

**Compilation of Comments from Public Consultation
on RSPO Certification Systems for Principles & Criteria
(Draft January 2017)**

22 March - 20 April 2017

Comments template for public consultation on 'RSPO Certification Systems for Principles & Criteria (Draft January 2017)'

Section 1 Scope

General comments		How it is addressed
Reference to other RSPO documents and Normative References would be improved if the RSPO employed the normal system of unique numbering and dating of controlled documents, standards and normative references		Noted but no change, will take into account in the next review.
Keep existing clause requiring direct notification to RSPO There is an existing requirement in A4.2.2.3 for CBs to notify RSPO directly of any breaches in partial certification requirements. However this seems to have been removed from the latest version. Suggest this be kept		4.5 time bound plan still has this text 'Any deviations from these maximum periods must be approved by the RSPO Secretariat.'
Scope should clearly indicate if this document applies for the smallholders.		No change. This document applies to smallholders. We cannot spell out every single actor, 1.3.1 also mentions particular processes for group certification for independent smallholders and independent growers in Annex 1.
Subsection	Specific comments	How it is addressed
1.1 Introduction to the RSPO and to this document	<p>Item 1.1.2, first bullet point (and throughout section 1 of this document and item 4.3.4):</p> <p>"The RSPO Principles and Criteria for the Production of Sustainable Palm Oil (RSPO P&C) is structured as a series of principles, criteria, indicators and guidance, and is designed to be used by palm oil growers and millers to implement sustainable production practices. The RSPO National Interpretation (NI) of the RSPO P&C must be used when the applicable NI has been endorsed by the RSPO. In case where an NI has not been endorsed by the RSPO, the latest version of the RSPO P&C shall be used for the audit. RSPO encourages members to develop an NI. The RSPO P&C are designed to be used before, during and after any land is developed for oil palm plantings. The RSPO New Planting Procedure (NPP) specifies a sub-set of RSPO P&C that must be independently evaluated prior to any development of new plantings"</p> <p>Comment:</p> <p>The latest version RSPO NPP 2015 does not explicitly specify sub-set of RSPO P&C that must be independently evaluated prior to any development of new plantings. The suggestion is to explicitly specify which part of RSPO P&C to be evaluated during verification of NPP. This further clarification must be published as part of NPP document.</p>	No change, as this comment is related to the latest version of RSPO NPP document. RSPO will ensure to provide clarifications in NPP document.
	<p>With regards to 1.1.2 This whole section could be made clearer. The role and importance of the 2013 P&C standards is not made clear – as the benchmark for NI's and the status of the previous or existing standards (relating to smallholders, groups and multi-sites) is not made clear. Nor is the relationship of NPP verification with standards.</p> <p>RSPO's use of the word compliance – rather than conformance. Neither are defined in the Definitions section. This could</p>	Noted but no change was made. The comment does not include specific suggestions on amending the text.

	<p>Suggest the following changes to the text in this para:</p> <p>1.1.2 The methods used by the RSPO to deliver its objective include the development of certification standards for sustainable palm oil production and control of RSPO certified oil palm products in the supply chain. These certification standards are :</p> <ul style="list-style-type: none"> a. The RSPO Principles and Criteria for the Production of Sustainable Palm Oil (RSPO P&C) new plantings. b. The RSPO Supply Chain Certification Standard (RSPO SCC Standard) website. 	<p>Agreed with the comments, if a, b, c etc are used it will add clarity to the whole document (instead of using bullet points).</p>
	<p>1.1.3 Organizations that are found during a certification assessment to be in compliance with an RSPO standard are issued with a Certificate of Compliance with a maximum validity of 5 years. The NPP verification statement shall state the applicable sub-set of RSPO P&C that has been independently evaluated.To change the underlined text to : <i>'...a RSPO certification standard.'</i></p> <p>To change the underlined text to : <i>'...a RSPO certification standard.'</i></p>	Changed
	<p>Use of RSPO P&C – what if already certified using NI and then NI not yet approved during surveillance – what about differences in generic P&C and NI?</p>	<p>No change, 1.1.2 is clear on when to use NI. If a NI is not approved, the CB shall use the lastest P&C: 'The RSPO National Interpretation (NI) of the RSPO P&C must be used when the applicable NI has been endorsed by the RSPO. In case where an NI has not been endorsed by the RSPO, the latest version of the RSPO P&C shall be used for the audit.'</p>
1.2 Elements of the RSPO certification scheme	<p>1.2.1</p> <p>This section refers to relevant standards this Certification document refers to, including RSPO NEXT. However, for the rest of this document NEXT seems to be out of scope. This is a crucial omission since it is now not clear which rules apply to NEXT certification.</p>	<p>No change. 1.3.1 makes it clear that this document is relevant to RSPO NEXT. 'The requirements in this Certification Systems document are also applicable when CBs are auditing against the RSPO-RED, or RSPO NEXT.'</p>

	<p>Certification process requirements (page 5):</p> <p>Add: Once final decision is made through the RSPO Interpretation Forum, this decision shall be made public so that the Certificate Holder (CH) aware of the interpretation.</p> <p>Justification: As it is now, RSPO is hiding the interpretation from CH. Why? If RSPO wants the CH to comply with the interpretation, it must be transparently communicated to CH as per Principle 1 RSPO P&C.</p>	Noted and changed. The result will be made publicly available.
	<p>Certification process requirements: This is the process, also defined in this document, of establishing whether or not the requirements of the standards have been met, and is carried out by a CB. In case a finding requires further interpretation to assess whether the requirements of the standards have been</p> <p>To change the underlined text to :</p> <p>'...the certification standards..'</p>	No change, as sufficiently clear.
1.3 Overview of this document	<p>"A review of this document will take place within five years of publication"</p> <p>– this sentence did not take into consideration of the P&C which will be subjected to review in 2018 and whose changes may require a change in the systems or SOP.</p>	The current sentence mentions 'within five years' which indicates the review may happen shorter than five years.
1.4 Other relevant documents	<p>Why not refer to ISO 17021?</p> <p>Part between brackets after two documents in the list</p> <p>Why a reference to IAF MD2??</p>	<p>Added ISO 17021</p> <p>The documents listed are clear enough without brackets so no change.</p> <p>IAF MD is related to requirements of AB hence included.</p> <p>IAF MD2 is referenced in 2.2.1. 'The AB shall demonstrate this either by being a signatory to the appropriate International Accreditation Forum (IAF) Multilateral Recognition Arrangement (MLA) or through full membership of the International Social and Environmental Accreditation and Labelling Alliance (ISEAL)'</p>
	<p>Remove the year and replace with "Latest" version/edition of particular standard. i.e. ISO 19011:2011...remove 2011 because the year can Change anytime</p> <p>Example: Latest version of ISO 19011</p>	Changed accordingly
	ISO 17021:2015 is missing. P&C scope is generally production and management system whilst SO 17065 is for product	ISO 17021 is added

	<p>"Where documents have since been updated as a new version before this document is next revised, the latest version of all documents will always prevail."</p> <ul style="list-style-type: none"> - This sentence is inconsistent with what is stated in 1.3.4 	<p>No Change.</p> <p>This sentence is related to 1.4 Other relevant documents, to make sure that we refer to the latest version of standards. The sentence in 1.3.4 is related to revision of the Certification Systems document.</p>
1.5 Definitions	<p>Definition of outgrowers: "Farmers or oil palm planters with more than 50 hectares in size who produce FFB for sales, but without mill. Outgrowers can be independent, i.e. independent growers, or associated with a mill, e.g. scheme outgrowers. This definition supersedes the definition in the P&C document"</p> <p>Comment: A new term "scheme outgrowers" is introduced, with no specific definition. More so, this definition will supersede definition in P&C document. It is important for all stakeholders to have same understanding on terms used in RSPO documents.</p> <p>Suggestion: RSPO to provide definition for "scheme outgrowers".</p>	No change, Group Cert also use this definition.
	<p>Key definitions are missing. Definitions need to be either consistent with other definitions tables (eg Supply Chain Standard) and/or include key missing definitions including: Applicant; Audit; Bulking station; Compliance/Conformance; Despatch; Delivery; Mill/Factory/Estate gate; Independent Mill; NPP; Scope; etc, etc.</p>	RSPO has a range of documents so it is not within the scope of this Cert Systems revision to evaluate all of them to contain the same terminologies as some terminologies are specific, for example, bulking station is relevant in Supply Chain Certification but not in P&C or communications documents. Nevertheless, it is important to have the same definitions across different documents
	<p>Definition of "Management control" to be added, which in particular specifies how this is different from "Majority control"</p>	No change, the term is clear enough, no further definition is required
1.5.1: RSPO IT Platform to be rename to RSPO IT Trading Platform		No change, RSPO IT Platform is the official name
Conflict of interest: cannot be limited to gains; but should cover anything that could compromise your impartiality		Noted and changed
<ul style="list-style-type: none"> • To redefine the definition for smallholders to suit the current context. • RIF – where grower can get to the discussions. 		No change, as change of this definition is not within the remit of this Cert Systems revision.
Definition for RSPO IT Platform: Shall be similar to the SCC System document to ensure consistency.		Agreed and change made.

