



## **2023 Tobacco Certification Remediation Guide**

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## **Purpose of the GAPC Certification Remediation Guide**

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This document contains a detailed outline of how to successfully complete remediation for GAP Connections (GAPC) Certification. This document may change annually, and it is the participant's responsibility to review all up-to-date content on GAPC Certification remediation. Growers and monitoring firms should use this document in conjunction with the GAPC Certification Compliance Guide to better understand and review the GAPC Certification Program requirements.

Purpose of the document:

- To provide growers and monitoring firms with a description of remediation practices for GAPC Certification;
- To help Certification Applicants successfully remediate non-compliance(s) for their Certification Monitoring Visits;
- To describe the GAPC Certification Program remediation requirements to those in the supply chain handling product from GAPC Certified Growers that wish to make a claim about the GAPC Certification status of their suppliers; and
- To provide transparency to outside stakeholders to build credibility within the GAPC Certification Program.

## Contents

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Purpose of the GAPC Certification Remediation Guide .....	2
Contents .....	3
Remediation .....	4
Helpful Tips for Growers Completing Remediation for GAPC Certification .....	4
How to Use this Remediation Guide.....	5
Non-Compliance with the Attendance Policy at Monitoring Visits .....	5
Non-Compliance with the Monitoring Activity Code of Conduct .....	5
Remediable Critical Questions Missed.....	6
Training .....	6
Self-assessment .....	6
Crop Management.....	6
Environmental Management.....	8
Labor Management.....	8
Remediable Additional Questions Missed .....	16
Crop Management.....	16
Environmental Management.....	20
Labor Management.....	21
Appeals Process .....	23

## Remediation

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In the event that your selected monitoring firm encounters circumstances on your operation that are not in compliance with GAPC Certification Standards, GAPC may, but is not required to, permit you to remediate and correct any noncompliance with GAPC standards so that you may qualify for GAPC Certification in the year of application. There is no obligation on the part of GAPC to permit remediation. **If GAPC permits remediation, all required remediation must be completed within 30 days of the date the Monitoring Visit.** Failure to timely remediate noncompliance with GAPC Certification Standards may result in denial of GAPC Certification for your operation.

The Review and Remediation Committee will meet as needed to review cases in which the non-compliance issue does not fall into a predefined remediation path. The Committee will review the Monitoring Visit report and any other relevant information from the auditor, investigator, or GAPC staff and prescribe the course of remediation for the grower by a majority vote. The Committee will also meet as needed to review and approve denials of GAPC Certification by a majority vote. The Review and Remediation Committee will be comprised of a GAPC staff organizer (generally the Certification and Assessment Director), two grower members and two company members. If the Committee chooses to, they can bring in consultants such as an audit firm representative and/or a content expert depending on the issues that are in question for remediation.

## Helpful Tips for Growers Completing Remediation for GAPC Certification

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- Review your Monitoring Report in its entirety to identify what needs to be remediated.
- Complete all needed remediation **within the 30-day timeline**, failure to remediate may result in denial of GAPC Certification.
- Communicate with your selected monitoring firm throughout the remediation process to ensure they are receiving your remediation documents and pictures and/or to schedule your revisit if needed.
- If you still have questions review the 2023 GAPC Certification Compliance Guide found online at [www.gapconnections.com](http://www.gapconnections.com) and/or call GAPC at 865.622.4606. GAPC staff are here to help!
- Growers are required to be in compliance with 100% of the Critical Standards and at least 75% of Additional Standards. You must remediate any missed Criticals to achieve U.S. and/or International GAPC Certification. However, if you score less than 100% but more than or equal to 75% on Additionals you are not required to complete remediation.**

## How to Use this Remediation Guide

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- Find the corresponding question number from your Monitoring Report in the applicable category for directions on how to remediate any missed items.
- Your monitoring firm will be handling your remediation unless specified by GAPC. All items will need to be sent to them directly.
- Some items will require a Corrective Action Plan (CAP) to successfully remediate. See CAP template on page 26 of this document.
- **Growers have 30 days from the date of the Monitoring Visit to complete ALL remediation.**

## Non-Compliance with the Attendance Policy at Monitoring Visits

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All growers (Primary and Associated) listed on the Certification Application must be present to sign the Monitoring Visit report for all visits associated with the Certification of the operation. If a Primary grower is not present Certification may be denied or a revisit may have to be conducted. If an Associate grower is not present, they will be dropped from the Certification.

## Non-Compliance with the Monitoring Activity Code of Conduct

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- Growers must participate in monitoring activities with honesty and respond to questions thoroughly and truthfully. If documents provided are discovered to be intentionally fraudulent it could result in GAPC Certification being denied.
- Growers must not retaliate or intimidate workers, the auditor, or GAPC staff. If the auditor reports that any such conduct occurs during the monitoring activities, the monitoring visit will be terminated, and can result in GAPC Certification being denied.
- Growers must cooperate with agents and employees of the selected audit firm and GAPC with respect and without intimidation during monitoring activities and any follow-up actions. Failure to cooperate with agents and employees of the audit firm or GAPC is grounds for denial of GAPC Certification.

**If a grower is found to be violating the Monitoring Activity Code of Conduct Certification, it will be reviewed by the Review and Remediation Committee and could be denied or revoked.**

## Remediable Critical Questions Missed

### Training

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GAP Annual Training is not remediable after June 30<sup>th</sup>, if before June 30<sup>th</sup> complete GAP Annual Training.

### Self-assessment

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Complete the GAPC Self-assessment online or by paper.

### Crop Management

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**Crop Management Question 1** - Grower must submit a copy of all 578 forms for the farm. This includes every 578 form for each county and each person or entity associated with the farm. Specifically, the grower must submit the Farming Operation Totals Page(s).

**Crop Management Question 1a** - Grower must submit a copy of 578 form with all Associate Growers listed.

**Crop Management Question 2** - Grower must submit 578 forms for the current year that match exactly the acreage reported during monitoring visit.

**Crop Management Question 9** - Grower must submit to auditor a copy of their approved nutrient management plan.

**Crop Management Question 20** - Grower must submit to their auditor a copy of the pesticide license(s) for any and all individuals who apply pesticides (both restricted and non-restricted).

