

NESUS CERTIFICATION SDN BHD



MSPO CERTIFICATION SUMMARY REPORT

FOR

**BRIMARK ENTERPRISES SDN BHD
AND GROUP**

Date: 01st March 2024

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MSPO Certification Summary Report



	Company Name:	Brimark Enterprises Sdn Bhd & Group
	Certifying Unit:	1. Brimark Enterprises Sdn Bhd 2. Hing Moh Sdn Bhd
	Client Number:	NSC-07-05-21/MSPO(2)
	Audit Type:	Group / Recertification Year 06

Table of Contents

Abbreviations	2
1 Introduction & 5 Years Audit Programme	3-5
2 Methodology	6-7
3 Organization Information	8-10
4 Audit Assessment	11-23
Appendix A: Audit Findings	24
Appendix B: Corrective Action Plan & Evidence	24
Appendix C: Audit Plan	24
End of Report	24


MSPO Certification Summary Report

	Company Name:	Brimark Enterprises Sdn Bhd & Group
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Abbreviations

CHRA	Chemical Health Risk Assessment
CPO	Crude Palm Oil
CSR	Corporate Social Responsibility
DOE	Department of Environment
EFB	Empty Fruit Bunch
EIA	Environment Impact Assessment
FFB	Fresh Fruit Bunch
GMP	Good Milling Practices
GPS	Global Positioning System
GAP	Good Agriculture Practices
ISO	International Standard Organisation
MPOB	Malaysian Palm Oil Board
MPOCC	Malaysia Palm Oil Certification Council
MSPO	Malaysia Sustainable Palm Oil
NC	Non Conformity
OFI	Opportunities For Improvement
OSH	Occupational Safety and Health
P&C	Principle and Criteria
PK	Palm Kernel
POME	Palm Oil Mill Effluent
PPE	Personal Protective Equipment
RTE	Rare, Threatened and Endangered Species
SDS	Safety Data Sheet
SIA	Social Impact Assessment
SOP	Standard Operating Procedure

MSPO Certification Summary Report

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1. INTRODUCTION

Brimark Enterprises Sdn Bhd and Group had commissioned Nesus Certification Sdn Bhd to conduct **Re-certification** audit for its oil palm plantation according to MS 2530-3 Part 3 General Principles for Oil Palm Plantations and Organized Smallholders.

1.1. Objective

The objective of this **Re-certification** audit was to assess the oil palm plantation by an independent certification body with the aim for compliance of the standards.

1.2. Scope

Any changes in scope Yes ☒ No ☐

Brimark Enterprises Sdn Bhd was previously certified under individual certification and later it separated into 2 entities and going to apply for group certification. The certification was based on the documentation established by **Brimark Enterprises Sdn Bhd and Group**. The supporting documents provided to the audit team as well as information received by means of interviews and background investigation.

The documents and information were reviewed against the requirements and criteria based on MS 2530-3 Part 3 General Principles For Oil Palm Plantations And Organized Smallholders. Nesus Certification Sdn Bhd had employed a risk-based approach in the audit, focusing on the identification of significant risks and reliability of the assessment and reporting.

The following references were used as part of the assessment; the compliance of the requirements of the guidelines applied are checked.


1. Malaysian Sustainable Palm Oil Part 3: General Principles For Oil Palm Plantations And Organized Smallholders audit guidance;

1.3. Appointment and Qualification of team members

The audit team appointed consists of the team leader and team members. The team contributes to the review of documents, assessment of the project activity and preparation of this report.

Audit:	Date:	Audit Team	
Re-certification Year 06	16th - 17th January 2024	Lead Auditor	Jeffrey Denis Ridu; Certified MSPO SCCS Auditor (SGS Malaysia), Certified Lead Auditor QEHS (SGS Malaysia), Certified MSPO Auditor (SGS Malaysia), MSc Plantation Management (UPM), BS Agbusiness (Iowa State University, USA), DPIM (ITM Perlis); 25 years working experience related to palm oil; Site & documentation audit and interview based on Principles 1 to 7 of MS 2530-3:2013.
		Auditor 1	Jiram Sidu; Certified Lead Auditor QEHS (SGS Malaysia), Certified MSPO Auditor (SGS Malaysia), MSc Science and Rural Resources and Environmental Policy (UK), BSc (Hons) Social Science (USM); More than 40 years' experience in agriculture and environment management field; Site & documentation audit and interview based on Principles 1 to 7 of MS 2530-3:2013.

MSPO Certification Summary Report


	Company Name:	Brimark Enterprises Sdn Bhd & Group
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Clients Review:	Madam Sim Lee Kiaw	Date:	04/03/2024
Peer Reviewer 1:	Ting Moi Ngie	Date:	08/03/2024
Peer Reviewer 2:	George Akam	Date:	13/03/2024
Certification Decision Panel:	Monica Mone Lubong	Date:	18/03/2024
Approved by CM:	Dickens Mambu	Date:	18/03/2024