Not adequate. Should standardise definitions for all RSPO documents	RSPO has a range of documents so it is not within the scope of this Cert Systems revision to evaluate all of them to contain the same terminologies as some terminologies are specific, for example, bulking station is relevant in Supply Chain Certification but not in P&C or communications documents. Nevertheless, it is important to have the same definitions across different documents
It is not clear for associated smallholders as they are not managed by the CU. The CU is obligatory to process the FFBs especially those in PNG and Solomon Islands	No change, specific situations in PNG & Solomon Island should refer to NI process
Outgrower: It only supersedes the definition in RSPO P&C 2013 but not RSPO P&C in general	RSPO has a range of documents so it is not within the scope of this Cert Systems revision to evaluate all of them to contain the same terminologies as some terminologies are specific, for example, bulking station is relevant in Supply Chain Certification but not in P&C or communications documents. Nevertheless, it is important to have the same definitions across different documents
Independent Smallholders Farmers growing oil palm, sometimes along with subsistence production of other crops, where the family provides the majority of labour and the farm provides the principal source of income and where the planted area of oil palm is usually below 50 hectares in size. Should check on the independent smallholders definition which do not have the word "usually" as it gives it a different interpretation and allows for the 50 hectares to be more than 50 hectares.	1.5 Definitions already covers independent smallholders.

<p>Independent smallholders – family labour and principal source of income?</p> <p>Definition of smallholder: Happen in West Sumatera whereby KKPA scheme with their KUD employs workers from outside and the KUD member (actual land owner – smallholder) receiving monthly net pay from their FFB sales. No family workers are involved.</p> <p>The name of “associated smallholder” or plasma is only for the purpose to get better price from the mill as regulated by local government (normally classified as “harga Disbun”). There is a term of “independent plasma” which mean that the scheme smallholder (plasma) has become independent since no more obligation with the mill (or plantation company) but they still attach to the mill because wants to gain “harga Disbun”.</p> <p>May be have to determine “independent plasma”.</p> <p>This will reflex in responsibility of company to certify their plasma. What kind of plasma is involve and which is not include in the list.</p>	<p>1.5 Definitions already covers independent smallholders. Specific situation should refers to NI process.</p>
<p>Interpretation forum – why should this be for AB, CB and auditors only? Should include other system users especially those undergoing audits/ assessments such as RSPO member growers and millers so that they are equally aware of requirements and their interpretations.</p>	<p>No change.</p> <p>1.2.1 provide the use and aims of RSPO Interpretation Forum: This is the process, also defined in this document, of establishing whether or not the requirements of the standards have been met, and is carried out by a CB. In case a finding requires further interpretation to assess whether the requirements of the standards have been met, RSPO will publish the case on the RSPO Interpretation Forum with a date of final decision-making.</p>

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Section 2 Accreditation body requirements

General comments	How it is addressed	
<p>Include conflict of interest clause for ABs, to include anything that could compromise impartiality, such as providing consultancy services to CBs or scheme owners</p>	No change. Section 2 does include conflict of interest for AB. 2.2.8 The accreditation body shall maintain and implement a written policy and procedures for avoidance of conflicts of interest.	
<p>Propose new section 2.4 2.4 Responsibility hold by CH during accreditation process</p> <p>2.4.1 Accreditation audit site How to select?</p> <p>2.4.2 Audit procedure by AB Make available to CH</p> <p>2.4.3 Do and don't Make available to CH</p> <p>2.4.4 Other responsibility</p>	No Change. This section is related to AB requirements, and the proposed new section is about the responsibility of certificate holder.	
Subsection	Specific comments	How it is addressed
2.1 Accreditation overview	<p>2.1.2 This section refers to relevant standards this Certification document refers to, including RSPO NEXT. However, for the rest of this document NEXT seems to be out of scope. This is a crucial omission since it is now not clear which rules apply to NEXT certification.</p>	No change. The sentence in 2.1.2 is clear. In addition, 1.3.1 makes it clear that this document is relevant to RSPO NEXT. 'The requirements in this Certification Systems document are also applicable when CBs are auditing against the RSPO-RED, or RSPO NEXT.'
	2.1.4 Remove RSPO: only list is the one on AB website	No change. RSPO website does include a list of accredited CB: http://www.rspo.org/certification/bodies

	<p>Propose to add 2.4 – Responsibility hold by Certificate Holder during accreditation process</p> <p>2.4.1 Accreditation audit site – how to select?</p> <p>2.4.2 Audit procedure by AB – make available to CH</p> <p>2.4.3 Do and Don't – make available to CH</p> <p>2.4.4 Other responsibilities</p>	No Change. This section is related to AB requirements, and the proposed new section is about the responsibility of certificate holder.
	2.1.3 SSC ??	No Change. It is read as 'SCC' which is Supply Chain Certification
	<p>2.1.3 Independent and integrated palm kernel crushers cannot be part of a P&C certification unit and always requires a separate SSC Standard certification, by an SCC accredited CB</p> <p>The word always shall be change to "must"</p>	Changed from 'always' to 'shall'
2.2 Requirements for the Accreditation Body	<p>2.2.5 This makes no mention of CABs which may be accredited to ISO/IEC 17021. References to ISO 66 (which occurred in the previous systems document) have been removed.</p> <p>This has been an issue before with some CAB's not actually accredited for ISO 65 or ISO 17065 but accredited instead for ISO 17021. No mention in this standard of ISO 17021. Need to check that CAB's systems are conforming to ISO 17065 for P&C and Supply Chain certification.</p>	<p>ISO 66 has been replaced by ISO 17021. Reference to ISO 17021 is added</p>
	<p>2.2.7 no description of how the RSPO controls the AB; suggested mechanism: frequency should be annually; oversight to AB through S&C SC; assessment of AB performance and review of complaints about AB with report to BoG and summary report in public domain</p> <p>How are complaints against the AB managed? How can you log a complaint about the AB?</p> <p>2.3.2 not 24hours, should be 1 working day; shall notify of the decision [to be more precise] to suspend within 1 working day at the AB place of business</p>	<p>Noted but no change. RSPO is a member of ISEAL and is obliged to review the performance of AB (Performance Review).</p> <p>No change, ISO 17011 requires AB to establish procedures for dealing with complaints.</p> <p>Negligible, 1 working day and 24 hours has the same meaning</p>

	<p>2.2.2:</p> <ul style="list-style-type: none"> - whether the AB has made a sound decision. Do they have the power to decide? - How is the decisions made? What is the decision-making process? - It should not be made by a single body/AB. - Did AB consider the impacts to the members? - what is the transition period? - Should there be a special task force looking into this? Assurance task force that don't have conflict of interest. 	<p>These comments are questions and no suggestions were provided. No change.</p> <p>2.2.1 requires AB to comply with ISO/IEC 17011, which includes requirements on decision-making, impartiality, conflict of interests etc.</p>
	<p>ISO 17011 is renewed</p> <p>2.2.4 reference to ISO 17021</p> <p>2.2.9 The AB must have an complaints and appeal procedure which the CB and/or grower can use with an escalation procedure to RSPO</p>	<p>2.2.4 ISO 17021 is added</p> <p>2.2.9 - AB must comply with ISO 17011, which requires AB to establish procedures for dealing with complaints.</p>
	what about complaint against CB?	Complaints against CB is included in section 3.11
	<p>There was no mentioned on the need for AB to ensure there are sufficient CBs to audit members' plantations and mills for various purposes via their promotion and training programme.</p> <p>There must be a balance approach, after all the AB can suspend, withdraw and terminate but always with the responsibility that the certification process must prevail and be able to continue smoothly and definitely not at the inconvenience of the members.</p>	<p>No change.</p> <p>The role of AB is to provide accreditation to CBs, provided that they comply with RSPO requirements. Promotion and training programme is outside the remit of AB. CBs are responsible for training their auditors (if this is needed), not the AB. CBs are also responsible for recruiting sufficient number of auditors.</p>
2.3 Suspension, withdrawal and termination of accreditation	<p>2.3.3 This means that if terminated a terminated CAB's certificates could remain valid for nearly 1 year. Is this appropriate or sensible?</p> <p>It is also inconsistent with the 'immediacy' of action specified in 2.3.2 above and 4.12 below. There is no explanation about what to do in the case where a CAB is suspended or terminated because it has failed to suspend a non-conforming CH or CH who is supplying non-certified product as RSPO-certified?</p>	For practical reason, we leave the certificate valid until the next expiration date.
	2.3.3 – restructure sentence...."CB's accreditation is being suspended, withdrawn or terminated..."	Changes were made accordingly

2.3.3 10 working day, instead of '14 days'	No change. To accommodate different holidays in different countries, a standardised 'days' is used instead of 'working days'
2.3.3 No transfer fee/charges should be incurred to the client (CH) when the CB is the one having issues (withdrawn, terminated or suspended...etc). The changes is out of the client control (CH).	A fair point, but this kind of details are more appropriate to be included in the contract between the CB and the client. There is liability by both parties which should not be included in the Certification Systems document.
Compliance audits affect the accreditation of a CB? If yes, this must be added to this section	No change. The details of the type of audits that conducted by the AB is not covered in details, as these are included in the AB's documents.
2.3.3 Define the "within short period"	Changed, 'short notice' is replaced by 4 months
2.3.2: - Because that the suspension was an immediate effect- what are the next steps for the member to undertake? The member is not advised adequately. - An adequate time should be allocated and not with immediate effect. - have a grievance mechanism 2.3.3: - what is the definition of 'short period'	2.3.2 No change. The immediate effect is on the CB, not the certified client. 2.3.3 states that ' <i>Where a CB's accreditation is suspended, withdrawn, terminated or suspended, all certificates issued by that CB remain valid until the next surveillance date.</i> ' so there is sufficient time for member to act. 2.3.3 - Changed, 'short notice' is replaced by 4 months

