

**National Implementation Guide for GS ARS 1000 — Part 3:  
Requirements for Cocoa Certification Schemes**

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## **Preface**

Conformity to the requirements of ARS 1001 is necessary for instituting and implementing a management system for achieving continuous production of sustainable and traceable cocoa. This system is vital for the acceptance of the cocoa beans the farm produces, both the national and international market, as sustainably produced and to be sold as such. In Ghana as well as within the African Region, the implementation of management systems for a food produce commodity is a relatively new concept especially for primary production companies. With the adoption of these regional standards, ARS 1001:2021 series, by Ghana as the national standards for the implementation of sustainable and traceable cocoa production (STMS) in cocoa farms, these documents are intended to provide guidance on the requirements of the ARS 1001 series of standards and recommendation on how the requirements of the standards should be implemented throughout the local cocoa industry.

## **Acknowledgements**

This document was developed by a Technical Working Group comprising key stakeholders and experts including the Ghana Cocoa Board (COCOBOD), Ghana Standards Authority (GSA), farmers, World Cocoa Foundation (WCF), Fairtrade International and Mondelez Ghana. We acknowledge their time and dedication to the development of this document. Special acknowledgement goes to the management of Ghana COCOBOD for funding the development process.

## **Introduction**

### **1. Cocoa plant, varieties grown in Ghana**

Cocoa, *Theobroma cacao* L, is an essential crop in the provision of raw materials, food, employment, income, poverty reduction [1] and also serves as a support to the multibillion global chocolate industry. Cocoa thrives well in areas with rainfall between 1100mm and 3000mm per annum but for optimum production, preference is given to areas with rainfall between 1500mm-2000mm and a dry season of not more than three months with less than 100mm rain per month. In addition, cocoa requires maximum temperatures ranging between 30-32°C and minimum 18-21°C with relative humidity of 100% at night and about 70-80% during the day. Cocoa is successfully grown in the forested areas of Ghana. Types of cocoa grown in Ghana are the forastero (Eg. Amelonado), criollo, Trinitario and the hybrid.

Forastero cocoa has its origin from high Amazonia (Peru, Ecuador and Colombia) and the Amazon basin (Brazil) and is commonly used for selection of breeding varieties. The criollo which has its origin from Mexico, Nicaragua, Guatemala, Colombia, Venezuela and Indonesia possesses pleasant aroma but is vulnerable to diseases. The trinitario which originated from Trinidad and Venezuela is an intermediate between Forastero and Criollo and also known to be highly susceptible to black pod disease. Hybrid cocoa presents several advantages over other cocoa types. Hybrid cocoa yields more pods per tree; has more than two harvest seasons in a year (compared with "Amelonado"); and has a shorter gestation period of three years as opposed to at least five years for older cocoa varieties. The introduction of the hybrid cocoa in Ghana is one of the numerous agricultural innovations to improve

yield for sustainable cocoa production. The average yield of cocoa in Ghana is about 400 kilograms per hectare which falls below the expected optimal production level.

In Ghana, majority of the farmers operate individually as owners of the farms, with few operating collectively as cooperative or contract farming. Cocoa production serves as a major source of livelihood for most rural dwellers in the ten (10) cocoa growing regions of the country in the provision of income to sustain farm families. The dry cocoa beans produced are sold to COCOBOD through the Licensed Buying Companies (LBC's). Private partners play instrumental role in the cocoa value chain including service provision, input credit and global market accessibility through certification for sustainable cocoa production. In Ghana, the cocoa industry is regulated by Ghana Cocoa Board; the only government institution mandated by law to monitor and control the activities of actors in the cocoa value chain.

## **2. Farming practices and challenges**

The contribution of Africa to the chocolate industry is well emphasized as about 70% of production is generated from the continent. This remarkable contribution had its source from smallholders that strive for daily improvement of livelihoods in their bid for sustainable production.

Ghana became the leading cocoa producer and exporter of dried cocoa beans from 1939 to mid-1960 [3] but currently is the second in the world's cocoa production and export after Cote D'Ivoire. The cocoa sector plays a major role in the development of the economy of Ghana as the sector contributes over 30 percent of the overall foreign earnings and also has the potential of reducing poverty and income insecurity in the country [4, 5]. To improve productivity of cocoa, adherence to good agronomic practices such as pruning, integrated soil fertility and pest management, timely weeding, timely harvesting and proper fermentation is required.

The assessment of global cocoa economy between 2011/2012 and 2022/2023 identified steady decline in cocoa stock [2]. The cocoa sector just like the other sectors has some challenges that if not addressed are likely to militate against the realization of the sectors objectives. Factors that affect cocoa production include low cocoa productivity, declining soil fertility, pests and diseases, unavailability of inputs, high cost of inputs, planting of low yielding varieties, outdated production systems, inefficient marketing systems, poor farm management practices, adverse effects of weather, low adoption of innovations and agronomic practices, technology and knowledge transfer as well as inadequate extension and advisory services.

The production of cocoa is largely dominated by smallholders who operate at very low levels of productivity due to limited resources. In the past, most of the increases in agricultural production were achieved through the expansion of cultivated land and intensive use of labour, rather than the use of improved farming technologies. As agricultural land becomes scarce due to increased population growth coupled with the rise in environmental problems, and the

migration of economically active rural dwellers to the urban areas, the adoption of innovative farm technologies, for instance, hybrid seeds and new farm practices to increase output, has become necessary. Nevertheless, where there is the introduction of new crop varieties, the expectation of increased output has not been fully achieved since adoption remained slow across farmers. Pests and diseases have emerged to threaten cocoa production as well as sustainability to the farmer, environment and industry [6, 7]. Pests and diseases could reduce crop yield from 20 to 86% in West Africa [8].

Another challenge to the sustainability of Ghana's cocoa is agricultural land use conflict between cocoa farming and gold mining. Gold mining has taken precedence over cocoa farming due to the higher and quick returns to gold mining as land use [9]. The competition for agricultural land between cocoa farmers and illegal miners remains a challenge to the cocoa sector as land used for cocoa are converted by illegal miners for mining purposes. The influx of miners in the cocoa growing communities has also resulted in the shift in labour from the agricultural sector to the mining sector leading to high cost of labour which adversely affects cocoa farmers. The pollution of water bodies in farming communities results in difficulty in nursery establishment and spraying of pesticides on farms.

The land tenure in most cocoa growing areas may not favour cocoa farmers as farms are mostly held under tenure arrangements as customary land owner's cocoa farms and tenant cocoa farms. One of the challenges that confronts cocoa production is the low adoption of good agronomic practices on the part of cocoa farmers. Information related to good agronomic practices such as pruning, weeding, integrated pest management, fertilizer application, harvesting and fermentation are propagated by Extension Agents of Cocoa Health and Extension Division. Cocoa farmers are educated and trained in good agronomic practices from land preparation to harvesting and drying which are categorized into training modules for the operational year. This serves as a means to improve Ghana's premium quality cocoa through sustainable production systems.

Child labour being one of the relevant social issues is a major concern to Ghana Cocoa Board as farmers are sensitized through the various extension media platforms.

Ghana Cocoa Board has rolled out productivity enhancement programmes namely: mass pruning, cocoa rehabilitation programme for the control of cocoa swollen shoot virus disease, irrigation, cocoa disease and pest control and fertilizer subsidy. In addition, farmers are also trained in climate smart agriculture to ensure resiliency and adaptation in the face of climate change.

To ensure farmers livelihood enhancement in the cocoa sector, there is the need to strengthen coordination of sustainable livelihood programmes among stakeholders. Developing Africa standards for cocoa would ensure the production of sustainable cocoa through improved farming systems, quality and traceable cocoa. This would complement the efforts of stakeholders in addressing the challenges in the cocoa sector.

### 3. Local cocoa production volumes

YEAR	VOLUME (TONNES)
2016/17	969,510.69
2017/18	904,740.00
2018/19	811,746.50
2019/20	770,694.44
2020/21	1,045,074.38

### 4. Why the need for ARS series?

The ARSO Standard is being implemented to promote the production of sustainable cocoa beans in response to demands from consuming countries for sustainably produced cocoa. The Standards therefore addresses the three pillars of sustainability, namely: economic, social and environmental. The standards therefore address challenges such as: deforestation, climate change, worst forms of child labour, building farmers' capacity to run their farms as businesses to improve their livelihoods and ensuring the traceability and quality of cocoa produced. The Standard is practicalized with a country implementation guide that takes cognizance of traditions, cultures, land tenure systems & laws of the relevant country.

The ARSO series have been developed with the welfare of the cocoa farmer at the Centre, to protect their ownership and access to land for farming, build their capacity as an entrepreneur to access financial options that are available and protect and improve their incomes and livelihoods.