5 Years Audit Programme

Planned month & year	S1 Date:	S2 Date:	SA1 Date:	SA2 Date: 15/04/21	SA3 Date: 15/04/22	S4 Date: 15/04/23	RA Date: 15/12/23
Internal audit	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Stakeholder consultation / survey	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Use of logo	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Follow-up from previous audit finding	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
4.1 Management Commitment & Responsibility							
4.1.1 MSPO Policy	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
4.1.2 Internal audit	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
4.1.3 Management review	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
4.1.4 Continual improvement	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
4.2 Transparency							
4.2.1 Transparency of information and documents relevant to MSPO requirements	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
4.2.2 Transparent method of communication and consultation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
4.2.3 Traceability	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
4.3 Compliance to legal requirements							
4.3.1 Regulatory requirements	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
4.3.2 Land use rights	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
4.3.3 Customary rights	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
4.4 Social responsibility, health, safety and employment condition							
4.4.1 Social impact assessment (SIA)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
4.4.2 Complaints and grievances	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
4.4.3 Commitment to contribute to local sustainable development	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
4.4.4 Employees safety and health	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
4.4.5 Employment conditions	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
4.4.6 Training and competency	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
4.5 Environment. natural resources, biodiversity							
4.5.1 Environmental management plan	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
4.5.2 Efficiency of energy use and use of renewable energy	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
4.5.3 Waste management and disposal	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
4.5.4 Reduction of pollution and emission	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

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	Audit Type:	Group / Recertification Year 06

4.5.5 Natural water resources	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
4.5.6 Status of rare, threatened, or endangered species and high biodiversity value area	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
4.5.7 Zero burning practices	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
4.6 Best practices							
4.6.1 Site management	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
4.6.2 Economic and financial viability plan	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
4.7 Development of new planting (not applicable)							
4.7.1 High biodiversity	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.7.2 Peat land	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.7.3 Social and Environmental Impact Assessment (SEIA)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.7.4 Soil and topographic information	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.7.5 Planting on steep terrain, marginal and fragile soils	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.7.6 Customary land	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Note:

Legend:

☒ - plan to cover & covered

S1 - Stage 1

SA - Surveillance assessment (not more than 12 months from certification decision date)


☐ - for uncover

S2 - Stage 2

RA - Reassessment (4 months before certificate expiry)

Audit Stage	S1	S2	SA1	SA2	SA3	SA4	RA
Year	1	1	2	3	4	5	6
Plan			15/04/20	15/04/21	15/04/22	15/04/23	15/12/23
Actual				25-26/08/21	16-17/03/22	20-21/02/23	16-17/01/24
Team Leader				Dickens Mambu	Jiram Sidu	Jeffrey Denis Ridu	Jeffrey Denis Ridu
PR 1				George Akam	-	-	Ting Moi Ngie
PR 2				Ting Moi Ngie	-	-	George Akam

MSPO Certification Summary Report

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	Audit Type:	Group / Recertification Year 06

2. METHODOLOGY

The audit approach consists of the following steps:


- Contract review;
- Appointment of team members and technical reviewer;
- Contact client for relevant documentation according to the applicable MSPO standards;
- Audit planning;
- Background investigation, desk review of submitted documents;
- On-Site assessment, inspections, interviews with operational personnel, stakeholders and its contractors; review of documentation;
- On-site reporting
- Resolution of non-conformance (NC) (if any)
- Draft audit reporting
- Technical review
- Final audit reporting
- Peer review (if any)
- Address Peer Review Comments (if any)
- Certification Decision Panel (CDP)
- Final approval and issuance of certificate.

Re-certification Audit:

Re-certification audit was conducted on **16th - 17th January 2024**, which covers the following activities but not limited to below:

- Onsite inspection, observations and inspections of plantation facilities such as process, workshops, stores, wastewater treatment system, waste handling and disposal sites, workers and staff living quarters, receiving and delivery of products for compliance to relevant Principles & Criteria of the applied standard;
- Interview operation personnel for understanding for the work assigned;
- Reviewed revised and updated documentation established and implemented;
- Operating records;
- Training records;
- Reports established;
- Work plans established;
- Review and closed out of non-conformance(s) raised during **Re-certification** audit;
- Assessment reporting;

MSPO Certification Summary Report

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On-site Assessment

The audit of the plantation was conducted according to the MS 2530-3 Part 3 General Principles For Oil Palm Plantations And Organized Smallholders.

The methodology for collection of objective evidence include physical site inspections, observation of tasks & processes, interviews of stakeholders, communities, staff, workers and their families, review of documentation and data. Checklists and questionnaires were used to guide the collection of information. The comments made by external stakeholders were taken into account in the assessment.

Non-conformance:

On the basis of the desk review, evidences presented during the audits, non-conformance (NC) Major, Minor and Observation may be raised during the audit.


Major non-conformance shall be addressed and responded within 90 days from closing date of audit. For minor non-conformance and action plan to be submitted within 30 days from closing date of audit for review and acceptance. Implementation of Minor NC will be reviewed and verified during the next audit.

The audit evidence obtained was based on a sample of the information; thereby introducing an element of uncertainty. The methodology for objective evidence collection included physical site inspection, observation of tasks and processes, interview with workers, families and stakeholders, documentation review and monitoring data.

Site Sampling**Sampling Methodology and Risk Determination**

Nil

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3. ORGANISATION INFORMATION

This report presents the results of the certification assessment at **Brimark Enterprises Sdn Bhd and Group** on **16th - 17th January 2024** by Nesus Certification Sdn Bhd. The purpose was to assess the operations of **Brimark Enterprises Sdn Bhd and Group** against the requirements of the Malaysian Sustainable Palm Oil (MSPO) certifications.

Brimark Enterprises Sdn Bhd and Group is a plantation established in year 1997 with an area of **499.20 Ha** for **Brimark Enterprises Sdn Bhd** and **495.51 Ha** for **Hing Moh Sdn Bhd**. **Brimark Enterprises Sdn Bhd & Group** will apply the certification of MS2530-3 as the organization is committed to become a Sustainable Palm Oil producer.

