



FLOCERT
assuring fairness

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PRESS INFORMATION

FLOCERT wins court battle over certification decision

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Bonn, 22 April, 2021. German courts have upheld a decertification decision taken by FLOCERT. The verdicts, which are final and not subject for further appeal, validate Fairtrade's sanctions and appeals mechanisms as well as FLOCERT's approach and processes.

The legal case had been brought about by Fresh Fruit Holding Inc., after the company had been decertified by FLOCERT in October, 2020. Fresh Fruit Holding Inc. asked two German courts to temporarily suspend FLOCERT's decertification decision. Just like the Regional Court of Bonn had done on 16 December, 2020, the Higher Regional Court of Düsseldorf rejected the request on 18 March, 2021. Both courts made clear that it was not up to the courts to decide on matters of dispute within the Fairtrade system, and referred Fresh Fruit Holding Inc. to the procedural rules of appeal and redress as foreseen by the Fairtrade legal framework.

Sugumar Raman, FLOCERT Director of Operations, said: *"We are glad that the German state courts have closed the door on any attempt to by-pass the Fairtrade legal framework and hence have further reinforced the integrity of the Fairtrade system overall. At the same time, FLOCERT remains committed to maintaining the highest standards of care and diligence in all our activities, including when investigating audit results and evaluating possible sanctions."*

The Fairtrade legal framework offers a transparent and comprehensive system of reviews, appeals and arbitration in case an organisation disagrees with a certification decision. This ensures that the small percentage of FLOCERT's decisions which are appealed against are reviewed impartially and with due diligence. The complaints statistics for 2020 are available on [FLOCERT's website](#).

FLOCERT is a leading global assurance provider. Besides providing sole certification to Fairtrade, FLOCERT also offers an array of services to support companies in sourcing on fair principles, where no Fairtrade Standard applies. Founded in 2003, FLOCERT remains mission-driven and dedicated to working with all types of organisations, from small producers to internationally recognised brands, in order to promote fairness in global trade. Our accreditation as a "Social Enterprise" demonstrates our commitment to social business values. With six international offices conducting business in over 120 countries, FLOCERT specialises in offering global reach with local expertise to its almost 6,000 customers. For more information, visit us at www.flocert.net.

Certifier for

