



Gafta Approved
Register of
Fumigators
**Code of
Practice**

Effective from 1 January 2022
Version 2.0 December 2021

1.0 Introduction

- 1.1 This Code of Practice is applicable for all Fumigators on the Gafta Approved Register of Fumigators or those applying to become Gafta Approved, hereinafter referred to as “Fumigators”.
- 1.2 This Code is a summary of the minimum requirements to be adopted by Fumigators.
- 1.3 Fumigators must comply with this Code of Practice.
- 1.4 A Fumigator 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.
- 1.5 Gafta contracts require the appointment of Fumigators from the Gafta Approved Register.
- 1.6 All parties who have agreed to trade on Gafta contracts must abide by the relevant clauses and Gafta Rules which can be downloaded from www.gafta.com
- 1.7 Fumigation is the process of application, exposure and removal (degassing/ventilation) of a toxic chemical in its gaseous state with the purpose of control of target insect pests in the product and its enclosure, hereinafter referred to as “Fumigation”.
- 1.8 A Fumigator is the appointed fumigation company including the Fumigator-in-Charge and his trained technician(s).
- 1.9 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 fumigator must:**
- 2.1 be an organisation or company whose primary business activities are in the application of fumigants and/or the ventilation/degassing of agricultural commodities and goods traded in accordance with Gafta contract terms and rules;
 - 2.2 be a member of Gafta in Category J – Fumigation Operators;
 - 2.3 hold a valid Certificate of Conformance to the Gafta Standard for Fumigation;
 - 2.4 carry out fumigation operations in accordance with the Gafta Standard for Fumigation and the Gafta 132 Rules for Fumigation.
 - 2.5 Members are listed on the Gafta Approved Register of Fumigators for 12 months after which time continuation is dependent on compliance with the above criteria.
 - 2.6 On expiry of the validity period of the certificate of conformance, a period of three months is allowed for delivery of an updated certificate to Gafta. After the expiry of a three-month period companies without a valid certificate will be removed from the Register until a valid certificate is provided.
 - 2.7 Newly operating/start-up companies, newly elected into Gafta membership, may be listed on the Approved Register of Fumigators for a period of six months following successful completion of a pre-audit to the Gafta Standard for Fumigation. 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 Subcontracting

- 3.1** Where it is necessary for the appointed fumigator (the principal company) to subcontract all or any part of the Fumigation to another company (the subcontractor), that company must be listed on the Gafta Approved Register of Fumigators unless expressly agreed otherwise with the principals of the contract. The Fumigator must record and maintain a register of all its subcontractors.
- 3.2** The Fumigator must inform the principal(s) of its intention to subcontract any part of the Fumigation.
- 3.3** Whenever subcontractors carry out work that forms part of a Fumigation, the responsibility for conformance with the requirements of this Code, the Gafta Standard and Gafta Rule must remain with the principal fumigation company.

4.0 De-gassing or venting

- 4.1** De-gassing or venting is the process at the end of the exposure period, after the fumigation enclosure is unsealed, when fumigant gas desorbs and diffuses out of the product that was fumigated and the fumigation enclosure.
- 4.2** It is a requirement of this Code and the Gafta Standard that a Fumigator is responsible for degassing at the discharge port or other agreed safe anchorage point, and a recommendation that the Fumigator-at-Discharge is listed on the Gafta Approved Register of Fumigators.
- 4.3** The Fumigator should advise their principal of the requirement to employ a Fumigator at discharge or other agreed safe anchorage point. The principals (i.e. the seller and/or the buyer or receiver) are responsible for appointing a fumigator at discharge or other agreed safe anchorage point as agreed in the contract for the goods.

5.0 Disclaimer

- 5.1** 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 Fumigator and/or (b) directly or indirectly from or out of any matter arising from any information contained in the Register.
- 5.2** A Certificate of Conformance to the Gafta Standard and listing on the Gafta Approved Register of Fumigators does not guarantee the success of the fumigation or treatment and relates only to the process of the application.
- 5.3** Listing on the Gafta Approved Register of Fumigators does not replace any legislative or Health and Safety requirements applicable in the country the activity is carried out.

6.0 Complaints Procedure

- 6.1** It is a requirement of the Gafta Approved Register of Fumigators that Fumigators abide by the General Code of Conduct and the Rules and Regulations of Gafta. Any Fumigator found to have acted contrary to any provision of this Code of Conduct or the General Code of Practice, 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.
- 6.2** Any company wishing to make a complaint against a Gafta Approved Fumigator 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.
- 6.3** Complaints relating to this Standard will be dealt with by the Certification Body's Complaints and Appeals process.

- 6.4** Gafta and the appointed Certification Body reserve the right to suspend or withdraw certification and/or membership of the Gafta Approved Register of Fumigators when it considers it necessary to do so to prevent the Standard, the Register or the Association being brought into disrepute.



7.0 Gafta Approved Logo FUMIGATOR

- 7.1** Fumigators meeting the requirements of this Code of Practice shall be permitted to indicate that they are listed on the Gafta Approved Register of Fumigators and able to provide their services under Gafta contracts where Gafta Fumigation Rules No.132 are incorporated.
- 7.2** Fumigators meeting the requirements of this Code of Practice shall be permitted to use the Gafta Approved Register of Fumigators logo in accordance with direction from Gafta provided in the Brand Guidelines for Gafta Approved Register Logos. The permission is limited to the Approved Fumigator and may not be transferred or licensed to any other business.
- 7.3** Fumigators not abiding by the requirements of this Code of Practice or the Brand Guidelines for Gafta Approved Register Logos will be given one-month notice, in writing, to take remedial action before the Fumigator is suspended or withdrawn from the Gafta Approved Register of Fumigators. Gafta reserves the right to take immediate action where the use of the logo is grossly misleading, or it considers it necessary to do so to prevent the Register or the Association being brought into disrepute.
- 7.4** Any suspected misuse of the logo or any suspected false claim regarding the Gafta Approved Register and/or the Gafta Standards should be reported to Gafta immediately.

8.0 Changes to Status

- 8.1** 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.

Contact

The Grain and Feed Trade Association

London (Head Office)

9 Lincoln's Inn Fields
London WC2A 3BP
UK

T: +44 20 7814 9666

F: +44 20 7814 8383

E: post@gafta.com

www.gafta.com

Beijing

1-1-1607

Leading International Center
No.1 Guang Qu Men Nan
Xiao Jie, ChongWen District
100061
Beijing
China

T: +86 10 6712 1741

F: +86 10 6712 1742

E: beijing@gafta.com

www.gafta.com.cn

Geneva

Route de Meyrin 123
c/o BDO SA
1219 Chatelaine
Switzerland

T: +41 79 43 43 528

E: geneva@gafta.com

www.gafta.com

Kiev

Business Center "Saksaganskiy"
70A Saksaganskogo Str.
Kyiv
Ukraine
01032

T: +38 044 290 82 90

F: +38 044 290 82 94

E: kiev@gafta.com

www.gaftakyyiv.com

Singapore

152 Beach Road #28-00
Gateway East
Singapore
189721

T: +65 9017 4205

F: +44 20 7814 8383

E: post@gafta.com

www.gafta.com