The Standards further recognizes the regulatory power of COCOBOD as a legal entity responsible for the development of the Implementation Guide and approval of Certification bodies to implement the Certification Scheme.

### 5. Development of the ARS series

The ARS 1001 series was developed from the ISO 34101 series which stipulated requirements for the production of sustainable and traceable cocoa at the international level. It was noted however that there were critical issues bordering on the different farming practices for different regions of the world. Since Africa comprises the world's largest cocoa producers, it was necessary to initiate the development of home-grown standards which would address unique issues that face cocoa farmers in Africa. Both series of standards are extensive in addressing various aspects of cocoa farming and trade. Compliance to the standards will be the optimal approach to assuring sustainable quality in cocoa production. The standards outline the controls required to manage risks that may impact on the quality of cocoa beans as well as tools to help the cocoa farmers to improve upon their operations, become more profitable and ensure customer satisfaction.

In 2019, shortly after the publication of ISO 34101 series, the governments of Ghana and Cote d'Ivoire formed a joint presidential technical committee to tease out critical issues for the proper implementation of these standards in the African context. The Ghana Cocoa Board and Conseil du Café-Cacao engaged a consultant to prepare working draft

documents in this regard. They presented a proposal to ARSO Secretariat for the development of regional standards for sustainably produced cocoa and requirements for its equivalent certification scheme.

In January 2020 the process commenced for the development of regional standards for sustainable and traceable cocoa production in Africa. It was agreed by ARSO TMC that all countries within the region involved in cocoa production will be engaged in the work of the Technical Committee. In June 2021, the documents were approved and published by ARSO.

### **Purpose And Scope**

The purpose of this document is for use as a guideline for establishing and implementing a cocoa farming management system that ensures production of sustainable and traceable cocoa beans. It also gives guidance to certification bodies and scheme owners on implementing a certification scheme and auditing the cocoa farm management system to ensure compliance to regulatory and other quality requirements.

### **References**

The following references are the source material used in the development of this implementation guide:

- ARS 1001-1 Sustainable cocoa — Part 1: Requirements for Cocoa Farmer as an Entity/Farmer Group/ Farmer Cooperative — Management systems and Performance
- ARS 1001-2 Sustainable cocoa — Part 2: Requirements for Cocoa Quality and Traceability
- ARS 1001-3 Sustainable cocoa — Part 3: Requirements for Cocoa Certification Scheme

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## Sustainable Cocoa — Part 3: Requirements for Cocoa Certification Schemes

### 1 Scope

This African Standard specifies requirements for the Cocoa Certification Scheme for sustainable cocoa, in relation to cocoa supply chain actors and for the certification of Farmer as an Entity/Farmer Group/Cooperative. It is to be used jointly with ARS 1000-1 and ARS 1000-2.

Only Certification Bodies that fulfil the requirements in this Standard shall audit Farmer as an Entity/Farmer Group/Cooperative, which produce sustainable cocoa beans. Only Farmer as an Entity/Farmer Group/Cooperative that fulfil the requirements in this Standard can make claims of sustainably produced cocoa beans.

### 2 Normative references

The following referenced documents are indispensable for the application of this Standard. For dated references, only the edition cited applies. For undated references, the latest edition of the referenced document (including any amendments) applies.

*ARS 1000-1, Sustainable cocoa — Part 1: Requirements for cocoa farmer as entity, farmer group, cooperative — Management systems and performance*

*ARS 1000-2, Sustainable cocoa — Part 2: Requirements for cocoa quality and traceability*

### ARS 1000-3

### 3 Terms and definitions

For the purpose of this standard the following definitions apply.

#### 3.1

##### **accreditation**

third party attestation (3.3) related to a conformity assessment body (3.14), conveying formal demonstration of its competence, impartiality (3.17) and consistent operation in performing specific conformity assessment (3.13) activities.

(ISO/IEC 17000 -2020, 7.7)

#### 3.2

##### **accreditation body**

authoritative body that performs accreditation (3.1).

Note 1: The authority of an accreditation body can be derived from government, public authorities, contracts, market acceptance or scheme owners.

(ISO/IEC 17000: 2020, 4.7)

#### 3.3

##### **attestation**

issue of a statement, based on a decision (3.15), that fulfilment of specified requirements (3.24) has been demonstrated.

Note 1: The resulting statement, referred to in this document as a "statement of conformity", is intended to convey the assurance that the specified requirements (3.24) have been fulfilled. Such an assurance does not, of itself, provide contractual or other legal guarantees.

Note 2: First-party attestation and third-party attestation are distinguished by the terms declaration, certification (3.5) and accreditation (3.1), but there is no corresponding term applicable to second-party attestation.

**3.4****certificate**

document issued by a certification body (3.6) indicating that a designated object (3.19) has met the certification requirements (3.7).

**3.5****certification**

third-party Certificate (3.4) granted regarding a subject-matter of conformity assessment (3.13), except for accreditation (3.1).

Note : Certification is applicable to all objects of conformity assessment except for conformity assessment bodies themselves, to which accreditation (3.1) is applicable.

(ISO/IEC 17000: 2020, 7.6)

**3.6****certification body**

authoritative body carrying out certification (3.5) activities.

**3.7****certification requirement**

specified requirement (3.24) that is fulfilled by the client (3.9) as a condition of establishing or maintaining certification (3.5).

Note: Certification requirements are obligations imposed on the client by the certification scheme (3.8) and Regulator/Legal Entity (3.22) via the certification agreement to meet the requirements of this Standard.

**3.8****certification scheme**

conformity assessment system related to specified products, processes, services and management systems, to which the same specified requirements (3.24), specific rules and procedures (3.21) apply.

Note 1: The term "conformity assessment system" is defined in ISO/IEC 17000:2004, 2.7.

Note 2: The rules, procedures and management for implementing product, process, service and management system certification are stipulated by the certification scheme.

**3.9****client**

person or entity that could or does receive a product or a service that is intended for or required by this person or entity.

**3.10****cocoa supply chain**

sequence of the stages and operations involved in the movement and processing of cocoa, from farm to the point of exit from the factory door of the manufacturer of the final retail product.

**3.11****cocoa supply chain actor**

person or entity that physically handles, legally takes possession of, or makes claims of sustainably produced cocoa.

**3.12****complaints**

expression of dissatisfaction, other than an appeal, filed by a person or an organisation to a Conformity Assessment Body or to an accreditation body in relation to the activities of this said body, to which a response is expected.

(ISO/IEC 17000: 2020, 6.5)

**3.13****conformity assessment**

demonstration that the requirements are met.

Note 1: The conformity assessment process can lead to a negative result, i.e., by demonstrating that the requirements are not met.

Note 2: Conformity assessment includes activities carried out elsewhere in this document, such as, but not limited to testing, inspection, validation, verification (3.28), certification (3.5) and accreditation (3.1). (ISO/IEC 17000: 2020)

### 3.14

#### **conformity assessment body**

body that performs conformity assessment activities, excluding accreditation (3.1).

### 3.15

#### **decision**

conclusion, based on the results of review, that fulfilment of specified requirements (3.24) has or has not been demonstrated

(ISO/IEC 17000: 2020, 7.2.).

### 3.16

#### **farmer premium**

funds payment to a registered farmer for sustainably produced cocoa in addition to the actual price for equivalent cocoa.

Note 1: Farmer premium is paid in cash or bank transfer or any legal accepted form of payment.

Note 2: Farmer premium is additional money paid by the first buyer of a certified sustainable cocoa product to compensate the farmer for effort made to be in compliance with ARSO Standards.

Note 3: The Recognized Entities also benefit from this farmer premium.

### 3.17

#### **impartiality**

presence of objectivity.

Note 1: Objectivity means that conflicts of interest do not exist, or are resolved so as not to adversely influence subsequent activities of the Certification Body.

Note 2: Other terms that are useful in conveying the element of impartiality include "independence", "freedom from conflict of interests", "freedom from bias", "lack of prejudice", "neutrality", "fairness", "open mindedness", "even-handedness", "detachment", "balance".

### 3.18

#### **non-conformity**

non-compliance with a requirement.

### 3.19

#### **object**

anything that can be perceived or designed. (Example: Product, service, process, person, organization, system, resource).

(ISO 9000: 2015, 3.6.1)

### 3.20

#### **peer assessment**

assessment of a body against specified requirements (3.24) by representatives of other bodies in, or candidates for, an agreement group

Note 1: "Candidates" are included for the situation where a new group is being formed, at which time there would be no bodies in the group.

Note 2: The term "peer assessment" is sometimes referred to as "peer evaluation".

(ISO/IEC 17000: 2020 6.7)

### 3.21

#### **procedure**

specified way to carry out an activity or process.

Note: procedures can be documented or not

(ISO 9000: 2015, 3.4.5.)

### 3.22

#### **regulator/legal entity**

organization responsible for the development and maintenance of a specific Certification Scheme and the approval of Certification Bodies to implement the Certification Scheme.

