

---

Statute

(Stand 21- November 2018)

ENFIT e.V. International Association - Supply Chain Safety

**§ 1 Name, domicile and fiscal year**

- (1) The association bears the name: ENFIT - International Association Supply Chain Safety
- (2) The association is already registered in the association register and has the suffix e.V. In the following, it is called 'ENFIT' for short.
- (3) The headquarters of the 'ENFIT' is Quakenbrück and is registered at the Local Court of Osnabrück
- (4) The fiscal year is the calendar year.

**§ 2 Purpose and goal**

The main goal of the association is to develop and establish national, European or international practicable standards. To actively support and develop the objectives of the European Union (EU) of the necessary sustainable and innovative climate, environmental, energy, material, logistics efficiency and traffic relief as well as the objectives for food, feed and chemical safety, as well as these to actively integrate and implement in association activities for its members.

Development and implementation of a holistic, comprehensive and transparent concept / solution along the complete process chain (supply chain), with all strategic and operational goals and necessary measures taking into account all interfaces of the process chain, all subject and subject matters and the legal requirements.

Development of a European and international standard for all Stakeholders, such as production, logistics, cleaning, manufacturers of transport containers, manufacturers of cleaning equipment, certification companies, service providers, software developers, other organizations, etc. for easy process detection, processing and facilitation, for identification, documentation, verification and complete traceability of processes, Products and allergens.

Developing, adapting and implementing meaningful measures to promote food safety and healthy food for end consumers, as well as providing legal certainty and relieving liability of the responsible persons and stakeholders by involving and cooperating with the associations, institutes, authorities at national, European and international level.

Establishment and development of a trusting image - Public relations for all international stakeholders.

The association mainly represents the logistics centers and logisticians, tank silo tank vehicle cleaning plant operators, food producing and processing companies, food retailers, butchers, bakeries, catering, Pharmaceutical industry, chemical companies, nursing homes, hospitals, hotel and feed manufacturers and distributors, agricultural production companies and others.

---

(1) Promotion and support of research and development in the field of transport containers, silo vehicles, refrigerated and suitcases vehicles, etc., as well as their cleaning processes, maintenance and servicing and their management.

(2) Promotion, evaluation and recommendation of innovative developments and ideas of technologies, processes, concepts, products, renewal processes, internet and software systems, container identification, etc.

(3) To develop necessary industry standards, concepts, methods, tools, procedures, maintenance and best practices for

Assurance of process safety, HACCP, risk management, pest control, quality, environmental protection, energy management, occupational health and safety, fire safety, surveillance etc.

Responsible Care and Sustainable Development to safeguard the general Food safety, transport of dangerous goods and other handling, use, cleaning, storage, transport in transport containers, refrigerated and box vehicles, IBCs, special containers, etc.

(4) Support, development, promotion and identification of needs-based Qualification pictures and job descriptions with necessary training and further education concepts for the qualification of responsible persons Employees, training of specialists and qualified persons for testing, control and functional activities.

(5) Representing the interests of members and raising awareness through lectures, public relations, events and marketing.

(6) Accession, cooperation and support to other national, European and international associations, associations, institutes, organizations, authorities and bodies.

(7) Participation in national European and international standardization work on quality assurance such as ISO, SQAS, HACCP, GMP etc. in cooperation with producers, transporters, logisticians etc.

(8) Developing and contributing to the implementation of national, European and international uniform requirements by supervisory authorities with regard to licensing aspects.

(9) Development and participation of standardization, creation and issue of uniform, transparent, meaningful documents, online databases, presentation and traceability of complete and issued certificates for:

Inventory management Identification, storage, use, transport and cleaning of equipment for cleaning tanker and silo vehicles and tank containers (such as ECD - ENFIT Cleaning Document, ICC - International Cleaning Certificate, HQCC - High Quality Cleaning Certificate, Tank Car, Tank, IBC, Drum and Special Tank Cleaning, M & R (Maintenance and Repair) and Reconditioner of Containers.

Another objective is to promote cooperation and create innovative information sharing platforms for international members in all areas of tank, tank, silo, tank car and industrial cleaning, loading, unloading, aptitude inspection, maintenance and repair and reconditioning.

