REAL’s Compost Certification Scheme Rules
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1. DEFINITIONS

‘Competent Authority’ (in the context of animal by-product regulations)
For England, Wales and Scotland, the competent authority is named Animal Health. This is the body Government’s Executive Agency primarily responsible for ensuring that farmed animals in Great Britain are healthy, disease-free and well looked after. This agency also has responsibility for managing outbreaks of notifiable animal diseases. See http://www.defra.gov.uk/animalhealth/.

For Northern Ireland, the competent authority responsible for approving composting of catering waste and animal by-products is the Veterinary Service. See http://www.dardni.gov.uk/index/contact-us/a-z-of-contributors/veterinary-service.htm.

‘Composting process’
All activities undertaken for the production of compost, including but not limited to: delivery of feedstocks on site, pre-treatment activities such as mixing and shredding, sanitization, stabilization, maturation (if applicable), any post-treatment activities such as screening and final storage prior to product dispatch.

‘Compost with no market’
In England, Wales and Northern Ireland this means that compost has not been supplied and used in one of the designated market sectors specified in the Compost Quality Protocol. For Scotland, markets for compost include but are not limited to agriculture, horticulture (professional & amateur), forestry, land restoration, land remediation (including bioremediation), landscape construction and maintenance, sports and amenity green spaces, erosion control (e.g. bagged compost constructed into berms), privately owned green spaces and gardens, green spaces and gardens owned and/or managed by community initiatives.

‘Compost recipient’
Organisation or individual receiving the compost consignment from the compost producer.

‘Consignment’
All compost loads that correspond with a customer’s order.

‘Disposal operation’

‘Efficacy of the composting process’
The composting process has been validated. Thus, it has been proven to consistently meet the PAS 100 and Compost Quality Protocol criteria (if applicable) and to comply with the aspects of the Quality Management System for the production of PAS 100 conforming compost, including the HACCP plan, the SOPs and, if applicable, the Compost Quality Protocol requirements related to input material types (clause 2.3.1 of the Protocol), compost supply and use (clause 2.5.1 of the Protocol).
‘Fit for purpose’
Compost that has all the properties and characteristics necessary for its intended purposes. In the context of PAS 100 the compost shall pass all PAS 100 obligatory tests and any additional parameter tests and limits the composter has committed to fulfilling in his/her quality policy or in a written agreement with a compost customer.

‘Maturation’
An optional composting process step during which the biodegradation rate is lower than it is during any preceding step. It may precede or follow batch screening. Within the terms of these rules, ‘maturation’ refers to a minimum defined composting period following the actively managed phase, that is clearly defined within the compost producer’s Standard Operating Procedures.

‘Regulator’
In England and Wales the regulator is the Environment Agency (EA), the organisation responsible for monitoring and enforcing environmental controls in England and Wales. Further information about the EA can be found at: http://www.environment-agency.gov.uk/aboutus/default.aspx.

In Scotland, the Scottish Environment Protection Agency (SEPA) is responsible for monitoring and enforcing environmental controls. Further information about SEPA can be found at: http://www.sepa.org.uk/about_us.aspx.

In Northern Ireland, the regulator is the Northern Ireland Environment Agency (NIEA), who is the body responsible monitoring and enforcing environmental controls. More information about NIEA can be found at: http://www.ni-environment.gov.uk/index/about-niea.htm

‘Satisfactory evidence’
The compost producer demonstrates full compliance with all requirements of ‘PAS 100 only’ or ‘PAS 100 and the Protocol’, according to the scope of certification sought. This is evaluated by the certification body.

‘Separate composting process’
A composting process separate from any other treatment process, including separate materials reception area, composting area (sanitisation, stabilisation and maturation), mechanical treatment area (e.g. shredding & screening) and compost storage area, and with a liquor collection and storage system that keeps this composting process’s liquor separate from any other on-site process’s liquor. Please read clause 4.2.7, which is especially important if the site hosts any other treatment process in addition to the PAS 100 (and Compost Quality Protocol, if applicable) composting process.

‘Storage’
The on-site or off-site retention of compost batches prior to their dispatch to the compost recipients. Within the terms of this scheme, storage does not mean maturation.
‘Trader’ or ‘Merchant’
An organisation that, or individual who, operates in the supply chain between the compost producer and compost end-users.

2. ABOUT REA’S ORGANICS RECYCLING GROUP (ORG) AND RENEWABLE ENERGY ASSURANCE LTD.

The REA’s Organics Recycling Group (ORG) (formerly AfOR) was set up to encourage the sustainable management of biodegradable resources by promoting the benefits of composting and other biological treatment techniques for the enhancement of the environment, business and society. ORG works on behalf of its members to raise awareness of the benefits of composting. It aims to act as an advocate for the wider composting industry and to represent its views in a constructive dialogue with policy makers. ORG envisages a composting industry in which best practice is shared, standards are maintained and surpassed and which makes a positive contribution to safeguarding the environment.

The compost certification activities have been moved from AfOR to the REA’s wholly owned subsidiary Renewable Energy Assurance Ltd (REAL). Consequently, AfOR’s Compost Certification Scheme has become REAL’s Compost Certification Scheme from 1st January 2013.

Contact details: Renewable Energy Association, 2nd Floor, 25 Eccleston Place, London SW1W 9NF. Email address: qualitycompost@r-e-a.net.

3. IMPORTANT GENERAL POINTS ABOUT THIS DOCUMENT

3.1 These rules come into effect on their issue date and, from that date, they automatically supersede any terms and conditions specified in the previously issued application, renewal forms, document guidance and certification scheme rules.

3.2 It is the responsibility of each certification body to ensure that any scheme documents updated by REAL are supplied to all relevant people working on behalf of the certification body in connection with this scheme. It is also the responsibility of each certification body to check that those individuals understand all implications associated with the change(s).

3.3 Implementation of any change shall be timely. Regarding a change that affects compost producers, its implementation shall allow the affected compost producers who have achieved certification to maintain it and other compost producers who have applied for but not yet achieved initial certification to progress towards this with reasonable speed.
CERTIFICATION SCHEME OVERVIEW

4. INTRODUCTION

4.1 General

4.1.1 In general, compost derived from biodegradable wastes can only become fully recovered (i.e. no longer be regarded as waste) at the point of use. Its use as well as production is controlled by regulations on the management of wastes and protection of the environment. However, in some cases, it is possible for high quality composted biodegradable wastes to be supplied, stored and used without ‘waste’ regulatory controls, i.e. as a ‘product’.

