

RULES ON THE USE OF MR3 CERTIFICATION MARKS, ACCREDITATION MARK AND MSPO LOGO

1. A copy of the relevant certification mark will be provided to the organization upon the award of certificate.
2. For multi-site organization, only sites whose activities are included in the scope of the certification may use the applicable certification mark. The right to use the certification mark does not extend to the parent company or to subsidiary(ies) of the certified client unless these entities are also included in the certification.
3. MR3 certification mark may be used on its own or in combination with the accreditation mark which appears on the certificate issued to the client. Certified clients are entitled to use Standard Malaysia logo combine with the MR3 Certification accreditation mark. In all instances, the accreditation mark is used by the client shall be together with the applicable management system as per Table 1
4. When use in combination the mark shall be produced in black and white. However, client may reproduce the combine mark in colour but this shall comply with the colour scheme as shown in Table 2. The certification marks may be used in literature, stationery and advertising. However, they shall not be used on products or packaging (both primary and secondary), and laboratory test, calibration or inspection reports or certificates, as such reports or certificates are deemed to be products in this context. The marks shall also not be used on flags, vehicles and the exterior walls of buildings.
5. The certification marks in Table 1 may be reproduced in pre-printed material e.g. letterhead, stationery, newspaper and magazine articles, in the predominant colour of these items. The combine mark may be uniformly enlarged or reduce but the text shall be remained. The combine mark may be used in literature, stationery and advertising.
6. The use of the MR3 mark by the certified organization itself will be verified at each Surveillance Visit. All auditors should verify that the MR3 mark is applied properly. The use of accreditation mark is specified in regulations issued by each accreditation body.
7. Where an organization wishes to display a mark in a manner not described in the relevant referenced documents, the matter must be addressed to the Certification Manager for advice.
8. Where an organization is found by the auditor to be incorrectly using or breaches the conditions during surveillance visit, the auditor must advise the client and require, confirm and record in the assessment report that corrective action is taken.
9. If the misuse of marks is still persisting, the certification will be suspended. This will then follow by withdrawal that requires the organization to discontinue the use of the relevant marks for whatever reason(s) as decided by MR3.
10. MR3 is responsible for verification of the use of the MSPO Logo and related claims by the relevant Logo User. Verification audits are carried out to ensure compliance with the use of the MSPO Logo and related claims. Any unapproved and/or non-conforming uses against the requirements in 'Issuance of MSPO Logo Usage License by MSPO shall be reported to MSPO. As refer to MSPO Certification Scheme document dated 5/1/2023 under clause 5.2.5 b) stated that ACBs shall raise Major Non-conformity if found unapproved and/or non-conforming uses against the

requirements of the MSPO Logo and its Trademark by the Certificate Holders and report unapproved and/or non-conforming uses against the requirements of the MSPO Logo and its Trademark to the scheme owner within 7 working days. The scheme owner will evaluate the unapproved and/or non-conforming uses of the MSPO Logo to determine whether further action, including legal action, is required.

Additional requirement follow the MSPO Scheme Document dated on 5/1/2023

CERTIFICATE VALIDITY AND ANNUAL SURVEILLANCE AUDIT

- a) For MSPO certification, the certificate validity is 5 years and subject to four (4) annual surveillance audit. The ACB shall undertake the first annual surveillance audits within twelve (12) months from the initial certificate issuance date, but not earlier than nine (9) months from the initial certificate issuance date. These shall also be applicable for the subsequence annual surveillance audits.
- b) Recertification audit shall be undertaken before the certificate expiry but not earlier than six (6) months.
- c) Any request for audit extension shall be made to MSPO at least one (1) month before the subsequent audit due date with a valid justification and subject to MSPO approval and only valid for one (1) particular audit.

MSPO LOGO ISSUANCE

Certification marks related to the MSPO Certification Scheme can be fixed to a product to indicate that the product originated from an oil palm planted area certified to the requirements of the MSPO Certification Standard. The MSPO Logo is a registered Trademark in 4 different categories in colour variant or monochrome with the no. 2014000761, 2014000763 to 2014000769, under the ownership of the scheme owner. It is vital that the logo is used correctly to safeguard the integrity and credibility of the MSPO Certification Scheme. This section provides the authoritative basis for the scheme owner in managing the use of the MSPO Logo and to guide users on the use of the MSPO Logo.