<p>2.3.3 Where a CB's accreditation is withdrawn, terminated or suspended, all certificates issued by that CB remain valid until the next surveillance date. In case when a CB's accreditation is being withdrawn, suspended or terminated within short period of company's next surveillance date, the company shall be given 3-months extension from the expiry date of certificate by RSPO. The CB shall inform all of its RSPO certificate holders <u>within 14 days</u> of this change in status, and shall comply with the AB's and RSPO's requirements for transfer of certification to other accredited CBs. If an audit is being performed before the withdrawal, termination or suspension date, but the certification process has not been completed, <u>the RSPO Secretariat together with the AB will decide about the continuation of the process.</u></p> <p>1. 1st underlined sentence : 14 days is too long as it has significant impact the client. Suggest to change to : 'within 3 working days after it received the termination notice from AB'</p> <p>2. 2nd underlined sentence : The time taken to decide on the continuation of the process has big impact to the CB's</p>	<p>1. No change. 14 days is a reasonable time. 3 days may be too short for a CB who has many clients.</p> <p>2. No change, different situations are different. This document does not prescribe specify situations so that RSPO can be flexible in deciding what process is appropriate.</p>
<p>Where a CB's accreditation is withdrawn, terminated or suspended, all certificates issued by that CB remain valid until the next surveillance date. In case when a CB's accreditation is being withdrawn, suspended or terminated within short period of company's next surveillance date, the company shall be given 3-months extension from the expiry date of certificate by RSPO. The CB shall inform all of its RSPO certificate holders within 14 days of this change in status, and shall comply with the AB's and RSPO's requirements for transfer of certification to other accredited CBs. If an audit is being performed before the withdrawal, termination or suspension date, but the certification process has not been completed, the RSPO Secretariat together with the AB will decide about the continuation of the process.</p> <p>The above did not provide an avenue or procedure for inconvenient growers to address matters like time lost, cost as well as failure to meet time-bound plans of growers arising from withdrawal, suspension and termination.</p> <p>Just having a sentence ...the RSPO Secretariat together with the AB will decide about the continuation of the process is insufficient and lacking.</p>	<p>Time bound plan implementation has to proceed regardless of the issue.</p>

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Section 3 General requirements for certification bodies

General comments		How it is addressed
This section is much improved and should address some of the problems that ASI and others have identified in CB misconduct.		No response needed
Conflict of Interest – CB shall not provide any “marketing fee” to their agent/potential client as to get business for certification business. The client become an agent too indirectly. When this happen, it will become conflict of interest. Business competition is healthy but shall not involve financial kickback. This will ruin the independency of the CB.		No change, the comments did not include specific suggestions on what to include/change in the document. Section 3.6 details the requirements of impartiality and conflict of interest.
AB confidentiality status – where is that stated in this document? AB and CB as well as AB and Client (CH)		
Subsection	Specific comments	How it is addressed
3.1 Accreditation of CBs		
3.2 Accreditation status	3.2.2: This clause shall be removed because the requirement shall be specified as comply with what requirements rather than ANY". The interpretation of wording "ANY" is far too wide ranging and open to conflict of interest of AB.	Changed - 'any' is replaced by 'the'
	3.2.2 – statement too broad. Linked to the comments above.	No change, comments were unspecific, and there was no comments provided 'as above'
3.3 Conformity with ISO requirements	ISO 17021 and/or 17065	No change. Section 3.3.1 refers to section 2.2 which includes ISO documents
	ISO 17021:2015 is the appropriate standard whilst ISO 19011 is a guidance.	ISO 17021 is related to the organisation, systems and procedures of CB. ISO 19011 is related to how auditing is being conducted.
	ISO 17021:2015 is the appropriate standard whilst ISO 19011 is a guidance. RSPO P&C is a 3rd party auditing, therefore ISO 17021 is applicable. What are these modifications to take into account the specific requirements set out in this document	ISO 17021 is added in section 2.2.5 No change. ISO 17021 is related to the organisation, systems and procedures of CB. ISO 19011 is related to how auditing is being conducted.

3.4 Contract of service	<p>Item 3.4.3: "The CB's contracting documents shall specifically state the CB's, RSPO's and its AB's right to access the certificate holder's premises as well as documents, records deemed necessary by the CB, RSPO or its AB"</p> <p>Comment: CB and AB as independent bodies to ensure assurance should be granted access to certificate holder's premises or documents needs more clarification and guidelines.</p> <p>RSPO as an organization shall not have the same access as this role has been delegated to CB and AB.</p> <p>Suggestion: Remove "RSPO" from item 3.4.3</p>	Changed, RSPO is removed
	<p>The additional language is helpful and should help ASI address some of the problems it has encountered with CBs.</p>	No change required
	<p>3.4.3:</p> <ul style="list-style-type: none"> o Include - Access to document must be subjected to Non-Disclosure Agreement. o Rephrase - ...specifically state the CB's, AB's and RSPO representative(s) right to access... <p>3.4.4 :</p> <ul style="list-style-type: none"> o Notice period – 2 weeks' notice o Visit cannot be done during festivity period / gazetted holidays that are nationally recognised. 	<p>No change. 3.4.3: AB and CB have adequate arrangements to safeguard confidentiality and non-disclosure of confidential information, as required by relevant ISO guides. RSPO is removed from the sentence.</p> <p>3.4.4 'minimum of 2 weeks' is added It is not appropriate to spell out every single details. This will also be agreed between the AB/CB and the certificate holder</p>
	Check membership via email to secretariat to demonstrate that this has been done.	No change and too detailed and membership can be checked online in most cases.
	3.4.5 the last words should be "against all RSPO certification schemes".	Changed to 'against the RSPO P&C and all other relevant standards'. Certification schemes indicate other sustainability schemes/ standards so not an appropriate word.

	ASI should have a contract with the CH's similar to ISCC procedures	No change, the comments did not provide detailed suggestions on the type of contract in the ISCC procedure. In addition, the AB is bound by confidentiality agreement, which is required by ISO 17011
	3.4.4: Change the wording "regular and short notice compliance" to a more specific word. Determine the definition for the wording and specific duration. Short notice should be taken out due to the difficulty in arranging the logistic difficulty in the plantation	Changed. See row 26
	3.4.4 – regular and short notice – suggest to define further	Changed. See row 26
	The CB's contracting documents shall specifically state the CB's, RSPO's and its AB's right to access the certificate holder's premises as well as documents, records deemed necessary by the CB, RSPO or its AB. To ensure and to avoid abuse of power, the above will be allowed after receipt of written request which will clearly state objectives and allowance for feedback and confirmation from the company being audited.	Noted but no change. This should be included in the contract between the CB and the company.
3.5 Transfer of certification between CBs	Comments linked to Annex 2	See comments in Annex 2
	Move it to the end, e.g. before or after current 3.11	No change, negligible
	There no mention which party shall bear the cost. CB should bear this cost if not to a certain extent as it will be a big burden for Certificate holder(s) to absorb entirely the cost of this process, especially when the shortcoming(s) is caused or found at the CB end.	Noted but no change. This is not the right place to include such details in this document. The contract with the CB should include details like this clause, and should be agreed between the CB and the CH
	There is a need to elaborate what is RSPO IT platform	No change, section 1.5 already includes definition of RSPO IT platform

3.6 Impartiality and conflict of interest	<p>Item 3.6.7: "The CB shall not provide any verifications or other activities concerning complaints or other investigations with companies they have certified"</p> <p>Comment: Both the CB and RSPO should shoulder equal responsibility and accountability on the certification decision that has been approved and being challenged. The CB should be allowed to provide verification or investigation to defend their decision if the complaint and grievances are related to its certification decision.</p>	<p>No change, negligible.</p> <p>The sentence does not imply that the CB cannot defend the decisions when they are under investigations. It only emphasizes that during the investigation period, the CB is not allowed to provide any verifications or other activities concerning the complaints.</p>
	<p>Please review section 3.6.8 carefully. It is not clear and needs a revision. What is the conduct that is prohibited?</p>	<p>Noted but no change. The sentence is clear enough. It states that management advice and technical support related to the scope of RSPO certification is prohibited (within 3 years)</p>
	<p>3.6.7 instead of 'company which they have certified' say 'company that is a current client or relating to a complaint to a management unit that you have certified in the past'</p> <p>3.6.8 five instead of three years</p>	<p>3.6.7 No change, negligible.</p> <p>3.6.8 No change, 3 years is considered to be good practice.</p>
	<p>3.6.4 Meeting includes meeting in an electronic way</p>	<p>Changed. (face to face or electronically is added)</p>
	<p>3.6.6:</p> <p>To consider to include: In special cases if valid justification provided by CB, RSPO should give special approval for the 4th audit by the same Lead Auditor.</p>	<p>No change. 3 years is considered as good industry practice.</p>
	<p>The cycle of the certificate is 5 years and LA should be allowed to lead for the 1 cycle.</p>	<p>No change, 3 years is considered a good industry practice</p>
	<p>ISO 17021:2015 and ISO 17065:2012 does not specifically state shall meet at least once annually.</p> <p>The CB may contact the committee to obtain input and consultation by other means of communication structure that define in the internal procedure.</p>	<p>Meeting once a year is a good industry practice.</p>

