GAFTA TRADE ASSURANCE SCHEME

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Supervision, Sampling and Weighing

Scheme Year 2012

Gafta Promoting international trade

Code of Practice for Supervision, Sampling and Weighing

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GTAS Supervision, Sampling and Weighing Manual.
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Contents

	Page No.
• Introduction	2
• Scope	2
• Definitions	2
• Loading and Discharge	2
• HACCP	2
• Supervision	2
• Contractual Provisions	2
• Sampling and Weighing Rules	3
• Gafta Register of Superintendents	3
• GTAS Certified Superintendents - Complaints Procedure	3
• Complaints Procedure	3
• Other Relevant Documents	3

Superintendents Code:

• Introduction	5
• Superintendents' Operations	5
• Compliance with Rules	5
• Sampling	5
• Quality and Condition	5
• Cleanliness Inspection	5
• Weighing	5
• Fumigation/Disinfestation/De-naturing	6
• Phytosanitary/Veterinary/Radioactivity/Health Certificates	6
• Contracting out	6
• Risk Assessment	6
• Instructions	6
• Administration and Records	6
• Health and Safety Regulations for Employees	7
• Security of Samples	7
• Training	7
• Responsibility	8
• Code of Conduct	8
• Professional Indemnity Insurance	8
• Complaints Procedure	8
• Records	9

A.	**Introduction** Where goods are traded, stored, handled and transported there is a normally a contractual requirement to establish the quality and condition of goods and to monitor and independently oversee loading and discharging operations. The role of cargo superintendents is to observe and report the facts, to undertake inspections, to draw samples and to arrange analysis and finally to issue written reports and certificates. Thus cargo superintendents and surveyors have a vital role to play in establishing contractual compliance and the delivery of safe food and feed.
B.	**Scope** This manual provides the best practice guidance for the supervising, sampling and weighing of goods. It is of paramount importance that the quality and integrity of any goods covered by this scheme will be maintained throughout; from where they are grown and/or produced, until delivery to final destination.
C.	**Definitions** "Definitions" relating to this Manual are set out in the Scheme Overview or are available separately in Part 3 of the scheme documentation.
D.	**Loading and Discharge** Loading and discharge operations can take place at port installations, primary processing plants, storage facilities, and elevators (including floating elevators, tank terminals and ship to ship transfers). The operators of these facilities will be responsible for the movement of the goods in terms of maintaining their quality and integrity during either the loading or discharge operation. In addition the responsibility of ascertaining the weight of goods will be within their remit. (See Gafta Weighing Rules No.123). The key controls necessary for the load/discharge operators are: - 1. All goods loaded or discharged must be via a secure route and method. 2. Where weight is to be determined the goods must pass through the weighing equipment in a secure route. 3. Records must be maintained on the cleaning of handling and weighing equipment. 4. Records must be maintained on the checks/calibration of the weighing equipment. 5. All sweepings and or spillage must be uplifted and accounted for either by weighing or by mutual agreement between the contracting parties or their representatives. 6. All local and national health and safety legislation must be observed. 7. Special attention, when instructed by the owner of the goods, should be given to the handling of organic and genetically modified materials.
E.	**Hazard Analysis and Critical Control Points (HACCP) – [R]** The application of a HACCP approach is central to the Gafta Trade Assurance Scheme with the aim of minimising losses, damage and contaminant risks.
F.	**Supervision** Detailed provisions and requirements are made on the appointment of independent superintendents. Where goods are traded on Gafta contracts, traders are required by the contract to appoint superintendents from the Gafta Register of Approved Superintendents who comply with the Gafta Rules and Code of Conduct for Superintendent and Surveying Companies and are members of the Association. Where other types of contract are involved, traders are required to appoint superintendents from either the list of GTAS Certified Superintendents who comply with the GTAS Code of Practice for Superintendents or from the Register of Gafta Approved Superintendents. The GTAS Code of Practice is a summary of the minimum requirements to be adopted by Superintendents, when appointed by, or on behalf of Buyers and Sellers.
G.	**Contractual Provisions**
G.1	**Sampling and Analysis** Where parties have agreed to trade on Gafta contracts, the requirements for supervision and sampling at ports of loading and discharge are contained within the standard Gafta Sampling and Analysis clause, which reads: For ports of loading: "SAMPLING, ANALYSIS AND CERTIFICATES OF ANALYSIS- the terms and conditions of Gafta Sampling Rules No.124 are deemed to be incorporated into this contract. Samples shall be taken at time and place of loading. The parties shall appoint superintendents, for the purposes of supervision and sampling of the goods, from the Gafta Register of Superintendents. Unless otherwise agreed, analysts shall be appointed from the Gafta Register of Analysts."

