

认证委托人与机构的权利与义务

Rights and obligations of the certification client and the organization

本文件用于向认证委托人介绍认证双方的一般权利与义务，确保认证委托人在选择认证机构或签订认证合同前，能够充分了解其所拥有的权利、应履行的义务以及应承担的责任。

This document is intended to introduce the general rights and obligations of both parties in certification to the certification client, ensuring that the certification client can fully understand its rights, obligations and responsibilities before selecting a certification body or signing a certification contract.

1. 认证委托人的权利与义务 Rights and obligations of the certification client

1.1 认证委托人的权利 Rights of the certification client

1.1.1 获取认证公开文件和信息；

Obtain certification public documents and information;

1.1.2 在申请认证、接受审核和认证决定过程中不受歧视；

Not be discriminated against during the process of applying for certification, undergoing audits and certification decisions;

1.1.3 对审核计划安排和可能影响认证公正性的审核组成员，提出调整和变更的要求；

Propose requirements for adjustment and change regarding the audit schedule arrangements and audit team members that may affect certification impartiality;

1.1.4 就不符合事实进行澄清，并对审核报告提出意见；

Clarify nonconformity facts and provide opinions on the audit report;

1.1.5 获证后，依据机构要求正确使用认证证书和认证标志进行宣传；

After certification, correctly use the certification certificate and certification mark for publicity in accordance with the organization's requirements;

1.1.6 获证后，依据机构要求正确使用自愿性产品认证标签（自愿性产品认证适用时）；

After certification, correctly use voluntary product certification labels in accordance with the organization's requirements (when applicable to voluntary product certification);

1.1.7 获证后，依据机构要求正确使用中国有机产品认证标志、有机码、认证证书、销售证和机构标识（或名称），并对有机生产、加工、经营过程及认证产品。（有机产品认证适用时）

After certification, correctly use the China organic product certification mark, organic code, certification certificate, sales certificate and organization logo (or name) in accordance with the organization's requirements, in relation to organic production, processing, operation processes and certified products (when applicable to organic product certification).

1.1.8 对认证过程的公正性、非歧视性、独立性、科学性有异议时，或对认证决定的结果有异议时，向机构提出申诉和投诉权利；

The right to file appeals and complaints with the organization when having objections to the impartiality, non-discrimination, independence, scientificity of the certification process, or when having objections to the results of the certification decision;

1.1.9 申请变更、扩大或缩小认证范围，申请注销部分或全部认证范围（不存在暂停、撤销情形时）；

Apply for change, extension or reduction of the certification scope, and apply for cancellation of part or all of the certification scope (when there are no grounds for suspension or withdrawal);

1.1.10 在认证(审核)活动中有权要求机构提供更详细的信息，或对不理解的事项要求机构做出解释；

Have the right to request the organization to provide more detailed information during certification (audit) activities, or request the organization to explain matters that are not understood;

1.1.11 获得认证证书后，可通过机构官网（www.titcgroup.com）查询认证证书信息及状态。

After obtaining the certification certificate, the certification certificate information and status can be queried through the organization's official website (www.titcgroup.com).

1.2 认证委托人的义务 Obligations of the certification client

1.2.1 始终遵守拟申请认证的相关规则，并履行满足认证要求及认证要求变更后的承诺；

Always comply with the relevant rules for the certification to be applied for, and fulfil the commitment to meet the certification requirements and the changed certification requirements;

1.2.2 通过申请评审后，与本机构签订认证合同或约束性协议。当组织认证范围内覆盖的多个法律实体时，应确保本机构与组织及所有相关法律实体共同签订认证合同或协议。按双方签订的合同或协议履行相应义务，并按时交纳有关费用。

After passing the application review, sign a certification contract or binding agreement with this organization. When the organization's certification scope covers multiple legal entities, it shall ensure that this organization signs the certification contract or agreement jointly with the organization and all relevant legal entities. Perform the corresponding obligations in accordance with the contract or agreement signed by both parties, and pay relevant fees on time.