Table 1: Information of Estate Being Audited

Name of Organisation	Location	Coordinates	
		Lat.:	Log.:
Brimark Enterprises Sdn Bhd	Office location: Lot 5, BDC, Biawak Industrial Estate, 93450 Kuching, Sarawak.	-	-
	Site location: Lot 313 & 384. Pueh & NCR Rukam, Lundu District, 94500 Kuching, Sarawak.	1.649172	109.80213
Hing Moh Sdn Bhd	Office location: 12, Sematan Bazaar, 94500 Lundu, Sarawak	-	-
	Site location: Perunggang, Pueh & Tamin Site, Sematan, Lundu, 94100 Kuching, Sarawak.	1.700477	109.729162


Table 2: Supply Base Area Statement

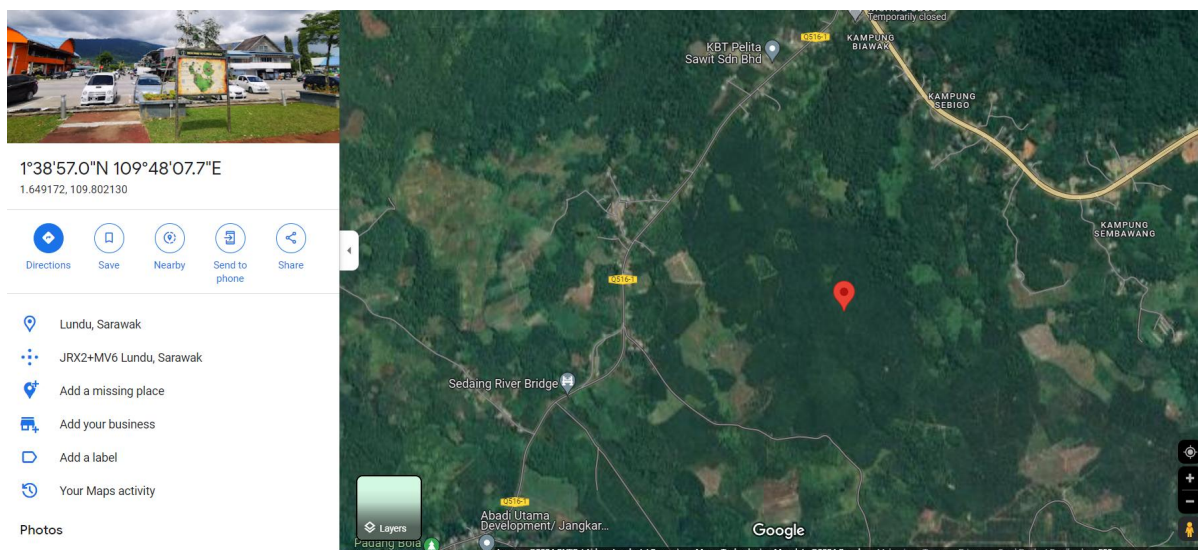
Area Statement (Ha)				
Estate	Titled Area (Ha)	Planted (Ha)	Conservation / HCV (Ha)	Others (Ha)
Brimark Enterprises Sdn Bhd	499.20	499.2	-	-
Hing Moh Sdn Bhd	495.51	495.51	-	-

Table 3: FFB Production


Estate	FFB Production (Mt)	
	Year 2023 (Actual)	Year 2024 (Projection***)
Brimark Enterprises Sdn Bhd	938.26	1000
Hing Moh Sdn Bhd	1,079.45	1,100