4.1.2 In the United Kingdom, the British Standards Institution’s Publicly Available Specification for Composted Materials (PAS 100\(^1\)) sets minimum compost quality criteria. Renewable Energy Assurance Ltd. (REAL) has worked with WRAP (the Waste and Resources Action Programme) to develop this PAS and also to provide complementary specifications covering additional quality criteria for composts used in soft landscape operations, growing media manufacture, edible and non-food crop production, turf maintenance and other applications. These and other market-specific specifications supplementary to PAS 100 now also exist in the UK.

4.1.3 The Business Resource Efficiency and Waste (BREW) Programme, the Waste & Resources Action Programme (WRAP) and the Environment Agency for England and Wales (EA) in consultation with industry and other regulatory stakeholders have developed a Quality Protocol for the Production and Use of Quality Compost from Source-Segregated Biowaste (the Compost Quality Protocol, or simply the Protocol\(^2\)) to clarify the circumstances in which high quality waste-derived composts may be supplied, stored and used as ‘products’.

4.1.4 On 1\(^{st}\) July 2010 the Northern Ireland Environment Agency also adopted the Compost Quality Protocol.

4.1.5 The three main purposes of the Protocol are to:

- clarify the point at which waste regulatory controls on composted source-segregated biodegradable wastes no longer apply;
- provide users with confidence that the compost they purchase conforms with an approved standard (such as PAS 100); and

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• protect the environment (including soil) and human health by setting criteria for good practice use of quality compost on land used for agriculture or soil-grown horticulture.

4.1.6 Fundamental requirements of the Protocol are that:

4.1.6.1 compost is produced in compliance with an approved standard or specification (at present, only the PAS 100 specification is recognized as an approved standard);

4.1.6.2 compost is produced using only those source-segregated input materials listed in Appendix B of the Protocol and must be destined for appropriate use in one of the market sectors designated by the Protocol;

4.1.6.2 compliance with the Protocol is assessed by an independent certification body; and

4.1.6.3 the certification scheme rules are approved by the relevant regulator(s).

4.1.7 To date, Scotland has not adopted the Protocol. In this country compost(s) derived from composting processes and composts that are able to meet PAS 100 requirements may, in some circumstances, be considered fully recovered by the regulator. Such circumstances are clarified in SEPA’s composting position statement available at: http://www.sepa.org.uk/waste/waste_regulation/guidance_position_statements.aspx).

4.1.8 Compost certified to ‘PAS 100 only’ which is placed on the market for use or used in England, Wales, or Northern Ireland is regarded as ‘waste’ by the regulator (Environment Agency for England and Wales, Northern Ireland Environment Agency for Northern Ireland). In this case waste regulatory controls apply to its supply, storage and use.

4.1.9 REAL’s Compost Certification Scheme is aligned and provides a framework for independent assessment and certification of compost to ‘PAS 100 only’ and to PAS 100 and the Protocol.

4.1.10 Any producer can choose to apply for ‘PAS 100 only’ or ‘PAS 100 and the Protocol’ certification, irrespective of the country/ies in which the compost is used and according to whether it is intended to be supplied as a ‘product’ or a ‘waste’.

4.1.11 The composting process and derived compost(s) of a compost producer applying for certification to ‘PAS 100 only’ are evaluated against the requirements of:

• PAS 100 (the latest edition, subject to transitional arrangements set by REAL), and
• REAL’s Compost Certification Scheme rules (this document).
4.1.12 The composting process and derived compost(s) of a compost producer applying for certification to ‘PAS 100 and the Protocol’ are evaluated against the requirements of:

- PAS 100 (the latest edition, subject to transitional arrangements set by REAL),
- the Compost Quality Protocol, and
- REAL’s Compost Certification Scheme rules (this document).

4.1.13 The requirements specified in clauses 4.1.11 and 4.1.12 are referred to hereafter as ‘the Scheme requirements’.

### 4.2 Scope of certification

4.2.1 Certification is specific to a defined composting process, kept separate\(^3\) from any other processes carried out at the same site, and one or more compost particle size grades resulting from that process, as nominated by the producer. Where this document refers to certification of a ‘compost producer’, it means the specific composting process and compost grades assessed.

4.2.2 This scheme requires that only the compost grades for which certification is sought, or is held, are produced in conformance with all the Scheme requirements. However, for compost grades which are not under assessment for conformance to the Scheme requirements, compost producers shall still maintain records that enable traceability checks. Any such compost grades shall not compromise the quality of the compost grade(s) under assessment for conformance with the Scheme requirements.

4.2.3 A composting process that is either applied for initial certification or certified under REAL Certification Scheme shall be operated according to this Scheme’s requirements at all times. The validated Standard Operating Procedures (or those in the process of being validated) shall be followed for every batch the composting process produces.

4.2.4 Where a compost producer’s single site hosts more than one composting process, the producer shall make clear which composting process(es) is/are operated according to the Scheme requirements, and keep each of those processes separate from each other and any other process at the same site. Similarly, the compost batches produced according to the Scheme requirements shall be kept separate from any other compost, material, waste or any other substance stored and/or treated at the same site.

### 4.2.5 Derogation

4.2.5.1 A compost producer who has applied for initial certification or renewal of

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\(^3\) See definition of ‘Separate composting process’ in the Terms and Definitions section of these rules.
certification may apply to REAL for a time- and/or tonnage-limited derogation to feed into his/her PAS and Protocol composting process a specific waste from a specific source, if:

- that waste type and appropriate description is not included in the Protocol’s Appendix B;
- that waste is biodegradable and complies with clauses 6.1.1 to 6.1.6 in PAS 100:2011;
- that waste is assessed for acceptance or rejection and managed as per clauses 6.1.7 to 6.1.10 in PAS 100:2011 and the SOPs applicable to the composting process.

4.2.5.2 Any application for a derogation shall be assessed by REAL and the relevant regulators. Relevant regulators are those responsible for waste regulatory controls in the country in which the composting process is located, may include the regulator responsible for waste regulatory controls in any UK country in which ‘waste’ compost derived from the derogation waste is intended to be placed on the market or disposed of, and shall include the organisation responsible for animal by-products regulatory controls if the derogation waste is within the scope of European Union or national animal by-products regulations.

