<table>
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<tr>
<th>Document name</th>
<th>National Interpretation of United States - RTRS Standard for Responsible Soy Production</th>
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<tbody>
<tr>
<td>Date</td>
<td>29\textsuperscript{th} October 2013</td>
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<tr>
<td>Produced by</td>
<td>Schutter Argentina S.A.as required by RTRS Accreditation and Certification Standard for responsible soy production, A.1.2.3</td>
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<td>RTRS Technical Unit according to RTRS Accreditation and Certification Standard for responsible soy production</td>
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Preamble

Development of this Document: The Roundtable on Responsible Soy Standard for Responsible Soy Production, version 1.0 (RTRS Standard) is the result of a multi-stakeholder development process, which involved representatives from the three RTRS membership constituencies, and included several public consultation periods.

A two year multi-stakeholder process lead to the publication of the RTRS Principles and Criteria for Responsible Soy Production: Field Testing Version, in May 2009. This version was used by National Technical Groups (NTGs) in five countries to initiate national interpretation processes, and by producers and auditors for field trials carried out in a variety of soy producing countries.

In March 2010 the RTRS convened an International Technical Group (ITG) to review the Field Trial principles and criteria and produce a set of auditable Principles and Criteria for use with a certification scheme. As a part of their work the multi-stakeholder group reviewed and took into account changes proposed by NTGs, public consultation comments on draft National Interpretations, guidance from the RTRS Executive Board on the issue of land clearance and feedback from field trials and diagnosis audits. This group, made up of representatives from the three RTRS member constituencies, concluded their work at a meeting in São Paulo, Brazil, 24-27 March, 2010

Review: The standard will be reviewed not less than once every five years and not more than once every three years unless exceptions are identified or unless the RTRS Executive Board or General Assembly determines otherwise. In Version 1.0 of this standard, one criterion (criterion 4.4) needs to be reviewed within 2 years.

National Interpretation: Each soy-producing country is encouraged to make a national interpretation of the standard which, once endorsed by the RTRS, will become the basis for certification in that country. National interpretation processes are required to meet the RTRS requirements for national interpretation related to process and content. When considering how to interpret this standard for national use, the Guidance for National Interpretation (Annex 6) must be followed. Groups carrying out national interpretation may not create requirements which are less stringent than the International RTRS Standard.

Scope of application: This standard applies to all kinds of soybeans, including conventionally grown, organic, and genetically modified (GM). It has been designed to be used for all scales of soy production and all the countries where soy is produced.

Transparency: This standard has been designed to be used within a voluntary certification system. All those seeking certification should do so with a commitment to transparency with respect to the requirements of this standard, including a spirit of constructive engagement with stakeholders and sharing of non-commercially sensitive information. A publicly-available summary of information about the performance of each certified organization with respect to each criterion will be produced. This will not contain commercially-sensitive information.

Monitoring: Where indicators require monitoring to be undertaken, a baseline should be established at the time of certification with monitoring and review of trends over time. Producers are expected to commit to a process of continual improvement. For group certification, monitoring at the group level should be used where appropriate.
Principle 1: Legal Compliance and Good Business Practice

1.1 There is awareness of, and compliance with, all applicable local and national legislation.
Note: For group certification of small farms, group managers should provide training for group members on applicable laws and legal compliance.
   1.1.1 Awareness of responsibilities, according to applicable laws can be demonstrated.
   1.1.2 Applicable laws are being complied with.

1.2 Legal use rights to the land are clearly defined and demonstrable.
Note: Land use rights of traditional land users are considered in Criterion 3.2 which should be cross-referenced with this criterion.
   1.2.1 There is documented evidence of rights to use the land (e.g. ownership document, rental agreement, court order etc.).

1.3 There is continual improvement with respect to the requirements of this standard.
Note: For group certification, continual improvement should be recorded and monitored at the group level.
   1.3.1 A review process is carried out which identifies those social, environmental and agricultural aspects of the operation (on and off farm) where improvement is desirable.
   Note: The producer is expected to be aware of the social and environmental context in which he/she is operating and the existing and possible future impacts of the operation.
   1.3.2 A number of indicators are selected and a baseline is established to be able to monitor continual improvement on those aspects where desired improvements have been identified.
   Note: Producers are free to choose the continual improvement indicators that are relevant to them to demonstrate continual improvement with respect to the requirements of this standard; e.g. soil carbon content, use of agrochemicals, state of riparian vegetation etc. The baseline year is the year of first certification assessment.
   1.3.3 The results of monitoring are reviewed and appropriate action is planned and taken when necessary to ensure continual improvement.

Principle 2: Responsible Labor Conditions

Note 1: The requirements of Principle 2 apply to both direct employees and to workers supplied by third parties.
Note 2: The principle applies also to migrant, seasonal and other contract labor.

2.1 Child labor, forced labor, discrimination and harassment are not engaged in or supported.
   2.1.1 No forced, compulsory, bonded, trafficked or otherwise involuntary labor is used at any stage of production.
   2.1.2 No workers of any type are required to lodge their identity papers with anyone and no part of their salary, benefits or property is retained, by the owner or any 3rd party, unless permitted by law.
2.1.3 Spouses and children of contracted workers are not obliged to work on the farm.

2.1.4 Children and minors (below 18) do not conduct hazardous work or any work that jeopardizes their physical, mental or moral well being.

2.1.5 Children under 15 (or higher age as established in national law) do not carry out productive work. They may accompany their family to the field as long as they are not exposed to hazardous, unsafe or unhealthy situations and it does not interfere with their schooling.

2.1.6 There is no engagement in, support for, or tolerance of any form of discrimination.

2.1.7 All workers receive equal remuneration for work of equal value, equal access to training and benefits and equal opportunities for promotion and for filling all available positions.

2.1.8 Workers are not subject to corporal punishment, mental or physical oppression or coercion, verbal or physical abuse, sexual harassment or any other kind of intimidation.

2.2 Workers, directly and indirectly employed on the farm, and sharecroppers, are adequately informed and trained for their tasks and are aware of their rights and duties.

2.2.1 Workers (including temporary workers), sharecroppers, contractors and subcontractors have a written contract, in a language that they can understand.

Note: The requirements of indicator 2.2.1 are recommended in all cases. However, for small farms where there are high illiteracy rates group managers may implement alternative mechanisms to make collectively known and verify valid working relationships.

2.2.2 Labor laws, union agreements or direct contracts of employment detailing payments and conditions of employment (e.g. working hours, deductions, overtime, sickness, holiday entitlement, maternity leave, reasons for dismissal, period of notice, etc.) are available in the languages understood by the workers or explained carefully to them by a manager or supervisor.

2.2.3 Adequate and appropriate training and comprehensible instructions on fundamental rights at work, health and safety and any necessary guidance or supervision are provided to all workers.

2.3 A safe and healthy workplace is provided for all workers.

2.3.1 Producers and their employees demonstrate an awareness and understanding of health and safety matters.

2.3.2 Relevant health and safety risks are identified, procedures are developed to address these risks by employers, and these are monitored.

2.3.3 Potentially hazardous tasks are only carried out by capable and competent people who do not face specific health risks.

2.3.4 Adequate and appropriate protective equipment and clothing is provided and used in all potentially hazardous operations such as pesticide handling and application and mechanized or manual operations.

2.3.5 There is a system of warnings followed by legally-permitted sanctions for workers that do not apply safety requirements.

2.3.6 Accident and emergency procedures exist and instructions are clearly understood by all workers.

2.3.7 In case of accidents or illness, access to first aid and medical assistance is provided without delay.
2.4 There is freedom of association and the right to collective bargaining for all workers.

2.4.1 There is the right for all workers and sharecroppers to establish and/or join an organization of their choice.

2.4.2 The effective functioning of such organizations is not impeded. Representatives are not subject to discrimination and have access to their members in the workplace on request.

2.4.3 All workers have the right to perform collective bargaining.

2.4.4 Workers are not hindered from interacting with external parties outside working hours (e.g. NGOs, trade unions, labor inspectors, agricultural extension workers, certification bodies).

2.5 Remuneration at least equal to national legislation and sector agreements is received by all workers directly or indirectly employed on the farm.

2.5.1 Gross wages that comply with national legislation and sector agreements are paid at least monthly to workers.

2.5.2 Deductions from wages for disciplinary purposes are not made, unless legally permitted. Wages and benefits are detailed and clear to workers, and workers are paid in a manner convenient to them. Wages paid are recorded by the employer.

