE — This system relies on physical separation of certified materials and maintenance of its integrity.

1. CERTIFICATION PROCEDURE

The BNQ's certification process and auditing procedure comply with the latest versions in force of international accreditation requirements applying to bodies that conduct audits and certify CoC control systems.

The diagram below illustrates the main steps of the process leading to the initial certification of a CoC control system, as well as to its maintenance and recertification. A certification cycle generally extends over a five-year period during which maintenance audits are conducted at twelve-month intervals (without exceeding fifteen months). The purpose of certification and recertification audits is to assess the conformity and effectiveness of a CLIENT's CoC control system and cover all the requirements of the audit reference text. The purpose of maintenance audits is to confirm the maintenance of the CoC control system and partially cover the requirements of the audit reference text.



1.1. APPLICATION FOR INITIAL CERTIFICATION

1.1.1. Applicants who wish to obtain certification of their CoC control system by the BNQ may apply by telephone at 1-800-386-5114, by e-mail at bnqes@bnq.qc.ca or electronically to the program leader identified on the BNQ website at www.bnq.qc.ca.

1.1.2. It is up to the organization (or group of small enterprises) to choose the scope and the standards under which it wishes to have its CoC control system certified. In order to obtain the certification best suited to its needs, the key aspects for the choice of the scope and standards are:

- a) The organization's main customers requirements in terms of claims and labels (product groups);
- b) The properties of the forest certifications already in place on the forest areas in question;
- c) The properties of the CoC control systems already implemented by the organization's main suppliers;
- d) The geographic location of the organization (or group of small enterprises), its clients, suppliers and all forest areas concerned by the supply system or systems and the CoC control system to be certified.

- 1.1.3.** Once the organization has selected the standard or standards of interest, it then selects the product groups that it wishes to have certified, the type of system (transfer, percentage or credit system) and the nature of its operations (single or multi-site, controlled wood supply or not, reclaimed material or not, use of certification marks or not, etc.).
- 1.1.4.** For an application for certification of a single CoC control system, the organization contacts the program leader identified on the BNQ website at www.bnq.qc.ca to obtain a service contract and begin the audit process, which includes sending the documents needed for a document review.
- 1.1.5.** For an application for certification of a **multi-site CoC** control system implemented by a **single organization**, the following conditions apply:
- a) The BNQ establishes the service contract with the central office appointed as responsible for the management process of the CoC control system;
 - b) The BNQ service contract includes a commitment of overall conformity binding all the production sites in question.
- 1.1.6.** Participating sites operating as a multi-site can benefit from an audit approach based on sampling to save time and reduce the expenses related to certification.
- 1.1.7.** An application for certification of a CoC control system implemented by a group of small enterprises (that are not legally incorporated under a single legal entity) and eligible according to the rules of the respective CoC programs is subject, among other things, to the following conditions:
- a) The BNQ signs the service contract with the group of small enterprises, represented by a duly identified group manager;
 - b) The group manager appointed by the group provides the BNQ with the incorporating papers of the group of small enterprises that bind the different members operating the production sites in question and delegates all power and authority regarding the CoC management process to the group manager;
 - c) The commercial agreement includes a commitment from all the members involved to comply with the requirements of the applicable CoC standards and with these rules of procedure;
 - d) The commercial agreement also includes authorization for the BNQ and for the competent authorities from the FSC, PEFC or SFI, as the case may be, to access any production site included in the scope of the CoC control system to be certified.
- 1.1.8.** If the organization wishes to obtain certification under more than one program (FSC, PEFC, or SFI), this should be clearly stated to the program leader when the service contract is prepared, so that the certificate of conformity to be issued will reflect the organization's application.
- 1.1.9.** Following receipt of the BNQ service contract signed by the CLIENT accompanied, where appropriate, by any fees required, a BNQ manager contacts the applicant to begin the audit process. Documented evidence will be requested to prepare the audit of an initial certification after the scope of the certificate of conformity of the CoC control system is confirmed by the CLIENT.

1.1.10. By accepting the BNQ service contract, the CLIENT commits to abiding by the certification rules for the CoC control system.

1.1.11. The BNQ assigns the auditor(s) and notifies the CLIENT of their name.

1.1.12. When an applicant already certified with another certification body, recognized by a duly recognized accreditation body, wishes to transfer its file to the BNQ, the BNQ may agree, under certain conditions, to pursue the certification cycle already begun.