4.2.5.3 The terms and conditions of any derogation allowed by REAL shall be adhered to throughout the derogation period. Such terms shall include that:

- an appropriate code and description of the derogated waste is in the permit or registered exemption applicable to the composting process;
- batches that contain the derogated waste are:
  - composted in accordance with the applicable permit, animal by-products approval (if applicable) and SOPs,
  - kept separate from composting batches and graded compost that comprises only input materials allowed in the Protocol’s Appendix B,
  - traceable through the composting process, during screening, in storage and through to dispatch;
  - placed on the market as ‘waste’ status compost;
- liquor arising from batches that contain the derogated waste is managed as per the specific conditions in the derogation (if approved);
- compost derived from the derogated waste is dispatched only to recipients who have an environmental permit or registered exemption appropriate to the quantity of ‘waste’ status compost supplied and how it will be managed;
- compost derived from the derogated waste is dispatched only to recipients who are aware that they must comply with waste regulation and the regulator’s appropriate guidance (e.g. Environment Agency Technical Guidance Note, No. EPR 8.01);
- the compost producer provides information to the officer who is responsible for regulating the composting process that enables the
regulator to check whether the dispatch, transportation, storage, use and/or disposal of the compost derived from the derogated waste has been carried out in accordance with waste regulatory controls; and

- the compost producer makes and keeps records that enable the certification body to check whether the compost producer has managed the derogated waste in accordance with the specific derogation issued; and

- the compost producer informs the regulator(s) of any corrective actions (relevant to the derogation) that are required.

4.2.5.4 Waste that is the subject of an application for derogation shall not be fed into the PAS and Protocol composting process until the start date in the derogation issued by REAL. Similarly, it shall not be fed into that composting process after the derogation’s end date. If the application is unsuccessful, REAL will not issue a derogation and the waste referred to in the application shall not be fed into the PAS and Protocol composting process.

4.2.5.5 Derogated waste shall not be fed in the PAS and Protocol composting process during any suspension of that process’s certificate, even if the applicable permit or registered exemption includes the an appropriate code and description for that waste.

4.2.5.6 When any condition of the derogation is not complied with, or if REAL terminates the derogation, the waste subject to the derogation shall no longer be fed into the PAS and Protocol composting process.

4.2.5.7 REAL reserves the right to terminate a derogation at any time, with immediate effect or on a specified date, by email or letter sent to the compost producer. Other parties named in the derogation shall be copied into REAL’s communication; those parties include the relevant regulator(s).

4.2.5.8 The compost producer shall pay REAL’s charge for assessing an application for a derogation, regardless of whether a derogation is issued (see REAL’s current schedule of charges for assessing derogation applications).

4.2.6 A PAS & Protocol composting process is allowed to operate on the same site as a non-PAS & Protocol treatment process if the former complies with this scheme’s definition of ‘separate composting process’. If the PAS & Protocol composting process complies with that definition except for liquor collection and/or storage, the liquor shall not be added to any material fed into, treated and stored in the PAS & Protocol area(s).

4.2.7 These scheme rules cover the compost production and quality scope stated above in this document. Certification bodies shall only offer certification within the defined scope of this scheme. Thus, the certification body shall confine its requirements,
evaluation and decision on certification to those matters specifically related to the scope of the certification being considered (BS EN 45011, Clause 4.1.4).

4.3 Beyond the PAS 100 minimum compost quality baseline

4.3.1 If the compost producer subscribes in the quality policy to any standard(s) or specification(s) in addition to PAS 100, the additional quality criteria are treated as complementary to the minimum compost quality criteria specified in PAS 100. In such cases, the compost producer shall provide evidence of compliance with any such additional standards or specifications. Examples are compost sample test results that comply with the additional quality criteria or a valid certificate from an appropriate certification body.

4.3.2 The certification body is entitled to charge the compost producer an additional hourly assessment fee if additional evidence has to be assessed as proof of compliance with additional quality criteria or if a copy of a valid certificate of conformance with the additional standard/specification is not provided. The certification body shall state the hourly fee in writing.

4.4 Editions of standards

4.4.1 ‘Standards’ means PAS 100, the Compost Quality Protocol, and any additional compost quality criteria the producer has committed to achieving in his/her quality policy, for his/her compost grades assessed under this scheme. Assessment of compliance with the Scheme requirements shall be assessed against the requirements of the edition of each relevant standard in force at the time of assessment (subject to transitional arrangements set by REAL).
5. APPLICATION FOR INITIAL CERTIFICATION AND RENEWAL OF CERTIFICATION

5.1 Information on the application procedures and pre-requisites for application

5.1.1 Any producer who intends to apply for initial certification or renewal of certification can either request an application form from the relevant CB or download the relevant application form from the Organics Recycling Group (ORG, part of REA)'s web site under the section entitled ‘Compost & Certification’ in the section ‘Certification’. The following can also be downloaded from ORG’s webpages:

- document templates for compliance with ‘PAS 100 and the Protocol’; and
- document templates for compliance with ‘PAS 100 only’.

5.1.2 Fundamental pre-requisites for applying for initial certification or renewal of certification are:

- the composting site holds a planning consent/permission, if required by the relevant planning authority;
- the composting site holds a relevant ‘authorisation to operate’ (an Environmental Permit, a Waste Management Licence, or a Pollution Prevention and Control Permit issued by the relevant regulator, or an exemption registered with the relevant regulator);
- the composting site is operated according to the ‘authorisation to operate’; and
- if the process treats animal by-products, the composting site is approved or under the process of being approved by Animal Health to treat Animal By-Products.

5.1.3 Each producer who applies shall make clear whether his/her application is for ‘PAS 100 only’ certification or ‘PAS 100 and Protocol’ certification.

5.1.4 The compost producer shall apply for certification by completing the relevant form and submitting it to his/her choice out of REAL’s contracted certification bodies, together with payment of the fee quoted by the certification body, or information enabling fee payment within the timescale specified by these certification scheme rules. The owner of the business or a duly authorised employee (e.g. person with responsibility for compliance with the Scheme requirements) shall sign the form. See clauses 6.1.1, 6.1.2, 6.2.1 and 6.2.2 for instructions on the timing of application.

5.1.5 By signing and returning the certification body’s relevant form for this scheme, the producer:

- confirms that all pre-requisites specified in clause 5.1.2 are currently met; and
- agrees to comply with this scheme’s rules (latest version issued) and operating protocols.

5.1.6 When applying for initial certification, the compost producer shall also supply to the relevant certification body a copy of each of the following:

- Quality policy and management,
- Hazard Analysis and Critical Control Point assessment,
- Standard operating procedures,
- Relevant authorization to carry out the composting activities (Pollution Prevention Control Permit / Waste Management Licence / Environmental Permit or exemption, whichever is applicable),
- A map of the site showing the relevant areas of the site where composting activities are carried out and where feedstock and compost storage takes place. The map should clearly identify which areas are covered by the authorization and which areas are not,
- Compost test results (must meet the validation requirements specified in PAS 100), and
- Compost Quality History template filled in with all test results carried out for the compost grade/s under assessment. This must include any test result passes and failures.