2.5.3 Normal weekly working hours do not exceed 48 hours. Weekly overtime hours do not exceed 12 hours.

2.5.4 If additional overtime hours are necessary the following conditions are met:
   a) It only occurs for limited periods of time (e.g. peak harvest, planting).
   b) Where there is a trade union or representative organization the overtime conditions are negotiated and agreed with that organization.
   c) Where there is no trade union or representative organization agreement the average working hours in the two-month period after the start of the exceptional period still do not exceed 60 hours per week.

2.5.5 Working hours per worker are recorded by the employer.

2.5.6 Overtime work at all times is voluntary and paid according to legal or sector standards. In case overtime work is needed, workers receive timely notification. Workers are entitled to at least one day off following every six consecutive days of work.

2.5.7 Salaried workers have all entitlements and protection in national law and practice with respect to maternity. Workers taking maternity leave are entitled to return to their employment on the same terms and conditions that applied to them prior to taking leave and they are not subject to any discrimination, loss of seniority or deductions of wages.

2.5.8 If workers are paid per result, a normal 8 hour working day allows workers, (men and women), to earn at least the national or sector established minimum wage.

2.5.9 If employees live on the farm, they have access to affordable and adequate housing, food and potable water. If charges are made for these, such charges are in accordance with market conditions. The living quarters are safe and have at least basic sanitation.
**Principle 3: Responsible Community Relations**

3.1 Channels are available for communication and dialogue with the local community on topics related to the activities of the soy farming operation and its impacts.

3.1.1 Documented evidence of communication channels and dialogue is available.

3.1.2 The channels adequately enable communication between the producer and the community.

3.1.3 The communication channels have been made known to the local communities.

3.2 In areas with traditional land users, conflicting land uses are avoided or resolved.

3.2.1 In the case of disputed use rights, a comprehensive, participatory and documented community rights assessment is carried out.

3.2.2 Where rights have been relinquished by traditional land users there is documented evidence that the affected communities are compensated subject to their free, prior, informed and documented consent.

3.3 A mechanism for resolving complaints and grievances is implemented and available to local communities and traditional land users.

Note: For group certification - the complaints and grievances mechanism can be managed by the group manager and records of complaints and grievances can be maintained at the group level.

3.3.1 The complaints and grievances mechanism has been made known and is accessible to the communities.

3.3.2 Documented evidence of complaints and grievances received is maintained.

3.3.3 Any complaints and grievances received are dealt with in a timely manner.

3.4 Fair opportunities for employment and provision of goods and services are given to the local population.

3.4.1 Employment opportunities are made known locally.

Note: Not applicable for small farms.

3.4.2 There is collaboration with training programs for the local population.

Note: Small farms may participate in training programs where they exist. For groups the collaboration with training programs may occur at the group level.

3.4.3 Opportunities for supply of goods and services are offered to the local population.

Note: Not applicable for small farms.

**Principle 4: Environmental Responsibility**

4.1 On and off site social and environmental impacts of large or high risk new infrastructure have been assessed and appropriate measures taken to minimize and mitigate any negative impacts.

Note: For group certification – this also applies to large new infrastructure projects developed by the entity holding the group certificate, where the infrastructure is used by certified group members or the certified soy they produce.

4.1.1 A social and environmental assessment is carried out prior to the establishment of large or high risk new infrastructure.
4.1.2 The assessment is carried out by someone who is adequately trained and experienced for this task.
4.1.3 The assessment is carried out in a comprehensive and transparent manner.
4.1.4 Measures to minimize or mitigate the impacts identified by the assessment are documented and are being implemented.

4.2 Pollution is minimized and production waste is managed responsibly.
Note: Chemical use and disposal is dealt with under Principle 5.
4.2.1 There is no burning on any part of the property of crop residues, waste, or as part of vegetation clearance, except under one of the following conditions:
   a) Where there is a legal obligation to burn as a sanitary measure;
   b) Where it is used for generation of energy including charcoal production and for drying crops;
   c) Where only small-caliber residual vegetation from land clearing remains after all useable material has been removed for other uses.
4.2.2 There is adequate storage and disposal of fuel, batteries, tires, lubricants, sewage and other waste.
4.2.3 There are facilities to prevent spills of oil and other pollutants.
4.2.4 Re-use and recycling are utilized wherever possible.
4.2.5 There is a residue management plan including all areas of the property.

4.3 Efforts are made to reduce emissions and increase sequestration of Greenhouse Gases (GHGs) on the farm.
Note: Other issues which are relevant to GHG emissions are covered in other principles including: Use of fertilizers (Criterion 5.5), Land-use change (Criterion 4.4).
4.3.1 Total direct fossil fuel use over time is recorded, and its volume per hectare and per unit of product for all activities related to soy production is monitored.
4.3.2 If there is an increase in the intensity of fossil fuel used, there is a justification for this. If no justification is available there is an action plan to reduce use.
4.3.3 Soil organic matter is monitored to quantify change in soil carbon and steps are taken to mitigate negative trends.
Note: For group certification of small farms - the monitoring of soil carbon can be done using samples.
4.3.4 Opportunities for increasing carbon sequestration through restoration of native vegetation, forest plantations and other means are identified.

4.4 Expansion of soy cultivation is responsible.
Note: This criterion will be revised after June 2012 if RTRS-approved maps and system are not available.
4.4.1 After May 2009 expansion for soy cultivation has not taken place on land cleared of native habitat except under the following conditions:
   4.4.1.1 It is in line with an RTRS-approved map and system (see Annex 4.) or
   4.4.1.2 Where no RTRS-approved map and system is available:

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1 Oil refers to motor oil
a) Any area already cleared for agriculture or pasture before May 2009 and used for agriculture or pasture within the past 12 years can be used for soy expansion, unless regenerated vegetation has reached the definition of native forest (see glossary).

b) There is no expansion in native forests (see glossary)

c) In areas that are not native forest (see glossary), expansion into native habitat only occurs according to one of the following two options:

Option 1. Official land-use maps such as ecological-economic zoning are used and expansion only occurs in areas designated for expansion by the zoning. If there are no official land use maps then maps produced by the government under the Convention on Biological Diversity (CBD) are used, and expansion only occurs outside priority areas for conservation shown on these maps.

Option 2. An High Conservation Value Area (HCVA) assessment is undertaken prior to clearing and there is no conversion of High Conservation Value Areas.

Note: Where neither official land use maps nor CBD maps exist, Option 2 must be followed.

4.4.2 There is no conversion of land where there is an unresolved land use claim by traditional land users under litigation, without the agreement of both parties.

4.5 On-farm biodiversity is maintained and safeguarded through the preservation of native vegetation.

4.5.1 There is a map of the farm which shows the native vegetation.

4.5.2 There is a plan, which is being implemented, to ensure that the native vegetation is being maintained (except areas covered under Criterion 4.4)

4.5.3 No hunting of rare, threatened or endangered species takes place on the property.

Principle 5: Good Agricultural Practice

5.1 The quality and supply of surface and ground water is maintained or improved.

5.1.1 Good agricultural practices are implemented to minimize diffuse and localized impacts on surface and ground water quality from chemical residues, fertilizers, erosion or other sources and to promote aquifer recharge.

5.1.2 There is monitoring, appropriate to scale, to demonstrate that the practices are effective.

5.1.3 Any direct evidence of localized contamination of ground or surface water is reported to, and monitored in collaboration with local authorities.

5.1.4 Where irrigation is used, there is a documented procedure in place for applying best practices and acting according to legislation and best practice guidance (where this exists), and for measurement of water utilization.

Note: For group certification of small farms - Where irrigation is used for crops other than soy but is not done according to best practice, a plan is in place and is being implemented to improve practices. The group manager is responsible for documentation.

5.2 Natural vegetation areas around springs and along natural watercourses are maintained or re-established.

5.2.1 The location of all watercourses has been identified and mapped, including the status of the riparian vegetation.
5.2.2 Where natural vegetation in riparian areas has been removed there is a plan with a timetable for restoration which is being implemented.

5.2.3 Natural wetlands are not drained and native vegetation is maintained.

5.3 Soil quality is maintained or improved and erosion is avoided by good management practices.

5.3.1 Knowledge of techniques to maintain soil quality (physical, chemical and biological) is demonstrated and these techniques are implemented.

5.3.2 Knowledge of techniques to control soil erosion is demonstrated and these techniques are implemented.

5.3.3 Appropriate monitoring, including soil organic matter content, is in place.

Note: For group certification - Monitoring of soil fertility and soil quality should be part of the internal control system and can be carried out on a sampling basis within the group.

