



Carmen Spranger
California Air Resources Board
1001 "I" Street Sacramento, CA 95814

Bonsucro
Nicolas Viart
50-52 Wharf Road
London, N1 7EU
United Kingdom

9th January 2018

Re: Comment letter from Bonsucro on Preliminary Draft of Potential Regulatory Amendments to the Low Carbon Fuel Standard

Dear Ms. Spranger:

Bonsucro is supportive of the opportunity to be a recognised scheme by CARB for the Low Carbon Fuel Standard. Please find our comments below on the proposed draft for the Preliminary Draft of Potential Regulatory Amendments to the Low Carbon Fuel Standard.

Bonsucro is a multi-stakeholder organisation, we provide tools, connections and support across the entire sugarcane industry to help develop professionalism and resilience in the businesses that work with sugarcane and its many products. Bonsucro's vision is a sugarcane sector with thriving, sustainable producer communities and resilient, assured supply chains. Our mission is to ensure that responsible sugarcane production creates lasting value for the people, communities, businesses, economies and eco-systems in all cane-growing origins. Bonsucro's strategy builds a platform to accelerate change for the largest agricultural commodity in the world – sugarcane.

Bonsucro's certification system includes the [Bonsucro Production Standard](#), the [Bonsucro Production Standard Guidance Document](#), the Bonsucro Calculator (available for members only and for CARB on request), the [Chain of Custody Standard](#), the [Chain of Custody Standard Guidance Document](#), and the [Certification Protocol](#). This rigorous system was designed and first launched in 2011 to certify farms and mills for the sustainable production of sugarcane and sugarcane-derived products and ensure credible tracking of volumes through the supply chain. To date, [71 mills](#) and supply areas in 11 countries are certified against the Bonsucro Production Standard, representing an annual production of 2.5 million m³ of ethanol. Bonsucro certification requires third party auditing by an independent [certification body licensed](#) by Bonsucro.



Bonsucro welcomes the opportunity become a certification system for the Low Carbon Fuel Standard and would like to provide the following comments on the relevant requirements for certification systems.

“(a) Selection Criteria for Certification Systems.

(1) The certification system must demonstrate recognition by the European Commission as published in the Official Journal of the European Union to provide services under the European Union Renewable Energy Directive (EU RED) to demonstrate competency in adding fuels regulations to its certification requirements.”

Support with no further comment.

Bonsucro is currently [a recognised voluntary scheme](#) for the European Union Renewable Energy Directive.

“(2) The certification system must demonstrate that requirements that are additional to the requirements of this subarticle are vetted via a multistakeholder process to mitigate potential stakeholder bias.”

Support with no further comment.

Bonsucro is a [full member of ISEAL](#), where the three codes require multi-stakeholder engagement process. Primarily the [Standard Setting Code](#) compliance is the most relevant.

“(3) The certification system must publish procedures, guidance, certificates and audit report summaries on its website to demonstrate transparency.”

Support, with reservation on publication of audit report summaries. Bonsucro publishes procedures (including requirements for certification and complaint resolution process), guidance and list of certificates on its [website](#). However, the audit report summaries are not typically published by Bonsucro as they are commercially sensitive. Nevertheless the certification protocol provides the list of information audit reports shall contain for consistency and credibility purposes. With due respect to confidentiality, relevant aspects of the audit reports can be sent to CARB.

“(4) The certification system must maintain an effective auditor training program to ensure auditor competency.”

Support with no further comment.

Bonsucro can share more details of its training programme which is outlined on its [website](#). The programme can be customised to include CARB-related material as it is to include EU RED related material.



“(5) The certification system must maintain an effective oversight program over the participating certification bodies to assure consistency and quality of verifications.”

Support with no further comment.

The Bonsucro Certification System oversight process is captured in the [Bonsucro Certification Protocol \(Part A\)](#). In summary, oversight is managed through annual office assessments, annual witness assessments for each certification body sampling auditor personnel, continuous oversight of audit timelines and review of audit documents (reports and Bonsucro Calculators) submitted after the audit. Certification bodies are also required to follow ISO 17065 and ISO 19011.