**Crop Management Question 25a** - Grower must submit to their auditor a copy of their pesticide application documentation that includes the date of all pesticide applications for tobacco production.

**Crop Management Question 25b** - Grower must submit to their auditor a copy of their pesticide application documentation that includes the entity or business performing the pesticide application(s) for tobacco production.

**Crop Management Question 25d** - Grower must submit to their auditor a copy of their pesticide application documentation that includes the product brand name and common name or active ingredient.

**Crop Management Question 25e** - Grower must submit to their auditor a copy of their pesticide application documentation that includes the Environmental Protection Agency (EPA) number for each pesticide used in tobacco production.

**Crop Management Question 25f** - Grower must submit to their auditor a copy of their pesticide application documentation that includes the Restricted Entry Interval (REI) for each pesticide used in tobacco production.

**Crop Management Question 25g** - Grower must submit to their auditor a copy of their pesticide application documentation that includes the rate of application for all pesticides used in tobacco production.

**Crop Management Question 25h** - Grower must submit to their auditor a copy of their pesticide application documentation that includes the field or tract where pesticides were applied for tobacco production.

**Crop Management Question 25i** - Grower must submit to their auditor a copy of their pesticide application documentation that includes the method of which pesticides were applied for tobacco production.

**Crop Management Question 37** - Grower must submit to their auditor documentation that indicates the dates of seeding for all tobacco transplants in the current year.

**Crop Management Question 38** - Grower must submit to their auditor documentation that indicates the seed lot numbers and varieties used in the current crop year for tobacco.

**Crop Management Question 43** - Grower must submit to their auditor a picture of the tarp used to cover tobacco on the way to market to indicate the side in contact with tobacco is made of a waterproof and non-plastic material. Additional documentation would be a user manual or tag for the tarp from when it was purchased.

**Crop Management Question 44** - Grower must submit to their auditor a picture that indicates that the enclosed trailer or vehicle used to transport tobacco is weather protected and has a floor surface that is free of contaminants.

**Crop Management Question 45e** - Grower must submit to auditor documentation that indicates the date tobacco was placed in each curing structure and the date it was removed from the curing structure.

**Crop Management Question 45h** - Grower must submit to their auditor documentation that indicates the heating systems on all their flue cured barns have passed testing for leaks within the past three (3) years.

**Crop Management Question 50** - Grower must submit to their auditor a copy of their documented barn safety program including inspection dates, hazards identified, and actions taken to reduce hazards.

**Crop Management Question 61** - Grower must submit a picture to their auditor that shows their tobacco storage areas are clean with no observable NTRM.

**Crop Management Question 62** - Grower must submit a picture to their auditor that shows their tobacco storage areas are clean with no liquids stored such as pesticides, petroleum products, paint, etc.

## Environmental Management

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**Environmental Management Question 66** - Grower must submit documentation to their auditor that indicates they have the Safety Data Sheets (SDS) for CPAs used in tobacco production that are stored on the farm.

**Environmental Management Question 67** - Grower must submit documentation to their auditor that indicates they have copies of labels of CPAs applied to tobacco. These labels can be on the container in storage or in farm files. This does not include CPAs that are no longer in use.

**Environmental Management Question 68** - Grower must submit a picture to their auditor that indicates CPAs are stored in a designated enclosed, weather protected, lockable area with the appropriate warning signs.

**Environmental Management Question 69** - Grower must submit documentation or a picture to their auditor that indicates CPAs are stored in original manufacturer containers with the labels attached. If the labels have fallen off, grower must submit copies of the labels they keep on file in the pesticide storage room. If there is no storage area, a grower must show receipts from a custom applicator or organic certification.

**Environmental Management Question 89** - Grower must submit documentation to their auditor that indicates they have a conservation plan for any fields or tracts that have Highly Erodible Land (HEL)

## Labor Management

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**Labor Management Question 140**- Grower must submit ETA 790 and 790A forms for all workers to their auditor. Must include the number of workers, location of employment, name of employer, number of housing units, housing location, and H-2A case number.

**Labor Management Question 142**- Grower must submit I9 Forms to their auditor. Grower must have one I9 form for every hired worker on their operation. Immediate family labor is excluded.

**Labor Management Question 143** - Grower must submit copies of the terms and conditions of employment that were provided to their workers. These terms and conditions must include the place of employment wage rates, crops and kinds of activities for which the worker will be employed, period of employment, benefits to be provided, and whether workers compensation or state unemployment insurance is provided.

**Labor Management Question 148 (International Only)** - Grower must submit to their auditor a **CORRECTIVE ACTION PLAN (CAP)** that indicates why family member age 16-17 were participating in DOL Hazardous tasks, how the problem was fixed in the current year, and how grower plans to remain in compliance in future years.

**Labor Management Question 149 (International Only)** - Grower must submit to their auditor a **CORRECTIVE ACTION PLAN (CAP)** that indicates why family member age 16-17 were participating in other Hazardous tasks, how the problem was fixed in the current year, and how grower plans to remain in compliance in future years.



**Labor Management Question 151 (International Only)** - Grower must submit to their auditor a **CORRECTIVE ACTION PLAN (CAP)** that indicates why minors were working at night, how the problem was fixed in the current year, and how grower plans to remain in compliance in future years

**Labor Management Question 152 (US Only)** - Grower must send their auditor a copy of a written consent form for any workers on the farm under the age of 18 who are working in tobacco. The consent form must be from the youth workers parent or legal guardian.

**Labor Management Question 153**- Grower must submit to their auditor a **CORRECTIVE ACTION PLAN (CAP)** that indicates why workers under the age of 18 were participating in DOL Hazardous tasks, how the problem was fixed in the current year, and how the grower plans to remain in compliance in the future years.

**Labor Management Question 154 (International Only)**- - Grower must submit to their auditor a **CORRECTIVE ACTION PLAN (CAP)** that indicates why workers under the age of 18 were participating in other restricted tasks, how the problem was fixed in the current year, and how the grower plans to remain in compliance in the future years.

**Labor Management Question 157**- Grower must submit two weeks of wage statements showing that workers are paid at least bi-weekly.

