

Standards Committee Minutes

Meeting 89: 04 April 2020 Teleconference meeting

SC members: Martin Boon, Jos Harmsen, Martin de la Harpe, Richard Kwarteng, Miguel Mateo Sebastian, Iresha Sanjeevanie, Emilie Sarrazin (Chair).

Fairtrade International S&P: Alina Amador, Gelkha Buitrago, Yun-Chu Chiu, Kerstin Cron, Oksana Forkutsa, Ricardo Guimaraes, Eleonora Gutwein, Giovanna Michelotto, Ana Jordan Rosas.

Contributing observers: Sugumar Raman (Director of Operations, FLOCERT), Martin Schueller (Fairtrade Germany), Stephanie Williamson (Pesticide Action Network, UK), Sheila Willis (Pesticide Action Network, UK).

Observers: Monika Berresheim (GP Manager, FI), Subindu Garkhel (Senior Supply Chain Manager, Fairtrade Foundation UK), Margret Loeffen (MEL, FI), Marcela Moreno (Certification Analyst, FLOCERT) Laura Partl (Comms, FI), Elena Gómez Pérez (BTL, FI), Johnna Phillips (Comms, FI), Emily deRiel (Comms, FI), Juliana Wachtmeister (ASM, FLOCERT).

Disclaimer:

The Fairtrade International Standards Committee (SC) aims to reach consensus, but decisions may not always reflect the opinions of all people.

The section to introduce the topic (background information) has been written by the Standards & Pricing and may not have been discussed by the SC in full. Sections listing action points are an outcome of discussions of the SC but are not part of the decisions made.

Item 1 – Opening

Agenda: The agenda was approved and ground rules read.

Declaration of conflict of interests:

Conflicts of interest from S&P staff were declared as well as from SC members. It was recognized that SC members who represent producers and traders could potentially have a conflict of interest in the HML topic. Nevertheless, members were asked to consider the interest of the system in their decisions and it was left to each of the individual member to abstain if they felt their impartiality may be impaired in the decision making process.

Item 02 – HML (Hazardous Material List)

The Project Manager (PM) presented the project background and overall results of the consultation. After two years of implementation of Fairtrade HML, a stakeholder consultation was carried out to monitor the implementation of the changes introduced with the revised HML and to align with recent research findings on the impact of agrochemicals on environment and human health and with producer realities and needs. The consultation explored whether materials in the Restricted list (Orange List) should be retained in this list or placed in the Prohibited List (Red List). This project was also supported by the Pesticide Action Network (PAN) UK team, who provided their expertise when interpreting results of consultation responses.

The consultation resulted in high level of participation, where 58% of all responses were provided by producer organizations. Overall, stakeholder consultation revealed a number of challenges that are still faced by producers, in particular when it comes to the phase out of materials.

Decisions:

The PM presented 8 proposals for decision which were grouped in 3 sections:

Section 1: Materials in the Orange list, group 'd' (to be phased out by June 30, 2020)

The specific condition for materials in group 'd' is the phase out timeline. A three years' timeline for materials in group 'd' of Orange List was originally to end in December 2019. This group includes the following materials: chlorothalonil, beta-cyfluthrin, abamectin, carblosulfan, dichlorvos/ddvp, fenpropathrin, lambda cyhalothin, and oxamyl. In the consultation further restriction of materials use and existing challenges to phase them out was explored.

The results of consultation showed that abamectin, beta-cyfluthrin, chlorothalonil, lambda-cyhalothin and oxamyl are most challenging to phase out, while carblosulfan, dichlorvos, ddvp, fenpropathrin would rather be feasible to phase out by 30 June 2020.

The recommendation to the SC was to split the eight materials in two groups with different phase out timelines. Two timelines would allow to respond to the realities of producers, who for various reasons still struggle to find alternatives and/or fear to loose yields. A further recommendation to Producer Networks would be to support producers in implementation of phase out activities and measures through trainings and updates on existing alternatives

Decision 1

SC approves to split the group 'd' materials in Orange list (to phase out by 30 June 2020) into groups with two phase out timelines.

Group 1: as of July 2020: Dichlorvos DDVP, Carbosulfan and Fenpropathrin

Group 2: as of July 2022: Abamectin, Beta cyfluthrin, Chlorothalonil, Lambda cyhalothin, Oxamyl

The SC voted in favour of the proposal (4 in favour and 3 abstentions). Requesting PNs and FI to support the phase-out.