1.2.3 保证认证申请有关信息的真实性。因隐瞒管理体系覆盖的组织机构、人数、多场所数量等信息，导致审核人日不足、多场所抽样量不足、审核结果无效或认证证书失效的，由此造成的损失由组织承担全部责任，并对因此给机构造成的损失承担责任；

Guarantee the authenticity of information related to the certification application. If the concealment of information such as the organizational structure, number of personnel, number of multiple sites covered by the management system leads to insufficient audit man-days, insufficient multi-site sampling quantity, invalid audit results or invalid certification certificates, the organization shall bear full responsibility for the losses caused thereby, and shall be responsible for the losses caused to the organization as a result;

1.2.4 获得管理体系认证证书后，保持管理体系持续有效运行；

After obtaining the management system certification certificate, maintain the continuous and effective operation of the management system;

1.2.5 配合认证(审核)、监督审核/检查/审查、提前较短时间通知的审核、不通知审核、有机认证不通知检查、确认审核、认可机构见证评审以及为解决投诉做出的必要安排，包括审查文件、进入所有区域的确定，调阅所有记录和访问人员；

Cooperate with certification (audit), surveillance audit/inspection/review, audits with short notice, unannounced audits, unannounced inspections for organic certification, validation audits, accreditation body witnessing assessments, and necessary arrangements to resolve complaints, including reviewing documents, determining access to all areas, reviewing all records and interviewing personnel;

1.2.6 对未正确使用认证证书和认证标志的行为承担责任，并采取有效的纠正措施；

Bear responsibility for the incorrect use of the certification certificate and certification mark, and take effective corrective actions;

1.2.7 最高管理者及与管理体系相关的职能部门负责人员，须参加初次认证、监督及再认证现场审核的首末次会议；

Top management and responsible persons of functional departments related to the management system must attend the opening and closing meetings of initial certification, surveillance and recertification on-site audits;

1.2.8 最高管理者需接受审核组面对面访谈。最高管理者不熟悉组织自身的管理体系方针、目标，未亲自参与并推动管理体系实施的，将不予通过认证。机构将对现场面谈保留图片、音像等影音资料及审核记录等相关证明；

Top management must accept face-to-face interviews with the audit team. If top management is unfamiliar with the organization's own management system policies and objectives, and has not personally participated in and promoted the implementation of the management system, certification will not be granted. The organization will retain photos, audio-visual materials and other related evidence, as well as audit records, of the on-site interview;

1.2.9 履行信息通报义务，及时向机构通报要求的信息；

Fulfil information notification obligations and promptly notify the organization of required information;

1.2.10 获得认证后，应正确使用认证证书、认证标志和有关信息。在宣传认证结果时，不得损害本机构的声誉，也不得发表任何本机构认为误导性或未经授权的言论；

After obtaining certification, correctly use the certification certificate, certification mark and related information. When publicising certification results, shall not harm the reputation of this organization, nor make any statements that this organization considers misleading or unauthorised;

1.2.11 当认证被暂停、撤销或注销时，应立即停止涉及认证内容的广告宣传，并按认证方案或认证规则要求处置或退回认证证书、认证标志、标签等；

When certification is suspended, withdrawn or cancelled, advertising involving certification content shall be stopped immediately, and the certification certificate, certification mark, labels, etc., shall be disposed of or returned in accordance with the requirements of the certification scheme or certification rules;

1.2.12 承担因所选择的认证机构资质被撤销而导致的认证证书无法使用的风险；

Bear the risk of the certification certificate being unusable due to the withdrawal of the selected certification body's qualification;

1.2.13 应留存认证证书有效期内相应的认证记录，至少包括：(A) 认证合同；(B) 审核计划；(C) 首、末次会议签到表；(D) 不符合报告及原因分析和纠正措施；(E) 审核报告；(F) 暂停、撤销通知（适用时）；

Shall retain corresponding certification records within the validity period of the certification certificate, including at least: (A) Certification contract; (B) Audit plan; (C) Opening and closing meeting sign-in sheets; (D)

Nonconformity report, root cause analysis and corrective actions; (E) Audit report; (F) Suspension and withdrawal notice (when applicable);

2. 机构的权利和义务 Rights and obligations of the organization

2.1 机构的权利 Rights of the organization

2.1.1 向认证委托人说明认证要求;

Explain certification requirements to the certification client;

2.1.2 依据相关法律法规和现场审核结论, 确定认证委托人认证注册范围, 并决定是否授予认证注册和批准颁发证书;

Determine the certification registration scope of the certification client based on relevant laws, regulations and on-site audit conclusions, and decide whether to grant certification registration and approve the issuance of the certificate;

2.1.3 依据认证委托人的违规行为或出现法律法规规定的情形时, 作出审核不予通过, 暂停、撤销认证注册资格的决定。有权依据法律法规规定的情形终止审核;

Make decisions to fail the audit, suspend or withdraw certification registration status based on the certification client's violation or when circumstances stipulated by laws and regulations occur. Have the right to terminate the audit based on circumstances stipulated by laws and regulations;