5.4 Negative environmental and health impacts of phytosanitary products are reduced by implementation of systematic, recognized Integrated Crop Management (ICM) techniques.

Note: See Annex 5 for further information on ICM.

5.4.1 A plan for ICM is documented and implemented which addresses the use of prevention, and biological and other non-chemical or selective chemical controls.

Note: For group certification of small farms - (particularly those who are not literate) the development and documentation of the ICM plan should be undertaken by the group manager, together with support for implementation.

5.4.2 There is an implemented plan that contains targets for reduction of potentially harmful phytosanitary products over time.

5.4.3 Use of phytosanitary products follows legal requirements and professional recommendations (or, if professional recommendations are not available, manufacturer’s recommendations) and includes rotation of active ingredients to prevent resistance.

5.4.4 Records of monitoring of pests, diseases, weeds and natural predators are maintained.

5.5 All application of agrochemicals\(^2\) is documented and all handling, storage, collection and disposal of chemical waste and empty containers, is monitored to ensure compliance with good practice.

5.5.1 There are records of the use of agrochemicals, including:

a) products purchased and applied, quantity and dates;

b) identification of the area where the application was made;

c) names of the persons that carried out the preparation of the products and field application;

d) identification of the application equipment used;

e) weather conditions during application.

5.5.2 Containers are properly stored, washed and disposed of; waste and residual agrochemicals are disposed in an environmentally appropriate way.

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\(^2\) Note: Agrochemicals refers to all chemicals used including fertilizers and pesticides
5.5.3 Transportation and storage of agrochemicals is safe and all applicable health, environmental and safety precautions are implemented.

5.5.4 The necessary precautions are taken to avoid people entering into recently sprayed areas.

5.5.5 Fertilizers are used in accordance with professional recommendations (provided by manufacturers where other professional recommendations are not available).

5.6 Agrochemicals listed in the Stockholm and Rotterdam Conventions are not used.

5.6.1 There is no use of agrochemicals listed in the Stockholm and Rotterdam Conventions.

5.6.2 The use of Paraquat and Carbofuran is eliminated by June 2017.

5.6.3 During this phasing out period the use of Carbofuran and Paraquat should be controlled, if possible reduced according an Integrated Crop Management (ICM) plan developed by the producer, which explains under what specific circumstances the use of Paraquat and Carbofuran is allowed.

Note for 5.6.2: In the Case of Paraquat, the deadline for the prohibition for its use by June 2017 could be extended by the RTRS if enough evidence is put forward before June 2016 to demonstrate that at the time there are still no alternatives in the market (globally or locally), that can substitute it with less environmental and human risks and with similar costs.

5.7 The use of biological control agents is documented, monitored and controlled in accordance with national laws and internationally accepted scientific protocols.

5.7.1 There is information about requirements for use of biological control agents.

5.7.2 Records are kept of all use of biological control agents that demonstrate compliance with national laws.

5.8 Systematic measures are planned and implemented to monitor, control and minimize the spread of invasive introduced species and new pests.

5.8.1 Where there are institutional systems in place to identify and monitor invasive introduced species and new pests, or major outbreaks of existing pests, producers follow the requirements of these systems, to minimize their spread.

5.8.2 Where such systems do not exist, incidences of new pests or invasive species and major outbreaks of existing pests are communicated to the proper authorities and relevant producer organizations or research organizations.

Note: For group certification - the group manager is responsible for communicating to the authorities and relevant organizations.

5.9 Appropriate measures are implemented to prevent the drift of agrochemicals to neighboring areas.

5.9.1 There are documented procedures in place that specify good agricultural practices, including minimization of drift, in applying agrochemicals and these procedures are being implemented.

5.9.2 Records of weather conditions (wind speed and direction, temperature and relative humidity) during spraying operations are maintained.

5.9.3 Aerial application of pesticides is carried out in such a way that it does not have an impact on populated areas. All aerial application is preceded by advance notification to residents within 500m of the planned application.
Note: ‘Populated areas’ means any occupied house, office or other building.

5.9.4 There is no aerial application of pesticides in WHO Class Ia, Ib and II within 500m of populated areas or water bodies.

5.9.5 There is no application of pesticides within 30m of any populated areas or water bodies.
Note: ‘Water bodies’ includes, but is not limited to, water courses, rivers, streams, lagoons, springs, lakes, reservoirs and ditches.

5.10 Appropriate measures are implemented to allow for coexistence of different production systems.

5.10.1 Measures are taken to prevent interference in production systems of neighboring areas.

5.11 Origin of seeds is controlled to improve production and prevent introduction of new diseases.

5.11.1 All purchased seed must come from known legal quality sources.

5.11.2 Self-propagated seeds may be used, provided appropriate seed production norms are followed and legal requirements regarding intellectual property rights are met.
Annex 1: Guidance

The guidance contained in this annex must be followed by all users of the standard, including:

i) auditors, evaluating compliance against the RTRS Standard for Responsible Soy Production Version 1.0

ii) soy growers using the RTRS Standard for Responsible Soy Production Version 1.0 to implement good practice, and achieve certification.

iii) Group managers using the RTRS Standard for Responsible Soy Production Version 1.0 to achieve certification of a group of soy growers.

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<th>Criterion</th>
<th>United States National Interpretation</th>
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| 1.1       | Producers need to have access to information which enables them to know what the law requires them to do. Examples include having a register of laws, or access to relevant advice on legislation. Legal compliance should be verified through:  
- checking publicly available data on compliance where available;  
- interviews with staff and stakeholders; and  
- field observations.  
See Annex 6 for the reference of applicable laws in the United States |
| 1.2       | Some Evidence of legal rights of land use in the United States are: Title deeds, leases or sharecropping. Copies of title deeds are officially registered and are publicly accessible. The lease or sharecropping is a common form of production. Usually made for 1 year but it is free from the decision of both parties. It is suggested to producers that, to better fulfil the standard, sign leases with terms of more than one year. Some problems with the right to use land, not due to problems with the land per se, but with the ground or water. These rights can be the owner of the land, of third parties, or state. Eg. [http://www.ag.ndsu.edu/ndoilandgaslaw/surface-mineralrights/mineralandsurfacerealationship](http://www.ag.ndsu.edu/ndoilandgaslaw/surface-mineralrights/mineralandsurfacerealationship) Cases depend on whether it is free aquifers or rivers or streams movement. Eg. Illinois: [http://www.farmdoc.illinois.edu/pubs/Legal.asp?Subsect=Environment&Subclass=Water](http://www.farmdoc.illinois.edu/pubs/Legal.asp?Subsect=Environment&Subclass=Water) In case of disputes for possession or use where there is evidence of ownership or right of use of the land in dispute, the certification process will be authorized until a final judgment that defines the conflict and provide a final resolution to it. |
| 1.3       | It is recognized that sometimes there may not be improvement for specific continual improvement indicators due to circumstances beyond the control of the certificate holder.  
1.3.2 Indicators should be established by the producer.  
1.3.3 It could make a diagnosis at group level, along with an approach to improvement plans.  
For small producer group may realizer a diagnosis at group level. |
| 2         | In relation to compliance of these requirements by third parties (Note 1): Operations are expected to have a mechanism in place which enables them to adequately verify the compliance of their service providers. Auditors should evaluate the verification mechanism of the operations, to determine whether a sample of service providers |
2.1 US adheres to all ILO conventions and regulations http://www.dol.gov/ilab/programs/oir/ILO.htm
Only those contractors who meet these criteria should be hired.

Documented evidence of relevant personal data of workers should be verified (e.g. sex and date of birth). The data collected should be locally appropriate and legal (eg. it may not be appropriate or legal to ask for the religion of employees in some countries).

2.1.1-2.1.3 Personnel should be free to leave their work place after their hours of work have been completed, and be free to terminate their employment provided that they give reasonable notice.

2.1.1-2.1.3 References: ILO Convention 29 on Forced Labor and 105 on Abolition of Forced Labor.

2.1.4-2.1.5 Children and minors (below 18) do not work in dangerous locations, in unhealthy situations, at night, or with dangerous substances or equipment, nor do they carry heavy loads. They are not exposed to any form of abuse and there is no evidence of trafficked, bonded or forced labor.

2.1.4-2.1.5 References: ILO Convention 138 on Minimum Age and 182 on Worst Forms of Child Labor.

In the US the Fair Labor Standards Act (FLSA) prescribes standards for wages and overtime pay, which affect most private and public employment.