	For ports of discharge: "SAMPLING, ANALYSIS AND CERTIFICATES OF ANALYSIS- the terms and conditions of Gafta Sampling Rules No.124 are deemed to be incorporated into this contract. Samples shall be taken at the time of discharge on or before removal from the ship or quay, unless the parties agree that quality final at loading applies, in which event samples shall be taken at time and place of loading. The parties shall appoint superintendents, for the purposes of supervision and sampling of the goods, from the Gafta Register of Superintendents. Unless otherwise agreed, analysts shall be appointed from the Gafta Register of Analysts."
G.2	**Weighing** Where parties have agreed to trade on Gafta contracts, the requirements for weighing are contained within the standard Gafta Weighing clause which reads (inter alia): "the terms and conditions of Gafta Weighing Rules No. 123 are deemed to be incorporated into this contract."
H.	**Sampling and Weighing Rules**
H.1	**Gafta Sampling Rules Form No.124** The Gafta Sampling Rules Form No.124 is the key document that Gafta Approved Superintendents must follow. The rules set down the methodology for the drawing, mixing and sealing of contractual samples to be used for analysis tests or arbitration purposes, which are deemed to be representative of the entire contractual quantity. The rules cover the sampling operations at both loading and discharge. A new version of the No. 124 Rules applies to contracts concluded from 1st April 2012. Superintendents are advised to familiarise themselves with the new Rules.
H.2	**Gafta Weighing Rules Form No. 123** The Gafta Weighing Rules require that weighing should be undertaken via a secure route through accurately calibrated weighing apparatus and sets out which types of weighing apparatus are acceptable and the procedures to be followed.
I.	**Gafta Register of Approved Superintendents** Superintendents who have been certified by Gafta are included in the Gafta Register of Superintendents. The up-to-date Register is freely available to members and non-members of Gafta on the Gafta website, www.gafta.com.
J.	**GTAS Certified Superintendents** Superintendents who have been certified under GTAS are included in the GTAS database. The up-to-date database is freely available to members and non-members of Gafta on the Gafta website, www.gafta.com.
K.	**GTAS Certified Superintendents – Complaints Procedure** Superintendents who have been certified as complying with the GTAS Code of Practice for Superintendents are bound by the GTAS Rules and Code of Conduct. A party/parties who appoint a superintendent listed in the GTAS Register of Superintendents can use the Gafta Complaints Procedure should the situation arise that the superintendent appears not to have conformed to the Rules and Code of Conduct. Full details on the GTAS Complaints and Disciplinary Regulations are contained in the Scheme Manual together with the Scheme Rules, Regulations & Codes of Conduct.
L.	**Other Relevant Documents** • Gafta Sampling Rules No.124 [see Part 3 – Rules] • Gafta Weighing Rules No.123 [see Part 3 – Rules]

Code of Practice for Superintendents

RULES AND CODE OF CONDUCT
FOR SUPERINTENDENTS
AND SURVEYING COMPANIES

GTAS Superintendents Manual.
Published by Gafta: GTAS © Version 5.0 effective from 01 09 2012

1.0	**Introduction** These Rules and this Code of Conduct are issued specifically for Superintendents and Surveying companies that are GTAS certified and which are listed on the GTAS database, hereinafter referred to as "Superintendents". A Superintendent found to have acted contrary to any provision of these Rules or this Code or to their spirit may be subject to disciplinary action.
2.0 2.1 REV	**Superintendents' Operations** A Superintendent is an organisation or company whose primary business activities are in the profession of inspection and who are appointed by (or on behalf of) Buyers and Sellers using or incorporating the terms and conditions of contracts. A Superintendent operates in accordance with agreed contract terms, sampling and weighing rules, this Code of Practice and this Code of Conduct, undertaking inspections, verifications, examinations, quality and condition assessment, sampling and measurements, of goods traded.
2.2	When a Superintendent issues reports and certificates relating to its operations they shall reflect the actual and true findings.
3.0	**Compliance with Rules** When a Superintendent is appointed to act by one of the parties to a contract incorporating standard terms, all operations it carries out shall comply with the appropriate Rules and Contract terms as applicable, unless otherwise instructed.
4.0	**Sampling** Whenever a Superintendent has to report and/or certify its findings and determinations, on samples drawn, it shall ensure the samples are drawn, collected and sealed as required by the agreed Sampling Rules. Where no sampling rules are agreed the Gafta Sampling Rules Form No. 124 shall apply. In any event, sampling must take at the time and place of loading and/or discharge, as applicable.
5.0 REV	**Quality and Condition** A Superintendent may be limited in the analysis tests it can perform as required by the Contract and may reserve the right to submit samples for testing to a GTAS certified Testing Facility or a laboratory listed on the Gafta Register of Approved Analysts or other officially recognised and appropriately qualified authority, as appropriate. In this event the certificates may be delayed and the party(ies) should therefore be notified accordingly.
6.0 K	**Cleanliness Inspection** A Superintendent, when required to do so by the parties, will visually and (as far as is practically and safely accessible), physically inspect vehicles/vessels/storage areas, recording where necessary details of the three previous loads carried and to check and report whether they are clean, dry and free from foreign odour or matter and in these respects only, suitable to receive the cargo. In the case of transport by sea and waterway, it is essential for the safety of the goods that a Loading Compartment Inspection (LCI) of the cargo hold be undertaken prior to the commencement of loading.
6.1 6.1.1 REV	**Loading Compartment Inspection (LCI)** The LCI must be executed by a recognised superintending firm registered on the list of Gafta Approved Superintendents and/or certified under GTAS.
6.1.2 K	Before loading commences, the cargo hold must be empty, clean, and dry, without any unsuitable odours and in these respects be suitable to receive the specific cargo. It must be free of any residues of the preceding cargo and/or cleansing activities and apparently free of vermin.
6.1.3 REV	The results of the LCI, together with the information concerning the three preceding cargoes carried by the vessel as declared by the Master, must be recorded [R].
7.0 K	**Weighing** Weighing of goods must be undertaken in accordance with the agreed weighing rules. Where no weighing rules are agreed the Gafta Weighing Rules Form No. 123 shall apply.
7.1	A Superintendent, when called upon to supervise/oversee the weighing of the contract goods, shall ensure that the method used is in accordance with the custom of the port, or as contracted:

