

2.0. Rights and Responsibilities of Certified Entities

2.1. Protocol for Use of “Food Justice Certified” Certification Marks and Logo

An entity that has been certified by an approved or accredited certifier to meet the AJP Standards may use one of the two “Food Justice Certified” Certification Marks or the Food Justice Certified logo to make a market claim according to the following protocols.

For Products: Two Tiered Labeling and Multi-Ingredient Product Thresholds

AJP intends to underscore the importance of “full chain” certification of a product by using a two-tiered labeling system, in combination with percentage requirements or thresholds for multi-ingredient products. Upon signing a certification contract and paying licensing fees (Table 3.4.) certified entities that produce or process products (examples: farms, grower groups, handlers, brand holders) may use one of AJP’s two certification marks. AJP’s two marks differentiate between products that are made using certified farm materials, and products that are made from certified farm materials and are also processed by certified brand holders and intermediaries. Please see the chart below for details.

For Certified Businesses Not Producing Product: Use of Logo in Marketing

Upon receiving certification certificate and payment of licensing fees (Table 3.4.) AJP certified businesses that do not make or process products (for example: retailers, restaurants) may use the AJP logo in their marketing and advertising materials.

2.1.1. Types of Certification and Eligibility for Certification

The following chart provides definitions for the categories of certification. These terms will be used to describe categories of labeling and certification requirements throughout this section.

Social Justice Stakeholder Qualification: To be eligible to apply for certification any entity must meet at least one social justice qualification. AJP has defined two possible qualifications:

- a. **Fair employment:** The farm or business employs hired labor or interns, thus the stakeholder group served is employees and/or interns.
- b. **Fair Price and Fair Negotiation:** The farm sells to a Food Justice Certified buyer, or the business buys from Food Justice Certified suppliers or farms, thus the stakeholder groups served are businesses and farmers.

* Intermediaries seeking registration only do not need to meet a social justice stakeholder qualification to become registered.





TABLE 1: Types of Certification


Operation	Definition
Producers	<p>Examples: Farms, Grower Groups, wild collectors</p> <p>Producers grow, raise or collect agricultural products. Producers label product for purposes of direct sale, selling to retailers or other vendors, or sell into longer production chains.</p>
Brand Holders	<p>Examples: Brand holders may be coops, manufacturers, processors, or parent companies</p> <p>Brand holders label the final product with their name and market the product to consumers.</p>
Intermediaries	<p>Examples: Intermediaries may be handlers, distributors, processors, brokers, traders, or other conveyors of products in the chain of production</p> <p>Intermediaries purchase product from producers or other intermediaries, alter or repackage it, and sell the product up the chain of production.</p>
Sub-Contracted Processors	<p>Sub-Contracted processors do not own the product at any point in time, but do change or affect the substance or labeling of the product in some way. The contractor (example, the brand holder or producer) owns the product, and pays the sub-contracted processor only for their services in processing the product.</p>
Vendors	<p>Examples: Retailers</p> <p>Vendors sell fully packaged products to consumers and do not impact the labeling.</p>
Conveyors (Sub-Contracted intermediaries)	<p>Examples: Distributors</p> <p>Sub-Contracted intermediaries who do not own the product at any point in time, and do not change or affect the substance or labeling of the product in any way.</p> <p>These entities are not required to become registered or certified to the AJP standards to participate in supply chains, as AJP does not feel there is yet adequate leverage to compel their participation.</p>

Fraud Investigations

AJP has the responsibility to investigate together with the certifiers any and all cases of reported or suspected fraud related to misuse of any of the Food Justice Certified marks, the AJP standards, or any language implying certification to meet the AJP standards. Certified entities are obligated to comply with all investigations, announced or unannounced, in order to maintain their use of any Food Justice Certified claim.

