

Summary of changes in latest version of REAL's Biofertiliser Certification Scheme Rules

REAL published version 5 of the Biofertiliser Certification Scheme rules on 21st December 2018. They are available online [here](#). In addition, the BCS position on technical requirements is available to download [here](#).

The main changes are summarised below.

Implementation

The new scheme rules come into effect on 1st January 2019. There is a one-month transition period during which producers will be required to make any changes to documentation e.g. references to Scheme Rules version 5. There is a deadline of **1st February 2019** to implement these changes.

Key changes

- Addition of reference to SEPA's regulatory position statement for digestate and the additional quality requirements for operators in Scotland (4.1.7).
- Introduced different categories of certification (4.2)
 - Quality assurance – certified to PAS110 and the BCS scheme rules and the compost produced will remain under waste regulatory controls.
 - End of Waste (England, Wales and Northern Ireland) – certified to PAS110, the BCS scheme rules and the AD Quality Protocol.
 - End of Waste Scotland – certified to PAS110, the BCS scheme rules and SEPA's regulatory position statement for digestate.
- Temporary cessation of production of PAS 110 digestate shall result in immediate certificate suspension (4.2.10)
- UKAS accreditation - Information added about UKAS accreditation added. Certification bodies will be audited by UKAS and producers may have to host witnessed audits. (5.5)
- Independent sampling has been removed.
- Research Hub and Research Fees (5.7)
 - The Research hub aims to develop the technical and regulatory aspects of certified compost and digestate production, testing and usage.

- It will be paid for by scheme participants (certified producers) and all scheme participants will need to pay the research fees as part of their annual fee for being a participant in the certification schemes
- Fees will be charged per certified process according to input tonnage below.

Groups	BCS Input (tpa)	Annual research fee (flat fee)
I	0-6,000	£100
II	6,001-15,000	£300
III	15,001-25,000	£600
IV	25,001-50,000	£800
V	50,001-75,000	£1,200
VI	>75,000	£1,500

- Pre-requisites for application – if any of the conditions in the authorisation issued by the regulator are breached or authorisation is partially or fully suspended, then the certification body may suspend the certificate or withdraw the anaerobic digestion process from the scheme. Such a decision by the certification body will depend upon the severity of the breach and whether the nature and type of breach mean that the quality of digestate produced and its compliance with PAS 110, the Anaerobic Digestate Quality Protocol, or REAL’s Scheme Rules are severely compromised (6.1.2).
- Sampling - during the course of the inspection, the certification body’s inspector may request the operator’s relevant personnel to carry out digestate sampling in his/her presence to verify the correct sampling procedures are followed (7.1.9).
- Non-conformities – if during an audit, a non-conformance is identified that is also relevant to the regulator responsible for waste management regulations then the certification body will notify the regulator of the nature of the non-compliance, actions to be taken and evaluation of corrective action (7.2.9).
- Conformity marks – three conformity marks introduced for the three different certification options. REAL have set a six-month transition period with a deadline of 1st July 2019. This should allow time for producers to use bags already printed with the previous conformity marks to comply with this requirement (9).
- Renewals
 - The inspection shall take place approximately 3 months before the certificate expires (10.1.6).

- If removed from the scheme, a compost producer can reapply following a one month cooling off period (10.1.10).
- Risk-based spot checks (11)
 - Certification bodies shall arrange for inspectors to carry out spot checks at compost sites that are considered 'high risk' based on a standardised risk assessment provided to the certification bodies by REAL.
 - This standardised risk assessment includes criteria on responses to compliance notices issued following a test failure and responses to product complaints.
 - The notice period for the risk-based spot checks is between 24 and 48 hours.
- Information - producers shall record waste recovery returns data and other data for the certification bodies to collect during the annual audit (13.1.1). This shall include:
 - the tonnage of 'waste' dispatched from site annually (possibly as rejected fractions of oversize or contaminants)
 - the input tonnage split between the PAS process and the non-PAS process
 - the tonnage of PAS compost per grade
 - the markets that each certified compost grade is supplied to
 - the number of product complaints received since the last inspection and the nature of each complaint (e.g. plastic contamination)
 - a statement of whether the producer accepts certified compostable liners and/or certified compostable packaging and whether the producer consents for their company details to be shared by REAL with relevant parties.
- Test results (13.2) - REAL may produce and publish statistical reports drawing upon aggregated PAS 100 test results data so that individual data cannot be traced back to individual applicants or members. REAL may use anonymous test results data to inform research and consultations relating to the production of compost in the UK and may share aggregated test results data with third parties to undertake research projects that are considered relevant and beneficial for the scheme. Individual data will not be traced back to individual applicants or members.
- Complaints procedure updated (14) – Update to include details on the compost producers responsibilities (investigate and take appropriate action, record complaint etc) and REAL's responsibilities. Certification bodies to notify regulators of all complaints. Potential for spot check visits or spot sampling visits.
- Complaints about the Compost Certification scheme (14.4) – Information set out about how complaints will be dealt with.

- Derogation for temporary processing of non-permitted waste materials (annex 1). Information about how waste from a specific source (not included in QP appendix B) can be included in the composting process. Requires permission from regulators and compost produced remains under waste regulatory controls.