

GLOBALG.A.P. Risk Assessment on Social Practice (GRASP)

Rules for the Development of GRASP National Interpretation Guidelines

ENGLISH VERSION 2

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1 GENERAL CONCEPT

The purpose of this document is to define responsibilities for the development and regular updating of the GRASP national interpretation guidelines (GRASP NIGs) and make the procedure transparent.

The GRASP NIGs provide guidance to producers and assessors on the implementation of the GRASP principles and criteria (P&Cs) based on the respective legal framework of the country and, in certain cases, regions. In countries where a GRASP NIG exists, the NIG is a normative document and shall be used by producers and certification bodies (CBs).

The GRASP NIG shall be seen as supplementary information to the P&Cs and the GRASP general rules, but it shall not be understood as a modification of the contents of those documents and, when in doubt, the GRASP NIG shall protect the objectives and integrity of GRASP.

2 APPLICATION OF GRASP

2.1 In countries with GRASP NIGs

- a) GRASP NIGs are normative documents.
- b) GRASP can be used in any country where a GLOBALG.A.P. primary production or equivalent benchmarked scheme/AMC certificate can be issued, without the need for a GRASP NIG.
- c) Where a GRASP NIG exists, CBs shall use it to apply the rule that provides more protection to the workers. If GRASP P&Cs provide more protection, then they override local law, and if local law provides more protection, it overrides the GRASP P&Cs.
- d) Assessors shall assess producers against the GRASP P&Cs taking into account the legislation in the country that is relevant to the respective P&Cs. The country's GRASP NIG *does not replace* the original P&Cs and does not release the respective assessor from their obligation to assess producers against the applicable/relevant legislation, but it may provide supplementary guidance on the respective legal framework. The GRASP NIG shall be seen as supplementary information to the GRASP P&Cs and the GRASP general rules, but it shall not be understood as a modification of the contents of those documents.
- e) The GLOBALG.A.P. Secretariat reserves the right to change, update, neglect, or withdraw the NIG or any part of it, at any time, if it jeopardizes the integrity of the GRASP add-on.

2.2 In countries without GRASP NIGs

The GRASP general rules include an additional registration requirement for CB auditors using GRASP in countries without GRASP NIGs. This requirement shall be evaluated by the GLOBALG.A.P. Secretariat and followed by the CBs.

3 DEVELOPING A GRASP NIG

GRASP NIGs may also be developed by a national technical working group (NTWG) or other GLOBALG.A.P. stakeholders if they are not subject to the GRASP assessments. This is to ensure transparency, its proper implementation (and/or adaptation if necessary), and the correct interpretation of the respective national labor laws and regulations.

Where NIGs are being developed:

- a) A group of identified knowledgeable persons (e.g., NTWG, a GLOBALG.A.P. Community Member, approved CB and/or labor law expert) can become active and take ownership of the GRASP NIGs. This shall be notified in advance to the GLOBALG.A.P. Secretariat.
- b) If a group of organizations or persons is involved, the draft GRASP NIGs shall be discussed and accepted by a group of interested and knowledgeable local stakeholders before being submitted to the GLOBALG.A.P. Secretariat. This is not required if a CB with experience in the country takes ownership of the process.
- c) Once a draft GRASP NIG is accepted by the GLOBALG.A.P. Secretariat, there will be a peer consultation among the CBs registered for GRASP in the respective country, local stakeholder consultation, where available, and other existing local structures such as the GLOBALG.A.P. NTWGs will be invited to submit feedback.

4 PARTICIPATION OF NTWGS

In countries where a GLOBALG.A.P. NTWG has been established, this NTWG will be invited to submit feedback on the draft, if they are not leading the development process. If the NTWG is leading the development process, the GLOBALG.A.P. Secretariat will extend consultation on the draft GRASP NIG to the local CBs.

In countries where there is no GLOBALG.A.P. NTWG, or where the NTWG does not plan to develop the GRASP NIGs, responsibility for the development and regular updating of the GRASP NIGs must be borne by a GLOBALG.A.P. finally approved CB.

