

Effective December 22, 2016  
Revised March 24, 2017  
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Revised July 1, 2021

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# **Marine Eco-Label Japan**

## **Regulations of Objections, Complaints and Appeal**

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**Marine Eco-Label Japan Council**

## **1. Objectives**

These regulations define the procedures for handling objections, complaints and appeals (hereinafter, “Complaints”) to ensure these are dealt with in a fair and timely manner in accordance with the Marine Eco-Label Japan Council Operational Management Regulations for the MEL Certification Scheme (OMR).

## **2. Scope**

These regulations apply to the process of Complaints related to the operational management for the standards and certification scheme, and standard development, review and revision (hereinafter, “Standard Development”), to the certified applicants and certification entities (hereinafter “Certified Entities”), to the activities of certification bodies (hereinafter “Certification Activities”), and to the assessment and judgment of certification bodies (hereinafter “Certification Judgment”).

These regulations do not apply to the Complaints related to unauthorized use of the logo of Marine Eco-Label Japan.

## **3. Definitions**

### **1) Objection**

In these regulations, “Objection” refers to a request from a stakeholder to re-assess a decision made by the MEL Japan Council.

### **2) Complaint**

In these regulations, "Complaint" refers to a statement of dissatisfaction from a stakeholder against activities conducted by the MEL Council, which is other than an “Objection.”

### **3) Appeal**

In these regulations, "Appeal" refers to a process that is entrusted to an external mediation body, where the complainant is not satisfied with the decision made by the MEL Council that cannot resolve the matter themselves.

### **4) Complainant and Appealer**

In these regulations, "Complainant" refers to a stakeholder who raises a statement of request or dissatisfaction to the MEL Council or Certification Bodies in a formal procedure. “Appealer” refers to those who raises an appeal against the response from the MEL Council or Certification Bodies.

#### **4. Types of Complaints**

The complaints stipulated in these regulations are categorized into the following four types and handled with.

- (A) Operational management for the standards and certification scheme, and standard development, review, or revision (hereinafter “Standard Development”)
- (B) Certified applicants and certified entities (Certified Entities)
- (C) Activities of certification bodies (Certification Activities)
- (D) Assessment and judgment of certification bodies (Certification Judgement)

#### **5. Complaint Handling**

Based on these regulations, the responder to the Complaints shall be the MEL Council Managing Director (hereinafter “Managing Director”). The related work shall be handled by the MEL Council Secretariat (hereinafter “Secretariat”). The contact point for the Complaints shall be publicly available on the MEL Japan website.

#### **6. Complaints Procedure**

Corresponded to the Article 4 above, (A), (B), (C), and (D) are as per the attached Appendix 1, Appendix 2, Appendix 3, and Appendix 4, respectively

#### **7. Closing of Complaints**

Complaints reported shall be handled and completed in line with the procedure stipulated in the preceding Article 6. If the Complainant does not indicate to accept the response or not raise additional Objection, it shall be regarded as a close within 30 days from the reported date defined in the Report of Status of Complaint and Objection. If the Complainant does not consent to the decision following the procedure stated in the Article 6 and the Council deems impossible to solve, the process shall be closed and an external mediation body may be entrusted to handle with.

#### **8. Document Storage and Report of Process**

The MEL Secretariat shall store documents related to the process of Complaints at least five years. The MEL Managing Director shall report to the General Membership Meeting and Board of Directors about the status of Complaints.

#### **9. Confidentiality**

In handling Complaints, the MEL Council shall take the utmost care of personal information. The MEL Council shall make any and all efforts to protect personal information that has been obtained through the handling process.

**10. Disclaimer**

The MEL Council shall have no legal responsibilities for any aquatic products sold by the entities certified by the MEL Certification Scheme.

**11. Language**

The language used for handling Complaints in this procedure shall be Japanese. In case that the Complainant submits a document in English, attached Japanese translated document is needed. The Japanese translated document shall be treated as a formal document.

Supplementary Provision

These regulations shall come into effect as of December 22, 2016.

Supplementary Provision

These regulations shall come into effect as of March 24, 2017.

Supplementary Provision

These regulations shall come into effect as of October 3, 2017.

Supplementary Provision

These regulations shall come into effect as of July 1, 2021.