5.1.7 When applying for certification’s renewal, the compost producer shall supply to the relevant certification body copy of the following documents, if requested by the certification body:

- Quality policy and management,
- Hazard Analysis and Critical Control Point assessment,
- Standard operating procedures,
- Relevant authorization to carry out the composting activities (Pollution Prevention Control Permit / Waste Management Licence / Environmental Permit or exemption, whichever is applicable),
- A map of the site showing the relevant areas of the site where composting activities are carried out and where feedstock and compost storage takes place. The map should clearly identify which areas are covered by the authorization and which areas are not,
- Compost test results (must meet the validation requirements specified in PAS 100), and

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5 Please note that if such map is included in the composting authorization, this shall be used.
6 Please note that if such map is included in the composting authorization, this shall be used.
Compost Quality History template filled in with all test results carried out for the compost grade/s under assessment. This shall include any test result passes and failures.

5.1.8 When supplied to the certification body, the application form shall be fully filled in. Relevant information that shall be specified in the form includes (but is not limited to):

- Planning consent code, issue date and relevant planning authorities' contact details;
- Reference number and issue date related to Animal Health or Veterinary Service’s approval to process animal by-products; and
- Reference number and issue date related to relevant authorization to carry out composting.

5.1.9 This scheme is non-discriminating (EN 45011, Clause 4.1.1 & 4.1.2). There are no pre-requisites upon compost producers participating in the scheme other than those specified under section 5.1.2. Membership of REA or any other membership organisation or group is not required, nor does it influence any certification, suspension or withdrawal decision made under this scheme.

5.1.10 This Scheme does not have any geographical restriction. Compost producers in countries outside the UK can apply for certification, but they shall be aware that they will be charged by the certification bodies for any cost associated with travel and accommodation in additional to the normal certification assessment fees.

6. CERTIFICATION MILESTONES

6.1 New applicants

6.1.1 An application can be submitted to one of REAL’s contracted certification bodies at any time of the year.

6.1.2 The certification body’s system shall make clear to the compost producer that an initial application should not be made until the producer is ready for an inspection.

6.1.3 Application’s acceptance is conditional upon the receipt from the certification body of all documents specified under section 5.1.6. The date on which the application is accepted by the certification body, termed the ‘application acceptance date’, shall be the date the certification body receives the producer's payment of the correct certification assessment fee. The fee shall be paid by the producer within 30 days from the certification body’s invoice date.

6.1.4 The certification body’s audit shall take place within 2 months from the ‘application acceptance date’.
6.1.5 The compost producer and related relevant details shall be shown as ‘Applied’ on REAL’s publicly available list of composting processes on the scheme only after the ‘application acceptance date’.

6.1.6 Diagram 1 below shows the certification scheme’s milestones and related timescales for compost producers working towards initial certification.

6.1.7 If a compost producer’s application is withdrawn from the Scheme for whatever reason, there is no obligation for the certification body to refund the application fee paid by the compost producer.

6.1.8 By joining this Scheme the compost producer agrees to disclose any information relevant to the assessment for conformance with the Scheme’s requirements to the relevant certification body and the owner of the Scheme (REAL).

6.2 Renewals

6.2.1 It is the responsibility of the compost producer to achieve and maintain valid certification and to:

- swiftly apply and pay for renewal assessment (see section 6.2.2);
- produce compost according to the validated Quality Management System (including the HACCP and SOPs); and
- carry out on-going testing according to PAS 100 minimum requirements and any additional specifications applicable to the compost grade (as per the Quality Policy),

so that full compliance is demonstrated to the certification body (via inspection and follow-up on any non-compliances) before the expiry date of the current certificate.

6.2.2 The producer shall submit a renewal form and pay the appropriate renewal payment to the certification body within 6 months from the current certificate’s valid from date and within 30 days from the certification body’s invoice or sooner via other suitable means of payment (‘renewal payment due date’). Assessment for renewal of certification is conditional upon the certification body receiving the renewal form, fee payment from the producer and receipt from the certification body of any document requested according to section 5.1.7. The date on which the renewal form is accepted by the certification body, termed the ‘renewal acceptance date’, shall be the date the certification body receives the producer’s payment of the correct certification assessment fee.

6.2.3 Failure to pay by the renewal payment due date shall result in suspension after 5 working days and if still unpaid after 30 working days, withdrawal from the scheme. In either event the certification body shall notify REAL and the relevant regulator.
6.2.4 Compost producers shall be aware that renewal audits should take place at least **2 months** before the certificate expiry date. Renewal audits that take place within 2 months from the certificate expiry date may result in the expiry of the certificate.

6.2.5 Diagrams 2a and 2b below show the certification scheme’s milestones and related timescales for compost producers in a renewal phase.

6.2.6 If a compost producer’s certificate is withdrawn from the Scheme for whatever reason, there is no obligation for the certification body to refund the application fee paid by the compost producer.

6.2.7 Compost producers cannot in any circumstance change the certification body they are registered with after the renewal acceptance date.
**DIAGRAM 1: Milestones for compost producers who apply for initial certification**

(P = requirement for Producer, CB = requirement for Certification Body)

If all non compliances not resolved, process is WITHDRAWN FROM THE SCHEME (Clause 9.1.1)

P: MAX 30 days (Clause 6.1.3)

CB: MAX 2 months (Clause 6.1.4)

P sends CB application form and copy of the following docs:
- QP
- HACCP
- SOPs
- WML/EP/PPC or exemption
- Animal Health approval
- Planning consent
- Test results meeting PAS 100 requirements for validation and Compost Quality History (Clause 5.1.6)

Application acceptance date (clause 6.1.3)

Note:
Date the CB receives payment and date for arranging 1st inspection

1st inspection

If all non compliances resolved, 1st certification achieved.

The certificate issue date is the date when the certification decision is made.

Certificate valid from certificate issue date up to 364 days after the certificate issue date (Clause 8.4).

CB sends renewal schedule with renewal form to P.

Any compost dispatched within this period is not allowed to be claimed ‘conforms to PAS 100’

Compost made according to the validated SOPs can be supplied, stored and used as ‘PAS 100 conforming material’ only when a valid certificate of compliance is held.
**DIAGRAM 2a: Milestones for compost producers in a renewal phase – ‘On-time’ compost producer (P = requirement for Producer, CB = requirement for Certification Body)**

- **P: MAX 6 months** (clause 6.2.2)
- **P: MAX 30 days** (Clause 6.2.2)
- **Renewal inspection period**
- **P: Variable period of time for corrective actions (clause 7.14), minimum 2 months** (clause 6.2.4)

- **Start of next renewal phase**

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Certificate’s ‘valid from’ date

- **P sends CB renewal form and any document requested by the CB** (Clause 5.1.7)

- **CB receives payment = Renewal acceptance date** (clause 6.2.2).