**Labor Management Question 158a** - Grower must submit two weeks of wage statements with Employer name, address, and identification number.

**Labor Management Question 158c** - Grower Must submit two weeks of wage statements with Worker name, address, and social security number.

**Labor Management Question 158f** - Grower must submit two weeks of wage statements with basis on which wages are paid.

**Labor Management Question 158g** - Grower must submit two weeks of wage statements with Number of piecework units earned, if paid on a piecework basis.

**Labor Management Question 158h** - Grower must submit two weeks of wage statements with Number of hours worked.

**Labor Management Question 158i** - Grower must submit two weeks of wage statements with Total pay period earnings.

**Labor Management Question 158j** - Grower must submit two weeks of wage statements with specific sums withheld and the purpose of each sum withheld.

**Labor Management Question 158k** - Grower must submit two weeks of wage statements with net pay.

**Labor Management Question 159** - Grower must submit to auditor documentation that indicates they do not deduct anything from workers' pay checks besides the legal wage deductions. Additionally, the grower must submit wage statements to ensure that workers are being paid properly.

**Labor Management Question 160a** - Grower must submit a picture to their auditor that indicates their Migrant and Seasonal Protection Act poster has been posted in a common area where all workers can see it in their native language.

**Labor Management Question 160b** - Grower must submit a picture to their auditor that indicates their Fair Labor Standards Act poster has been posted in a common area where all workers can see it in their native language.

**Labor Management Question 160c** - Grower must submit a picture to their auditor that indicates their Employee Rights under the H-2A program poster has been posted in a common area where all workers can see it in their native language.

**Labor Management Question 160d** - Grower must submit a picture to their auditor that indicates their OSHA Occupational Safety and Health poster has been posted in a common area where all workers can see it in their native language.

**Labor Management Question 161 (US Only)**- Grower must send their auditor a copy of a written consent form for any workers on the farm under the age of 18 provided by the FLC or H2LC who are working in tobacco. The consent form must be from the youth workers parent or legal guardian.

**Labor Management Question 163** - Grower must submit to their auditor copies of the I-9 forms for each worker hired by the FLC. Additionally, a **CORRECTIVE ACTION PLAN (CAP)** that indicates why the grower did not have I-9 forms for the workers hired by the FLC, how the grower fixed the situation in the current year, and how they will remain in compliance in future years.

**Labor Management Question 165** - Grower must submit to their auditor a **CORRECTIVE ACTION PLAN (CAP)** that indicates why workers under the age of 18 were participating in DOL Hazardous tasks, how the problem was fixed in the current year, and how the grower plans to remain in compliance in the future years.

**Labor Management Question 166 (International Only)** - Grower must submit to their auditor a **CORRECTIVE ACTION PLAN (CAP)** that indicates why workers under the age of 18 hired through an FLC or H2ALC were participating in other restricted tasks, how the problem was fixed in the current year, and how the grower plans to remain in compliance in the future years.

**Labor Management Question 169** - Grower must submit a copy of the FLC certificate of registration to their auditor to confirm that they are using an FLC with a valid and up to date license.

**Labor Management Question 170**- Grower must submit copy of the FLC ETA 790 and 790A for all workers to their auditor. Must include the number of workers, location of employment, name of employer, number of housing units, housing location, and H-2A case number. FLC must be listed in the ETA 790 Box 1.

**Labor Management Question 171c** - Grower must submit to their auditor a copy of the contract between them and the H2ALC.

**Labor Management Question 174** - Grower must submit to their auditor proof of a surety bond that covers liability incurred during the term of the worker contract period listed and that remains in effect for at least 2 years from expiration date of labor certification.

**Labor Management Question 175** - Grower must submit a copy of the FLC Certificate of registration to their auditor to confirm that the FLC is authorized to house. This applies only if the FLC is providing housing for the workers.

**Labor Management Question 176** - Grower must submit documentation to their auditor that indicates the housing provided by the FLC or H-2ALC for workers has been inspected by a government agency. This applies only if the FLC is providing housing for the workers.

**Labor Management Question 176a** - Grower must submit documentation to their auditor that indicates the housing provided by the FLC or H-2ALC is maintained to comply with all federal and state safety and health standards. This applies only if the FLC is providing housing for the workers.

**Labor Management Question 177**- Grower must submit a copy of the FLC Certificate of registration to their auditor to confirm that the FLC is authorized to transport workers. This applies only if the FLC is providing transportation for the workers.

**Labor Management Question 180**- Grower must submit a copy of the FLC Certificate of registration to their auditor to confirm that the FLC is authorized to drive workers. This applies only if the FLC is driving workers.

**Labor Management Question 181** - Grower must submit a copy of the worker terms and conditions of employment provided to the workers hired through a Farm Labor Contractor.

**Labor Management Question 183a** - Grower must submit two weeks of wage statements for the FLC workers with Employer name, address, and identification number.

**Labor Management Question 183c** - Grower Must submit two weeks of wage statements for the FLC workers with Worker name, address, and social security number.

**Labor Management Question 183f**- Grower must submit two weeks of wage statements for the FLC workers with basis on which wages are paid.

**Labor Management Question 183g** - Grower must submit two weeks of wage statements for the FLC workers with Number of piecework units earned, if paid on a piecework basis.

**Labor Management Question 183h** - Grower must submit two weeks of wage statements for the FLC workers with Number of hours worked.

**Labor Management Question 183i** - Grower must submit two weeks of wage statements for the FLC workers with Total pay period earnings.

**Labor Management Question 183j**- Grower must submit two weeks of wage statements for the FLC workers with specific sums withheld and the purpose of each sum withheld.

**Labor Management Question 183k** - Grower must submit wage statements for the FLC workers with net pay.

**Labor Management Question 187** - Grower must have an auditor REVISIT the farm to ensure that workers are not being charged any fees to be transported to the operation or to be employed. Grower must additionally submit to the auditor a **CORRECTIVE ACTION PLAN (CAP)** stating what the issue was, how the grower fixed the issue in the current year, and how they will remain in compliance in the future.