	The cycle of the certificate is 5 years and LA should be allowed to lead for 1 cycle.	No change. The cycle of the certificate does not necessarily co-relate to the cycle that a LA can lead. 3 years is considered as good industry practice.
	CB shall not provide any “marketing fee” to their agent/potential client as to get business for certification business. The client can become an agent too indirectly. When this happen, it will become conflict of interest. Business competition is healthy but shall not involve financial kickback. This will ruin the independency of the CB.	No change, the comments did not include specific suggestions on what to include/change in the document. Section 3.6 details the requirements of impartiality and conflict of interest.
	The Definitions or Section 3.6 do not provide adequate safeguards to prevent the inherent conflict of interest in the RSPO certification system. Provide more guidance on what constitutes conflict of interest – e.g. personal or professional or both? However, it is EIA’s opinion that in time, the RSPO Certification System will need fundamental changes, in order to convincingly address the issue of conflict of interest – as has often been highlighted by different organisation, including ASI, the current system and in particular the commercial relationship between those entities seeking certification and the CBs is the reason for the more often than not poor quality of certification audits. The RSPO Certification System document should acknowledge the work of the Assurance Taskforce (ATF) and the scope of Resolution 6h (2015). It should also note that the work of the ATF is likely to lead to significant changes to the Certification Systems document.	No change. The progress of the Assurance Task Force has been published on RSPO website The definition of conflict of interest is expanded.
3.7 Confidentiality	Goes against ISO 17065. This clause only referring to an external complaint. The CP will choose another CB, but the certifying CB has the right to do a verification as well	Unclear comments

3.8 Assessment team composition requirements	<p>3.8.4 Expertise to address social issues has been signalled by Oxfam (based on reports to RSPO developed together with Verité and Rainforest Alliance) as a point of concern, with a detailed set of pinpointed recommendations [attached]. Moreover, gender awareness and gender sensitive auditing have been pointed out as a specific example of weakness in the current system and risk of missing a significant part of the “licence to operate” picture for plantation operations.</p> <p>In this section social auditing seems to be limited to workers and ignore the importance of competence in auditing smallholders and communities, notably female representatives in these groups.</p> <p>This section and others could have incorporated a number of the other pinpointed recommendations. As discussed before, Oxfam would like to see a list of specific responses to each of the individual recommendations.</p>	<p>Changed. Additional bullet point is added: Experience in land rights, gender and indigenous peoples issues</p>
	<ul style="list-style-type: none"> • 3.8.4 : <ul style="list-style-type: none"> o To change 2nd bullet point: Knowledge and experience in agricultural sector and / or other fields relevant to P&C. o Last bullet point to be renumbered to 3.8.5, then 3.8.5 to 3.8.6. 	<p>No change to palm oil sector knowledge, as different agricultural sectors may have different issues compared to the palm oil sector.</p> <p>Last bullet point changed to 3.8.5, and subsequent change to the other numbering</p>
3.8.4 – “...sufficient oil palm expertise and knowledge..”		No change, negligible
3.8.4. not all auditors should be lead auditor! 3.8.4. relevant experience in the pal oil sector OHSAS 18001 will become ISO 45001 Bullet 4, 5, 6 not only auditing experience, also experience (like working) will be sufficient		<p>No change, it was the name of the training course (lead auditor course) but it does not necessarily mean all auditors to become lead auditors.</p> <p>No change on other comments, negligible.</p>
First bullet point: not necessary for all auditors, but just the lead Second bullet point: too vague. Add 'adequate' field experience		<p>No change, it was a requirement for all auditors to be in the lead auditor course, but it does not necessarily mean all auditors to become lead auditors.</p> <p>No change, negligible.</p>

<p>To only limit the RSPO Lead Auditor Course to Lead Auditor only. The other audit team members who had specific competence in either GAP, Environment, Health and Safety or Social only need to understand the requirements applicable to their area. This can be gained through training. Further the endorsed course is limited and expensive.</p> <ul style="list-style-type: none"> - Training on the RSPO P&C for all auditors should be included in this document. <p>The competence in these areas should also include the experience as implementer of the system.. and not only limited to auditing.</p> <ul style="list-style-type: none"> - Experience in implementing or auditing health and safety auditing on the farm/plantation and in processing facilities, for example against the BS OHSAS 18001 Occupational Health and Safety Management standard; - Experience in handling Worker welfare and social issues or social auditing experience, such as experience with the SA8000 Standard or related social or ethical accountability codes; (not many CB offering the SA8000 audits) - Experience in implementing environmental management system or and ecological auditing or assessments, such as experience with High Conservation Value (HCV) assessments, organic agriculture or the ISO 14001:2015 Environmental Management Systems standard; 	<p>The requirements that all auditors need to attend the course is based on years of experience of poor audit quality. Therefore, the requirement was expanded. The intention is not for all auditors to have all the requirements listed in the bullet point, but the auditor team shall contain auditors who have those requirements. (Note: All auditors on the team shall successfully completed an RSPO lead auditor course)</p>
<p>To limit RSPO Lead Auditor Course to Lead Auditor only. The other audit team members who had specific competence in either GAP, Environment, Health and Safety or Social only need to understand the requirements applicable to their area. This can be gained through training. Further the endorsed course is limited and expensive.</p> <ul style="list-style-type: none"> - Training on the RSPO P&C for all auditors should be included in this document. 	<p>See row 62</p>

<p>Audit team has its own specific role example environmental, OSH and not necessary from palm oil sector. The importance is the understanding of the P*C requirements.</p> <p>The competence in these areas should also include the experience as implementer of the system. and not only limited to auditing.</p> <ul style="list-style-type: none"> - Experience in implementing or auditing health and safety auditing on the farm/plantation and in processing facilities, for example against the BS OHSAS 18001 Occupational Health and Safety Management standard; - Experience in handling Worker welfare and social issues or social auditing experience, such as experience with the SA8000 Standard or related social or ethical accountability codes; (not many CB offering the SA8000 audits and not all auditors attended SA8000 basic training) <p>This should include knowledge or experience from NGO work, previously involve in assessment of any kind related to this sector and not only relate to auditing. Compliant come from this field as well therefore they are included as part of the expertise for qualification.</p> <ul style="list-style-type: none"> - Experience in implementing environmental management system or and ecological auditing or assessments, such as experience with High Conservation Value (HCV) assessments, organic agriculture or the ISO 14001:2015 Environmental Management Systems standard; <p>This should include knowledge or experience from NGO work, habitat management work, previously involve assessment of any kind related to this sector and not only relate to auditing. Compliant come from this field as well therefore are included as part of the expertise for qualification.</p>	See row 62
<p>It is not possible the entire team has and fluent in the national language. The CB should seek translators or local expert to support on the local language and need not has to seek permission from RSPO.</p>	Noted but no change. The requirement is to avoid the situation where local auditors are available but not used. If there is not sufficient auditors who speak the national language, permission can be seeked by the CB.

	<p>Field experience in the palm oil sector – vague. Does this mean having worked in the field operations only or support/ advisory as well? If support allowed, then specify. What about mill?</p> <p>Also how does an auditor obtain this – does this mean that all auditors must have worked in the oil palm field prior to becoming an auditor? Or can a new auditor obtain this from being part of an assessment team or as a trainee or provisional auditor?</p>	<p>No change, negligible</p> <p>It will be up to the auditors/CB to demonstrate that they have the relevant experience. It could be part of an assessment team or worked in a palm oil company.</p>
	<p>Not many auditors can fulfil every single requirement listed in 3.8.4 and since auditors tend to specialise in certain areas, consider detailing the requirements for the different aspects of an audit and what all auditors must have.</p> <p>Eg.</p> <p>Must pass RSPO endorsed lead auditor course for all auditors.</p> <p>Must pass RSPO endorsed SCC lead auditor course for SC auditor</p> <p>To audit S&H – MS17022/ OSHAS 18001/ SHO experience, etc.</p> <p>To audit social – SA8000, etc.</p>	<p>The intention is not for all auditors to have all the requirements listed in the bullet point, but the auditor team shall contain auditors who have those requirements. (Note: All auditors on the team shall successfully completed an RSPO lead auditor course)</p>
	<p>The audit team should include social experts with experience of community consultation and how to assess (which objective evidence to gather in order to demonstrate) whether due process for FPIC has been put in place and/or whether FPIC has been obtained following said due process.</p>	<p>An additional bullet point related to experience in land rights and indigenous peoples' rights is added.</p>
3.9 Lead auditor requirements	<p>Repetition of Lead Auditor course requirement: this is already mentioned in 3.8 for all auditors</p>	<p>No change, negligible</p>
	<p>Delete ISO 19011 "or equivalent"</p>	<p>No change, ISO 19011 is one of the key requirements for auditors.</p> <p>No change, cannot find 'or equivalent' in section 3.9</p>
	<p>3.9.1: Include bullet point: RSPO LA already qualified as LA before the endorsement of CS 2017 (at the time of endorsement of this Cert. System Doc. 2017) are considered as met the above requirement in 3.9.1.</p>	<p>This applies to all auditors.</p>
	<p>Successful completion of an ISO 9000 or ISO 19011 lead auditor course;</p> <p>Can this be expanded to include other similar ISO like 14000</p> <p>Why is forestry not included in the qualification and work experience</p>	<p>ISO 14000 is added.</p> <p>Forestry is considered as 'environment science' so it is already included</p>