### 3.23

#### **scope of certification**

identification of:

- the product(s), process(es), service(s), cocoa field(s) or farm(s), or management systems for which the certification is granted;
- the applicable Certification Scheme;
- the standard(s) and other normative document(s), including their date of publication, to which it is judged that the product(s), process(es), service(s) or management systems comply.

### 3.24

#### **specified requirement**

need or expectation that is stated

Note 1: Specified requirements can be stated in normative documents such as regulations, standards and technical specifications.

Note 2: Specified requirements can be detailed or general. (ISO/IEC 17000:2020, 5.1.).

### 3.25

#### **supervisory council**

body established by Government or relevant authority consisting of independent members who represent interested parties.

### 3.26

#### **surveillance audit**

systematic iteration of conformity assessment activities as a basis for maintaining the validity of the statement of conformity.

### 3.27

#### **third-party mark of conformity**

protected mark issued by a body performing third-party conformity assessment (3.13), indicating that an object (3.19) of conformity assessment (3.13) (product, process, person, system or body) is in conformity with specified requirements (3.24).

Note 1: A protected mark is a mark legally protected against unauthorized use.

Note 2: The specified requirements are generally stated in "normative" documents such as International Standards, regional or national standards, regulations and specifications.

### 3.28

#### **verification**

control mechanism or process with objective evidence that demonstrate that specified requirements have been met.

### 3.29

#### **recertification**

third-party certificate granted regarding a new criterion after obtaining Bronze or Silver certificates. Recertification audit takes place every 5 years and each time relates to new criteria.

Note 1: Refer to Annex D.

**3.30****year 1**

twelve (12) months after Registration of the Farmer as an Entity/Farmer Group/Cooperative and within which time all the requirements for the initial audit need to have been complied with.

**ARS 1000-3****4 Regulator/Legal Entity requirements**

**4.1** The Regulator/Legal Entity shall be a legal body such as a government body or any other national structure that coordinates the cocoa sector in the cocoa producing country and develops a Cocoa Certification Scheme in which one or more Certification Bodies participate and in which the various stakeholders are involved.

**Guidance**

The Regulator, The Ghana Cocoa Board (COCOBOD) should setup a unit to coordinate the implementation of ARS 1000 series, including a national cocoa certification scheme in which certification bodies shall participate in as well as define necessary steps certification bodies must take to be licensed.

**Year of Application**

Year 1

**ARS 1000-3**

**4.2** The Regulator/Legal Entity shall be independent of certified clients and cocoa chain actors and shall not influence the certification decision.

**Guidance**

The unit shall be independent, impartial and be responsible for evaluating the performance of certification bodies and make recommendation to the Supervisory Council.

**Year of Application**

Year 1

**ARS 1000-3**

**4.3** The Regulator/Legal Entity shall identify any risks to its impartiality on an ongoing basis. If a risk to impartiality is identified, the Regulator shall be able to demonstrate how it eliminates or minimizes such risk. This shall include those risks that arise from its activities, or from its relationships, or from the relationships of its personnel.

The Top Management of the Regulator/Legal Entity shall have a policy on impartiality and demonstrate their commitment to impartiality.

Note: A relationship that threatens the impartiality of the Regulator/Legal Entity can be based on ownership, governance, management, personnel, shared resources, finances, contracts, marketing (including branding), and payment of a sales commission or other inducement for the referral of new clients, etc.

**Guidance**

The unit should develop a risk management tool and maintain a registry of risk that may affect its integrity in the discharge of its duties. If a risk is identified, the unit should put in place mitigation measures to minimize such risks. Such risk should include those that arise from its activities, relationships or relationships of its personnel.

The unit should communicate the impartiality policy to all stakeholders and should be responsible for monitoring and evaluation of the implementation of the policy.

The unit should ensure periodic review of the policy.

The risk register with the mitigation measures and impartiality policy shall be made publicly available on the Regulator's website.

Complaints regarding the abuse of the impartiality policy should be made to the Regulator in the first instance and may be escalated to the Supervisory Council where the complainant is dissatisfied.

*In cases when complaints are about the relationship between the Unit and COCOBOD, the complaints should be made to the Supervisory Council. The Regulator shall respond within 21 calendar days from the date of receipt of the complaint.*

#### **Year of Application**

Year 1

#### **ARS 1000-3**

**4.4** The Regulator/Legal Entity shall have an independent Supervisory Council appointed by the Government. The composition of the independent Supervisory Council shall be transparent.

#### **Guidance**

Government acting through the ministry with oversight responsibility over cocoa industry should appoint members of the council. There should be fair representation of stakeholder groups in the cocoa sector including farmers, LBCs, Scheme Owners, COCOBOD, Private sector, CSOs, MOFA, MOTI, MOFEP. The head of the Unit will serve as the Secretary of the Supervisory Council. The Chair of the Council should not be from Regulator. Appointment of members of the independent Supervisory Council should be based on merit and competence. Members appointed should not be below the rank of Manager or its equivalent. The responsible ministry should write to the stakeholder groups requesting for one representative on the Supervisory Council.

#### **Year of Application**

Year 1

#### **ARS 1000-3**

**4.5** The Supervisory Council shall not engage in any activities that can conflict with their independence of judgment and integrity in relation to activities of the Regulator/Legal Entity, or have functions that can influence the outcome of certification decisions.

Note: Examples of conflicts are personal involvement in complaints, appeals, finances, contracts, marketing (including branding), payment of a commission, fraud and bribery, etc.

#### **Guidance**

Members of the Council should declare any issues that may compromise their objective judgement as well as sign a conflict of interest declaration form. Signed forms should be kept in the relevant unit of the regulator. The unit will develop a policy that will govern the tenure, TORs, voting protocol, etc. for the SC. This policy will be approved by the responsible Ministry.

#### **Year of Application**

Year 1

#### **ARS 1000-3**

**4.6** The responsibilities of the Supervisory Council shall include the following:

- a) ensuring the impartiality and independence of the scheme, including ensuring the scheme does not allow commercial, financial, political or other pressures to compromise impartiality;
- b) overseeing the risk management policies and processes associated with ensuring impartiality and independence;
- c) approving the operational framework of the scheme;

- d) addressing unresolved complaints and appeals, and the Regulator/Legal Entity's actions for resolving them, including recommending to the Regulator/Legal Entity further actions for resolution;
- e) reviewing and validating annually the activities report from the Regulator/Legal Entity;
- f) conduct an annual review of scheme-related activities and provide feedback to the Regulator/Legal Entity.

**Guidance**

The Unit should develop the TORs of the SC based this clause [4.6]

For representatives coming from the non-government sector, the competence criteria will include a minimum of 5 years' relevant experience.

**Year of Application**

Year 1

**ARS 1000-3**

- 4.7** The Regulator/Legal Entity shall have a sufficient number of competent personnel to effectively perform its activities.

**Guidance****Year of Application**

Year 1

**ARS 1000-3**

- 4.8** The regulator should clearly define the skills required for its staff, in particular those involved in standard setting functions and overseeing certification bodies.

**Guidance**

The Regulator should define as well as provide training for its staff to ensure they have the necessary demonstrable skills and knowledge to perform their roles

**Year of Application**

Year 1

**ARS 1000-3****5 Scheme development and management**

- 5.1** The Regulator/Legal Entity shall be responsible for developing and maintaining its Certification Scheme in accordance with this Standard.

**Guidance**

The Regulator with inputs from stakeholders should be responsible for development of the certification scheme.

The Regulator should also develop the standard operating procedures (SOPs) for auditing the standards and ensure the integrity of the scheme is fully maintained throughout the supply chain.

**Year of Application**

Year 1

**ARS 1000-3**

- 5.2** The Regulator/Legal Entity shall set up a structure for the development, operation and management of the scheme and provide guidance when required.

Note: General Guidance for the development and operation of schemes is given in ISO/IEC 17067.

**Guidance**

The Unit should oversee the development, operationalization and maintenance of the scheme. The structure would clearly indicate who would be responsible for what. The Regulator would take steps to communicate this



structure to stakeholders and provide adequate information about where stakeholders can receive enough information about the scheme. The operationalization of the scheme shall be in accordance with the provisions of ISO/IEC 17067

#### **Year of Application**

Year 1

#### **ARS 1000-3**

**5.3** The Regulator/Legal Entity shall create, control and maintain adequately documented information via an "Implementation Guide" for the operation, maintenance and improvement of the scheme. The documented information shall specify the rules and the operating procedures of the scheme and, in particular, the responsibilities for governance of the scheme

#### **Guidance**

All documented information relating to the operation, maintenance and improvement of the Scheme would be extracted and developed alongside the creation of the Scheme. The required documents should be made available to the Unit / Regulator.

