

AniMark®



# Livestock Global Assurance Program

CERTIFICATION RULES

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## Foreword

The Livestock Global Assurance Program (LGAP) is an international certification program designed to foster world's best practice in the management and welfare of livestock that are intended for slaughter for food supply.

LGAP was developed in response to increasing expectations of the international community. for assurance of the appropriate management of livestock and reflects contemporary international expectations in terms of specifying requirements for animal welfare, management systems, chain of custody and traceability as expressed in the OIE guidelines, international standards and scientific research.

Operators and Facilities fulfilling the LGAP Certification Requirements (i.e. the LGAP Certification Rules and LGAP Standards) may seek certification under LGAP.

## Document control

### Language

Original documents are in English. LGAP documents may be translated into other languages and once published, these official LGAP documents will be the only documents that may be used for certification in that language. In case of discrepancy between translations, the English version shall prevail.

### Changes to documents

Normative documents are identified with a unique document code, a version number and date.

The date in the version name indicates the date the document becomes operative.

The updates will be sent to all LGAP Approved Certification Bodies, Certified Operators and Certified Facilities as an official communication.

Date	Amendment	Approved by	New version number
14/03/2020	AniMark Board Updates & Approval	AniMark Board	1.0
09/06/2020	IT Workflow updates	RIC	1.1

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## 1 Introduction

The Livestock Global Assurance Program (LGAP) is an international certification program designed to foster world's best practice in the management and welfare of livestock that are intended for slaughter for food supply.

The livestock species covered by LGAP include bovine (i.e. cattle), bubaline (i.e. buffalo), caprine (i.e. goats) and ovine (i.e. sheep).

Livestock are an important source of protein for the global community. How livestock are treated through the supply chain is of increasing concern to the global community which is seeking assurances that certain expectations concerning animal welfare are met.

Such expectations are generally provided in the guidance that is contained within the World Organisation for Animal Health (OIE) Terrestrial Animal Health Code (OIE Code) and supported by specific market and trade regulations and requirements.

LGAP provides a method through which the guidance in the OIE Code is converted into a set of verifiable international requirements for the welfare and management of livestock which Operators and Facilities can then be audited against and certified by independent third-party certification bodies.

The Program is designed to:

- define and support animal welfare, husbandry and management practices based on international precedents and scientific evidence;
- promote the humane and considerate treatment of livestock;
- enable the traceability of animals within and between Operators and Facilities which handle livestock;
- define responsibilities for people managing livestock throughout the supply chain;
- provide assurances that systems and processes for the welfare and management of livestock are functioning effectively;
- continually improve such systems, processes and supporting procedures;
- provide assurances that effective animal welfare standards are in place and are being fulfilled; and
- provide benchmarking and an evidence-based approach to monitoring performance.

LGAP encourages the adoption of animal welfare for all animals managed by an Operator or Facility, and in doing so aims to improve animal welfare for both domestically and internationally sourced livestock.

The transport of the livestock between Importers and Facilities is also covered.

To be certified under LGAP, Operators and Facilities must demonstrate that they fulfil the Certification Requirements detailed in clause 5 of this document.

LGAP certification may be specified by:

- regulators to regulate supply, production, management or processing of livestock;
- livestock organisations, including industry bodies, that wish to set a benchmark for their members to maintain during the supply, management and processing of livestock;
- commercial and retail supply chains that require their suppliers to demonstrate a commitment to animal welfare and traceability outcomes; and
- any other parties that have an interest in animal welfare and traceability.



## 2 Scope of the Program

LGAP provides for certification of Operators and Facilities that export, import, manage and process livestock that are intended for slaughter and can be applied in any jurisdiction. Slaughter may be for food supply, or for cultural or religious observances.

The requirements under LGAP cover animal welfare and health; personnel; infrastructure and equipment; animal identification and movement; transport; slaughter and processing.

2.1 The livestock species covered by LGAP are bovine (i.e. cattle), bubaline (i.e. buffalo), caprine (i.e. goats) and ovine (i.e. sheep).

2.2 LGAP certification is applicable to the following types of Operators and Facilities:

a) Operators, including:

- i) Importer; and
- ii) Exporters; and

b) Facilities, including:

- iii) Feedlot;
- iv) Farm;
- v) Abattoir.

2.3 Management of livestock for the following purposes are not directly addressed through LGAP:

- animals used for research and educational activities;
- animals in animal shelters and zoos; companion animals;
- management of stray and wild animal populations;
- aquatic animals;
- management of livestock for public or animal health purposes under the direction of the competent authority;
- humane killing traps for nuisance and fur species;
- animals used in competitive sports;
- animals used for breeding;
- transport of livestock by sea and air across international borders subsequent to initial export from country of origin; or
- animals slaughtered for the pet food industry.

## 3 Terms and definitions

Under these Certification Rules the following terms and definitions apply:

AniMark Conformance System (CS)	The information technology system used to monitor and manage information related to evaluation, auditing and conformity under LGAP.
Appeal	A documented objection to an Approved Certification Body's certification decision by an Operator or Facility.
Applicant	An Operator or Facility that has submitted an application to be certified pursuant to the Certification Requirements.  NOTE: In some cases, sponsors may submit an application on behalf of an Applicant. The Applicant remains responsible for demonstrating their fulfilment of the Certification Requirements.
Applicant (status)	The status given to an Applicant, within the AniMark Conformance System.
Application Form	A documented form (in electronic or hard copy format) prescribed from time-to-time by the Program Owner listing all the information and associated documentation that must be completed by the Applicant and submitted to the Program Owner.
Approved Auditor	A person, operating under an Approved Certification Body, approved by the Program Owner to undertake audits pursuant to the Certification Requirements.
Approved Certification Body	Any legal entity approved by the Program Owner to provide evaluation and auditing services and carry out certification activities pursuant to the Certification Requirements.
Authorised Representative	A person that is nominated by the Program Owner, Approved Certification Body, Applicant, Operator or Facility, that is the formal contact point and whose up-to-date contact details are maintained on the Certification Directory.
Certification Directory	A directory that is owned by the Program Owner that lists all Applicants, Certified Operators and Certified Facilities and gives the current status of certification and details of certificates.
Certification Mark	A mark owned by the Program Owner for representation to the marketplace that the Operator or Facility is certified under LGAP.
Certification Requirements	The requirements that Operators and Facilities demonstrate they fulfil in order to be certified.
Certification Rules	The rules for the administration and operation of LGAP.
Certified	The granting of certification.
Certified (Full) (status)	The status given to a fully certified Operator or Certified Facility, within the AniMark Conformance System.

Certified (status)	(Provisional)	The status given to an Operator or Facility that has achieved provisional certification, within the AniMark Conformance System.
Certified (status)	(Temporary)	The status given to an Operator or Facility that has been granted a temporary certification, within the AniMark Conformance System.
Certified Facility		Any Facility that has demonstrated their fulfilment of the Certification Requirements and has been certified pursuant to LGAP.
Certified Operator		Any Operator that has demonstrated their fulfilment of the Certification Requirements and has been certified pursuant to LGAP.
Complaint		A documented concern about the performance of the Program Owner, Approved Certification Body, Approved Auditor or other person affecting LGAP, or about an Applicant, or Certified Operator or Certified Facility.
Days		Considered to be business days.
Facility		A legal entity that undertakes activities associated with feedlots, farms or abattoirs.
Force majeure		An extraordinary event or circumstance beyond the control of the Program Owner, Approved Certification Body, Approved Auditor, Operator or Facility, such as a war, strike, riot, crime, political unrest, acts of higher authorities (such as police, government officials, etc.) or an act of nature (such as cyclone, hurricane, flooding, earthquake, volcanic eruption, etc.) which prevents fulfilment of their roles and responsibilities pursuant to the Certification Requirements.
Full certification		A type of attestation that certifies the Operator or Facility has demonstrated fulfilment of all the certification requirements.
Investigation		The process of gathering evidence in response to a Complaint or market feedback related to a suspected nonfulfillment of a requirement.
LGAP		Livestock Global Assurance Program.
Nonconformity		Non-fulfilment of a requirement or failure to demonstrate fulfilment of a requirement.
Not Certified (status)		The status given to an Operator or Facility that has not achieved certification under LGAP, within the AniMark Conformance System.
Operator		A legal entity involved in the exportation (Exporter) or importation (Importer) of livestock.

Operator Dashboard	A component of the AniMark CS which can be accessed by Operators and Facilities.
Program	Livestock Global Assurance Program (LGAP).
Program Owner	AniMark Limited, ABN 28 627 096 691
Provisional Certification	<p>A type of attestation that certifies that the Operator or Facility has demonstrated fulfilment of some of the certification requirements.</p> <p><i>NOTE Provisional certification may be given to Operators and Facilities that have not yet managed livestock but appear to be ready to do this in accordance with the certification requirements. Such Operators and Facilities are further assessed for full certification when their first group of livestock is managed.</i></p>
Specified Supply Chain	The individual Supply Chain from which specific livestock are sourced from and moved through.
Supply Chain	The network of Operators and Facilities involved in moving livestock from supplier to customer.
Suspended	The loss of the right to use certification for a specified time.
Suspended (status)	The status given to a Certified Operator or Certified Facility that has had their certification suspended, in particular within the AniMark Conformance System.
Suspended (Voluntary) (status)	The status given to a Certified Operator or Certified Facility that has voluntarily suspended their certification, in particular within the AniMark Conformance System.
Surveillance	The systematic iteration of audit and evaluation activities as a basis for maintaining the validity of certification.
Under Evaluation (status)	The status given to an Applicant whose application is currently being considered for certification, in particular within the AniMark Conformance System.
Withdrawn	The permanent loss of certification.
Withdrawn (status)	The status given to a Certified Operator or Certified Facility that has had their certification withdrawn, in particular within the AniMark Conformance System.
Withdrawn (Voluntary) (status)	The status given to a Certified Operator or Certified Facility that has voluntarily withdrawn their certification, in particular within the AniMark Conformance System.

## 4 Program Participants and Responsibilities

### 4.1 Program participants

Operation of LGAP is undertaken through the involvement of the following participants:

- a) the Program Owner;
- b) Approved Certification Body;
- c) Approved Auditor;
- d) Applicants;
- e) Certified Operators; and
- f) Certified Facilities.

The Certification Requirements, including these Certification Rules, shall form part of the legally enforceable agreements between the above parties.

### 4.2 Responsibilities of the Participants

#### 4.2.1 Program Owner

The responsibilities of the Program Owner include:

- a) establishing, maintaining and reviewing the Certification Requirements, including these Certification Rules;
- b) administering and operating LGAP in an effective, impartial and objective manner;
- c) appointing Approved Certification Bodies to undertake certification activities pursuant to LGAP;
- d) authorising Approved Auditors operating under Approved Certification Bodies to undertake auditing activities pursuant to LGAP;
- e) fostering the support, recognition and adoption of LGAP internationally; and
- f) managing information and communications, providing notice and maintaining confidentiality in accordance with the Certification Requirements.