Discussion:

- A SC member highlighted the importance of not falling for continuous extensions of phase out timelines and follow a more harmonized approach, providing support to producers and looking actively for a solution that will support to reduce the use and eventually phasing out of the materials.
- Another member expressed concern and further highlighted importance of issues with pesticides use and PNs capacity to support producers and suggested this to be reflected in the strategy. In response to this it was mentioned that it would be added in the paper for further discussions on Fairtrade strategy in the workstream "LW/LI & Climate Change".
- Another SC member mentioned that circumstances cause by Covid-19 situation might also affect the phasing-out. The Director of S&P mentioned that producers can also use the Premium more flexibly now in response to Covid-19 and that further areas of support are being explored.
- A point was raised on the "ecosystem hazards (toxicity to honeybees)" criteria in the approach of materials classification in the HML, stating that it should not be restricted to honeybees as wild bees are also very important, and this criterion should be reviewed.

Section 2: Neonicotinoids and other materials

Section 2.1: Neonicotinoids

Some of the materials that are classified as neonicotinoids, are presented in the group 'b' of the Orange List (Clothianidin, Imidacloprid, Thiamethoxam, Chlorpyrifos Chlorpyrifos methyl, Cypermethrin, its alpha and beta isomer, Deltamethrin Fipronil). Others in the Yellow List (Thiacloprid, Sulfoxaflor) and another is currently not listed in the HML (Acetamiprid).

Materials listed in group 'b' can only be used under circumstances where they do not pose a threat to bees, or where the threat is very minimal – i.e. under enclosed farming structures (such as greenhouses, where insects cannot easily enter), and only under very restricted conditions in open cultivation. Use of these pesticides is also prohibited during flowering season.

On the basis of industry studies, the European Food Safety Authority confirmed the following:

- all authorized uses of imidacloprid and clothianidin pose a high risk to bees, or a high risk cannot be excluded;
- there is not enough evidence to disprove high environmental risk of thiametoxam.
- thiacloprid presents endocrine disrupting properties and is classified as probably carcinogenic and toxic for the reproductive system, can represent a danger to bees and other insects.

Section 2.1.1: Overview on Clothianidin, Imidacloprid, Thiamethoxam:

Consultation feedback showed divided opinions on whether restriction on use of these materials should be introduced (e.g. use only in permanent greenhouses) or if materials could be phased out. As alternative material, acetamiprid was mentioned quite often.

The recommendation to the SC was to not introduce further restrictions, limiting its use only under permanent greenhouses but to phase out these materials with a feasible time for transition.

Decision 2

SC approves to keep imidacloprid, thiamethoxam and clothianidin under same restricted conditions of group 'b' and phase them out as of July 2022.

The SC voted in favour of the proposal (6 in favour and 1 abstention).

Section 2.1.2: Thiacloprid

Consultation feedback showed that the vast majority of stakeholders agreed to further restrict use of thiacloprid, moving it from the Yellow List to Orange List, group 'b'. Among those who disagreed, suggested to either move this to the Red List or still keep in the Yellow List allowing its use as alternative material as resistance management.

The recommendation to the SC was to move thiacloprid from Yellow List to Orange List, group 'b' as of January 2021.

Decision 3

SC approves to move thiacloprid from Yellow List to the Orange List group 'b' as of January 2021.

The SC voted in favour of the proposal (5 in favour and 2 abstentions).

Section 2.1.3: Acetamiprid

The neonicotinoid Acetamiprid is currently not present in the HML, neither in the PAN HHP list. It is considered by the European Food Safety Authority to be as a low risk to bees, but highly toxic to birds and earthworms, and moderately toxic to aquatic organism and further suggested to have its use conditioned to a risk mitigation measure. The proposal was to add this material to the Orange List, without any further specific conditions.

Consultation feedback showed that overall stakeholders agree with the proposed change and mentioned that currently there is no alternative that they are aware of and hence expressed concern if this material would eventually be prohibited in the future.

The recommendation to the SC was to add acetamiprid to Orange List as of January 2021, without any further specific conditions, i.e. no group.

Decision 4

SC approves to add acetamiprid in Orange list as of January 2021.

The SC voted in favour of the proposal (6 in favour and 1 abstention).

Discussion:

- A suggestion was made to justify the addition of acetamiprid in the Orange List under criterion of “high concern to civil society”. Many pesticides pose hazards to many systems and ecosystem functions, however it’s important to keep in mind that when only few options are left to be used on Fairtrade products, then the only option that is left is – organic production.