The act is administered by the Wage and Hour Division. It requires employers to pay covered employees who are not otherwise exempt at least the federal minimum wage and overtime pay of one-and-one-half-times the regular rate of pay.

For agricultural operations, it prohibits the employment of children under age 16 during school hours and in certain jobs deemed too dangerous.

(Based on the International Convention on the Rights of the Child, art. 32, ILO Convention 189, the ILO Convention 29, Code child and adolescent art. 133, 134, Regulations for adolescents work, Ministerial Resolution No. 442.04 art. 10)

2.1.6-2.1.7 Discrimination includes, but is not limited to: any distinction, exclusion, restriction or preference based on race, color, social class, nationality, religion, disability, sex, sexual orientation, pregnancy, HIV status, union membership or political association, with the purpose or effect of annulling, affecting or prejudicing the recognition, fruition or equal exercise of rights or liberties at work, be it in the process of contracting, remuneration, access to training, promotion, lay-offs or retirement.

Divergence in salary is not considered discriminatory when the company has a policy, which is fully known to the employees, length of experience etc,

2.1.6-2.1.7 Reference: ILO convention 100 on Equal Remuneration, and ILO Convention 111 on Discrimination.

2.2 'Workers indirectly employed on the farm' refers here to employees of service providers who carry out services directly related to the production process.

The "services directly related to the production process" include, but are not limited by this definition, purchase supplies and seeds, services such as land preparation, planting, crop protection, control, harvesting, storage, etc.

In the United States Labor laws governing the signing of labor contracts between employers and employees, defining working conditions.

The employment relationship can be verified basically in 3 places:

- Department of Labor (DoL)
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<tr>
<th>Criterion</th>
<th>United States National Interpretation</th>
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<tr>
<td></td>
<td>• Social Security Administration (SSA)</td>
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<tr>
<td></td>
<td>• Internal Revenue Service (IRS)</td>
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<tr>
<td></td>
<td>The employer must keep records of their employees. References:</td>
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<tr>
<td>2.2.1</td>
<td>The field of application of the services would cover up to the first level of subcontracting and the service contract should specify that the subcontractor should comply the same conditions as the producer. Both contractor and owner must have liability insurance</td>
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<td>United States has regulated the existence of unions, among them are agricultural workers.</td>
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<td>Wages and working conditions depend on federal and state minimum. There are sectoral agreements between unions and employers.</td>
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<td>In the agricultural sector besides the United Farm Workers Union (UFW) there is a National Council of Agricultural Employers References:</td>
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<td><a href="http://www.aflcio.org/">http://www.aflcio.org/</a></td>
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<td><a href="http://www.ufw.org/">http://www.ufw.org/</a></td>
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<td><a href="http://www.uschamber.com/">http://www.uschamber.com/</a></td>
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<td><a href="http://www.ncaeonline.org/">http://www.ncaeonline.org/</a></td>
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<td>2.3</td>
<td>References: ILO convention 155 on Occupational Safety and Health; ILO Convention 184 on Safety and Health in Agriculture; ILO Recommendation 192 on Safety and Health in Agriculture. When a producer outsources a service, should require compliance with indicators 2.3 and 2.3.4. The auditor should verify compliance of the indicators 2.3.3 and 2.3.4 by the contractor. Reference: <a href="http://www.dol.gov/dol/topic/workcomp/">http://www.dol.gov/dol/topic/workcomp/</a></td>
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<td>The means of verification used should be appropriate to the size and scale of the operation. E.g. (2.3.1) For operations with permanent employees there should be a documented health and safety policy. For small farms this can be demonstrated through verbal explanations.</td>
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<td>2.3.6 Accident and emergency procedures should include taking immediate steps to stop any operation where there is an imminent and serious danger to safety and health, and to evacuate as appropriate.</td>
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<td>2.3.7 For small producers could be considered an emergency plan together and show evidence of medical assistance.</td>
</tr>
<tr>
<td>2.4.1</td>
<td>Reference: ILO Convention 87 on Freedom of Association and Protection of the Right to Organize.</td>
</tr>
<tr>
<td>2.4.3</td>
<td>Reference: ILO Convention 98 on Right to Organize and Collective Bargaining. Reference: United Farm Workers of America (UFWA) <a href="http://www.ufw.org/">http://www.ufw.org/</a></td>
</tr>
<tr>
<td>2.5</td>
<td>'Workers indirectly employed on the farm’ refers here to employees of service providers who carry out services directly related to the production process. The scope of services directly related to the production process are purchase of supplies and seeds, soil preparation, planting, fertilization, tillage, pesticide application and harvest.</td>
</tr>
<tr>
<td>2.5.1, 2.5.2</td>
<td>View wages and hours in The Fair Labor Standards Act (FLSA)</td>
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<td>Criterion</td>
<td>United States National Interpretation</td>
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<tr>
<td>2.5.3</td>
<td>The Department of Labor’s (DOL) Wage and Hour Division administers three laws that determine the wages of workers engaged in agricultural employment. The Fair Labor Standards Act (FLSA) requires payment of no less than the federal minimum wage for each hour worked and time and one-half the employee's regular rate of pay for hours worked in excess of 40 in the workweek.</td>
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<tr>
<td>2.5.5 and 2.5.6</td>
<td>Reference: ILO Convention 1 on Hours of Work.</td>
</tr>
<tr>
<td>3.1</td>
<td>Communication channels need to use local languages and appropriate mediums (e.g., the internet is not an appropriate mechanism for communication with communities that have no access to the internet). The communication requirements must be adequate to identify any disputes with traditional land users as referred to in Criterion 3.2. Where people on or adjacent to the property are demonstrated to be illegal (for example illegal squatters), producers should try to engage in communication, but they are not obliged to maintain a dialogue. Local communities may be represented by legitimate representatives in communication or negotiation or in audit situations. Where this is the case, this does not exempt the producer or the auditor from the responsibility of communicating with other members of the community, especially groups such as the poor, illiterate, youth, women or indigenous groups. In case of small farms documented evidence is not required and is substituted by verbal evidence. It is important to include interviews with members of the community to evaluate the existence of the communication channels and their appropriateness.</td>
</tr>
<tr>
<td>3.2</td>
<td>When applying for certification the producer will identify traditional land users. Traditional land users will provide reasonable proof that they have been exercising use or access rights on the area of the property over the 10 years prior to May 2009 (the ‘cut-off date’). In the case of traditional indigenous communities, articles 14-18 of ILO convention 169 also apply. Traditional land users may be represented by legitimate representatives in communication, negotiation or audit situations. Where this is the case, this does not exempt the producer or the auditor from the responsibility of communicating with other members of the community. 3.2.1 The community rights assessment should aim to: a) identify the individual and collective uses and rights of traditional land users; and b) identify the places and landscape conditions needed to satisfy these rights. c) identify the places/issues where there is conflict between the property rights and the traditional land use rights. d) reach a solution to resolve possible conflicting land uses and/or agree proposals for compensation. Where a legal judgment has been reached the terms of this judgment will be respected. If there is litigation in process, while this is <em>sub judice</em> (under litigation; decision...</td>
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<td>Criterion</td>
<td>United States National Interpretation</td>
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<td>pending) this will not prejudice access to certification provided that guidance provided by the judge is followed. In the absence of such guidance, the traditional land user can continue to exercise the claimed rights until the case is resolved.</td>
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| 3.3 | Interviews with members of local communities and their representatives are important in verifying compliance with this criterion.  
3.3.3 Timely Manner means that the importance is given by the severity and complexity of the complaint.  
It is important to include interviews planned by the Auditor, where possible, with members of the community or any other party with respect to the existing information on complaints, grievances or concerns. |
| 3.4 | 3.4.1 Evidence may include records kept of the proportion of local employees  
3.4.3 This refers to goods and services which are central to the production activities.  
3.4.3 Evidence includes quotations for services from local suppliers. |
| 4.1 | The assessment should be appropriate to the scale of the operation and the new infrastructure.  
The following could be examples of new infrastructure, large and high-risk:  
Storage plants, processing plants, buildings, roads, bridges and dams.  
Where there are existing national requirements for impact assessments which are adequate to meet this criterion these are followed.  
4.1.1 Buildings infrastructure needed permits granted by different agencies and approval of environmental impact studies. The directives emanating from the Department of Natural Resources (DNR) of different states. Permits and compliance are monitored by cities or counties.  
4.1.2 Environmental assessments should be made by individuals or consulting companies duly registered and accredited by the Federal and / or states government agencies.  
4.1.4 In the process of environmental impact assessment, one of the points is the application of corrective and protective measures for the identified impacts. |
| 4.2 | 4.2.1 Stubble burning is affected by the Clear Air Act and therefore under the EPA. [http://www.epa.gov/agriculture/tburn.html](http://www.epa.gov/agriculture/tburn.html)  
In the particular case of stubble burning and agricultural practices and therefore affecting land use, this delegate its implementation to the states.  
Generally the producer must apply for approval by the avenues available and wait for the official release, if environmental conditions permit.  
Permits vary by state due to different existing pollution conditions. States with the highest proportion of free particles in air, are more reluctant to grant permits.  
4.2.2 Follow the guidelines of the EPA and the state-specific guidelines.  
EPA delegates in each state to develop programs "Clean, Sweep and Disposal" for the management of hazardous and nonhazardous waste of farmers.  
Note to Producers and Auditors:  
1. The use and disposal of agrochemicals is addressed in Principle 5.  
2. In section 4.2.5 for small producers and family farmers, the Residue Management Plan can be done in groups.  
3. The activities of the Residue Management Plan must be consistent with the types and quantities of residue generated. |
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<tr>
<td>4.2.5</td>
<td>The Residue Management Plan Indicator 4.2.5, must consider the points 4.2.2, 4.2.3 and 4.2.4. For large and medium producers this should be documented. For small farms it is sufficient that the producer knows what residues are produced and what will be done with each one.</td>
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<td>4.3</td>
<td>On farms which produce multiple crops an estimate of the use of fossil fuel for soy production should be calculated. ‘Activities related to soy production’ include: field operations and on-farm transport, whether this is done by the producer or by third parties. An example of a justification for an increase in the intensity of fossil fuel use may be if a planting was lost due to drought and had to be replanted. The use of conservation agricultural techniques (direct sowing) should be recognized as a means to reduce GHG emissions. The use of renewable energy (biofuels, biogas, solar and wind energy etc.) on the farm is encouraged. In the case of renewable energy replacing electricity, quantify the equivalent fossil fuel saving. Producers must report if fossil fuel use (including use by themselves and by their service providers) justifying the differences between crops, if any. 4.3.2 There may be annual fluctuations in the intensity of fossil fuel use, due to natural yield variations. The trend should be monitored over a period of several years. 4.3.3 Soil carbon testing can be requested by farmers through the Cooperative Extension system in most states. Note: The use of off-road diesel fuel (dyed or colored) must be reported on tax return. To purchase off-road diesel fuel, it is necessary to obtain a license. The agency which licenses depend on the state. For example in Texas, is Office of the Comptroller.</td>
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<tr>
<td>4.4</td>
<td>4.4.1.2 c) Options 1 and 2 only apply for areas which are not native forest (as stated in 4.4.1.2 b and c). Therefore native forest cannot be deforested even if an official land use map (Option 1) permits this. 4.4.1.2 c) Option 1: Maps used for this purpose have been subject to adequate and effective public consultation. 4.4.1.2 c) Option 2: HCVA assessment should be undertaken using the existing guidance e.g. HCV Toolkit. The assessors should be recognized by RTRS or the HCV network. 4.4.2 Traditional land users will provide reasonable proof that they have been exercising use or access rights on the area of the property over the 10 years prior to May 2009. Definition of native forest: areas of native vegetation of 1ha or more with canopy cover of more than 35 % and where some trees (at least 10 trees per hectare) reach 10m in height (or are able to reach these thresholds in situ (ie. in that soil/climate combination)) Examples of native forests include Amazon, Mata Atlântica, Yungas, Chiquitano, forest areas of NE China. Data capture requirements for future Payment for Environmental Services (PES) schemes: The date of registration of the producer for certification is recorded by the certification body. During the certification audit, the area and type of vegetation of all voluntary reserves of native vegetation (above the legal requirement) are recorded. Following certification, details of the date of registration for certification and the area</td>
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and type of vegetation of voluntary reserves are added to an RTRS register. When an RTRS PES scheme is developed, payments are available retroactively to the date of registration for certification to all producers on the register.

