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**Generic response to the participants in the public consultation on the draft
FEFAC soy sourcing guidelines**

1) Status of the guidelines

Many of the comments received, indicated confusion about the exact status and purpose of the Guidelines. Questions were raised about the concrete commitments of FEFAC's members, about the process of drafting the Guidelines and about the goal of the Guidelines.

With its Soy Sourcing guidelines, FEFAC wants to facilitate mainstream market supply for soy which is produced in accordance with baseline criteria, with a particular focus on markets where currently no actual market demand for responsible soy exists yet. FEFAC also wants to raise awareness about the need for chain cooperation to facilitate market transformation.

Market indicators show an increasing demand for responsibly produced soy products in key livestock markets in the EU, mainly located in North-Western Europe. FEFAC's objective is to stimulate a mass market solution to meet this growing demand. A combination of market pull from end users (retail, brand manufacturers) and market push by the feed industry, oilseed crushing industry & trade, will be required to ensure that a mainstream transition towards responsible soy in the entire European market can be achieved within a reasonable time.

The Sourcing Guidelines are a professional recommendation. Individual companies take the final decision about the sourcing of their soy products and whether they are buying them in accordance with the guidelines or not. It is outside the scope and mandate of FEFAC to determine which soy products companies have to buy or to promote any particular responsible soy standard or programme. FEFAC can however facilitate its member associations with information and give recommendations to their respective member companies regarding the sourcing of responsible soy in accordance with the Sourcing Guidelines.

It is important to emphasize that the Sourcing Guidelines are not a new standard. The Guidelines rather describe a number of sustainability items that, according to the European feed industry, has to be included in soy standards or programs in order to meet a credible "entry-level" (baseline level). The Sourcing Guidelines are inspired by RTRS, ProTerra, ISCC and other available responsible soy programmes, but do not cover all items of these programmes. The Guidelines include important social and environmental items and focus on criteria which are practically applicable by farmers. The goal is to define a baseline in the market and raise that baseline in time (continuous improvement based on volume-bound commitment) using standards like RTRS, Proterra, ISCC etc as a reference. The Sourcing Guidelines will be reviewed on a regular basis.

In order to assess which responsible soy standards or programmes are in accordance with the FEFAC Sourcing Guidelines, FEFAC has asked the International Trade Center (ITC) to build a customized benchmark tool. This customized tool will be accessible to all stakeholders. The benchmark tool will help to determine which standards & programmes meet the FEFAC Guidelines, and will provide more transparency to the market about available responsible soy standards and programmes.

2) Deforestation

A number of organisations expressed their concern about FEFAC's focus on legality for soy expansion. They urged FEFAC to include a universal cut-off date after which no conversion of land into soy production land can take place.

FEFAC shares the concerns on deforestation and the loss of valuable biodiversity and wants to emphasize that its efforts to raise the baseline for the sourcing of responsible soy are headed towards the same goals: increased forest protection and reduction of the impact of the agrifood production on high conservation areas. FEFAC considers compliance to national environmental legislation an important first step towards forest protection. Verifying compliance with national legislation is a crucial element to ensure credibility of existing responsible soy programmes. According to FEFAC, producers should comply with relevant legislation for land expansion and are not allowed to expand production in protected areas, conservation areas and areas otherwise protected by law. In addition, FEFAC believes that the issue of deforestation should be tackled in close cooperation with national governments and all agri production chains and cannot be solved in a specific supply chain alone. We therefore welcome supply chain overarching, regional based efforts to control deforestation and will evaluate proposals on new area-based risk assessment tools in this area.

With respect to legal compliance and the enforcement of conservation laws, there are many successful developments taking place in the soy producing countries. For instance in Brazil where serious efforts are made to improve compliance with the Forest Code and in Paraguay where the Land Conversion Moratorium for the Atlantic Forest of Paraguay ("Zero Deforestation Law") was extended to 2018. FEFAC will continue to emphasize the importance of a strong regulatory framework and accompanying enforcement in key exporting countries.

