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The RTRS official languages are English, Spanish and Portuguese, however in case of any inconsistency between different versions of the same document, please refer to the English version as the official one.

## **RTRS EU RED Scheme: System Description**

### **I. Introduction**

The RTRS, including the RTRS EU RED Scheme, is based on certification of individual operators. Only operators with a valid RTRS certificate (including those with an RTRS BFLS code, which uniquely refers to compliance with the EU RED II requirements) are allowed to sell material (soy, as well as soy-based biomass, biofuels or bioliquids) as RTRS compliant. Any organization in the supply chain making RTRS claims about the output material they supply must hold a valid chain of custody certificate (see VII. General Chain of Custody System Requirements for the Supply Chain, Section 1.1.1). Therefore, an end-user that delivers RTRS EU RED product to the market can only claim it as such if each step in the supply chain has a valid RTRS certificate that includes EU RED II in its scope (as indicated by the BFLS code).

### **II. Scope**

This document is to provide an overview of the RTRS EU RED Scheme, and sets out the mandatory documents which make up the scheme.

The RTRS EU RED Scheme exclusively applies to products derived from soybean, including biomass, biofuels and bioliquids such as vegetable oil, biodiesel (FAME) or hydrotreated vegetable oil (HVO). EU RED II regime for waste and residues does not apply to any product in RTRS EU RED certified supply chains.

The RTRS EU RED Scheme does neither cover ligno-cellulosic nor non-food cellulosic material.

*Date of implementation:*

This standard becomes effective on

*Date of revision:*

This standard will be reviewed within five years from the date of implementation at the latest.

### **III. Changes from previous version of this document**

#### **Version 2.6:**

Various updates in conformity with Directive (EU) 2018/2001 of the European Parliament and of the Council of 11 December 2018 on the promotion of the use of energy from renewable sources (recast) (RED II) and the Updated assessment protocol for voluntary schemes under RED II (July 2020).

### **IV. How to use this document**

This document is a reference document for use by producers (farmers) and supply chain operators seeking to implement the RTRS EU RED scheme requirements, and for auditors assessing against the RTRS EU RED scheme requirements. It also contains obligations for the RTRS with regards to transparency, complaints and internal monitoring.

The information set out in this document must be followed, however producers, operators and auditors must always refer to the normative standards referred to here for the full detail of the requirements.

## V. Mandatory requirements

### 1. Mandatory requirements for producers

- 1.1. Producers (growers) seeking to comply with the RTRS EU RED Scheme must demonstrate compliance with the following mandatory documents:
  - 1.1.1. RTRS Standard for Responsible Soy Production<sup>1</sup>
  - 1.1.2. 'RTRS EU RED Compliance Requirements for Producers'
  - 1.1.3. Where appropriate, the 'RTRS EU RED Group and Multi-site Certification Standard' shall also be applied
  - 1.1.4. 'RTRS EU RED Chain of Custody Standard' (Section VI. General Chain of Custody System Requirements for Producers)
  - 1.1.5. All records shall be kept for at least 5 years

*Note: Where there is a conflict between the requirements in the RTRS Standard for Responsible Soy Production' and the RTRS EU RED Requirements for Producers, the requirements in the RTRS EU RED Requirements for Producers shall take precedence.*

### 2. Mandatory requirements for supply chain operators

- 2.1. Supply chain operators seeking to comply with the RTRS EU RED Voluntary Scheme must demonstrate compliance with the following mandatory documents:
  - 2.1.1. 'RTRS EU RED Compliance Requirements for the Supply Chain'
  - 2.1.2. 'RTRS EU RED Chain of Custody Standard' including at least one of:
    - 2.1.2.1. 'Module (A). Mass Balance Chain of Custody: System requirements' **and** 'Module (E) Mass Balance EU RED: System requirements'
    - 2.1.2.2. 'Module B. Segregated Chain of Custody: System requirements'
    - 2.1.2.3. Where appropriate, 'Module C. Multi-site Chain of Custody: System requirements' shall also be applied.
- 2.2. All records shall be kept for at least 5 years

### 3. Mandatory requirements for Certification Bodies

- 3.1. Certification Bodies performing assessments under the RTRS EU RED Scheme must:
  - 3.1.1. Be approved by the RTRS/accredited to undertake assessment against the RTRS EU RED Scheme.
  - 3.1.2. Have the RTRS EU RED Scheme within the scope of their RTRS approval/accreditation, as demonstrated by compliance with the following mandatory documents:
    - a) 'RTRS EU RED Accreditation and Certification Standard for Responsible Soy Production', 'Module B: Additional Requirements for Certification against the RTRS EU RED Compliance Requirements for Producers' (For assessment of producers (farms))

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<sup>1</sup> Including the *Progressive Entry Level for P&C Certification* set out in Annex 5 of the RTRS Accreditation and Certification Standard for Responsible Soy Production

- b) 'RTRS EU RED Accreditation and Certification Standard for Chain of Custody Certification', 'Module B: Additional Requirements for Certification against the RTRS EU RED Compliance Requirements for the Supply Chain' (For assessment of Chain of Custody)
- 3.1.3. Issue RTRS certificates with an additional code, which refers only to operations compliant with EU RED II biofuel requirements ('BFLS'), as set out in the RTRS Accreditation and Certification Standard: for Producers , Section 3.5
- 3.1.4. Issue CoC certificates with an additional code, which refers only to operations compliant with EU RED II biofuel requirements ('BFLS'), as set out in the 'RTRS Accreditation and Certification Standard for Chain of Custody Certification', VI RTRS Accreditation System, Section 3.5.