**Labor Management Question 188** - Grower must have their auditor REVISIT the farm to ensure that workers have access to their government issued documentation. Grower must additionally submit to the auditor a **CORRECTIVE ACTION PLAN (CAP)** stating what the issue was, how the grower fixed the issue in the current year, and how they will remain in compliance in the future.

**Labor Management Question 189** - Grower must have an auditor REVISIT the farm to ensure that workers are allowed to enter and exit their place of work freely and without restriction. Grower must additionally submit to the auditor a **CORRECTIVE ACTION PLAN (CAP)** stating what the issue was, how the grower fixed the issue in the current year, and how they will remain in compliance in the future.

**Labor Management Question 190** - Grower must submit a photo of the Worker Right and Responsibilities poster posted on their operation to ensure the Worker Rights and Responsibilities poster is posted in a common area visible to all workers in their native language.

**Labor Management Question 191** - Grower must submit a photo of the Worker Concern Helpline poster posted on their operation to ensure an approved Worker Concern Helpline Process is in place and the grower has documentation that each worker has been shared the information.

**Labor Management Question 192-** Grower must submit to their auditor documentation showing that the grower has a grievance mechanism in place for their workers.

**Labor Management Question 193** - Grower must have an auditor REVISIT the farm to ensure that workers have the freedom to associate with organized groups. Grower must additionally submit to the auditor a **CORRECTIVE ACTION PLAN (CAP)** stating what the issue was, how the grower fixed the issue in the current year, and how they will remain in compliance in the future.

**Labor Management Question 194** - Grower must have an auditor REVISIT the farm to ensure that the grower is providing reasonable access to their workers from organized groups. Grower must additionally submit to the auditor a **CORRECTIVE ACTION PLAN (CAP)** stating what the issue was, how the grower fixed the issue in the current year, and how they will remain in compliance in the future.

**Labor Management Question 195-** Grower must have an auditor REVISIT the farm to ensure that the grower is not discriminating against workers who choose to associate with organized groups. Grower must additionally submit to the auditor a **CORRECTIVE ACTION PLAN (CAP)** stating what the issue was, how the grower fixed the issue in the current year, and how they will remain in compliance in the future.

**Labor Management Question 199** - Grower must submit a photo showing that workers are provided safe drinking water during work hours. Grower must additionally submit to the auditor a **CORRECTIVE ACTION PLAN (CAP)** stating what the issue was, how the grower fixed the issue in the current year, and how they will remain in compliance in the future.

**Labor Management Question 200-** Grower must submit a photo showing that the workers are provided with clean and sanitary bathroom facilities during work hours. For growers who have 11 or more workers, the bathroom facilities must be within a quarter mile for workers who are in the field more than three (3) hours per day. Grower must additionally submit to the auditor a **CORRECTIVE ACTION PLAN (CAP)** stating what the issue was, how the grower fixed the issue in the current year, and how they will remain in compliance in the future.

**Labor Management Question 201-** Grower must submit a photo showing that the workers are provided with hand washing facilities with soap during work hours. For growers who have 11 or more, the hand washing facilities must be within a quarter mile for workers who are in the field more than three (3) hours per day. Grower must additionally submit to the auditor a **CORRECTIVE ACTION PLAN (CAP)** stating what the issue was, how the grower fixed the issue in the current year, and how they will remain in compliance in the future. Labor Management Question 187 - Grower must have their auditor REVISIT the farm to

ensure that the workers are provided with breaks during the day, including lunch, without compromising their ability to earn wages. Grower must additionally submit to the auditor a **CORRECTIVE ACTION PLAN (CAP)** stating what the issue was, how the grower fixed the issue in the current year, and how they will remain in compliance in the future.

**Labor Management Question 202** -- Grower must have their auditor REVISIT the farm to ensure that the workers are provided with breaks during the day, including lunch, without compromising their ability to earn wages. Grower must additionally submit to the auditor a **CORRECTIVE ACTION PLAN (CAP)** stating what the issue was, how the grower fixed the issue in the current year, and how they will remain in compliance in the future.

**Labor Management Question 203** - Grower must submit documentation to their auditor that indicates the migrant or H-2A workers housing has been inspected by a government agency.

**Labor Management Question 203a** - Grower must submit documentation to their auditor that indicates the housing provided to the migrant or H-2A workers by the grower is maintained to comply with all federal and state safety and health standards.

**Labor Management Question 205** - Grower must submit a photo of the terms and conditions of occupancy posted on their operation to ensure that the terms and conditions of occupancy are posted and provided to migrant or H-2A workers for whom housing is provided.

**Labor Management Question 206a** - Grower must submit a copy of the license and insurance for any drivers of vehicles that transport workers on the farm.

**Labor Management Question 206c** - Grower must submit a copy of the inspection records for their vehicles to their auditor to ensure that the transportation vehicles on the farm are safe and in good working condition.

**Labor Management Question 207a** - Grower must submit their OSHA 300A form to their auditor from previous year ending December 31. If at least one accident has occurred on the farm, then this needs to be indicated in the form along with the year and the establishment information being filled out. If there have been zero accidents on the farm, the grower should submit the OSHA 300A form with a value of zero (0) in the sheet and the year and establishment information filled out.

**Labor Management Question 207b** - Grower must submit to their auditor a **CORRECTIVE ACTION PLAN (CAP)** stating why the previous year's 300A summary was not posted from February to April and how they will remain in compliance in the future.

**Labor Management Question 207c** - Grower must submit to their auditor a **CORRECTIVE ACTION PLAN (CAP)** stating why the previous year's 300A summary was not submitted by March 2 and how they will remain in compliance in the future.

**Labor Management Question 207d** - Grower must submit to their auditor proof that the OSHA Form 301 has been completed, additionally grower must complete a **CORRECTIVE ACTION PLAN (CAP)** stating why the Form 301 was not completed within seven days after being notified of recordable injury or illness and how the grower will remain in compliance in the future.

**Labor Management Question 207e** - Grower must submit to the auditor their OSHA 300 form. If the grower has had at least one accident on the farm, the auditor will be expecting to see this record(s) on the 300 form along with the Year and Establishment information completed. If the grower has had zero accidents in the current year, the auditor will be expecting to see the Year and establishment information only.