3) Verification

A number of organizations commented on the verification requirements and asked for more explanation or stricter verification requirements. Some organizations suggested to add criteria, make the verification system more robust, make a reference to the 'internal control system' and refer to accreditation via the International Accreditation Forum (IAF).

FEFAC's position is that verification approaches such as those of ISCC, RTRS and Proterra (accredited third party audits) are credible to ensure that farmers indeed comply with the criteria as set by the standard. A specific reference will be made to IAF and certain ISO-standards, regarding accreditation requirements for third parties. In those situations where self-assessment or second party verification is allowed by a standard or program, a check of the robustness of the verification system by an accredited third party needs to be executed to assess whether the self-assessment or

second party checks do indeed result in credible, trustworthy results. In those first or second party verification systems an internal control system should be present. As suggested by several organizations, we have also added requirements for the internal control system.

4) **Essential and desired criteria**

A number of organisations asked FEFAC to add more essential criteria and raise the base level towards the level of RTRS.

As explained in the 'status of the guidelines' section, FEFAC's objective has been to produce a credible base level for soy where no such demand currently exists. In the Sourcing Guidelines, the essential criteria represent the baseline of sustainability items that soy standards and schemes have to address adequately. However, as standards and programmes differ, there has to be some flexibility to allow for different approaches. Also continuous improvement should be possible in the course of time, as volume increases. Therefore, FEFAC also included desired criteria. The desired criteria give a clear signal about what FEFAC considers important, whilst at the same time allowing for differences between schemes and standards. The number of desired criteria that have to be covered (5 in the first version) will increase over time to raise the baseline level.

On the base of the comments made, FEFAC decided to add a number of essential criteria:

- Overtime is always voluntary and shall be paid in accordance to local and national laws or sector agreements.
- There is adequate storage and disposal of fuel, batteries, tyres, lubricants, sewage and other waste in accordance with national legislation.
- The burning on any part of the property of any crop residues, waste, or as part of vegetation clearance, is not allowed unless it is needed for drying crops or imposed by national legislation as a sanitary measure.
- When irrigation is used, relevant legislation is complied with and measures are taken to reduce water use.
- Aerial application of pesticides is carried out in such a way that it does not have an impact on populated areas and water bodies. All aerial application is preceded by advance notification to residents within 500 m (or more when prescribed in national legislation) of the planned application. There is no aerial application of pesticides in WHO Class Ia, Ib and II within 500 m (or more when prescribed in national legislation) of populated areas or water bodies.

And to add a number of desired criteria:

- Areas of natural vegetation around bodies of water and on steep slopes and hills and other sensitive parts of the ecosystem must be maintained or restored.
- Systematic measures are planned and implemented to monitor, control and minimize the spread of invasive introduced species and new pests.
- Appropriate measures are implemented to allow for coexistence of different production systems.

5) Timing of the criteria

A number of organizations gave comments on the timing of the criteria and asked that the criteria be met immediately rather than within one year.

In most existing standards the criteria have to be met immediately before certification is granted. In some cases producers have more time to implement certain measures. This holds especially when procedures, trainings or plans have to be developed, monitoring systems have to be installed and other measures that need some more time have to be implemented. Several organizations emphasized that, in case producers have time to implement certain measures, there needs to be a mechanism to check whether or not after 1 year those measures are indeed taken. We agree with that observation and have added this notion to the verification requirements (clear policy for non-conformities).

Based on the comments we have also changed the timing to immediately for the following criteria:

- Overtime is always voluntary and shall be paid in accordance to local and national laws or sector agreements.
- Potentially hazardous tasks are only carried out by capable and competent people, who received training about performing those tasks safely.

6) Next steps

The ITC benchmark tool and the FEFAC guidelines will be officially launched in September 2015. All owners of responsible soy standards and programmes will be invited to start the benchmark process and will be given guidance where needed. Also the notion of continuous improvement will be worked out in more detail. A special website will be developed giving more background information about purpose, status and how to use the FEFAC guidelines. All comments given on the draft Guidelines will also be published on this website.