#### 4.2.2 Approved Certification Body

The responsibilities of an Approved Certification Body are:

- a) carrying out certification activities in accordance with the Certification Requirements in an impartial and objective manner, including:
  - i. carrying out evaluation, audit, risk assessment, nonconformity management and administrative activities;
  - ii. making certification decisions and issuing certificates in the prescribed formats;

- iii. monitoring corrective action requests, following up and evaluating corrective action to ensure resolution or escalation as prescribed in Annex D; and
  - iv. undertaking investigations as required to determine the ongoing conformity with the Certification Requirements of those Certified Operators and Facilities assigned to the Approved Certification Body.
- b) ensuring Applicant or Certified Operators and Facilities which are allocated to them by the Program Owner consistently fulfil the Certification Requirements on an ongoing basis;
  - c) administering any transitional arrangements associated with changes to LGAP or the Certification Requirements;
  - d) identifying, analysing and managing any conflicts of interest arising from its activities and relationships, or the activities and relationships of other persons, bodies or Operators or Facilities that may impact on the impartiality and objectivity of certification pursuant to LGAP;
  - e) ensuring the competency of Approved Auditors and other personnel critical for the operation of LGAP;
  - f) ensuring Approved Auditors are rotated after completing the four consecutive audits or one three-year certification cycle of a Certified Operator or Facility;

NOTE: In the event rotation is unable to be achieved due to availability of Approved Auditors, the Approved Certification Body shall apply to the Program Owner for exemption and such application shall be made 30 days before the rotation would be due to occur.

- g) managing information and communications, undertaking notice and maintaining confidentiality in accordance with the Certification Requirements;
- h) providing unobstructed access to the Program Owner without any necessary prior notice to sites, locations, areas, equipment, personnel and subcontractors utilised in the performance of certification activities;
- i) allowing for the participation of observers in any activities;
- j) investigating and keeping adequate records associated with complaints and appeals;
- k) undertaking unscheduled audits as directed by the Program Owner;
- l) using, entering and maintaining, in a timely and accurate manner, and in accordance with the timeframes in Annex A, all relevant data on the AniMark CS using the English language, including but not limited to:
  - i. Applicant, Operator and Facility information;
  - ii. evaluation information, audit reports, nonconformities, corrective actions;
  - iii. Operator and Facility performance indicators and risk assessment outcomes;
  - iv. outcomes of investigations, complaints and appeals;
  - v. certification decisions;

- vi. issuing certificates and maintenance of certification status;
- vii. details of Approved Auditors;
- m) at all times keeping secure all data related to LGAP, including data on the AniMark CS;
- n) providing an annual report to the Program Owner pertaining to the certification body management system activities associated with providing certification under the LGAP, including but not limited to:
  - i. accreditation body reports and accreditation status;
  - ii. internal audit reports;
  - iii. management reviews;
  - iv. impartiality mechanism reports;
  - v. nonconformities and follow up of corrective actions; and
  - vi. complaints and appeals; and
- o) any other requirements established by the Program Owner from time-to-time.

#### 4.2.3 Approved Auditor

The responsibilities of an Approved Auditor are:

- a) undertaking audit and other evaluation activities as directed by the Approved Certification Body in an impartial, objective and timely manner;
- b) entering and maintaining relevant, accurate data regarding audit and other evaluation activities on the AniMark CS in the English language as directed by the Approved Certification Body and in accordance with the timeframes in Annex A;
- c) maintaining appropriate levels of competency to effectively perform evaluation and audit activities in line with Annex C;
- d) at all times keeping secure all data related to LGAP, including data on the AniMark CS;
 

NOTE Data includes any usernames and passwords or other security credentials necessary for accessing and using the AniMark CS.
- e) managing information and communications, providing notice and maintaining confidentiality in accordance with the Certification Requirements; and
- f) any other requirements established by the Program Owner from time-to-time.

#### 4.2.4 Applicants and Certified Operators and Certified Facilities

The responsibilities of Applicants and Certified Operators and Certified Facilities are:

- a) making applications to become certified;

- b) demonstrating their ongoing fulfilment of the Certification Requirements which includes ensuring internal audits are undertaken within the timeframes required;
- c) appointing an internal auditor who shall:
  - i. understand the Certification Requirements;
  - ii. have knowledge and skills related to the appropriate conduct of internal audits;
  - iii. have attended a training course authorised by the Program Owner;
  - iv. ensure objectivity and the impartiality of the internal audit process. Specifically, internal auditors may not:
    - 1. audit their own area of responsibility or an area in which they have contributed either through the provision of services, technology, knowhow, training, consultation or other such contributions; or
    - 2. be associated in any way, either directly or indirectly, with the Facility's or Operator's allocated Approved Certification Body or Approved Auditor.
- d) entering and maintaining relevant data on the AniMark CS pursuant to LGAP, in accordance with the timeframes specified in Annex A.
- e) facilitating and providing access to information, sites, infrastructure, equipment, livestock and personnel, including in situations where the certification status is suspended or withdrawn, to enable:
  - i. audits, evaluations (including planned, and unscheduled audits, evaluations and risk assessments) to be undertaken;
  - ii. investigations of complaints or market feedback to be undertaken;
  - iii. corrective actions to be undertaken and verified; and
  - iv. contingency plans to be implemented;
- f) undertaking corrective actions and closing out of nonconformities in a comprehensive manner in the timeframes prescribed in Annex D;
- g) adhering to the terms of certification decisions and use of certification marks;
- h) managing information and communications, providing notice and maintaining confidentiality in accordance with the Certification Requirements;
- i) keeping secure at all times all data related to LGAP, including data on the AniMark CS;
- j) conducting their operations in a manner that does not present a risk to the reputation of LGAP.



## 5 Certification Requirements and Scope

### 5.1 Certification Requirements

The Certification Requirements under LGAP include:

- a) the LGAP Certification Rules (this document);
- b) the LGAP Standards - which consist of:
  - i) LGAP 1000 *Livestock assurance - Fundamentals and vocabulary*;
  - ii) LGAP 1001 *Livestock assurance – Requirements for animal welfare and management*;
  - iii) LGAP 1002 *Livestock assurance – Requirements for the management system of Operators and Facilities*; and
  - iv) LGAP 1003 *Livestock assurance – Requirements for Operator chain of custody*; and
- c) any notices, policies, procedures or other documents or instructions issued by the Program Owner from time-to-time to enable the operation of LGAP.

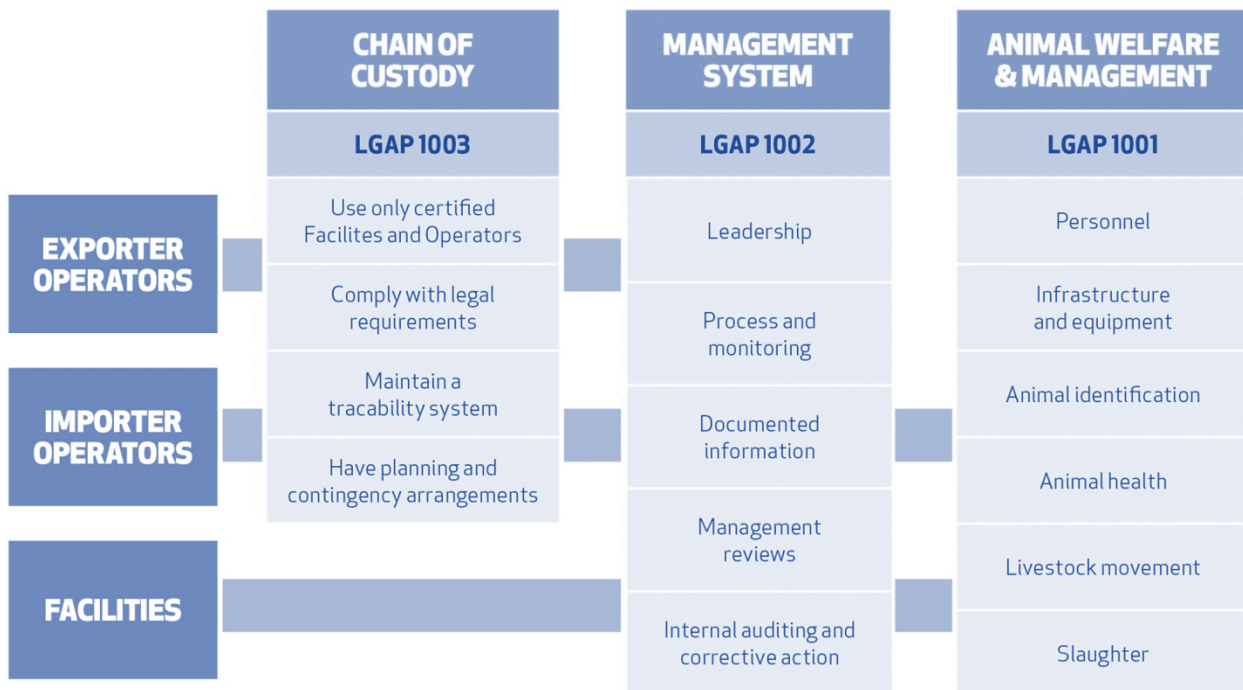
### 5.2 Scope of certification

Certification under LGAP is limited to the scopes prescribed in Annex G.

### 5.3 Application of LGAP Standards

LGAP 1000 shall be applicable to all Operators and Facilities and the remaining LGAP Standards shall be applicable to Operators and Facilities as indicated in the respective documents and summarised as provided in Figure 1.

Figure 1 Application of the LGAP Standards



## 6 Requirements for an Approved Certification Body

An approved Certification Body shall demonstrate and maintain fulfilment of the following:

- a) relevant requirements in the Certification Requirements;
- b) all the requirements specified in ISO/IEC 17065:2012, *Conformity assessment -- Requirements for bodies certifying products, processes and services*, and as further elaborated in Annex B;
- c) satisfactory ongoing performance in relation to their responsibilities and those of their Approved Auditors, as may be reviewed by the Program Owner; and
- d) formal approval from the Program Owner that the certification body is able to deliver certification services under LGAP, the requirements for which may be specified from time-to-time and may include necessary regulatory approvals or accreditation from accreditation bodies that are recognised by the Program Owner.

## 7 Requirements for Approved Auditors

Approved auditors shall demonstrate and maintain fulfilment with the following requirements:

- a) relevant requirements in the Certification Requirements;
- b) have legally enforceable agreements in writing with any Approved Certification Bodies for which they carry out evaluation and audit activities;
- c) competency, continuing professional development and other requirements identified in Annex C; and satisfactory ongoing performance in relation to their responsibilities as may be reviewed by the Program Owner; and Approved auditors will hold formal recognition from the Program Owner that the auditor is approved as being able to deliver auditing services under LGAP.



- f) the level or combination of levels of certification (as provided in Annex G)
- g) where Level 2 or Level 3 is selected, the specified supply chain for each species;

NOTE If two or more specified sources of supply are used for the same species, and different levels of certification are requested for each specified source of supply (e.g. Level 1 certification for local cattle and Level 2 for cattle from Australia) then the Operator or Facility must demonstrate that they have appropriately identified, segregated and managed the cattle from the different specified supply chains).

- h) if the Applicant is an abattoir, the extent to which stunning is used.

The Application Form includes a declaration to be agreed upon by the Applicant committing it to:

- a) continually and consistently demonstrate the fulfilment of Certification Requirements;
- b) payment of all fees;
- c) providing access to information, sites, infrastructure, equipment, livestock and personnel for the purposes of audit, evaluation, investigation, nonconformity and certification activities; and
- d) indemnify the Program Owner, Approved Certification Bodies, Approved Auditors and their personnel against any loss or damages incurred in the undertaking of certification activities in relation to the Applicant or Certified Operator or Certified Facility.

8.2.3 The submission of the Application Form is considered proof of the Applicant's understanding, confirmation and agreement to the declaration.

8.2.4 Where a separate management system is used at each site, a separate application and certification shall be required for each site.

8.2.5 Where the same management system applies to two or more sites that carry out the same type of activity (e.g. two or more abattoirs), only one application is required but each site must be listed separately.

8.2.6 Where an Operator or Facility undertakes more than one type activity at a site (e.g. being an importer and a feedlot or being a feedlot and an abattoir) they must apply for two separate certifications.