**Labor Management Question 207f** - Grower must submit to the auditor a **CORRECTIVE ACTION PLAN (CAP)** stating what the issue was, how the grower fixed the issue in the current year, and how they will remain in compliance in the future.

**Labor Management Question 208** - Grower must submit a picture to their auditor that indicates they have precautions for workers who are exposed to wet tobacco. Grower must additionally submit to the auditor a **CORRECTIVE ACTION PLAN (CAP)** stating what the issue was, how the grower fixed the issue in the current year, and how they will remain in compliance in the future.

**Labor Management Question 209** - Grower must submit a picture to their auditor that indicates they have precautions for workers who are exposed to hot weather. Grower must additionally submit to the auditor a **CORRECTIVE ACTION PLAN (CAP)** stating what the issue was, how the grower fixed the issue in the current year, and how they will remain in compliance in the future.

**Labor Management Question 210** - Grower must submit documentation that identifies risks involved with working on their operation, such as operating machinery or equipment, bad weather conditions, CPA, etc., and how workers can protect themselves from these risks.

**Labor Management Question 211** - Grower must submit a picture to their auditor that indicates they have a sign or appropriate method of informing workers when they should not enter a field because of the REI.

**Labor Management Question 212** - Grower must submit documentation that indicates they have emergency contact information for all workers on the farm. A worker onboarding template is provided in the GAP Records.

**Labor Management Question 213** - Grower must submit a picture to their auditor that indicates they have posted EMS service contact information for their workers in a common area and in their common language.

**Labor Management Question 214** – Grower must create and submit to their auditor a copy of their written emergency plan.

**Labor Management Question 216a** – Grower must submit documentation to their auditor that indicates workers have received training on preventing heat stress, including a worker signature on the document. Grower must additionally submit to the auditor a **CORRECTIVE ACTION PLAN (CAP)** stating what the issue was, how the grower fixed the issue in the current year, and how they will remain in compliance in the future.

**Labor Management Question 216b** – Grower must submit documentation to their auditor that indicates workers have received training on general farm safety, including a worker signature on the document. Grower must additionally submit to the auditor a **CORRECTIVE ACTION PLAN (CAP)** stating what the issue was, how the grower fixed the issue in the current year, and how they will remain in compliance in the future.

**Labor Management Question 216c** – Grower must submit documentation to their auditor that indicates workers have received training on operation of farm equipment, including a worker signature on the document. Grower must additionally submit to the auditor a **CORRECTIVE ACTION PLAN (CAP)** stating what the issue was, how the grower fixed the issue in the current year, and how they will remain in compliance in the future.

**Labor Management Question 216d** – Grower must submit documentation to their auditor that indicates workers have received training on carbon monoxide poisoning, including a worker signature on the document. Grower must additionally submit to the auditor a **CORRECTIVE ACTION PLAN (CAP)** stating what the issue was, how the grower fixed the issue in the current year, and how they will remain in compliance in the future.

**Labor Management Question 216e** – Grower must submit documentation to their auditor that indicates workers have received training on use of personal protective equipment, including a worker signature on the document. Grower must additionally submit to the auditor a **CORRECTIVE ACTION PLAN (CAP)** stating what the issue was, how the grower fixed the issue in the current year, and how they will remain in compliance in the future.

**Labor Management Question 216f** – Grower must submit documentation to their auditor that indicates workers have received training on Green Tobacco Sickness (GTS), including a worker signature on the document. Grower must additionally submit to the auditor a **CORRECTIVE ACTION PLAN (CAP)** stating what the issue was, how the grower fixed the issue in the current year, and how they will remain in compliance in the future.

**Labor Management Question 216g** – Grower must submit documentation to their auditor that indicates workers have received training on emergency response procedures, including a worker signature on the document. Grower must additionally submit to the auditor a **CORRECTIVE ACTION PLAN (CAP)** stating what the issue was, how the grower fixed the issue in the current year, and how they will remain in compliance in the future.

**Labor Management Question 216h** – Grower must submit documentation to their auditor that indicates workers have received training on Restricted entry intervals, including a worker signature on the document. Grower must additionally submit to the auditor a **CORRECTIVE ACTION PLAN (CAP)** stating what the issue was, how the grower fixed the issue in the current year, and how they will remain in compliance in the future.

**Labor Management Question 216i** – Grower must submit documentation to their auditor that indicates workers have received training on storage, handling, application, and disposal of CPAs, including a worker signature on the document. Grower must additionally submit to the auditor a **CORRECTIVE ACTION PLAN (CAP)** stating what the issue was, how the grower fixed the issue in the current year, and how they will remain in compliance in the future.

**Labor Management Question 216j** – Grower must submit documentation to their auditor that indicates workers have received training on current Worker Protection Standards (WPS), including a worker signature on the document. Grower must additionally submit to the auditor a **CORRECTIVE ACTION PLAN (CAP)** stating what the issue was, how the grower fixed the issue in the current year, and how they will remain in compliance in the future.

**Labor Management Question 216k** – Grower must submit documentation to their auditor that indicates workers have received training on preventing Non-Tobacco Related Material contamination, including a worker signature on the document. Grower must additionally submit to the auditor a **CORRECTIVE ACTION PLAN (CAP)** stating what the issue was, how the grower fixed the issue in the current year, and how they will remain in compliance in the future.

**Labor Management Question 216n** - Grower must submit documentation to their auditor that indicates workers have received training on First Aid, including a worker signature on the document. Grower must additionally submit to the auditor a **CORRECTIVE ACTION PLAN (CAP)** stating what the issue was, how the grower fixed the issue in the current year, and how they will remain in compliance in the future.

**Labor Management Question 217** - Grower must submit a photo to their auditor showing that PPE use is required for applicators, handlers, and early entry workers.

**Labor Management Question 218a** - Grower must submit a photo to their auditor showing workers have access to gloves and water-resistant clothing for workers working with wet tobacco.

**Labor Management Question 218b** - Grower must submit a photo to their auditor showing that workers who handle or apply CPAs have access to chemical resistant gloves.

**Labor Management Question 218c** - Growers must submit a photo to their auditor showing that workers who mix or load CPAs have access to chemical resistant aprons.

