

# Principles, Criteria and Indicators for Responsibly Produced Peat

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## PREAMBLE

This document contains the draft principles and criteria for a responsible peat supply chain, which will be the basis for certifying growing media that contain peat and for certifying peat extraction sites that deliver peat to the growing media industry. The criteria have been drafted by a group of private sector players from peat production, manufacturing of growing media, users of growing media and retail in close interaction with representatives of non-governmental organisations. The private sector members of this group are committed to organise their future activities in a 'Foundation for Responsible Peat Production', which will be the owner of the Principles and Criteria and the associated Certification Scheme. Indicators for measuring compliance to the criteria have been worked out by the Temporary Technical Committee (TTC).<sup>1</sup>

In several European countries, there is an increasing pressure on the growing media and peat industry to make sure that only peat from responsible sources will enter into the supply chain. The UK government has developed strategies to gradually phase out the use of peat. Similar developments are seen in Germany, Switzerland and France. In 2010, the Dutch government took the initiative, not only to look for alternatives to peat, but also to develop a certification system for responsibly produced peat as a constituent in growing media. The principles and criteria, presented in this document, are the result of a project, financially supported by Dutch government between 2010 and 2012.

The goal of the Certification Scheme for Responsibly Produced Peat is to ensure that peat used as a constituent for growing media in both professional horticulture and the hobby gardening market<sup>2</sup> can be guaranteed from responsible sources and that sources that do not fulfil the criteria are effectively excluded. The normative umbrella of these principles and criteria is the *IPS Strategy for Responsible Peatland Management (SRPM)*<sup>3</sup>. The Principles and Criteria as defined in this document should make sure that the certified companies and extraction sites take into account the SRPM strategic objectives for biodiversity, hydrology and climate change during the entire business cycle from developing and operating extraction sites until and during after-use. This process will ensure that peatlands will be used, managed and restored in a responsible way, generating optimal social, cultural, economic and ecological benefits.

These draft Principles and Criteria also build upon the earlier work by the European Peat and Growing Media Association (EPAGMA). *EPAGMA's Code of Practice*<sup>4</sup> contains seven core principles for which practices have been described. This document uses similar principles.

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<sup>2</sup> The project partners have agreed to apply the certification scheme to the professional and hobby market for growing media only.

<sup>3</sup> IPS, *Strategy for Responsible Peatland Management*, International Peat Society, October 2010

<sup>4</sup> EPAGMA, *Code of Practice for Responsible Peat Management*, (October 2009)

Many elements of the practices as defined by EPAGMA were the starting point for defining the criteria in this document.

The Principles and Criteria contain obligations to be fulfilled by single companies that certify their peat production according to the RPP scheme. The RPP scheme is the contribution of the peat-based supply chain for growing media to responsible peat extraction. This contribution is an important part of a combined effort of governments on different levels, the private sector and the civil society to stimulate responsible peat production. The RPP scheme, however, cannot prescribe the behaviour of others than individual companies such as the industry as a whole or government. Many issues, such as the restoration or re-development of peat extraction sites for which no clear private sector responsibilities exist, cannot be dealt with in this scheme, but require public sector action.

The certification system aims at minimising the negative effects of peat extraction whilst maximising its positive effects. Negative: peat production can have negative impacts on environmental values; Positive: rehabilitation measures after extracting peat from highly degraded peat under land used for agriculture or forestry can result in a net gain in natural values, for example. The certification system forbids peat extraction from high conservation value areas whereas stimulating peat extraction from highly degraded areas followed up by appropriate after-use measures.

The geographical scope of these Principles and Criteria is peat used in the European<sup>5</sup> industry for growing media, extracted in Europe and possibly some areas in neighbouring countries. Therefore issues typical for tropical peatlands and the countries where they are situated (as explicitly mentioned in the IPS strategy) have not been incorporated here. However, if issues not dealt with in the present version of the Principles and Criteria, become relevant, they will be included in future versions.

The principles and criteria contain requirements for responsible extraction of peat, including the selection of sites and after-use. Many of these requirements are already covered by European, national and regional legislation and regulations. The certification scheme requires that peat extraction companies fulfil the requirements independently of the degree to which national legislation has implemented European legislation and independently of the quality of national, regional or local enforcement. For sites in neighbouring countries, the same standards apply as for sites in the EU.

The principles and criteria for RPP equally apply in all production countries. No country-specific criteria have been developed or will be developed. However, the certification system takes differences between countries into account, especially with respect to the application of site selection criteria. Peatlands that were close to a natural state prior to extraction (so-called class 2 areas) are generally not eligible for RPP certification. However, the certification scheme makes exceptions for countries with ample availability of natural and semi-natural peatlands.

This draft version of the Principles and Criteria does not yet include requirements for the supply chain from extraction site (including after-use) to end product and consumer. The Principles and Criteria relate to peat extracting companies and the management of their

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<sup>5</sup> European Economic Area + Switzerland

extraction sites and not to any of the end products yet. However, it is recognised that, in the context of the 'wise use policy' for peat extraction, there are strong arguments to use peat preferably for high value added applications, such as growing media for horticulture. The principles and criteria in this document will be used for certifying the source of peat used for professional horticulture and hobby markets only. Certification of peat for other uses is not the purpose of the certification scheme that will be developed on the basis of the Principles and Criteria.

This document contains a first version of indicators by which compliance to the criteria can be measured. Criteria and indicators will then be tested in test certifications before becoming final.

## INTRODUCTION

### The Overall Goal

The overall goal of this document is:

To provide a set of principles, criteria and indicators that can be effectively used to certify growing media for professional horticulture and the hobby gardening market so that the market can be certain that peat used in these products is from responsibly selected and responsibly managed sites only:

- responsibly selected sites: not from sites in high conservation value peatlands;
- responsibly managed sites: well-managed during all classes of development and extraction, including after-use.

### Chapters, Principles, Criteria, Indicators

The Principles & Criteria document is structured on the basis of the following chapters:

1. Legality
2. Good governance
3. Site Selection
4. Site Preparation and Peat Extraction
5. After-Use and Rehabilitation
6. Manufacturing and Trade

Apart from general principles of legality and good governance (principles 1,2), the principles follow the business cycle from site selection to after-use and the supply chain from production to end markets<sup>6</sup>. Central issues such as biodiversity and climate change are not covered by separate principles but are part of the criteria for legality (1), site selection (3), peat extraction(4) and after-use (5).