	<p>Should be</p> <ul style="list-style-type: none"> - Successful completion of an ISO 9001 - There is no such thing as ISO 9011 Lead auditor course. Need to replace with ISO 14001, OR ISO 45001 	<p>Changed.</p> <ul style="list-style-type: none"> • Successful completion of ISO 19011 auditing course or lead auditor courses for ISO 9000 or ISO 14000
	<p>Should be</p> <ul style="list-style-type: none"> - Successful completion of an ISO 9001 or ISO 14001 <p>The is no ISO 19011 lead auditor course. However internal qualification on this should be considered</p> <p>ISO19011 is a guidance for CBs and should not be use as a standard to measure the auditor technique. ISO 17012 should be applied</p>	<p>No change</p> <p>There are lead auditor courses specifically for auditing ISO 9001 or ISO 14001. Perhaps the language wasn't clear.</p>
3.10 Subcontracting requirements		
3.11 Complaints process	<ul style="list-style-type: none"> • 3.11.2 : ASI to rename to AB, no consistency. Remark throughout the document to change all ASI to AB. 	Changed accordingly
	<ul style="list-style-type: none"> • Change ASI to AB • Clarity of 3.11.3 needed. RSPO membership - What does mean? 	<p>Changed ASI to AB</p> <p>No change, negligible</p>
	<p>ASI = AB</p> <p>No reference to the ASI website</p>	Changed accordingly

<p>3.11.1 Comment: reword the sentence "...in language(s) considered appropriate" to "in English or other local national language(s) upon request from stakeholder".</p> <p>3.11.2 Grammatically: "A CB shall notify ASI and RSPO if a complaint is received by any RSPO..." Word "by" change to "from"</p> <p>3.11.2 Question: When should notify ASI and RSPO? 3.11.2 It should be specifically stated as "written complaint according to CB complaint procedure"</p> <p>Add clause (to close the NC from ISEAL): 3.11.4 CB shall have a system to collect feedback from their client on auditor's performance.</p>	<p>3.11.1 No change, negligible</p> <p>3.11.2 Changed accordingly</p> <p>3.11.2 No change, negligible</p> <p>3.11.4 No change, collecting feedback from clients is not considered as complaints.</p> <p>3.11.2 RSPO to provide input on when CB shall notify AB & RSPO within 7 days</p>
<p>3.11.2 - AB to replace ASI - remove link as well</p>	<p>Changed accordingly</p>
<p>This should include certificate issue and where the complaint was relevant to one of the indicator not comply with the CH. The process should be clear and this should be first dealt with by CB before escalating to the complaint panel/RSPO.</p>	<p>No change, the comments did not include specific suggestions. 3.11.1 states clearly that the complaint procedures include complaints against the certification organisation, the certification decision or the CB itself</p>

Comments template for public consultation on 'RSPO Certification Systems for Principles & Criteria (Draft January 2017)'

Section 4 Certification process requirements for certification against P&C

General comments	How it is addressed
We are proposing to include a new point: 1) Process to withdraw inaccurate NPP reports Add a new clause 4.12.6: "4.12.6 If the CB becomes aware that its previously-issued NPP verification statement may contain inaccurate information or conclusions about compliance with RSPO standards, then the CB shall initiate a review by appropriately competent personnel, different from those who carried out the NPP assessment, to determine whether the NPP verification statement shall be corrected or withdrawn. The CB shall notify the RSPO Secretariat within one working day of any decision to correct or withdraw the NPP verification statement. The RSPO will update and announce the status of the NPP verification statement in the RSPO website database based on the information given by the CB within seven days." [adapted from ISO17021:2011:9.3.3 and new clause 4.12.1 of draft RSPO Cert Systems 2017]. Recently we have found several NPP verification statements are based in inaccurate information. However currently there is no formal mechanism to rectify the process.	Noted but no change. The comments were too specific on NPP, not the appropriate place to include this.

Subsection	Specific comments	How it is addressed
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4.1 Unit of certification	<p>Item 4.1.3: "The directly managed lands (or estates) shall be compliant with the P&C in order for a certificate to be awarded. The mill shall develop and implement a plan to ensure that 100% of scheme smallholders and scheme outgrowers are compliant with the standard within three years of mill certification. In monitoring compliance with this timeline, the CB shall raise an observation after one year where 100% of the scheme smallholders and scheme outgrowers are not in compliance, a minor NC after two years, and a major NC if this requirement is not met within three years"</p> <p>Comment:</p> <ol style="list-style-type: none"> 1. No clear definition of scheme outgrowers is provided as per comment in item 1.5 2. RSPO encourage inclusiveness which would mean outgrowers including independent smallholders will be in the TBP. The penalty for not fulfilling TBP according to timeline above are not practical. There might be situation which is not within the control of grower and TBP will not be fulfilled within the timeframe specified in item 4.1.3. In such situation in order not to have non compliances, the easy way out is to cut the outgrowers out of supply chain. In this regard, the penalty in item 4.1.3 is encouraging exclusiveness and encourages marginalization of the outgrowers and small players by the RSPO certification system. <p>Proposed text: To add additional statement "No NC will be raised if changes on TBP is justifiable and not within the control of the company"</p>	<p>Noted but no change was made.</p> <p>This additional detail in 4.1.3 is provided to assist mills with the implementation of the 3 year rule and to ascertain that CBs check progress.</p>
	<p>4.1.1 RSPO needs to clarify this clause. What are the conditions which RSPO considers acceptable for multiple mills to be covered by 1 certificate? These need to be made clear to ASI so ASI can verify the conformance of the CH and the CAB in permitting multiple mils to be covered under 1 certificate.</p>	<p>Noted but no change.</p> <p>It will be based on case by case basis so it is difficult to provide details on the condition in the document.</p>
	<p>4.1.1 The unit of certification for NEXT is crucially different than for the P&C, notably with regards to independent smallholder supply base and undeveloped land banks. This is not reflected here. See next point too.</p>	<p>No change. The situation described in the comment was incorrect.</p>
	<p>4.1.2 In addition to the previous point, this moment of review is also the right one to evaluate if and how the chosen "unit of certification" has been effective in contributing to the RSPO Theory of Change. Arguably, this is the moment to reconsider if a broader scope (as also decided for RSPO NEXT) will be more effective to reach broad sector transformation and impact on smallholder inclusion and responsible new plantings.</p> <p>Oxfam recommends to include independent smallholders' supplies in the unit of certification.</p>	<p>No change. Annex 1 include details of information for certification of smallholders including group certification.</p>

4.1.3 The 3 year grace period of smallholder supply base may or may not have been effective. Which evaluation has been performed on this and what justifies the decision to keep it at 3 years instead of longer or shorter?	See row 12
4.1.3 Case of new scheme smallholders doing a new planting development: here 3 years makes no sense. Or case of other factors like impossibility of obtaining land titles due to things not under company control. Here a timebound plan adjustment should be permissible. Risk of non-certifiable scheme smallholders (e.g. missing land titles, pending legal issues) being excluded from supply base.	See row 12
4.1.3 – <ul style="list-style-type: none"> • To add "...within three years of mill initial certification". • suggest to make it clearer "In monitoring compliance with this timeline, the CB shall raise an observation after one year (which is the 4th year of mill initial certification) where 100%..." 4.1.4 – "For independent smallholders and growers without mill..."	Changed accordingly - 'initial' is added No change, negligible. Additional sentence may not necessarily add clarity.
4.1.3 The above clause and all other clauses applicable to CH directly should be included in the CH requirement as an auditable standard. 4.1.3 The time line 3 years – Is it achievable? What happened if they cannot comply after 3 years and major NC cannot close?	See row 12
4.1.2 – also referring to scheme outgrowers 4.1.3 - any deviation from these maximum periods may need further approval from RSPO	4.1.2 scheme outgrowers already include 4.1.3 see row 12
Throughout this clause, associated smallholders are not defined clearly.	See definitions in section 1.5. Associated smallholders has the same meaning as scheme smallholders.