Note: In the United States the agricultural frontier closed in 1902 and was laid out land use. There is no law of Land, but there are laws coding level land Counties or Municipalities to determine the use to be given to land based on the aims of each county.

4.5
The map and plan should be appropriate to the size of the operation.
In group certification, the group manager can maintain the map centrally and can be responsible for maintaining and developing a plan for conservation.

4.5.3 Is suggested signs clearly inform on banning hunting activities on the farm

5.1
5.1.1: Surface and sub-surface (rivers, lakes, ponds, streams, swamps, wetlands, groundwater, aquifers, etc.) Where there are wells these should be used to monitor ground water.
5.1.2 Where appropriate there should be monitoring of parameters such as pH, temperature, dissolved oxygen, turbidity and electrical conductivity. Monitoring should be considered at watershed level.
There is a basic disposition analysis kits to measure parameters such as pH, dissolved oxygen, nitrogen and phosphorus.

For this indicator, in most cases, producers are not the only parties responsible for the quality of surface water and groundwater. Water quality can also be affected by activities of others outside the farm, on which producers can not have any impact. At the time of certification, shall determine a date base, which should match, at least, with the date of certification.

If it detects degradation or deviation from the base, an analysis should be performed to determine if the cause is due to the direct activities of producers. If they were responsible for degradation or deviation, MUST perform corrective actions. Record all related agricultural practices to reduce the impact on surface water and groundwater.

5.1.3 There must be written evidence of the reports of the authorities.
5.1.4 When using irrigation, attention should be paid to other potential uses such as household use or use by other food crops and if there is a lack of water priority should be given to human consumption. Supplemental irrigation is not common in the core area. Can exist in some marginal areas. It may be gravitational (Delta of Mississippi, Louisiana and Arkansas) or pumping (Nebraska, Kansas and Oklahoma).

Necessary permits and regulatory authorities will depend on the water source (aquifer or free motion), the state and the region.

Each state has a Department of Natural Resources (DNR), USDA-dependent regulating water use permits according to their particularities.

Some cases:
- Iowa: DNR issues surface and groundwater use permits for water withdrawals over 25,000 gpd.
- Illinois: No general permitting system (Lake Michigan requires permits, Water Use Act only requires notification of wells exceeding 100,000 gpd.
- Minnesota. Requires permit for wells 10,000 gpd.
- Nebraska: While permits are required for surface water use, groundwater withdrawal, or wells, are only required to register.


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<td>water-withdrawal-regulations.aspx</td>
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5.2

5.2.2: The federal and states legislation should be taken into account to define the extent of the area of native vegetation. When no relevant standards on this issue, it is recommended to refer to a wide area to double the watercourse.

Regarding plans restoration of riparian vegetation, the following is proposed:

- If natural vegetation were grasslands, should close the area.
- If the original vegetation were woody species, should proceed to reforestation.

The requirements should not determine any differentiation with respect to small farms.

*Note:* The protected areas of the United States are managed by an array of different federal, state, tribal and local level authorities and receive widely varying levels of protection. Some areas are managed as wilderness, while others are operated with acceptable commercial exploitation.

There is a public and private cooperation for the conservation of resources (soil, air and water) at the district level. See: [http://www.nacdnet.org/about](http://www.nacdnet.org/about)

5.3

**Guidance for soil quality & erosion:**

- Agriculture conservation
- Crop Rotation
- Balanced Fertilization

Techniques to control soil erosion could include:

- Handling on the farm roads
- Management of areas with slopes
- Maintaining permanent soil cover.
- Direct Seeding

Suggested monitoring indicators:

- Analysis of organic matter, total nitrogen (N) (Total N can be calculated as 5% of organic matter), phosphorus (P), pH, electrical conductivity, measurement of surface water (quality and quantity, 30 days prior to planting with a tolerance of + / - 10 days)

5.4

Surface and ground water includes lakes, rivers, lagoons, marshes, swamps, ground water sources, aquifers/water tables.

Take into account scale and context especially for small farms – this relates to both the level of ICM expected and the records maintained.

5.4.2 The parameters that are monitored include the number of applications of phytosanitary products per crop cycle, volume of phytosanitary product used per hectare and toxicological class of product.

5.4.1 The small producers should have programs of rational use of agrochemicals at group level.

5.4.2 The parameters that are monitored include the number of applications of phytosanitary products per crop cycle, volume of phytosanitary product used per hectare and toxicological class of product.

