



# Gafta Approved Register of Superintendents **Code of Practice**

Effective From 1 January 2022  
Version 3.0 December 2021

## 1.0 Introduction

- 1.1** This Code of Practice is applicable for all Superintendents on the Gafta Approved Register of Superintendents or those applying to become Gafta Approved, hereinafter referred to as “Superintendents”. This Code is a summary of the minimum requirements to be adopted by Superintendents.
- 1.2** Superintendents must comply with this Code of Practice.
- 1.3** A Superintendent who is found to have acted contrary to any provision of this Code of Practice or to their spirit may be subject to disciplinary action under the relevant Gafta procedure.
- 1.4** Traders are required by the contract to appoint Superintendents from the Gafta Approved Register. All parties who have agreed to trade on Gafta contracts must abide by the relevant contract clauses and Gafta rules which can be downloaded from [www.gafta.com](http://www.gafta.com)
- 1.5** Domicile: This Code of Practice shall be deemed to have been made in England, and the construction, validity and performance thereof shall be governed in all aspects by English law.

## 2.0 Requirements

### **A Superintendent must:**

- 2.1** be an organisation or company whose primary business activities are in the profession of inspection of agricultural commodities and who undertake inspections, verifications, examinations, quality and condition assessments, and sampling and measurements of goods traded in accordance with Gafta contract terms and rules;
- 2.2** be a member of Gafta in Category C – Superintendents;
- 2.3** carry out check weighing and sampling in accordance with Gafta No.123 Weighing Rules and Gafta No.124 Sampling Rules;
- 2.4** hold a valid certificate of conformance to the Gafta Standard for Supervision, Sampling and Weighing ..... **OR** ..... hold a valid certificate of accreditation to the latest version of ISO17020 as a Type A Inspection Company. The scope of accreditation should include, as a minimum “the inspection and supervision of traded agricultural commodities in accordance with Gafta rules and Code of Practice for Superintendents”. The accreditation certificate or schedule/annex should reference all sites for which Gafta Approval is required.
- 2.5** The ISO17020 accreditation of a Gafta Approved Superintendent shall be issued by an accreditation body (AB), operating in accordance with ISO/IEC 17011, *General requirements for accreditation bodies accrediting conformity assessment bodies* and signatory to the ILAC Arrangement and/or signatory to the respective IAF Arrangement with ISO17020 within its scope.
- 2.6** On expiry of the validity period of the certificate a period of three months is allowed for delivery of an updated certificate to Gafta. After the expiry of a three month period, Superintendents without a valid certificate will be removed from the Gafta Approved Register of Superintendents until a valid certificate is provided.
- 2.7** Members are listed on the Gafta Approved Register of Superintendents for 12 months after which time continuation is dependent compliance with the above criteria.
- 2.8** Newly operating/start-up companies, newly elected into Gafta membership, may be listed on the Approved Register of Superintendents for a period of six months following successful completion of a pre-audit to the Gafta Standard for Supervision, Sampling and Check Weighing. This is to allow the commencement of commercial operations, for the necessary operating procedures to be finalised and for the required evidence of compliance to be collated in order to complete a full audit to the Standard. The full initial audit to the Standard must be completed before the six-month anniversary of pre-approval being granted.

## 3.0 Sub-contracting

- 3.1** Where it is necessary for the appointed Superintendent (the principal company) to subcontract all or any part of the inspection to another company, that company (the subcontractor) must be listed on the Gafta Approved Register of Superintendents unless expressly agreed otherwise with the principals of the contract. The Superintending company must record and maintain a register of all its subcontractors.
- 3.2** The Superintendent must inform the principal(s) of its intention to subcontract any part of the inspection.
- 3.3** Reasons to subcontract may include one or more of the following (or similar) situations; unforeseen or abnormal workload; key inspection staff members being incapacitated; key facilities or items of equipment being temporarily unfit for use; part of the contract from the client involving inspection being beyond the capability or resources of the Superintendent.
- 3.4** Whenever subcontractors carry out work that forms part of an inspection, the responsibility for any determination of conformity of the inspected goods with the requirements must remain with the principal Superintending company.

## 4.0 Outsourcing

- 4.1** Where the Superintendent engages individuals on an outsourced basis, for example self-employed inspectors, to provide additional inspection resources or expertise, these individuals are not considered to be subcontractors if the following Rules apply:
- They are formally contracted to operate under the principal company's management system and thus are covered by the principal company's insurance policies
  - They comply with the principal company's training protocols
  - The principal Company must audit the individuals' compliance with the principal company's quality management system including the full understanding of Gafta Rules No. 123 and 124
- 4.2** The Superintending company must record and maintain a register of all individuals or employees providing additional resources and expertise.

## 5.0 Record and Sample Keeping

- 5.1** The following records as a minimum, are required to be kept for a minimum of 7 years, unless there are additional requirements:
- Copies of Certificates and Reports issued
  - Invoices
  - Instructions from Principals
  - Weight or tally sheets
  - Sample registration records
- 5.2** Samples must be retained by the Superintendent either at their own premises or in the custody of a mutually agreed third party and in accordance with the Gafta No.124 Sampling Rules. Retained samples must be kept in suitable storage conditions in order to preserve their condition, as far as this is practically possible.