The certification scheme should consist of various relevant components such as rules for CBs, rules for auditing, sanctions, claims, grievance mechanism, etc.

#### **Year of Application**

Year 1

#### **ARS 1000-3**

**5.4** The Regulator/Legal Entity shall evaluate and manage the risks arising from its activities.

#### **Guidance**

The Regulator should develop a risk register to identify possible risks that could hinder the successful implementation of the ARS standards in Ghana. Together with stakeholders, the Regulator would develop mitigation plan to address these risks. The Regulator should take steps to update the risk register periodically and also communicate to the stakeholders on the status of these risks. The Regulator would demonstrate its financial stability through the publication of its audited financial report annually

#### **Year of Application**

Year 1

#### **ARS 1000-3**

**5.5** The Regulator/Legal Entity shall establish requirements for the Certification Bodies involved in the certification process. These requirements shall include accreditation of Certification Bodies to ISO/IEC 17021-1 and ISO/IEC 17065 by an accreditation Body operating in accordance with ISO/IEC 17011.

#### **Guidance**

The Regulator should develop requirements for Certification Bodies for the certification process. The Regulator should ensure that the Certification Bodies are accredited to the right ISO/IEC standards. The Regulator should take steps to ensure all Certification Bodies have a valid accreditation on an annual basis. The Regulator would have a dedicated unit responsible for engaging with CBs and assessing their eligibility to participate in the auditing for certification.

Bodies performing audit who do not have accreditation may be approved by the Regulator to carry out audits to ARS 1000 series and should be required to commit to a roadmap leading to accreditation within a certain time frame. This would be communicated to all stakeholders. The procedure and processes for accreditation and approval would also be communicated to stakeholders.

#### **Year of Application**

Year 1

#### **ARS 1000-3**

**5.6** Prior to the selection of the Certification Bodies, the Regulator/Legal Entity must make the latter aware of the principles, procedures and all parameters that will enter into the audit before the list of Certification Bodies is available.

**Guidance**

The Regulator should contribute to the capacity building of the Certification Bodies on the standards, implementation guide and the procedures needed to successfully audit the ARS standards. All CBs must go through this training at the beginning of the implementation of the standards and could be repeated periodically at an interval agreed between the Certification Bodies and the Regulator. Evidence of these capacity building should be recorded and should be one of the requirements for a CB to be approved. The list of accredited CBs should be communicated to stakeholders periodically.

**Year of Application**

Year 1

**ARS 1000-3**

- 5.7** The Regulator/Legal Entity shall establish criteria for the assessment of Certification Bodies and clients to the scheme. The Regulator/Legal Entity shall specify what the Certification Bodies and clients shall report to the Regulator.

**Guidance**

The Regulator should develop a tool and a Standard Operating Procedure (SOP) for objective assessment of the Certification Bodies on a periodic basis. The assessment process should be done in a transparent manner with the view to improve the system. The outcome of the assessment should be communicated to the CB or client to remedy when non conformities are identified by the Regulator.

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- 5.8** The Regulator/Legal Entity shall have an input in the development of contracts between all parties. The rights, responsibilities and liabilities of the various parties should be defined in the contracts.

**Guidance**

The Regulator should have the opportunity to review and input on the contract between all parties including Certification Bodies and entities indicating the rights, responsibilities and liabilities. The Regulator should be involved in the dispute resolution mechanisms between all parties. Copies of the signed contracts between such parties should be kept by the Regulator. The Regulator should provide contract template or minimum contract content for CBs and clients to use. This template/content should publicly available on the Regulator website. The regulator may only request a copy of the contract between the CB and the entity when necessary. The regulator may set rules to govern the contractual arrangements between any two parties

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- 5.9** The Regulator/Legal Entity shall ensure consistency of audits performed by Certification Bodies. The Regulator/Legal Entity shall define what shall be considered as major nonconformities. The Regulator/Legal Entity shall establish a sanctions policy to be applied by Certification Bodies.

**Guidance**

The Regulator should develop compliance criteria (checklist) for conducting audits. This compliance criteria should clearly indicate which requirements would be considered as a major requirements or minor requirements. The Regulator should as part of its capacity building programme, work with Certification Bodies to train the staff of the CBs on the compliance criteria and its applicability in Ghana. The training should also focus on the local context to allow for proper interpretation.

There should be clear sanction regime in place developed by the Regulator in partnership with the CBs. This would indicate sanctions for recognized entities for not complying with the standards. The sanctions regime would indicate the conditions that will necessitate the lifting of sanctions as well as timelines available for an entity to address the non-conformities leading to the lifting of the sanctions. For example, the Regulator can have regimes such as *Permission to Trade, Cancellation of permission to Trade, Certified, Suspended, Decertified etc.*

The sanction regime should also clearly indicate what a recognized entity can be entitled/lose when under any of the prescribed sanctions and this should be clearly communicated and applied objectively.

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**5.10** The Regulator/Legal Entity shall define procedures on actions to be taken and any sanctions to be imposed if the Certification Bodies fail to meet scheme requirements.

Note: Annex C gives guidance for risk-based control and review of Certification Bodies.

**Guidance**

The Regulator should develop regime and Standard Operating Procedure for sanctions. This should be clearly communicated to CBs and recognized entities. The Regulator should contribute to the capacity building of the CBs and recognized entities on the sanction regime.

The Regulator should remain objective in these processes to maintain the integrity of the system. A System for complaints could be created by the Regulator including a *dedicated desk, email, phone number or WhatsApp* etc. to address such issues. The complaint and appeal system should be in place both for CBs and recognized entities to ensure that complaints are properly dealt with whenever they come up within the chain during the certification process. These systems should be designed to protect any complainant from victimization or intimidation. The system should make it possible for any stakeholder within the supply chain to have enough confidence to report any misconduct of a CB or a recognized entity within the chain.

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**5.11** The Regulator/Legal Entity shall establish and maintain a traceability system in order to monitor and validate sustainable cocoa as specified in ARS 1000-2. The traceability system should allow the Regulator/Legal Entity to control the use of certificates, claims or third-party marks of conformity in accordance with this Standard.

**Guidance**

In Ghana, the Cocoa Management System takes care of the traceability system as provided in the standard. The Regulator will ensure that the traceability system is well communicated and that capacity of stakeholders is adequately built.

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**5.12** The Regulator /Legal Entity shall have a procedure/ legal document for annual negotiations of farmer premiums, cost recovery mechanisms and the right of refusal between:

- a) the first buyer and the Farmer group producing cocoa bean;
- b) the cocoa bean producing farmer group and registered farmers.

The procedure shall provide that the outcome of the negotiations is documented and confirmed by both parties, and that the payments of farmer premiums and cost recovery mechanisms are recorded and verified.

The premium shall be paid in cash or bank transfer or any legally accepted form of payment.

In the development of the above procedures or legal document for negotiation of farmer premiums, cost recovery mechanisms and the right of refusal, the Regulator/Legal Entity shall estimate and consider the costs of implementing ARS series 1000.

**Guidance**

The Regulator should provide technical support to the recognized entity by providing a template to form the basis for negotiation of farmer premium.

The Recognized entity with input from the Regulator shall have a contract between the first buyer and the recognized entity. The contract would indicate a number of clauses including the

- agreed volumes;
- quality specifications;
- price, defined according to the requirements of the pricing section;
- *amount of Premium to be paid (indicated separately from the price)*
- who is responsible for paying the premium and price
- the form of payment, which must be transparent, and traceable;
- the date of the exchange rate to be used in case the payment of the price and the premium is made in a different currency;
- the terms and amount of pre-finance, if applicable;
- procedures in case of quality problems;
- terms of delivery using international commercial terms (Incoterms);
- terms of payment according to ARS product standards;
- definition or mentioning of “Force Majeure”;
- applicable jurisdiction should be Ghana;
- an alternative dispute resolution mechanism to resolve conflicts.
- Both contracting parties have equal contract termination rights.

The Regulator should share cost of implementing ARS including certification fees as well as other cost related to implementation with recognized entities to inform the negotiation of the premium with first buyers. All cost related to certification as indicated in GS ARS 1000 Part 1, Table B.1, except recurring costs or any additional cost that will be associated with implementation.

The system for invoicing should also be clearly indicated. The invoice should indicate the address of the recognized entity and their bank details for receiving the premium from the first buyer.

The Entity with the technical support of the Regulator shall negotiate farmer premiums with first buyers, over and above the base price of cocoa beans, service fees and other related cost. Additionally, the setting of the premium should be done periodically and in consultation with relevant stakeholders to ensure transparency.

Upon receipt of the invoice by the first buyer, premium should be paid into the recognized entities’ bank account through a bank transfer or cash deposit; whichever is practically possible within *15 working days*. *All payments should be made into a bank account. No cash payment should be permitted from the first buyer to the recognized entity to allow for transparent tracking and auditing of the use of funds. In other words:*

- ✓ The entity must have a bank account.
- ✓ Premium payment must be via a bank account.
- ✓ Payment must be within 15 days.