ENFIT can set itself further goals in the context of ongoing association work.

The association has no self-economic purposes. The resources of the association, including any surpluses, may only be used for the purposes set out in the statutes.

---

### § 3 Membership

1. The Association may include any natural or legal person directly or indirectly concerned with the cleaning of transport and storage containers, their manufacture, rental, maintenance, repair and / or reconditioning.

These include, among others:

- Food producing and processing companies
- Food retailer
- Meat producers
- Bakeries
- Producers and snack bars
- Pharmaceutical industry
- Chemical company
- Nursing homes
- Hospitals
- Hotel and restaurant services
- Communal catering
- Feed producers and distributors
- Farmers and fruit, vegetable and plant-producing businesses
- Logistics centers
- Logisticians
- Cleaning stations for internal and external cleaning of tank and silo vehicles, tank containers, tank cars, containers, IBC, drums, special, storage and industrial containers, refrigerated and box vehicles, eg.
- Inspection, repair and maintenance services
- Reconditioners
- Hauliers

#### Service companies for:

- Container Management
- Software development
- Product Identification
- Marketing and Media
- Engineering and architectural services
- Process engineering
- Personnel education and training
- Safety, health
- insurers
- Experts / Surveyors
- Consultans
- Industrial cleaning
- Tank Manufacturer
- Landlord



- Suppliers
- Component Manufacturer
- Plant engineering
- Chemical industry
- Manufacturer of food, feed, pharmaceuticals, cosmetics etc.
- Civil engineering
- Disposers, etc.

(2) Members of ENFIT may be companies from all countries (European, international) that meet the requirements for membership.

The members are obliged to promote the purpose of the association and its goals, to actively support the presidency and a possibly appointed managing director in their capacity. Members have the choice of "full member" or "associate member". Full members are "voting" and pay a higher annual fee, while associated members pay a reduced annual fee for a reduced benefit.

(3) The application is made by written application for admission as a member and recognition of the statutes to the Board.

(4) If the Board rejects the admission, an appeal shall be made

The rejection of the admission application the general meeting. The objection must be lodged with ENFIT in writing within one month of becoming aware of the refusal of the Board.

(5) Members should actively participate in association activities, in particular through participation in workshops and at annual assemblies, to which representatives may also be delegated.

(6) The contribution regulations are updated:

<b>MITGLIEDSBEITRAG (Mitglieder mit Stimmrecht)</b>		<b>ASSOZIIERTE MITGLIEDER (Ohne Stimmrecht)</b>
Industry Companies < 50 Million € turnover	1.500 €/year	1.300 €/year
Cleaning stations/ Logisticians	1.500 €/year	1.200 €/year
Industry Companies > 50 Million € turnover	3.900 €/year	3.500 €/year
Industry Companies > 500 Million € turnover	7.500 €/year	6.500 €/year
Industry Companies > 1 Billion € turnover	12.500 €/year	8.500 €/year
Research Instituts	1.200 €/year	1.000 €/year
Authorities, NGO's and Others	1.200 €/year	1.000 €/year
Individuals (private, no company)	400 €/year	300 €/year

The presidium determines the reduced and individual service catalog for associate members compared to the ordinary members.

(6) Each member is obliged to pay dues duly and punctually. The collection of membership takes place at the time of admission of a full member or associate member for a periode of 12 month. The Membership is automatically renewed for a further 12 months if the membership is not terminated within the deadline.

(7) The membership ends:

a) by resignation from the association, which must be declared to the Board in writing, giving six months' notice at the end of the membership

---

b) by exclusion,

c) by death or liquidation.

The termination of membership does not affect the obligation to pay the levies for the current financial year.

Upon termination of membership, any claim of the departing member shall cease on shares of the association's assets, in particular on the payment or repayment of any contributions or deposits of any kind.

#### **§ 4 Financing**

(1) In order to cover the costs incurred, ENFIT charges a regular fee to the members in the context of its duties pursuant to § 2 of these statutes. The members' meeting decides on the amount and structure of the apportionment.