7.1.1	by weighbridge weighing or
7.1.2	by weighing scales; batch scales, conveyor weighers or weighing grabs
7.2 K	The Superintendent shall clearly establish the method of weighing and the weighing facilities in use, and shall maintain and produce records of the weighing determination.
7.3 REV	The Superintendent shall ensure that the weighing operations are carried out at the appropriate place and time in relation to the actual handling of the cargo.
7.4	The weighing records produced shall make reference to the following: • the apparatus used. • approval by the authorities of such apparatus. • Information concerning the calibration and verification of the functioning and accuracy of such equipment.
7.5 K	The Certificate or Report shall show the weight determined and when appropriate the method of weighing used; wherever possible, supported by documentary evidence.
8.0 8.1 REV	**Fumigation/Disinfestation/De-naturing** Treatment of goods by fumigation or application of insecticide treatments shall be carried out by a GTAS certified company or a company certified under an assurance scheme approved by Gafta and/or a nationally approved company/operator in the country of loading or at discharge, appointed by the contracting party(ies) and/or national authorities. The Superintendent may issue certificates reproducing the information provided to it by the aforementioned.
8.2	If de-naturing of goods is required this must be undertaken by nationally approved companies/operators in the country of loading or at discharge, appointed by the contracting parties and/or national authorities. The Superintendent may issue certificates reproducing the information provided to it by the aforementioned.
9.0	**Phytosanitary/Veterinary/Radioactivity/Health Certificates** These are usually provided by the national governmental authorities in the country of loading and may be obtained by the Superintendent as required by the parties to the contract. Alternatively, the Superintendent shall draw and collect the sample material for such a test to be carried out by an approved laboratory of their choice. In any event whoever carries out such tests, the information may be recorded by the superintendent on its certificates.
10.0 REV	**Contracting out** A Superintendent may only contract out an operation (which it has been appointed to carry out) to another Superintendent company certified under GTAS and/or from the Gafta Register of Approved Superintendents.
11.0 K	**Risk Assessment** A risk assessment must be carried out with the aim of identifying and controlling any hazards that might adversely affect the sampling and testing of goods being handled. **[R]**
12.0 12.1	**Instructions** In order for Superintendents to perform their activities, precise instructions are needed from their principals at the time of receiving the order.
12.2	Superintendent companies shall nominate a suitably experienced person as a Technical/File Manager who shall be the responsible person for receiving instructions from a principal and who shall be responsible for forwarding the appropriate instructions to the field inspector(s). The Technical/File Manager shall be a permanent employee of the company and shall be responsible for ensuring that sufficient information has been received to enable the field inspector(s) to satisfactorily carry out his/their duties.
13.0 K	**Administration and Records** A Superintendent shall keep all necessary and relevant records, including but not limited to, the following: - • Copies of Certificates and Reports • Invoices