Upon receipt of the premium by the recognized entity, the recognized entity should ensure that premium is expended based on the approved Premium Development Plan by the General Assembly. The leadership of the recognized entity should take steps to ensure that needs of members together with cost recoveries if any are done in accordance with the approved plans of the recognized entity. The leadership of the recognized entity shall communicate and share copies of the approved plans with the regulator.

Cost of cocoa beans, service fees and other related cost will be paid directly to the Regulator.

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**ARS 1000-3**

**5.13** The Regulator/Legal Entity shall make arrangements to protect the confidentiality of information provided by the parties involved in the scheme.

**Guidance**

The Regulator should not disclose any confidential information regarding a recognized entity or a CB to another party without the consent of the party involved, unless otherwise required by law. Furthermore, the Regulator should put in place relevant measures to protect collected data against unintentional, unlawful, or unauthorized access, or theft.

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**5.14** The Regulator/Legal Entity shall define a process for reviewing the operation of the scheme. This review shall identify aspects requiring improvement, taking into account feedback from interested parties, including Farmer as an entity/Farmer Group/Cooperative, hired workers/registered farmers and cocoa supply chain actors. The review should include provisions for ensuring that the scheme requirements are being applied in a consistent manner.

**Guidance**

The Regulator should have a system in place to make it possible to review the implementation of the Scheme periodically to allow for continuous improvement, ensure continuous relevance of the Scheme and also align with changes occurring within the sector. This should be done at least once every two years through stakeholder engagements, such as consultations, interviews, surveys, etc. The process, period/timelines, stakeholders, approaches etc. for the review should be clearly communicated. Results of such engagements may provide inputs to ARSO for the review and/or revision standards.

During the review, consultation with all actors within the supply chain should be well documented and the feedback from this consultation properly analyzed and communicated. The Regulator should at all times work with stakeholders to take a decision on these requirements. Stakeholders together with the Regulator should be convinced that such a review would be beneficial to the existence of the scheme.

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**5.15** The Regulator /Legal Entity shall have a procedure or a defined process for making the necessary changes in the scheme whenever changes in these documents occur, and for managing the implementation of the changes (e.g., transition period) by the Certification Bodies, clients and, where necessary, other interested parties.

**Guidance**

The Regulator should have a system to allow for review of the scheme. The Regulator should clearly communicate when such revised requirements (either new or modified) would be applicable for implementation by a recognized entity. This could be done by clearly indicating the dates (month and year) at which the respective requirement would be applicable for audit. The applicability could also depend on the stage of the recognized entity (bronze, silver or gold). The Regulator during the transition period should contribute to the capacity building of recognized entities, CBs and other interested parties to ensure that parties are on the same page with the Regulator before the due date of implementation of these requirements. The Regulator should always take steps to involve all stakeholders in such a review process to make implementation of such requirement easy. The Regulator should also ensure that it provides adequate timeframe for the implementation of such new or modified requirements to enable recognized entities and CBs to adjust to the new changes.

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**5.16** The Regulator/Legal Entity shall engage in periodic peer review of its scheme in accordance with the principles of ISO/IEC 17040. The result of this peer review of the scheme shall be available to its Supervisory Council and also to the public.

**Guidance**

The peer review should be both in-country and with other countries implementing a similar scheme.

The peer review should be transparent and the outcome made available to the public.

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**5.17** The Regulator /Legal Entity shall describe the specific actions taken or planned to be taken, within a defined timeframe, to remedy any identified nonconformities from the peer assessment and to inform the Supervisory Council.

**Guidance**

The Regulator should clearly communicate actions to be taken to resolve any identified non conformities. Plans or objective evidence of resolved non conformities can be communicated to stakeholders. This would increase the confidence stakeholders have in the scheme as well as ensure continuous improvement. The regulator should establish an SOP for correction and corrective actions.

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**5.18** The Regulator/ Legal Entity shall have the financial stability and resources required to play its role in the operation of the scheme.

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**ARS 1000-3****6 Publicly available information**

The Regulator/Legal Entity shall ensure the following information is maintained and made publicly available in a timely manner, as appropriate:

- a) operational framework and organizational structure of the scheme;
- b) policy on impartiality and the processes associated with ensuring impartiality and independence;
- c) list of Certification Bodies that are approved to audit clients to the scheme requirements;
- d) list of accreditation bodies that have accredited the Certification Bodies mentioned above in (c);
- e) procedure for control, assessment of performance and review of activities of Certification Bodies;
- f) current list of clients, including the issuer and expiry date of their certificates;
- g) list of clients whose certificates have been withdrawn or approved;
- h) policy on premium and cost recovery negotiation(s) and its procedures;
- i) policy on sanctions for noncompliance to this African Standard for sustainable cocoa production;

- j) types of audits performed, including methodology, sampling requirements and frequency of assessment;
- k) list of certification bodies whose accreditations have been withdrawn.

**Guidance**

The regulator should ensure that information in a), c), d), f), g) and k) is published annually on a specially dedicated website for Certification that would be accessible to the public. The information on the website should be kept up to date. Furthermore, as and when the updates of items c), d), f), g) and k) are available, these should be published to facilitate the use of correct, up-to-date information by parties involved. In order to ascertain that the published information is up-to-date, the information on the website should be reviewed and republished and include new revision dates annually, even if the content has not changed. This is to ensure that interested parties have no doubts as to whether they are up-to-date or not.

The regulator should come up with policy document to Govern the implementation of the ARS 1000 series Certification Scheme and this should cover topics such as but not limited to information provided in b), e), h), i) and j)

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**ARS 1000-3****7 Complaints and appeals to Certification Bodies and the Regulator/Legal Entity**

The Regulator/Legal Entity shall define and make publicly available a procedure for the handling of complaints and appeals against a client, a Certification Body or the Regulator itself. At a minimum, the procedure shall provide that:

- a) complaints to be given to the certification body and the copy given to the regulator/Legal Entity for them to be informed of all that is happening.
- b) complaints about contractual obligations between a client and the Certification Body, complaints about a client, and appeals against the decision of a Certification Body shall be addressed to the Certification Body in the first instance and resolved according to the Certification Body's complaints- and appeals-handling processes (see ISO/IEC 17021-1:2015);
- c) complaints about the certification activities of a Certification Body shall be addressed to the Certification Body in the first instance and, in addition, the Certification Body shall provide a copy to the Regulator /Legal Entity upon receiving and resolving the complaint;
- d) complaints and appeals that have not been, or cannot be, resolved by the Certification Body shall be addressed to the Regulator/Legal Entity.
- e) complaints and appeals about nonconformity to the Regulator's policies, procedures and certification requirements, including complaints relating to misleading statements or potential fraud, shall be addressed directly to the Regulator/Legal Entity copy to the Supervisory Council.
- f) complaints and appeals filed by clients, certification bodies or any other stakeholder in the chain against the Regulator/Legal Entity shall be first submitted to the Regulator/Legal Entity itself, with a copy to the Supervisory Council, which shall deal with them if such complaints and appeals by clients have not been or cannot be settled by the Regulator/Legal Entity.
- g) The Regulator/Legal Entity shall facilitate complaints (from clients and the public) regarding the Regulator/Legal Entity's policies, procedures, systems and certification scheme requirements via an open and transparent platform.

<b>7.2</b>	The Regulator/Legal Entity shall investigate and take appropriate action regarding any claims, including reviewing the management of its system and taking any necessary corrective action.
<b>7.3</b>	The Regulator/Legal Entity shall retain documented information of all complaints and appeals, including actions undertaken to resolve them and inform the Supervisory Council at regular intervals.
<b>7.4</b>	The Regulator/Legal Entity shall ensure that the submission, investigation and decision on complaints and appeals shall not result in any discriminatory actions against the complainant or appellant.
<b>7.5</b>	The Regulator/Legal Entity shall provide an annual summary report to the Supervisory Council, to support its role.

**Guidance**

The Regulator should have a system that allows CBs or clients of CBs to feel safe to make complaints without fear of victimization. This may include the use of relevant communication channels such as a suggestion box, call centres/phone call, WhatsApp, email etc.

The Regulator should have a mechanism for receiving complaints including hotlines, focal persons, complaint form, log book, grievance committee, grievance resolution, etc. This mechanism should be communicated to all interested parties. Receipt of complaints should be acknowledged within 14 days and records kept. Complaints should be received by a dedicated staff or team and forwarded to the management of the Regulator for action, where necessary, and treated in confidence.

Feedback should be provided to the complainant within 14 days of the issue being resolved.

The Regulator should take steps to ensure that stakeholders are well informed about the opportunity to make complaints on the operations of the CBs and the Regulator itself. An SOP should be developed by the regulator regarding handling complaints.