Until the date on which the general meeting decides on a change and the structure and amount of the levy, the previous resolution of the members regarding the amount of the levy remains unaffected.

The elected Presidium (President and Vice-Presidents) as person and members are exempted from the payment of contributions due to their work for the Association. At the decision of the Executive Board, active members of the Executive Board can be paid not only reimbursement of expenses (travel expenses, hotel, expenses, etc.) but also a lump-sum allowance in accordance with the expenses incurred.

(2) A draft budget must be drawn up at the beginning of each financial year.

The President is entitled, before the General Assembly has approved the draft budget, to make decisions in the context of the previous year's budget estimates. At the end of each financial year, annual accounts are to be prepared and audited by two auditors.

#### **§ 5 Rights and obligations of the members**

(1) The members are advised and supported by the ENFIT in the purposes and objectives of the association described by § 2 of the statute.

The members undertake to comply with the articles of association and the resolutions passed in accordance with the statutes.

(2) Members shall assist the Board in developing the financing necessary for the Association to perform its tasks in accordance with the approved financing plan.

---

## **§ 6 Bodies of the Association**

The organs of the ENFIT are:

- a) the general meeting (§ 7)
- b) the Board (§ 8)
- c) the advisory board

## **§ 7 General Meeting**

(1) The General Meeting (GM) fulfills the following tasks:

(a) The GM elects the Board for a period of five years.

Each item in the presidium will be individually reconciled. The items are filled in the following order:

- o President
  - o up to 3 vice presidents
  - o Treasurer
  - o Secretary
  - o up to 10 members of the advisory board. (Appointment of Advisory Board by the Board).
- (b) receiving the annual accounts and the audit report of the auditors,
- (c) discharge of the Board,
- (d) Election of two cash auditors,
- (e) approval of the draft budget,
- (f) decide on objections to rejection of applications for membership and decide on objections to the exclusion of Members,
- (g) decision on amendments to the Articles of Association,
- (h) decision on the termination of the ENFIT,
- (i) decisions on the amount of contributions and the regular contribution,
- (j) defining further association goals,
- (k) decision to change the purpose of the association.

(2) The General Assembly elects 2 auditors for a period of one year who are not members of the Executive Committee.



---

(3) An ordinary general meeting shall be held in the first six months of each financial year. The General Assembly has a quorum if one third of the voting members are represented.

Each member has one vote. Associate members are not eligible to vote.

Members who are legal entities are represented by their authorized representative. All members can be represented by another member of the association. The prerequisite is that the representative has a written power of attorney.

(4) Extraordinary General Meetings may be convened as required by the Board or, in urgent cases, by the President. In addition, they take place when a third of the members of the association request this in writing stating the reasons.

(5) Meetings of members shall be convened by the Presidium in writing stating an agenda from which the items of the resolution are available. The invitations to the members should be made at least one week before the meeting date at least by e-mail. They are deemed to have been delivered if they are addressed to the last known address of the member. In the case of extraordinary general meetings, the period of notice can be shortened to five days by the presidium. Each member may request in writing to complete the agenda until one week before the date of the general meeting.

(6) If a quorum shall not be convened, a second one with an unchanged agenda shall be convened within four weeks, which shall be quorate regardless of the number of members represented. This should be indicated in the new invitation.

The decision is basically made by a simple majority of votes. In case of a tie, an application is considered rejected. Statutory amendments require a majority of 75% of the votes cast. For the dissolution of the ENFIT a majority of 75% of all members and for the change of the association purpose the agreement of all members is necessary. In the latter two cases, the consent of non-member members must be obtained in writing, by e-mail. Editorial changes to the statutes, which are required by the registry court, can be decided by the presidium.

(7) The President takes over the meeting. On the course of the General Assembly and the decisions taken there, a protocol is to be made, which is to be signed by the Secretary and the President or chairman of the meeting. The minutes shall include the date of the General Assembly, the names of the chairperson and minuteskeeper, the number of members present, the record of proper summons and quorum, the agenda, applications submitted, the nature of the votes and voting results, and the resolutions passed - literally - record.

