



Better Biomass annual report 2017 – Version 1

9 May 2018

Introduction

The European Commission informed owners of voluntary schemes in its letter of 15 September 2015 about legal reporting requirements in response to the so-called ILUC Directive¹. The reporting requirements comprise that:

1. Voluntary schemes have to publish at least once per year a list of their certification bodies used for independent auditing, indicating for each certification body by which entity or national public authority it was recognised and which entity or national public authority is monitoring.
2. Voluntary schemes have to submit one year after the adoption of the amendments and annually thereafter by 30 April, a report to the Commission covering each of the points set out in Annex 1 (*of the letter sent to voluntary schemes*).

This is the second report of the Better Biomass (NTA 8080) certification system based on information that is available at the level of the scheme owner.

This report refers at several occasions to the Better Biomass certification scheme, published as NTA 8081:2012-04, and available at the Better Biomass website².

The Better Biomass certification scheme has been updated and is to date under recognition by the European Commission after a positive technical assessment by the contracted consultants (after having implemented modifications in the scheme documents). See also section on Better Biomass market.

List of certification bodies

The following certification bodies are associated to the Better Biomass certification system by means of a licence agreement with NEN and are also listed on the Better Biomass website³:

Certification body	Recognizing authority	Monitoring authority
DEKRA Certification B.V. The Netherlands	— NEN for licence agreement — RvA ^a for accreditation [registration C001]	RvA ^a
Quality Services Certification B.V. The Netherlands	— NEN for licence agreement — RvA ^a for accreditation [registration C602]	RvA ^a

^a RvA is the Dutch Accreditation Council.

Organization of audits

Reporting requirement (a): The independence, modality and frequency of audits, both in relation to what is stated on those aspects in the scheme documentation, at the time the scheme concerned was approved by the Commission, and in relation to industry best practice.

The regular audit frequency is defined in the Better Biomass certification scheme (see Figure 1 in NTA 8081:2012-04). The associated certification bodies are required to report every year about the number of

¹ Directive (EU) 2015/1513 of the European Parliament and of the Council of 9 September 2015 amending Directive 98/70/EC relating to the quality of petrol and diesel fuels and amending Directive 2009/28/EC on the promotion of the use of energy from renewable sources

² Direct URL to NTA 8081:2012-04 is http://www.betterbiomass.com/wp-content/uploads/2015/08/NTA_8081_2012-04_en.pdf.

³ Direct URL to list of certification bodies is <http://www.betterbiomass.com/en/certification/certification-bodies/>.

certification projects executed in the framework of Better Biomass certification, the experiences gained during these process that are relevant for maintaining and where needed improving the certification scheme, and the nature and extent of complaints received and the way they are dealt with.

Dealing with non-compliances

Reporting requirement (b): The availability of, and experience and transparency in the application of, methods for identifying and dealing with non-compliance, with particular regard to dealing with situations or allegations of serious wrongdoing on the part of members of the scheme.

Non-compliance will either result in a major or minor non-conformity during regular audits. The consequences of these non-conformities and the required follow-up by the certificate holder are described in the certification scheme (see 7.3 in NTA 8081:2012-04). The central register of certificates on the Better Biomass website⁴ indicates if a certificate has been suspended or withdrawn, noting that organization can also withdraw their certificate voluntarily without being in non-compliance. In case of notification of 'wrongdoing' in between audits, the Better Biomass certification system foresees in procedures how to respond, also depending on the way the notification has been received. It should be noted that a justification/evidence should be provided to consider a notification eligible. The procedures related to complaints, objections and appeals are described in the Better Biomass certification scheme (see 8.4 in NTA 8081:2012-04) and reference is made to the NEN Scheme management manual⁵ describing general procedures for certification schemes managed by NEN.

Transparency

Reporting requirement (c): Transparency, particularly in relation to the accessibility of the scheme, the availability of translations in the applicable languages of the countries and regions from which raw materials originate, the accessibility of a list of certified operators and relevant certificates, and the accessibility of auditor report.

All documents related to the Better Biomass certification system are available at the Better Biomass website⁶ (as well as the Transparency platform of the Commission), except for the standard describing the sustainability and chain-of-custody requirements (i.e. NTA 8080:2009) that can be obtained through NEN⁷. The Better Biomass website also includes a central register of certificates containing information about the certified organizations, including scope of certification, produced products, certification body that issued the certificate and validity of certificate, as well as a summary of the audit report that contains additionally information about the nature of raw materials, the production processes, location details and surface area for cultivation, if applicable⁵. Information is available in both the English and Dutch language.

Stakeholders involvement

Reporting requirement (d): Stakeholder involvement, particularly as regards the consultation of indigenous and local communities prior to decision making during the drafting and reviewing of the scheme as well as during audits and the response to their contributions.

The standard describing the sustainability and chain-of-custody requirements (i.e. NTA 8080:2009) and the interpretation document linked to this standard have been developed through a multi-stakeholder process including non-governmental organizations. The list of members that have participated in this process is included in the standard. In accordance with the NEN governance – following ISO/IEC and CEN/CENELEC governance as formal Dutch member to these standardization organizations – participation in the standard development process was open for all interested parties and draft documents have been published for public consultation. Also the Better Biomass scheme management committee represents different stakeholders categories.

⁴ Direct URL to list of certificate holders is <http://www.betterbiomass.com/en/certificate-holders/>.

⁵ Direct URL to NEN Scheme management manual is <http://www.betterbiomass.com/wp-content/uploads/2017/06/NEN-scheme-management-manual.pdf>.

⁶ Direct URL to certification documents is <http://www.betterbiomass.com/en/certification-documents/>. Through this page visitors have also access to background documentation, tools and databases, and system plans (kind of self assessment tool).