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**ARS 1000-3****8 Requirements for Bodies performing audits for certification****8.1 General**

**8.1.1** Bodies performing audits and certification shall fulfill the requirements specified in ISO/IEC 17065. Certification Bodies shall permit clients to make claims of product conformity to the Certification Scheme in conformity to this African Standard.

**Guidance**

The regulator should ensure that bodies performing audit and certification have the requisite accreditation in fulfillment of the specified ISO/IEC. The CB should be able to demonstrate that they have in-house capacity on cocoa agronomy and production systems.

Bodies performing audit who do not have accreditation may be given a provisional approval by the Regulator to carry out audits to ARS 1000 series and should be required to obtain accreditation within a maximum of 2 year. A CB with such provisional approval that fails to obtain the necessary accreditation within 2 years will no longer be eligible to carry out audits under the Scheme. This arrangement should be transparently communicated to all stakeholders. The procedure and processes for accreditation and approval would also be communicated to stakeholders.

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**8.1.2** The Certification Body shall identify risks and provide recommendation to the Farmer as an Entity/Farmer Group/Cooperative on the remedial processes to address the identified risks. The Certification Body shall not provide consultancy services to its clients.



**Guidance**

The CB, beyond the non-conformities identified during an audit, should also share potential risks with the recognized entities at no cost to the recognized entity. The support provided should be documented by recognized entity.

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**8.1.3** The Regulator/Legal Entity shall determine the information needed for the application of certification

In case of a change of Certification Body, the client shall notify the Regulator/Legal Entity. The client shall inform the new Certification Body prior to the certification and audit of its fulfilment of requirement level and status, achievements of conformity with the requirements of this Standard, ARS 1000-1 and ARS 1000-2 within the past certification period. The new Certification Body shall verify this with the Regulator/Legal Entity.

Note: Examples of information to be shared with the new Certification Body are certification reports and internal auditing reports.

**Guidance**

The Regulator should develop a template for interested parties to use to apply for Certification. This template should be easily accessible by all parties, including via the website of the regulator. The Regulator should have an internal register with the list of each recognized entity and their respective CBs. If there is a change of a CB by a recognized entity, the regulator should be notified to update the register. The recognized entity should always share the certification reports and internal auditing reports with the new CB.

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**8.1.4** There shall be a contract between the Certification Body and the Farmer as an Entity/Farmer Group/Cooperative for the provision of certification activities, in reference to 5.7 and in accordance with the relevant requirements of this Standard. This contract shall include the scope of certification, timeframe and fees.

**Guidance**

The contract would be signed by both parties and copies kept by the Regulator. The Regulator may not be automatically involved in the contract dispute. The grievance/complaint mechanism and its escalation process of the CB should be handling contract disputes as well. When it escalates to the Regulator, then the Regulator should be involved.

The Regulator should provide contract template or minimum contract content for CBs and clients to use. This template/content should be publicly available on the Regulator's website.

The CB should indicate in the contract the conditions to guarantee a change of scope.

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**ARS 1000-3**

**8.1.5** The Certification Body shall determine

- a) the time needed for considering application forms from clients for certification of sustainable cocoa;
- b) the time needed to plan and accomplish a complete and effective audit of the client;
- c) information needed from the client before proceeding to audit planning.

The Certification Body shall inform clients accordingly and shall do so in a timely manner once the client has applied for certification.

The client may request the Certification Body to accept a change of scope of the certification (e.g. change in volume, numbers of registered farmers or number of sites). The Certification Body shall, in response to an application for expanding the scope of a certification already granted, undertake a review of the application and determine any audit activities necessary to decide whether or not the extension may be granted. This may be conducted in conjunction with a surveillance audit. A Certification Body can decline an extension if the client does not provide sufficient evidence that the change in scope is justified.

#### Guidance

CBs should make publicly available the application process as well as timelines and required information (and perhaps include these directly in their application templates). The CB may further prompt the applicant on same at the point of submitting the signed contract.

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##### 8.2 Audit cycle for sustainable cocoa

- 8.2.1** The Certification Body shall conduct a certification audit to assess all the requirements specified in ARS 1000-1 and ARS 1000-2, as appropriate.
- 8.2.2** The Certification Body shall conduct surveillance audits after the initial certification audit per Annex D.
- 8.2.3** The Certification Body should conduct audits of certified clients at short notice or unannounced as necessary following the risk-based approach, or to investigate complaints, or in response to changes, or as follow up on suspended clients, if applicable. The unannounced audit should be done within the stages of the audit (between initial certification audit and first surveillance audits, between the first and second surveillance audit and the second surveillance audit and the renewal audit).

#### Guidance

The Regulator, in maintaining the quality and integrity of the scheme may assign CBs to conduct unannounced audits of certified clients.

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**8.2.4** The Certification Body shall identify, in consultation with the Farmer as entity/Farmer Group/Cooperative, whether or not the client has a seasonal production cycle, and shall plan the certification and recertification audit accordingly to take place within four (4) months before the beginning of a harvest period.

#### Guidance

In Ghana, certification and recertification audits should be conducted between June and September each year for the main crop and between February and May for the light crop. Recognized entities and CBs have to therefore plan their schedules to ensure that audits are completed within this time frame.

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**8.2.5** Where the initial certification audit in a seasonal production cycle leads to a positive certification decision, within four months after the beginning of the harvest period, the cocoa harvested since the beginning of this harvest shall be certified.

#### Guidance

For example, if a recognized entity obtains its initial certificate in January or November, the cocoa produced from the previous October or July for main crop season and light crop season respectively, would be considered

certified. Therefore, the Recognized entity should take steps to ensure that records of all the cocoa produced within that period are available and also adheres to the traceability requirements.

The recognized entity should negotiate with the regulator if it wishes for its beans to be held beyond the 30-days holding period of the Regulator in anticipation of a positive certification decision.

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#### **ARS 1000-3**

**8.2.6** Where the initial certification audit in a continuous production cycle leads to a positive certification decision, the cocoa harvested after the date of this decision shall be certified.

**8.2.7** Where the initial certification audit leads to a negative certification decision, the client can request for a re-audit a minimum of six (6) months after the initial certification audit.

#### **Guidance**

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#### **ARS 1000-3**

### **8.3 Audit Procedures**

**8.3.1** The Certification body shall effectively implement a documented procedure for:

- a) predefining the audit sample;
- b) ensure that the physical audit is carried out with minimum sample sizes equal to the square root of the number of Farmers to be certified;
- c) announcing and adjusting the audit sample during the audit;
- d) reporting and recording the actual audit sample after the audit.

**8.3.2** Such a procedure of the Certification Body shall include sample sizes for at least the following:

- a) Farms to be audited;
- b) farmers to be physically visited and/or interviewed without visiting their farms
- c) employees to be interviewed
- d) workers to be interviewed at each site
- e) workers to be interviewed at farm visits
- f) procedures to be reviewed
- g) records to be reviewed
- h) intermediaries/subcontractors/service providers to be verified
- i) internal inspectors to be interviewed and witnessed

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**8.3.3** The Regulator shall review and approve such procedure as deem necessary.

**8.4 Methods to obtain information during audit**

The Certification Bodies shall use various methods for obtaining information during the audit to triangulate audit findings and/or confirm non-conformity, including but not limited to:

- a) check and interview Farmer as an Entity/Farmer Group/Cooperative;
- b) on-site audit, including observation of activities;
- c) checking of facilities;
- d) interviews with registered farmers and their workers within the Farmer as an Entity/Farmer Group/Cooperative;
- e) confirmation of data (e.g. good agricultural practices, working conditions, nonconformities);
- f) reviews of complaints and allegations;
- g) interviews with staff of the Farmer as an Entity/Farmer Group/Cooperative;
- h) performing stakeholder engagement sessions;
- i) performing off-site investigation in high-risk cases;
- j) reviewing of policies, procedures, records pertaining to processes and activities within the certification scope;
- k) auditing subcontractors, service providers and other actors directly linked to the processes and activities within the certification scope, such as intermediaries, transportation services, processing/warehouse services.

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**ARS 1000-3****8.5 Time needed for an audit**

**8.5.1** For Farmer as an Entity/Farmer Group/Cooperative, the following minimum time allowances shall be respected for on-site audit activities, if necessary, more time must be allocated for:

- a) cocoa fields, a minimum of one-sixth of a man-day, excluding time needed to travel between locations;
- b) a management system, one man-day.
- c) one individual interview of employees/workers, the minimum duration is 0.25 hours;
- d) one group interview, the minimum duration is 0.5 hours;
- e) a home visit to a farmer/employee or hired worker, the minimum duration is 0.25 hours.

**8.5.2** Depending on the size, the risks, the complexity of the cocoa fields and/or the management system and/or the risks emerged from interviews and/or house visits, the Certification Body shall allocate additional audit hours accordingly.