- This shall be no later than 6 months from the certificate ‘valid from’ date (clause 6.2.2)

- **Note:** Failure to pay by the due date will result in suspension after 5 business days and withdrawal after 30 business days. In either event the regulator will be notified (Clause 6.2.3)

- **Certificate expiry date** (364 days after 1st inspection)

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**‘On-time’ producer:**

- All non compliances are resolved by the current certificate’s expiry date.
- The certificate for next renewal phase is valid from the expiry date of the current renewal certificate to 364 days after its ‘valid from’ date (clause 8.4).

- The certificate issue date is the date when the certification decision is made

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* The renewal phase inspection must be early enough to allow for non compliances to be resolved by the current certificate’s expiry date (7.2)
**DIAGRAM 2b: Milestones for compost producers in a renewal phase – ‘Late’ compost producer (P = scheme rule for Producer, CB = scheme rule for Certification Body)**

- **P: MAX 6 months (clause 6.2.2)**
  - Certificate’s ‘valid from’ date
  - P sends CB renewal form and any document requested by the CB (Clause 5.1.7)

- **P: MAX 30 days (Clause 6.2.2)**
  - Renewal inspection period*
  - CB receives payment = **Renewal acceptance date** (clause 6.2.2).
  - This shall be no later than 6 months from the certificate ‘valid from’ date (clause 6.2.2)
  - Note: Failure to pay by the due date will result in suspension after 5 business days and withdrawal after 30 business days. In either event the regulator will be notified (Clause 6.2.3)

- **P: Variable period of time for corrective actions (clause 7.14), minimum 2 months (clause 6.2.4)**
  - ‘Late’ producer: At least one of the non-compliances is resolved after the current certificate’s expiry date.
  - The compost producer’s process is shown as ‘EXPIRED’ on REAL’s public list.
  - Compost shall be supplied, stored or used as ‘NON-PAS 100 conforming material’, and according to clauses 25.1 and 25.2 of these Scheme Rules

- **P: Expired period: MAX 2 months (Clause 9.2.2.3)**
  - Certificate expiry date (364 days after 1st inspection)
  - ‘Late’ producer: At least one of the non-compliances is resolved after the current certificate’s expiry date.
  - The compost producer’s process is shown as ‘EXPIRED’ on REAL’s public list.
  - Compost shall be supplied, stored or used as ‘NON-PAS 100 conforming material’, and according to clauses 25.1 and 25.2 of these Scheme Rules

- **P: WITHDRAWAL FROM THE SCHEME if any non-compliance is still unresolved**
  - Compost made according to the validated SOPs can be supplied, stored and used as ‘PAS 100 conforming material’ ONLY when a valid certificate of compliance is held. No compost can be dispatched as ‘PAS 100 conforming material’ while a certificate is expired. Compost that has already been dispatched as NON-PAS 100 conforming material during the expired period remains non-PAS 100 conforming even when a certificate has been issued.

*The renewal phase inspection must be early enough to allow for non-compliances to be resolved by the current certificate’s expiry date (7.2)
7. ASSESSMENT OF COMPOST PRODUCER COMPLIANCE

7.1 For initial certification and each 12 month renewal phase thereafter, the certification body’s assessment of conformity to the Scheme requirements shall include an inspection of the compost production site, during which the composting process and relevant compost grades are checked as well as the producer’s documented evidence. Renewal phase inspection shall take place within **12 months** of the last routine inspection, disregarding the timing of any extra inspection since then.

7.2 The routine renewal inspection visit shall be carried out between the renewal acceptance date and the current certificate’s expiry date, and must be early enough to allow for non-compliances to be resolved by the current certificate’s expiry date.

7.3 The certification body reserves the right to carry out one or more extra inspection visits. Examples of reasons for extra visit(s) are checks on the efficacy of action taken to correct non-compliance, or investigation of a complaint. The costs associated with any additional visits shall be borne by the producer, but shall be kept as low as reasonably possible.

7.4 The notice period for routine and extra inspections shall be decided by the certification body, having taken account of any notification from the producer of a test result failure and any subsequent action(s) taken and notified to the CB (see 24.2.2) before it decides the timing of the inspection. Inspection visits may be carried out without notice if deemed appropriate by the certification body.

7.5 The compost producers shall give employees and agents of the certification body sufficient access to their business and relevant composting processes to carry out any inspection visit the certification body decides to carry out. Failure to do so shall result in the suspension of certification or assessment for initial certification, and may ultimately result in withdrawal from the scheme if such failure persists.

7.6 The certification body’s inspector may refuse to carry out an assessment in the presence of a third party who he / she believes will, intentionally or otherwise, influence its outcome in an inappropriate manner.

7.7 The duration of an inspection visit shall be reasonable, realistic and shall not place excessive burden on the inspector or the compost producer. Time allocation shall provide for the necessary checks to be carried out in full. Additional time for assessment shall be allowed when further investigation is necessary, for example in the event of a major non-compliance(s), numerous non-compliances, or a complaint.

7.8 The evaluation shall be carried out against all Scheme requirements, whether an evaluation prior to initial certification or for the maintenance of certification (renewal).
No certificate shall be issued until all relevant requirements have been complied with and this has been demonstrated to the satisfaction of the certification body.

7.9 Each inspection visit shall consist of:

1. an opening meeting,
2. assessment of the input materials, composting process, compost grade(s) and any product(s) that contain them,
3. review of the composter’s Quality Management System for PAS 100 (and Compost Quality Protocol if applicable) compliance, and
4. a closing meeting.

7.10 During the closing meeting, the inspector shall state his/her findings to the compost producer, including all non-conformities found. If any required information is not available for evaluation prior to or during the inspection visit, it shall be recorded as a non-compliance. After the missing information has been supplied and evaluated, further non-compliance(s) may be identified. The inspector should not comment on the likely outcome of the certification body’s decision whether to award certification.

7.11 Certification bodies' inspectors shall use the inspection report template provided by REAL. A non-conformities list shall be given to the compost producer at the end of the inspection visit. It shall include at least the following:

1. reference to the composting process,
2. identification of each compost grade under assessment,
3. the type and description of any non-conformance found,
4. the timescale the compost producer is allowed for taking corrective action and supplying evidence or for a further visit to verify efficacy,
5. the name of or a description of any required information not available prior to or during the inspection visit,
6. the hours taken to carry out the inspection visit, and
7. a description of any reason for shortening or lengthening the inspection compared with the typical or expected duration (guideline duration set by the certification body) (EN45011, Clause 11b).

7.12 The report shall be based on the evidence available at the time of the inspection and any evidence provided by the producer to the certification body in advance of the inspection. The report shall identify any required evidence that has not been submitted in advance or during the inspection.

7.13 The type of non-conformity assigned against any of the Scheme shall be based upon evidence and observations made during the evaluation, whether done before the

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7 See section 29 regarding Assessment of compost producers applied and certified to PAS 100 and the Protocol with regard to compost supply, storage and use in agriculture and soil-grown horticulture
inspection visit, during that visit, or afterwards when corrective action evidence is being evaluated.