	<p>4.1.3</p> <p>In monitoring compliance with this timeline, the CB shall raise an observation after one year where 100% of the scheme smallholders and scheme outgrowers are not in compliance, a minor NC after two years, and a major NC if this requirement is not met within three years.</p> <p>Either change “within” to “after” or add ... “after the end of the scheme smallholder/ scheme outgrower certification plan” at the end of the sentence.</p>	Changed, within is replaced by after
4.2 Information for applicants and certificate holders		
4.3 Initial certification audit planning	<p>Item 4.3.7: “As a guideline for a minimum baseline, the duration of the site visit for the assessment of a management unit consisting of one mill and one estate should be nine man-days”</p> <p>Comment: This is not practical. Audit team comprised of 3 individual to check on environmental; social; management practice and safety & health aspect. Audit at 1 site (be it mill or estate) can take up to 1 day. Bearing that in mind, audit duration for 1 mill and 1 estate should be 6 man-days.</p>	Noted but no change was made. The sentence in 4.3.7 explains the duration of site visit depends on various factor. This guideline was included to support CBs as many companies request to cut down man-days, making it challenging to conduct proper audits.
	4.3.3 & 4.3.5 Incorporate rules for NEXT auditing.	Noted but no change. RSPO NEXT implicitly follows the rules of P&C. NEXT is a module on top of P&C certificate
	<p>4.3.7 Oxfam is supportive of providing CBs and their clients guidance about the minimum number of days to ensure a meaningful audit. This is one of the few recommendations from our report that did get addressed.</p> <p>We would advise to specify how the nine mandays are spread over different sub-activities. We recommended at least 50% of time should be spent on field level interviews.</p> <p>Since we expect resistance to this being a strict requirement, we recommend this requirement is treated as a “comply or explain” requirement: lower numbers of days need to be properly justified, to be judged by RSPO.</p>	Noted but no change was made. It will be difficult to provide details on how these days are spread as each mill and estate is different.
	<ul style="list-style-type: none"> • 4.3.2: Suggest to add.... e.g. QMS etc. • 4.3.7: formatting- nine (9) man-days 	<p>4.3.2 - QMS added</p> <p>4.3.7 No change, negligible</p>
	4.3.2 add ‘at the discretion of the CB and the client’	Changed accordingly

4.3.4 – to change the sentence to that as in the NPP 2015 Clause 5.2. 4.3.7 – a. Justification of 9 man-days. If possible don't change from the previous practice.	No change, negligible
ISO 17021 or 65 4.3.4 certification = verification	ISO 17021 or 65 is not relevant in this section, as it is about how certification audit is conducted. Hence ISO 19011 guideline for auditing is mentioned. 4.3.4 NPP verification can be considered as part of a certification audit. No change, negligible.
4.3.7 Remove - As a guideline for a minimum baseline, the duration of the site visit of a management unit consisting of one mill and one estate should be nine man-days.	Noted, but no change was made. This guideline was included to support CBs as many companies request to cut down man-days, making it challenging to conduct proper audits.
4.3.2 as all of us are aware RSPO clients are normally certified under other sustainability schemes such as ISCC and MSPO , why are these not included ?	Noted but no change was made. The Certification Systems document does not mention other sustainability scheme as it is not appropriate. 4.3.2 only gives example of other on-site assessments and the examples provided are not exhaustive list.
4.3.4 This is only what mention in the guidance or shall include the entire indicator requirement?	Unclear comment
4.3.7 As a guideline for a minimum baseline, the duration of the site visit of a management unit consisting of one mill and one estate should be nine man-days. Please explain how this number was derived, and how this would be applied if there were multiple estates supplying to the mill. CBs have an interest in maximising mandays and it is only fair that clients know what the requirements are and how they apply.	Noted but no change was made. It will be difficult to provide details on how these days are spread as each mill and estate is different.

	<p>4.3.7 "known community issues": make more explicit that the CB should not rely only on information supplied by the company. Instead the CB team should be expected to spend a significant amount of time in consultation with local impacted communities to understand the dynamics with regards to the operations. The social expert in the CB team should visit all communities rather than only those potentially indicated by the company. The CB should also visit the communities independently from any apparel from the company (e.g. guide, car, etc.) in order to ensure that the communities speak openly and freely.</p>	<p>Noted but no change was made. 'Known community issues' is one of the example of the factors that affecting the duration of the site assessment.</p> <p>The CB has to follow procedure for audit (section 4.4) which specifies collecting objective evidence: documentation review, field checkes and interviews with internal and external stakeholders.</p>
4.4 Procedure for the initial audit process	<ul style="list-style-type: none"> • 4.4.4: rephrase sentence.... This documentation review may be carried out as a separate activity, or integrated within the overall certification audit prior to the field audit. 	No change, negligible.
	4.4.5 to add ground verification (i.e. interview to ensure that the policies are implemented)	<p>No change, negligible.</p> <p>The CB has to follow procedure for audit (section 4.4) which specifies collecting objective evidence: documentation review, field checkes and interviews with internal and external stakeholders.</p>
	4.4.5 add 'unless otherwise specified in this document' to the last sentence [as e.g. minor NC is possible for time-bound plan for partial certification]	<p>Noted but no change. The additional sentence, instead of adding clarity, will in fact change the meaning of the requirement.</p>
	Proposed additional bullet – the CB shall not issue another/ additional finding after the closing meeting rerecord (Non-conformity report) has been signed by both parties.	<p>Noted but no change. It must be possible that during the review the number of NCs may change (addition or deletion)</p>
	4.4.1 17021 or 17065	<p>No change, ISO 17201 or 17065 is not relevant here as the section is about certification audit.</p>
	<p>Any non-compliances against this Certification Systems Document are classified as a major non-compliance. can this be placed under a seperate sub-section since this is crucial and client and auditor tend to miss this important issue .</p>	<p>No change, as this should be clear to CBs.</p>

	<p>Propose new 4.4.7</p> <p>Dot no.5:</p> <p>No other finding be issued after signatory of both parties has been obtained.</p>	See row 43
4.5 Minimum requirements for multiple management units	<p>Definition of "Management control" to be added, which in particular specifies how this is different from "Majority control"</p> <ul style="list-style-type: none"> • 4.5.1 – the language must be check the whole section. • Bullet point (b) - what does it mean "...and no or minor shareholding." • Bullet point (b) – To revise timeline on the 3 years and this is not agreeable with Table 1. Propose to change to 5 years. • Bullet point (c) - Need to check section 4.13. Define what is Systematic Failure. Not clear. • Bullet point (i) – to add one more bullet as no. 3 (before bullet no. 4) – Desktop study e.g. web check on relevant Complaints. • Bullet point (k) – Need to make it clear and rephrase to this “Failure to address any outstanding non-compliances within uncertified unit(s) may lead to certification suspension(s) to the certified unit(s), in accordance with the provisions of these Certification Systems.” 	<p>The term is clear enough, no further definition is needed</p> <p>Bullet point (b) - no change. The sentence is clear enough</p> <p>Bullet point (b) - no change, cannot find 'Table 1'.</p> <p>Bullet point (c) - no change, systematic failure now reworded to fundamental failure (consistent with Group Certification terms) and has included the definitions in section 1.5</p> <p>Bullet point (i) - changed.</p> <p>Bullet point (k) - changed.</p>
	<p>4.5.1 Timebound plan</p> <p>'All established estates in production' instead of 'all estates', as there is no commercial viability in certification beforehand. 'Any new acquisition of productive estates' instead of 'any new acquisition'.</p> <p>Also add: 'New plantings must be certified within 5 years of completion of the planting programme. This also applies to new acquisitions of an on-going project, i.e. where planting may already have started but is yet to be completed.'</p> <p>Under point (i) for 'Requirements of uncertified units': instead of 'targeted stakeholder consultation' include a step to do a targeted research for any existing issues and consider targeted stakeholder consultation and/or field investigation based on associated risks of existing issues. Where no issues were identified in the research, the CB should state this in the report.</p>	<p>No change. Suggestions will change the meaning.</p> <p>Desk-based research is included</p>

<p>On the timebound plant-</p> <p>b)There should be a 'Assurance Task Force' that can resolve any deviation from these maximum periods, that may need further approval from RSPO</p> <p>d) The company should be able justify the reasons</p> <p>(c) and (d) don't seem to be consistent with each other. No solution on how to move forward. – something for the 'Assurance Task force' to resolve.</p>	<p>No change. Approval will be provided by RSPO, not the Assurance Task Force</p> <p>4.5.1 c already covers the requirements that justification has to be provided by the company</p>
<p>4.5.1 Time bound plan (b) line 4, to replace "as a minimum..." to "as a guidance". "must be certified" to "to be certified".</p> <p>To clarify the meaning of "Any new acquisition" – is it new development or existing plantation newly acquired.</p>	<p>No change - the suggestion will soften the requirement, which is a core part of RSPO strategy to avoid greenwashing.</p>
<p>Table the individual headings in a, b, c etc</p> <p>4.5. e if unit is certified the NPP sanction will be applied</p>	<p>Formatting changed</p>
<p>4.5 Time Bound Plan</p> <p>(b) As a minimum, all estates and mill must be certified within five years after obtaining RSPO membership.</p> <p>Add: there should be a special grace period given for existing member prior to this requirement published.</p> <p>(e) to add: New planting without prior NPP subject to sanctions. New planting without prior NPP since 2017 subject to sanction and complaint.</p>	<p>No change - the suggestion will soften the requirement, which is a core part of RSPO strategy to avoid greenwashing.</p>
<p>Setting a time-bound plan for units which the organization have no management control or minor shareholding is very challenging. Due consideration on a case to case basis should be given to the respective organization on the requirement to submit to CB the timebound plan at time of the initial certification audit.</p>	<p>No change - the suggestion will soften the requirement, which is a core part of RSPO strategy to avoid greenwashing.</p>
<p>The 5 years timeframe should only apply to all existing estates and mills as there could be new mill constructed within the current concession at a later stage.</p> <p>Certification of new acquisition(s) especially in new regions where many unanticipated issues and challenges are expected, can be very difficult. Thus setting a blanket timeframe of 3 years may for all organization not be feasible.</p>	<p>No change - the suggestion will soften the requirement, which is a core part of RSPO strategy to avoid greenwashing.</p>