	• Weight or Tally Sheets • Sample Registration Records • Instructions from Principals • Complaints received
14.0 K	**Health and Safety Regulations for Employees** A Superintendent is obliged to comply with all relevant local and national health and safety regulations of the country in which it is operating with regard to its employees and any other operatives under its control.
14.1 REV K	Superintendents must wear the appropriate Personal Protective Equipment. The items provided must be appropriate to the inspection activities being performed. Records should be retained for the issuance and receipt of such equipment to/by superintendents. [R]
14.2 K	Where Superintendents are asked to perform their duties in an environment or in conditions deemed by them to be dangerous or unsafe, they shall be entitled to refuse to undertake the said duties or operations until such time as the conditions are made safe to their satisfaction. Where a Superintendent refuses to perform an activity or operation due to concerns regarding safety they shall immediately notify the principal accordingly. [R]
15.0 K	**Security of Samples** Samples shall be retained by the Superintendent either at their own premises or in the custody of a mutually agreed third party, for a minimum period of 3 months unless written instructions are received to the contrary.
16.0 REV	**Training** The requirement for Superintendent companies to have a regularised training programme for its personnel in the technical and administrative aspects of their operations, are a vital component of this Code of Practice.
16.1 K	Training programmes should be both regular and updated, as appropriate.
16.2	The requirement to attend training courses shall take into account the ability, experience and other qualifications held by each employee and shall be appropriate to their activities.
16.3	A written training structure shall be implemented by the company.
16.4 K	New and inexperienced employees are expected to adhere to the following minimum steps as part of their training: • Induction training period • Supervised working period with experienced operators • Continuing Professional Development Training
16.5 K	Records of the attendance at training must be recorded and kept by the company.
16.6 K	Training may be provided in one or more of the following ways: a) on an in-house basis, where a company utilises the experience and abilities of its own personnel, and/or b) employ a third party consultant(s) who is/are suitably qualified to provide the required training and/or c) attend courses run by a recognised provider of professional training services. e.g. Gafta and/or d) arrange for a suitably qualified permanent employee (e.g. Operations/Technical Manager) of the company to attend training courses as per points b and c above who, after reaching the required standard, will be considered suitably qualified to draw up and provide in-house training to other employees under point a above.
16.7 K	Training is recommended to cover at least, but not limited to, the following areas of activity as required by this Code of Practice and where applicable under Gafta contracts: i) Product knowledge ii) Gafta Contracts and Rules iii) Responsibilities of a cargo Superintendent iv) Load Compartment Inspections v) Basic understanding of fumigation and pest control operations vi) Basic understanding of Sanitary and Phytosanitary requirements vii) Health and Safety – PPE – entry into confined spaces etc. viii) Basic understanding of stevedoring and storage

17.0 17.1	**Responsibility** A Superintendent shall warrant that its work will be performed with due care and skill. It may limit its exposure to damages by express conditions that are reasonable.
17.2	A Superintendent shall be responsible for the performance of the contract whether carried out by its employees or by any other agent on its behalf and for any breach of these Rules by any such person.
18.0 18.1	**Code Of Conduct** This Code deals specifically with standards of conduct required to be adopted by Superintendents in relation to the paramount issues of independence and neutrality.
18.2 K	A Superintendent shall be independent and free from any commercial, financial or other pressures which might affect its judgement. For the purposes of this Code of Practice, the term independent shall mean that the Superintendent company shall not be financially linked with or financially dependent upon a principal.
18.3 K	A Superintendent shall implement procedures to ensure that persons or organisations external to it cannot influence the results of operations it carries out.
18.4 K	A Superintendent shall be independent of the parties involved in the operation it carries out. In particular, the individual(s) responsible on behalf of the Superintendent for carrying out any operation shall not be the designer, manufacturer, supplier, installer or the user of any item involved in the operation nor the authorised representative of any of these parties.
18.5 K	A Superintendent shall not engage in any activities that may conflict with its independence of judgement and integrity in relation to its operations. In particular, it shall not become directly involved in the design, construction, marketing, use, operation or maintenance of items inspected.
18.6	A Superintendent shall report to Gafta any attempts by interested parties to influence the outcome of its operations.
18.7	A Superintendent shall be responsible for any breach of this code by its employees or any other agent instructed by it to carry out its operations on its behalf.
19.0 K	**Professional Indemnity Insurance** Superintendent companies shall take out Professional Indemnity Insurance at a level of cover deemed sufficient by them to cover their contingent liabilities.
20.0	**Complaints Procedure** The Superintendent must have a documented procedure for handling complaints. This procedure must include systems for: • The prompt documentation and investigation of complaints • The prompt feedback to the Company with findings • Deciding on internal actions required to prevent re-occurrence
21.0 21.1	**Records** Internally produced records must be signed by the person carrying out the task/activity. Where records are kept electronically the records will carry the name of the person carrying out the task/activity.
21.2	Records must be legible and kept in suitable conditions that allow ready retrieval and prevent deterioration.
21.3	Records must he kept for a minimum of three years unless there are additional requirements.

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