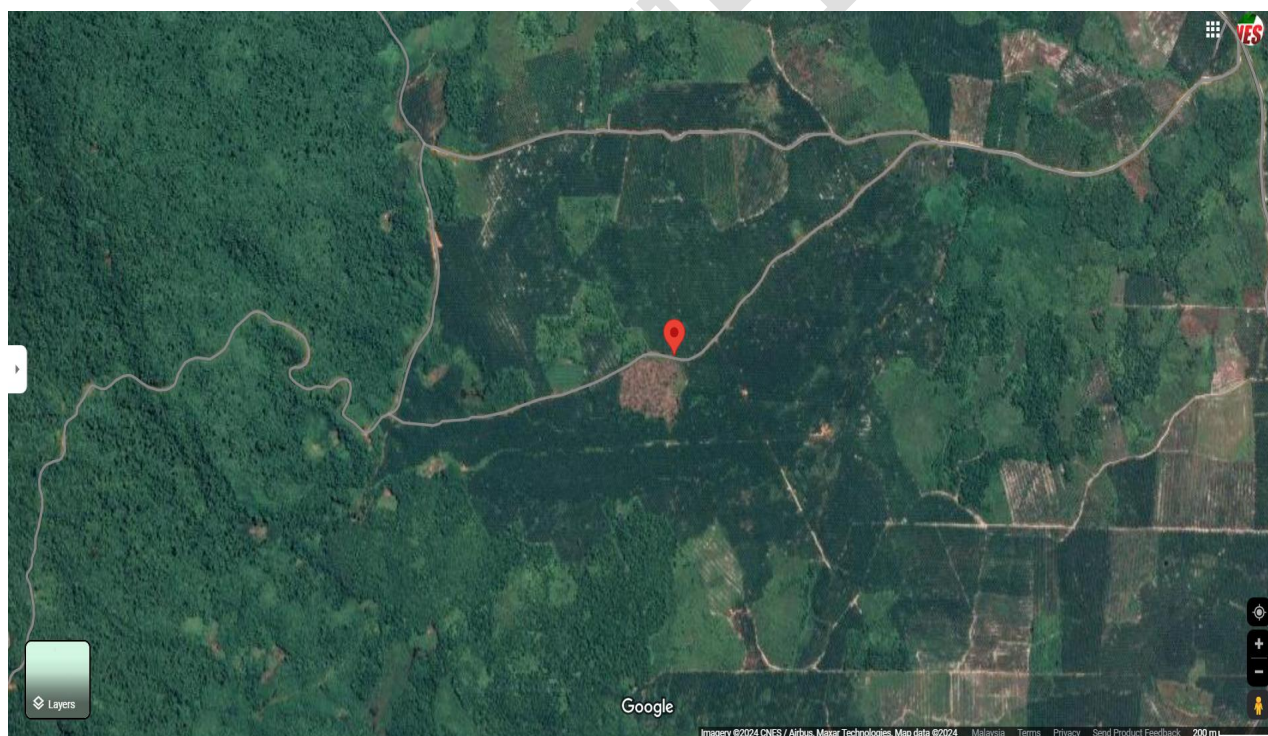
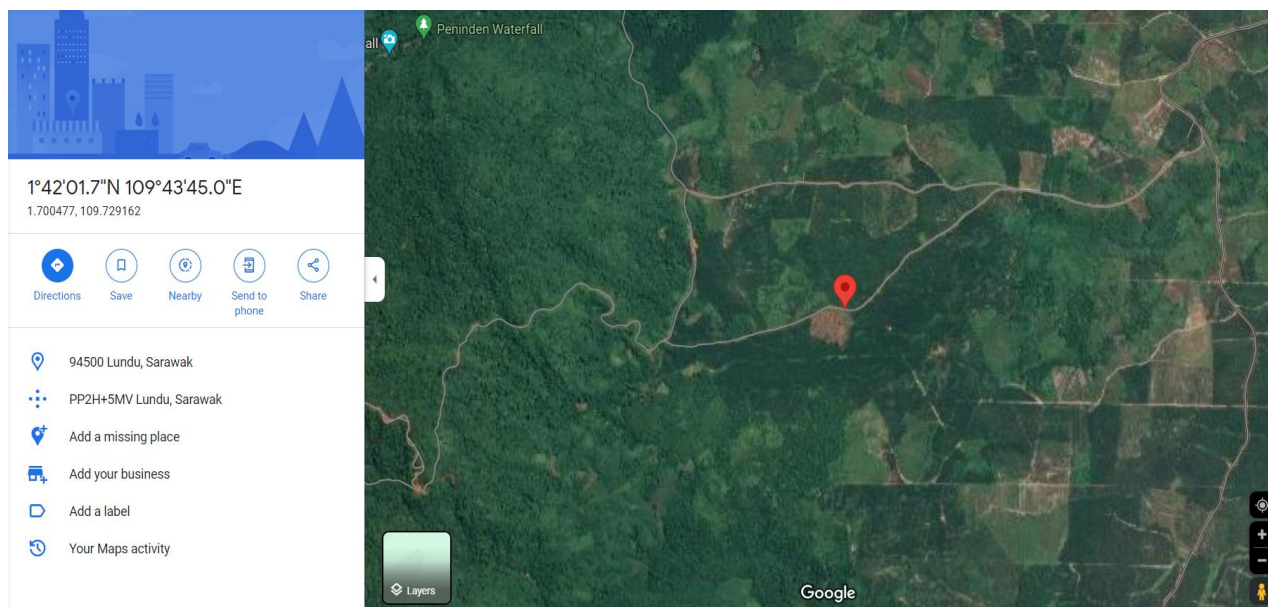
MSPO Certification Summary Report

	Company Name:	Brimark Enterprises Sdn Bhd & Group
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	Audit Type:	Group / Recertification Year 06


Location Map of the Production Unit**Brimark Enterprises Sdn Bhd**

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Hing Moh Sdn Bhd

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4. AUDIT ASSESSMENT**4.1. Recertification Audit**

The objective of the audit was to assess whether the activities of the plantation are in compliance with MS 2530-3 Part 3 General Principles For Oil Palm Plantations And Organized Smallholders.

4.1.1. Re-certification

The **Recertification** audit was conducted on **16th - 17th January 2024**.

During the **Recertification** audit, there were **3 Minor and 1 OFI** being raised. The non-conformance raised during the audit were closed out by means of documents review that were established, revised and implemented appropriately and preventive actions taken by the estate.

During this audit, the minor non-compliance raised in the previous annual surveillance audit has been reviewed by the audit team by means of inspection of estate activities, conducted interviews, reviewed and verified documents that were established, corrected and implemented appropriately by the estate team. The corrective measures implemented were verified as appropriate.

For details of the assessment, refer to the summary of assessment for each indicator in section 4.4 of this report.


4.2. Stakeholders' Consultation

Nesus Certification Sdn Bhd, had notified the stakeholder as to accommodate stakeholder's consultation and communication for **Brimark Enterprises Sdn Bhd & Group** to provide comments. As at audit date on **16th - 17th January 2024**, there were no adverse comments received.

Table 5: Stakeholder Consultation for Brimark Enterprises Sdn Bhd & Group

Stakeholders Categories	Stakeholder's Input / Comments	Clients Feedback / Response
Government: MPOCC 012-8459880	Estate is committed in complying related regulations so far.	There is two-way communication.
Supplier: Hap Seng Fertilizer 010-9821167	The supplier faces no problem in dealing with the estate.	Happy dealing business with estate.
Neighboring village: Villager 019-8678337	No issues so far. Will communicate through proper channel should any issues are raised.	Maintain the good relationship.
Employee: Staff 013-8068866	Workplace and remuneration are both satisfactory.	Always looking after the welfare and well-being of all employees.