Logo Coverage

The MSPO Certification Scheme is a single-issue labelling scheme, the claims of which only concern sustainable oil palm management. Sustainable oil palm management is the process of managing oil palm planted areas to achieve one or more clearly specified objectives of management with regard to the production of a continuous flow of desired palm oil products without undue reduction of its inherent values and future productivity, and without undue undesirable effects on the physical and social environment. The MSPO Logo only places a claim on the oil palm products that is covered within the scope of MSPO certification.

Ownership and Usage of the MSPO Logo

The MSPO Logo is a copyright material and Trademark [™] registered by the scheme owner. The use of MSPO Logo and related MSPO claims in Malaysia and globally is regulated and governed by the scheme owner. Unauthorised use of this copyright material is prohibited and may lead to legal action.

Role of the Scheme Owner

- a) MSPO is the company formed to manage the implementation of the MSPO Certification Scheme. This includes providing a contact point for queries and comments on the certification standards and promoting mutual recognition for the MSPO Scheme with compatible palm oil certification schemes.
- b) Within its mandate to manage the implementation of the MSPO Certification Scheme, MSPO as the scheme owner is responsible for issuing and controlling logo usage licenses to other parties.
- c) In issuing licenses, MSPO is responsible for keeping an up-to-date register of:
 - i. MSPO certificate holders
 - ii. All the on-product and off-product Logo Users by user group

Role of MR3 as Accredited Certification Body

- a) The MR3 which undertakes an audit of a management unit and grants certificate is responsible for the verification of the use of MSPO Logo and related claims by the relevant Logo User. Verification audits are carried out by the MR3 to ensure compliance with the use of the MSPO Logo and related claims.
- b) MR3 shall raise Major Non-conformity if found unapproved and/or non-conforming uses against the requirements of the MSPO Logo and its Trademark by the Certificate Holders and report unapproved and/or non-conforming uses against the requirements of the MSPO Logo and its Trademark to the scheme owner within 7 working days. The scheme owner will evaluate the unapproved and/or non-conforming uses of the MSPO Logo to determine whether further action, including legal action, is required.
- c) Upon its client organisation who has undertaken to enter into a Logo Usage License Agreement with the scheme owner, MR3 need to ensure the following:
 - i. The Logo User shall make available the up-to-date agreement between the Logo User and scheme owner to the MR# during the audit for verification or as and when needed;
 - ii. The Logo User complies with the use of the MSPO Logo and related claims;
 - iii. Examines the system by means of which the Logo User keeps records on how the logo is used and, in the case of products, the production volumes of products marked with the Logo; and
 - iv. Includes the unapproved and/or non-conforming uses against the requirements in this document of the MSPO Logo in the audit report OR audit summary report.

Logo User Group

There are four groups of Logo Users. These user groups comprise both certificate holders and non-certificate

holders, which are as follows:

- a) Group A: Scheme Owner, i.e. MSPO
- b) Group B: MSPO Part 2 and 3 Certificate Holders (off-product usage only)
- c) Group C: MSPO Part 4 Certificate Holders (off and on-product usage)

d) Group D: Other Groups, including Accredited Certification Body – MR3

a) Group A – Scheme Owner

MSPO, as the scheme owner for the MSPO Certification Scheme, is permitted to use the MSPO Logo for educational and other communication purposes. It is the only authority responsible for the issuance of licenses for the use of the MSPO Logo.

b) Group B – MSPO Part 2 and 3 Certificate Holders

Group B comprises owners and managers of oil palm plantations including smallholdings with a valid MSPO Standard Part 2 or Part 3 certificate. The certificate shall be issued by MR3 as an independent body of ACB . The Logo Users under this group are allowed to apply only for off-product logo usage.