The principles and criteria relate to the obligations on different players in the supply chain, notably the peat extracting companies, the manufacturers of peat-based growing media and

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<sup>6</sup> not included in the present work yet. The current project is limited to principles and criteria for sustainable peat production.

companies that market and sell these products to both professional markets and private consumers<sup>7</sup>.

The following hierarchy is used throughout the document.

- Chapters state the core principles.
- Principles define the general objectives to be realised by responsible management throughout the peat supply chain;
- Criteria link these general criteria to concrete activities or decisions.
- Indicators define how compliance to the criteria should be measured by the players themselves and by the external auditors and certification bodies.

## Certifying, Product, Production Site and Company

The principles, criteria and indicators are intended to certify the product: either the peat containing end product or the peat produced. Many of the criteria refer to the extraction site. Other criteria, however, refer to the company. Certified peat (products) come from certified sites, operated by certified companies.

- certified sites: all criteria with respect to site selection, site preparation, production and after-use planning are being met.
- certified companies: general requirements on legality, governance etc. are being met. For abandoned production sites, criteria on after-use, for which the company bears responsibility, are being met.

Companies are allowed to have both certified sites and non-certified extraction sites, but under the following conditions only:

- The company is certified with respect to legality, governance and after-use obligations with respect to abandoned extraction sites. Note that companies must not have any abandoned site without a proper after-use plan. An exception is made for sites that were abandoned already before the cut-off date (see below).
- For sites operated by joint ventures, all the participating companies shall be certified.
  - Certified peat exclusively comes from certified sites
  - Companies keep non-certified and certified peat physically separated during storage and transport.
  - Mixes of certified and non-certified peat may not be used in any certified product.
- The company's non-certified sites are not allowed to show any of the following problems:
  - production without a legally valid licence;
  - production from legally protected nature protection areas, unless these areas have an official, legally valid production licence;

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<sup>7</sup> to be included in future versions. Not included yet.

- major conflicts with population or government agencies regarding the particular site.
- A company is allowed to buy peat from other companies and sell mixtures of own production and externally sourced peat. The following rules apply:
  - The company has the obligation to check the legality of all externally sourced peat;
  - A company that buys peat from companies that produce illegally will not be allowed to certify any of its production sites;
  - Peat from the company's own certified sites may be mixed with externally sourced certified peat and sold as certified peat as long as the company can trace all peat back to its certified sources and show the certificates of all extraction sites involved.

## Cut-Off Date: New and Old Sites – After-Use Obligations

Criteria related to the selection of new sites (Chapter 3) can only relate to sites developed after a cut-off date.

The cut-off date will be set to the publication date of Version I of these Principles and Criteria. Version I is the first version approved by the board of the Foundation for Responsibly Produced Peat, defined date 01-01-2014.

Sites developed after the cut-off date, which do not comply with the criteria for site selection (Chapter 3), can never be certified in the future.

For sites developed before the cut-off date, all criteria for production (production-related criteria in Chapter 4) and after-use (Chapter 5) shall be met. Criteria for site selection (Chapter 3) and site preparation (site preparation criteria in Chapter 4) do not apply, however. For after-use and after-use planning (chapter 5), the following should be clarified:

- If the company had agreed on an after-use plan for a producing site (developed before the cut-off date) before the cut-off date, thereby fulfilling all legal requirements at the time, this particular site is exempted from implementing the criteria in Chapter 5..
- If there is no such after-use plan available for this producing site (developed before the cut-off date), there is an obligation to develop such an after-use plan in full compliance with Chapter 5 within 2 years from certification.
- The same applies to sites that were abandoned after the cut-off date: If the after-use plans had been agreed before the cut-off date, there is no obligation to comply with Chapter 5. If there are no such after-use plans, new after-use plans shall be made for all closed sites where this applies, in full compliance with Chapter 5 within four years from certifying the company's first site.
- The certification scheme does not contain obligations for sites abandoned before the cut-off date.

The situations may be summarised in the following diagram:

### After-Use Obligations on Peat Company

		site developed	
		before cut-off date	after cut-off date
site abandoned	abandoned before cut-off date**)	NO OBLIGATIONS	not possible
	abandoned after cut-off date**)	IMPLEMENTATION OF LEGALLY VALID AFTER- USE PLAN AGREED WITH AUTHORITIES*)	IMPLEMENTATION OF AFTER-USE PLAN IN COMPLIANCE WITH P&C CHAPTER 5
	producing	LEGALLY VALID AFTER- USE PLAN AGREED WITH AUTHORITIES*)	AFTER-USE PLAN IN COMPLIANCE WITH P&C CHAPTER 5

\*) if not present: after-use plan in compliance with P&C Chapter 5.

\*\*) abandonment date = day following the day of last production.

### Development and abandonment dates are defined as follows:

- Development date:
  - The development date will be set to the date of the full official licence application.
- Abandonment date: the day after last production has taken place. This date can be the first date the year or to be defined by the company. Production is assumed to have stopped if one of the following conditions apply:
  - all production facilities, machinery has been removed. Production is not practically possible anymore;
  - no production is taking place for at least three years, even if technical facilities could make production possible. In case of longer term, dispensation has to be granted by the Board.
  - If a part of a site is still operational and there is no legal obligation for after-use on the non-production area, the whole site is assumed to be not- abandoned

## Compliance, Non-Compliance, Time for Correction

Technical details of the certification system are still to be worked out. In a next version, it will be more clearly distinguished which criteria need immediate compliance before a certificate can be granted and other criteria that need some time for full compliance. Giving some time for compliance will enhance the acceptance of the certification system without lower its requirements. The next version will contain distinctions between criteria that need

immediate compliance, compliance in the short term (e.g. 2 years) and compliance in the somewhat longer term (e.g. 5 years).

## Relationship between RPP Certification and (National) Law

The RPP certification system requires that peat producing companies respect all applicable local, national and international law and regulations. The relationship between the certification requirements and national law is as follows:

- in cases where the law is more demanding than RPP, the law shall be followed;
- in cases where RPP requirements are more demanding than the law, RPP shall be followed;
- in cases where RPP requirements are against the law, the law shall be followed and not RPP;
- RPP requires that the law is obeyed, also in cases where state authorities do not check compliance.
- A company or location can be withdrawn from RPP certification in case the license of a company is withdrawn by government or court.