MSPO Certification Summary Report

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4.3. SUMMARY OF FINDINGS**Principle and Criteria Assessment Summary**

The assessment team conducted a thorough assessment of each principle and criteria. Over the 5 years' period of the certificate cycle, there will be 4 annual surveillance audits where all criterion will be assessed. Evidences are sought for conformity with the MSPO 2530-3:2013. The summary of the assessment can be seen below, where the "Findings/Comments" column reflects the findings in accordance with each criteria and indicator or evidences and when non conformity is found. Summary of the non-conformity can be found below.

4.4 COMMENT ON COMPLIANCE STATUS, POSITIVE OBSERVATION & OPPORTUNITIES FOR IMPROVEMENT


Principle	Description	Comment	Conformity
Principle 1	Management Commitment Responsibility &	<p><u>Policy on Implementation of MSPO</u></p> <p>The Policies have been revised to include both estates, signed by Mr Lo Sin Li, Managing Director on 04/09/2023. The policy emphasized the company's commitment towards sustainable development and continuous improvement in the plantation operations. The policy is communicated in various ways, including posting it on the main signboard at their worker's quarters. It is also communicated to the employees during muster call.</p> <p><u>Internal Audit</u></p> <p>Internal audits are to be conducted at least once a year to monitor the estate's compliance of MSPO requirements. The internal audit was conducted on 08/12/2023 for both Brimark Enterprises Sdn Bhd and Hing Moh Sdn Bhd. It was observed the MSPO internal audit procedures was available during audit conduct. No major findings but only continuous improvement required. The audit has been conducted by internal auditor.</p> <p><u>Management Review</u></p> <p>Management Review is scheduled to be conducted once a year after internal audit has been conducted, discussing impacts mitigation and continuous improvement plan for operations with company's decision makers. Management Review conducted on 04/01/2024, acknowledged by Mr Lo Sin Li as Top Management.</p>	Complied.

MSPO Certification Summary Report

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		<p>Continual Improvement Through the management review meeting, the company has identified Continual Improvement Plan for several criteria such as environmental, social, safety and health. The progress of each identified improvement plan is being monitored closely by the management. Management has also allocates some budget for MSPO preparation and certification.</p>	
Principle 2	Transparency	<p><u>Transparency of documents relevant to MSPO requirements</u></p> <p>A transparent procedure had been established on 15th August 2018 and was last reviewed on 9th January 2020 to ensure appropriate and clear communication between two or more parties when resolving concerns or issues or relating new information. Estate management must keep a communication logbook to record every request made by stakeholders. It should be noted that the previously mentioned communication logbook is kept up to date. Stakeholder requests have been addressed in appropriate language and format.</p> <p>All publicly available documents were made available upon request. Mechanism on Information request by stakeholder's procedure was available.</p> <p><u>Transparent method of communication and consultation</u></p> <p>A Complaints and Grievances Procedure established had outlines the process of handling complaints along with the time period. The estate manager was appointed on 3rd March 2018 as the Social Liaison Officer. The officer will be responsible to handle any stakeholder consultation and communication. All relevant stakeholders have been identified and are included in the Stakeholder List. The communication between stakeholders and the management can be done through means of stakeholders meeting, complaint and grievance forms, via phone calls or texts, and personal meeting at the office.</p> <p>Annual meeting should be conducted with stakeholder to ensure two way communication and to discuss any concerning matter that may be raised.</p> <p><u>Traceability</u> Traceability is one of the components</p>	Complied.

MSPO Certification Summary Report

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	Client Number:	NSC-07-05-21/MSPO(2)
	Audit Type:	Group / Recertification Year 06


		<p>included in the company's Standard Operating Procedures which was established to suit the conditions of each operating unit in order to achieve an effective traceability system. The procedure was created to demonstrate actual implementation, thereby reducing the need for frequent inspection. The monitoring of traceability can be found recorded in Purchases FFB Report. The estate manager is appointed as the Traceability Officers with appointment letter dated 3rd March 2018 and another officer appointed on 1st May 2020 in which their responsibilities are to ensure that the system is consistently implemented. The procedure requires that all traceability records and documents be kept.</p>	
Principle 3	Compliance to legal requirements	<p><u>Regulatory requirements</u></p> <p>The estate is operating in compliance with local, state, national, and ratified international laws and regulations. The estate's appointed legal officer is in charge of monitoring compliance. If there are any changes, estates management will be notified so that appropriate adjustments can be made.</p> <p><u>Brimark Enterprises Sdn Bhd Example;</u></p> <p>MPOB license : Reg : 503483602000 Hectare: 499.2ha Validity : 26/07/2023 – 31/03/2024</p> <p>Hing Moh Sdn Bhd,</p> <p>MPOB license : Reg : 621996002000 Hectare: 495.51ha Validity : 11/07/2023 – 30/06/2024</p> <p>A legal officer was appointed vide appointment letter dated 24th April 2021 to monitor the compliance and to track changes in regulatory requirements.</p> <p><u>Legal land use rights</u></p> <p>The estate assessed was able to present the lease of state land and the agreement made with landowner for the respective areas which compromise of NCR land dated on 20th June 2007. All legality and ownership documentation was updated and well maintained. The extent of the estate's area has been depicted on maps. It was discovered that the existing map</p>	Complied.