TABLE 2: Use of Mark or Claim on Products

Mark or Claim	Origin of Raw Materials	Processing and Manufacturing
 <p>Full use of mark, <u>must</u> be placed on front of packaging, may choose black and white or color, may choose size ratio. Exemptions to required use granted in very limited scenarios that do not compromise the integrity of the label. Contact AJP for information.</p>	<p>Certification required. * 95% of ingredients and processing aids are from certified origin * 100% of necessary ingredients that are available as Food Justice Certified products are used (See “Additional Rules in 2.1.3 for exemptions) * GMO and nanotech ingredients may not be used</p>	<p>Certification required for Brand Holder. (Certification and/or registration required for intermediaries and sub-contracted processors. See 2.1.2 for requirements.)</p>
 <p>Full use of mark, <u>must be</u> placed on front of packaging, may choose black and white or color, may choose size ratio. Exemptions granted in very limited scenarios that do not compromise the integrity of the label. Contact AJP for information.</p>	<p>Certification required. * 95% of ingredients and processing aids are from certified origin * 100% of necessary ingredients that are available as Food Justice Certified products are used (See “Additional Rules in 2.1.3 for exemptions) * GMO and nanotech ingredients may not be used</p>	<p>Brand holder is not certified, must be registered. (Certification and/or registration required for intermediaries and sub-contracted processors. See 2.1.2 for requirements.)</p>
 <p><u>May</u> place mark on front of packaging along with words “MADE WITH” printed at least as large as the font size for “Food Justice Certified” in the mark. OR: May choose not to print mark, but <u>must</u> use claim “Food Justice Certified” along with words “MADE WITH” printed at least as large as the font of phrase “Food Justice Certified.”</p>	<p>Certification required for: * 70% or more of ingredients and processing aids are from certified origin * 100% of necessary ingredients that are available as Food Justice Certified products are used (See “Additional Rules in 2.1.3 for exemptions) * GMO and nanotech ingredients may not be used</p>	<p>Certification required for Brand Holder. (Certification and/or registration required for intermediaries and sub-contracted processors. See 2.1.2 for requirements.)</p>
 <p><u>May</u> place mark on front of packaging along with words “MADE WITH” printed at least as large as the font size for “Food Justice Certified” in the mark. OR: May choose not to print mark, but <u>must</u> use claim “Food Justice Certified” along with words “MADE WITH” printed at least as large as the font of phrase “Food Justice Certified.”</p>	<p>Certification required for: * 70% or more of ingredients and processing aids are from certified origin * 100% of necessary ingredients that are available as Food Justice Certified products are used (See “Additional Rules in 2.1.3 for exemptions) * GMO and nanotech ingredients may not be used</p>	<p>Brand holder is not certified, must be registered. (Certification and/or registration required for intermediaries and sub-contracted processors. See 2.1.2 for requirements.)</p>
<p><u>Continued on following page</u></p>		