## Appendix 1: (A) Complaints Procedure of “Standard Development”

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| Step 1 (Receipt of Complaints)   |
| The Complainant shall submit the appended form 1, stating tangible details of the Complaints, with any relevant documents attached, to the contact point of MEL Council. Online submission shall be accepted; however, submission only by telephone shall not be accepted. The MEL Japan Secretariat shall report the contents of the complaints to the Executive Director upon receipt of the form. |
| Step 2 (Acknowledgment of Complaints)  |
| The Secretariat shall promptly notify the Complainant using the appended form 2. This does not apply to those who anonymously submit the Complaints (including those with contact unknown).  |
| Step 3 (Consultation with Board of Directors)  |
| The Managing Director shall collect information and verify the Complaints, then create a draft to be submitted to the Board of Directors for further deliberation.   |
| Step 4 (Decision on Resolution Policy)   |
| The Board of Directors shall deliberate and decide the resolution policy, having voluntary questioning, if deemed necessary, with both the Complainant and a member of the Standard Setting Committee (limited to a person who has no conflict of interest with the MEL Council).  |
| Step 5 (Implementation and Report of Process)  |
| The Secretariat shall promptly implement the process for Complaints based on the resolution policy, and respond to the Complainant as well as to the related parties of the result using the appended form 3.  |

## Appendix 2: (B) Complaint Procedure of “Certified Entities”

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| Step 1 (Receipt of Complaints)  |
| The Complainant shall submit the appended form 1, stating tangible details of the Complaints, with any relevant documents attached, to the contact point of MEL Council. Online submission shall be accepted; however, submission only by telephone shall not be accepted. The MEL Secretariat shall report the contents of Complaints to the Managing Director upon receipt of the form. |
| Step 2 (Acknowledgment of Complaints)   |
| The Secretariat shall promptly notify the Complainant using the appended form 2. This does not apply to those who anonymously submit the Complaints (including those with contact unknown).   |
| Step 3 (Decision on Resolution Policy)  |
| The Managing Director shall collect information and verify the Complaints, then decide the resolution policy. The Managing Director may consult with the Board of Directors by creating and submitting a draft document for deliberation.   |
| Step 4 (Implementation and Report of Process)   |
| The Secretariat shall promptly implement the process for Complaints based on the resolution policy, and respond to the Complainant as well as to the related parties of the result using the appended form 3.   |

### Appendix 3: (C) Complaint Procedure of “Certification Activities”

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| Step 1 (Receipt of Complaints)  |
| The Complainant shall submit the appended form 1, stating tangible details of the Complaints, with any relevant documents attached, to the contact point of MEL Council. Online submission shall be accepted; however, submission only by telephone shall not be accepted.  |
| Step 2 (Acknowledgment of Complaints)   |
| The Secretariat shall promptly notify the Complainant using the appended form 2. This does not apply to those who anonymously submit the Complaints (including those with contact unknown).   |
| Step 3 (Decision on Resolution Policy)  |
| The Managing Director shall collect information and verify the Complaints, then decide the resolution policy. The Managing Director may consult with the Board of Directors by creating and submitting a draft document for deliberation.   |
| Step 4 (Respond to Complaints)  |
| The MEL Council shall be responsible for resolving the matter, collect information and verify the Complaints, in response to requests from Certification Bodies. The Council evaluates whether the response of Certification Bodies, including corrective measures, will lead to the resolution of Complaints. If the Complaints cannot be resolved, the Managing Director will inform that the Complainant can directly raise a complaint to the Accreditation Bodies. |
| Step 5 (Implementation and Report of Process)   |
| The Secretariat shall promptly implement the process for complaints based on the resolution policy, and respond to the Complainant as well as to the related parties of the result using the appended form 3.   |



#### **Appendix 4: (D) Complaint Procedure of “Certification Judgment”**

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| Step 1 (Receipt of Complaints)  |
| The complainant shall submit a specific content using the form designated by Certification Bodies, stating tangible details of the Complaints, with any relevant documents attached, to the contact point of Certification Bodies within 30 days from the date of announcement in question, Online submission shall be accepted; however, submission only by telephone shall not be accepted. Certification Bodies shall report the contents of Complaints to the MEL Council upon receipt of the form. The contents of Complaint include whether or not the certification is valid, increase/decrease of scope of unit of certification or suspension/revocation of certification. |
| Step 2 (Respond to Complaints)  |
| Certification Bodies shall be responsible for resolving the Complaint, respond sincerely by the Regulations for Objection, Complaints and Appeals Process stipulated by the Certification Bodies in accordance with ISO17065.   |
| Step 3 (Implementation and Report of Process)   |
| Certification Bodies shall report the result to the Complainant, certified applicant, certified entity and the MEL Council. The MEL Council is able to demand further investigation for the Certification Bodies if the result is unsatisfied or regarded as possible loss of credibility of certification system. The MEL Council shall report to Accreditation Bodies in case that the Complaint is reasonable, consider suspension or revocation of assessment authority, or suspension, revocation or disqualification of auditor’s status.   |