1.2. PRELIMINARY ASSESSMENT (OPTIONAL)

1.2.1. Prior to the on-site certification audit, the lead auditor can undertake preparatory activities such as the review of the CoC control system documentation and the gathering of information on the scope of application of the system and on the CLIENT's processes and facilities. The main objectives of the preliminary assessment by the BNQ are to:

- a) Determine the conformance of the CoC control system against the documentary requirements, taking into account the scope of the certification sought;
- b) Make a first judgement as to the effectiveness of the control system plan in providing a coherent basic structure;
- c) Ensure the CLIENT's preparedness for the on-site audit;
- d) Gather the necessary information to prepare an audit plan.

NOTE — In certain cases, this optional activity can be carried out on the CLIENT's premises.

1.2.2. Following the audit, the lead auditor sends the CLIENT a written report.

1.3. CERTIFICATION AUDIT

1.3.1. Prior to conducting the on-site audit, the lead auditor prepares an audit plan and sends it to the CLIENT.

1.3.2. During an opening meeting with the CLIENT's management, the lead auditor briefly explains how the audit activities will be carried out, confirms the audit plan and offers the CLIENT the opportunity to obtain clarifications regarding the certification process.

1.3.3. During the audit, the lead auditor or audit team ensures that the methods used to implement the CoC control system are integrated into the activities of the CLIENT's production site or sites. To do this, the BNQ auditor samples the evidence supporting the conformance of the products targeted by the CoC control system of forest products to be certified against the requirements of the certification program in question. Information is gathered through interviews, observation of operations and the work environment, along with the review of documents.

NOTE — The BNQ reserves the right to conduct additional audits of a sample of suppliers or contractors to verify that the nature of the supply and outsourced activities do not pose a risk to CoC integrity.

1.3.4. The BNQ verifies records of material inputs, outputs and transport documentation associated with material used in the manufacture of certified products.

1.3.5. The BNQ makes certain that the risks associated with mixing, substitution or false claims by the client or the contractor are controlled. The BNQ monitors the CoC control system applied throughout the outsourcing agreements signed between the CLIENT and contractors to ensure that all the requirements of the applicable standards are fulfilled.

1.3.6. During a closing meeting, the lead auditor presents the audit conclusions. If corrective action requests (CARs) are issued, the auditor ensures that they are understood and establishes the follow-up deadline with the CLIENT.

1.3.7. Following the audit, the lead auditor sends the CLIENT a written report summarizing the conclusions.

1.4. CORRECTIVE ACTION REQUESTS

1.4.1. A corrective action request (CAR) is issued by the BNQ for any discrepancy observed in relation to a requirement of an applicable standard. A CAR seeks to explain any non-conformity case that was raised. A CAR issued for a major non-conformity is called a “major CAR”; a CAR issued for a minor non-conformity is called a “minor CAR”.

1.4.2. The deadline for closing CAR is normally 30 calendar days after the audit date.

1.4.3. In the event that major CARs are not resolved to the satisfaction of the BNQ within the timeframe granted, the BNQ undertakes the certification of the CoC control system or suspends the certificate in the case where a certificate is already in effect.

1.5. CERTIFICATION DECISION

1.5.1. Following the receipt of documents related to the audit and the recommendation of the lead auditor regarding certification of the CoC control system, the BNQ reviews the file to ensure that the certification process has been followed.

NOTE — The BNQ reserves the right to delay or postpone its certification decision to take into account potentially new or complementary information to which the BNQ has access, and that:

- was not already considered in the audit report;
- could influence, in its opinion, the result of its audit work.

1.5.2. The BNQ then confirms its decision to the CLIENT in writing and sends the CLIENT a certificate of conformity that the CLIENT is authorized to use to promote its certification.

1.5.3. It should be noted that a unique chain of custody code is issued to the CLIENT having the direct responsibility for implementing the program and wishing to make reference to the claim in its sales and transport documents.

1.6. MAINTENANCE AND RECERTIFICATION AUDIT

1.6.1. The date of the first maintenance audit is set within a maximum period of 12 months starting on the first day of the initial certification audit.

- 1.6.2.** For subsequent maintenance audits, the target interval between two audits is 12 months, with a maximum interval between audits not exceeding 15 months.

