

RMS Complaints and Appeals Process

This document lays out the process for addressing complaints or appeals related to participants that are certified to the Recycled Material Standard (RMS). These instances may arise from the following situations:

- Non-conformities that may come to light outside of the auditing process (e.g., via the media or whistleblowers)
- Violation of Good Practice Principles (GPPs)

Any disputes with audit findings should be addressed directly with the certification body that is responsible for the audit. The RMS Requirements for Certification Bodies stipulate that the certification bodies have a documented process to receive, evaluate and make decisions on complaints and appeals.

1.0 Lodging a Complaint

- 1.1 Any individual or organization may submit a complaint against an organization that is certified to the RMS.
- 1.2 Complaints shall be submitted either electronically through the RMS website contact form or as hard copy by mail.
- 1.3 Complaints must be submitted in English.
- 1.4 Complaints must include the following information:
 - a) The name and contact information of the person submitting the complaint
 - b) The name of the certificate holder and certificate ID number (or label ID) against which the complaint is lodged
 - c) A description of the issue that led to the complaint
 - d) Evidence to support each element of a complaint
 - e) Clarification as to whether the complaint was raised directly with the certificate holder prior to lodging the complaint, along with a response if provided

2.0 Non-conformances to the RMS

2.1 Reporting of non-conformance

If non-conformances are reported through the complaint mechanism, outside of the audit process, GreenBlue may contact the certified company to ask for documentation relating to the reported non-conformance.

2.2 Review of reported non-conformance

If verifying conformance requires review by the certification body, the certified company is responsible for all incurred expenses with the certification body.

2.3 Confirmation of non-conformance

If a non-conformance is confirmed, the process for addressing the non-conformance will follow the same process as a non-conformance found during auditing.

3.0 Violations of Good Practice Principles (GPPs)

3.1 Compliance with GPPs

The RMS Framework requires every certified company to comply with the GPPs. Every certified company will be required to attest to its compliance with the GPPs on an annual basis.

3.2 Assumption of good standing

The certification bodies confirm that each RMS participant has signed the annual GPPs attestation, but the certification bodies do not audit RMS participants' compliance with the GPPs. When a company submits its annual attestation of compliance with the GPPs, the company is assumed to be in good standing with respect to the GPPs.

3.3 Complaint initiation phase

If an accusation of violation of the GPPs is made, either through public disclosure or privately submitted, GreenBlue will contact the certified company. The certified company will have 14 days to respond to the request for information. GreenBlue has 14 days after receipt of materials to determine if the accusation constitutes a violation of the GPPs. If, after that time period, the issue remains unresolved, GreenBlue may initiate the resolution process outlined in Section 4.

4.0 Resolution Process

If violation of the GPPs is reported, a company has the right to dispute the reported violation and work toward resolution.

4.1 The resolution process can be initiated by either a company or GreenBlue and begins with notification to the other party.

4.2 Complaints will be reviewed by GreenBlue staff. Review will include a request for documentation relating to the violation. The company disputing the violation must provide all relevant documentation relating to the dispute within 30 days of the staff request.

4.3 Upon review of the documentation, the Director of the RMS Program will determine if a dispute resolution panel should be formed to adjudicate the issue. If a panel is formed, it will consist of three members representing companies active in the same sector plus one GreenBlue staff member. The industry representatives on the panel shall not be part of the direct supply chain of, or a direct competitor of, the certified company in the resolution process.

4.4 Once the panel is formed, the documentation will be reviewed and an opinion on the violation will be rendered within 7 days of receipt of the documentation.

4.5 If the company raising the dispute disagrees with this opinion, they have 7 days to respond to the opinion.

- 4.6 The panel will consider the response and render a final opinion within 3 business days of the company's response to the opinion offered as part of section 4.5. At this time the ruling from the panel shall be considered final.
- 4.7 Any company involved in the resolution process will have their certificate placed in suspended status as described in section 6.
- 4.8 Upon completion of the resolution process, if the certified company is found to be in violation of the GPPs, GreenBlue may take the following actions:
- a) allow continuation of certification under specified conditions,
 - b) reduce the scope of the certification (e.g., removal of a product group or site),
 - c) continue the suspension of the certification pending completion of corrective actions specified by GreenBlue, or
 - d) revoke the certification pursuant to Section 5 below.
- 4.9 **Burden of Proof**
During the dispute resolution process, it is incumbent upon the company involved in the dispute to provide sufficient evidence that the violation did not occur or has been corrected. If GreenBlue determines the company is not acting in good faith to produce truthful or complete documentation during the process, the Director of the RMS Program maintains the right to terminate the resolution process and take any of the actions set forth in Section 4.8 above. This can occur if the company is not responsive to providing all of the requested information or does not provide the requested information within the required timeframe.

5.0 Revocation of Certification

If a company is found to be in violation of the GPPs at the end of the dispute resolution process and GreenBlue determines that revocation of the company's certification is the appropriate remedy, the company's certification will be revoked and the company will not be eligible to apply for recertification for a minimum period of 2 years following the revocation.

5.1 Use of logos and claims

If a company's certification is revoked, the company must cease all use of the RMS logo and other trademarks and must cease generation of any RMS claims on materials immediately.

5.2 Database listing

A company that has their certification revoked will be identified with a "revoked" status within the RMS database of certified companies.

5.3 Management of Attribute of Recycled Content certificates (ARCs)

Any ARCs owned by the company will not be eligible for trading and will be cancelled within the RMS ARC Registry.

6.0 Suspension of Certification

While a company is involved in the resolution process, their certificate will be placed in a suspended status. Suspension may also be invoked if an audit has not been completed by a specified deadline or if payment has not been received as due. Suspension of certification is disruptive for all parties involved and every effort should be made to avoid or resolve suspensions in a timely manner.

6.1 Use of logos and claims

If a company's certification is in suspended status, the company may not issue any chain of custody claims nor apply any new labels during the suspension period. Material manufactured during a suspension may be deemed eligible for claims once a valid status has been reinstated.

6.2 Database listing

A company that has their certification put under suspension will be identified with a "suspended" status within the RMS database of certified companies.

6.3 Management of ARCs

Any ARCs owned by the company prior to suspension remain eligible for trading. New ARCs may not be issued while under suspension. Material manufactured during a suspension may be deemed eligible to support claims once a valid status has been reinstated.