**8.5.3** The Certification Body shall record the actual amount of time for each visit and each quality management system audit and for each interview.

Note: Reference may be made to guidelines established in ISO/IEC TS 17023 for determining the duration of management system audit and/or ISO/TS 22003 or any other established management system guideline for audit time determination (such as IAF MD 5:2015, Version 3, Determination of audit time of quality management systems and environmental management systems).

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#### **8.6 Timeframe for resolving nonconformities**

**8.6.1** In cases where nonconformities have been identified during the initial certification audit, certification renewal or surveillance audit, both the Certification Body and the client shall agree on a timeframe, in which the corrections and corrective actions shall be undertaken, with a maximum of three (3) months for initial or renewal audit or six (6) months for surveillance audit from the date of the audit report. Unless the certificate is suspended or withdrawn, the client and its cocoa is considered certified during this timeframe, provided it is not an initial certification audit. The Certification Body shall issue a decision to a Farmer as an Entity/Farmer Group/Cooperative not more than twenty-eight (28) days after the official written notification of corrections and corrective actions of any nonconformities.

### **Guidance**

The regulator will not allow suspended entities to sign trade contracts with new buyers but may sign new contracts with current buyers for no more than 50% of previous or current contracts.

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**8.6.2** If the Farmer as an Entity/ Farmer Group/ Cooperative fails to demonstrate the implementation of the correction or corrective action for any nonconformity within three (3) months from the date of the audit report for the certification or renewal audit, the Certification Body shall not grant a certificate or recertify the Farmer as an Entity/ Farmer Group/ Cooperative. The Certification Body shall issue a decision to the Farmer as an Entity/ Farmer Group/ Cooperative not more than twenty-eight (28) days after the three (3) months from the date of the initial or renewal audit report.

**8.6.3** If the Farmer as an Entity/ Farmer Group/Cooperative does not demonstrate the implementation of corrections and corrective actions of any nonconformity within six (6) months from the date of the audit report, the Certification Body shall withdraw the certificate. The Certification Body shall issue a decision to the Farmer as an Entity/ Farmer Group/ Cooperative not more than twenty- eight (28) days after the six (6) months from the date of the surveillance audit report.

### **Guidance**

The recognized entity should provide the CB with documented evidence of their implementation of corrections and corrective actions of any nonconformity. The CB may verify this upon receipt of the documented evidence or during the next scheduled or unannounced audit.

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**8.6.4** In order to become recertified, the client shall receive a new certification audit. Certification can be restored six (6) months or more after the surveillance audit that led to the withdrawal of the certificate.

**Guidance**

Recognized entities that lose their certification would have to wait for six (6) months before requesting for re-certification with their current CB or a new one.

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**8.6.5** Prior to the selection of the Certification Bodies, the Regulator/Legal Entity shall make the Certification Bodies aware of the principles, procedures and all the parameters that will be included in the audit before any list of Certification Bodies is made available.

**Guidance**

See Guidance to clause 5.6

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**8.6.6** Guidelines for the audit shall therefore be signed and countersigned between the Regulator/Legal Entity and Certification Bodies.

**8.6.7** Before refusing to grant certificate to a Farmer as an Entity/ Farmer Group Cooperative, the Certification Body shall engage the Regulator/Legal Entity to evaluate the circumstances leading to the refusal for possible remedy.

**Guidance**

Recognized entities may share a copy of their audit reports with the Regulator in seeking support for possible remedy.

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**ARS 1000-3****8.7 Expiration of a certificate**

When a client's certification expires, the Certification Body shall inform the clients that they cannot, from the expiration date of the certificate, claim that their cocoa is certified to the scheme specified in this Standard.

Note: The Farmer as an Entity/ Farmer Group/Cooperative should take the necessary steps to ensure the renewal of certificates four (4) months before the expiration of the certificate.

**8.8 Re-obtaining a certificate**

In cases where a client has re-obtained certification, the Certification Body shall not allow claims that the cocoa produced under the expired certificate is certified to the scheme specified in this Standard.

**8.9 Requirements for competence of auditors**

**8.9.1** In addition to the requirements specified in ISO/IEC 17021-1, the Certification Body shall ensure that auditors' competences include, at least:

- a) knowledge of agronomy and skills to identify the adoption of good agricultural and environmental practices;
- b) knowledge to determine whether a client has identified and evaluated its compliance with all applicable statutory and regulatory requirements, and its conformity with other specified requirements within the specific aspect to be audited.

- c) knowledge of social topics that are applicable in the standard as well as relevant practices in the local context;

**8.9.2** The auditors shall demonstrate a high level of auditing skills and practices with rich auditing experience. The auditor shall have training and auditing experience of at least:

- a) 10 audits or 40 relevant days auditing good agriculture practices/standard as an auditor;
- b) 10 audits or 40 relevant days auditing social topics/standard as an auditor or auditor in training in a recognized program, e.g. SA 8000 Certifications;
- c) 10 audits or 40 relevant days auditing environmental topics/standard as an auditor or auditor in training in a recognized program;

The auditor shall have passed a lead auditor training (IRCA-certified or equivalent of 40 hours) for one of the following programs: ISO 9001; and may have training in ISO 14001; ISO 22000, ISO 19011.

Note 1: Legal and regulatory requirements can be expressed by the term legal requirements.

Note 2: Other requirements may include national, international and sectoral voluntary protocols for environmental reporting.

- d) Personnel involved in competence evaluation shall have, as a minimum, equivalent competence to the functions being evaluated.

#### **Guidance**

A certification body that has granted a certificate should notify the certified entity of an upcoming expiry of its certification

#### **Year of Application**

Year 1

### **ARS 1000-3**

## **9 Claims**

### **9.1 General requirements**

- a) Claims or third-party marks of conformity for sustainable cocoa conforming to the ARS 1000 series are optional.
- b) If the Regulator/Legal Entity allows claims or third-party marks of conformity, these shall be claims or marks of product conformity (i.e. claims or marks of sustainable cocoa), and the Regulator/Legal Entity shall control the use of claims or third-party marks of conformity.
- c) The Regulator/Legal Entity shall define a policy and procedure(s) related to misleading use of certificates, marks or claims, and for situations in which the cocoa no longer fulfils requirements.
- d) The Regulator/Legal Entity shall establish rules for the use of claims or third-party marks of conformity. These rules shall meet the requirements and conditions of this standard and shall be made publicly available.

#### **Guidance**

In Ghana, the Regulator allows for claims and the use of third-party marks of conformity. The Regulator should in consultation with the ARSO develop/design a mark to indicate conformity to ARS 1000 series. This mark may be used on cocoa conforming to ARS 1000 or together with other third-party marks of conformity.

The Regulator should come up with policy, procedures and rules governing claims and third party marks of conformity.

The Regulator should approve all marks used for sustainably produced cocoa.

**Year of Application**

Year 1

**ARS 1000-3**

**10 Third-party mark of conformity**

The Regulator/Legal Entity shall ensure that the application of third-party marks of conformity is in accordance with the requirements specified in ISO/IEC 17030.

**Guidance**

The Regulator should register the mark of conformity to ARS 1000 series with the Registrar General's Department as a trademark. Any Recognized Entity that uses the mark should have received written approval from the Regulator.

The use of any additional third-party marks of conformity should also be approved by the Regulator and should conform to ISO 17030.

**Year of Application**

Year 1

**ARS 1000-3**

**11 Licensing and control**

**11.1** Where the scheme provides for the use of certificates, third-party marks of conformity or other statements of conformity, the scheme shall control such use through a licence or other form of enforceable agreement with clients. Licences may be between two or more of the following:

- a) Regulator/Legal Entity;
- b) Certification Body;
- c) client of the Certification Body.

**11.2** Licences shall include provisions to ensure that statements of conformity are in accordance with the requirements specified in Clause 9.

**11.3** Licences shall include provisions related to the use of the certificate, third-party mark of conformity or other statement of conformity in communications about the certified product, and certification shall remain valid at all stages of the processes.

**Guidance**

The regulator/unit should develop guidelines on the acquisition and use of the mark of conformity specifying the validity period, how it could be acquired, on what products/objects it could be displayed, etc.