5 DEVELOPMENT AND APPROVAL OF GRASP NIGS

The GRASP NIGs shall be reviewed at least every four years by the GLOBALG.A.P. NTWGs or by the group responsible for the GRASP NIG development process, or earlier if there are important changes to the respective labor laws.

5.1 Informing the GLOBALG.A.P. Secretariat

The GLOBALG.A.P. Secretariat shall be informed about the plan to develop GRASP NIGs via email to: graspnig@globalgap.org. The latest GRASP NIG templates can be downloaded from the GLOBALG.A.P. website.

5.2 Preparation of the draft version of the GRASP NIGs

A CB or an NTWG shall draft a first version of the GRASP NIG, providing local interpretations (local laws or regulations that may apply) of applicable GRASP P&Cs, where necessary.

These interpretations shall *not* give examples for implementation, but rather *compile and reference applicable regulations* or collective bargaining agreements.

If several regulations apply, the rule that provides *more protection to the workers* shall be used.

The GRASP NIG cannot satisfy compliance with P&Cs (through a local law) without CB auditor verification.

The inclusion of a topic in the GRASP NIG does not allow and shall not be understood as a modification or change of the GRASP P&Cs or the GRASP general rules.

5.3 Stakeholder consultation

The draft GRASP NIG may be presented to and discussed by a representative group of local stakeholders indicated by the GLOBALG.A.P. Secretariat.

The stakeholders may include representatives of the following interest groups:

- NTWGs
- CBs
- Technical committees
- Other stakeholders that the GLOBALG.A.P. Secretariat considers to be relevant

5.4 Submission and review of GRASP NIGs

The GLOBALG.A.P. Secretariat recommends contacting the NTWG of the relevant country regarding consultations on possible ongoing GRASP NIG developments.

The draft GRASP NIGs shall be forwarded to the GLOBALG.A.P. Secretariat at: graspnig@globalgap.org. The GLOBALG.A.P. Secretariat reviews the draft GRASP NIG to prevent unacceptable deviations from the P&Cs. However, the GLOBALG.A.P. Secretariat is not responsible for the contents of the GRASP NIGs, their accuracy, completeness, and currency with other regulations or applicable documents during its lifetime.

The GRASP NIG shall be submitted in English first. After finalization, the GRASP NIG shall also be translated into the local language by the GRASP NIG creator.

The GLOBALG.A.P. Secretariat shall send their comments on the GRASP NIG to the GRASP NIG creator and await the final draft. Once all the comments have been resolved, the final draft of the GRASP NIG document shall be sent to the relevant stakeholders for peer review.

5.5 Peer review and publication of the GRASP NIGs

The developed GRASP NIGs shall be sent to the relevant GRASP stakeholders identified by the GLOBALG.A.P. Secretariat for peer review. (Examples of stakeholders may include: the GRASP Technical Committee, the NTWGs in the country, all registered GRASP observers, and CBs registered in the GLOBALG.A.P. IT systems).

After the consultation period of three weeks, the GLOBALG.A.P. Secretariat shall review the comments and consult on all the comments received to the developing stakeholder group/responsible person. The inclusion or exclusion of comments will be decided in a consultation process between the GLOBALG.A.P. Secretariat and the GRASP NIG creator.

After all the corrections/modifications in the document have been completed, the GLOBALG.A.P. Secretariat shall finalize and publish the GRASP NIG on the GLOBALG.A.P. website in the languages in which it has been provided. All Community Members and CBs in the respective country are then informed that the GRASP P&Cs can be assessed using the GRASP NIG in the country from then on.

5.6 Validity of the document and updates

GRASP NIGs have a maximum validity of *four years*. They must be reviewed by a stakeholder who is not subject to a GRASP assessment at least every four years, or earlier if there are important changes to the respective labor laws.

For the revision of the GRASP NIGs it must be ensured that local stakeholders and the GLOBALG.A.P. Secretariat have been informed and involved. If GRASP NIGs are found to challenge the global integrity of the standard, the GLOBALG.A.P. Secretariat reserves the right to withdraw or revise the GRASP NIGs in consultation with the developing stakeholder group.