## PRINCIPLES AND CRITERIA

### Principle 1: Legality

<b>Compliance with Law and Regulations</b>		
The criteria apply to the company, not to single sites only.		
Principle 1.1: Peat producing companies <sup>8</sup> shall comply with all applicable laws and regulations of the country in which the operations occur and with relevant international laws and agreements.		
<b>RP Criterion</b>	<b>Indicators</b>	<b>Remarks</b>
1.1.1 Peat producing companies shall be able to prove that they have all the applicable licences, permits and conform to all other legal requirements for producing peat at all their production sites, including non-certified sites, and including abandoned sites for which they bear legal responsibility.	Companies present a full list of planned production sites, production sites and abandoned sites for which they bear responsibility.  Companies present licences to the certifying body.	European regulation always applies, irrespective of its implementation in national law.
1.1.2 Peat producing companies shall have access to all technical and legal knowledge necessary to guarantee awareness of their legal obligations.	Companies show how responsibilities for legal issues are effectively implemented in their structure or effectively outsourced to external organisations.	
<i>Specific details on legal compliance are in the chapters 3, 4, and 5</i>		

<sup>8</sup> In future versions, this will not be restricted to peat producing companies but to all relevant companies in the peat supply chain from peat extraction to selling the end product.

<b>Securing the Certification System's Reputation</b>		
Principle 1.2: Companies that damage the reputation of the certification system by unlawful behaviour are excluded from certification and will lose all RPP certificates obtained.		
<b>RP Criterion</b>	<b>Indicators</b>	<b>Remarks</b>
1.2.1 Companies must not produce from any site without legal permits.	Companies shall produce evidence that legal permits are available for all sites, including their non-certified sites.	
1.2.2 Companies must not source from any other company that is producing illegally	Companies shall produce evidence that the companies they source from are producing legally.	
1.2.3 Companies must not create joint ventures with companies that behave illegally or that source from companies that produce illegally.	Companies shall produce evidence that the companies in their joint ventures do not produce illegally or source from illegal production.	
1.2.4 Companies must not be involved in any corruption case or any case of human rights violation.	Companies shall produce evidence that they and their business partners (joint ventures, peat suppliers) are not involved in such cases.	

## Principle 2: Good governance

The principles and criteria apply to the company, not to single sites only.

This chapter will eventually be merged into the chapter on Principle 1. To avoid confusion about chapter numbering, this change has not been made yet.

<b>Transparency about Peat Operations</b>		
Principle 2.1: Peat extracting companies shall be transparent about their operations		
<b>RP Criterion</b>	<b>Indicators</b>	<b>Remarks</b>
<i>The principle has been implemented by criteria in the specific chapters on site selection and after-use</i>	none	
<b>Stakeholder Dialogue</b>		
Principle 2.2: Peat producing companies shall organise stakeholder dialogue and stakeholder participation properly		
<b>RP Criterion</b>	<b>Indicators</b>	<b>Remarks</b>
<i>The principle has been implemented by criteria in the specific chapters on site selection and after-use</i>	none	



## Chapter 3: Site Selection

Site selection criteria only apply to sites selected after the cut-off date.

<b>Compliance with Legislation and Regulation</b> applies to sites selected after the cut-off date		
Principle 3.1: Site selection shall be in full compliance with government legislation and regulations on all levels		
RP Criterion	Indicators	Questions/Remarks
3.1.1 Selection of sites shall be in full compliance with all relevant <u>EU directives</u> including EIA Directive, Habitats Directive, Birds Directive, IPPC Directive and Water Framework Directive.	For each development of a new site or an extension of an existing site, the company shall perform an EIA pre-assessment (German: 'Vorprüfung')  The company shall perform a full EIA in two cases only: <ol style="list-style-type: none"> <li>1. if there is a legal obligation to do so;</li> <li>2. if the pre-assessment leads to this obligation, on the basis of the classification tool (Annex A).</li> </ol>	N.B. The RPP-obligation regarding a pre-assessment is valid for all sites, not depending on size or national laws.  The EIA obligation is not based on the size of the site or site extension, only on the results of the pre-assessment.

<p>3.1.2 Selection of sites shall be in full compliance with all local, <u>national regional and ratified international laws and regulations</u>.</p>	<p>The company presents its licence and related documentation to the certifier.</p> <p>There are two options for compliance:</p> <ol style="list-style-type: none"> <li>1. Either: the company makes plausible that all relevant legislation and regulation is effectively covered by the licence obtained, and effectively enforced by the authorities;</li> <li>2. Or: the company gives clear evidence that it effectively takes into account also those elements that are not well included in the licence and/or not properly enforced by the authorities.</li> </ol> <p>An English summary shall be part of the documentation provided.</p>	
<p>3.1.3 <u>Sites outside the EU</u> shall be proven to comply with EU directives or equivalent national and regional legislation, including obligations on Impact Assessment.</p>	<p>For sites that require an impact assessment on the basis of Annex A, companies shall provide an impact assessment with the same information for sites outside the EU. Where national or regional legislation is weaker than EU law, conformity to EU law shall be proven.</p>	

<p><b>Stakeholder Consultation</b> only applies to sites selected after the cut-off date</p>		
<p>Principle 3.2: Sites may only be selected after Consultation with Local and Regional Stakeholders</p>		
<p>3.2.1 <u>Full Prior Informed Consultation</u> with relevant local / regional stakeholders shall take place before developing any extraction site.</p>	<p>Before obtaining the extraction licence, the company shall provide full information (a) on the local and regional stakeholders potentially affected by the peat extraction planned on the site, (b) on the consultation processes followed before developing the site. The peat extraction company shall document (i) how the consultation process was or was not linked with the licensing process, (ii) that the plan for peat extraction was publicly and timely announced to the relevant stakeholder groups, (iii) the consultation process, including meetings held, (iv) the way the company dealt with the inputs from the consultation process.</p> <p>This obligation is limited to new sites and larger extensions (larger than 10 ha).</p>	

**Minimising Negative Effects on Biodiversity and Other Values**

applies to sites selected after the cut-off date

Principle 3.3: Areas where peat extraction will affect peatland with high conservation value shall not be selected.

