Round Table on Responsible Soy Association

National Interpretation Process

Structure, content and local adaptations of RTRS Standard

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Overview

RTRS has delivered a list of Principles and Criteria and Indicators for the production of responsible soy.

The RTRS is an International Platform and recognizes the different realities, geographies regulations and production systems around the world, therefore to ensure that the RTRS standard considers all these factors that vary from country to country the RTRS fully promotes the development of National Interpretations of the international indicators and guidance.

The RTRS encourages each soy-producing country to make a National Interpretation of the RTRS standard, which, once is ratified by the RTRS, shall become the basis for certification in that country. The processes of National Interpretation must refer to the international relevant treaties and agreements that each RTRS member country may have adopted, as well as the domestic, province, state, district law, and any other law applicable to the soy producing process of the corresponding member country at the moment of analyzing, interpreting and adapting the RTRS Standard for domestic use.

Until a national interpretation has been developed and formally endorsed by RTRS, the applicable standard is the "Standard RTRS[1]". Where the international Generic RTRS Standard is being used, the certification body must develop local indicators through a consultative process, available in the local language. The first interpretation by a certification body[2] in a country must be submitted to the RTRS Secretariat for approval, and will be published on the RTRS website (www.responsiblesoy.org) When the international RTRS Standard is amended, appropriate changes to the National Interpretation must be made within 12 months.

In order to keep overall control of the quality of any set of requirements claiming to be official Interpretations of the RTRS Standard, especially in the local legal context, national interpretations will require endorsement or recognition by RTRS.

Note on use of this standard

All aspects of this standard are considered to be normative, including the scope, standard effective date, references, terms and definitions, notes, tables and annexes, unless otherwise stated (e.g. examples).

A - Scope

- This document aims to describe the process of the development of the RTRS National Interpretations of the RTRS standard for Responsible Soy Production, version 1.0.

[1] RTRS Standard for Responsible Soy Production Version 1.0

[2] See Annex1 of this document: Procedure to develop National Interpretations for Certification Bodies.

- The RTRS national interpretations shall specify the area (country or region) to which it may be applied.
- The RTRS national interpretation shall include a version number and the date of finalization.
- The RTR national interpretation shall include the names of the participants of the national working group, consulted people and observers.
- The RTRS national interpretation shall comply with all applicable approved RTRS Policies and Advice Notes.

This International Generic Standard shall be used as a normative document for RTRS accreditation.

B - References

The following referenced documents are indispensable for the application of this document. For references without a version number, the latest edition of the referenced document (including any amendments) applies:

- RTRS Standard for Responsible Soy Production Version 1.0, approved in GA June 10th, 2010.
- RTRS Code of Conduct
- RTRS Rules and Bylaws

C - Terms and definitions

For the purposes of this document, the terms and definitions given in RTRS Standard version 1.0 Glossary of Terms and the following apply:

National Technical Group:

The multistakeholder local initiative that will develop the RTRS National Interpretations of the RTRS Standard version 1.0, and will follow the procedures and requirements of this document.

Principle

An essential rule or element.

Criterion (pl. criteria)

A means of judging whether or not a Principle (or criteria) has been fulfilled.

Indicator

A quantitative or qualitative variable which can be measured or described, and which provides a means of judging whether a farm management unit complies with the requirements of an RTRS Criterion. Indicators and the associated thresholds thereby define the requirements for responsible soy production management at the level of the farm management unit and are the primary basis of management evaluation.

Means of verification

A potential source of information or evidence that allows an auditor to evaluate conformity with an indicator.

Verbal forms for the expression of provisions[3]

"shall": indicates requirements strictly to be followed in order to conform to the standard.

"should": indicates that among several possibilities one is recommended as particularly suitable, without mentioning or excluding others, or that a certain course of action is preferred but not necessarily required. A certification body can meet these requirements in an equivalent way provided this can be demonstrated and justified.

"may": indicates a course of action permissible within the limits of the document.

"can": is used for statements of possibility and capability, whether material, physical or causal.

