



# Noncompliance

Noncompliance warnings may be issued by the certifier in the event that violations to the Bee Better Certified™ production standards are identified.

When a violation to the standards is identified, the certifier will provide written notification to the operation. The written notification will include the following:

1. Description of the noncompliance, including identification of the standard reference citation and the facts upon which the noncompliance is based.
2. The corrective action(s) the operation must take to correct the noncompliance.
3. Deadline for a written response to the noncompliance.

Following submission of the operator's corrective action and plans or evidence to address each issue, the certifier will review the corrections and determine acceptability.

## **Levels of Compliance Notices for Certified Operations**

### **1. Minor Issues (reminders)–Conditions for New or Continued Certification**

- a. These types of violations require correction, but do not preclude certification and do not necessitate a formal notice of noncompliance or immediate written response. These minor issues indicate no systematic failure in the design or implementation of the Bee Better Certified conservation plan (i.e., they do not show the inability to comply with the standards). Certification will be granted or continued before correction.
- b. Within these minor issues it will be noted whether correction will need to be taken within 12 months and re-inspected, or if correction will need to be taken through an update or submission of documents (e.g., photos of habitat, completed record forms) within a different time period.
- c. Examples:
  - Issues related to plant die-off in habitat or habitat senescence.
  - Failure to provide records of temporary habitat, including seed invoices and location records.

Bee Better Certified™ works to give bees a healthy place to live.

[beebettercertified.org](http://beebettercertified.org)

- Failure to provide evidence of origin of plant materials.
- Pest and disease scouting and monitoring plans are records are not up to date.

## **2. Noncompliance Issues (NONC)**

- Violations of this type do not indicate a systematic failure of the plan; they represent issues that need to be corrected prior to certification being granted or continued. Violations that are in this category are more significant than minor issues and are serious or complex enough to require an approved corrective action plan.
- Operations will have 30 days to submit their plan to resolve noncompliance issues. Operators who have been issued a NONC will have an inspection the following year (12 months) to verify corrective actions.
- Examples:
  - Failure to provide annual updates and/or an update of the BBCP prior to the re-certification inspection.
  - Failure to provide complete pesticide use records prior to or during inspection.
  - Habitat minimums—including total acreage, native species, floral bloom and cover—are not met.
  - Pesticide risk mitigation standards that pertain to preventing spray within and around pollinator habitats are not met.
  - Evidence justifying pesticide application—including monitoring records and information from trusted sources (e.g., extension agencies)—are not provided.
  - Managed bumble bees standards designed to limit escape from greenhouses are not met.

## **3. Unsanctioned actions**

- Violations of this type indicate a failure of the plan and result in denial or suspension of certification upon discovery. These actions may be deemed willful violations of the standards or are serious enough in their nature that certification cannot continue.
- The operator will receive a written notification of denial or suspension of their certification. This notification will include the facts upon which it is based and provide the operation 30 days to rebut or appeal the notification. If rebuttal or appeal is successful the certification body will determine next steps. If unsuccessful the operation will receive a final letter of notification that their application for certification is denied or their certification is cancelled.
- Examples:
  - Application of banned or limited-use pesticides (e.g., nitroguanidine ne-

onicotinoids, soil fumigants, pesticides categorized as highly or moderately toxic to pollinators by EPA during crop bloom, and pesticides that synergize to increase toxicity).

- Aerial application of insecticides.
- Use of commercial bumble bees in open-field setting.
- Unsanctioned use of Bee Better Certified seal (see Violations section of the Bee Better Certified Branding and Trademark Guidelines for additional information).

## **Suspension of Certification**

Certification may be suspended if ongoing noncompliance issues are not resolved after a 12-month period, or noncompliance issues, including minor noncompliance, continue to reappear over time. Certification can also be suspended if unsanctioned actions are discovered. In the case of the latter, the decision is at discretion of the auditor, but Bee Better Certified may be consulted. Certification may also be suspended in the event of ongoing non-payment of inspection and/or certification fees (notices of payment requests will be supplied to operations). Use of the Bee Better Certified seal during suspension may lead to revocation of the certification, if use was barred as a term of the suspension (up to the certifier).

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