**Labor Management Question 218d** - Grower must submit a photo to their auditor showing that workers who are mixing or loading CPAs have access to chemical resistant footwear.

**Labor Management Question 218e** - Grower must submit a photo to their auditor showing that workers who are mixing or handling CPAs or are performing jobs that can create flying objects have access to safety glasses.

**Labor Management Question 218f** - Grower must submit a photo to their auditor showing that workers who are exposed to loud noises from equipment have access to hearing protection.

**Labor Management Question 218g** - Grower must submit a photo to their auditor showing that workers who are exposed to dusty environments have access to dust masks.

## Remediable Additional Questions Missed

### Crop Management

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**Crop Management Question 5** - Grower must submit to their auditor a copy of their soil test results that indicate their tobacco fields have had a soil test conducted within three (3) years.

**Crop Management Question 5a** - Grower must submit to their auditor a copy of their soil test results on which they base their fertilizer application decisions.



**Crop Management Question 6** - Grower must submit to their auditor a copy of their nutrient management application records for all greenhouse and field applications of fertilizer, lime, and manure.

**Crop Management Question 8a** - Grower must submit to auditor results from testing manure for nutrient content for any manure applied on fields of tobacco. Additionally, the grower must submit to their auditor a **Corrective Action Plan (CAP)** that indicates why the manure was not tested initially, how the grower fixed the issue in the current year and how they will ensure they remain in compliance for future years.

**Crop Management Question 11a** - Grower must submit to their auditor scouting documents that include the dates of scouting events for tobacco fields by field or tract.

**Crop Management Question 11b** - Grower must submit to their auditor scouting documents that include the pests identified (if none please indicate no pests) during each scouting event for tobacco by field or tract.

**Crop Management Question 11c** - Grower must submit to their auditor scouting documents that indicate the fields or tracts for each scouting event for tobacco production.

**Crop Management Question 11d** - Grower must submit to their auditor scouting documents that include the level of infestation (if no infestation please indicate this) for tobacco fields by field or tract.

**Crop Management Question 11e** - Grower must submit to their auditor scouting documents that include the actions taken for any infested tobacco fields by field or tract.

**Crop Management Question 11f** - Grower must submit to their auditor scouting documents that include notes on the effectiveness of actions taken for infestations in tobacco fields by field or tract.

**Crop Management Question 13** - Grower must submit to their auditor a **CORRECTIVE ACTION PLAN (CAP)** that indicates why the grower was not looking for and counting beneficial insects when scouting, how the grower addressed the issue in the current season, and their plan to remain in compliance in the future.

**Crop Management Question 25c** - Grower must submit to their auditor a copy of pesticide application documentation that indicates the reason for each pesticide application in tobacco production.

**Crop Management Question 26**- Grower must submit to their auditor a **CORRECTIVE ACTION PLAN (CAP)** that indicates why the grower was not using established economic thresholds for pests and only applying CPAs when pests exceeded limits confirmed by scouting and monitoring, how the grower addressed the issue in the current season, and their plan to remain in compliance in the future.

**Crop Management Question 27** - Grower must submit to their auditor a **CORRECTIVE ACTION PLAN (CAP)** that indicates why the grower was not using low-toxicity or pest targeted CPAs when available, how the grower addressed the issue in the current season, and their plan to remain in compliance in the future.

**Crop Management Question 28** – Grower must submit to their auditor a **CORRECTIVE ACTION PLAN (CAP)** that indicates why the grower was not using environmentally and biologically friendly methods to control pests, how the grower address the issue in the current season, and their plan to remain in compliance in the future.

**Crop Management Question 29** - Grower must submit to their auditor a copy of their sprayer calibration records indicating that any and all sprayers used in tobacco production have been calibrated for the current season.

**Crop Management Question 30** - Grower must submit to their auditor a copy of their CPA application records for the current year and the two previous years for all pesticides applied in tobacco production.

**Crop Management Question 32** - Grower must submit to their auditor a copy of the documentation used to select tobacco varieties for the current crop year based on disease resistance, field history, curing characteristics, cured leaf quality, or yield.

**Crop Management Question 40a** - Grower must submit to their auditor documentation that indicates the dates of transplanting tobacco for the current season.

**Crop Management Question 40b** - Grower must submit to their auditor documentation that indicates the row width and plant spacing for tobacco transplants in the current season.

**Crop Management Question 40c** - Grower must submit to their auditor documentation that indicates the plant population in the tobacco field for the current season.

**Crop Management Question 40d** - Grower must submit to their auditor documentation that indicate the dates of topping for tobacco transplanting in the current season.

**Crop Management Question 41** - Grower must submit to their auditor a copy of their documented program for controlling problem weeds that contaminate tobacco.

**Crop Management Question 42** - Grower must speak with auditor to indicate that they mow all field borders and turning areas and manually remove pigweed and other weeds of concern from tobacco fields.

**Crop Management Question 45a** - Grower must submit to their auditor documentation that indicates the type and number of curing structures or barns used in tobacco production in the current year.

**Crop Management Question 45c** - Grower must submit to their auditor documentation that indicates the dates of harvesting for tobacco production for the current season.

**Crop Management Question 45d** - Grower must submit to the auditor documentation that indicates the curing structure or barn used for tobacco by the field or tract from which tobacco was harvested.

**Crop Management Question 45f** - Grower must submit to their auditor documentation that indicates the spacing of sticks in each curing structure or barn for tobacco production in the current season.

**Crop Management Question 45g** - Grower must submit to their auditor documentation that indicates the number of firings used for each barn and the type of dark fired fuel used for each firing. This applies to DARK FIRED operations only.

**Crop Management Question 46** - Grower must submit to their auditor a picture that indicates the grower can monitor temperature and humidity during curing in their flue cured barns.

**Crop Management Question 47** - Grower must submit to their auditor a picture that indicates they use automated curing controls on their flue cured barns.

**Crop Management Question 48** - Grower must submit a picture to their auditor that indicates they can monitor the temperature during firing for fire cured barns. This applies to DARK FIRED operations only.

**Crop Management Question 49** - Grower must submit documentation to their auditor that indicates they have a process in place that allows for traceability of tobacco through curing and delivery.