2.1.4 按照规定收取认证费用。对获证组织违反有关规定、不按规定交纳有关费用, 机构有权依据认证规则对认证证书予以暂停处置;

Charge certification fees in accordance with regulations. If a certified organization violates relevant regulations and fails to pay relevant fees as stipulated, the organization has the right to suspend the certification certificate in accordance with certification rules;

2.1.5 依据认证规则或认证方案中的暂停、撤销情形对认证证书进行暂停、撤销的处置, 有权收回认证证书, 并要求认证委托人停止使用认证证书和标志;

Suspend or withdraw the certification certificate based on the suspension or withdrawal circumstances in the certification rules or certification scheme, have the right to take back the certification certificate, and require the certification client to stop using the certification certificate and mark;

2.1.6 对认证委托人的管理体系进行评定时, 遵循的准则是管理体系标准或是与其职能有关的引用文件所给出的要求, 当某一特定的认证项目需要对这些文件做出解释时, 由具备必要技术能力的人员进行规范化解释, 并由机构进行发布;

When evaluating the certification client's management system, the criteria followed are the management system standard or the requirements given in referenced documents related to its functions. When a specific certification project requires interpretation of these documents, personnel with the necessary technical competence shall provide standardized interpretations, which shall be issued by the organization;

2.1.7 拥有认证证书和认证标志的所有权和对获证组织使用情况进行监督权利;

Own the certification certificate and certification mark, and have the right to supervise their use by certified organizations;

2.1.8 在获证组织管理体系出现异常情况时, 适时地安排非例行的审核, 其时间及费用由双方另行商定。如获证

组织的产品在产品质量国家监督抽查中被查出不合格时，获证组织应及时通报，自市场监管部门发出通报起 30 日内，机构应对获证组织实施提前较短时间通知的审核；

When abnormal situations occur in a certified organization's management system, arrange non-routine audits as appropriate, with the time and costs to be agreed separately by both parties. If a certified organization's product is found to be unqualified in national supervision and spot-checks for product quality, the certified organization shall promptly report it, and within 30 days from the date of notification by the market supervision authority, the organization shall conduct an audit with short notice on the certified organization;

2.1.9 在调查投诉、事故、认证变更、对暂停状态下的认证进行追踪、认证范围内的产品在产品质量国家监督抽查中被查出不合格等特殊情况下，有权依据认证规则开展提前较短时间或不通知的现场审核；（质量、环境、职业健康安全、能源、信息技术服务、信息安全、HACCP 管理体系适用）

Under special circumstances such as investigating complaints, accidents, certification changes, tracking suspended certification, or certified products within the certification scope being found unqualified in national supervision and spot-checks for product quality, have the right to conduct on-site audits with short notice or unannounced audits in accordance with certification rules (applicable to quality, environmental, occupational health and safety, energy, information technology service, information security, HACCP management systems);

2.1.10 获证组织不接受或不配合认证认可监督管理部门的监督管理、见证评审及机构的非例行审核的，机构有权暂停获证组织使用认证证书和标志的资格；

If a certified organization does not accept or cooperate with the supervision and management of certification and accreditation regulatory authorities, witnessing assessments, or the organization's non-routine audits, the organization has the right to suspend the certified organization's qualification to use the certification certificate and mark;

2.1.11 作为有机产品认证机构，任何时候都保留不通知检查的权利。不通知检查的对象应在风险评估的基础上确定，风险评估考虑以下因素：产品实现有机生产过程的难易程度、国家相关部门组织的产品抽检结果、生产过程中投入品的使用情况、产地环境的潜在污染风险、历年来现场检查的不符合情况、公众及媒体关注度等。不通知检查可作为获证后检查的一种方式。不通知检查获证组织的计算基数为本机构上一年度有机产品认证获证组织总数（含有机转换认证的获证组织）。每年至少对 5% 的获证组织实施一次不通知的现场检查。对于尚未使用有机产品认证标志的获证组织，不通知检查比例应不低于 10%，且应根据风险评估情况至少选取一个获证产品进行抽样检测。（有机产品认证适用）

As an organic product certification body, reserve the right to conduct unannounced inspections at any time. The targets of unannounced inspections shall be determined based on risk assessment, which considers the following factors: the difficulty of achieving organic production processes for the product, results of product spot-checks organized by relevant national authorities, use of inputs during the production process, potential contamination risks of the production environment, nonconformities in on-site inspections over the years, public and media attention, etc. Unannounced inspections may be used as a type of post-certification inspection. The calculation base for unannounced inspections of certified organizations is the total number of organic product certification certified organizations of this organization in the previous year (including certified organizations with organic conversion certification). At least 5% of certified organizations shall be subject to an unannounced on-site inspection each year. For certified organizations that have not yet used the organic product certification mark, the proportion of unannounced inspections shall be no less than 10%, and at least one certified product shall be selected for sampling testing based on the risk assessment (applicable to organic product certification).