Section 2.2: Chlorpyrifos & Chlorpyrifos-methyl and Sulfoxaflor

Section 2.2.1: Chlorpyrifos & Chlorpyrifos-methyl

Chlorpyrifos & chlorpyrifos-methyl (currently in Orange List) have reprotoxic hazards, as well as many others problems, including serious neurological harm potential to the foetus and children. In addition to the immediate effects of exposure, chlorpyrifos is linked to a number of serious longer term health impacts.

Consultation feedback showed that majority of stakeholders agreed to move Chlorpyrifos & Chlorpyrifos-methyl to Red List. However, producers expressed strong concern not being aware of the existing alternatives since it is a broad-spectrum insecticide and highlighted high risks of increased costs in relation to the proposed change.

The recommendation to the SC was to move Chlorpyrifos & Chlorpyrifos-methyl to Red List allowing a transition time of approx. 2 years, i.e. to phase it out as of July 2022.

Decision 5

SC approves to phase out chlorpyrifos & chlorpyrifos methyl as of July 2022.

The SC voted in favour of the proposal (6 in favour and 1 abstention).

Section 2.2.2: Sulfoxaflor

Sulfoxaflor (currently in the Yellow List) is a fourth-generation neonicotinoid, shares many hazard features of neonicotinoids and exhibits a high insecticidal activity against a broad range of sap-feeding insects. It has a high potential to bioaccumulate, generally moderately toxic to birds and mammals and has a low toxicity to most aquatic species. It is highly toxic to honeybees and earthworms.

Consultation feedback showed that vast majority agreed with the proposed change, to move sulfoxaflor from Yellow List to Orange List, group ‘b’. Further some stakeholders mentioned they are not aware of existing alternatives.

The recommendation to the SC was to move sulfoxaflor from Yellow List to Orange List, group ‘b’ as of January 2021. Moving this material from Yellow List to Orange List does not prohibit its use however allows to set a more restricted approach on its use.

Decision 6

SC approves to move sulfoxaflor from the Yellow List to the Orange List, group 'b' as of January 2021.
The SC voted in favour of the proposal (6 in favour and 1 abstention).

Section 3: Other agrochemicals from restricted list

Currently glyphosate (acid) is listed in the Orange List without any further categorization on 'specific conditions' for use. The desk research finding revealed necessity to further restrict the use of this material due to strong evidence on mechanism of its toxicity. Further to that, the European Parliament has called for a full glyphosate ban within five years, starting with immediate restrictions, including for non-professional uses and pre-harvest spraying.

PAN HHP and the IARC Glyphosate-Monograph refer to the group 'Glyphosate and its salts', which consist of six active ingredients: glyphosate (acid), glyphosate-diammonium, glyphosate-isopropylamine, glyphosate-monoammonium, glyphosate-sodium, and glyphosate-trimesium.

The proposal was to move Glyphosate from the Orange to the Red list and refer to Glyphosate and its salts instead of Glyphosate (acid).

The consultation feedback showed that opinions were divided without strong support to either move this material to the Red List or leaving it in the Orange List. Stakeholders reported challenges to find alternatives due to wide use of glyphosate across products and regions, also mentioning that manual weeding as one of the most common alternatives would not be always feasible especially on areas of 3 ha or larger. Overall this change would increase considerably production costs. Further, majority agreed to proposal to refer to glyphosate and its salts instead of 'glyphosate' in Fairtrade HML.

A suggestion from PAN UK was to introduce the interim measure to reduce exposure and allow growers to adapt to the proposed change by growing ground cover crops during the next 2-3 cropping seasons.

The recommendations to the SC were:

- to phase out Glyphosate as of July 2022, providing approx. 2 years' transition time;
- refer to 'glyphosate and its salts' (*Glyphosate (acid) CAS:1071 83 6; Glyphosate diammonium CAS:69254 40 6; Glyphosate isopropylamine isopropylammonium IPA) CAS:38641 94 0; Glyphosate monoammonium CAS:4046566 5; Glyphosate sodium CAS:34494 03 6; Glyphosate trimesium CAS:8159181 3*);

Decision 7

SC approves to refer to 'glyphosate and its salts' instead of 'glyphosate (acid)'.

The SC voted in favour of the proposal (6 in favour and 1 abstention).

Decision 8

SC approves to move glyphosate from Orange List to Red List and introduce a phase out timeline until July 2022.

The SC voted in favour of the proposal (6 in favour and 1 abstention).