**Crop Management Question 51** - Grower must submit a picture to their auditor that indicates the grower provides designated break areas for their workers that are separated from the market preparation facilities.

**Crop Management Question 52** - Grower must submit to their auditor a picture of their market preparation area indicating that there is at least one trash can present in the facilities or market prep area.

**Crop Management Question 53** - Grower must submit a picture to their auditor that indicates all tools and equipment in the market preparation area have metal or wooden handles.

**Crop Management Question 54** - Grower must submit a picture to their auditor that indicates brooms used in the market preparation area have natural bristles. Additional information may include a tag or paperwork from the purchase of the broom indicating the bristles are natural.

**Crop Management Question 55** - Grower must submit documentation indicating they have a process in place to record the dates of when market preparation facilities are inspected for NTRM and any issues that were found and resolved.

**Crop Management Question 56** - Grower must submit documentation to their auditor indicating they inspect their market preparation facilities weekly for any signs of NTRM.

**Crop Management Question 63** - Grower must submit a photo showing that all doors and windows on the tobacco storage facilities can be secured.

**Crop Management Question 64** - Grower must have their auditor REVISIT the farm to ensure that baled tobacco is stored on a concrete floor, untreated wood, trailers, wagons, or truck beds, which are the approved tobacco storage surfaces.

## Environmental Management

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**Environmental Management Question 72** - Grower must submit a copy of their inventory of all CPAs stored on the farm.

**Environmental Management Question 73** - Grower must submit to their auditor a **CORRECTIVE ACTION PLAN (CAP)** that indicates why CPAs were not mixed or transferred in containment areas, how the grower addressed the issue in the current season, and their plan to remain in compliance in the future.

**Environmental Management Question 75** - Grower must submit to their auditor a picture that indicates they have a designated fenced or otherwise lockable storage area for empty pesticide containers that have not been triple rinsed and punched.

**Environmental Management Question 76** - Grower must submit a picture to their auditor that indicates they have an approved disposal method for non-hazardous waste such as wastepaper, cardboard, plastic (other than CPA containers).

**Environmental Management Question 79** - Grower must submit a **CORRECTIVE ACTION PLAN (CAP)** to their auditor that indicates how float water was previously disposed of, how the grower addressed the issue in the current season, and their plan to remain in compliance for future seasons.

**Environmental Management Question 80a**- Grower must submit documentation to their auditor that indicates they have records of the rainfall amounts their tobacco fields have received by field or tract.

**Environmental Management Question 80b** - Grower must submit documentation to their auditor that indicates the amount of irrigation water they have applied to their tobacco crop in the current year for each field or tract.

**Environmental Management Question 81** - Grower must have an auditor REVISIT the farm to ensure that irrigation systems are properly managed to prevent leakages.

**Environmental Management Question 82** - Grower must submit a **CORRECTIVE ACTION PLAN (CAP)** to their auditor that indicates why irrigation systems were not previously managed to minimize runoff water, how the grower fixed this issue in the current year, and their plan to remain in compliance for future years.

**Environmental Management Question 83** - Grower must submit documentation to their auditor that indicates their crop rotation history prevents tobacco from being grown in the same field for three or more consecutive years.

**Environmental Management Question 85** - Grower must submit documentation to their auditor indicating the cover crops they used prior to planting tobacco.

**Environmental Management Question 90** - Grower must submit a **CORRECTIVE ACTION PLAN (CAP)** to their auditor indicating why vegetated buffers have not been used previously, how the grower will address the issue in the current year, and how they plan to remain in compliance in the future seasons.

**Environmental Management Question 91** - Grower must submit a **CORRECTIVE ACTION PLAN (CAP)** to their auditor indicating why field borders or buffer strips were not previously used along lower edges of fields and beside field ditches and drainage ways, how the grower will address the issue in the current season, and how they will remain in compliance for future seasons.

## Labor Management

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**Labor Management Question 139**- Grower must submit documentation to their auditor that indicates the number of workers of each type that are working in tobacco on the farm.

**Labor Management Question 144** - Grower must submit documentation to the auditor that indicates worker name, reason for termination, and any associated documentation for any workers who have had their employment terminated.

**Labor Management Question 155** - Grower must submit documentation to their auditor that includes the following information for any hired workers under the age of 18: name in full, place where the minor lives while employed, permanent address (if different from current residence), and date of birth.

**Labor Management Question 198** - Grower must submit a copy of their written and documented anti-discrimination policy to their auditor.

**Labor Management Question 215** - Grower must submit a copy of the CPR/First aid training license for any individuals on the operation who have been certified for those areas.

**Labor Management Question 216m** - Grower must submit documentation to their auditor that indicates workers have received training on grade separation of tobacco, including a worker signature on the document. Grower must additionally submit to the auditor a **CORRECTIVE ACTION PLAN (CAP)** stating what the issue was, how the grower fixed the issue in the current year, and how they will remain in compliance in the future.

**Labor Management Question 216l** - Grower must submit documentation to their auditor that indicates workers have received training on proper baling and market separation of tobacco, including a worker signature on the document. Grower must additionally submit to the auditor a **CORRECTIVE ACTION PLAN (CAP)** stating what the issue was, how the grower fixed the issue in the current year, and how they will remain in compliance in the future.

**Labor Management Question 219** - Grower must submit a photo to their auditor showing that all tobacco production equipment has guards or shields where they were originally installed.

**Labor Management Question 220** - Grower must submit a photo to their auditor showing that first aid kits are available to workers while they are in the field.

**Labor Management Question 221** - Grower must submit a photo to their auditor showing that first aid kits are available to workers within 200 feet of a facility or vehicle.

**Labor Management Question 222**- Grower must submit a photo to their auditor showing that first aid kits are available to workers in the transport vehicles provided.

**Labor Management Question 223a** - Grower must submit a photo to their auditor showing that fire extinguishers are present within 200 feet of a barn when workers are present.

**Labor Management Question 223b** - Grower must submit a photo to their auditor showing that fire extinguishers are present within 200 feet of the market preparation facilities when workers are present.