8.2.7 Upon an application's acceptance by the Program Owner, the Facility or Operator will be required to pay the appropriate fees before being given access to relevant parts of the AniMark CS to complete the self-assessment.

### 8.3 Self-assessment

The Applicant shall undertake a self-assessment during the application process. The purpose of the self-assessment is to provide an opportunity for the Applicant to understand the Certification Requirements and establish its internal processes and systems to enable demonstration of conformity.

The self-assessment shall be submitted to the Program Owner when the application is lodged.

## 8.4 Application review and confirmation

### 8.4.1 The Program Owner shall:

- a) review the submitted application, self-assessment and any associated documentation to confirm:
  - i. the application and associated documents are complete;
  - ii. the certification being sought is covered under the scope of LGAP;
  - iii. any associated fees have been paid; and
- b) accept or decline the application; and:
  - i. where declined, an explanation will be provided to the Applicant; or
  - ii. where accepted, assign the application to an Approved Certification Body to complete the application review and confirmation process and formally notify the Applicant of the application's acceptance.

### 8.4.2 Upon receipt of the assigned application, the Approved Certification Body shall:

- a) review the submitted application and any associated documentation to confirm that the Approved Certification Body has the competency and capacity to undertake the certification activities;
- b) assign the application to an Approved Auditor for ongoing evaluation and management, taking into account the operational language of the Operator or Facility; and
- c) formally notify the Applicant of the allocation of the Approved Auditor.

## 8.5 Internal audit

### 8.5.1 Using the AniMark CS, the Facility or Operator is required to:

- a) undertake at least one internal audit and upload the results including identified nonconformities prior to the first on-site audit by the Approved Auditor; and
- b) undertake subsequent internal audits at the frequency prescribed by the risk rating of the Facility or Operator (see Annex E); and
- c) upload the results of internal audits, including identified nonconformities within the timeframes prescribed in Annex A.

When an internal audit results in a nonconformity being raised, the Facility or Operator shall:

- a) undertake the appropriate correction and corrective action in accordance with the timeframes prescribed in Annex D; and
- b) record evidence of the correction and corrective actions in the AniMark CS.

#### 8.5.2 Failure to:

- a) undertake internal audits at a frequency prescribed in Annex E; and
- b) undertake correction and corrective action in response to a nonconformity within the timeframes prescribed in Annex D; or
- c) record correction and corrective action in the AniMark CS;

Shall result in a critical nonconformity being raised by the Approved Certification Body or the Program Owner.

#### 8.5.3 The occurrence of internal audit outcomes conflicting with external audit outcomes repeatedly shall result in a critical nonconformity being raised by the Approved Certification Body or the Program Owner.

### 8.6 Evaluation

#### 8.6.1 The principle evaluation technique in LGAP is an audit.

#### 8.6.2 The audit shall be undertaken by the assigned Approved Auditor.

#### 8.6.3 The evaluation plan consists of:

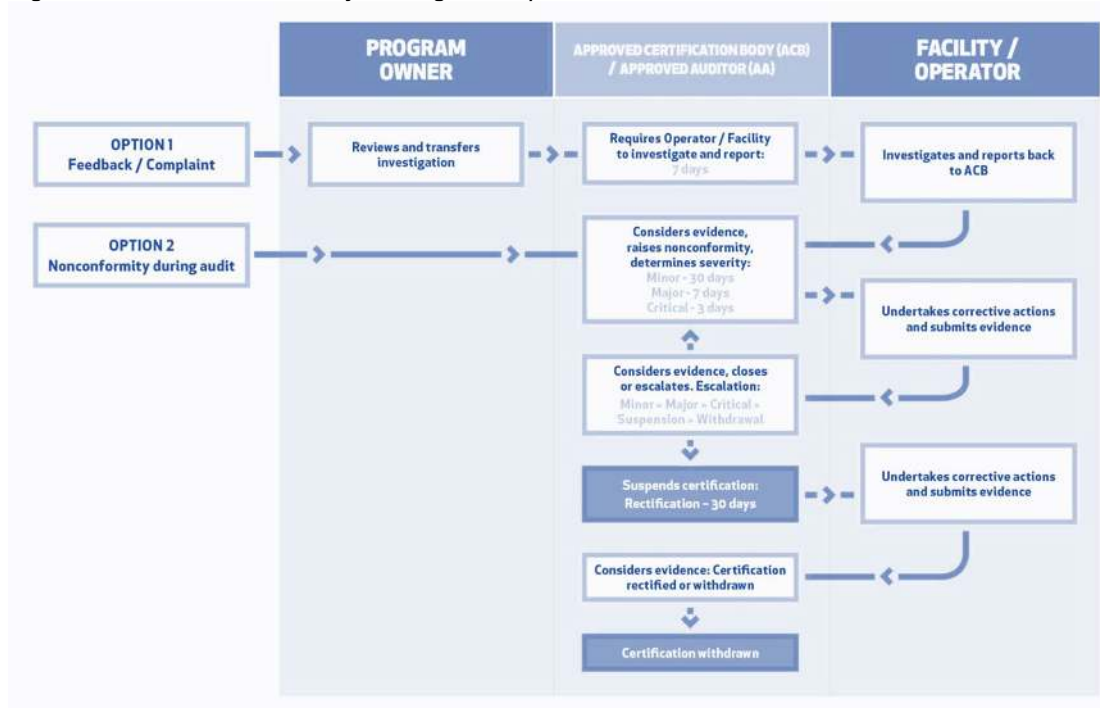
- a) desk top document review - a review of the application, self-assessment, internal audit and any submitted documents against the Certification Requirements;
- b) self-declaration of conformity - receipt of a formal declaration by the Applicant, Certified Operator or Certified Facility that it fulfils the Certification Requirements;
- c) on-site audit of the Applicant, Certified Operator or Certified Facility to gather evidence on the extent to which the Applicant, Certified Operator or Certified Facility is fulfilling the LGAP Certification Requirements. On-site audits must occur when livestock are being managed by the Applicant, Certified Operator or Certified Facility and shall focus on observed practices, competencies and behaviours appropriate to the scope of certification being sought, and dialog with the personnel that are directly involved with the livestock; and
- d) review of the Applicant's, Certified Operator's or Certified Facility's management system, including a specific review of monitoring and performance improvement activities in response to internal audit and external evaluation activities, nonconformities, complaints, suggestions for improvement and the outcomes of corrective actions and management reviews.



- 8.6.4 In the case of the Approved Auditor witnessing activities that result, or are likely to result, in adverse animal welfare or traceability outcomes, they may request immediate correction and make subsequent audit observations or raise nonconformities.
  - 8.6.5 In the case of new Applicants that have not yet managed livestock, a preliminary evaluation may be undertaken covering items (a), (b) and (d) in the above list. Demonstration of the fulfilment of these items at this stage may result in provisional certification being granted.
  - 8.6.6 Operators and Facilities with provisional certification must undertake an on-site audit in accordance with item (c) in the above list during the first time that they manage livestock. Satisfactory fulfilment of requirements at the on-site audit can result in a decision by the Approved Certification Body for full certification.
  - 8.6.7 The Approved Auditor shall contact the Applicant, Certified Operator or Certified Facility to request further information or documents (if required) in order to confirm the Applicant, Certified Operator or Certified Facility demonstrated fulfilment of the Certification Requirements.
- 8.7 Nonconformities
- 8.7.1 Nonconformities can arise:
- a) through failure of the Applicant, Certified Operator or Certified Facility to demonstrate their fulfilment of the Certification Requirements through the certification process; or
  - b) as the result of feedback from interested parties or complaints about the Applicant's, Certified Operator's or Certified Facility's non-fulfilment of the Certification Requirements, outside of the certification process.

- 8.7.2 Nonconformities shall be categorised as being minor, major or critical as defined in Annex D.
- 8.7.3 The nonconformity management process typically follows that provided in Figure 3; however, this may be varied at the Program Owner, Approved Certification Body or Approved Auditor's discretion.

Figure 3 LGAP nonconformity management process overview



#### 8.7.4 Nonconformities through the certification process

During typical evaluation activities undertaken as part of the certification process, an Approved Auditor may identify a nonfulfillment of a requirement and raise a formal nonconformity against the requirement.

Nonconformities identified during evaluation activities shall be recorded in the AniMark CS by the Approved Auditor. When a nonconformity is raised, the Applicant or Certified Operator or Facility is to undertake the appropriate correction and corrective action in accordance with:

- any direction provided to them by the Approved Auditor; and
- their own management system.

- 8.7.5 Evidence of correction and corrective actions shall be recorded in the AniMark CS against the nonconformity.
- 8.7.6 If the nonconformity is part of an evaluation activity for initial certification or recertification, the Approved Auditor shall note this in their Evaluation Report using the AniMark CS.
- 8.7.7 In the case of initial certification, the Approved Auditor shall not recommend that certification be granted until such time as all nonconformities has been closed out.
- 8.7.8 In the case of recertification or surveillance, the nonconformity shall be required to be closed out within the timeframes prescribed in Annex D or the unresolved nonconformity shall be escalated in the manner described in subclause 8.7.3.
- 8.7.9 Nonconformities outside of the certification process

Where feedback or a complaint indicates a potential nonconformity, the matter shall be managed in accordance with clause 11.

If the result of the process followed in clause 11 results in a nonconformity, then, to the satisfaction of the Program Owner, Approved Certification Body or Approved Auditor, the Applicant, or Certified Operator or Facility must respond with evidence that the nonconformity has been adequately resolved through appropriate corrective action within the timeframes prescribed in Annex D..

Evidence of correction and corrective actions shall be recorded in the AniMark CS against the nonconformity.

#### 8.7.10 Escalation of nonconformities

If the Certified Operator or Facility does not respond with sufficient evidence within the prescribed timeframe, the nonconformity shall be escalated in the following manner:

- a) if the nonconformity is a minor, it shall be escalated to a major;
- b) if the nonconformity is a major it shall be escalated to a critical; c) if the nonconformity is critical, certification shall be suspended (refer 9.3); and if certification is suspended and the nonconformity remains open, certification shall be withdrawn (refer 9.4).

If a nonconformity is escalated, a revised due date for completion of the specified corrective actions will be notified to the Certified Operator or Facility. The Program Owner and Approved Certification Bodies may raise nonconformities, request correction or corrective action or escalate nonconformities in the manner prescribed.

### 8.8 Evaluation Report

The Approved Auditor shall prepare an Evaluation Report containing:

- a) their findings in relation to each of the components of the evaluation plan (see 8.6);
- b) any outstanding nonconformities; and
- c) a certification decision recommendation including any conditions.

The Evaluation Report shall be submitted to the Approved Certification Body for review and a Certification Decision. The Evaluation Report shall be recorded within the AniMark CS within the timeframes specified in Annex A.

## 8.9 Risk Assessment and Risk Rating

- 8.9.1 After undertaking the evaluation activities, the Approved Auditor shall undertake a Risk Assessment of the Applicant, Certified Operator or Certified Facility and establish a Risk Rating. The Risk Assessment methodology shall be prescribed by the Program Owner (see Annex E) and be recorded within the AniMark CS within the timeframes specified in Annex A.
- 8.9.2 The scope of the Risk Assessment is limited to an assessment of risk factors which may impact a Certified Operator's or Certified Facility's ability to continue to conform with the Certification Requirements and an assessment of the controls a Facility or Operator has in place to minimise or eliminate those risk factors.
- 8.9.3 Risk Assessments will vary depending on the type of Operator or Facility being assessed. The outcome of the Risk Assessment will be a Risk Rating as defined in Annex E.
- 8.9.4 The Risk Rating of the Certified Operator or Certified Facility informs the frequency and nature of the surveillance activities and internal audits that apply to that Certified Operator or Certified Facility. At the end of every evaluation activity the Risk Assessment will be repeated, and the Risk Rating reassigned accordingly.
- 8.9.5 Applicants, Certified Operators and Certified Facilities may appeal a decision on a Risk Rating under the provisions of subclause of 8.11 of these Certification Rules.
- 8.9.6 The risk rating of the Certified Operator or Certified Facility shall be displayed on the Dashboard within the AniMark CS.
- 8.9.7 The Program Owner reserves the right to set an alternative Risk Rating after considering the Facility's or Operator's performance in fulfilling the Certification Requirements.