3Note: Adapted from ISO/IEC Directives Part 2: Rules for the structure and drafting of International Standards

PART 1: STRUCTURE AND CONTENT

1. RTRS Hierarchical Framework

1.1. The RTRS national Interpretation shall be structured as a hierarchy of Principles, Criteria and associated indicators.

2. Content

2.1. The RTRS national interpretation shall include the exact wording of each RTRS Principle and each RTRS Criterion, in the same order as they occur in the RTRS standard for responsible soy production version 1.0.

2.2. If the wording of any Principle or Criterion in the 3 official languages (Spanish, Portuguese or English) is considered that has been translated in an inappropriate way, the National Technical Group is able to suggest the new wording in the RTRS national interpretations, only if the new wording is a grammatical revision and do not affect the content of the wording.

2.3. RTRS national interpretation documents will provide specific interpretation, for all or some of the RTRS Criteria, relating to appropriate indicators and guidance that are applicable at the national level.

2.4. The RTRS national interpretation should include the identification of applicable legal requirements[4]. Any conflicts between RTRS Criteria and national legal requirements should be referred to RTRS for resolution, with a suggestion from the National Technical Working Group as to how the conflicting elements can be resolved.

2.5. Where measurable indicators have been developed at the international level, national interpretations should include acceptable performance levels for these indicators.

2.6. The RTRS national interpretation shall clearly identify the participants of the group.

2.7. The RTRS national interpretation shall comply with the latest versions of all approved RTRS policies, standards, directives, guidelines and advice notes that apply to the interpretation of the RTRS Standard , as published on the official RTRS website, and subject to relevant guidance from RTRS in relation to standards effective dates.

2.8. The RTRS national interpretation shall respect the format and follow the indications of Part 2 sections 8 of this document.

3. Legal compliance.

4 Cross reference: See point 5

The National technical group shall identify and include as annexes to the RTRS national interpretation[5]:

3.1. A list of the main national and local laws regarding soy production regulation, and an administrative requirement which apply in the country or region in which the standard is to be used.

3.2. A list of multilateral environmental agreements and ILO Conventions that the country has ratified.

4. Participants.

4.1. The RTRS national interpretation process must be initiated by a RTRS member(s), who will act as the coordinator of the process and formal link to RTRS. The member(s) will be responsible for chairing the meetings, for secretarial functions, and for ensuring that documents are posted on the RTRS website for the public consultation process[6].

4.2. The National Technical Group should include self-selected representatives from the following RTRS constituencies, at least one member of each interested category being an RTRS member that is nationally operating and registered:

- ✓ Producers (including at least one smallholder representative)
- ✓ Industry, Trade, Banking
- ✓ Civil society/NGO, social and or environmental

Scientists /social scientist / researchers / relevant government representatives are recommended also to be invited to participate.

4.3. It is recommended that invitations are circulated widely through for RTRS website and mailing to all RTRS members or database, for at least 15 days. Also Outreach Program could be used to create awareness and to ensure adequate opportunity for interested stakeholders to nominate themselves for inclusion.

4.4. It is recommended that the working group also invites a number of technical experts on legislation and standard setting, certification bodies, to provide technical support for the group´s discussions.

4.5. Roles of the Participants of the National Technical Group or consulted people:

- RTRS Team

- Any member of the Secretariat or of the RTRS Executive Board (who is not a formal member of the NTG) may be present during the NTG meetings. The role involved is that of Observers of the process, entitled to take part in it so as to assure that the guidance and goals of this document are met and complied with by the members of the group, but not entitled to vote.

[5] Important Note: This annex aims to provide guidance for producers and auditors, but this proposed list shall not be considered as evidence of compliance with Principle 1 of the RTRS P&C.

[6] See also point 4.5: Role of the participants

- RTRS National Coordinator

- The Group Coordinator shall be responsible for assuring the logistic conditions of the meeting of the group, including the venue and coffee-breaks and the location for lunch breaks.

- Shall keep a record of the participants who make up the group and that were consulted during the process.

- Shall facilitate the participation of all the attendants to the technical discussions, monitoring schedules and contents of each session of analysis; the coordinator shall follow the instructions and comply with the scope of this document so as to assure that the goals of the meeting are met.