c) Group C – MSPO Part 4 Certificate Holders

Group C comprises palm oil mills, dealers and processing facilities which process, manufacture, supply and/or export palm oil products as holders of the MSPO Standard Part 4 certificates. The certificate shall be issued by MR3 meeting the accreditation requirements of Accreditation Body . The Logo Users under this group are allowed to apply on-product and off-product logo usage.

d) Group D – Other Groups

i. Group D comprises accredited certification bodies operating MSPO Certification Scheme, and other organisations or bodies that are approved by the scheme owner to promote or advertise the MSPO Certification Scheme for awareness, promotional and educational purposes. The Logo Users under this group are allowed to apply only for off-product logo usage.

ii. Logo usage by parent company OR HQ for any management units under company on their limitation, whereby the parent company OR HQ can produce the materials for the subsidiaries. However, if there is any document related to the subsidiaries only, they need to have their own logo license.

Logo Usage and Claims

a) When the MSPO Logo is used, the following essential elements must be fulfilled:

i. The MSPO Logo shall be reproduced according to the measurements, colours, trademark claims and other specifications detailed in the MSPO Logo Reproduction Tool Kit, which the scheme owner makes available to the approved logo users.

ii. A logo license registration number provided by the scheme owner shall be included.

b) The logo can be used in two different ways:

i. On-product usage includes:

- Claim on the product(s) label (e.g. PET bottle, plastic packaging, boxes, drums)



ii. Off-product usage includes:

Claim which are not on the product(s) label. This includes, but is not limited to:

- Claims in the traceability documentation (e.g. invoice, packaging list and bill of lading)
- Claims in general documentation (e.g. company or product brochure)
- Claims in signage (e.g. at an organisation's premises or at the boundary of oil palm estates)

c) On-Product Use

- i. For on-product use, Logo Users must indicate the traceability model of either the option of segregation or mass balance based on their scope of certification and/or of the content of the MSPO certified material in the product.
- ii. The logo for on-product use shall adhere to MSPO Logo Reproduction Tool Kit.
- iii. Specific Requirements for ‘MSPO Certified’ Label

Supply Chain Model (based on scope of certification)	MSPO Logo or Claim	Content of MSPO certified material	Label Implies
Segregation		100%	The product must contain 100% of MSPO certified material used in the final product.
Mass Balance 70%		>70%	The product must contain a minimum of 70% of MSPO certified material from the total of palm oil material used in the final product
Mass Balance 30%	<p>“This product contains Malaysian sustainable palm oil (MSPO)”</p>	>30%	The product must contain a minimum of 30% of MSPO certified material from the total of palm oil material used in the product. Usage within this category is only limited to claims and the use of the MSPO logo is not permitted.

d) Off-Product Use

i. For off-product use, Logo Users must use the logo with the logo license number that is issued as



below:

ii. The logo for off-product use shall adhere to MSPO Logo Reproduction Tool Kit with the exception of the size of the logo, which shall remain flexible and legible.

LICENSES OF LOGO USAGE RIGHTS

General Conditions

a) Organisations or companies applying for use of the MSPO Logo must:

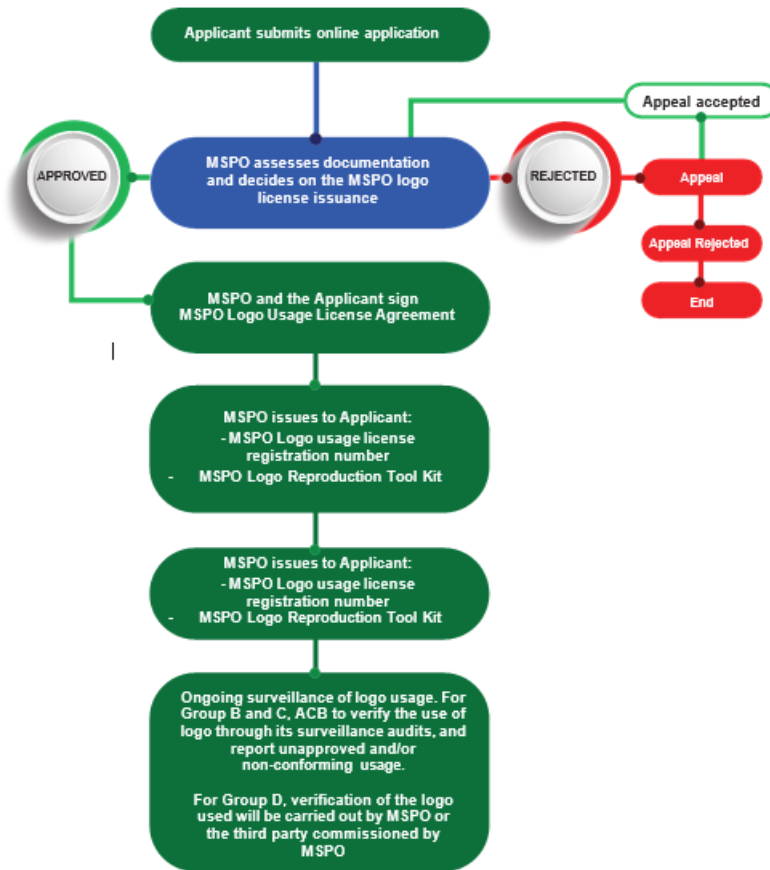
- i. Be a legal entity, such as a company, business or society; and
- ii. Sign an agreement i.e. MSPO Logo Usage License Agreement that allows the public presentation, on an Internet-based database, of the organisation's, company's or other legal entity's identification data. This data includes:

- Organisation's contact and location details;
- Organisation's certificate number and expiry date;
- Accredited certification body's contact details

b) Logo License Issuance procedure

i. The following process for obtaining logo usage rights approval applies to the use of the MSPO Logo. Figure 3 provides an overview schematic of this process.

Figure 3: Logo License Issuance Procedure



ii. A company, organisation or individual has to obtain an official license from the scheme owner before printing, publishing or otherwise using the logo and related claims regardless of the logo usage group (on-product or off-product usage). Applicants need to submit online application form to the scheme owner which is available on the scheme owner’s website.

iii. The scheme owner reviews the application form to determine whether the applicant has delivered all the required documents for scrutiny and that all the following scheme owner requirements on the logo usage and reproduction are fulfilled.

c) License Agreement

i. If the application for logo usage license is approved, the scheme owner prepares a MSPO Logo Usage License Agreement (contract, Appendix C) for the applicant (from here on shall be referred to as Logo User). The License Agreement enters into force when both parties sign the agreement.

ii. If the application for logo usage license is declined, the scheme owner must provide reasons for the negative decision to allow the applicant the opportunity to provide further information in support of the application or to appeal the decision.

iii. Upon the signing of MSPO Logo Usage License Agreement, the scheme owner shall issue to the applicant the MSPO logo license registration number. MSPO Logo Reproduction Tool Kit will be issued after both parties have signed the agreement.

iv. The Logo User shall advise the scheme owner immediately on any changes concerning:

- The organisation's certification status;
- The organisation's profile (e.g.: nature of business, company name, operation status, etc.)

v. MSPO Logo Usage License Agreement will be amended accordingly based on the changes in number iv.

d) Suspension of Logo License

The scheme owner reserves the right to suspend the logo usage license if the Logo User is suspected of misusing the logo or not complying with all the rules and requirements of the MSPO Certification Scheme. If, after investigation, the suspicion is proven to be founded, the logo usage license will be terminated.

e) Validity of Logo License

i. The validity of the licenses to be issued will be based on the validity of the certificate and/or Agreement issued as follows:

- Group B & C: for the period of validity of the MSPO certificate
- Group D: for the period of validity of the Agreement (5 years)

ii. Logo Users are required to renew the licenses before the expiry of the certificate or agreement.

f) Logo Usage without License Number

i. The usage of the logo without license number is not allowed in principle. However, the scheme owner can allow the usage of the logo without the license number in exceptional cases based on a written application for off-product usage only, where the placement of the license number is not possible (e.g. small promotional materials).

ii. The applicant shall be a holder of a license issued by the scheme owner and the application shall include:

- Applicant's identification data, logo license number
- Reason for the usage without the license number
- Description of the usage including design layout

iii. The application is valid only for the applied exemption and the applicant shall send to the scheme owner an example of the material covered by the exemption.