RP Criterion	Indicators	Questions/Remarks
3.3.1 Peatland of high conservation value shall not be selected for peat extraction.	<p>Using the methodology outlined in Annex A, the company demonstrates that one of the following conditions apply:</p> <ol style="list-style-type: none"> <li>1. the peatland is classified as “class 4”;</li> <li>2. the peatland is classified as “class 3” and none of the exceptions as formulated in Annex A apply;</li> <li>3. the peatland is classified as “class 2” and special exceptions, as formulated in Annex A, apply that make extraction from this class 2 peatland eligible for certification.</li> </ol>	N.B. Peatlands that conform these indicators are eligible for certification. However, if other criteria mentioned elsewhere in this document have not been met, certification will not be possible.
3.3.2 Sites on which peat extraction will affect the hydrology and/or biodiversity of adjacent sites with high conservation value sites shall not be selected.	<p>The company provides objective evidence demonstrating that the envisaged peat extraction operations will not seriously harm high conservation values of global, regional or local importance in adjacent areas.</p> <p>If an EIA is required (see Annex A), this evidence will be part of it.</p>	Serious harm: the committee who performs the EIA or pre-assessment also defines the level of harm. Procedures for objection may apply to the defined level of harm.

<b>Preference for Degraded Areas</b> applies to sites selected after the cut-off date only		
Principle 3.4: Drained and degraded peatlands shall be prioritised for peat extraction.		
RP Criterion	Indicators	Questions/Remarks
3.4.1 Peat producing companies shall select sites for which eco system services after peat extraction show an improvement or remain at least equal in comparison to the situation before extraction.	If there are suitable extraction sites available, classified as “class 4” (see Annex A), these will be prioritised above “class 3” and “class 2” sites.	Reference to Annex B. Further guidance will be developed.

## Chapter 4: Site Preparation and Peat Extraction

<b>Impact Assessment and Planning</b> only applies to sites where site preparation started after the cut-off date		
Principle 4.1: Site preparation, Extraction / Production shall follow a detailed planning based on a systematic impact assessment.		
RP Criterion	Indicators	Remarks
4.1.1 An assessment of all relevant on-site and off-site impacts of peat extraction on biodiversity, hydrology, greenhouse gas emissions from drainage, water quality adverse impacts on people and amenity values shall be prepared before extraction may take place, unless it can be shown that such an assessment is not needed.	<p>A document reporting the outcomes of the assessment shall be made available to the certifying body.</p> <p>Not required for sites developed before the cut-off date.</p>	<p>A <u>guiding document</u> on contents and format is present (Annex C)</p> <p>The fact that an area is already licensed, does not change the obligation of the company to assess its impact on-site and off-site to ensure that these impacts are mitigated properly.</p>
4.1.2 Peat extraction and production shall be based on a detailed management plan, including a plan for after-use and after-use preparation.	<p>The extraction and production plan shall be presented to the auditor</p> <p><i>After-use: See the chapter on after-use</i></p>	<p>A <u>guiding document</u> on contents and format is present (Annex C)</p> <p>One of the core principles of RPP is that there will always be an (intended) after-use (plan). If there are reasons for a change in plans, the company should follow the procedure for defining an after-use plan, including stakeholder consultation.</p>

<b>Site Preparation</b> only applies to sites where site preparation started after the cut-off date		
Principle 4.2: Careful site preparation shall minimise negative effects on biodiversity, greenhouse gas emissions and hydrology.		
RP Criterion	Indicators	Remarks
4.2.1 Site preparation shall take into account the effects on hydrology, biodiversity, greenhouse gas emissions and water quality on and off site.	<p>Expected effects on hydrology, biodiversity, etc. shall be reported to the auditor.</p> <p>If serious effects can be expected, a mitigation plan is to be presented.</p>	<p>This criterion is to be considered as an approach in general. There is common knowledge available on effects.</p> <p>If completely covered by licencing this criterion is fulfilled, otherwise additional reports must be present.</p>
<b>Impacts of Extraction Operations</b> (applies to all sites, old and new)		
Principle 4.3: Negative environmental impacts of peat extraction shall be minimised.		
RP Criterion	Indicators	- Remarks
4.3 Negative environmental impacts of peat extraction shall be minimised	The company shall carry out a quick-scan, define and implement a monitoring plan and present the result to the certification body, including following aspects:	[51]

	<ul style="list-style-type: none"> <li>• Effective handling and storage procedures to prevent spillage of fuel, oil or other soil contaminants shall be in place.</li> <li>• Effective procedures for controlling and reducing waste generation and waste disposal shall be in place.</li> <li>• Effective measures for preventing negative off-site impacts (including air pollution, impacts on water quality by run-off, flooding) shall be in place.</li> <li>• Effective precautionary measures according to site-specific circumstances shall be in place when operations are close to high conservation value peatlands.</li> <li>• Uncontrolled emissions shall be prevented by applying storage methods that minimise self-heating of peat in stockpiles.</li> <li>• Measures shall be taken to minimise negative effects on cultural values.</li> </ul>	<p>Specific remark: self-heating and burning peat will cause unwanted emissions.</p> <p>In general: the aspects mentioned in the indicators all have their individual impact on environment and therefore should be managed. This is likely already part of the licence or permit.</p>
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Principle 4.4: Negative effects of peat extraction on high conservation values shall be minimised.

RP Criterion	Indicators	Remarks
4.4 Management of peat extraction shall be organised in such a way that on-site and off-site impacts on high conservation values are minimised	<p>The company shall carry out a quick-scan (same as in 4.3) and present the result to the auditor, including following aspects:</p> <ul style="list-style-type: none"> <li>• measures taken to minimise on-site impacts on high conservation values, if any</li> <li>• measures taken to minimise off-site impacts on high conservation values, if any.</li> </ul>	see 4.3

## Chapter 5: After-Use and Rehabilitation

See the remarks in the introduction.

To sites developed after the cut-off date, all criteria on after-use apply. For sites developed before the cut-off date, a legally valid after-use plan agreed with the authorities may replace the requirements of this chapter. For sites abandoned before the cut-off date, there are no obligations in this certification scheme.