## 8.10 Certification Decision

- 8.10.1 The Approved Certification Body shall assign each Evaluation Report to a person that is responsible for reviewing the Evaluation Report and making a Certification Decision.
- 8.10.2 The person reviewing the Evaluation Report and making the Certification Decision must be different from those persons involved in undertaking the audit, closing nonconformities or preparing the Evaluation Report, and must not have had a relationship with the Applicant, Certified Operator or Certified Facility within the previous 12 months (e.g. as an owner, employee, contractor, service provider, consultant or any other such relationship that may give rise to a conflict of interest).
- 8.10.3 The Certification Decision shall be based on the application, any submitted documents or other correspondence and the Evaluation Report's content and findings.
- 8.10.4 The Certification Decision shall consider whether to:
- a) grant or maintain certification, and if so, whether such certification granted or maintained is:
    - i. provisional;
    - ii. temporary; or
    - iii. full;
  - b) decline certification;
  - c) reduce or expand certification; or
  - d) suspend or withdraw certification.
- 8.10.5 The Certification Decision shall be communicated to the Applicant, Certified Operator or Certified Facility by the Approved Certification Body, along with a specified timeframe within which the Applicant, Certified Operator or Certified Facility may lodge an Appeal against the Certification Decision. The specified timeframe shall be 14 days from the receipt of the decision.
- 8.10.6 The Certification Decision shall be recorded on the AniMark CS within the timeframes specified in Annex A.
- 8.10.7 Where temporary certification is granted, a commencement and expiry date for certification shall be specified.
- 8.10.8 Where Level 2 certification is granted to a Facility or Operator for a specified supply chain, the relevant livestock shall only be received from, or sent to, other Facilities or Operators that also have Level 2 certification for the same specified supply chain.

## 8.11 Appeals

- 8.11.1 Appeals relating to a Certification Decision or a decision on a risk rating may be lodged by the Applicant, Certified Operator or Certified Facility to the Approved Certification Body using the prescribed form within 14 days of receipt of the decision and risk rating notification.
- 8.11.2 The Approved Certification Body shall appoint one or more competent persons to consider the merits of the appeal and prepare a finding. The person appointed to do this shall not have otherwise been involved in undertaking the audit, preparing the Evaluation Report, making the Certification Decision, or assigning a risk rating, and must not have had a relationship with the Applicant, Certified Operator or Certified Facility within the previous 12 months (e.g. as an owner, employee, contractor, service provider or consultant or any other such relationship).
- 8.11.3 The final decision to uphold or overturn the Appeal shall be communicated to the Applicant, Certified Operator or Certified Facility by the Approved Certification Body within seven days of the decision being made.
- 8.11.4 The Approved Certification Body must inform the Program Owner within seven days of the receipt of any appeal application and must also inform the Program Owner of the final decision to uphold or overturn the Appeal within seven days of the decision being made.
- 8.11.5 The Program Owner shall be the final arbiter of appeals but shall only consider appeals against decisions when they have followed the appeal process prescribed above. In such cases, the appeal shall be by way of a review only of evidence considered during the original appeal. The appeal to the Program Owner must be lodged within seven days of the Approved Certification Body's appeal decision being communicated to the Certified Facility or Operator. All associated evidence is to be submitted in English using the electronic complaint form available from the Program Owner's website.

The Program Owner may hear new evidence only where it has agreed to do so on prior application. An application to present new evidence must be made in the prescribed manner, setting out the nature and the relevance of the new evidence, and why it was not presented, or could not reasonably have been obtained and presented, during the original appeal. Save in exceptional circumstances, the Program Owner shall not grant leave to present new evidence.

## 8.12 Certificate

- 8.12.1 If the Certification Decision is positive the Approved Certification Body shall issue a certificate to the Certified Operator or Certified Facility:
  - a) in the prescribed format using the AniMark CS;
  - b) in the timeframe prescribed in Annex A; and
  - c) if all fees have been paid by the Applicant or Certified Facility/Operator.

With the exception of temporary certification, certificates are valid for three years from the date of issue.

8.12.2 Certificates for temporary certification shall specify the commencement and expiry date.

8.12.3 Only the copy of a certificate maintained on the AniMark CS is valid under LGAP.

### 8.13 Certification Directory

The Program Owner shall maintain a Certification Directory that shall contain at least the following information:

- a) a listing of each Applicant, Certified Operator and Certified Facility, including the:
  - b) name;
  - c) region or province and country;
  - d) scope of certification as per Annex G;
  - e) their current certification status (e.g. Under Evaluation, Certified (Full), Certified (Provisional), Certified (Temporary), Not Certified, Suspended (Voluntary), Suspended, Withdrawn (Voluntary), Withdrawn); and
  - f) date certification was attained.

### 8.14 Certification Mark

8.14.1 The Program Owner owns and maintains a Certification Mark or Marks. Details of the Certification Mark are in Annex F and maintained on the Program Owner's website.

8.14.2 Certified Operators and Certified Facilities holding a current certificate may replicate and use the relevant Certification Mark on printed and electronic media, subject to the following requirements:

- a) the mark is not used to make or permit any misleading statement regarding certification;
- b) the mark is not used to make or permit the use of a certification document or any part thereof in a misleading manner;
- c) upon suspension or withdrawal of its certification, the Certified Operator or Certified Facility discontinues the use of the mark in all media;
- d) amends all media when the scope of certification has been reduced;
- e) does not imply that the certification applies to activities or products that are outside the scope of certification; and
- f) does not use its certification in such a manner that would bring LGAP into disrepute and lose public trust.

## 8.15 Surveillance

- 8.15.1 Approved Certification Bodies shall undertake surveillance activities of each allocated Certified Operator or Certified Facility based on the risk rating that has been assigned to the Certified Operator or Certified Facility.
- 8.15.2 The frequency and nature of surveillance activity is based on the risk rating and shall be prescribed by the Program Owner in see Annex E. The Program Owner reserves the right to set alternative internal audit and surveillance activity frequencies taking into account the Facility's or Operator's performance in fulfilling the Certification Requirements and its certification status.

## 8.16 Recertification

- 8.16.1 Prior to the end of each three-year certification period the Program Owner shall contact the Certified Operator or Certified Facility inviting them to be recertified for the following three-year period.
- 8.16.2 The Certified Operator or Certified Facility must repeat all certification process steps except for those associated with an initial application (i.e. the recertification process shall repeat steps 8.2 to 8.11).
- 8.16.3 The result of a decision to recertify will be the issuing of a new certificate for the following three-year period and its issuance by the Approved Certification Body into the AniMark CS.



## 9 Changes to certification

### 9.1 General

Changes that may materially affect the Applicant, Certified Operator or Certified Facility's ability to fulfil the Certification Requirements shall be notified to, and considered by, the Program Owner.

The Program Owner may refer the change to the Approved Certification Body for further action.

#### 9.1.1 Changes that may materially affect the Applicant, Certified Operator or Certified Facility's ability to fulfil the Certification Requirements include but are not limited to:

- a) changes in the Certification Requirements, including the Certification Rules;
- b) those circumstances listed in clause 13 of these Certification Rules related to changes that must be notified to the Approved Certification Body;
- c) results of feedback or complaints from interested parties;
- d) results of nonconformities or lack of action on nonconformities;
- e) voluntary requests for suspension or withdrawal from an Applicant, Certified Operator or Certified Facility;
- f) a lack of response or a decision not being recertified;
- g) changes in ownership, structure or control of the Applicant, Certified Operator or Certified Facility;
- h) insolvency;
- i) changes in the business environment affecting the Applicant, Certified Operator or Certified Facility;
- j) changes in business operations, including supplier structure, suppliers, purchasers, site relocations, major expansions or closures, compliance requirements;
- k) changes in key personnel (i.e. board or top management or the equivalent); or
- l) major changes to the management system.

#### 9.1.2 After due consideration of the changes the Approved Certification Body may:

- a) take no action;
- b) undertake evaluation activities;
- c) reconfirm the current certification;
- d) expand or reduce the current scope of certification;
- e) suspend the certification; or

- f) withdraw the certification.

## 9.2 Transfer of certification

9.2.1 Within the three-year certification period, Certified Operators and Certified Facilities may apply to the Program Owner to transfer their certification from one Approved Certification Body to another Approved Certification Body, provided the following conditions are met:

- a) the Certified Operator or Certified Facility applies to the Program Owner for a transfer;
- b) the Program Owner shall conduct a thorough pre-transfer review and determine whether to approve the transfer. The pre-transfer review shall be documented and cover the following aspects:
  - i. the current certification status of the Certified Operator or Certified Facility including confirmation that the certificate is not suspended, withdrawn or subject to a corrective action, review or appeal process that is likely to result in suspension;
  - ii. the reasons for seeking a transfer of certification;
  - iii. consideration of the last certification or recertification evaluation reports, subsequent surveillance reports and any outstanding nonconformities that may arise from them;
  - iv. status of complaints and corrective actions;
  - v. that all outstanding major and critical nonconformities are closed out before the transfer is transacted. An action plan for the close out of these nonconformities at some point in the future is not permissible – major and critical nonconformities must be closed out in their entirety before the transfer can take place;
  - vi. consideration of any current legal compliance issues with the Certified Operator or Certified Facility;
- c) if the Program Owner approves the transfer, then it shall allocate the Certified Operator or Certified Facility to an accepting Approved Certification Body subject to the accepting Approved Certification Body confirming it has the competence and capacity to service the certification; and
- d) the Program Owner shall inform the existing Approved Certification Body of its decision.

9.2.2 Where doubt exists after the transfer as to the adequacy of a current or previously held certification, the accepting Approved Certification Body shall, depending upon the extent of doubt, either:

- a) treat the Certified Operator or Certified Facility as a new Applicant; or
- b) conduct an evaluation concentrating on identified problem areas; and
- c) inform the Program Owner who may follow up with the originating Approved Certification Body.

9.2.3 The decision as to the action required will depend upon the nature and extent of any problems found and shall be explained to the Certified Operator or Certified Facility. The justification for the decision shall be documented and a record maintained by the Approved Certification Body on the AniMark CS.

### 9.3 Suspension of certification

9.3.1 The Approved Certification Body may suspend the certification of a Certified Operator or Certified Facility until an appropriate investigation or resolution has taken place for situations that include:

- a) the Certified Operator or Certified Facility fails to:
  - i. demonstrate fulfilment within the prescribed timeframe of changes to the Certification Requirements;
  - ii. notify the Program Owner of any changes to certification in line with clause 9.1;
  - iii. provide access to sites, information, personnel, equipment, livestock or other such resources required to evaluate conformity with the Certification Requirements; or
  - iv. provide information requested by the Approved Certification Body or Program Owner within the timeframe specified;
  - v. close out a critical nonconformity within the timeframe prescribed in Annex D;
- b) a change under clause 9.1 of these Rules that would give rise to concerns at a level equivalent to a major or critical nonconformity;
- c) actions or lack of action by a Certified Operator or Certified Facility means they can no longer fulfil the Certification Requirements and their continued certification would bring LGAP, the Program Owner, Approved Certification Body or Approved Auditor into disrepute;
- d) the Certified Operator or Certified Facility requests a suspension of its certification; or
- e) immediately upon instruction by the Program Owner.