NOTE — The BNQ reserves the right to conduct more than one audit a year based on factors such as the complexity of operations (e.g.: production level in the case of a manufacturer, or value and/or turnover or volume in the case of a merchant), the complexity of the CoC control system, the risk assessment results in the case of group certification, the experience and background of the operators concerned (managers and staff members, contractors), the number and nature of non-conformities raised by the BNQ or the number and nature of complaints filed by interested parties.

- 1.6.3.** For recertification audits, to ensure the validity of the certificate on an ongoing basis, the BNQ sends the CLIENT a service contract for a new certification cycle before the audit date planned by the BNQ.
- 1.6.4.** Prior to a maintenance or recertification audit, the lead auditor reviews additions and modifications made to CoC control system documentation and inquires about important events that have taken place since the last audit that might have an impact on the operation of the client's CoC control system.
- 1.6.5.** During a maintenance or recertification audit, the completion of the on-site audit and CAR follow-up, if applicable, take place as described above and the CLIENT resolves the CARs issued within the timeframe granted in order to ensure the maintenance of certification or the recertification of the CoC control system.
- 1.6.6.** When conditions are fulfilled, the BNQ confirms its certification decision in writing to the CLIENT and, when applicable, sends the CLIENT an up-to-date certificate.

1.7. LIGHTENED MAINTENANCE

- 1.7.1.** For FSC and SFI CoC programs, sites (or sets of sites) that have not produced, labelled or sold any certified products since the previous audit, the annual surveillance audits may be waived with the exception of organizations that use a due diligence system (DDS) for controlled sourcing. To waive an audit, the BNQ requires the CLIENT to sign a declaration stating that no product has been manufactured, labelled or sold as certified since the last audit. The declaration contains a commitment to contact the BNQ as soon as the CLIENT wishes to produce, label or sell a product as certified and a commitment to maintain its CoC control system during the period covered by the certificate. The BNQ conducts its annual audit no later than three months after the restart of the production of certified material. During this annual audit, the BNQ reviews all records back to the previous annual surveillance audit to ensure that the CoC control system has been maintained and that no product has been produced, labelled or sold as certified. A CLIENT may not request to waive more than two consecutive audits. After two consecutive audit waivers, a surveillance audit is conducted to confirm maintenance of certification.
- 1.7.2.** For PEFC program, CLIENTS who operate without physical possession, maintenance audits can be carried out remotely if their compliance with the certification requirements is demonstrated.

2. PROVISIONS IN THE EVENT OF MODIFICATIONS

2.1. MODIFICATIONS MADE TO THE SCOPE OF CERTIFICATION

- 2.1.1.** When a CLIENT wishes to add new activities, new product groups, new sites or new standards to the scope of its certification, the CLIENT makes a request to the BNQ in writing. The BNQ examines the request, gathers the necessary information and informs the CLIENT of the applicable terms to follow up on the request.
- 2.1.2.** When a CLIENT provides a notice indicating that its CoC control system no longer applies to certain activities, certain product groups or certain sites listed in the scope of certification, the BNQ issues an amended certificate.

2.2. MODIFICATIONS MADE TO THE CLIENT'S LEGAL STATUS OR BUSINESS NAME

- 2.2.1.** When there is a change made to the CLIENT's legal status or business name, the CLIENT informs the BNQ in writing

3. SUSPENSION AND WITHDRAWAL OF A CERTIFICATE

3.1. GENERAL

- 3.1.1.** Before beginning the process to suspend or withdraw a certificate, the BNQ sends a written warning to the CLIENT indicating the discrepancy noted with regard to the requirements of the audit reference text or the requirements of the *Rules of procedures – Chain of Custody of Forest Products – FSC Program, PEFC Program, SFI Program*, as well as the timeframe granted to correct the situation.
- 3.1.2.** Notwithstanding the above, in exceptional situations, the BNQ nevertheless reserves the right to suspend or withdraw a certificate without first sending a written warning to the CLIENT.
- 3.1.3.** The CLIENT who receives a notice of suspension or withdrawal will, considering that the certificate is no longer valid, comply with the provisions stipulated in Annex A.