## Appendix 5: Procedure Entrusted to External Mediation Bodies (Appeal).

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| Step 1 (Receipt of Appeal)   |
| The Appeler shall submit the appended form 4 if dissatisfied with the decision of Certification Bodies, stating tangible details of the Appeal, with any relevant documents attached, to the contact point of the MEL Council within 14 days of the date of the decision. Online submission shall be accepted; however, submission only by telephone shall not be accepted. The MEL Council shall report the contents of Appeal to Certification Bodies and Accreditation Bodies. The Appeler shall transfer JPY 100,000 to the designated bank account of the MEL Council as an applicational fee for the Appeal. |
| Step 2 (Acknowledgment of Appeal)  |
| The Managing Director shall receive the Appeal after collecting information and verifying the Appeal, ensuring whether or not there are benefits or interests, and confirming the payment of applicational fee.  |
| Step 3 (Consultation with Board of Directors)  |
| The Managing Director shall create a draft about the matter and submit to the Board of Directors for deliberation.   |
| Step 4 (Decision on Resolution Policy)   |
| With the approval of the Board, the Managing Director shall discuss with the President of MEL Council, hold a meeting of Standard Setting Committee to organize the Mediation Committee for responding the Appeal. The Committee member shall be up to five persons who are chosen from experts about the standard, certification system and content of Appeal. The Committee shall conduct an interrogation for the both parties to decide resolution policy.   |
| Step 5 (Respond to Appeal)   |
| The Mediation Committee shall proceed with deliberation following the procedure within 30 days. The purpose of deliberation shall judge whether or not there is a decisional problem made by Certification Bodies such as a mistake of assessment process or factual error (misunderstood or overlooked). The Mediation Committee is able to demand additional information or confirmation from the Appeler, Certification Bodies, or stakeholders. The MEL Council shall appoint a person in charge to assist collecting the information for the Mediation Committee.   |
| Step 6 (Implementation and Report of Process)  |
| The document about final conclusion shall be prepared. This document shall specify whether or not the decision of Certification Bodies is supposed to be, rationale for the decision and actions recommended. This decision is the final, thus, an additional Appeal shall not be accepted. The MEL Council shall report the decision to the Appeler, stakeholders,  |

Certification Bodies and Accreditation Bodies. If the decision supports the Appeal, Certification Bodies shall be demanded to rethink about the certification, and report details of action to Accreditation Bodies and the MEL Council.

**Appended form 1**

Marine Eco-Label Japan Council  
Form for Objections or Complaints

|                                     |           |  |              |  |
|-------------------------------------|-----------|--|--------------|--|
| Date Received*                      |           |  | No.*         |  |
| Complainant Information             | Name      |  | Organization |  |
|                                     | Phone/FAX |  | Email        |  |
|                                     | Address   |  |              |  |
| Title**                             |           |  |              |  |
| Details of Objections or Complaints |           |  |              |  |
| Name(s) of Supplementary Documents  |           |  | Date         |  |
|                                     |           |  | Signature    |  |

\* indicates boxes for official use only, and \*\* indicates entry is optional.

**Appended form 2**

Reception Number:\_\_\_\_\_.

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

Dear\_\_\_\_\_

Marine Eco-Label Japan Council

Marine Eco-Label Japan Council  
Notification of the Receipt of Complaints

This is a notification that we have received your Form for Complaint or Objection on  
[month] [date], [year].

**Appended form 3**

Reception Number \_\_\_\_\_.

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

Marine Eco-Label Japan Council  
Report of Status of Complaint or Objections

|                                     |      |  |                  |  |
|-------------------------------------|------|--|------------------|--|
| Date of receipt                     | Date |  | Reception Number |  |
| Complainant                         | Name |  | Organization     |  |
| Details of Complaints or Objections |      |  |                  |  |
| Result/Action Taken                 |      |  |                  |  |
| Date of completion                  | Date |  |                  |  |

\*Please contact the secretariat whether you approved or denied the result.

\*This shall be regarded as the close if you fail to respond the secretariat within 30 days of the date of the reported day.

**Appended form 4**

Marine Eco-Label Japan Council  
Form for Appeal

|                                    |                        |           |              |
|------------------------------------|------------------------|-----------|--------------|
| Date Received*                     |                        | No.*      |              |
| Appellant details                  | Name                   |           | Organization |
|                                    | Phone/FAX              |           | Email        |
|                                    | Address                |           |              |
| Application Fee                    | JPY 100,000 for Appeal |           |              |
| Title*                             |                        |           |              |
| Details of Appeal                  |                        |           |              |
| Name(s) of Supplementary Documents |                        | Date      |              |
|                                    |                        | Signature |              |

\* indicates boxes for official use only, and \*\* indicates entry is optional.

**Appended form 5**

Reception Number:\_\_\_\_\_.

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

Dear\_\_\_\_\_

Marine Eco-Label Japan Council

Marine Eco-Label Japan Council  
Notification of the Receipt of Appeal

This is a notification that we have received your Form for Complaint or Appeal on [month] [date], [year].

Additionally, this is a notification that we have confirmed a payment of JPY 100,000 as an applicational fee for appeal.