⁷ NTA 8080:2009 is publicly available, but requires a fee similar to other standards developed by a standardization body.

Concerning economic operators that wish to become certified, the Better Biomass certification system requires that the organization consult stakeholders for at least certain sustainability aspects⁸. This consultation might be covered in laws and regulations or a sound permit procedure. In addition, certification bodies are allowed to execute a stakeholders consultation themselves as part of their audit.

Robustness of scheme

Reporting requirement (e): The overall robustness of the scheme, particularly in light of rules on the accreditation, qualification and independence of auditors and relevant scheme bodies.

The Better Biomass certification scheme is accepted by the Dutch Accreditation Council (RvA), being a member of the International Accreditation Forum (IAF) and the European co-operation for Accreditation (EA), and the associated certification bodies are accredited for this certification scheme by an IAF member (see also List of certification bodies). This implies that certification bodies comply with the requirements in ISO/IEC 17065, contains requirements for the competence, consistent operation and impartiality of product, process and service certification bodies. NEN, as scheme owner and manager of the Better Biomass certification system, is recognized by the RvA.

NOTE RvA has decided that assessing and accepting scheme owners is no longer a task to be carried out by the accreditation council becoming effective in 2017⁹. The updated Better Biomass certification scheme as initially submitted to the European Commission for recognition in the framework of Directive 2009/28/EC (still in procedure) has been assessed and accepted by RvA in 2016.

Better Biomass market

Reporting requirement (f): Market updates of the scheme, the amount of feedstocks and biofuels certified, by country of origin and type, the number of participants.

The Better Biomass certification system is periodically updated based on changes in legislation, new insights related to sustainability aspects (beyond scope of Directive 2009/28/EC), interpretation issues and other developments. A major revision of the certification system took place by publishing NTA 8080-1:2015 and NTA 8080-2:2015, replacing NTA 8080:2009 and expanding the scope to bio-based products, and by updating the Better Biomass certification scheme accordingly. Certification to the NTA 8080-1:2015 and NTA 8080-2:2015 within the framework of Directive 2009/28/EC is not yet possible, pending the recognition of the updated Better Biomass certification system by the European Commission. The updated Better Biomass certification scheme has been accepted the Dutch Accreditation Council. The current numbers of certificate holders can be found in the central register of certificates on the Better Biomass website that also includes information about the nature of raw materials and produced products. The volumes of certified products (within the framework of Directive 2009/28/EC) are available, but is classified as confidential information as aggregated volumes might still be traced back to individual organizations based on products or raw materials.

Traceability

Reporting requirement (g): The ease and effectiveness of implementing a system that tracks the proofs of conformity with the sustainability criteria that the scheme gives to its member(s), such a system intended to serve as a means of preventing fraudulent activity with a view, in particular, to the detection, treatment and follow-up of suspected fraud and other irregularities and where appropriate, number of cases of fraud or irregularities detected.

Compliance with the sustainability criteria can be traced through the status of the certificate in the central register of certificates on the Better Biomass website. In the first place, fraud means violation of law and regulatory authorities should undertake the necessary actions to deal with the organization concerned in case of (suspicion of) fraudulent activities. Fraud also implies non-compliance with the Better Biomass certification

⁸ These include establishing local biomass flows or natural resources that are essential to the basic needs of the local population; establishing the areas, within the organization's span of control, that are considered to be high conservation value areas; establishing local essential functions of residual flows that are released when producing and processing biomass from agriculture, aquaculture, fishery or forestry; establishing which parties obtain control of the land use and management in the area where the biomass producer is or will be established and what the extent of such control will be; and enlarging the involvement of the local population.

⁹ More information is available at website of RvA, for example at [https://www.rva.nl/en/news/2017/Changes-concerning-the-management-of-schemes-and-the-evaluation-of-schemes-\(explanatory-document-T033-and-policy-rule-BR012\)](https://www.rva.nl/en/news/2017/Changes-concerning-the-management-of-schemes-and-the-evaluation-of-schemes-(explanatory-document-T033-and-policy-rule-BR012)).

scheme, resulting in suspending or withdrawal of the certificate. This kind of non-compliance can be identified during a regular audit or based on external signals that will result in further investigation (see also Dealing with non-compliances).

Recognition and monitoring of certification bodies

Reporting requirement (h): Options for entities to be authorised to recognise and monitor certification bodies.

The associated certification bodies are accredited for the Better Biomass certification scheme by an IAF member. To maintain accreditation, the accreditation body will witness annually an audit to assess whether the certification body carries out the audit in accordance with the Better Biomass certification scheme (see also Robustness of scheme).

Reporting requirement (i): Criteria for the recognition or accreditation of certification bodies.

The associated certification bodies need to be accredited for the Better Biomass certification scheme by an IAF member. The certification body therefore needs to comply with the requirements in ISO/IEC 17065 supplemented with the requirements in the certification scheme including competences of the audit team (see also Robustness of scheme).

Reporting requirement (j): Rules on how the monitoring of the certification bodies is to be conducted.

Monitoring of the associated certification bodies is conducted by the accreditation body that has accredited the certification body concerned. This implies that the accreditation body will witness annually an audit carried out by the certification body concerned.

NOTE The updated Better Biomass certification scheme includes a new clause dealing with internal monitoring as part of governance of the Better Biomass system.

Reporting requirement (k): Possibilities to facilitate or improve promotion of best practice.

Periodically – at least annually – a meeting with auditors involved in the auditing process of Better Biomass certification is organized, in which best practices are shared and potential interpretation issues related to the requirements to be assessed or to the certification scheme are discussed. Representation of each certification body involved in these meetings is mandatory. In between, the auditors have the possibility to exchange information by other means. In case interpretations (or other decisions) are required, these will be brought forward to the Better Biomass scheme management committee.