After-Use Plans		
Principle 5.1: After-use plans shall be present during all stages of site selection, licensing, site preparation and extraction.		
RP Criterion	Indicators	Questions/Remarks
5.1.1 There shall be clear operational plans for after-use	The company shall present detailed after-use plans for all its extraction sites (certified and non-certified), including sites under the company's responsibility that are no longer producing. The after-use plan shall contain clear arrangements with regard to responsibilities in the execution and monitoring of the after-use plan.	
5.1.2 Effective execution of the after-use plan shall be secured during all stages of site selection and peat extraction	The extracting company shall present information on the expected future ownership, finance and management situation and shall convincingly show how the execution of the after-use plan will be secured, even in a situation where the present	The certified company remains responsible for the after-use obligations, whether it concerns

	extraction company will no longer play a role in the after-use phase.	the original plan or an adjusted plan.
5.1.3 The company shall effectively manage the execution of after-use plans.	The peat company shall make sure that the execution of after-use plans is carefully monitored and that the results are made available to the certifying body.	.
<b>Proper Consultation about After-Use</b>		
Principle 5.2: After-use plans shall be made in consultation with relevant government agencies, regional and local stakeholders.		
<b>RP Criterion</b>	<b>Indicators</b>	<b>Questions/Remarks</b>
5.2.1 After-use plans shall be prepared in close cooperation and agreement with all <i>relevant</i> public authorities, including local and regional governments and government agencies.	The company shall present information that (a) shows what public authorities are relevant for after-use planning and (b) convincingly show that the after-use plan has been prepared in close cooperation and agreement with these authorities. Written agreements with the authorities on future after-use shall be part of this information.	The company may define relevant stakeholders by performing a stakeholder-analysis.

<p>5.2.2 After-use plans shall be prepared in consultation with all relevant stakeholders, including communities near the extraction site and NGOs</p>	<p>The company shall present information that (a) lists the stakeholders relevant to the after-use plan, (b) documents the ongoing and/or planned consultation process with these stakeholders, including intermediate and final results.</p> <p>The company shall show that relevant information, in an understandable format and in the language(s) understood by relevant stakeholders, on the after-use plans was timely communicated to all relevant stakeholders, allowing for sufficient time to prepare reactions.</p>	<p>To be prepared: <u>Check-List</u> or fixed format of reporting</p>
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<b>Choosing the appropriate after-use destination</b>		
Principle 5.3: After-use plans shall aim at returning the abandoned extraction site as close as possible and practically feasible to its original natural conditions		
<b>RP Criterion</b>	<b>Indicators</b>	<b>Questions/Remarks</b>
5.3.1 Cutover peatlands shall be rewetted with the objective target of future mire development, if this is possible and practically feasible, unless this is not desirable for reasons of biodiversity and hydrology.	<p>For each extraction site to be certified, the company shall provide an after-use plan in which the after-use destination present a higher value than the situation before extraction according to the methodology given in Annex B, unless this is not feasible for one of the following reasons:</p> <ul style="list-style-type: none"> <li>• no technical options available</li> <li>• prohibitive costs</li> <li>• against legal requirements, including contractual obligations</li> </ul>	Annex B is a mandatory tool to determine the after-use.

## ORGANISATION AND PROCESS

### Organisation Scheme

The Foundation Responsibly Produced Peat (RPP) is the owner of the certification system. The Foundation's objective is to develop and administer a certification scheme for the responsible and transparent production of peat resources, and, based on that scheme, to stimulate and facilitate certification of companies, and to do everything that is related therewith or that may be conducive thereto.

The Foundation endeavours to realise its objective by:

- actively involving anyone who has an interest in the development and the application of the certification scheme, including the development and application of a label for products based on peat certified by the scheme;
- continuously developing and improving the certification scheme;
- actively promoting the certification scheme and the label Responsibly Produced Peat among the target-groups.

The foundation organises its activities as follows:

Organisational Body	Members	Tasks
Board of the Foundation	9 members (2 x peat production, 2 x growing media, 1 x user grower, 1 x user retail, 1 x science, 2 x environmental NGO)	The Board appoints board members appoints the Complaints Panel appoints the Committee of Experts decides on Principles, Criteria and Indicators for Certification
Committee of Experts	5 members with expertise on peat-production, consumption, legislation, certification, environmental aspects	Issues check-list (for inspection) <a href="#">Issues a binding advice to the board</a> on issuing and withdrawing certificates
Inspectors	Independent experts with good national/local knowledge appointed by the Committee of Experts	perform inspections for certification and report to the Committee of Experts  <a href="#">Reporting and communication to the Committee of Experts</a> in English <u>only</u>
Complaints Panel	3 independent experts nominated by the Board.	gives binding advice to the Board in case of complaints about certification issues that cannot be solved through direct

## Contracts

Legal and practical procedures are documented in a contract between persons and companies involved. The Foundation distinguishes the following contracts:

- Application and certification of companies and sites
- Approved inspectors (including training, knowledge and experience)
- Associated organisations and persons
- Use of the LABEL

## The Certification Process

The certification process for obtaining the Responsibly Produced Peat Certificate for a particular production site and for the peat produced from that site consists of the following chronological steps:

1. **Application for Certification**  
The company that wants to obtain the Responsibly Produced Peat Certificate applies for certification of
  - a. the legality of its activities and the good governance of its organisation (as required in Chapter 1 and 2 of the Principles and Criteria);
  - b. compliance to all criteria that the Certification Scheme has defined for producing sites, for the site(s) the company wants to have certified.
  - c. compliance to the criteria on after-use planning and execution of abandoned sites as set out in the Principles and Criteria
2. Inspection is performed on site (i.e. at both the company office(s) and the relevant production sites) on the basis of a check-list provided by the Foundation. The completed check-list is sent to the Foundation's Committee of Experts. The inspection can only be performed by an inspector approved by the Committee of Experts of the Foundation.
3. The application form and inspection report is reviewed by the Committee of Experts. On the basis of the information received from the inspector, the Committee of Experts decides whether the company will receive the certificate for the site(s) under consideration. On the basis of the rules set by the Principles and Criteria, certain issues of non-conformity may be temporarily accepted by the Committee of Experts who, in that case, will set a date before which full compliance shall be realised.
4. The Committee of Experts will publish its intended decision on the website [www.responsiblyproducedpeat.org](http://www.responsiblyproducedpeat.org) . After an objection period of 6 weeks, the Committee will issue a binding advice to the Board, on granting the certificate . In case of objections, the Committee of Experts will judge the objections and respond to the complainant. If the complainant is not in agreement with the response of the Committee of Experts, the complainant can bring the issue to the

attention of the Board of the Foundation. The Board presents the issue to the Complaints Panel. See procedure below.

5. The certificate is issued for an indefinite period. The certificate exists of a digital document, published on the Foundation's website.  
After initial certification, the following procedures will be followed:
  - a. A yearly up-date by means of a self-declaration of the company regarding legality and governance;
  - b. A 3-5-yearly inspection of certified production sites and other obligations;
  - c. At the end of the production- and start of after-use phase, the company will supply periodical information to the Foundation on results of implementing the after-use. The progress in the fulfilment of the after-use plan will be published on the website of Responsibly Produced Peat (public accountability).
  