7.14 As soon as possible after inspection the producer should supply documented corrective action evidence to the certification body for assessment (see also clauses 24.2.1 and 24.2.2). All non-conformances notified by the certification body shall be addressed by the compost producer and corrective action evidence submitted to the certification body within 3 months of the initial inspection. Following inspection in a subsequent year of certification, all non-conformances notified by the certification body shall be addressed by the compost producer and corrective action evidence submitted to the certification body at least 2 weeks before the current valid certificate’s expiry date (see also clauses 24.2.1 and 24.2.2).

7.15 The certification body shall evaluate documented corrective action evidence within 2 weeks after receiving it. In circumstances where product quality was or may have been compromised, the certification body may carry out an extra visit, which may be unannounced. For example, such a visit may be carried out if there is any doubt about or evident deficiency in how typical the compost samples tested were of the compost grade. Assessment of effective corrective action(s) may be done during an extra visit instead of via documented evidence supplied to the certification body, as deemed appropriate by the certification body. The costs associated with these procedures, including any additional visits shall be borne by the producer, but shall be kept as low as reasonably possible.

7.16 Certification shall not be awarded (issued initially or renewed) until adequate corrective action has been taken by the producer and verified effective by the certification body. For corrective action related to a non-conforming batch please see section 24 of the Scheme Rules. Where a non-conformance is not batch test result failure (see 24.2) and/or has not deviated from any applicable CCP or CL during production (see 24.1), the certification body may also suspend the certificate if it deems this appropriate.

7.17 During the course of a year, a minimum of 3% of certified and applicant producers registered with each certification body shall be subject to a ‘Spot Checks Visit’ in addition to their renewal (for certified producers) or initial (for applicant producers) inspection. This may be unannounced but generally it is preferred to give 24 hours’ notice to ensure the producer is present at the time of the ‘Spot Checks Visit’. Producers will be chosen for a ‘Spot Checks Visit’ by their Certification Body, based on their track record of compliance (e.g. with regard to one or more specific non-compliances) and any complaints received about that producer within the last 12 months. Spot checks carried out as a part of an investigation into a complaint can count towards the minimum 3%, only where the investigation includes a visit to the producer's composting site. A ‘Spot Checks Visit’ does not have to be a full inspection; it can be focused on specific aspects / requirements of the relevant standard(s) and this Scheme where the producer may have become non-compliant.
7.18 A representative of REAL is entitled to accompany auditors and oversee inspections and subsequent assessments whenever considered appropriate.

7.19 If during the course of an assessment the certification body identifies a non-compliance that is also relevant to the regulatory officer(s) responsible for enforcing waste management regulations in the area where the composting takes place or the compost is stored and/or used, within 5 working days the certification body shall:

a. notify the regulator, via the email address provided by the regulator for communications, of the non-compliance and its nature; REAL shall be copied in the communication.

b. inform the relevant area regulatory officer(s) and team leader in writing of the actions that will be taken by the certification body in light of the non-compliance (e.g. whether the certificate will be suspended as a result of the non-compliance and whether a Spot Checks Visit will be carried out); REAL shall be copied in the communication.

c. keep the above stakeholders informed, in writing, of the progress made by the composter to resolve the non-compliance, and

d. when evaluation of corrective action(s) and/or Spot Checks Visit evidence has been completed and a decision on certificate status has been made, inform the above stakeholders of the outcome.

Examples of instances where the regulator would need to be informed by the certification body are:
- Non-compliance or failure to meet ABPR (the Competent Authority should also be informed in this case).
- Batch test failure, if the composter has not already notified the regulator according to clause 15.2 of PAS 100:2011.
- Non-conforming input wastes being processed in a PAS 100 composting process.
- Non-permitted wastes being processed in a PAS 100 composting process.
- Failure of physical contamination levels in the compost produced or failure to address or adopt a control process resulting in compost produced not conforming with PAS 100 minimum quality criteria.
- Any non-compliance with operating processes already agreed as part of the certifications scheme where it influences the state of the material being considered non-waste.

Where appropriate, REAL can be consulted to identify additional instances where the regulator should be involved.

8. CERTIFICATION

8.1 Certification is conditional upon demonstrated evidence of compliance with all Scheme requirements. Renewal of certification is independent of any previous certification achieved by the compost producer.

8.2 Each certificate issued shall be authorised by a permanent member of the certification body staff. The certificate shall contain at least:
- name and contact details of the compost producing organisation;
8.3 The certification body may include its logo on the certificate, in which case it shall be accompanied by text stating ‘Assessed by [name of certification body]’.

8.4 The certificate’s issue date is the date on which the certification decision is made. The initial certificate is valid from the certificate issue date up to and including 364th day after the certificate issue date. The subsequent certificate is valid from the day after the expiry date of the previous certificate up to and including the 364th day after its ‘valid from’ date. If a certificate’s valid dates include 28th February, in a leap year its valid dates shall also include 29th February. Any valid certificate shall become invalid immediately upon notification from the certification body that it has been suspended or withdrawn (see section 9 for further details).

8.5 If certification is suspended then is later reinstated, the existing certificate returns to being valid; a new certificate is not issued. If certification is withdrawn, this means the existing certificate is invalid and requires starting again to gain certification, based on new evidence (see section 9).

8.6 **Under this scheme, temporary certificates are only available under exceptional circumstances.** These may be, for example, delay in arranging the inspection due to the certification body or postponement of inspection due to extremely adverse weather conditions. The certification body shall determine whether a circumstance is exceptional, in consultation with REAL.

8.7 A certificate is not transferable and remains the property of the certification body. When a certificate has been issued, the producer shall only promote the certified composting process and its certified compost grade(s) as appropriate to the specific type of certification.
9. SUSPENSION / WITHDRAWAL FROM THE SCHEME

9.1 Applicants

9.1.1 Failure to demonstrate satisfactory evidence of corrective actions taken, and pass any necessary revisit inspection, within 3 months from initial inspection shall result in immediate withdrawal from the scheme of the compost producer’s application for the composting process and its relevant compost grades.

9.1.2 When caused by the compost producer, failure of an inspection to occur within 3 months of the application acceptance date shall result in the applicant’s immediate withdrawal from the Scheme.

9.1.3 In the event of withdrawal from the scheme, the publicly available list of composting processes and related compost grades registered on the Scheme shall be altered accordingly.

9.1.4 In the event of withdrawal from the scheme, the compost producer may reapply for certification provided there is no problem that is likely to prevent certification within 3 months from the inspection that takes place after the re-application acceptance date. The evidence assessed shall relate to the batches of compost produced, sampled and tested after the non-compliance that caused withdrawal from the Scheme has been fully resolved and closed.