Logo Coding System

A logo usage registration coding system has been developed to support a register of logo usage licenses consistent with the MSPO Logo usage coding system. The MSPO Logo usage coding system is specified in the Logo Reproduction Toolkit. MSPO Logo usage license registration numbers shall be issued by the scheme owner as per the coding system.

Logo Monitoring and Reporting

a) Responsibility of scheme owner

A register of MSPO Logo Users shall be kept in electronic format.

b) For MSPO Logo Users Group B and C, MSPO Logo usage is subject to verification carried out by accredited certification bodies and monitored by the scheme owner.

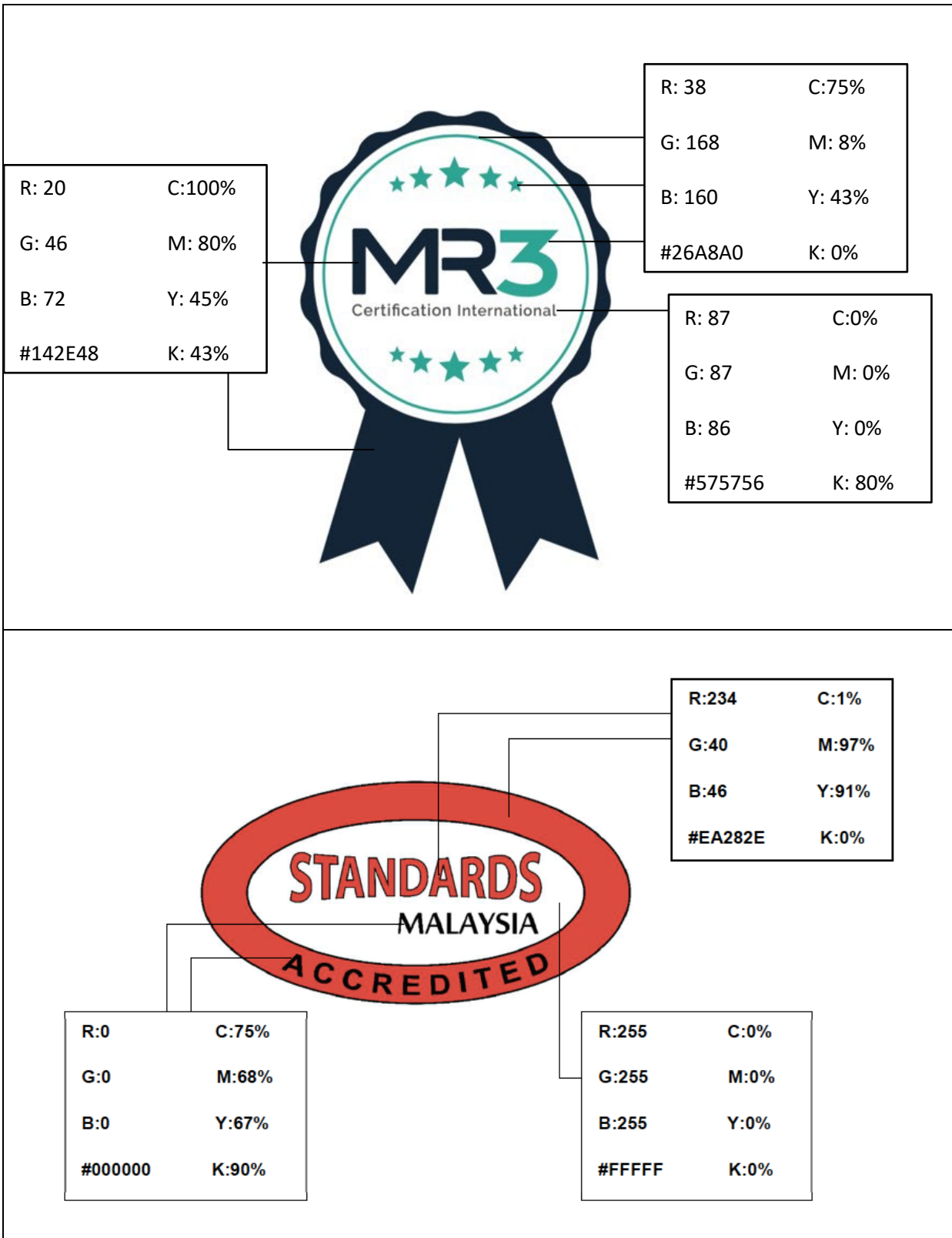
c) For MSPO Logo Users Group D, MSPO Logo usage is subject to verification carried out by the scheme owner itself or by a third party commissioned by the scheme owner.