## 6.0 Cleanliness Inspection

- 6.1** When instructed to do so the Superintendent must undertake an inspection of the loading compartment prior to the commencement of loading. The Superintendent must visually and (as far as is practically possible and where safely accessible), physically inspect vehicles, vessels, storage areas and compartments to check and report whether they are clean, dry and free from foreign odour or loose rust, paints or other matter which could contaminate the goods, and in these respects only, suitable to receive the cargo. The loading compartments must be free of any residues of the preceding cargo and/or cleansing activities and apparently free of vermin.
- 6.2** The Superintendent must obtain a written confirmation of the previous three loads carried in the loading compartment(s) and any subsequent cleaning activities, which should be, as a minimum, in accordance with the IDTF (International Database for the Transport of Feed) Inland Waterway [www.irct-idtf.com](http://www.irct-idtf.com). If any of the 3 previous cargoes are classified as forbidden under the IDTF the superintendent should notify the Principal(s) accordingly and request further instructions before commencement of loading. The Superintendent must record the cleaning regime applied following the immediately preceding cargo and if not in accordance with the IDTF inform the Principal(s) to request and record further instruction. Where available the cleaning regime for all 3 previous cargoes should be recorded.

- 6.3 However, if the Superintendent finds any evidence of contamination by the previous load(s), this must be recorded and the correct cleaning regime as listed on the IDTF must be used in that hold. All holds/loading compartments must be clean, dry and free from odour before loading operations commence.

## 7.0 Fumigation/Disinfestation/Denaturing

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When the Superintendent is requested to issue certificates for the above activities, the following must be considered:

- 7.1 When fumigation of the goods is required this must be carried out by a Gafta Approved Fumigator in accordance with the Gafta No. 132: Rules for Fumigation, except in countries where national authorities are solely responsible for fumigation.
- 7.2 When disinfestation of the cargo or the vessel by pesticide/insecticide is required this must be carried out by a professional pest control company, certified in the country where the treatment is carried out.
- 7.3 When denaturing of goods is required this must be undertaken by nationally approved companies/operators in the country of loading or at discharge, appointed by the contracting parties and/or national authorities.
- 7.4 The Superintendent is able to issue certificates reproducing the information provided to it by the aforementioned.

## 8.0 Phytosanitary/Veterinary/Radioactivity/Health Certificates

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- 8.1 These are usually provided by the national/governmental/official authorities in the country of loading. In some locations these certificates may be obtained by the Superintendent if required by the Parties to the Contract. Where this applies, the Superintendent shall draw and collect the sample material for such a test to be carried out by an approved laboratory of their choice. In any event whoever carries out such tests, the information may be recorded by the Superintendent on its own certificates.

## 9.0 Disclaimer

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- 9.1 For the avoidance of any doubt, Gafta does not accept any liability, howsoever arising, including in contract and/or in tort (including, without limitation, in negligence), for any loss or damage arising directly or indirectly from or out of (a) any work undertaken by any Gafta Approved Superintendent and/or (b) directly or indirectly from or out of any matter arising from any information contained in the Register.
- 9.2 Listing on the Gafta Approved Register of Superintendents does not replace any legislative or Health and Safety requirements applicable in the country the activity is carried out.

## 10.0 Complaints Procedure

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- 10.1 It is a requirement of the Gafta Approved Register of Superintendents that Superintendents abide by the General Code of Conduct and the Rules and Regulations of Gafta as listed above. Any Superintendent found to have acted contrary to any provision of this Code of Conduct or the General Code of Conduct, Rules and Regulations of Gafta as listed above, or to their spirit, may be subject to disciplinary action under the Gafta Membership Complaints and Disciplinary Regulations.

- 10.2** Any company wishing to make a complaint against a Gafta Approved Superintendent must put it in writing to Gafta or the Certification Body. Any such complaint must be made with 12 months of the complainants' date of knowledge of the complaint and should not involve a complaint which has previously been determined elsewhere including, but not limited to, before an arbitration panel and/or the Courts.
- 10.3** Complaints relating to this Standard will be dealt with by the Certification Body's Complaints and Appeals process.
- 10.4** Gafta and the appointed Certification Body reserve the right to suspend or withdraw certification and/or membership of the Gafta Approved Register of Superintendents when it considers it necessary to do so to prevent the Standard, the Register or the Association being brought into disrepute.



## 11.0 Gafta Approved Logo SUPERINTENDENT

- 11.1** Gafta Approved Superintendents shall be permitted to indicate they are listed on the Gafta Approved Register of Superintendents and are able to provide their services under Gafta contract terms.
- 11.2** Superintendents meeting the requirements of this Code of Practice shall be permitted to use the Gafta Approved Register of Superintendents logo in accordance with guidance from Gafta provided in the Logo User Guide.
- 11.3** Permission to use the logo is limited to the Approved Superintendents and may not be transferred or licensed to any other business or part of the business.
- 11.4** Gafta reserves the right to take immediate action against any misuse of the logo(s), or false claim regarding the Approved Registers or Approved Register Logos.

## 12.0 Changes to Status

- 12.1** Members expressly agree that any change to their status on the Approved Register which is made in accordance with this Code of Practice and Gafta Standard and which includes, without limitation, their approval, suspension, termination or resignation from the Register, shall be made publicly available through the online Gafta Approved Register and/or by email Circular (or any other medium at Gafta's sole discretion) to the Gafta membership.

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