MSPO Certification Summary Report

	Company Name:	Brimark Enterprises Sdn Bhd & Group
	Certifying Unit:	1. Brimark Enterprises Sdn Bhd 2. Hing Moh Sdn Bhd
	Client Number:	NSC-07-05-21/MSPO(2)
	Audit Type:	Group / Recertification Year 06

		<p>corresponds to the landowner's agreement.</p> <p>Customary rights The land where the estate is operating are not encumbered by customary rights. There are no issues on legal acquisition of land. The estate will respond according to the Complaints/Grievance Mechanism should any cases arise in future.</p> <p>Perjanjian di antara Pemilik Tanah Kampung Rukam dengan Brimark Enterprises Sdn Bhd dated 1st May 2018. Item no 2 in the agreement stated that the period of tenure is 25 years. A list of landowners that contains name, identification card no, agreement date, land acres, amount and remarks.</p> <p>Records of rental payment to the landowners was made available for the year 2020 and Jan-June 2021.</p>	
Principle 4	Social responsibility, health, safety and employment condition	<p>Social Impact Assessment An internal SIA report dated March 2022 was available. The purpose of the report was to identify the implications for the community, both positive and negative. Due to the restrictions of Covid-19, the estate has not been able to conduct physical meeting with their stakeholders. Therefore the estate sent out emails to stakeholders to maintain the two way communication. The estate management team documents and responds to all feedback. The assessment was carried out by management, and it included determining the social impact on migrant workers and workers living in worker housing.</p> <p><u>N/C No. 1; Minor (Principle 4.4.1.1)</u> Social impact should be identified and plans are implemented to mitigate the negative impacts and promote the positive ones but was not revised and updated as per requirements of new standards.</p> <p>There is lack of in-depth assessment of the social impacts especially on the surrounding local communities and neighbouring estates for Brimark Enterprises Sdn Bhd & Hing Moh Sdn Bhd.</p> <p>Complaints and grievances A Complaints & Grievances Procedure for the estate with document reference</p>	Minor Non Conformity and Opportunity For Improvement (OFI) have been raised.

MSPO Certification Summary Report

	Company Name:	Brimark Enterprises Sdn Bhd & Group
	Certifying Unit:	1. Brimark Enterprises Sdn Bhd 2. Hing Moh Sdn Bhd
	Client Number:	NSC-07-05-21/MSPO(2)
	Audit Type:	Group / Recertification Year 06

BESB-P4-06 includes a process flow for complaints and grievances that specifies how long it should take to resolve any complaint received. The complaints and grievance mechanism has been made known to all relevant stakeholders. The procedure was also posted on the public notice board of the estate that shows the steps to registers complaints. The complaint boxes were also available outside the chemical store in the estate and at the office. The estate manager was appointed as the Social Liaison Officer vide appointment letter dated on 1st May 2020 to address any complaints that are raised.

Commitment to contribute to local sustainable developments

The estate management has been actively assisting and contributing to the surrounding communities. Stakeholders' meeting was also conducted to discuss concerns raised. The estate was found to have kept all CSR records correctly. In terms of job opportunities, the local community was prioritized.

Employees safety and health


Brimark Enterprises Sdn Bhd has established an Occupational Health & Safety Policy which has been signed by the Director on 15th August 2018. Training for the policy has been conducted in 18th March 2021 to workers. The policy is posted in the Estate Office and the Headquarters Office. MSPO Awareness Training was used to communicate the policy to all employees.

HIRARC (BESP-P4-09) was established on 1st August 2018 to assess the risk of all operational activities in the estate. The risk assessment was carried out by the safety officer.

Employees of job scope involving around pesticides exposure will receive training. The training was carried out as planned, according to a sampled training record. Interviewees admitted to receiving relevant training on safe working procedures during a phone interview, which was further assessed. The training conducted were PPE training, chemical mixing, first aider training, and spraying training which were all conducted on 23rd March 2021.

According to the training records and

MSPO Certification Summary Report

	Company Name:	Brimark Enterprises Sdn Bhd & Group
	Certifying Unit:	1. Brimark Enterprises Sdn Bhd 2. Hing Moh Sdn Bhd
	Client Number:	NSC-07-05-21/MSPO(2)
	Audit Type:	Group / Recertification Year 06

PPE issuance records, it was noted that workers were adequately outfitted with PPE. The management provided them with the necessary personal protective equipment (PPE), and replace broken or unfit PPE for free if the old or broken PPE is returned.

SOP for Chemical Handling Procedure has been established on 1st August 2018 which covers various activities including operational and non-operational activities. It is also pertains safety procedure for e)Requesting of Chemical, Chemical Storage, Chemical Transporting, Chemical Handling and Chemical Spillage.

SOP on Accident investigation & reporting with document reference AI/BR/2018 was available. An emergency preparedness and response procedure as per document reference EPR/BR/2018 was also available which consists of Emergency layout plan and emergency contact number. These components are also posted on the notice board.

There was no accident recorded in the estate as per seen from the JKKP8 submission.

Employment conditions


Human Rights Policy, Sexual Harassment Policy, and No Child Labor Policy were spotted and displayed on the notice board at the estate offices. The Managing Director, signed all policies dated 15th August 2018. Based on observation and interview session, it was noted that there are no discriminatory practices in the estate.

All employees are paid a basic salary that meets Sarawak Labour Ordinance. Estate also ensures that workers are paid based on the hours they work based on their checkroll.

Among other social benefits that were provided by the employer to employees, their families, or the community, are free outpatient medical treatment, free accommodation, free water and electricity supplies, incentives and bonuses for workers and staffs.