9.2 Renewals

9.2.1 Certificate suspension

9.2.1.1 Immediate certificate suspension may by actioned by the certification body according to the severity of any non-conformity. Examples of circumstances in which the non-conformity may have been identified are: during a routine inspection, during a Spot Checks Visit as a result of random selection, during or following a Spot Checks Visit carried out when investigating a complaint, or as a result of information / evidence supplied to the certification body when investigating a complaint.

9.2.1.2 Failure to pay the correct renewal assessment fee by the payment due date shall result in certificate suspension after 5 business days.

9.2.1.3 Failure to pay the certification body’s complaint investigation fee (see 10.2.11) by the payment due date stated or referred to on the invoice shall result in immediate suspension of the certificate.
9.2.1.4 In the event that a certificate is suspended, the certification body shall inform the compost producer, REAL and the regulator (via the email address provided for communications) within 5 working days. REAL’s publicly available list(s) of composting processes and related compost grades registered on the Scheme shall be altered accordingly when the list due for the next update.

9.2.2 Certificate expiry and withdrawal

9.2.2.1 Failure to supply satisfactory evidence of corrective action(s) taken in response to non-compliances, and pass any necessary Spot Check Visit, by the current certificate’s expiry date will result in the expiry of the certificate for the composting process and its relevant compost grades, without issue of a further certificate.

9.2.2.2 Certificate expiry is not the same as withdrawal from the scheme: the former allows the compost producer to build on past evidence of compliance and regain certification as quickly as possible, and within the maximum timescale allowed under paragraph 9.2.2.4. Withdrawal requires starting again to obtain evidence of compliance.

9.2.2.3 During any period when the certificate is expired, the compost shall not be placed on the market as a material with ‘product’ status and, thus, shall be dispatched, transported, stored and used according to the rules in clauses 25.1 and 25.2.

9.2.2.4 Failure to take and demonstrate adequate corrective actions within 2 months from the date on which the certificate expires shall result in withdrawal of the composting process and its relevant compost grades from the scheme.

9.2.2.5 Failure to pay the correct renewal assessment fee by the payment due date shall also result in withdrawal after 35 business days.

9.2.2.6 Failure to pay to the certification body any costs associated with the complaint investigation) by 10 business days after the payment due date stated or referred to on the invoice may result in immediate withdrawal of the certificate.

9.2.2.7 ‘Sham recovery’ as described in section 11 may also result into withdrawal from the Scheme (see clause 11.4).

9.2.2.8 In the event of certificate withdrawal, the publicly available list of composting processes and related compost grades registered on the Scheme shall immediately be altered accordingly.

9.2.2.9 In the event of certificate withdrawal, the compost producer may re-apply for certification provided there is no problem that is likely to prevent certification within 3 months from the inspection that takes place after the re-application acceptance date.

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8 See definition of ‘Satisfactory evidence’ in the Terms and definitions section of these rules.
The evidence assessed shall relate to the batches of compost produced, sampled and tested after the non-compliance that caused withdrawal has been fully resolved and closed. A second condition of re-applying for certification is that any renewal assessment or complaint investigation fee that caused certificate withdrawal is paid to the certification body by the date of re-application.

10. COMPLAINTS AND APPEALS

10.1 Complaints ~ General requirements

10.1.1 Twice a year, in advance of the Certification Technical Advisory Committee meetings, the certification body shall report to the Association a summary of complaints made against compost producers on the Scheme. This shall include:

- the name of the complainant (if provided),
- the nature of the complaint,
- when the investigation on the complaint has started,
- when the investigation on the complaint has been resolved,
- a summary of the actions taken by the CB,
- a description of the outcome of the investigation,
- If the complaint was upheld or not, and
- when the complainant was informed about the outcome of the investigation.

10.1.2 At least twice a year, REAL shall review and evaluate the certification bodies’ performances in relation to the complaint procedures described in section 10.2 below. REAL shall provide each certification body with a summary report on their own performance.

10.2 Complaints about compost producers on the Scheme

10.2.1 Where possible, any complaint about a compost producer on the Scheme should be submitted to the relevant certification body by filling in REAL Scheme Complaint Form. However, complaints submitted verbally or by email shall also be accepted and dealt with according to the procedures described below.

10.2.2 In any case, the person receiving the complaint shall record the details of the complaint onto the REAL Scheme Complaint Form to ensure the information received is recorded consistently. In the event that REAL is contacted by the complainant, he/she shall be instructed to make the complaint directly to the relevant certification body or complete the above complaint form which will be available from REAL’s web site.
10.2.3 REAL is not responsible for organising and carrying out the investigation nor for liaising with any involved parties; it is the certification body’s responsibility to lead the investigation and liaise with each relevant party. The certification body shall keep REAL informed about the progress and details of each investigation, and shall also keep the regulator informed for each investigation that involves the regulator.

10.2.4 The certification body may seek from REAL at any time technical interpretation of Scheme, PAS 100 and Compost Quality Protocol requirements, regulatory position statements and any relevant guidelines.

10.2.5 Within 5 working days from receipt of the complaint, the certification body shall:

a) Establish, with REAL’s guidance where appropriate, whether the investigation requires the involvement of the regulator.

   NOTE: Examples of circumstances in which the investigation requires the regulator’s involvement are: a) when the complainant is the regulator; b) when the complainant is not the regulator but the complaint was initially received by the regulator and logged in the regulator’s complaints management system; c) when a) or b) does not apply but the complainant has alleged that one or more provisions in the site’s environmental permit / waste management license is not / are not complied with AND the operational issue is relevant to PAS 100 production requirements; and d) when a) or b) does not apply but the complainant has alleged that pollution of the environment occurred or aspects related to compost quality mean that the compost may have to be regulated as ‘waste’.

b) Where possible, confirm to the complainant in writing that the complaint has been received. REAL shall be copied in the written communication;

c) Where appropriate, inform the compost producer in writing that a complaint has been made and the nature of the complaint. REAL shall be copied in the written communication; and

d) Where possible, gain from the complainant any information / evidence relevant to the investigation and/or if necessary, seek clarification about the nature of the complaint.