5.4.2 The level of potential harmfulness of a phytosanitary product can be determined
<table>
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<th>Criterion</th>
<th>United States National Interpretation</th>
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<tr>
<td>5.4.2</td>
<td>Where targets are not met, documented evidence is presented to justify this.</td>
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<tr>
<td>5.4.4</td>
<td>Both local and national legislation should be taken into account. All pesticides used during the production process will be registered for their handling and use by FIFRA. (<a href="http://www.epa.gov/agriculture/lfra.html">http://www.epa.gov/agriculture/lfra.html</a>)</td>
</tr>
</tbody>
</table>

The reduction will be associated with the availability of new products with less environmental impact in the market and on human health.

5.5

5.5.1 Records are maintained for at least 5 years. This does not apply to records from years prior to certification. This criterion applies to all farms, regardless of its dimension.

The weather conditions to be recorded are:
- wind speed and direction
- relative humidity
- ambient temperature.

5.5.1 Scale and context, especially for small farms, should be taken into account. Exceptions (e.g. for maintaining invoices) may be allowed for small farms in a group, provided that the group has a mechanism for assuring compliance with the criterion.

5.5.2 Washing of containers should be carried out using triple rinsing principles (including re-use of the rinse water in the tank mix) or using high-pressure techniques associated with mechanical application.

The Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) governs the sale, distribution and use of pesticides in the U.S. Pesticides are regulated under FIFRA until they are disposed, after which they are regulated under the Resource Conservation and Recovery Act (RCRA) which ensures responsible management of hazardous and nonhazardous waste.

See the guidelines from Ag Container Recycling Council (ACRC), a non-profit organization funded by CropLife America companies and other affiliate members, carries out a voluntary pesticide container collection and recycling scheme in the United States ([http://acrecycle.org/](http://acrecycle.org/))

5.5.3 Areas used for the storage and distribution of agrochemicals, flammable and toxic substances are designed, constructed and equipped to reduce the risks of accidents and negative impacts on human health and the environment.

Some, but not all pesticides are regulated as DOT hazardous materials. See Guidelines of The Department of Transportation (DOT) who regulates the transport of hazardous materials.

Safe storage of pesticides: [http://www.epa.gov/pesticides/regulating/store.htm](http://www.epa.gov/pesticides/regulating/store.htm)
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<th>Criterion</th>
<th>United States National Interpretation</th>
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| 5.6       | Rotterdam Convention: [link](http://www.pic.int/home.php?type=t&id=29&sid=30)  
- The EPA has a description on the products canceled and restricted according [link](http://www.epa.gov/opp00001/regulating/restricted.htm)  
- The list of restricted items (Restricted Use Products (RUP) Report) are in: [link](http://www.epa.gov/opprd001/rup/rupreport.pdf)  
The database of all pesticides in the country is managed by Purdue University through the National Pesticide Information Retrieval System (NPIRS). [link](http://ppis.ceris.purdue.edu/)  
Canceled products can not be sold in the market. Restricted products can be applied only to those who have taken courses and obtained a license. This license is mandatory for making commercial applications (contractors) but may not be mandatory for those who make personal use applications.  
Licenses for application of restricted products are usually granted by the secretaries of agriculture in each state or public agricultural Universities (land grant university system). *Certification and Training / Restricted Use Pesticides.*  
Note: see National Pesticide Applicator Certification Core Manual from National Association of State Departments of Agriculture (NASDA) [link](http://www.nasda.org/) |
| 5.7       | Records of use of biological control agents should be used as evidence of compliance with this criterion  
5.7.2 Scale and context, especially for small farms, should be taken into account.  
The use of biological control products is regulated through the USDA, Animal and Plant Health Inspection Service [link](http://www.aphis.usda.gov/plant_health/plant_pest_info/biocontrol/)  
See guidelines of The International Code of Best Practices for Biological Control.  
Best Practices for Classical Biological Control of Weeds:  
1. Ensure target weed’s potential impact justifies release of non-endemic agents.  
2. Obtain multi-agency approval for target.  
3. Select agents with potential to control target.  
4. Release safe and approved agents.  
5. Ensure only the intended agent is released.  
6. Use appropriate protocols for release and documentation.  
7. Monitor impact on target.  
8. Stop releases of ineffective agents, or when control is achieved.  
9. Monitor impacts on potential non-targets.  
12. Communicate results to the public. |
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<td>5.9</td>
<td>5.9.1 Factors that influence drift include among others wind speed and direction, temperature, equipment utilized and topography. Applications must follow the regulations for each town. Among the best practices that should be taken into account, there are gauges of equipment, identification of plots, use of anti-drift tablets (if conditions require) and crop records surrounding areas. 5.9.1 and 5.9.2 Requirements for small farms should be appropriate to scale and context. 5.9.1 and 5.9.2 For group certification of small farms - group managers may provide documented procedures and maintain records of weather conditions. 5.9.3 and 5.9.4: The aerial application should follow the legislation for each state, county or town. As methods for reporting, disclosure is suggested through the media that reach a wide audience (sms, radio, oral, phone calls, etc.). 5.9.4: The next source is available for download lists: <a href="http://www.who.int">http://www.who.int</a> 5.9.5: The application should follow the legislation for each state, county or town.</td>
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<td>5.10</td>
<td>When a change in soybean production practices is introduced which could impact on neighboring production systems, it is the responsibility of the producer making the change to implement a buffer strip of 30 m (e.g. in areas where production is generally GM, it is the responsibility of an organic or non-GM farmer to maintain the buffer around his own production. In areas where production is mainly non-GM or organic, a farmer planting GM or using chemicals should maintain a buffer). Where there is a legal requirement for certain buffer strips between different production systems, they must be respected. The certification may not require actions to neighbors who did not request certification.</td>
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<td>5.11</td>
<td>The &quot;legally recognized quality sources&quot; are the commercialization of seeds legally accredited sources. Seed certification in the United States is the responsibility of each individual state; within each, there is an agency designated to certify seed. Regardless of the agency</td>
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<td>responsible, the basic authority for certification is derived from the seed law of the individual state. Several states have certification programs administered by state departments of agriculture. In a few states, certification is administered by the Cooperative Extension Service. In other states, a secretary-manager is hired by the Board of Directors of crop improvement association. State agencies maintain close association with university personnel.</td>
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<td>The Association of Official Seed Certifying Agencies, (AOSCA) is dedicated to assisting clients in the production, identification, distribution and promotion of certified classes of seed and other crop propagation materials. Established in 1919 as the International Crop Improvement Association, AOSCA now has a number of member Agencies across the US, plus Global member countries located in Canada, South America, Australia and New Zealand.</td>
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<td>AOSCA provides a complete list of registered seed agencies in each state. <a href="http://www.aosca.org/member%20agencies.html">http://www.aosca.org/member%20agencies.html</a></td>
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### Annex 2: List of Acronyms

<table>
<thead>
<tr>
<th>Acronym</th>
<th>Description</th>
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<tbody>
<tr>
<td>GM</td>
<td>Genetically Modified</td>
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<tr>
<td>HCV</td>
<td>High Conservation Value</td>
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<tr>
<td>HCVA</td>
<td>High Conservation Value Area</td>
</tr>
<tr>
<td>ICM</td>
<td>Integrated Crop Management</td>
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<tr>
<td>ILO</td>
<td>International Labour Organization</td>
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<tr>
<td>ITG</td>
<td>International Technical Group</td>
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<tr>
<td>NGO</td>
<td>Non Governmental Organization</td>
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<td>P&amp;C</td>
<td>Principles and Criteria</td>
</tr>
<tr>
<td>PES</td>
<td>Payments for Environmental Services</td>
</tr>
<tr>
<td>RTRS</td>
<td>Round Table on Responsible Soy</td>
</tr>
<tr>
<td>SA8000</td>
<td>Social Accountability International (SAI) international standard on workers’ rights, working conditions and management systems.</td>
</tr>
<tr>
<td>WHO</td>
<td>World Health Organization</td>
</tr>
</tbody>
</table>
# Annex 3: Glossary of Terms