- Shall try to reach consensus in the adjustment and/or approval of the contents of the NI guidance for the country under analysis.

- Shall streamline and encourage technical discussions so as to meet the agenda timeline.

- Shall collect and order the proposals of adjustment and improvement of the relevant document as per the indications included in this document and submit them to the RTRS Technical Unit Management.

- Members of the Producers, Industry and Civil Society Constituencies.

- Shall attend the two meetings programmed in the ToR of Technical Discussions; develop more specific indicators if required; suggest improvements to the guidance, and identify law applicable to the RTRS Standard, Version 1.0.

- Shall follow the indications and rules determined in this document, specially those that refer to the scope, the content and process of NI, giving special attention to which are the modifications permitted in the guidance proposed for that NI.

- Shall meet the agenda timing as well as the instructions given by the Coordinator of the Group or the RTRS staff who might be in charge of facilitating the process.

- Shall vote for the acceptance or adjustment of the document under analysis.

- In the voting process, they shall respect and accept the decision of the majority for the review and/or adjustment of the document under analysis.

- Shall express and argue discrepancies in case no consensus is reached at the moment of the review.

- Observers

- Shall attend the technical discussions of the RTRS Standard, Version 1.0.

- Shall follow the indications and rules for the development of the revision agenda.

- Shall give an opinion whenever the coordinator should request it and/or should consider it appropriate according to the area of expertise of the observer. Observers have no right to vote (See point 4).

5. Process.

5.1. The RTRS national interpretation process must include the following elements:

- ✓ The National technical Group must convene for physical meetings on at least two occasions; at least one of which must be subsequent to the public consultation period.
- ✓ At least 1 public consultation period for obtaining comments on draft requirements, of at least 60 days is required (Also it is allowed 2 public consultation periods as long as the total of days the document has been available for consultation are at least 60 days total). Draft documents must be made available in appropriate languages[7], and the National Technical Group must show evidence that is has sought and taken account of input from at least the group of interest referred in point 4.2.
- ✓ Field testing, focusing on specific criteria that do require national interpretation.

5.2. The National Working Group will make decisions based on consensus. For the process of national interpretation, consensus will mean:

General agreement, characterized by the absence of sustained opposition to substantial issues by any national interpretation working group member with voting rights and by a process seeking to take into account the views of all parties concerned and to reconcile any conflicting arguments[8].

5.3. The National Technical Group shall keep the following records:

5.3.1. Lists of participants in the group and the ones invited to comment on the RTRS national interpretation.

5.3.2. Also it is recommended to keep List of different sources of information, where appropriate, taken into account in order to create the national interpretation guide(for example, local adaptations performed by certification bodies, among others)

[7] Appropriate language is referred to applicable national language(s)
[8] Note: note that consensus does not imply unanimity.

5.4. The National Technical Group shall:

5.4.1. Identify any aspect in the RTRS standard, Version 1.0 that may not be consistent with the legal requirements of the country where the standard is to be used.

5.4.2. Identify any aspect of the RTRS standard, Version 1.0, that specifies performance goals lower than the minimum legal standard required in the country the NI are prepared for. Should these discrepancies be found, the performance goals shall be modified so as to assure they meet or exceed the minimum legal requirements.

5.4.3. Besides, the NTG may add additional indicators (with their corresponding means of verification) and / or cross references with other documents, national law, local law, administrative requirements and multilateral agreements related to the RTRS Standadrd.

5.4.4. The NTC members may add more guidance to the ones already considered by the International Technical Group (ITG), that may help with the implementation and evaluation of the RTRS Standard, Version 1.0, of the country of reference. National Interpretation and Global Guidance considered by the ITG, will be complementary.

5.4.5. NTG members shall follow the standards in Annex 6 of the RTRS standard document, Version 1.0, and shall comply with the tasks assigned to the group.

5.5. NTG members shall not:

5.5.1. Delete or change contents in the RTRS Standadrd document, except for those mentioned in 5.41, 5.4.2, 5.4.3, 5.4.4 and 5.5.5 in the previous paragraph.

5.5.2. Include the RTRS in binding activities and obligations. Any service or activity requested to the RTRS shall be included separately, as a group suggestion.