6. Above data and information will be documented in the Database *Responsibly Produced Peat*. The following policy will be applied on access to the data.

Public:

Company information  
 Certified sites  
 Communication execution of after-use  
 Complaints and decisions  
 Other (non-certified) sites

Non-public:

Inspection reports  
 Complaint reports

Non-public data will be exclusively available for the company in concern and for evaluation and improvement of the certification scheme. Aggregated data are at the disposal of the Foundation. Access and maintenance of the database are granted by to board to the secretariat of the Foundation.

7. Fees for Certification and the use of the LABEL Responsibly Produced Peat will be published on the website.

## Use of the LABEL for Peat and End Products

Peat exclusively produced from certified sites, owned by certified companies, may be labelled with the LABEL Responsibly Produced Peat. Products for Horticulture manufactured on the basis of peat from certified sites can obtain the LABEL "from Responsibly Produced Peat". A procedure for labelling end products will be developed in due course.

## Complaints procedure

The RPP certification system makes it possible to file a complaint about either positive decisions on certification (the complainant questions the certificate that, in his/her opinion has been granted on the basis of wrong data or wrong decisions) or negative decisions on certification (the complainant does not agree that the certificate was refused).

- For dealing with such complaints, the RPP board appoints a complaints panel of at least three persons.

- The complaint panel decides whether the complaint is supported by sufficient evidence to be handled by the panel.
- If the panel judges that the complaint should be investigated, it collects all necessary information and hears the complainant and other relevant parties. It may ask for more information from the complainant or others.
- The panel's advice to the RPP board is binding.

Complainants may be parties directly involved in peat production and trade (including the RPP certificate holders) or external stakeholders that represent relevant interests, including interests of the affected population, interests related to nature protection/biodiversity/climate.

## ANNEX A: CLASSIFICATION TOOL FOR SITE SELECTION (ANNEX TO CHAPTER 3)

### Site selection

When selecting a new site for peat production, the company has to classify the site on the basis of this simple classification tool. Depending on the outcomes, the site will be eligible for certification or not. Class 1 sites can never be certified and class 4 sites will always be open to RPP certification. Generally class 3 sites may be certified and class 2 sites may not, but there are exceptions. Open to certification does not mean 'certified'. More criteria have to be fulfilled than only the criteria shown below.

This classification tool can be used for both smaller and larger sites. Larger sites may contain different elements that correspond to different classes. However, only the site as a whole will be classified, depending on percentages of the area that correspond to different classes.

		yes	no	indicators
<b>Class 1</b> <b>RPP</b> <b>not available</b>	natural situation	X		Bog ecosystem functions intact
		X		Acrotelm intact
		X		Hydrology intact (no artificial drainage)
		X		Vegetation intact
		-		Regeneration possible
		X		Important for special species
<b>Class 2</b> Generally not open to RPP cert. <b>see Box 3.2</b>	limited degradation	mostly		Bog ecosystem functions intact
		mostly		Acrotelm intact
		mostly		Hydrology intact (no artificial drainage)
		mostly		Vegetation intact
		X		Regeneration possible
		X	(X)	Important for special species (s. box 3.2)
<b>Class 3</b> <b>RPP optional</b> <b>see Box 3.3</b>	strong degraded, partially under agricultural/forestry use		some	Bog ecosystem functions intact
			some	Acrotelm intact
			some	Hydrology intact (no artificial drainage)
			some	Vegetation intact
			X *	Regeneration possible
		(X)	X	Important for special species (s. box 3.3)
<b>Class 4</b> <b>RPP recommended</b>	fully under agricultural/forestry use or very strong degraded		hardly	Bog ecosystem functions intact
			hardly	Acrotelm intact
			X	Hydrology intact (no artificial drainage)
			X	Vegetation intact
			X	Regeneration possible
			X	Important for special species

## Clarifications:

### Class 1:

Peatlands under class 1 are of high value for ecosystem services such as biodiversity, carbon sink, water retention and supply, amenity functions etc. These areas therefore cannot be certified under the RPP scheme..

The typical situation for a site of class I is a completely conserved bog with a naturally functioning hydrological system. There are no human activities or impacts to the entire site apart from usual diffuse emissions of nutrients or the general influence of climate change.

Different European countries have made peatland inventories and classified the peatlands into various categories. As a rule, bogs classified into the highest categories will belong to class I in the RPP classification system. Box 3.1 (still under development) will benchmark all relevant inventories and classification system to RPP class I.

x

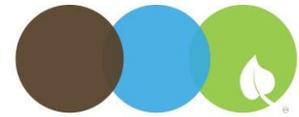
<b>Box 3.1: Benchmarking of class 1 to inventories and classification systems of different European Countries</b>	
Finland	
Estonia	Excellent value (red colour) and Good value (Green colour)
Sweden	class 1 (highest nature-conservation value) and class 2 (high value)
<i>List to be completed</i>	

## **Class 2: not eligible for RPP certification, unless...**

A peatland area in this class still has significant conservation values. Parts of the area have already been affected either by on-site activities such as linear drainage impacts, neighbouring excavation activities or by impacts from intensive land-use in adjacent areas.

Options for hydrological restoration and rewetting of the peatland that lead to restoration of full bog eco-hydrological processes are generally possible if drainage infrastructure can be stopped and reversed (on site) or isolated (off-site). In general, these areas will not be eligible for certification under the RPP scheme, and priority should be given to restoration.

However, under certain conditions and provided that national inventories or plans allow excavation in a class 2 area, there may be an exception to the general rule, based on a single case decision on the basis of the decision tree in box 3.2. Please note, that a positive decision to make a class 2 area eligible for certification does not automatically grant the certificate. There may be other requirements in the certification system that are still not being met.



peat

The *decision tree for areas in class 2* comes into function for assessment of an application for certification of a bog licensed after the cut-off-date of 01/01/2014. The Board of RPP concluded during its meeting of 28 August 2014, that there is some more time and discussion needed for a balanced (re)definition of the decision tree in box 3.2 with regard to *relevant impacts*.