<table>
<thead>
<tr>
<th>Term</th>
<th>Definition</th>
</tr>
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<tbody>
<tr>
<td>Biological Control</td>
<td>A method of controlling pests that relies on predation, parasitism, herbivory, or other natural mechanisms, rather than agrochemicals.</td>
</tr>
<tr>
<td>Criteria</td>
<td>The 'content' level of a standard. Conditions that need to be met in order to achieve a Principle.</td>
</tr>
<tr>
<td>Continual Improvement</td>
<td>The on-going process of improving performance through establishment of objectives, the use of monitoring, audit findings and management reviews; analyzing information and implementing corrective and preventive actions.</td>
</tr>
<tr>
<td>Endemic species</td>
<td>A species which is found exclusively in a particular region or location and not found naturally anywhere else.</td>
</tr>
<tr>
<td>The Equator Principles</td>
<td>A financial industry benchmark developed by private sector banks for determining, assessing and managing social and environmental risk in project financing. The Principles apply to all new project financings globally with total project capital costs of US$10 million or more, and across all industry sectors.</td>
</tr>
<tr>
<td>The Equator Principles' Social and Environmental assessment</td>
<td>An assessment that determines the social and environmental impacts and risks (including labour, health, and safety) of a proposed project in its area of influence. It is an adequate, accurate and objective evaluation and presentation of the issues, whether prepared by the producer, consultants or external experts. The Assessment should also propose mitigation and management measures relevant and appropriate to the nature and scale of the proposed project. See Principle 2 and Exhibit II of the Equator Principles at <a href="http://www.equator-principles.com">www.equator-principles.com</a> for further details.</td>
</tr>
<tr>
<td>Forest</td>
<td>See Native forest</td>
</tr>
<tr>
<td>High Conservation Value Areas</td>
<td>High Conservation Value Areas are critical areas in a landscape which need to be appropriately managed in order to maintain or enhance High Conservation Values (HCVs). There are six main types of HCV Area. Based on the definition originally developed by the Forest Stewardship Council for certification of forest ecosystems, but now increasingly expanded to apply to other credible assessments of other ecosystems.</td>
</tr>
<tr>
<td>HCV1.</td>
<td>Areas containing globally, regionally or nationally significant concentrations of biodiversity values (e.g. endemism, endangered species, refugia).</td>
</tr>
<tr>
<td>HCV2.</td>
<td>Globally, regionally or nationally significant large landscape-level areas where viable populations of most if not all naturally occurring species exist in natural patterns of distribution and abundance.</td>
</tr>
<tr>
<td>HCV3.</td>
<td>Areas that are in or contain rare, threatened or endangered ecosystems.</td>
</tr>
<tr>
<td>HCV4.</td>
<td>Areas that provide basic ecosystem services in critical situations (e.g. watershed protection, erosion control).</td>
</tr>
<tr>
<td>HCV5.</td>
<td>Areas fundamental to meeting basic needs of local communities (e.g. subsistence, health).</td>
</tr>
<tr>
<td>HCV6.</td>
<td>Areas critical to local communities’ traditional cultural identity (areas of cultural, ecological, economic or religious significance)</td>
</tr>
<tr>
<td>Term</td>
<td>Definition</td>
</tr>
<tr>
<td>-------------------------------------------</td>
<td>-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Indicators</td>
<td>The 'operational' level of a standard expressed in measurable statements which allow assessment of conformance.</td>
</tr>
<tr>
<td>Indirectly employed workers</td>
<td>Workers indirectly employed on the farm refers in this standard to employees of service providers who carry out services directly related to the production process.</td>
</tr>
<tr>
<td>Integrated Crop Management</td>
<td>A system of crop production which conserves and enhances natural resources while producing a crop on an economically viable and sustainable foundation. A whole-farm, long-term strategy incorporating both new technologies and traditional knowledge and practices. See Annex 5 for further details.</td>
</tr>
<tr>
<td>Local Communities</td>
<td>Groups of people and families legitimately living or working on or near to the property to be certified, or between properties in case of multiple or group certification, and influenced by or influencing the activities of the property.</td>
</tr>
<tr>
<td>Native forest</td>
<td>Areas of native vegetation of 1ha or more with canopy cover of more than 35% and where some trees (at least 10 trees per hectare) reach 10m in height (or are able to reach these thresholds in situ (ie. In that soil/climate combination)).</td>
</tr>
<tr>
<td>No-tillage</td>
<td>A way of growing crops from year to year without disturbing the soil through ploughing. Also known as direct drilling, zero tillage and conservation tillage.</td>
</tr>
<tr>
<td>Off-road diesel fuel</td>
<td>Type of diesel fuel, dyed or colored, for use in vehicles and equipment that are not general operated on public roadways, such as those used on farms and railways, in construction, and for electric power generation. It is not subject to state and federal excise taxes that are applied to the retail sales of diesel fuel sold for vehicles generally operating on public roadways. This fuel is dyed red (as is heating oil) to distinguish it from on-highway diesel fuel”.</td>
</tr>
<tr>
<td>Pesticides</td>
<td>Pesticides includes herbicides, fungicides, rodenticides and insecticides.</td>
</tr>
<tr>
<td>Phytosanitary products</td>
<td>Agrochemicals used for controlling pests and weeds including herbicides, fungicides and pesticides.</td>
</tr>
<tr>
<td>Principles</td>
<td>The 'intent' level of the standard, expressed in fundamental statements about a desired outcome.</td>
</tr>
<tr>
<td>Sharecroppers</td>
<td>A type of tenant farmer who is allowed by the owner to use the land in return for a share of the crop produced on the land.</td>
</tr>
<tr>
<td>Standard</td>
<td>Standards are documents containing technical specifications or other precise criteria which are used as rules, or guidelines and form the requirements to be met.</td>
</tr>
<tr>
<td>Traditional land users</td>
<td>Communities (or individuals where population is very sparse) that have been exercising use or access rights on the property being certified for an extended period of time.</td>
</tr>
<tr>
<td>Wetlands</td>
<td>Areas of marsh, fen, peatland, or water - whether natural or artificial,</td>
</tr>
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</table>

...
permanent or temporary with water that is static or flowing, brackish or salt (Ramsar convention)

<table>
<thead>
<tr>
<th>Workers</th>
<th>Where used in this document 'workers' includes permanent, temporary and seasonal workers and sharecroppers</th>
</tr>
</thead>
<tbody>
<tr>
<td>Zoning</td>
<td>The classification of allowable or preferred land use</td>
</tr>
</tbody>
</table>
Annex 4: RTRS Approach to Responsible Conversion

There will be two phases:

- For the short term, an interim approach will be used. This is set out in criterion 4.4 of the RTRS Standard for Responsible Soy Production Version 1.0.
- For the medium term, the RTRS will develop official RTRS approved macro-scale maps which will provide biodiversity information and a system which will orient responsible expansion of RTRS soy. This work will be carried out as described below and should be completed before 31st December 2012 for Argentina, Brazil, Bolivia and Paraguay.

RTRS-approved maps and System

1. Summary

National level macro-scale maps will be created through a multi-stakeholder process, which will provide guidance on responsible expansion. These maps will indicate four categories of area:

- Category I Areas = areas which are critical for biodiversity (hotspots), where stakeholders agree there should not be any conversion of native vegetation to responsible soy production.
- Category II Areas = areas with high importance for biodiversity where expansion of soy is only carried out after an HCVA assessment which identifies areas for conservation and areas where expansion can occur.
- Category III Areas = areas where existing legislation is adequate to control responsible expansion (usually areas with importance for agriculture and lower conservation importance).
- Category IV Areas = areas which are already used for agriculture and where there is no remaining native vegetation except legal reserves and so no further expansion is occurring.

Guidance will also be produced on how to undertake the HCVA assessments required for expansion in Category II areas.

2. Development of generic global methodology

2.1 RTRS will convene an international multi-stakeholder group to develop the generic global methodology to be used to develop the national macro-scale maps.

a) The group should include representatives of each RTRS constituency and country.
   i. Note: the group should aim to include 1 person per constituency from each of Argentina, Brazil, Bolivia and Paraguay plus at least 3 representatives (1 representative per constituency) from other main soy producing countries.

b) The group should include technical experts.

c) The group should work by consensus.

2.2 The group will review existing methodologies and produce a methodology for the RTRS which addresses:

a) The minimum criteria which need to be considered in developing national maps.

b) The important data layers which should be included and other optional layers.

c) Possible sources of data which should be used.

d) Develop criteria on how to assign different categories.

e) Any other necessary issues.
2.3 The group will review existing methodologies for undertaking on-farm HCVA assessments required for farms in Category II areas and develop generic guidance for RTRS.

3. Production of national macro-scale maps

3.1 Establish a national multi-stakeholder group in each country (as a sub-group of the RTRS National Technical Group) to oversee the map development process. The group should include both representation of each RTRS constituency and technical expertise.