## Appeals Process

### Introduction

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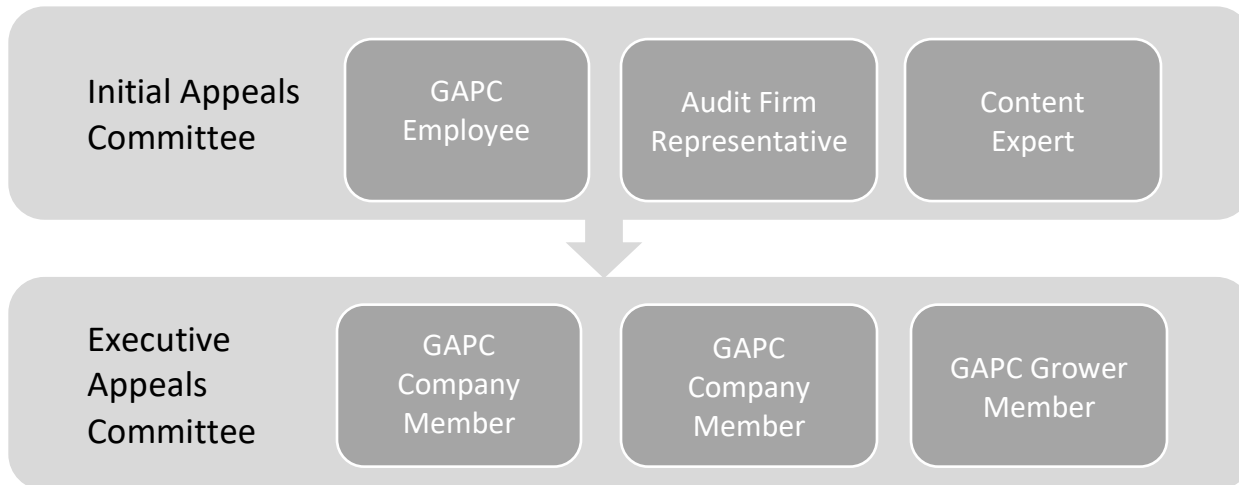
There may be situations in which GAPC Grower Members who participate in the GAPC Certification Program do not agree with the monitoring or investigative Activity findings. Thus, GAP Connections offers an appeal process for these growers. The appeals policy requires GAPC grower members to write a formal letter to GAP Connections identifying their complaint/appeal within 30 days from the date GAPC issues notice of Certification or denial of Certification. The following document outlines the appeals committee and the appeals process following the submission of the letter.

### Committee Structure:

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The appeals committee is comprised of two mutually exclusive sub committees. The first is the “Initial Appeals Committee” which is comprised of individuals who are not members of the GAP Connections Board. The Initial Appeals Committee consists of three members: (1) an employee of GAP Connections (GAPC employee will serve as mediator unless there is a tie. GAPC employee vote will break the tie); (2) an employee or contractor of an approved auditing firm (other than the auditor who conducted the audit or site visit); and (3) a content expert depending on the nature of the appeal (i.e., expert in tobacco production, labor, etc.,).

The second sub-committee is referred to as the “Executive Appeals Committee”. The Executive Appeals Committee will have final say on any appeal. This Executive Appeals Committee will be an ad hoc committee of the GAP Connections Board of Directors. For any appeal, only three members of the board will serve on the Executive Appeals Committee. Two members of the committee will be Regular Company Members and one will be a GAPC Grower Member.



## **Appeals Process**

The appeals process begins when the grower member submits an appeal with respect to his/her certification findings. The GAPC grower member must submit a formal written appeal, any supporting documentation, and an initial appeal fee of \$200<sup>26</sup> to GAP Connections within 30 days from the date GAPC issues notice of Certification or denial of Certification. If an appeal is being made due to a denial from failure to meet a remediation deadline an explanation of the extenuating circumstances that caused the failure to meet the deadline must be provided in the written appeal. The party responsible for the remaining costs of the appeal will be dependent upon the outcome of the appeal. The GAPC grower member will pay for any additional costs if the appeal is denied (i.e. legal, investigation/review of documentation, etc.). If the appeal is approved GAP Connections will refund the initial appeal fee and GAP Connections will be responsible for any remaining costs associated with the appeals process.

A GAPC Grower Member who appeals and has outstanding remediable items should, as a best practice, complete all remaining remediation required for GAPC Certification.

Upon receiving appeals information, GAP Connections will inform the Initial Appeals Committee of the appeal and call for a meeting. Throughout the appeals process, all GAPC grower member information will be removed from any documentation that goes before the committee to keep the process anonymous unless the GAPC grower member chooses to disclose his/her identity and present his/her case to the Initial Appeals Committee.

The Initial Appeals Committee will review the appeal/complaint and all documentation provided by the GAPC grower member. When necessary, the initial appeal committee may consult with an attorney. The responsibility of the Initial Appeals Committee will be to recommend a course of action based on the information provided by the GAPC grower member. The Initial Appeals Committee will attempt to produce a recommendation to the Executive Appeals Committee within 30 days of receiving the appeal.

Once the Initial Appeals Committee arrives at a recommendation, the Executive Appeals Committee will be notified. The Executive Appeals Committee will be provided the GAPC grower member's written appeal and supporting documents as well as the Initial Appeals Committee recommendation. Grower information will be removed so the grower in question remains anonymous. The Executive Appeals Committee will strive to render a final verdict on the appeal within 30 days of receiving the Initial Appeals Committee recommendation. GAP Connections will facilitate the meetings of the appeals committee and will provide the verdict to the GAPC grower member. Once the verdict has been rendered the remainder of the appeals cost will be paid based on the outcome.



# Corrective Action Plan



**Grower #:** \_\_\_\_\_

**Date of Audit:** \_\_\_\_\_

*Instructions: Please provide a corrective action plan for the listed non-compliance issues listed below including corrective action(s), preventative measures, and modified procedures.*

Section and Question Number	Question Text	Grower's Response	Correct Response	
Date Corrective Action Began	Corrective Action(s)	Prevention of Recurrence (e.g., training employees, implanting new hiring documentation routines)		New/Modified Procedures (e.g., describe the new policies, procedures, or processes)

Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