9.3.2 The Approved Certified Body shall inform the Certified Operator or Certified Facility of the suspension with the reasons for its decision.

9.3.3 In such cases the Certified Operator or Certified Facility that is suspended shall:

- a) immediately notify the owner of any livestock covered by LGAP certification of the change in certification status;
- b) fulfil the requirements of these Certification Rules, especially 8.14; and
- c) not use their certificate or the Certification Mark on any media to state or give the impression that they are or remain certified.

- 9.3.4 The Approved Certification Body shall update the status of the Certified Operator or Certified Facility to suspended in the AniMark CS. The certification status change will be displayed on the Certification Directory.
- 9.3.5 The Approved Certification Body may issue critical or major nonconformities or instructions for the corrective action that the Certified Operator or Certified Facility must undertake within the timeframes prescribed in Annex D in order to lift the suspension.
- 9.3.6 If corrective action is undertaken and it is demonstrated the reason for the suspension has been appropriately dealt with and closed out within the prescribed timeframe, the Approved Certification Body may reinstate the certification and update the AniMark CS accordingly. The certification status change will be displayed on the Certification Directory.
- 9.3.7 In any case of voluntary or involuntary suspension, there must be an onsite audit undertaken by the assigned Approved Auditor before certification can be reinstated.
- 9.3.8 If corrective action to lift a suspension is not undertaken within the prescribed timeframe, the Approved Certification Body may withdraw the certification of a Certified Operator or Certified Facility.
- 9.3.9 The Program Owner may suspend a Certified Operator or Certified Facility in the same manner as an Approved Certification Body, including suspending certification for a contractual or administrative reason.

#### 9.4 Withdrawal of certification

##### 9.4.1 Involuntary withdrawal

The Approved Certification Body may at their own discretion, withdraw certification in cases where:

- a) there has been no satisfactory action to resolve a suspension within the timeframe prescribed in Annex D;
- b) there is evidence of serious misconduct, including fraudulent, dishonest or criminal activities, by the Certified Operator or Certified Facility;
- c) the Certified Operator or Certified Facility has had their certificate suspended once previously within the period of validity of the certificate;
- d) the Certified Operator or Certified Facility fails to recertify within the specified timeframe;
- e) the Certified Operator or Certified Facility becomes bankrupt;
- f) continued certification could bring LGAP into disrepute, ;
- g) the Certified Operator or Certified Facility requests withdrawal of certification; or
- h) immediately upon instruction by the Program Owner.

##### 9.4.2 In such cases the Certified Operator or Certified Facility shall:

- a) at the withdrawn Operator's or Facility's own expense, immediately arrange with the owner of any livestock covered by LGAP certification for those livestock to be either:

- i. transferred to another Certified Operator or Certified Facility; or
- ii. slaughtered in accordance with the Certification Requirements;
- b) fulfil the requirements of these Certification Rules, especially 8.14; and
- c) not use their certificate or the Certification Mark on any media to state or give the impression that they are or remain certified.

9.4.3 The Approved Certification Body shall update the withdrawn status of the Operator or Facility on the AniMark CS with the reasons for the withdrawal. The certification status change will be displayed on the Certification Directory

9.4.4 Withdrawn certifications cannot be reinstated, and the withdrawn Operator or Facility must re-apply to obtain certification following the process in section 8.

9.4.5 Recertification after withdrawal cannot occur within a period set by the Program Owner from the time the withdrawn status is updated on the AniMark CS and Certification Directory.

9.4.6 The Program Owner may move to withdraw a Certified Operator's or Facility's certification in the same manner as an Approved Certification Body, including withdrawing certification for a contractual or administrative reason.

## 9.5 Voluntary withdrawal

9.5.1 A Certified Facility or Operator may, by written notice to the Program Owner, request withdrawal of certification or application for certification at any time.

9.5.2 Certified Facilities or Operators with temporary certification shall have certification automatically withdrawn on the expiry date specified on their certificate.

9.5.3 Voluntary withdrawal shall only be granted once livestock covered by LGAP certification have, at the withdrawn Operator's or Facility's own expense, been:

- a) transferred to another Certified Operator or Certified Facility; or
- b) slaughtered in accordance with the Certification Requirements.

9.5.4 Withdrawal is effective upon confirmation by the Program Owner to the withdrawn Operator or Facility of the change in status.

9.5.5 Where a Certified Facility or Operator voluntarily withdraws certification, a written application may be made at any time for reinstatement of certification. Reinstatement can only occur once the certification process outlined in section 8 is followed.

## 9.6 Lapsed applications

If an application for certification is not granted or denied within 12 months from date of application, then the application will lapse. An Applicant Operator or Facility whose application has lapsed but who wishes to obtain certification must reapply for certification following the process outlined in section 8.

## 10 Fees and Charges

Fees and charges associated with LGAP shall be set and communicated by the Program Owner.

All fees and charges shall be paid in accordance with contractual and payment terms to ensure ongoing certification status is maintained. Failure to make payment may result in suspension or withdrawal of certification by the Program Owner.

Unless otherwise stated fees shall not be refundable.

## 11 Complaints

### 11.1 Types of complaints:

There are four types of complaints recognised under these Certification Rules as follows:

- a) complaints made to Certified Operators and Certified Facilities regarding their adherence to the Certification Requirements;
- b) complaints made to the Program Owner or Approved Certification Body regarding adherence to the Certification Requirements by a Certified Operator or Certified Facility;
- c) complaints made to the Program Owner or Approved Certification Body, regarding the performance of the Program Owner, Approved Certification Body or an Approved Auditor;
- d) complaints made to the Program Owner regarding misrepresentation of LGAP certification.

### 11.2 A complaint shall be deemed to have been received when:

- a) a written complaint has been submitted from the complainant;
- b) the nature of the complaint corresponds to one of the categories listed above;
- c) the complainant has access to the direct or first-hand basis of the complaint;
- d) the complaint is specific and includes appropriate objective justification and evidence to substantiate any claim (credibility).

- 11.3 In addition, for complaints made to the Program Owner for types listed in 11.2 b), c) and d), such complaints shall also be deemed to have been received when the written complaint and all associated evidence is submitted in English using the electronic complaint form available via the Program Owner's website.
- 11.4 All complaints shall be acknowledged and addressed as quickly as possible following the appropriate complaints procedure.
- 11.5 Complaints based upon hearsay or without appropriate objective justification and evidence will not be accepted by the Program Owner.
- 11.6 Complaints about adherence to Certification Requirements
- 11.6.1 Applicants and Certified Operators and Certified Facilities shall have a complaints registration and resolution procedure, which allows for investigation of the complaint and undertaking corrective or preventative action.
- 11.6.2 Records of complaint handling by the Applicant, Certified Operator or Certified Facility shall be made available for review during evaluations. The Applicant, Certified Operator or Certified Facility shall report the occurrence of such complaints to the Approved Certification Body at the same frequency as their surveillance activities.
- 11.7 Complaints received by the Program Owner or Approved Certification Body about an Applicant or Certified Operator or Certified Facility
- Complaints received by the Program Owner or Approved Certification body shall follow that entities complaints procedure which as a minimum must ensure the following process is followed:
- a) In the first instance the Program Owner or Approved Certification Body will endeavour to identify and provide details of the complaint to the relevant Applicant, Certified Operator or Certified Facility for explanation or resolution. The Applicant, Certified Operator or Certified Facility shall provide a response to the Program Owner or Approved Certification Body within seven (7) days of receiving the complaint.
  - b) Where the complainant is dissatisfied with the response, or if the Program Owner or Approved Certification Body is concerned about the Applicant's or Certified Operator's or Facility's fulfilment of the Certification Requirements, the Program Owner or Approved Certification Body may investigate the complaint further, including requesting any further information and cooperation from the Applicant, Certified Operator or Certified Facility or undertaking any further evaluation activities.
  - c) The outcome of this investigation process may result in the allocation of nonconformities or the suspension or withdrawal of the Certified Operator's or Certified Facility's certification.
  - d) Where the complaint is upheld, the expense of further evaluation activities shall be borne by the Applicant, Certified Operator or Certified Facility.
  - e) All complaints received by the Program Owner or Approved Certification Body shall be recorded in the AniMark CS within the timeframes prescribed in Annex A.

11.8 Complaints about the Program Owner or Approved Certification Body's services or personnel

11.8.1 Complaints received by the Program Owner or Approved Certification Body in relation to its services and personnel shall be investigated by the Program Owner or Approved Certification Body in accordance with its complaints handling procedures.

11.8.2 All complaints received by an Approved Certification Body shall be notified by the Approved Certification Body to the Program Owner and recorded in the AniMark CS within the timeframes prescribed in Annex A.

11.9 Complaints about the misrepresentation of LGAP certification

11.9.1 Complaints received by the Program Owner or Approved Certification Body in relation to misrepresentation of LGAP certification shall be investigated by the Program Owner.

11.9.2 All complaints received by the Approved Certification Body shall be notified by the Approved Certification Body to the Program Owner and recorded in the AniMark CS within the timeframes prescribed in Annex A.

## 12 Communications, notices and confidentiality

12.1 Communications

Except for information that is provided publicly:

- a) in the Certification Directory; or
- b) through legitimate use of the Certificate or the Certification Mark pursuant to the Certification Requirements;

all other information and communication pertaining to LGAP shall be approved by the Program Owner prior to release.

12.2 In addition to the above information, the Program Owner shall make available to the public the following information:

- a) an outline of the certification process;
- b) the Certification Requirements;
- c) information about the fees for certification; and
- d) information on handling complaints and appeals.

12.3 Subject to the payment of any relevant fee or other undertaking, the Program Owner will make available to the parties (Approved Certification Bodies, Approved Auditors, Applicants and Certified Operators and Facilities) the following information as necessary:

- a) appropriate forms, templates, guidance documents, marks etc.; and
- b) arrangements associated with changes to LGAP and Certification Requirements, including deadlines for transition.



12.4 The Approved Certification Body shall inform Applicants and Certified Operators and Certified Facilities of the following:

- a) acceptance of applications;
- b) any arrangements for evaluations and audits;
- c) arrangements for demonstration of appropriate close out of any nonconformities;
- d) certification decisions;
- e) arrangements for ongoing certification, including steps to be undertaken to address changes to Certification Requirements;
- f) any suspension or withdrawal of certification; and
- g) any complaints or feedback that have been received.

12.5 Applicants, Certified Operators and Certified Facilities shall inform the Program Owner of matters that may affect the capacity of the Applicant, Certified Operator or Certified Facility to continue to fulfil the Certification Requirements, including but not limited to changes to:

- a) legal, commercial, organizational status or ownership;
- b) organization and management (e.g. key managerial, decision-making or technical staff);
- c) contact address and sites;
- d) the specified supply chains or operational arrangements;
- e) major changes to the management system and processes; and
- f) any intention to voluntarily suspend or withdrawal from certification.

#### 12.6 Notices

Each party shall nominate and maintain a formal Authorised Representative who is responsible for the receipt and transmission of all formal communication between the parties. Up-to-date contact details for the Authorised Representative are to be maintained on the AniMark CS.

Formal communications between the parties shall be addressed to the relevant Authorised Representative and shall be in writing and transmitted through traditional mail or email. The Program Owner may also utilise web notifications to convey formal communications.