There is no indication of sexual harassment happening in the estate. The estate has implemented a Sexual

MSPO Certification Summary Report

	Company Name:	Brimark Enterprises Sdn Bhd & Group
	Certifying Unit:	1. Brimark Enterprises Sdn Bhd 2. Hing Moh Sdn Bhd
	Client Number:	NSC-07-05-21/MSPO(2)
	Audit Type:	Group / Recertification Year 06

		<p>Harassment Policy and is committed to creating a work environment that is conducive, safe, and free of sexual harassment. The Managing Director of the estate signed the policy on 15th August 2018. The policy is posted on office bulletin boards and communicated to employees through muster, meetings, and briefings.</p> <p>There is no labour union established on site. Interview with workers showed no obstruction from the management for workers who would like to join the union.</p> <p>As stated in the estate's Policy on No Child Labour, there are no underage workers employed by the estate.</p> <p>Training and competency The training for Year 2023 cover environmental training, the safety and health training and MSPO review all on 23rd February 2023. The training schedule for the year 2024 has been set. Before developing training program, the training needs of each worker are analyzed using a training matrix to assess their level of understanding and competency. The latest matrix training was conducted on 23rd January 2022.</p> <p><u>N/C No. 2; OFI (Principle 4.4.6.3)</u> It would be appropriate to plan the training program for the whole year by allocating the training every months of the year instead of only in December and covering all aspects.</p>	
Principle 5	Environment, natural resources, biodiversity and ecosystem services	<p><u>Environmental management programme</u></p> <p>The Estate's Environmental and Biodiversity Policy, and Sustainability Policy was signed by Managing Director on 15th August 2018. The estate's Environmental Officer will ensure the implementation of the environmental & biodiversity and Sustainability Policy. The environmental management plan of Brimark Enterprises Sdn Bhd and Hi Moh Sdn Bhd covered the management plan for different aspect such as water, soil, air, waste, biodiversity, energy management plan and environmental monitoring plan.</p> <p>Environmental Aspect & Impact Document (BESB-P5-19) has been prepared for Brimark Enterprises Sdn Bhd that covers environmental matter</p>	Minor Conformities have been raised. Non Conformities have been raised.

MSPO Certification Summary Report

	Company Name:	Brimark Enterprises Sdn Bhd & Group
	Certifying Unit:	1. Brimark Enterprises Sdn Bhd 2. Hing Moh Sdn Bhd
	Client Number:	NSC-07-05-21/MSPO(2)
	Audit Type:	Group / Recertification Year 06

such as land clearing and development, construction access road and bridge, manuring, and spraying. The estate has been implementing the mitigating measures as stipulated in the document to prevent/minimize environmental pollution and to conserve biodiversity. Environmental Improvement Plan is incorporated into the EAIA. Those activities evaluated as significant were then monitored using the mitigation measure established for each activity where the significant impacts occurred.

N/C No. 3; Minor (Principle 4.5.1.6)

The management has not organized regular meeting with employees where environmental concerns are discussed. **The management has not organized regular meeting with employee. The last meeting conducted was on 8th January 2022.**

Efficiency of energy use and use of renewal energy


Budget Allocation of diesel consumption for year 2021 was included in "Estate- Budget for the financial year January 2020-December 2020 and Budget for the financial year January 2021-December 2021". The diesel usage is recorded for the Brimark Enterprises Sdn Bhd machines usage to monitor the consumption efficiency of non-renewable energy.

Waste management and disposal

The "Waste Management Plan" identifies and documents all waste products and pollution sources. The wastes identified were mostly general, recyclable, and scheduled wastes. It detailed the waste product, pollution sources, and mitigation measures. Domestic waste from households, as well as empty chemical containers, were also identified as wastes. Waste management plan sighted in Identification of waste/pollution and its impact and Environmental Management Plan


The estate's Standard Operating Procedure (SOP) for chemical handling that covers hazardous chemicals as well as scheduled wastes. Its main purpose is to ensure that adequate control & precautionary measures are being taken in relation to the handling, storage & transportation of hazardous chemicals.

MSPO Certification Summary Report

	Company Name:	Brimark Enterprises Sdn Bhd & Group
	Certifying Unit:	1. Brimark Enterprises Sdn Bhd 2. Hing Moh Sdn Bhd
	Client Number:	NSC-07-05-21/MSPO(2)
	Audit Type:	Group / Recertification Year 06


		<p>Dumping pit for disposal of domestic waste is available and is adequately distanced from living quarters and water source.</p> <p><u>Reduction of pollution and emission</u> The polluting activities assessment is done through Environment Management Plan and appropriate pollution-reduction action is formulated in Environment Management Plan to mitigate the pollutants.</p> <p><u>Natural water resources</u> The water management plans were more towards water conservation, pollution prevention and domestic usage. The management plan covered measures for dry spell/shortage and in case of water pollution. Workers were advised to conserve water. Water from process was reused for cleaning. Water from triple rinsing of pesticide containers was reused for spraying. Rainwater harvesting using tanks are used for water supply for Domestic Use, while Drinking water is supplied daily to workers.</p> <p>Rain water harvesting is practised in the estate. The rain water is utilized for non-consumable activities.</p> <p>Riparian zones along streams/rivers are maintained to prevent water pollution.</p> <p><u>Status of rare, threatened or endangered species and high biodiversity value area</u> To date, no cases of RTE species reported at the estates as the surrounding areas are already developed with oil palm by smallholders. However management plan does include the biodiversity protection through training on awareness.</p> <p>Their continual improvement plan towards conservation and management of biodiversity includes conduct awareness program to staff and workers and constant communication with related government agencies regarding biodiversity and conservation.</p> <p><u>N/C No. 4; MINOR (Principle 4.5.6.1)</u> Information on identification of High Biodiversity Value areas and threatened</p>	
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MSPO Certification Summary Report