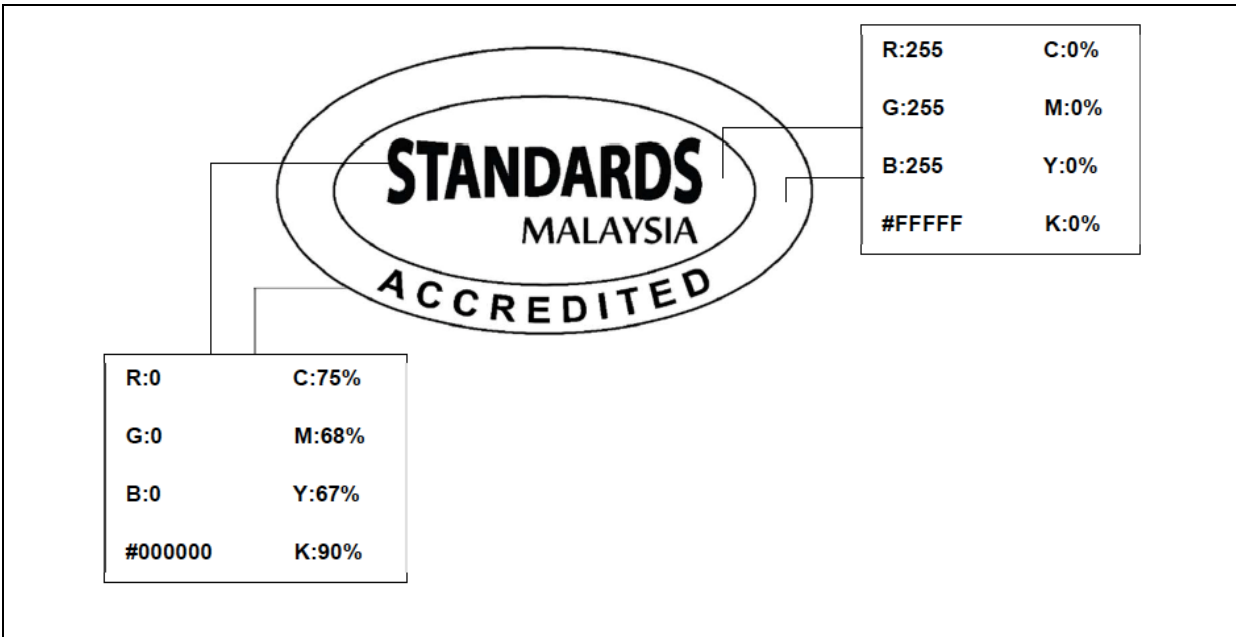
d) The scheme owner will provide periodic report summaries, based on its electronic registers, on its website of the number of Logo Users by user group and type of logo usage (on-product or off-product).

Table 1

 <p>CERTIFIED TO MSPO:PART Y:YYYYCERT. NO. : XXXXXX</p>
 <p>CERTIFIED TO MSPO:PART Y:YYYYCERT. NO. : XXXXXX</p>

Table 2





REFERENCE

1. **ACCREDITATION POLICY 1 (AP 1) – POLICY ON THE USE OF ACCREDITATION SYMBOL AND REFERENCE TO ACCREDITATION** Issue 1, 1 July 2020
2. **MSPO Certification Scheme Document dated 5/1/2023.**