The above mentioned time needed for defining relevant impacts, is created by bringing distinction in application for certification of locations licensed before and after the cut-off-date of 01/01/2014. The Board has therefore decided to introduce a phased start of RPP-certification:

1. Locations for peat extraction licensed before 01/01/2014: open for applications
2. Locations for peat extraction licensed after 01/01/2014: start in course of 2015

### Box 3.2: Decision tree for areas in class 2

- 1 **Is the area a part of a peat bog in which peat extraction already takes place or which is otherwise being affected by other relevant impacts**

**Yes:** continue to 2

**No:** extraction cannot be certified

*\*These are moderately degenerated part areas for which re-wetting and peatland regeneration will eventually not be successful because of the negative influence from adjacent areas (large scale peat extraction, lowering of water levels, etc.)*

*\*\*These are closed peatland complexes, which have been only moderately affected and which can be re-wetted and regenerated by relatively simple measures.*

- 2 Are there other areas with an equal or better ecological quality [47] available in the particular peat bog or in the peat region (within the context of the bio-geographical region)?

**Yes:** continue to 3

**No:** certification not possible

- 3 Does the area function as a habitat for strongly protected species?

**Yes:** not possible without an EIA necessary    **No:** continue to 4

- 4 Which significance does the area have for the area-specific fauna and flora? Does the area represent irreplaceable donor potentials for regeneration in the larger peatland area?

**Yes:** continue to 5

**No:** certified extraction possible

- 5 Is it feasible to transfer the acrotelm containing donor vegetation and seeds to the appropriate re-wetting areas to develop habitat functions for protected species of vegetation and / or fauna?

**Yes:** certified extraction possible

**No:** no certified extraction possible.

*In case of a positive decision in favour of certified extraction, special requirements for extraction methods and after-use should be formulated.*

### **Class 3: eligible for RPP certification, unless ...**

Peatlands under this class have less significant conservation values since such areas already have been substantially affected by drainage, which has started the degradation the vegetation degradation and has stopped processes in the acrotelm.

There may be spots in the area that have not been affected at all or to a minimal extent only. However, eventually degradation of these spots will be hard to avoid as a result of the overall development in the area.

The general rule is to make class 3 areas eligible for RPP certification. However, a class 3 area may be excluded from RPP certification if it contains certain values of high importance. For that reason, it is required to carry out a preliminary test to define whether there is a need for carrying out an Environmental Impact Assessment (EIA Pre-assessment, German: “Vorprüfung”), as indicated in box 3.3.

If, for instance, this test shows

- the area is of high importance to special species<sup>9</sup>,
- the areas contains a restricted range species endemic to this site,
- or a threatened (strongly protected) species that depends on this habitat and the area, despite its disturbance, represents one of the best or only example(s) of this habitat,
- or if the area provides an ecosystem services to another (off-site) area on which the species depends,

then such a full EIA based on thorough investigation is required to define whether the area is eligible for RPP certification.

If it can be shown that such an impact assessment is not needed (the area has no special or has only limited biodiversity values, which can also be commonly found and conserved elsewhere), then the area is eligible for RPP certification.

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<sup>9</sup> “Importance for a species” is related to the species being dependent for at least part of its lifecycle on the area or the ecosystem services rendered by the area (e.g. water supply to downstream areas on which the species depends).

**Box 3.3: Decision tree for areas in class 3**

1. Are there special protected species in the site? \*)
 

<p><b>Yes:</b> IEA required, continue to 4</p>	<p><b>No:</b> continue to 2</p>
--	---------------------------------
  
2. Does the site have a function of a corridor for special protected species?
 

<p><b>Yes:</b> IEA required, continue to 4</p>	<p><b>No:</b> continue to 3</p>
--	---------------------------------
  
3. Does peat extraction in this site result in impacts (hydrological or others) on protected areas?
 

<p><b>Yes:</b> IEA required, continue to 4</p>	<p><b>No:</b> area is eligible to certification</p>
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4. Does the IEA conclude that peat cannot be extracted without unacceptable impacts?
 

<p><b>Yes:</b> area is not eligible to RPP certification</p>	<p><b>No:</b> eligible for RPP certification, on the condition that IEA requirements are followed up.</p>
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\*) EU-bird directive 79/409/EWG  
FFH- directive

**Class 4:**

The ecological character of peatlands in Class 4 has been changed completely as a result of drainage, ploughing, fertilisation and crop management.

This class includes typically sites under agriculture use or very strong impacted areas as abandoned excavation sites. They do no longer have any special values for bog related biodiversity conservation or for other natural ecosystem services. Biodiversity values alien to the original bog ecosystem many have developed in areas converted to farmland. The RPP scheme does not require protection of such values, unless this is required by public authorities on the basis of legislation and regulation.

For class 4 areas, peat extraction, if followed by appropriate after-use measures, can contribute to improving conditions for rehabilitation of natural values: wetland rehabilitation and, in certain cases, restoration of bog formation processes. Peat extraction can in this case constitute a win-win option for both economy and biodiversity. Therefore all class 4 areas, without exception, are eligible for RPP certification, unless the relevant authorities decide against giving a legally valid permit, in which case Chapter 1 does not allow for RPP certification.

## The Relationship between RPP and National Classification Systems

RPP's classification will be used:

- to classify peatland sites directly
- and to benchmark existing classification systems so that the national classification data can be used (partly) as a proxy for the RPP system.

Other classification systems can be authorised to be used as a proxy for the RPP system if it can be made plausible that the classes in that system provide an equivalent to the classes used in RPP. The procedure is as follows:

- The organisation interested in recognition of their national system by RPP (company, association, government, ...) sends a proposal to the RPP board;
- The proposal contains the arguments for the equivalence of classes in the system proposed with the RPP classification.

After a discussion between the RPP board and the applicant, the RPP board decides on whether and how to use to link the classification system to the RPP classification.