5.6. Instructions on how to develop the NI guides

The NI guides in the different countries must safeguard coherence between different countries regarding the process, the content and the format. The NI guides will be part of the Annex 7 of the RTRS Standadrd, where it shall defined:

In the Front Page:

- Applicable Geographical scope
- Date of the finalization of the document
- Version Number of the document
- Name of the participants of the group and other observers

Along all the document:

Every time that in the NI document the group wants to add something or change something that is allowed in the process of this document in the point 5, the coordinator must categorize and identify the change or addition according the following criteria:

- With CLARIFICATIONS (guide level) (e.g. when it is necessary to add minimum clarifications in a specific guide, only to clarify content or rephrase it to make it
- With MODIFICATIONS (indicator level)(When it is necessary to modify an indicator because some inconsistency with the local law when there are deviations detected in the P&C related to the applicable law in the country, the text that reflects that inconsistency must be copied into the guide, the inconsistency for example, shall be explained and the group shall make a new proposal).
- With ADDITIONS (when a new indicator or new guidance is added)
- NOT APPLICABLE, This kind of exceptions can be found in that case of some small producers, but to determine that an indicator in not applicable, the group shall explain why the application of the indicator is impossible.

5.7. Rules for the Review Process

5.7.1. General Behavior: The development of guidance and indicators may bring about debates over some items and over thorny matters. NTG members must try to find a solution to all the debates and matters that might rise. Members shall respect the opinions of other members.

5.7.2. Agreement During the Process: The Indicators and Guidance being developed must be firstly agreed upon by consensus by the members of the group. Secondly, if no consensus is reached, voting shall take place. Agreement should be reached by 2/3 of the group (with at least 1 positive vote in each of the constituencies) to consider an indicator or guidance as accepted if consensus has not been reached in the first round. Whenever great discrepancies are identified between the contents of the document and the law in place in a specific country, the NTG shall strive to suggest an alternative solution to this specific point, which shall be underscored and reported to the RTRS Secretariat.

5.7.3. The contents of the RTRS Standard, Version 1.0 shall neither be modified nor deleted. Any improvement, clarification or addition shall form part of the guidance, not of the generic RTRS Standard document.

5.7.4. All the guidance that form part of the National Interpretations, as well as the additions of new indicators or any change permitted in the scope of this document, shall make up a separate annex (Annex 7) and no changes shall be made to the text of the RTRS Standard, Version 1.0.

5.7.5. Annex 7 should show the list of Guidance and Indicators included in the National Interpretation. These should be related with the correspondance criterion, For example:

Principle 1	
Criterion	**Guidance**
1.1	Addition: "…"
1.2	1.2.2 Clarification:"…"
1.3	1.3.2 Clarification: "..." New Indicator: 1.3.4: "…"

5.7.6. Once the task is over, it shall be sent by the NTG coordinator to the Management of the RTRS Technical Unit. The guides and process shall be evaluated so as to assure that the requirements of the guidance in the National Interpretation are in line with the contents of the RTRS generic Standard, and that no unauthorized changes have been made and that the group that carried out the tasks has effectively represented the different RTRS constituencies.

5.7.7. If, after the evaluation of the contents of the guidance, any element is not in line with the generic P&C requirements or the performance goals set up by the NTG are lower that what is determined by the generic RTRS Standard, the RTRS Technical Unit shall send the guidance to the group, explaining why the work has not been accepted for the group to amend it.

5.8. Recording of suggestions/comments /additional expectations from the NTG:
Any comment, suggestion, and/or additional expectation given by the representatives of the stakeholders who have attended to NTG meetings and participated in the technical discussions shall be recorded.

5.9. The group members must understand the instructions and procedures described in this document and follow them.

5.10. The RTRS national interpretation shall be finalized and once endorsed by RTRS Executive Board it will be published on the RTRS website in the official language of the country in which it is to be used.

5.11. In the case where stakeholders have sustained disagreement with the RTRS national interpretation or where significant differences of opinion about appropriate indicators were expressed by stakeholders, the National Technical Group shall prepare a short report list about the principles issues raised, and explain the basis on which the Group made its decision in relation to these indicators. This report shall be attached as an annex to the published RTRS national interpretation.