“(6) The certification system must include an effective grievance mechanism to ensure that problems are resolved.”

Support with no further comment.

The Bonsucro Certification Protocol includes a grievance system where each certification body must have a complaints and appeals system in compliance with ISO 17065. Bonsucro reviews this every year during the annual assessment. Bonsucro has a [complaint resolution mechanism](#) where stakeholders can initiate a grievance.

“(7) The certification system must include sanction mechanisms for participating fuel production facility operators, importers, feedstock suppliers, and certification bodies to ensure conformance with its system requirements. In addition, the Executive Officer will independently investigate entities responsible for verification and enforce the requirements of this subarticle.”

Support with no further comments.

If producers are found not compliant with one or several requirements of the standard(s) the certification body will raise non-conformities which are classified as major (a failure to achieve the objective of a core requirement) or minor (a failure to achieve the objective a non-core requirements or temporary non systemic lapse in the implementation of a core indicator) according to definitions given in the Certification Protocol. Bonsucro in would be open to facilitate investigation by the Executive Officer with licensed certification bodies.

“(8) The certification system must demonstrate capabilities to perform full supply chain certification from point of origin to fuel production facility to importer.”

Support with no further comments.



The scope of the Bonsucro's [Chain of Custody Standard](#) applies to the whole fuel supply chain from fuel production to importer, as approved as part of the voluntary scheme for the EU RED.

“(9) The certification system must demonstrate that policies and mechanisms are in place to monitor and prevent conflicts of interest between members of the system, audited entities, and members of the certification bodies, consistent with ISO 17065:2012 Conformity assessment -- Requirements for bodies certifying products, processes and services.”

Support with no further comments.

Bonsucro Certification Bodies are required to comply with ISO 17065:2012 to demonstrate no conflict of interest. Bonsucro Certification bodies must also hold a valid accreditation against ISO 17065. Monitoring of conflict of interest issues and how they are handled by the certification body as well as mechanism to safeguard impartiality are also assessed during the head office assessment.

“(10) The certification system must include the following:

- (A) A demonstration that it can achieve traceability via chain of custody records for feedstock and finished fuel as required by this regulation.
- (B) A demonstration that they can achieve traceability using a full material balance of feedstock and finished fuel to assure proper characterization of feedstock or fuel attributes.
- (C) A demonstration that its certification standard includes review of compliance with applicable regional, national and international laws.
- (D) A demonstration that certification bodies including verification services pursuant to this subarticle are accredited to perform certification services by an independent third-party accreditation body who is a member of the International Accreditation Forum (IAF) or the International Social and Environmental Accreditation and Labelling (ISEAL) Alliance to perform certification services.”

Support with reservation on point D.

The Bonsucro Chain of Custody is a requirement for mills and any company in the supply chain that takes ownership of Bonsucro Certified product to maintain its status as Bonsucro Certified. The system is mass balance (also called full material balance).

The first indicator of the Bonsucro Production Standard, indicator 1.1.1 requires legal compliance for producers (mills and supplying farms) and is a core requirement, hence a pre-requisite to certification. Legal compliance must include laws on waste, pollution & environmental protection, nature conservation & HCV area protection, water quality & extraction, energy & GHG emission, labour conditions, operational health & safety, social wellbeing, land and water title and land and water-use rights, soil production, agricultural and processing practices, and transportation.

Whilst Bonsucro acts as the accreditation body for certification bodies issuing Bonsucro Certificate following procedures in line with ISO 17011, the Bonsucro



Certification Protocol also requires that certification bodies are accredited by one of the following:

An accreditation body referred to in Article 4 of Regulation (EC) No 765/2008; or an accreditation body having a bilateral agreement with the European Cooperation for Accreditation; or a national accreditation body affiliated to the International Accreditation Forum (IAF); or a full or association member of ISEAL. (Bonsucro Certification Protocol, section 4.7).

We would like to thank you for the opportunity given to Bonsucro to share our comments.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Nicolas Viart', written over a large, stylized blue scribble.

Nicolas Viart
Director Standards and Innovation, Bonsucro