**Year of Application**

Year 1



**Annex A**  
(normative)

**Check list for different stages of certification audit**

**Part 1: Requirements for Cocoa Farmer as Entity/Farmer Group/Cooperative Management Systems and Performance**

Clause	Registration of the Farmer as an Entity/Farmer Group/Cooperative	Bronze Level: Initial Certification Audit (12 Months After Registration of the Farmer as an Entity/Farmer Group/Cooperative)	Silver Level: Initial Certification or Recertification Audit (5 years after Bronze certification level)	Gold Level Initial Certification or Recertification Audit (5 years after Silver certification level).	Gold Level Recertification Audit (5 Years after certification to Gold level)
4.1		X	X	X	X
4.2.1	X	X	X	X	X
4.2.2		X	X	X	X
5.1			X	X	X
5.2			X	X	X
5.3			X	X	X
6.1			X	X	X
6.2			X	X	X
7.1.1			X	X	X
7.1.2	X	X	X	X	X
7.2		X	X	X	X
7.3		X	X	X	X
7.4		X	X	X	X
8			X	X	X
8.2.1		X	X	X	
9.1			X	X	X
9.2		X	X	X	X
9.3			X	X	X
10			X	X	X
11.2				X	X
11.3.1 - 11.3.10		X	X	X	X
11.3.11			X	X	X
12.2 – 12.3, 12.5 – 12.6		X	X	X	X
12.4, 12.7			X	X	X
12.8 - 12.9				X	X
12.10		X	X	X	X
13.2				X	X
13.3 (a, b, c)		X	X	X	X
13.3 (d, e)				X	X
13.4				X	X
13.5			X	X	X
13.6			X	X	X

## Part 2: Requirements for Cocoa Quality and Traceability

Clause	Bronze Level: Initial Certification Audit (12 Months After Registration of the Farmer as an Entity/Farmer Group/Cooperative)	2nd initial certification audit or recertification audit: Silver level (5 years after the Bronze level certification audit)	3rd initial certification audit or recertification audit: Gold level (5 years after the Silver level certification audit)	Renewal audit (Every 5 years after the Gold Level certification audit)
4	X	X	X	X
5	X	X	X	X
6	X	X	X	X
7	X	X	X	X
8	X	X	X	X
9	X	X	X	X
10	X	X	X	X
12	X	X	X	X
13.1	X	X	X	X
13.2		X	X	X
13.3	X	X	X	X
14	X	X	X	X
15		X	X	X
16		X	X	X
17		X	X	X

**Annex B**  
(informative)

**Sample of risks to be assessed**

**B.1 Standards-related risks**

- a) Poorly written and vague standards leading to varying interpretations.
- b) Intent of standards unclear or missing.
- c) Frequent changes to standards, interpretive guidance or assessment methodologies.
- d) Lack of leadership by the Regulator/Legal Entity on the need for standards clarification.

**B.2 Assessment process-related risks**

- a) Lack of client understanding or incentive to conform.
- b) Lack of personnel competence (skills, knowledge or attributes).
- c) Audit staff over-familiar with clients, leading to lack of impartiality.
- d) Inadequate calibration between auditors (leading to inconsistent audit results).
- e) Lack of local or relevant auditor capacity (insufficient auditors trained and fluent in the local language in a region).
- f) Inconsistent audit planning and lack of coordination.
- g) Inadequacy of sampling methodology.
- h) Lack of knowledge of cultural attitudes to conformity assessment.

**B.3 System-related risks**

- a) Price competition among Certification Bodies may result in reduced quality of conformity assessment.
- b) Clients moving between Certification Bodies in a quest for a more lenient assessment.
- c) Potential for corruption (auditors, clients, assurance provider).
- d) Lack of adequate safeguards to prevent positive or negative bias by auditors.
- e) Difficulty engaging interested parties where their input is necessary to the conformity assessment process (lack of interest, lack of resources).
- f) Misleading representation of products and services (claims and labelling issues).
- g) Inadequate complaints system.
- h) Inadequate surveillance system.
- i) Lack of follow-up of nonconformities.

**Annex C**  
(informative)

**Risk-based control and review of Certification Bodies**

**C.1** The Regulator/Legal Entity that prescribes a risk-based approach to determine the frequency and intensity of oversight of Certification Bodies should develop a separate procedure that characterizes the risk factors and categories appropriate to oversight and that contains the same elements as described in audit frequency and intensity.

Risk factors to consider when developing a sampling protocol include:

- a) the history of the Certification Body within the Certification Scheme;
- b) the growth rate of Certification Bodies;
- c) the history of low-quality audits in evaluations by Certification Bodies (e.g. where nonconformities have been raised previously about the quality of Certification Bodies' audits);
- d) complaints.

**C.2** The Regulator/Legal Entity should ensure that the oversight audit process includes a review of the performance of Certification Bodies and auditors in the field.

**C.3** The Regulator/Legal Entity should ensure that the Certification Body oversight personnel meets at least the requirements for the Certification Body auditors and shall be independent and impartial in all the Certification Body oversight activities.

**C.4.** The Regulator/Legal Entity should ensure that its Certification Body oversight system follows and respects the applicable requirements in the ISO 17011.

**Annex D**  
(normative)

## Audit Cycle – Guidance for Farmer as Entity/Farmer Group/Cooperative and Certification Bodies

### D.1 Types of Audit

Types of audit	Calendar and frequency
1. Bronze Level: Initial Certification Audit	12 Months After Registration of the Farmer as an Entity/Farmer Group/Cooperative.  After Farmer registration and before the initial certification audit, twelve (12) months the farmer as entity/farmer group/cooperative shall make a diagnosis of the farm necessary to establish the CFDPs for all registered farmers.
2. Bronze Level Surveillance Audit (Risk- based audit)	2.5 years after the Bronze Level Initial Certification Audit.  Farmer Group/Cooperative shall have established a minimum of 20 % CFDP for the registered farmers.
3. Silver Level: Initial or Recertification Audit	Farmer as Entity/Farmer Group/Cooperative may choose to be initially certified to this Silver Level or do so Five (5) years after the Bronze Level Initial Certification Audit.  Farmer Group/Cooperative shall have established a minimum of 60 % CFDP for the registered farmers.
4. Silver Level Surveillance Audit (Risk- based audit)	2.5 years after the Silver Level Initial or Recertification Audit.  Farmer Group/Cooperative shall have established a minimum of 80 % CFDP for the registered farmers.
5. Gold Level: Initial or Recertification Audit	Farmer as Entity/Farmer Group/Cooperative may choose to be initially certified to this Gold Level or do so Five (5) years after the Silver Level Initial or Recertification Audit  The Farmer Group/Cooperative shall have established 100% CFDPs for the registered farmers.
6. Gold Level Surveillance Audit (Risk- based audit)	2.5 years after the Gold Level Initial or Recertification Audit
7. Renewal Audit	Every five (5) years after the Gold Level Initial or Recertification Audit. CFDP shall be maintained fully at 100% implementation in all subsequent renewal audits every five (5) years and surveillance audits two and a half years after every renewal audit.

### D.2 Certification is carried out by an Entity which can be:

- a) A Farmer as an Entity;
- b) A Farmer Group;
- c) A Farmer Cooperative.

**D.3** Progressive levels of certification shall be awarded based on compliance with the requirements of the sustainability African Standards **ARS 1000-1** and **ARS 1000-2**. Three (03) levels of certification are established for the Farmer as entity/Farmer Group/Cooperative.

- a) Bronze level: Initial level corresponding to the satisfaction of twelve (12) requirements, i.e., 38% of the requirements of ARS 1000-1 and eleven (11) requirements, i.e., 78% of the requirements of ARS 1000-2.
- b) Silver Level: Intermediate level, corresponding to the satisfaction of twenty-nine (29) requirements, i.e., 90% of the requirements of ARS 1000-1, and eleven (11), i.e., 100% of the requirements of the ARS 1000-2 standard.
- c) Gold Level: Highest level, all requirements of ARS 1000-1 and ARS 1000-2 are met by the Farmer as Entity/Farmer Group/Cooperative.

**D.4** The audit criteria are the requirements of ARS 1000-1 and 1000-2 that the Farmer as Entity/Farmer Group/Cooperative shall carry out. In its organization and its farms.

**D.5** The ARS 1000 standards are sustainability standards that aim to enable the Farmer as Entity/Farmer Group/Cooperative to achieve the highest level of sustainability. No Farmer as Entity/Farmer Group/Cooperative can claim to remain at the initial (Bronze) or intermediate (Silver) levels.

**D.5.1** the Farmer as Entity/Farmer Group/Cooperative may apply for an intermediate (Silver) or high (Gold) level certification audit at the first certification audit.

**D.5.2** To apply for certification audit, the Farmer as Entity/Farmer Group/Cooperative does not have to wait for the maximum period of time. This can be performed at any time.

**D.5.3** New farmers entering the Farmer Groups/Cooperatives after the initial certification audit to the Bronze Level shall develop the CFDP, shall have implemented a minimum of 20% CFDP and shall be audited for the CFDP during Bronze Level surveillance audit.

**D.5.4** New farmers entering the Farmer Groups/Cooperatives after the initial or re-certification audit to the Silver and Gold Levels shall develop the CFDP, shall have implemented a minimum of 20% CFDP but shall not be audited for 100% CFDP during the surveillance audit.

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#### Glossary

1. The Unit...
2. Confidential information...