#### 12.7 Confidentiality

The Program Owner, Approved Certification Bodies, Applicants and Certified Operators and Facilities shall have legally enforceable agreements with all external and internal personnel (including any committees) to maintain all information associated with LGAP and certification as confidential, except in relation to the following:

- a) information that is required to be submitted and transferred between the Program Owner, Approved Certification Bodies, Applicant and Certified Operator or Certified Facility, to

enable LGAP to operate, including review of such information for the purposes of accreditation, peer assessment or other forms of third-party recognition;

- b) information regarding the status of an Applicant, Certified Operator or Certified Facility including history of conformity, risk rating and other items, as displayed on the Supply Chain Dashboard within the AniMark CS.
- c) upon request, the confirmation of the status of an Operator or Facility as being an Applicant or Certified Operator or Certified Facility;
- d) information that is publicly available on the Certification Directory;
- e) information in the form of generalised statements and data that the Program Owner considers necessary in order to inform interested parties and communicate about LGAP;
- f) any information that the Program Owner is obligated to disclose in order to fulfil its contractual obligations with any private or public third party and where such a third party may publicly disclose or use for the purposes of prosecuting or defending legal proceedings, information provided to it by the Program Owner. Such information may include but shall not be limited to:
  - i. details of Applicant or Certified Operator or Facility including:
    - 1. name;
    - 2. location;
    - 3. date applied for certification
    - 4. date certified;
    - 5. scope of certification; and
    - 6. certification status, including history of status changes;
  - ii. audit reports including any evidence recorded as part of the audit process;
  - iii. nonconformities and planned or implemented correction or corrective action, including any evidence of such;
  - iv. any feedback or complaints, including any investigations or outcomes of such, along with any evidence obtained during the process; and
  - v. any other such information required to support decisions made in relation to the status of an Applicant or Certified Operator or Facility; and

where the Program Owner is required to disclose such information to third parties, the Program Owner shall inform Applicant or Certified Operator's or Facilities of the necessity to disclose that information; and

- g) any other information that the Program Owner or the Approved Certification Body must disclose as required by law, and in which case prior to release of such information the Program Owner or Approved Certification Body shall inform the relevant Applicant, Certified Operator or Certified Facility of the intent to disclose that information.

## 13 Review and changes to the Certification Program

13.1 The Program Owner shall at a minimum:

- a) annually review the performance of Approved Certification Bodies and Approved Auditors, with a full reapproval process occurring once every three years;
- b) annually review the operation of LGAP; and
- c) review the Certification Requirements once every three years.

13.2 The Program Owner reserves the right to change the Certification Requirements at any time.

13.3 The Program Owner shall communicate any changes via the AniMark CS and website and all Approved Certification Bodies, Approved Auditors, Applicants and Certified Operators and Facilities are obligated to demonstrate at their own expense their conformity with those changes within the timeframe set by the Program Owner.

13.4 The Program Owner shall not be liable for any costs or loss of certification arising from changes to Certification Requirements.

## Annex A Prescribed timeframes

Action	Responsible	Timeframe required
Notification to AniMark and recording of complaints in the AniMark CS when received by the Approved Certification Body.	Approved Certification Body	As prescribed by the Program Owner.
Recording of complaints in the AniMark CS when received by AniMark.	AniMark	As prescribed by the Program Owner.
Recording of internal audit observations and non-conformities in AniMark CS.	Operator/Facility	As prescribed by the Program Owner.
Recording of external audit observations and non-conformities in the AniMark CS.	Approved Auditor	As prescribed by the Program Owner.
Completion of the risk assessment using the AniMark CS.	Approved Auditor	As prescribed by the Program Owner.
Assessment & Closure of non-conformity responses	Approved Certification Body	As prescribed by the Program Owner.
Escalation of Non-Conformities	Approved Certification Body	As prescribed by the Program Owner
Certification Decision is made and recorded in the AniMark CS.	Approved Certification Body	As prescribed by the Program Owner.
Issuing of Certificate via the AniMark CS.	Approved Certification Body	As prescribed by the Program Owner.
Request an appeal to the Approved Certification Body on a certification decision or risk rating.	Operator/Facility	As prescribed by the Program Owner.
Request an appeal to AniMark following an appeal to the Approved Certification Body	Operator/Facility	As prescribed by the Program Owner.

## Annex B ISO/IEC 17065 Requirements as applied under LGAP

(Normative)

ISO/IEC 17065:2012 content	Application of ISO/IEC 17065 requirements under the LGAP Certification Rules
1 Scope	No change.
2 Normative references	No change.
3 Terms and definitions	No changes to the terms and definitions. 3.8 'product requirement' includes the LGAP Standards identified in clause 5 of these Certification Rules. 3.9 'certification scheme' means LGAP. 3.10 'scope of certification' see Annex G of the LGAP Certification Rules
<b>4 General requirements</b>	
4.1 Legal and contractual matters	No change to the requirements.
4.1.2	The certification agreement is covered through the application form that is completed by Operators and Facilities and submitted to AniMark. It commits the Operator or Facility to fulfil the Certification Requirements which address all the requirements in subclause 4.1.2. Certification Bodies are contracted by AniMark to ensure the Operators and Facilities fulfil the Certification Requirements. Under LGAP there is no need for the Certification Body and Operator or Facility to have a further certification agreement, as the LGAP provisions already address these requirements in ISO/IEC 17065.
4.2 Management of impartiality	No change to the requirements.
4.2.10	The specified period within which personnel shall not be used to review or make a decision for a product for which they have provided consultancy is 12 months.
4.3 Liability and financing	No change to the requirements. AniMark requires Approved Certification Bodies to hold the following insurance: a. AUD 2,000,000 in professional indemnity insurance; and b. AUD 10,000,000 in public liability insurance. Copies of certificates of insurance are to be provided in with the tender
4.4 Non-discriminatory conditions	No change to the requirements.
4.5 Confidentiality	No change to the requirements.
4.6 Publicly available information	No change to the requirements.
<b>5 Structural requirements</b>	
5.1 Organizational structure and top management	No change to the requirements.
5.2 Mechanism for safeguarding impartiality	No change to the requirements.
<b>6 Resource requirements</b>	
6.1 Certification body personnel	No change to the requirements.

6.1.1 General	No change to the requirements.
6.1.2 Management of competence for personnel involved in the certification process	No change to the requirements. The competence criteria for personnel involved in the certification process including LGAP Approved Auditors are contained in Annex C of the Certification Rules.
6.1.3 Contract with personnel	No change to the requirements.
6.2 Resources for evaluation	No change to the requirements.
6.2.2.1	No change to the requirements. Outsourcing of auditing activities may only be to Approved Auditors. The Approved Certification Body outsourcing to Approved Auditors remains responsible for the competence and audit activities of the Approved Auditors. The competence criteria for LGAP Approved Auditors are those contained in Annex C of the Certification Rules. The evaluation (including the audit) process shall be as prescribed in the Certification Rules, and the two-stage audit process as identified in ISO/IEC 17021 is not required under LGAP.

## 7 Process requirements

7.1 General	No change to the requirements.
7.2 Application	No change to the requirements.
7.3 Application review	No change to the requirements.
7.4 Evaluation	No change to the requirements. A generic evaluation plan that is based on the content of clause 8 Certification Process is acceptable.
7.5 Review	No change to the requirements.
7.6 Certification decision	No change to the requirements.
7.7 Certification documentation	No change to the requirements.
7.8 Directory of certified products	No change to the requirements.
7.9 Surveillance	No change to the requirements. The surveillance activities shall be those as stated in subclause 8 of these Certification Rules.
7.10 Changes affecting certification	No change to the requirements.
7.11 Termination, reduction, suspension or withdrawal of certification	No change to the requirements.
7.12 Records	No change to the requirements. All records of certification under LGAP are to be entered and maintained in to the AniMark CS.
7.13 Complaints and appeals	No change to the requirements.

## 8 Management system requirements

8.1 Options	No change to the requirements.
8.2 General management system documentation (Option A)	No change to the requirements.

8.3 Control of documents (Option A)	No change to the requirements.
8.4 Control of records (Option A)	No change to the requirements.
8.5 Management review (Option A)	No change to the requirements.
8.6 Internal audits (Option A)	No change to the requirements.
8.7 Corrective actions (Option A)	No change to the requirements.
8.8 Preventive actions (Option A)	No change to the requirements.

## Annex C Competency and other requirements for Approved Certification Bodies and Auditors

(Normative)

### 13.5 C.1 Approval of Certification Bodies and Auditors

The Program Owner shall approve the Certification Bodies and Auditors that can undertake evaluation and certification activities under LGAP.

Approval may be granted with such conditions (e.g. specifying areas of geographical operation or types of evaluation that may be undertaken) as determined by the Program Owner.

Approvals shall be for three years, subject to ongoing fulfilment of the approval criteria and requirements and satisfactory performance reviews that will be carried out by the Program Owner or their agent.

The Program Owner reserves the right to suspend or withdraw approval at any time.

### 13.6 C.2 Applications to be an Approved Certification Body or Auditor

Certification Bodies or Auditors wanting to be approved shall apply to the Program Owner at prescribed times using the prescribed form and including the relevant documentation. In some cases, this may be provided through a tendering process or any other means as determined by the Program Owner.

### 13.7 C.3 Criteria for Approved Certification Bodies and Auditors

The Program Owner shall review applications to be an Approved Certification Body or Auditor and make a decision based on:

- a) fulfilment of the relevant Certification Requirements;
- b) relevant international standards;
- c) the demonstration of competency in the following knowledge and skills for personnel involved in certification activities; and
- d) outcomes of performance reviews and market feedback.

Table C.3 specifies the knowledge and skills that a certification body shall define for specific certification functions.

“□” indicates that the certification body shall define the criteria and depth of knowledge and skills. The knowledge and skill requirements specified in Table C.3 are explained in more detail in the text following the table and are referenced by the number in parenthesis.;

**Table C.3 — Table of knowledge and skills**



Knowledge and skills	Certification functions		
	Conducting the application review to determine audit team competence required, to select the audit team members	Reviewing audit reports and making certification decisions	Auditing and leading the audit team
Knowledge of business management practices			<input type="checkbox"/> (see C.4.1)
Knowledge of audit principles, practices and techniques		<input type="checkbox"/> (see C.5.1)	<input type="checkbox"/> (see C.4.2)
Knowledge of specific standards/normative documents	<input type="checkbox"/> (see C.6.1)	<input type="checkbox"/> (see C.5.2)	<input type="checkbox"/> (see C.4.3)
Knowledge of certification body's processes	<input type="checkbox"/> (see C.6.2)	<input type="checkbox"/> (see C.5.3)	<input type="checkbox"/> (see C.4.4)
Knowledge of client's business sector	<input type="checkbox"/> (see C.6.3)	<input type="checkbox"/> (see C.5.4)	<input type="checkbox"/> (see C.4.5)
Knowledge of the client's products, processes and organization	<input type="checkbox"/> (see C.6.4)		<input type="checkbox"/> (see C.4.6)
Language skills appropriate to all levels within the client organization			<input type="checkbox"/> (see C.4.7)
Note-taking and report-writing skills			<input type="checkbox"/> (see C.4.8)
Presentation skills			<input type="checkbox"/> (see C.4.9)
Interviewing skills			<input type="checkbox"/> (see C.4.10)
Audit-management Skills			<input type="checkbox"/> (see C.4.11)
NOTE Risk and complexity are other considerations when deciding the level of expertise needed for any of these functions.			

## 13.8 C.4 Competence requirements for Approved Auditors

### 13.8.1 C.4.1 Knowledge of business management practices

Knowledge of general organization types, size, governance, structure and workplace practices, information and data systems, documentation systems, and information technology.