	<p>It has been repetitively proven by independent research and campaigns, that RSPO members regularly fail to disclose majority-owned and/or managed subsidiaries. The CB should be expected to carry out a background search on the company due for a certification audit or surveillance assessment to ensure that the information submitted to the RSPO by said company is complete. Should the information be found to be incomplete and the company failed to self-disclose information on its corporate structure, they should be found in breach of Principle 1 of the RSPO standard and held to account.</p>	<p>No change, this comment does not provide specific suggestions</p>
4.6 Stakeholder consultation	<p>4.6.1 Have evaluations confirmed that public announcements effectively resulted in better audit results? If not, how can this requirement be further strengthened?</p>	<p>Noted but no change. The comment did not provide specific suggestions</p>
	<p>4.6.3 & 4.6.4 As noted above, gender sensitivity in public consultations is crucial. Women should be listed as specific examples of relevant stakeholders to consult.</p>	<p>Changed. 'women representatives' is added</p>
	<ul style="list-style-type: none"> • 4.6.1: To delete – The announcement template is available on the RSPO website. • 4.6.2: To delete - .."the RSPO will post the announcement on the RSPO website" • 4.6.3: To add - "...relevant stakeholders include but not limited to...." • 4.6.3: to delete the last sentence – "A summary of this evidence.....assessment". • 4.6.5: To rephrase – "The CB shall include a summary of stakeholder evidences, comments, the CBs responses and findings shall be incorporated into the public summary report of the certification assessment (see section 4.10.1 of this document)." 	<p>4.6.3 'include but not limited to' is added.</p> <p>No changes to other comments, negligible and do not affect the meanings.</p>
	<p>4.6.3. may include.....</p>	<p>4.6.3 'include but not limited to' is added.</p>
	<p>4.6.4 To include 2013 as the cut off for FPIC. However in NPP it is stated as 2005 – there is inconsistency and suggest to update the NPP document (page 8)</p>	<p>Noted but no change was made. FPIC is a continued process</p>
	<p>4.6.1 The announcement template is available on the RSPO website</p> <p>Is this now a standardize template where our own CB template which was not rejected before this are no longer applicable?</p>	<p>No change It is not obligatory to use RSPO template.</p>

4.7 Sampling	<p>Item 4.7.2: "Where sampling is required for a certification assessment, the sampling design shall include every mill and be based on a minimum sample of x estates, where $x = 1 + \sqrt{y}$ where y is the number of estates. This sampling intensity also applies to associated smallholders, where applicable"</p> <p>Comment: $0.8 \sqrt{y}$ is representative enough and suggest to keep current sampling formula where $x = 0.8 \sqrt{y}$.</p>	<p>RSPO has decided to increase the sampling to reduce the risk that issues may be missed and therefore subject to criticism. However, it was decided to align with the formula used in group certification and include a factor of risk and the requirement for risk assessment, which in essence means that the formula remains unchanged for low risk scenarios, but results in higher samples than at present for medium and high risk scenarios.</p>
	<p>Current existing formula calculation is SUFFICIENT.</p> <p>Eg. With sample size of 3 estates, 2 estates will be audited yearly. Current practise is good enough. Of course, it will be better to audit more estates. We will need to incur additional cost for the extra few man days needed by the auditors.</p>	<p>See row 67</p>
	<ul style="list-style-type: none"> Change all that mentions associated smallholders to scheme smallholders. Make sure this is consistently reflected throughout the document. 	<p>Noted but no change. Section 1.5 definition mentions that other 'other terms commonly used for scheme smallholders include associated and/or plasma smallholders'</p>
	<p>Why was the sampling formula changed? Suggest to stick with original sampling of $0.8 \sqrt{y}$</p> <p>Why is 'rounding up' no longer mentioned?</p>	<p>See row 67</p>
	<p>4.7.1. – justification to be provided on the sampling size of minimum 4 estates. Must be consistent with the Certification System for Growers.</p> <p>4.7.2 – justification for new sampling formula. Retain the old one. Implication to grower cost, more sites audited. To look back at the formula. Refer to Clause 4.2.9 (RSPO Certification System 26 June 2007). Propose not to change.</p> <p>4.7.4 – for Group Certification for Ind SH and outgrower without mill.</p>	<p>See row 67</p>

<p>4.7.2 Change/standardise the terminology of associated to Scheme.</p> <p>4.7.2: Where there are smallholders, this sampling become excessive and time consuming for small plots and large number of smallholder. (Typically, 1500 -2000 will result in large number of sample e.g. PNG)</p> <p>4.7.3: Should provide specific and define guideline for risk assessment to be used for sampling. This will standardise the process of sampling by AB and CB.</p> <p>The sampling should increase or decrease as per risk assessment, low, medium or high.</p>	See row 67
<p>This will incur cost to the CU. Should maintain the current practiced of allowing sampling regardless the number of supply base.</p>	See row 67
<p>The sampling methodology will incur additional cost to CU shall be a process similar including but not limited to competency and their decision making.</p> <p>Associated smallholders or scheme smallholders will never be less than 4.</p> <p>RSPO should just consider square root no. of estate, associated or scheme smallholders.</p> <p>Should allow the certification body to justify based on CB internal risk assessment.</p> <p>If the company are also certified to MSPO square root of 4 is equal to 2. The other 2 units can be evaluated in MSPO certification where total of all 4 will be evaluated.</p>	See row 67
<p>It is unclear on the sampling design of $x = 1 + \sqrt{y}$. What does 1 represents?</p> <p>Again here what about scheme smallholders.</p> <p>Example 1: $1 + \sqrt{5} = 1 + 2.2 = 3.2 = 4$ when rounded to the next integral.</p> <p>Example 2:</p> <p>\sqrt{y} of 5 estates = 2.2 = 3 when rounded to next integral.</p> <p>Basing on example 1, additional cost to CU and it will be fine for CB is CU agrees.</p>	See row 67
<p>This will incur extra audit cost since number of unit will be increase. Audit mandays also increase. Please retain current practice.</p>	See row 67

4.9 Addressing major and minor non-compliance	The proposal to suspend the CH if 5 or more majors are identified under one principle is completely ineffective. Certificate holder could accumulate a significant number of major NCs under each principle however if the threshold is not passed the CAB will not suspend the certificate despite the fact that the certificate holder's RSPO management system has failed and the company is selling non-compliant products labelled as RSPO. This new rule should apply to the cumulative number of major NCs, regardless of the principle similarly to FSC and other schemes.	5 major NCs in one principle is a clear indication that the principle as a whole is failed to be implemented by the company
	Section 4.9.4 would appear to allow a suspension ONLY if there are five or more major non-compliances on a SINGLE principle. Does that mean a CH could violate five different key principles and still retain its certificate? I urge the RSPO to adopt a stricter standard that says if there are 5 or more major non-compliances observed in an Annual Surveillance Audit or in a re-certification audit, then this will lead to an immediate suspension.	See row 83
	<ul style="list-style-type: none"> • 4.9.1 – rename to RSPO IT Trading Platform • 4.9.3 – Bullet no. 1 : to add "...successive surveillance audits (within the certification cycle)." • To include this and language to be reassessed- Note: In the case of recurrence of major NC, the lead auditor must complete the audit and produce the report to the Certificate Holder. 	4.9.1 No change. The official name RSPO IT platform No changes to other comments, negligible
	4.9 should clearly state that does not apply to Group Cert, which should be assessed only as per Annex 1 4.9.3 first bullet point: why this additional strengthening; why immediate suspension and not just give the 90 days; impractical especially thinking of PPE requirements	4.9 Specify for Group Cert as per Annex 1 4.9.3 is related to recurring major NC and is a serious issue, hence the immediate suspension.
	4.9.1 – clarify initial certification and re-certification. For re-certification, timeframe to close major non-compliance must be clarified. Clarify process for initial, surveillance and re-certification. And link it to the palmtrace licence. 4.9.3 –	Agreed, not clear. Added in 4.9.3 Noted but no change was made. Recurring NC is a serious issue
	<ul style="list-style-type: none"> • All sentences with numbers must be clearly typed i.e. thirty days = thirty (30) days. Please make this consistent throughout ALL document. 	Changed
4.10 Reporting and communications	4.10.6 delete disclosure of 'other schemes'	No change - confidentiality issues from other scheme