	Company Name:	Brimark Enterprises Sdn Bhd & Group
	Certifying Unit:	1. Brimark Enterprises Sdn Bhd 2. Hing Moh Sdn Bhd
	Client Number:	NSC-07-05-21/MSPO(2)
	Audit Type:	Group / Recertification Year 06

		<p>ecosystems have not been collated from the planted area and the relevant wider landscape. There was no report available for review.</p> <p><u>Zero burning practices</u> The Executive Director signed a Zero Burning policy, committing the company to zero burning practices in all operational areas as part of a plan to reduce air pollution.</p>	
Principle 6	Best practices	<p><u>Implementation of standard best practices / Site management</u> Standard Operating Procedures (SOP) for best practice which was updated latest on December 2019 can be found listing several matter including nursery practice, road & boundaries, pollination and harvesting. The estate is a mixture of mineral and peat soil. The policy together with the SOP is an effort to minimize soil erosion based on local soil and climate conditions, ground cover management, biomass recycling, terracing and natural regeneration of <i>Nephrolepis biserrata</i>.</p> <p><u>Economic and financial viability plan</u> The estate's budget has the information about targeted yield & profit and financial allocation for harvesting, upkeep & maintenance and fertilizers. Attention was given to crop projection, cost of production to monitor the performance of each operating unit. The cost of production was reviewed and compared against expenditure each year with projections in place. Business planning done on annual basis.</p> <p>At the moment, the estate is preparing for replanting for the earliest planting in 1997</p> <p><u>Transparent and fair pricing dealing</u> All pricing mechanism arrangements are handled at the Head Office level. Contracts are primarily for FFB transportation, loading, harvesting, weeding, P&D control, Pruning, Manuring, and other related services. The contractor was informed of the pricing mechanism.</p> <p><u>Contractor</u> Contract agreements with contractors include a special clause on MSPO in the form of "Terms & Conditions for</p>	Complied

MSPO Certification Summary Report

	Company Name:	Brimark Enterprises Sdn Bhd & Group
	Certifying Unit:	1. Brimark Enterprises Sdn Bhd 2. Hing Moh Sdn Bhd
	Client Number:	NSC-07-05-21/MSPO(2)
	Audit Type:	Group / Recertification Year 06

		Contractor." The management is accountable for the contractor's work and evaluated the contractors' work using a field inspection, a contractor's work order, and a field map.	
Principle 7	Development of new plantings	Not Applicable Note: the whole Principle 7 is not applicable for this audit as there is no new planting in the plantation areas.	Not Applicable

The internal audit program has been fully implemented and demonstrates effectiveness as a tool for maintaining and improving the management system	✓
The management review process is adequate and effective.	✓
The organization has met its objectives and targets and monitored progress towards their achievement.	✓
The management system documentation confirms with the requirements of the MSPO audit standard.	✓

4.5 PREVIOUS AUDIT FINDINGS – IF APPLICABLE

Nonconformity identified during previous audits has been corrected and the corrective action continues to be effective.	✓
Not adequately addressed nonconformity identified during previous audit activities and the specific issue has been re-defined in the nonconformity section of this report.	

4.6 EXISTING CERTIFICATION

Currently are being certified to other certification schemes as below


Current Certification (Please tick the certification you are currently certified)			
	ISO 9001		HACCP
	EMS 14001		RSPO
	OHSAS 18001/ISO 45001		ISCC
	ISO 22001	x	Others: MS2530-3
	None		

4.7 AUDIT SUMMARY AND RECOMMENDATION

The audit team concludes that the organization fulfill the requirements of the MS 2530-3:2013 standard and demonstrated the ability of the system to systematically achieve agreed requirements for products or services within the scope and the organization's policy and objectives.

The audit team recommends that, MSPO certificate to be maintained by submission and accept the corrective action plan and evidence of NCRs within the stipulated time frame to **Brimark Enterprises Sdn Bhd & Group**.

MSPO Certification Summary Report

	Company Name:	Brimark Enterprises Sdn Bhd & Group
	Certifying Unit:	1. Brimark Enterprises Sdn Bhd 2. Hing Moh Sdn Bhd
	Client Number:	NSC-07-05-21/MSPO(2)
	Audit Type:	Group / Recertification Year 06

**Signed for and on behalf of
Nesus Certification Sdn Bhd**



.....
(Jeffrey Denis Ridu)
Lead Auditor
Date: 01/03/2024

ACKNOWLEDGEMENT OF INTERNAL RESPONSIBILITY AND CONFIRMATION OF AUDIT FINDINGS

This is to acknowledge and confirm the audit described in this report and the acceptance of the contents and findings in this audit report.

Signed for and on behalf of
Brimark Enterprises Sdn Bhd




.....
(Mdm. Sim Lee Kiaw)
MSPO Coordinator
Date: 04/03/2024

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MSPO Certification Summary Report

	Company Name:	Brimark Enterprises Sdn Bhd & Group
	Certifying Unit:	1. Brimark Enterprises Sdn Bhd 2. Hing Moh Sdn Bhd
	Client Number:	NSC-07-05-21/MSPO(2)
	Audit Type:	Group / Recertification Year 06

APPENDIX A: AUDIT FINDINGS

Refer to the Attachment (Appendix A)

APPENDIX B: CORRECTIVE ACTION PLAN & EVIDENCE

Refer to the Attachment (Appendix B)

APPENDIX C: AUDIT PLAN

Refer to the Attachment (Appendix C)

End of Report

NESUS CERTIFICATION