13.8.2 C.4.2 Knowledge of audit principles, practices and techniques

Knowledge of generic audit principles, practices and techniques, as specified in ISO 19011 and the Certification Requirements sufficient to conduct certification audit and evaluation activities, including the verification of the effective management and control of processes, management reviews, internal audits, and corrective and preventive actions by Operators and Facilities.

13.8.3 C.4.3 Knowledge of specific standards/normative documents

Knowledge of the Certification Requirements sufficient to determine if it has been effectively implemented and conforms to requirements.

13.8.4 C.4.4 Knowledge of certification body's processes

Knowledge of a certification body's processes sufficient to perform in accordance with the certification body's procedures and processes.

13.8.5 C.4.5 Knowledge of client's business sector

Knowledge of the terminology, practices and processes common to a client's business sector sufficient to understand the sector's expectations in the context of the Certification Requirements.

13.9 C.4.6 Knowledge of client's products, processes and organization

Knowledge related to the types of processes of an Operator or Facility sufficient to understand how such an organization can operate, and how the organization can apply the requirements of the Certification Requirements.

Specifically, auditors shall have the following knowledge:

Knowledge required by the Auditor	Audited Operator or Facility			
	Exporter	Importer	Feedlot/ Farm	Abattoir
Auditing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Operation of supply chains	<input type="checkbox"/>	<input type="checkbox"/>		
Methods of livestock identification	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Processes to control and record livestock movements	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Systems, processes and agreements to enable traceability of livestock throughout the supply chain	<input type="checkbox"/>	<input type="checkbox"/>		
Relevant regulatory requirements	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Transportation methods		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Animal handling methods		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Animal behaviour, health, husbandry and welfare relevant to the species		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Environmental conditions and physical infrastructures		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Slaughtering equipment and processes				<input type="checkbox"/>
Appropriate methods of assessing the outcome of slaughter				<input type="checkbox"/>
Emergency procedures, including emergency slaughter		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

#### 13.9.1 C.4.7 Language skills appropriate to all levels within the client organization

Capable of communicating effectively to persons at any level of an organization using appropriate and relevant language(s), terms, expressions and speech. All Approved Auditors must be able to read, write and converse in the English language.

#### 13.9.2 C.4.8 Notetaking and report-writing skills

Capable of reading and writing with sufficient speed, accuracy and comprehension to record, take notes, and effectively and accurately communicate audit findings and conclusions.

#### 13.9.3 C.4.9 Presentation skills

Capable of presenting audit findings and conclusions to be easily understood. For the team leader, presenting to top management (e.g. closing meeting at the end of an onsite audit) audit findings, conclusions, and recommendations appropriate to the audience.

#### 13.9.4 C.4.10 Interviewing skills

Capable of interviewing to obtain relevant information by asking open-ended, well formulated questions and listening to understand and evaluate the answers.

#### 13.9.5 C.4.11 Audit-management skills

Capable of conducting and managing an audit to achieve the audit objectives within the agreed timeframe.

For the team leader, capable of facilitating meetings for the effective exchange of information and capable of making assignments or re-assignments where necessary.

#### 13.10 C.5 Competence requirements for personnel reviewing audit reports and making Certification Decisions

The functions of these personnel may be fulfilled by one or more persons.

##### 13.10.1 C.5.1 Knowledge of audit principles, practices and techniques

Knowledge of audit principles, practices and techniques, as specified in these Rules sufficient to understand a certification audit report.

##### 13.10.2 C.5.2 Knowledge of specific management system standards/normative documents

Knowledge of Certification Requirements for certification sufficient to make a decision on the basis of a certification audit report.

##### 13.10.3 C.5.3 Knowledge of certification body's processes

Knowledge of a certification body's processes sufficient to determine if expectations of the certification body have been fulfilled on the basis of the information submitted for review.

##### 13.10.4 C.5.4 Knowledge of client's business sector

Knowledge of the terminology, practices and processes common to a client's business sector sufficient to understand an audit report in the context of the Certification Requirements.

#### 13.11 C.6 **Competence requirements for personnel conducting the application review to determine the audit team competence required, to select the audit team members, and to determine the audit time**

The functions of these personnel may be fulfilled by one or more persons.

##### 13.11.1 C.6.1 Knowledge of specific standards/normative documents

Knowledge of Certification Requirements.

##### 13.11.2 C.6.2 Knowledge of certification body's processes

Knowledge of a certification body's processes sufficient to assign competent audit team members and accurately determine audit time.

##### 13.11.3 C.6.3 Knowledge of client's business sector

Knowledge of the terminology, practices and processes common to a client's business sector sufficient to assign competent audit team members and accurately determine audit time.

#### 13.11.4 C.6.4 Knowledge of client's products, processes and organization

Knowledge related to the types of products or processes of a client sufficient to assign competent audit team members and accurately determine audit time.

#### 13.12C.7 Conflict of interest requirements

Approved Certification Bodies and Approved Auditors shall not conduct evaluations of or issue certificates to Operators and Facilities where a conflict of interest exists or potentially exists.

Where conflicts of interest exist or potentially exist, Approved Certification Bodies may request the Program Owner to consider any arrangements the Approved Certification Body may have in place to manage such a conflict of interest and therefore allow an Approved Certification Body and/or Approved Auditor to conduct evaluations and issue certificates.

Conflict of interest situations include but are not limited to:

- a) the evaluation of an Operator or Facility where Approved Certification Body personnel have provided specific direction to that Operator or Facility on how to conform with the LGAP Certification Requirements (e.g. design or drafting the Operator or Facility's LGAP management system, consultative or advisory services in relation to managing traceability or animal welfare).

Should Approved Certification Body personnel have provided such specific advice as outlined in a), then a period of 12 months shall elapse before that Approved Certification Body may provide audit and certification services to that Operator or Facility;

- b) where any Approved Certification Body personnel is or was in the previous 24 months an owner, board member, employee, close family member or associate of the Program Owner, any Operator or Facility or a provider of products, services or solutions which would assist an Operator or Facility in conforming with the Certification Requirements;
- c) arranging training or participating as a trainer for a company offering specific training on auditing or complying with requirements under LGAP. This may or may not be approved LGAP training;
- d) arranging training or participating as a trainer for a company offering specific training in which specific solutions to risks associated with the company's LGAP management system and conformity activities are discussed or provided;
- e) where any Approved Certification Body personnel has a direct financial interest in the business to be audited;
- f) where any Approved Certification Body personnel, including employees, close family members, associates, agents or contractors, has provided a product or service that would assist the Operator or Facility to be audited in conforming with the LGAP Certification Requirements;
- g) preferential treatment of a person, organization or interest (including, but not limited to, pecuniary, commercial, political or religious) during a LGAP audit as a result of Approved Certification Body personnel's previous association with that person, organization or interest; or

- h) where the Approved Certification Body personnel, or a close family member or associate of the Approved Certification Body personnel, has a direct relationship with a direct competitor of the business being audited. In this situation, the proprietor of the business should be notified of the relationship and allowed to decide whether the Approved Certification Body may continue to conduct the audit and certification of their business. Should the proprietor refuse, the Approved Certification Body should inform the Program Owner, who shall subsequently determine an appropriate course of action.

Failure to declare a potential conflict of interest by an Approved Auditor to the Approved Certification Body and/or by the Approved Certification Body to the Program Owner will result in a review of the Approved Certification Body's and/or Approved Auditor's approval. This may result in the approval being revoked.

Items considered not to present a conflict of interest, include but are not limited to:

- a) situations where personnel from the Approved Certification Body have provided general advice to a business, providing this advice does not include or provide specific direction to the business in how to manage a risk associated with LGAP or other areas of conformity;
- b) explaining nonconformities identified during a LGAP audit; or
- c) where information is provided that is generic information freely available in the public domain, and company-specific solutions are not provided or discussed.

#### 13.13C.8 Approved Auditor training and continuing professional development

Before being confirmed as an Approved Auditor, each auditor shall:

- a) have a lead auditor qualification that is recognised by the Program Owner;
- b) complete an approved training course in auditing to the LGAP Certification Requirements;
- c) have at least 24 hours of experience as an observer on evaluation activities for LGAP certification, of which a minimum of 16 hours must be onsite during an LGAP evaluation of an Operator or Facility; and
- d) be subject to a satisfactory witness assessment carried out by one or more Approved Certification Bodies, or the Program Owner.

Once confirmed as an Approved Auditor, each auditor shall complete at least 32 hours of relevant professional development activity in each rolling three-year period comprising of at least the following:

- a) attendance at annual LGAP Approved Auditor training sessions;
- b) eight hours of training in one or more the following areas:
  - i. animal husbandry, behaviour, welfare;
  - ii. animal handling;
  - iii. livestock identification, movement recording and traceability;

- c) four hours of general training on audit processing and techniques; and
- d) ongoing monitoring of the relevant LGAP information updates provided by the Program Owner to improve / maintain their current knowledge.

#### 13.14C.9 Use of audit teams and competency requirements of teams

At times the size and complexity of an Operator or Facility is such that a team of auditors may be required, rather than an individual auditor.

Where an audit team is required in order to undertake an evaluation it is recognised that not all of the auditors need to have all of the necessary competencies to carry out the audit. However, the overall team must have all the competency requirements specified in these Certification Rules.

Approved Certification Bodies shall be able to justify the competencies of audit teams if requested to do so through the Program Owner's monitoring process.

All members of an Audit Team must be LGAP Approved Auditors.

## Annex D Nonconformities

(Normative)

### 13.15D.1 Definitions of nonconformities

There are three levels of nonconformity in LGAP, defined as follows:

<b>Critical</b>	a) a non-fulfilment of a requirement that prevents the Applicant, Certified Operator or Certified Facility achieving the intended outcomes which results in: <ul style="list-style-type: none"><li>i. an adverse animal welfare outcome or the loss of animal traceability; or</li><li>ii. a systematic and repeated failure to identify or acknowledge nonconformities and undertake corrective actions; or</li><li>iii. reputational or liability risk for LGAP or the Program Owner; or</li></ul>
	b) a major nonconformity for which the Applicant, Certified Operator or Certified Facility has failed to resolve within the prescribed timeframe.
<b>Major</b>	a) a non-fulfilment of a requirement that adversely affects the Applicant, Certified Operator or Certified Facility achieving the intended outcomes which results in, or has the potential to result in: <ul style="list-style-type: none"><li>i. an adverse animal welfare outcome or the loss of animal traceability;</li><li>ii. a failure to identify or acknowledge nonconformities and undertake corrective actions; or</li><li>iii. reputational or liability risk for LGAP or the Program Owner; or</li></ul>
	b) a minor nonconformity for which the Applicant, Certified Operator or Certified Facility has failed to resolve within the prescribed timeframe.
<b>Minor</b>	a) a non-fulfilment of a requirement that does not affect the capability of the Applicant, Certified Operator or Certified Facility to achieve the intended outcomes.

### 13.16D.2 Assigning nonconformities

The framework for determining the severity of nonconformity is provided in the following matrix, which considers the impact and the number of instances:

	Infrequent	Numerous	Systemic
High welfare impact	Major	Major	Critical
Moderate welfare impact	Minor	Minor	Major
High traceability impact	Minor	Major	Critical
Moderate traceability impact	Minor	Major	Critical
Management system/paperwork	Minor	Major	Major

Each nonconformity must be evaluated based on the matrix above to determine the severity taking into account the specific circumstances witnessed by the auditor or as a result of customer feedback or complaints.