Note: for Argentina, Brazil, Bolivia and Paraguay this group will include the 3 national members of the global multi-stakeholder group.

3.2 The national multi-stakeholder group interprets the global methodology and agrees on the work to be undertaken at a national level including:

a) National interpretation of criteria to be used.

b) Sources of information and data to be used including all official maps, conservation maps etc which provide consistent information including sub-national maps.

c) Definitions of important areas for conservation and for agricultural expansion in the country.

d) Any additional information required.

e) Agreement on criteria for assignment of categories.

f) Any other issues.

3.3 A technical group is assigned to undertake the mapping in line with the national level guidance developed by the multi-stakeholder group.

3.4 The multi-stakeholder group reviews the maps and agrees on the mapping of the categories.

3.5 The multi-stakeholder group reviews the generic methodology for on-farm HCVA assessments for expansion in Category II areas and produces a national version.

3.6 The national map and methodology, once agreed by the national multi-stakeholder group, is submitted to the RTRS National Technical Group for approval and once approved is submitted to RTRS for endorsement.

4. Implementation

Once national maps and methodologies are endorsed they replace any interim approach to managing responsible expansion.

The approach of RTRS towards Integrated Crop Management (ICM) is the voluntary adoption of an increasing number of ICM measures and sub-measures over time, according to a plan that is devised with professional guidance, which in the case of group certification may be provided by the group manager to individual group members. The table below presents a non-exhaustive list of measures and practices that can be used in the development and auditing of the ICM plan developed by the producer or producer group.

<table>
<thead>
<tr>
<th>Measure</th>
<th>Practices</th>
</tr>
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</table>
| 1. Prevention | 1a. Conservation tillage (including zero tillage, zero tillage sowing, contour ploughing, etc.)  
1b. Mechanical control practices to prevent weed seeds from germinating or spreading  
1c. Maintaining vegetative or residue soil cover in between crops  
1d. Crop rotation (including 1c.)  
1e. Choice of seed variety: choose resistant variety against the main pest  
1f. Monitor and record harmful and beneficial organisms  
1g. Buffer zones and refuges for biodiversity (for example hedges, riparian vegetation, etc.) |
| 2. Technical measures for cultivation | 2a. Sowing date / timing  
2b. Scouting in field to assess damage-threshold for all pests (proven by daily record keeping)  
2c. Use of fertilizer with evidence of need provided by professional soil/fertilization specialist  
2d. Manual weed removal / intercultural operations  
2e. mechanical weed removal / intercultural operations which are not detrimental to soil structure, organic matter content or other soil and water values |
| 3. Systems for early warning and advise | 3a. Use of weather information to determine applications  
3b. Use of pest traps  
3c. Use of decision support systems or manuals  
3d. Use of warning systems or services for pests and diseases such as soy bean rust |
| 4. Non-chemical crop protection | 4a. Use of naturally occurring beneficial insects by maintenance of buffer zones / natural vegetation  
4b. Use of biological control agents  
4c. Use of crop protection substances of natural origin  
4d. Use of inoculants (symbiotic bacteria) to promote Nitrogen uptake |
| 5. Chemical crop protection and application techniques | 5a. Rotation of active ingredient  
5b. Application of phytosanitary products only when the |
<table>
<thead>
<tr>
<th>Measure</th>
<th>Practices</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>economical damage threshold is exceeded</td>
</tr>
<tr>
<td></td>
<td>5c. Use of selective and low human toxicity and low ecotoxicity phytosanitary products</td>
</tr>
<tr>
<td></td>
<td>5d. Use of narrow spectrum phytosanitary products</td>
</tr>
<tr>
<td></td>
<td>5e. Use of spot wise / precision application</td>
</tr>
<tr>
<td>6. Emission reduction</td>
<td>6a. Use of adequate and well calibrated equipment</td>
</tr>
<tr>
<td></td>
<td>6b. Spray-free zone towards principal water courses in accordance with professional agrochemical specialist's advice</td>
</tr>
<tr>
<td></td>
<td>6c. In the use of aerial spraying there is no application where a temperature inversion or other unfavorable meteorological condition (high wind speed, etc.) occurs.</td>
</tr>
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</table>
Annex 6 for United States National Interpretation

Smallholders: U.S. law does not clearly define "smallholders" according to the number of employees, or the number of acres. There is a typology established by the USDA defined for economic research (Economic Research Service) in order to classify farmers.

This typology is based on the amount of gross cash farm income (GFCI) received by producers every year. A small family farm has a GFCI equal or less than $350,000 a year according to the USDA revised typology.

<table>
<thead>
<tr>
<th>Small family farms (GFCI less than $350,000)</th>
<th>Midsize family farms (GFCI between $350,000 and $999,999)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Retirement farms.</strong> Small family farms whose operators report they are retired, although they continue to farm on a small scale. These operations sell enough farm products to qualify under the current USDA farm definition.</td>
<td>Family farms with GFCI between $350,000 and $999,999.</td>
</tr>
<tr>
<td><strong>Off-farm occupation farms.</strong> Small family farms whose operators report a primary occupation other than farming. The category also includes farms—12 percent of the group in 2010—whose operators are not in the labor force but are not retired.</td>
<td>Large-scale family farms (GFCI greater than $1,000,000)</td>
</tr>
</tbody>
</table>
| **Farming-occupation farms.** Small family farms whose operators report farming as their primary occupation.  
  • Low-sales farms. GFCI less than $150,000.  
  • Moderate-sales farms. GFCI between $150,000 and $349,999. | Large family farms. Family farms with GFCI between $1,000,000 and $4,999,999.  
Very large family farms. Family farms with GFCI of $5,000,000 or more. |
| **Nonfamily farms** | Any farm where the operator and persons related to the operator do not own a majority of the business. |

GFCI = Gross cash farm income.


Wages & Hours
The Fair Labor Standards Act (FLSA)
http://www.dol.gov/dol/topic/youthlabor/agriculturalemployment.htm
The Migrant and Seasonal Agricultural Worker Protection Act of 1983 (AWPA/MSPA).
http://www.dol.gov/ilab/programs/oir/ILO.htm

Workplace Safety & Health
Occupational Safety and Health Administration (OSHA): https://www.osha.gov/
Fact Sheet #51: Field Sanitation Standards under the Occupational Safety and Health Act.  
http://www.dol.gov/whd/regs/compliance/whdfs51.htm

Environmental Protection Agency (EPA)  
http://www.epa.gov/  
Eg: Worker Protection Standard for Agricultural Pesticides.  
http://www.epa.gov/agriculture/twor.html

Immigration Status  
The Immigration and Nationality Act (INA).

Employee Benefit Security  
The Employee Retirement Income Security Act (ERISA)  
The Comprehensive Omnibus Budget Reconciliation Act of 1985 (COBRA)  
The Health Insurance Portability and Accountability Act (HIPAA).

Social Security, Medicare and Unemployment Insurance  
For retirement, health insurance after retirement, and unemployment insurance.  
Social Security Administration (SSA): http://www.ssa.gov/

Income Tax  
The U.S. Equal Employment Opportunity Commission (EEOC) is responsible for enforcing federal laws that make it illegal to discriminate.  
http://www.irs.gov/  
EEOC laws, for employers with at least 15 employees.

There is a list of labor laws for all 50 states, plus Washington DC and Puerto Rico,  
http://www.law.cornell.edu/wex/table_labor

Public Universities specializing in Agricultural Issues (land great university system):  
Ohio: http://ohioline.osu.edu/hrm-fact/  
Iowa State University, Checklist for Iowa Agricultural Employers. See  
http://www.extension.iastate.edu/agdm/wholefarm/html/c6-58.html  
The University of Vermont, Agricultural Labor Management:  
http://www.uvm.edu/~farmlabr/

Forest Laws  
http://www.fs.fed.us/forestmanagement/aboutus/lawsandregs.shtml  

Biodiversity and hunting  
US Department of the Interior. US Fish and WildLife Service  
http://www.interior.gov/index.cfm  
http://www.hunting.fws.gov  
http://www.huntinfo.org/

Environmental Protection  
Soil and Water Resources Conservation Act (RCA)  
Clean Water Act Section 303 gives EPA regulates TDMLs capacity at the federal level.  
States must definer own (as TDMLs).  
Water Use Act states according.  
Clean Air Act.  

http://www.epa.gov/agriculture/llaw.html  
EPA’s “Agriculture Regulatory Matrix”
Pesticides
Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). (EPA)
http://www.epa.gov/agriculture/ifra.html
State Pesticide Laws and applications