6. Endorsement

6.1 This endorsement will require compliance with the following:

Participation: requirements for national multistakeholder working groups striving for representation of all stakeholder categories (producers – NGOs – Industry/Trade/Finance).

Content: requirements for the content of national interpretation document and annex 6 of the RTRS Standard, Version 1.0 approved in General Assembly June 10th, 2010.

Process: requirements for developing a national interpretation by the national multistakeholder working group and consultative process.

Submission: drafts of national interpretations are submitted to RTRS for formal endorsement.

6.2 The final draft of the RTRS national interpretation document will be submitted to the RTRS for formal endorsement. It will include a report to demonstrate conformity relating to Content (Section 2), Participants (Section 4) and Process (Section 5). The RTRS Secretariat, with the support of technical experts (if needed), will check that these requirements related to the ones mentioned above have been met, and will submit a recommendation to the RTRS Executive Board.

6.3 The endorsement process must resolve any conflicts between the RTRS Standard and the RTRS national interpretation. To this end, a Certification and Accreditation Committee, and if required with assistance from technical experts, will convene and provide to the National Technical Group concrete suggestions for RTRS Criteria Compliance. The National Technical Group, will review and work on this requirements and after doing the amendments will be re-send to the RTRS Secretariat and the reviewers (National Interpretations Committee).

6.4 The Executive Board will discuss applications for endorsement of RTRS National Interpretations as an agenda item. The Board´s decision will be final.

6.5 Following the endorsement of a RTRS national interpretation, this is accepted as further specification of the indicators and guidance accompanying the Generic RTRS Standard.

6.6 RTRS national interpretations endorsed by RTRS must be posted on the RTRS website in English and the appropriate local language(s).

7. Replacement by an approved RTRS national interpretation

7.1. When a RTRS national interpretation is approved, then this shall replace any local adapted standards previously used by the certification body in the geographical area to which it applies.

7.2. The certification body shall evaluate certificate holders against the requirements of the new RTRS national interpretation at the next scheduled surveillance assessment.

7.3. The certification body shall ensure that the certificate holder is in compliance with the requirements of the approved RTRS national interpretation by the effective date that shall be specified on the document (RTRS national interpretation).

PART 2: ADDITIONAL CONSIDERATIONS

8. Indicators

The National Technical Group should specify indicator(s) for every criterion in accordance to the requirements of the RTRS Standard for Responsible Soy Production (or the latest version approved by RTRS).

8.1 When an RTRS Criterion includes several requirements, associated indicators shall be developed for each requirement.

8.2 Each indicator shall specify outcomes or levels (i.e. thresholds) of performance that are measurable during an evaluation 9.

8.3 Indicator shall not be defined in terms of design or descriptive characteristics, and shall not favor a particular technology or patented item10.

8.4 Indicators shall only include elements that contribute to the achievement of the objective of the applicable RTRS Criterion.

8.5 The meaning of the indicators and the level of performance required to comply with the indicators should be clear to the reader.

8.6 Each indicator shall refer to a single aspect of performance to be evaluated. Indicators should be free from subjective elements. The use of such phrases as "ordinarily", "substantial", "proactive", "appropriate to", "minimize", "wherever possible", or "best available" should be avoided.

8.7 Indicators should be easy to measure at a reasonable cost.

8.8 The guidance and indicators shall be written using a clear and consistent vocabulary.

8.9 The National Technical Group should make the proper distinctions for small producers if it is necessary.

8.10 Technical words should be included into a glossary to avoid any confusion regarding meanings.

8.11 The guidance and indicators developed should include examples of means of verification for every indicator.

8.12 Indicators shall apply to all kind of soy production units covered by the scope of the standard.

[9] NOTE: An indicator may be specified in terms of an aspect to be measured together with a number of different thresholds that are applicable in different geographical, possession or social situations within the geographical scope of the standard (e.g. different thresholds may be defined depending on the size of the management unit, or on the intensity of management being carried out within the unit).

[10] Exception; is allowed to name a particular technology or patent to exemplify.