Discussion:

- It was noted that although 2 years' transition time might not be considered as quick enough it was acknowledged that such a change requires time to adapt.

Next steps:

By April 2020:

- Publish and implement the decisions as agreed, in revised HML document
- Finalize the synopsis paper and share it with stakeholders
- Update the explanatory document for SPO standard

By May-June 2020:

- Share inputs as a recommendation to Pricing Team
- Provide information sessions and trainings on changes to PNs, NFOs and
- Provide support to Producer Networks on alternative options for materials that will be phased out in 2022.

Item 3 – Pilot Organic Cotton India

Due to time restrictions, it was decided that this topic would be voted by email

It was announced that the current proposal will be updated to include some flexibility in terms of implementation to cater for any impact of the COVID-19 pandemic. This will be included in an updated version of the paper which will be sent to SC members to vote on.

According to the SC ToR section 4.2.3, SC members have 5 working days to send comments/votes to S&P and SC Chair via email.

Next steps:

Depending on the received comments, it will be decided if a second round is needed.

Item 4 – COVID -19

The S&P Director updated the SC about measures that were taken to respond and adjust to the circumstances caused by the COVID-19 issue, such as issuing the interpretation note on Fairtrade Premium use flexibility as discussed with the SC in the March meeting. S&P will assess project per project and will revise project timelines in general and consultation periods in particular as needed.

Regarding further challenges in the implementation of the standards, prices and assurance due to COVID-19, S&P is looking at scenarios considering different lengths in the mobility restrictions and/or economic impact on certified operators. As needed, S&P will develop proposals to be discussed at the upcoming SC meetings in May and July 2020.

FLOCERT Director of Operations, presented the Covid-19 related measures the certification body has put in place as first response and that were also communicated to all customers on March 16, 2020. This includes remote audits instead of physical audits for certified traders, postponement of audits for certified producer and applicant producers. Other measures include increased flexibility on procedures (e.g. extension of expiring certificates) and exceptions.

As a next response, FLOCERT presented the outline of a scheme to continue auditing certified organizations where physical audits are not possible (e.g. mobility restrictions, long term conflict, disease outbreaks). The main feature being that a reduced list of compliance criteria (instead of the full list) will be checked remotely. Details of the scheme and the reduced list of compliance criteria would be public. The certification status will be given as 'Certified under Special Conditions'. Further, the sections of standard/requirements that were not assessed will be included in the next physical audit, to ensure full

check / audit of customers. This Certification under Special Conditions could be rolled out as an interim measure for the COVID Crisis.

A SC member asked whether initial audit could still be carried out remotely, with a physical audit followed up later, if SPO applicants have already sent their application documents, paid for application and first inspection. Further the SC member added that not having a scope on the way forward in timing of inspection blocks their Fairtrade benefits and FP income, since the reason for those SPOs to remain in phase of application is caused by external circumstances. FLOCERT explained that at this stage priority is being given to the existing certified customers. Later on, if innovations for this type of customers will be needed, then an appropriate approach can be presented to the OC/SC.

The A&O manager gave an update on the approaches that other certifications schemes have adopted to adjust to the COVID-19 circumstances. Many of the certification schemes have various certification bodies who come up with their individual solutions on the adjustments in audit procedures. In many cases, for the time being remote audit is provided as an option to already certified traders as well as producers. For initial audits, an accreditation body who works with several certification schemes, introduced a two phase approach, to keep on providing certification by doing the remote audit in the first phase (remote assessment) and physical audit as a second phase once physical access is possible again. The reason for this, is that they would want to keep certifications uninterrupted and at the same time to allow organizations to start working on their non-conformities before the certificate is issued. Some schemes who are exploring the remote assessment are not yet sure whether to allow to have the same claim as with the physical audits. Overall the impression is that most of the certifications schemes agree that it is risky to give certificates based only on remote assessments, especially for new applicants, nevertheless, they are still offering it to existing customers to ensure the continuity.

Action points:

- FLOCERT to share the document (proposal for existing producers) with the SC;
- FLOCERT and S&P to explore if the scheme presented can be extended to applicant producers and present to the next SC meeting.

Item 10 – AOB

SC members were reminded to send to S&P their comments regarding the proposal of North to north trade presented by MH FR.

Next meeting date

A teleconference meeting will take place on May 2020 to further discuss and analyse the measures taken to ease some of the negative impacts of the COVID-19 pandemic. The exact date is still to be confirmed.

The meeting was formally closed.