## VI. RTRS EU RED Claims

### 1. Document references for claims and communication of data

- 1.1. Supply chain operators seeking to claim EU RED II compliant products must follow the requirements for claims set out in:

- 1.1.1. RTRS EU RED Compliance Requirements for the Supply Chain Section 3:

(3.1.1) 'The organization shall identify consignments of RTRS material as EU RED II compliant only when they meet the land use requirements, as determined by information provided by economic operators supplying inputs into the organization's material accounting system for RTRS data, and when the total GHG emissions savings meet the minimum EU RED II threshold. *Note: It will only be possible to determine this once the product is in final form (soy methyl ester). Therefore, soy products before this point cannot be claimed as RTRS EU RED compliant, only information on GHG data, calculations, origin, date of installations and land use status can be communicated. See 1.4 below.*

(3.1.5) 'The organization shall only communicate information about RTRS soy on GHG data, calculations, origin, date of installations and land use status where the information has been received from economic operators who have a valid RTRS Chain of Custody certificate with an EU RED II scope, or where the organization buys directly for farmers, a valid RTRS certificate that includes the RTRS EU RED Compliance Requirements for Producers within its scope'.

- 1.1.2. RTRS EU RED Communication and Claims Policy

- 1.2. Supply chain operators seeking to communicate RTRS data<sup>2</sup> (including EU RED II data related to land use and GHG emissions) must follow the requirements covered in the 'RTRS EU RED Compliance Requirements for the Supply Chain' 3.1.2, 3.1.3, 3.1.4, 3.1.5 and 3.1.6.

- 1.3. Producers (growers) seeking to communicate RTRS data<sup>3</sup> (including EU RED II data related to land use and GHG emissions) must follow the requirements covered in the 'RTRS EU RED Compliance Requirements for Producers' 1.4 and 2.3.

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<sup>2</sup> Communication of data does not necessarily include claiming that the product is RTRS EU RED compliant.

<sup>3</sup> Communication of data does not necessarily include claiming that the product is RTRS EU RED compliant.

## **VII. Mutual recognition with national schemes**

Whenever a Member State's national scheme is recognised by the European Commission, material verified as compliant with this national scheme shall be considered compliant with the sustainability criteria set out in EU RED II Article 29 par. (1) to (5), (8) to (10) and (12) to (14). However, such material cannot be considered as compliant with all non-EU RED RTRS criteria, since the RTRS standard goes beyond what the EU RED II requires for biofuels and bioliquids (e.g. on social issues). Therefore mutual recognition between RTRS and a Member State's national scheme is limited to EU RED II compliance.

## **VIII. Complaints and information request**

Information can be requested to the RTRS by the European Commission third party (e.g. competent authorities of EU Member States) regarding any aspect of the RTRS EU RED System, as long as this does not infringe on the confidentiality agreement between the economic operator and its Certification Body, which are ruled by the Certification Body's legal terms.

Complaints regarding issues with the development or implementation of RTRS EU RED requirements can be filed with the RTRS Secretariat by any third party (e.g. competent authorities of EU Member States) or escalated from the Certification Bodies or Accreditation Bodies, if these remain unsettled. The RTRS Executive Director shall ensure that the complaint is properly documented and decide on a settlement process, which may involve the economic operator, the certification body, the accreditation body. Approval of a settlement may require the RTRS Board's approval. A response to the third party filing the complaint shall be sent within 60 days.

Any RTRS staff shall fill a declaration of interests before taking part in any complaint/grievance resolution process<sup>4</sup>. Staff with any identified conflict of interest shall not take part in the resolution process.

The RTRS shall keep a register of previous complaints and grievances at the disposal of the European Commission and include a summary of complaints/grievances addressed in relation to the RTRS EU RED standard in their annual report to the European Commission.

## **IX. Transparency**

The RTRS publishes on its website ([www.responsiblesoy.org](http://www.responsiblesoy.org)) the following information, which is relevant for the operation of the RTRS system and for transparency purposes. This includes in particular:

- The list of valid, suspended and withdrawn RTRS certificates. Information on the withdrawal or suspension of certificates are published without delay.
- The latest version of RTRS documents, including the guidelines for audits and public summary of audit reports.
- RTRS-accredited certification bodies.
- RTRS contact details.

The RTRS shall, within the rules of confidentiality applied in its assurance system, provide to the European Commission timely access to information on sustainability (including audit reports) and actual GHG calculations certified under their voluntary scheme, upon request.

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<sup>4</sup> The grievance process is available on the RTRS website at: <https://responsiblesoy.org/documentos/grievances-procedure-v10?lang=en>

## **X. Regulatory changes**

### **1. Transition from EU RED (2009/28/EC) to EU RED II recast (2018/2001)**

As of 1 July 2021 only the revised sustainability and greenhouse gas saving criteria set out in the recast Renewable Energy Directive (Directive (EU) 2018/2001) apply.

All soy and soy-derived products under cultivation, harvested or in stock as of 1 July 2021 that have been certified as sustainable under a voluntary or national scheme recognised by the Commission under Directive 2009/28/EC may be considered as sustainable and providing accurate information about the greenhouse gas emissions under recast Renewable Energy Directive (Directive (EU) 2018/2001).

RTRS shall provide information to certified operators, accreditation bodies and certification bodies regarding any update in the regulatory framework.

### **2. Other regulatory updates**

RTRS shall ensure that accreditation bodies, certification bodies and economic operators are adequately informed about any other EU regulatory changes.

## **XI. Internal Monitoring**

In addition to the requirements laid out in the RTRS EU RED Accreditation procedure for responsible soy production and RTRS EU RED Chain of custody accreditation and certification procedure for CBs, the RTRS shall maintain an internal monitoring system to monitor the activities of accredited CBs and training status of active RTRS auditors.