The meanings of the impacts and number of instances included in the matrix are provided as follows:

- a) *high welfare impact* - circumstances which cause the animals:
  - i. pain; or
  - ii. distress;
- b) *moderate welfare impact* - circumstances which cause the animals short term discomfort;
- c) *high traceability impact* - circumstances in which:
  - i. animals cannot be traced; or
  - ii. animals are deliberately moved outside of a Certified Operator or Certified Facility to an uncertified Operator or Certified Facility or other site; or
  - iii. if animals escape from a Certified Operator or Certified Facility and the fate of the animals is not known;
- d) *moderate traceability impact* - circumstances in which:
  - i. animals are moved without the knowledge of the Certified Operator or Certified Facility to an uncertified Operator or Certified Facility or other site; or
  - ii. where animals escape from a Certified Operator or Certified Facility and the fate of the animals is known;
- e) *management system/paperwork* - related to management system or paperwork (e.g. records, documented procedures) but excludes system or paperwork related to traceability;
- f) *infrequent* - a small number of occurrences or people:
  - i. for which a procedure is in place to prevent occurrence; or
  - ii. management intervention occurs and corrective action is applied;
- g) *numerous* - more than one person or multiple occurrences (not multiple animals):
  - i. for which a procedure is in place to prevent occurrences; or
  - ii. management intervention occurs but only after multiple occurrences and corrective action is applied;
- h) *systemic* - occurs (may only occur once) but:
  - i. no system is in place to prevent ongoing occurrence, allowing for systemic failure; or
  - ii. no management intervention occurs, or corrective action applied; or
  - iii. there is either:

- no system; or
- the issue is ingrained in the behaviour of personnel or within the system;
- or management believes the behaviour is acceptable and takes no action to resolve or only resolves after identification by the auditor.

NOTE 1 Unacceptable practice should always be raised as a major or critical nonconformity. Unacceptable practices are those identified in LGAP 1001 *Livestock assurance - Requirements for animal welfare and management*, Annex H.

NOTE 2 Except in the case of force majeure, instances of animals being deliberately moved out of a Certified Operator or Certified Facility and into another non-Certified environment (purposeful leakage) should always be raised as a major or critical nonconformity. Force majeure may not necessarily excuse a party's nonconformity with Certification Requirements and may only apply for the period that force majeure is evident.

### 13.17D.3 Timeframes for closing nonconformities

The following timeframes are prescribed for the correction of nonconformities identified during surveillance or recertification evaluation activities or activities related to investigations originating from feedback and complaints:

Sanction Level	Timeframe
Minor	30 days
Major	7 days
Critical	3 days
Suspension	30 days

## Annex E Risk Assessment and Surveillance Frequency

(Normative)

The scope of the Risk Assessment is limited to an assessment of risk factors which may impact a Certified Facility's or Certified Operator's ability to continue to conform with the Certification Requirements and an assessment of the controls a Facility or Operator has in place to minimise or eliminate those risk factors.

Risk Assessments vary depending on the type of Operator or Facility being assessed. The outcome of the Risk Assessment shall be a Risk Rating as defined in Table E1.

Approved Auditors shall undertake a Risk Assessment of Certified Operators and Certified Facilities in accordance methods prescribed by the Program Owner from time-to-time and available in the AniMark CS.

The outcome of the Risk Assessment shall be a Risk Rating for each Certified Operator and Certified Facility, and this in turn will set the frequency for subsequent internal audits and external surveillance activities.

In the case of full certification, the AniMark CS will automatically set due dates in the AniMark CS for internal audit and external surveillance activities in accordance with the stated frequency in Table E1. In the cases of provisional or temporary certification, due dates shall be set at the Approved Certification Body and Program Owners discretion.

The Program Owner reserves the right to set an alternative Risk Rating taking into account the Facility's or Operator's performance in fulfilling the Certification Requirements.

The Program Owner reserves the right to set alternative internal audit and surveillance activity frequencies taking into account the Facility's or Operator's performance in fulfilling the Certification Requirements.

**Table E1: Surveillance frequencies**

	Risk Rating		
	Low risk	Medium risk	High risk
Internal audit	4 monthly	3 monthly	Monthly
Surveillance activities (including on-site audit)	Annual	6 monthly	3 monthly
	Unscheduled (10% of all Certified Operators and Facilities per year)		
	Supply Chain Audits (5% of Exporter Operator Supply Chains per year)		

Operators and Facilities that are selected for unscheduled audits are normally given notice of no more than 24 hours.

## Annex F LGAP Certification Mark

(Normative)

### 13.18F.1 Use of the Mark

A Certified Operator or Certified Facility as defined in the Certification Rules, is an Authorised User of the Certification Mark.

An Authorised User may only use the Certification Mark in accordance with the *Usage Guidelines for the LGAP Certification Mark*.

Other parties may be deemed to be an Authorised User of the Certification Mark, provided they have signed a Licence Agreement with AniMark and procedures have been put in place to ensure that the Certification Mark is only used in conformity with any conditions attached to that Licence Agreement.

An Authorised User may identify the Certification Mark as a certification trademark.

An Authorised User will not use the Certification Mark on any product that comes from an animal or on product packaging for products that may reach end users.

An Authorised User may use the Certification Mark on stationery such as sales and contractual documents, letterheads, business cards, invoices, compliment slips, delivery slips, on advertising such as advertisements, displays, posters, TV advertisements, promotional videos, web sites, brochures, on outdoor advertisements such as billboards and signs, on flags, on vehicles, on larger boxes or on over-packaging not reaching end users, on window stickers, on promotional goods such as pocket diaries, coffee mugs, coasters, doormats.

Where the Certification Mark is used as per the above, the Authorised User shall ensure that the certification status promoted relates to the certified entity and not product certification.

An Authorised User will not use the Certification Mark on test reports or certificates of compliance (such as calibration certificates or certificates of analysis) or reports or certificates relating to components not covered under the scope of LGAP (such as food safety).

An Authorised User may use the Certification Mark on its website, provided that the Certification Mark is used as a hypertext link from its website to the AniMark website.

### 13.19F.2 Discontinuation of use

If an Authorised User:

- a) voluntarily withdraws from LGAP; or
- b) has its certification suspended, or withdrawn; or
- c) fails to maintain certification;

then the Authorised User must immediately stop using the Certification Mark.

### 13.20F.3 Penalties

In case of improper use of the Certification Mark, the Program Owner may suspend or withdraw the certification and the right to use the Certification Mark in accordance with the suspension or withdrawal procedures contained in these Certification Rules.

## Annex G LGAP Scopes of Certification

(Normative)

For each individual site of the Certified Operator or Certified Facility that is covered by LGAP certification the following scope of certification shall be stated:

Certification Scheme	'Livestock Global Assurance Program (LGAP)'	
Certification Standard	'LGAP Standards' or 'LGAP Chain of Custody Standard' (Operators only)	
Certification status	'Certified (Provisional)' or 'Certified (Full)'	
Certified Operator or Certified Facility	'Exporter', 'Importer', 'Feedlot', 'Farm', 'Abattoir'	
Species	For each species and specified supply chain selected, the certification level must be stated	If 'Abattoir' is selected as the Certified Facility then for each species and specified supply chain must state whether stunning or non-stunning is being used
<b>'Cattle'</b>		
'<Name of Specified Supply Chain>' or 'All'	'Level 1', 'Level 2' or 'Level 3'	'Stunning' or 'Non-stunning'
'<Name of Specified Supply Chain>' or 'All'	'Level 1', 'Level 2' or 'Level 3'	'Stunning' or 'Non-stunning'
Add further rows as required	'Level 1' or 'Level 2'	'Stunning' or 'Non-stunning'
<b>'Buffalo'</b>		
'<Name of Specified Supply Chain>' or 'All'	'Level 1', 'Level 2' or 'Level 3'	'Stunning' or 'Non-stunning'
'<Name of Specified Supply Chain>' or 'All'	'Level 1', 'Level 2' or 'Level 3'	'Stunning' or 'Non-stunning'
Add further rows as required	'Level 1' or 'Level 2'	'Stunning' or 'Non-stunning'
<b>'Goats'</b>		
'<Name of Specified Supply Chain>' or 'All'	'Level 1', 'Level 2' or 'Level 3'	'Stunning' or 'Non-stunning'
Add further rows as required	'Level 1' or 'Level 2'	'Stunning' or 'Non-stunning'
<b>'Sheep'</b>		
'<Name of Specified Supply Chain>' or 'All'	'Level 1', 'Level 2' or 'Level 3'	'Stunning' or 'Non-stunning'
'<Name of Specified Supply Chain>' or 'All'	'Level 1', 'Level 2' or 'Level 3'	'Stunning' or 'Non-stunning'
Add further rows as required	'Level 1' or 'Level 2'	'Stunning' or 'Non-stunning'

Under LGAP, the following levels will be allowable within the scope of certification for Certified Facilities:

Factor	Level 1	Level 2	Level 3
Requirements	Refer LGAP Standards		
Multiple Levels of certification on the same site	Allowable with strict segregation and traceability of livestock required – affects risk rating		Allowable for the combination of Level 2 / Level 3 certification only; or Level 3 for all livestock
Equivalence	OIE	ESCAS	
Application	Local Livestock	Australian Livestock	

Under LGAP, the following levels will be allowable within the scope of certification for Certified Operators:

Factor	Level 1	Level 2	Level 3
Downstream Supply Chain	Contains any Level 1 Facilities	Contains Level 2 or Level 3 Facilities Combined	Contains Level 3 Facilities Only

13.20.1

13.20.2 Examples

**Example of Scope of Certification for an Exporter exporting cattle to Indonesia and sheep to Kuwait and Qatar**

Site	XXX Exporters Pty Ltd, Perth, Australia			
Certification scheme	Livestock Global Assurance Program (LGAP)			
Certification standard	LGAP 1002 (version xx, 20xx) and LGAP 1003 (Version xx, 20xx)			
Certification status	Certified (Provisional)			
Certification activity	Exporter			
Species	Cattle	Buffalo	Goats	Sheep
Certification level	1	-	-	2
Specified supply chain	Indonesia			Kuwait Qatar

**Example of Scope of Certification for an Importer in Vietnam importing Australian cattle, and also non-Australian buffalo**

Site	XXX Livestock Importers, Hanoi, Vietnam			
Certification scheme	Livestock Global Assurance Program (LGAP)			
Certification standard	LGAP 1001 (Version xx, xxxx), LGAP 1002 (version xx, xx) and LGAP 1003 (Version xx, 20xx)			
Certification status	Certified (Full)			
Certification activity	Importer			
Species	Cattle	Buffalo	Goats	Sheep
Certification level	2	1	-	-
Specified supply chain	Imported from Australia	Local		

**Example of Scope of Certification for Farm in Malaysia managing goats exported from Australia and local cattle and buffalo**

Site	Fresh Farm, Kuala Lumpur, Malaysia			
Certification scheme	Livestock Global Assurance Program (LGAP)			
Certification standard	LGAP 1001 (Version xx, xx) and LGAP 1002 (version xx, xx)			
Certification status	Certified (Full)			
Certification activity	Farm			
Species	Cattle	Buffalo	Goats	Sheep
Certification level	1	-	2	-
Specified supply chain	Local		Imported from Australia	

**Example of Scope of Certification for an Abattoir slaughtering Australian cattle and Indonesian cattle**

Site	Abattoir Enterprises, Jakarta, Indonesia				
Certification scheme	Livestock Global Assurance Program (LGAP)				
Certification standard	LGAP 1001 (Version xx, xx) and LGAP 1002 (version xx, xx)				
Certification status	Certified (Full)				
Certification activity	Abattoir				
Species	Cattle	Cattle	Buffalo	Goats	Sheep
Certification level	2	1	1	1	-
Specified supply chain	Imported from Australia	Local			