(8) The minutes shall be sent to all members within four weeks at least by e-mail after the general meeting has been held. It is deemed to have been delivered if it is addressed to the last known address of the member. Complaints against the resolutions passed must be submitted to the competent court within three months (cut-off time) since the meeting was held. They are to be directed against the ENFIT.

(9) All matters subject to the responsibility of the General Assembly, with the exception of amendments to the Articles of Association, changes in purpose and dissolution of the ENFIT may in important cases be voted in writing without a meeting, unless a member objects. The decision is valid if more than half of the members have participated in the written vote.

---

## § 8 Board

- (1) The Board consists of four to fourteen members and is elected for a term of five years. Each member may only represent one member of the board and members of the board may not be appointed by a member who already has a cash auditor.
- (2) The President alone or the Vice-President, together with the Treasurer or the Secretary, represent the Association in and out of court in all association matters. Internally, the right of representation of the President takes precedence.
- (3) The power of representation of the Board in business matters is limited to obliging the members only within the budget or draft budget approved by the General Assembly.
- (4) The Executive Committee concludes or terminates employment and service contracts, unless this has been entrusted to an appointed General Manager, and fixes lump sums for active members of the Executive Board.
- (5) The Board may adopt rules of procedure, which may also include a regulation on the reimbursement of expenses for Board members in the context of the tax guidelines.
- (6) The Board is only liable for gross negligence and intent in the course of its activities.
- (7) The term of office of the newly elected or re-elected official begins on the day the new election or re-election takes place and ends after the end of the term of office stipulated in the statute. A new election or re-election is permitted. Officers leaving office prematurely remain in office until the General Assembly has elected a public official for the remainder of the term of office of the retired. The members of the Presidium work as volunteers, unless you are entitled to an administration fee in the context of your duties.
- (8) The Board may appoint one or more persons to manage the business. He delimits their powers and determines the contractual relationships. The Executive Committee may, if necessary, hire additional persons or commission service providers to handle the administrative business of the office.
- (9) The Board may appoint suitable persons / members to the advisory board. Members appointed to the Advisory Board advise the Executive Board and have no voting rights on the Executive Board.
- (10) The Board shall take its respective decisions unanimously. If there is no agreement, the Board, after a further vote, takes a majority decision.
- (11) The Board has a quorum if all members of the Board are invited and at least half of the members of the Presidium are present. The presidium decides with a simple majority of votes. In case of a tie, the vote of the president is the decisive factor. A presidential decision may also be taken by fax or e-mail in urgent cases. It is important that all members of the Presidium must be informed by stating the topic and an appropriate response time must be taken into account. Such a decision has been reached when a majority of all Bureau members are counted. The voting rights of a member of the executive committee can not be transferred



---

## **§ 9 Exclusion of members**

(1) The exclusion of members is carried out by the Presidium. In the case of exclusion, the member must be given the opportunity to comment beforehand. The exclusion decision must be announced in writing to the member. For this purpose, it is sufficient to send the minutes of the Board meeting in which the expulsion was decided. The member may lodge an objection against the exclusion decision in writing to the ENFIT within one month after the notification of the decision of exclusion. The general assembly decides on the objection. The decision to appeal must be made known in writing to the member concerned. The transmission of the Minutes of the Members' Meeting in which the opposition was heard is sufficient.

(2) Reasons for the exclusion are, in particular:

(a) Non-payment of the membership fee or the surcharge also upon request

(b) Breach of the interests of ENFIT

(c) A final conviction for intentionally committing an environmental offense.

(d) initiation of insolvency proceedings over the assets of a member or refusal of the opening of proceedings for lack of assets.

## **§ 10 Dissolution of the Association**

The dissolution of the association can only with the in § 7 Ziff. 6 of the Articles of Association shall be decided by a majority vote. Unless the General Assembly decides otherwise, two Presidium members of the President, Vice President and Treasurer Group are jointly authorized liquidators. The above provisions shall apply mutatis mutandis in the event that the association is dissolved for another reason or loses its legal capacity.

In case of dissolution, the assets of the association will be equal to the members.