2.2 机构的义务 Obligations of the organization

2.2.1 机构的服务向所有申请人开放，不附加过分的财务或其他条件，不以申请单位的规模或是否为某一协会或社团的成员、以及认证供方的数量作为提供服务的条件；

The organization's services are open to all applicants, without imposing excessive financial or other conditions, and without using the applicant's size or membership of a particular association or society, or the number of certification providers, as conditions for providing services;

2.2.2 根据认证委托人的要求及双方签订的服务合同，机构应及时地按照程序规定对认证委托人进行认证(审核)，并对认证活动的公正性、非歧视性、科学性、有效性负责；

According to the certification client's requirements and the service contract signed by both parties, the organization shall conduct certification (audit) on the certification client in a timely manner in accordance with procedural provisions, and be responsible for the impartiality, non-discrimination, scientificity and effectiveness of certification activities;

2.2.3 向认证委托人及获证组织提供有关认证的最新信息；

Provide the certification client and certified organization with the latest information on certification;

2.2.4 机构仅在认证委托人拟定申请的认证范围内规定其认证要求，有责任对组织足够的客观证据进行评价，并在此基础上做出认证决定。根据审核结论，如果符合性的证据充分，做出授予认证的决定；如果符合性的证据不充分，则不授予认证；

The organization specifies its certification requirements only within the certification scope that the certification client intends to apply for, and has the responsibility to evaluate the organization's sufficient objective evidence and make a certification decision based on this. Based on the audit conclusion, if the evidence of conformity is sufficient, a decision to grant certification is made; if the evidence of conformity is insufficient, certification is not granted;

2.2.5 按规定定期对获证组织进行监督评审；

Conduct regular surveillance assessments on certified organizations in accordance with regulations;

2.2.6 对所有申请组织、获证组织提供的信息保密，未征得组织同意不得向第三方公开（法律规定的例外情况除外）；

Keep confidential all information provided by applicant organizations and certified organizations, and not disclose it to third parties without the organization's consent (except for exceptions stipulated by law);

2.2.7 公布关于组织授予、暂停或撤销认证的信息；认证合格后应及时办理注册、向获证组织颁发认证证书，并在媒体上予以公布；

Publish information on the granting, suspension or withdrawal of certification for organizations; after certification approval, promptly complete registration, issue the certification certificate to the certified organization, and publish it in the media;

2.2.8 提供公开渠道，供相关方查询认证有效性的信息；

Provide public channels for interested parties to query information on certification validity;

2.2.9 及时按规定处理申请组织、获证组织提出的申诉、投诉和争议，并将处理结果通知对方；

Promptly handle appeals, complaints and disputes raised by applicant organizations and certified organizations in accordance with regulations, and notify the other party of the handling results;

2.2.10 因机构资质撤销而引发的不能按合同规定要求对组织实施认证或保持监督所履行的责任时，机构应积极采取补救措施，最大限度地减少认证组织的损失；

When the organization is unable to perform certification or maintain supervision on certified organizations as required by the contract due to the withdrawal of the organization's qualification, the organization shall actively take remedial measures to minimise the losses of the certified organization;

2.2.11 按相关认证认可主管部门的要求报送注册、暂停、扩大、缩小、撤销、注销和变更等信息；

Report information on registration, suspension, extension, reduction, withdrawal, cancellation and changes in accordance with the requirements of relevant certification and accreditation competent authorities;

2.2.12 严格履行数据安全与网络安全法律责任，依据《数据安全法》和《网络安全法》等法律法规的规定，对认证活动中收集、生成的信息和数据在境内实施本地化存储管理；

Strictly fulfil legal responsibilities for data security and cyber security, and implement localised storage management within the territory of information and data collected and generated during certification activities in accordance with the provisions of laws and regulations such as the "Data Security Law" and the "Cyber Security Law";

2.2.13 因机构批准资质注销或被撤销，导致客户相关认证证书无法有效保持的，需及时告知客户并做出妥善处理，按照双方在认证服务合同或约束性协议中的约定承担责任。

If the relevant certification certificates of clients cannot be effectively maintained due to the cancellation or withdrawal of the organization's approved qualification, the organization shall promptly notify the client and make proper arrangements, and bear responsibility in accordance with the provisions agreed by both parties in the certification service contract or binding agreement.