Mark or Claim	Origin of Raw Materials	Processing and Manufacturing
<p align="center">“Food Justice Certified xxx” or ingredient* * Food Justice Certified</p> <p align="center">claim listed only in ingredients list next to the certified ingredient.</p> <p>May add claim “Food Justice Certified Company” to back panel. Claim must not be in a color or size larger than other main text on back panel.</p>	<p>Certification required: * <70% of ingredients and processing aids are from certified origin OR * <100% of necessary ingredients that are available as Food Justice Certified products are used (See “Additional Rules in 2.1.3 for exemptions) * GMO and nanotech ingredients may not be used</p>	<p>Brand holder certification required.</p> <p>Intermediaries and sub-contracted processors may not meet requirements in 2.1.2</p>
<p align="center">“Food Justice Certified xxx” or ingredient* * Food Justice Certified</p> <p align="center">claim listed only in ingredients list next to the certified ingredient.</p>	<p>Certification required: * <70% of ingredients and processing aids are from certified origin OR * <100% of necessary ingredients that are available as Food Justice Certified products are used (See “Additional Rules in 2.1.3 for exemptions) * GMO and nanotech ingredients may not be used</p>	<p>Brand holder is not certified, but must be registered.</p> <p>Intermediaries and sub-contracted processors may not meet requirements in 2.1.2</p>
 <p align="center">Full use of mark, <u>may</u> place on front of packaging</p>	<p>Pledge verification required for all products carrying this label. May only be applied to products <u>from that farm only</u> sold in a <u>direct sale</u> transaction from producer to consumer (example: farmer’s market or CSA share). Claim may not be reproduced in an indirect sale (example: in a restaurant or retail setting.)</p>	<p>N/A</p>
<p>For a labeling claim using AJP standards as the basis for a social justice marketing claim: The certified product must carry appropriate Food Justice Certified mark or ingredient claim, according to this chart. Processing requirements and ingredient percentages according to this chart must be met to use a label based on the AJP standards. Licensee may choose location of front or back of packaging, may choose between printing in color or b/w, and may choose the size ratio for printing the Food Justice Certified mark.</p>		
<p>GMO and Nanotech Ingredients: AJP does not allow the use of GMO or nanotech ingredients in products labeled with “Food Justice Certified” in any capacity. This means GMO and nanotech ingredients may not be used in production of Food Justice Certified products, and non-Food Justice Certified ingredients in multi-ingredient products may not contain GMOs or nanotech ingredients.</p>		

2.1.2. Certification Requirements for Intermediaries and Sub-Contracted Processors

AJP intends to develop fully certified production chains, including farms, processors, vendors and other food businesses. Processors and intermediaries are required to undergo certification in order for the product being made to carry the Food Justice Certified label in certain situations.

a. Intermediaries

Intermediaries may apply for full certification at any time.

If the Food Justice Certified products account for less than 50% of the intermediary operation's annual turnover, the operation must be registered but is not required to be certified to buy and sell products labeled as Food Justice Certified.

If the Food Justice Certified products account for more than 50% of the business' annual turnover, full certification is required for the operation to buy and sell products as Food Justice Certified.

b. Exemption for Required Intermediary Registration or Certification:

IF the Intermediary is a buyer or distributor that serves only to pass through the product from a certified farm, and the intermediary does not change the product or label the product with their own brand in any way, AND;

IF the products coming from the AJP certified farms are processed and packaged and labeled by the farmers, the labeling reflects the name, logo and marketing claims of the farm only, AND;

IF the products from the AJP farms are kept separate from other products purchased by the buyer, and are not re-packed with product from other farms (certified or uncertified) by the buyer or distributor,

THEN: AJP registration or certification requirements may be waived for this buyer. AJP certified farms may put the "Food Justice Certified: Fair Farm" label on their products that they package and label at the farm, and the "Food Justice Certified: Fair Farm" label may be associated with products from those farms in purchasing, ordering or marketing materials produced by the buyer.

In this exemption, the buyer cannot use any AJP certification mark in association with their own marketing materials or brand name outside of representing the products from the AJP certified farms.

c. Sub-Contracted Processors

TABLE 3: Sub-Contracted Processors Certification Requirements

Processing Scenario	Certification Requirement
<p>Processing of the certified product represents less than 10% of the processor’s annual turnover (gross sales)</p> <p>AND</p> <p>Processing of the certified product adds less than 25% added value to the end product (based on price per unit difference between unprocessed/processed product.)</p> <p>Exemptions from percentage limits for specific products determined on case-by-case basis by AJP, evaluated upon request.</p>	<p>Certification/Registration not required</p>
<p>Processing of the certified product represents less than 50% of the processor’s annual turnover, but more than 10%</p> <p>AND</p> <p>Processing of the certified product adds less than 25% added value to the end product (based on price per unit difference between unprocessed/processed product.)</p> <p>Exemptions for specific products determined on case-by-case basis by AJP, case evaluated upon request.</p>	<p>Certification not required</p> <p>Registration required (see section 2.1.2)</p>
<p>Processing of the certified product represents more than 50% of the processor’s annual turnover</p> <p>OR</p> <p>Processing of the certified product adds greater than 25% added value to the end product (based on price per unit difference between unprocessed/processed product.)</p> <p>Exemptions for specific products determined on case-by-case basis by AJP, case evaluated upon request.</p>	<p>Certification required</p>