[27]

## ANNEX B: METHOD FOR DEFINING ALLOWABLE AFTER-USE DESTINATIONS (ANNEX TO CHAPTER 5)

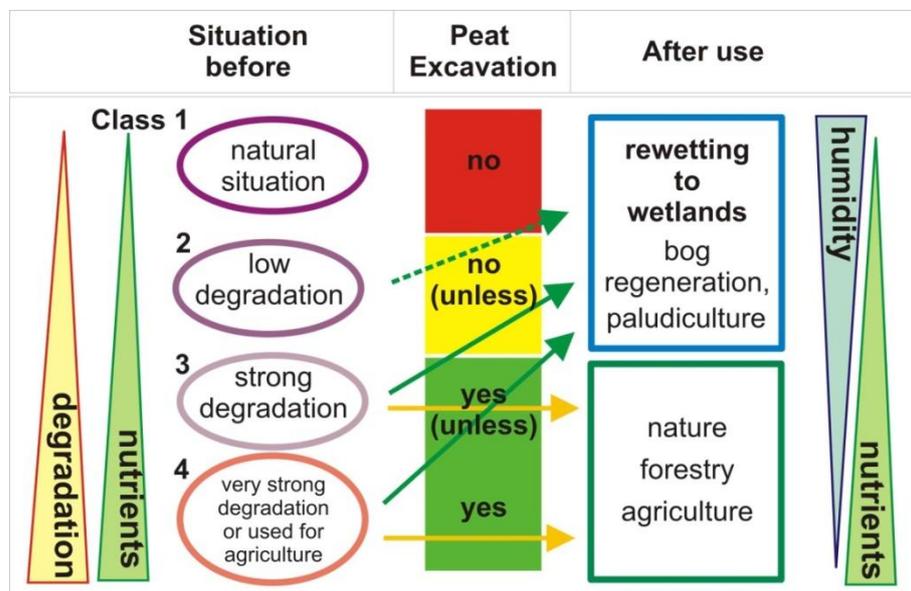
After-use plans for sites to be certified shall contain a thorough analysis of the values present at production start and the values that can be expected to develop in the after-use situation. The general rule is that values should, if feasible, increase. There are two options available:

1. Option 1: the after-use plans shows that the after-use situation is closer to the natural situation in terms of humidity (high) and nutrients (low). Generally this will be a development towards re-wetting.
2. Option 2: if such a development towards a more natural state is not feasible or desirable, the after-use plan shall make clear that the after-use situation creates other major values in terms of regional development, income generation, etc.

Option 2 may only be chosen after carefully considering option 1. The feasibility and desirability of an option 2 solution may be dependent on:

- a. the availability of high quality peatlands and wetlands in the area. It may not make sense to invest in creating a landscape type which is already abundant in the area;
- b. public policies in the region, which may promote agriculture or forestry rather than promoting the creation of new wet areas.

### Option 1: Creating an after-use outcome closer to the natural situation



The above diagram contains the paths that may be followed.

- If peat is produced from a strongly degraded peatland (class 4), e.g. farmland, the preferred destination will be rewetting or succession. It may however be kept on an

equal level (forestry, agriculture), if this is not feasible or desirable for reasons to be specified..

- Class 3 sites shall preferably be rewetted. If bog development is not feasible, there are various paludiculture options available.
- Class 2 sites (which will be eligible for certification under certain conditions only, see Annex A) shall be rewetted to create a situation as close to natural bogs as possible.

There are still many options in the box “rewetting to wetlands”. What option is feasible and what option creates best value for the site under consideration strongly depends on local circumstances. Cumbersome bog restoration in a region with abundant peatlands may create less value than creating a lake in the same area, for example. Companies may produce region-specific arguments for the value the proposed after-use destination will create.

### Option 2: Creating important socio-economic values

If option 1 is not feasible or desirable, for reasons to be specified, the after-use plan shall make plausible that major socio-economic values will be created by implementing the after-use plan. These values may include:

1. Value creation by
  - a. agriculture
  - b. forestry
  - c. tourism
  - d. industry
  - e. and other activities
2. Its contribution to
  - a. regional development
  - b. employment
  - c. ...

## ANNEX C: SITE PREPARATION, EXTRACTION / PRODUCTION SHALL FOLLOW A DETAILED PLANNING BASED ON A SYSTEMATIC IMPACT ASSESSMENT

### **P&C point 4.1.1:**

The assessment shall identify, describe and assess in an appropriate manner the direct and indirect significant effects of the extraction site on the following factors:

- population and human health;
- biodiversity, with particular attention to species and habitats protected under Directive 92/43/EEC and Directive 2009/147/EC;
- land, soil, water, air and climate;
- material assets, cultural heritage and the landscape;
- the interaction between the factors referred to in points (a) to (d).

The document reporting the outcomes of the assessment shall include at least the following information:

- description of the project (site, design, size and other relevant features);
- description of the likely significant effects;
- description of the features of the project and/or measures envisaged in order to avoid, prevent or reduce and, if possible, offset likely significant adverse effects;
- description of the reasonable alternatives studied by the developer relevant to the project and its specific characteristics, and an indication of the main reasons for the option chosen
  - An EIA normally has to check if there are different alternatives for the project / planning (location, technique...). After explaining the main reasons the chosen alternative has to be named. If there are no alternatives - just explain the reason.
- non-technical summary
  - this should be a part of the translated "inspectors-report". A short summary of the investigations and their results (see above) should stay at the beginning of this "report"
- any additional information specified in Annex IV of Directive 2011/92/EU (information for the environmental impact assessment report).

**P&C point 4.1.2:**

Peat extraction and production shall be based on a detailed management plan, including a plan for after-use preparation.

Details extraction and production plan (minimum required parts) :

- a) location of the site, cadastral land register data and outlined in a georeferenced map
- b) excavation material - volume (in total) and quality, leavings / mine spoils
- c) excavation method - timetable and technology
- d) sections for excavation (for large sites)
- e) dewatering system
- f) infrastructure and transport
- g) bog related water-table
- h) water-table of the mineral subsoil

information of the map

- g) current height above sea level
- h) extraction level above sea level
- i) base of the peat body above sea level
- j) profiles with stratigraphy, extraction level and hydrologic data

Details after-use plan:

- k) type of after-use
- l) technical realization
- m) financial assurance (security deposit)
- n) compensation measures
- o) height of the surface above sea level after recultivation / renaturation
- p) specific situations / requirements

Especially the following remarks of the planning should be checked:

- analysis of impact range on the hydrology
  - water-table of the (bog) peat body
  - or the groundwater of the mineral aquifer / subsoil
- regard of the minimal necessary depth of drainage system
- structure of the excavation management into sections for large sites ?
- definition of the necessary peat layer for the after-use
- measures for pollution avoidance /air, water (sludge sump)
- measures for avoidance of impacts to foundation of buildings

## ANNEX D: GLOSSARY

We refer to the Glossary included in the Strategy for Responsible Peatland Management, published by the International Peat Society:

<http://www.peatsociety.org/sites/default/files/files/srpmwebversion.pdf> (page 27).

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