3.2. SUSPENSION PROCESS

- 3.2.1.** At the discretion of the BNQ, the certificate issued by it may be suspended for a limited period, when a CLIENT has failed to correct, within the stipulated timeframe, a problem having justified a warning (for example, without being limited to: non-compliance with the commitments stipulated in this document, non-compliance with the frequency between two audits, absence of satisfactory responses to CARs within the timeframe granted, a serious breach of certification requirements).
- 3.2.2.** The BNQ's written notice informing the client of suspension of the certificate will indicate the reason for suspension and the conditions under which suspension may be lifted.
- 3.2.3.** When the conditions allowing suspension to be lifted have been fulfilled by the CLIENT, the BNQ reactivates the certificate's validity and informs the CLIENT in writing.

3.3. WITHDRAWAL PROCESS

3.3.1. The BNQ may withdraw a certificate when conditions allowing suspension to be lifted have not been fulfilled by the CLIENT within stipulated timeframes or when the CLIENT no longer meets the *Rules of procedures – Chain of Custody of Forest Products – FSC Program, PEFC Program, SFI Program* or the requirements of the service contract with the BNQ.

3.3.2. The written notice from the BNQ informing the CLIENT of the withdrawal of the certificate indicates the reason for this withdrawal, as well as the possibility for the CLIENT to make a new application for certification at a later date.

4. TREATMENT OF COMPLAINTS

4.1. GENERAL

4.1.1. Any person or CLIENT may file a complaint with the BNQ in connection with the services offered by the latter as part of its certification programs.

NOTE — For the FSC, if the BNQ receives comments or complaints concerning a CLIENT's risk assessment, the BNQ sends them to the FSC. If comments are linked to a national risk assessment (NRA), they are sent to the body responsible listed in the NRA. If they are linked to a centralized national risk assessment (CNRA), they are sent directly to the FSC.

4.1.2. The complaint handling process provided for in these rules complies the international accreditation requirements applying to certification bodies. Thus, the BNQ takes the necessary provisions so that complaints received are treated confidentially by one or more persons having the necessary impartiality.

4.2. TERMS AND STEPS IN THE TREATMENT OF A COMPLAINT

4.2.1. Complaints submitted to the BNQ concerning BNQ services or a CLIENT whose CoC control system is certified by the BNQ are addressed in writing by the complainant and mailed to the attention of the quality manager at 333, rue Franquet, Québec, Québec G1P 4C7, or e-mailed to bnqes@bnq.qc.ca.

4.2.2. When a complaint is received from a CLIENT and is related to services rendered to it by the BNQ (e.g., disagreement on audit conclusions, unsatisfactory conduct of an auditor, delays in processing), the complainant provides a description of the problem encountered and of the settlement desired.

4.2.3. When the complaint is received from a third party concerning the services offered by the BNQ as part of its certification programs, additional information is requested.

4.2.4. In the days following the receipt of the complaint, the quality manager processes the file, ensures that the subject is related to certification activities under the responsibility of the BNQ and then acknowledges receipt in writing.

4.2.5. In the event that the subject of the complaint is related to the services of the BNQ, the complaint is brought to the attention of the director of operations to rule on the admissibility of the complaint. Depending on the conclusions of the director of operations, the quality manager will send the complainant a written notice regarding the admissibility or otherwise of his complaint.

- 4.2.6.** In the event that the subject of the complaint is related to a CLIENT whose CoC control system is certified by the BNQ, the complaint is submitted to the attention of the relevant program leader to rule on the admissibility of the complaint. Depending on the conclusions of the program leader, the quality manager will send the complainant a written notice regarding the admissibility or otherwise of his complaint.
- 4.2.7.** The BNQ will provide an initial response to the complainant, including an outline of its proposed course of action to follow up on the complaint. The BNQ will keep the complainant informed of the progress in evaluating the complaint and will investigate the allegations in order to ultimately be able to specify all its proposed actions in response to the complaint.
- 4.2.8.** If the complainant is not satisfied with the BNQ's conclusion regarding the admissibility of a complaint or the treatment of an admissible complaint, he may ask for an appeal indicating the reasons or objections, in writing, to the quality manager. On receipt of the appeal request, the quality manager submits the appeal request to an internal committee made up of impartial people designated by the BNQ.
- 4.2.9.** In the days following the receipt of the appeal request, the BNQ will acknowledge receipt and the committee made up by the BNQ will have a certain delay to become acquainted with the file, consult the parties if need be, evaluate the treatment completed or conclusion issued, and then make a written decision regarding this appeal request.
- 4.2.10.** If the decision issued by the committee made up by the BNQ is still not to the satisfaction of the complainant, the complainant may apply to appeal this decision to the Standards Council of Canada (SCC) or Assurance Service International (ASI) (for the FSC program) and, as a last resort, submit the complaint to the competent authorities of FSC, PEFC or SFI.
- 4.2.11.** The BNQ notifies the complainant, in writing, of the terms of appeal to the SCC or ASI (for the FSC program) and as a last resort to the relevant FSC, PEFC or SFI authorities when it renders its decision.