2.1.3. Registration of Intermediaries, Sub-Contracted Processors and Brand Holders

AJP recognizes that in some cases, contractors may not have enough leverage to request certification of intermediary entities, or sub-contracted processors. AJP also recognizes that for some small brand holders with few Food Justice Certified supply chains, the costs of certification may be prohibitive.

Those entities that meet the above criteria in 2.1.2 may choose to register with AJP instead of undergoing full certification.

2.1.3.1. Registration of Brand Holders

In certain limited circumstances, as the supply of Food Justice Certified products develops, brand holders may be granted an exemption to apply for registration instead of certification. AJP Management Committee will review requests on a case-by-case basis.

2.1.3.2. Registration Process:

- a. Entity fills out a registration form, provides copies of personnel manual and personnel policies. Applicant also provides a list of employees and any relevant contact information for labor representation, such as union (if workplace is unionized) or other employee representatives, workplace committee participants, etc.
- b. Certifier conducts a desk audit of the entities personnel manual and personnel policies, according to AJP standards section 4.0, Food Business Responsibilities to Employees and Interns. This desk audit should be conducted in consultation/ coordination with an AJP trained and approved worker organization, to be selected as most appropriate taking into account the type of operation and the location. The desk audit must include some minimal contact (this can be phone/email as appropriate) with employees and/or their representatives, and/or relevant stakeholders who may be knowledgeable about relevant aspects of the operation (such as a regional worker organization – regardless of whether they are AJP trained and approved).
- c. Certifier conducts a desk audit of entity's compliance with AJP Standards section 1.0, Buyer Responsibilities to Farmers for those relationships entity has established with Food Justice Certified farmers that pertain to the production chain in question. This desk audit should be conducted in consultation/ coordination with an organization representing farmers whenever possible, to be selected as most appropriate taking into account the type of operation and the location. The desk audit must include some minimal contact (this can be phone/email as appropriate) with farmer vendors, and/or relevant stakeholders who may be knowledgeable about relevant aspects of the operation.
- d. Certifier conducts a desk audit of entity's compliance with AJP Standards section 5.0, Food Business Responsibilities to other Food Businesses for those relationships entity has established with Food Justice Certified food businesses that pertain to the production chain in question.
- e. Certifier may determine that a spot-check on-site is necessary to ensure decent working conditions. Certifier should arrange an on-site spot check and determine protocol. The breadth of the spot-check will be determined by the findings of the desk audit. Certifier must inform AJP of any determination to follow up a desk audit with a spot check. When the findings relate to working conditions or other employee-related policies or conditions,

the certifier should develop the spot-check protocol and implement it in coordination with a trained and approved worker organization.

f. The verification process for registration should focus on compliance with all relevant legal obligations as a starting point, and then the following as priority:

As Employers:

- Employer violates worker right to freedom of association
- Retaliates against employee who tries to organize other workers
- Refuses to bargain with employee or the chosen representative of a group of employees
- Employer pays less than the prevailing regional wage without justification of financial hardship
- Employer fires employee without demonstrated cause or appeals process
- Employer lacks meaningful grievance/complaint process
- Employer withholds payments as disciplinary measure
- Employer bars representative of employees or union from providing employees with training in legal rights or safety
- Employer fails to provide workers compensation
- Employer requires overtime on an ongoing basis
- Employer uses involuntary labor
- Employer discriminates against employee
- Employer is abusive or sexually harasses employee
- When using a contractor, employer fails to make sure contractor adheres to AJP standards
- Employer pressures employee spouse to also work
- Employer pays men and women or people from different ethnic groups or races with different levels of pay for the same work
- Employer refuses to rehire seasonal worker without justification
- Employer provides housing that is unsafe or unsanitary
- Employer maintains an unsafe workplace with a high accident rate
- Through neglect, employer causes worker injury
- Employer refuses to allow adequate rest breaks, time to drink water
- Employer refuses to transport sick or injured worker to medical care in timely fashion
- Employer fires worker who was injured on job and can no longer perform previous job
- Employer fails to provide protective gear for workers using toxic materials
- Violations of child labor laws
- Children are exposed to hazardous chemicals or allowed to use heavy machinery or work in otherwise dangerous conditions

As Buyers:

- Buyer defrauds farmer on price
- Buyer refuses to recognize right of farmer to organize with other farmers to negotiate prices
- Buyer refuses to negotiate with farmer on pricing
- Buyer fails to bargain in good faith
- Buyer retaliates against farmer who organizes group of farmers for negotiating with buyer
- Buyer bars representative of farmers from negotiations on pricing
- Buyer changes contract without negotiating with farmer
- Buyer refuses to disclose costs and pricing formula to farmer
- Buyer forbids farmer to share information about contract with other farmers or legal council
- Buyer docks price excessively claiming low quality
- Buyer discriminates against farmer
- Buyer is abusive or sexually harasses farmer
- Buyer terminates contract or agreement with farmer without cause
- Buyer pits farmers against one another to drive prices down
- Buyer refuses to agree to stable minimum pricing in market with extremes of price volatility
- Buyer offers price that is below prevailing regional price without financial justification of buyer financial status

2.1.3.3. *Registration Fees*

It is expected that certifiers will charge appropriate fees to cover time spent conducting desk audits and collecting information.

In addition to certifier assessed fees, AJP will charge an annual registration fee of \$500 to be collected by the certifier.

In many situations the brand holder or another company invested in the certification of the product chain may choose to cover the costs of registration of the intermediaries involved.

2.1.4. Split Operations

AJP does not allow certification for one part of a split business. In other words, an operation may not apply for certification to the AJP standards for a portion of the operation or a portion of their employees. Individuals and companies may own both AJP certified and non-AJP certified farms and businesses, but these must have separate business status. In these cases the following apply:

- The operations must be separate businesses with separate financial statements, separate organizational structures, separate paychecks for employees who work for both

operations and separate names.

- The non-certified farm or business may not sell products under the same name and logo as the AJP certified farm or business.
- Owner may not have willfully violated human and labor rights on the non-AJP certified business. Certifiers should place this requirement in the contract with the client.
- Workers must not be required to work on both businesses as a term of employment.
- Branding and marketing for the separate businesses must be substantially different so as not to mislead consumers.

2.1.5. Equivalency with Other Fair Trade and Social Justice Labels

If a raw material or processing aid already carries a fair trade or social justice label, AJP will review requests for equivalency on a case-by-case basis to determine if a re-certification, or review of the certification materials is necessary.

2.1.6. Use of AJP Certified Product Where Available

In principle, each necessary ingredient available from AJP certified farms/businesses should come entirely from certified AJP farms/businesses. However, AJP may grant temporary exceptions to blend in a small percentage of products that are not from certified AJP operations to allow for necessary processing flexibility until the market of AJP products is sufficiently developed, if the manufacturer can demonstrate adequate efforts to develop/support supply chain certification.

2.1.7. Exemptions to AJP Labeling Requirements

In certain instances AJP may grant a temporary exemption from the percentage requirements for a particular labeling category. Requests for exemptions must be filed with proper documentation of the case with the certifier, and the decision must be first approved by the AJP Management Committee before products can be labeled.

In addition, AJP will consider additional requests for exemptions from any of the above requirements on a case-by-case basis. Any appeal must be well documented.