	<p>4.10.6 –</p> <ul style="list-style-type: none"> • line 4 – maintain “under other schemes” but not to reveal what are these other schemes. • To add all sentence “where applicable” as last license year’s not applicable for first time certification. • CB can collect this data for RSPO but not to be included in the public summary. 	<p>Changed accordingly, 'where applicable' added No change, the information required is not commercially sensitive hence it is included in the public summary.</p>
	<p>Provide more information on the peer reviewers: who can they be? Does the RSPO have a list of approved peer-reviewers who can be used? Does the CB choose the peer reviewer? How should they be picked (based on their knowledge of the region/the company/the local customs?)</p>	<p>Noted but no change. Details of peer reviewer is included in Annex 3</p>
4.11 Certificates	<p>4.11.2 It is not clear to what extent the certificates clearly specify the location. The location is part of the public announcements and obviously what was announced and what gets certified must be matching and external stakeholders should be able to check this.</p>	Changed accordingly
	<p>4.11.1 Edit to ‘issuance and activation of the annual license to trade’</p>	Changed accordingly
	<p>Standardised format</p>	No change, unclear comment
4.12 Suspension and withdrawal of certification	<ul style="list-style-type: none"> • All sentences with numbers must be clearly typed i.e. seven days = seven (7) days. Please make this consistent throughout ALL document. • 4.12.2: To clarify on the types of RSPO certified oil in the sentence • 4.12.6: To include – “As advised by the BoG.” 	No change, negligible
	<p>4.12.2 Problem of oil in transit: oil already sold as certified; Problem of oil in stock that was already produced as certified</p>	No change, current requirement is clear
	<p>4.12.6 – explain in what circumstances RSPO Secretariat can instruct a CB to suspend or withdraw a certificate.</p>	Noted but no change. This document cannot specify every single situation. Different situations are different and are based on case-by-case basis

	<p>4.12.6</p> <p>The decision to suspend or withdraw a certificate has huge impact. Is this decision coming from the RSPO BoG?</p> <p>There is a need to define what constitute the ‘internal processes and decisions within the RSPO Secretariat’</p> <p>The certificate holder needs to be notified on the grounds of this withdrawal/suspension too.</p>	Different situations are different and the responses are based on case-by-case basis. It can be from BoG, complaints or ASI etc
4.13 Annual surveillance audits	• 4.13.6 – reword to RSPO IT Trading Platform	One name consistently used throughout document now.
	4.13.1 – licence expiration dates – is this referring to Palmtrace license?	Yes
	The format of the checklist has to be used, i.e. all indicators have to be audited	No change. 4.13.6 already mentions the use of RSPO generic audit checklist
	Comment: earlier than 8 months after the expiration date: to amend the wording “after” to before license expiration date. Otherwise it is very confusing.	Changed accordingly.
	4.13.1 There is a need to define ‘licence’	No change. The word is clear enough.
	4.13.1 The subsequent annual surveillance audits shall be undertaken within 12 months of the license expiration dates, but not earlier than 8 months after the expiration date. Is that supposed to be yearly surveillance expiration date stated on certificate?	Noted but no change. There is no yearly surveillance expiration date stated on certificate.
4.14 Recertification audits	Upon RSPO approval audits may be executed earlier than 8 months after the previous cert date	Noted but no change was made.
	Recertification audits shall be undertaken within 12 months of the certificate issue date, but no earlier than 8 months after the certificate issue date. Does this mean that re-certification is annual?	No change, it is a question rather than a comment. The certification cycle is 5 years, so re-certification happens every 5 years.

4.15 Publicly available information

Add clause (to close the NC from ISEAL):

Amend the Clause 4.15 as following by adding the wording in “yellow”:

The following documents shall be publicly available upon request, and on the websites of the CB and/or the RSPO:

- A summary report of a certification audit (main certification, surveillance and re-certification) following a standard format, where a certificate has been issued. The summary report shall exclude any information that is commercially confidential or whose disclosure would result in negative environmental or social outcomes. The report will be made available on the RSPO website and CB website in English, together with the certificate;

Changed accordingly. CB website added.

Comments template for public consultation on 'RSPO Certification Systems for Principles & Criteria (Draft January 2017)'

Annex 1 Information for certification of smallholders including group certification

General comments	How it is addressed	
<p>Previously the RSPO had issued specific standards for how to accommodate Scheme Smallholders; Independent Smallholders; Groups etc.</p> <p>This has now been bundled together and included as Annex 1 of the revised Systems Standard.</p> <p>It is unclear whether –and how – individual NI standards for other countries (such as Thailand and Papua New Guinea) will deal with these subjects when re-formulating their NIs.</p> <p>We have Independent Mill working with Independent Outgrowers and Smallholders. Our Outgrowers (land above 50 Ha) do not have the financial resources and technical expertise to meet up to P&C 2013 standards. Our Independent Mill has NO management control over them to comply to this stringent P&C 2013 standards, UNLIKE own managed estates. Suggest RSPO have another more Achievable standard for Outgrowers, which is closer to current Smallholders standards. It is pointless to have Certified Independent Mill WITHOUT any supply of RSPO Certified FFBs. We are already facing this situation in our mill.</p>	No change. Annex 1 is approved text came from SH Working Group.	
<p>Individual Group members with land above 50 ha will have to show compliance with P&C 2013. This effectively excludes many outgrowers should change this to allow them to follow smallholder requirements or increase the hectareage threshold.</p> <p>This allows the Group members to collectively sell their RSPO certified FFB to a palm oil mill How does this affect individual deliveries to a certified mill? Suggest to remove "collectively" or clarify.</p>	No change. Annex 1 is approved text came from SH Working Group.	
Subsection	Specific comments	How it is addressed
General application of certification to smallholders	<p>Certification of associated SH & outgrowers: Include option that clearly spells out that associated SH & outgrowers can be certified under P&C even if mill does not have management control over lands.</p>	No change. Annex 1 is approved text came from SH Working Group.
	<p>To include Group Certification in the title (to cover outgrowers)</p> <p>1st bullet to add "Group Entity must be member of RSPO".</p>	<p>The title already has 'Group certification'.</p> <p>Changed accordingly.</p>
Group certification Assessment of compliance for the RSPO management system requirements and guidance for group certification of FFB production		
RSPO certificate of compliance	"A group is given 90 days to resolve....." must be consistent with 4.9.1	Noted, it is consistent with 4.9

	<p>This is not consistent with the clause 4.9.1</p> <p>Annex 1: RSPO Certificate of Compliance (Page 30)</p> <p>A single certificate is awarded to the Group in the absence of major non-compliances. A Group is given 90 days to resolve any major non-compliance raised during the certification or subsequent surveillance audits. Any minor non-compliances raised during the certification or subsequent surveillance audits need to be resolved by the time of the next surveillance audit (or the re-certification audit, whichever is sooner) or will otherwise be raised to major non-compliances.</p> <p>Rewording: (The rewording is important to close the Major NC raised by ISEAL)</p> <p>Annex 1: RSPO Certificate of Compliance (Page 30)</p> <p>A single certificate is awarded to the Group in the absence of major non-compliances. For initial certifications and re-certifications where major non-compliances remain outstanding after 12 months, a full re-assessment is required. A Group is given 90 days to resolve any major non-compliance raised during the certification or subsequent surveillance audits. Any minor non-compliances raised during the certification or subsequent surveillance audits need to be resolved by the time of the next surveillance audit (or the re-certification audit, whichever is sooner) or will otherwise be raised to major non-compliances.</p>	No change. Annex 1 is approved text came from SH Working Group.
Sampling for group assessments	<p>To make the sampling formula consistent with 4.7</p> <p>Page 31, para 5, remove the word “replanting”.</p> <p>Why is replanting considered high risk? It is normal part of oil palm cycle to have to replant and this is on land that was already developed – potential for HCV/ HCS/ etc. is much less unlike expansion. Even for expansion, if this is changing from another crop to OP, this should not be high risk. Expansion should only be high risk if this entails opening new, undeveloped areas.</p>	<p>No change. Annex 1 is approved text came from SH Working Group.</p> <p>No change. Annex 1 is approved text came from SH Working Group.</p>
	<p>It would be good to require CBs to share their risk assessment with the client (CB conduct but must fully disclose their risk rating process and decision with the client) since the CBs have an interest in maximising risk to increase sample size and profits.</p>	No change. Annex 1 is approved text came from SH Working Group.

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Annex 2 Transfer of certification - additional requirements

General comments	How it is addressed
Process not clearly defined A simple flow chart will help further Need more guidance/criteria under A-d	Noted but no change was made. The comment does not include specific suggestions to amend the text.
Take this into the main body of the document, In that case you can remove the reference to IAF	Noted but no change was made.

Comments template for public consultation on 'RSPO Certification Systems for Principles & Criteria (Draft January 2017)'

General comments	How it is addressed
Great effort to incorporate many of the practical learnings gathered throughout the years! Compliments for that.	No change is required
This entire document is much improved and is superior to the prior version. Thank you. This document is much improved from the prior version. It is generally well-written and should be a useful reference tool.	No change is required
The Certification Systems document must at least acknowledge the parallel ongoing process by the Assurance Task Force, and indicate that it is more than likely any conclusion reached by the ATF will have an incidence on the RSPO certification systems, and as such lead to modifications to the current document.	Noted but no change was made. The comment does not include specific suggestions to amend the text