5. TREATMENT OF CERTIFICATION DECISION APPEALS

5.1. GENERAL

- 5.1.1.** Any CLIENT of the BNQ who is not satisfied with a certification decision taken by the BNQ may appeal the decision to an internal committee made up of impartial persons designated by the BNQ.
- 5.1.2.** The certification decision appeal handling process provided for in these rules complies the international accreditation requirements applying to certification bodies. Thus, the BNQ takes the necessary provisions so that certification decision appeals received are treated confidentially by one or more persons having the necessary impartiality.

5.2. TERMS AND STEPS IN THE TREATMENT OF A CERTIFICATION DECISION APPEAL

- 5.2.1.** Certification decision appeals submitted to the BNQ are addressed in writing by the CLIENT and mailed to the attention of the quality manager at 333, rue Franquet, Québec, Québec G1P 4C7, or e-mailed to bnqes@bnq.qc.ca.

- 5.2.2.** In the days following the receipt of the certification decision appeal, the quality manager processes the file, ensures that the subject is related to certification activities under the responsibility of the BNQ and then acknowledges receipt in writing.
- 5.2.3.** The committee made up by the BNQ will have a certain delay to become acquainted with the file, consult the parties if need be, evaluate the decision taken and render, in writing, a decision regarding this certification decision appeal.
- 5.2.4.** If the treatment of the BNQ's decision appeal is still not to the satisfaction of the CLIENT, the latter may apply to make a certification decision on appeal to the Standards Council of Canada (SCC) or to Assurance Service International (ASI) (for the FSC program) and, as a last resort, submit the request for a decision appeal to the competent authorities of FSC, PEFC or SFI.
- 5.2.5.** The BNQ notifies the CLIENT, in writing, of the terms of appeal to the SCC or ASI (for the FSC program) and as a last resort to the relevant FSC, PEFC or SFI authorities when it renders its decision.

ANNEX A

GENERAL REQUIREMENTS GOVERNING THE USE OF THE BNQ CERTIFICATE AND THE CERTIFICATION MARKS

1. Copyright

The certificate issued to the CLIENT is the property of the BNQ and the certification marks are the property of the competent authorities of the FSC, PEFC or SFI programs, respectively, and are protected by the *Copyright Act* and the *Trademarks Act*, in addition to specific provisions of international agreements. Consequently, the only user rights granted to the CLIENT are those expressly stipulated in the user license provided with the BNQ service contract.

2. CLIENT's User Rights and Obligations

The BNQ grants the CLIENT the non-exclusive and non-transferable right, not including a sublicensing right, to use the certificate to promote its certification. This right is applicable solely to the extent that the certificate is valid, in accordance with the *Rules of Procedure – Chain of Custody of Forest Products – FSC / PEFC / SFI Programs*.

For the FSC program, in order to use the FSC trademarks, the organization will have signed an FSC trademark license agreement and hold a valid certificate. In addition, the CLIENT will provide the BNQ with specimens of the FSC trademark use for approval, before using or applying it on any document, website, product or other medium (paper or computer). For the PEFC and SFI programs, the CLIENT will provide specimens of its use of the certification mark directly to the competent authorities.

3. Restrictions to User Rights

The CLIENT agrees not to use the certificate or certification marks in a manner not authorized by the BNQ, FSC, PEFC or SFI or to make any claim regarding its certification that might be deemed abusive by a reasonable person in similar circumstances.

4. Violation of BNQ Requirements for the Use of the Certificate or Mark

Any improper reference to certification or any abusive use of the certificate or the certification mark by the CLIENT will be subject to a written request for immediate rectification, subject to suspension of the certificate. In the event that the rectification is not made or in the event of a repeat offence, the BNQ reserves the right to withdraw the certificate or undertake any action it deems necessary.

The CLIENT will cease, upon suspension or withdrawal of certification, all use of the certificate or the certification mark, in any manner whatsoever, and return any certification document requested by the BNQ.