10.2.6 When the investigation requires the regulator’s involvement, within 5 working days from receipt of the complaint the certification body shall:

- notify the regulator via the email address provided for communications, and
- once provided with the contacts of the regulatory officer(s) responsible for the area, discuss the complaint details with him/them and, if appropriate, with the regulator team leader(s) (e.g. via a teleconference). This shall be done with the aim to establish:

  a. whether the complaint is malicious;
b. whether the complaint alleges that one or more provisions in the site's environmental permit / waste management license that are relevant to PAS 100 / Protocol production is not / are not complied with (this is a matter for the regulator to investigate);

c. whether the complaint alleges that one or more requirements in PAS 100, the Compost Quality Protocol or REAL’s Compost Certification Scheme Rules has not been complied with (this is a matter for the certification body to investigate);

d. whether pollution of the environment occurred, due to the compost being unfit for purpose (this is a matter for both the regulator and the certification body to investigate);

e. if pollution of the environment has occurred, whether the cause was the compost being unfit for purpose OR another reason [e.g. the compost was fit for purpose but was not used as instructed by the composter] (this is a matter for both the regulator and the certification body to investigate); and

f. whether a Spot Checks Visit or a Spot Sampling Visit are necessary.

10.2.7 Under the circumstances described in c, d and e above the certification body shall:

- gain any necessary information / evidence relevant to the investigation from the officer(s) responsible for enforcement of the relevant regulations in the area(s) where the composting activity takes place or the compost is stored or used; inform REAL, the area officer(s) and the regulator team leader(s) in writing, within 5 working days from the discussion (e.g. teleconference), which actions will be taken to investigate into the complaint and when they will be carried out; start the investigation within 5 working days from the discussion (e.g. teleconference); inform REAL, the area officer(s) and the regulator team leader(s) in writing about the progress made whenever a significant action occurs.

10.2.8 When the investigation does not require the regulator's involvement, the certification body shall:

a) begin the investigation within 5 working days from receipt of the complaint;

b) gain any necessary information / evidence relevant to the investigation from the officer(s) responsible for enforcement of the relevant regulations in the area(s) where the composting activity takes place or the compost is stored or used;

c) inform REAL in writing of which actions will be taken to investigate into the complaint and when they will be carried out; and

d) inform REAL in writing about the progress made whenever a significant action occurs.
10.2.9 Where it is considered appropriate by the investigating party/ies, the certification body shall carry out Spot Checks Visits or Spot Sampling Visits promptly and normally within 10 working days from the discussion referred to in 10.2.5.

10.2.10 Where it is considered appropriate by the investigating party/ies, the certification body shall also take sample/s of the relevant compost grade and send it/them to an REAL approved laboratory for testing on the quality parameter(s) on which the compost is alleged deficient.

10.2.11 There is no obligation for a Spot Checks Visit or a Spot Sampling Visit to be pre-announced; if pre-announced, the notice period should be the shortest practicable.

10.2.12 On completion of the investigation and decision on whether the complaint is upheld, within 5 working days the certification body shall inform the complainant and the compost producer in writing whether the complaint was upheld and the key reason(s) for that decision. REAL shall be copied into the written communication, as too shall the regulator if involved in the investigation.

10.2.13 Regarding a Spot Checks Visit or a Spot Sampling Visit, the compost producer against whom the complaint has been made shall pay the certification body any fee charged; this fee is payable whether or not the complaint is upheld. The approved laboratory’s fee for compost sample testing may be paid by the compost producer, regardless of whether or not the complaint is upheld. If the complaint is upheld, the compost producer shall also pay the certification body any investigation costs it has incurred in addition to, or instead of, a Spot Checks Visit. The certification body’s documentation shall clearly identify the fee payable by the compost producer for a Spot Checks Visit and refer him/her to this clause in REAL’s Compost Certification Scheme Rules.

10.2.14 Animal Health (England, Scotland and Wales) and Veterinary Service (Northern Ireland) shall also be kept informed about the investigation if the complaint is relevant to them.

10.3 Complaints about the Certification Bodies

10.3.1 Any complaints from participating compost producers about the services provided by the certification bodies shall be submitted to REAL and, if they wish to, also to the relevant certification body and include the following information:

- Organisation name and contact details;
• Name and contact details of the person within the organisation making the complaint; and
• Description of the aspects of the service that the complaint refers to.

10.3.2 REAL shall promptly inform the certification body of any submitted complaint referred to in clause 10.3.1.

10.3.3 The certification body, in conjunction with REAL, shall investigate into the complaint. Where appropriate the certification body shall take any necessary actions to address the complaint and report on the outcome to REAL.

10.3.4 Each time it meets, or upon request, REAL’s Compost Certification Scheme Technical Advisory Committee shall be provided with an anonymised list of all complaints about the certification body, including the number and a summary of their subjects and outcomes.

10.4 Appeal procedures

10.3.1 Any individual who or organisation that appeals a decision taken by the certification body shall follow the certification body’s relevant appeal procedure.

10.3.2 Each time it meets, or upon request, REAL’s Compost Certification Scheme Technical Advisory Committee shall be provided with an anonymised list of all appeals, including the number, a summary of their subjects and outcomes.

11. ‘SHAM RECOVERY’

11.1 ‘Sham recovery’ is a term used within the waste management industry but for which there is no widely accepted definition. In the context of these certification scheme rules, sham recovery may include (but is not limited to) the following circumstances:
- composting without the appropriate authorization(s) or in breach of any of the conditions within the relevant authorization(s);
- storage of controlled waste, before or after the composting activity, without the appropriate authorisation(s) or in breach of any of the conditions within the relevant authorization(s);
- compost unfit for the purpose it is used for (insufficient quality);
- compost used in such a way that it does not confer agricultural benefit or ecological improvement (e.g. application rate too high); or,
- compost is used in such a way that it has an unacceptable, detrimental effect on the environment (including soil, crops, human and animal health).

11.2 If the certification body’s inspector or certification decision-maker suspects that a compost producer participating in this scheme is carrying out ‘sham recovery’, the
assessment shall be promptly referred to the Technical Advisory Committee for urgent review. The regulator and a representative of REAL shall be involved in the review.

11.3 This committee shall decide what further action is appropriate to determine whether the producer is carrying out ‘sham recovery’. The committee may request the involvement of the regulatory officer responsible for waste regulation enforcement in the area where the composting activity takes place. By joining this Scheme, the compost producer agrees to the disclosure of any information necessary for evaluating whether ‘sham recovery’ is being carried out to REAL, the regulator and the relevant certification body.

11.4 If on the basis of document evidence and/or site inspection checks the Technical Advisory Committee decides that ‘sham recovery’ is being carried out, the composting process and all of its resulting grades under assessment shall be withdrawn from the scheme, with immediate effect. The certification body shall also immediately notify REAL and the appropriate regulatory officer.

11.5 Any compost producer with a composting process and its resulting composts withdrawn from the scheme due to practice of ‘sham recovery’ shall not be allowed to re-join this scheme until the Certification Technical Advisory Committee, in liaison with the regulator, has confirmed cease of ‘sham recovery’ activities, completion of any enforcement action required and that there is no current or pending legal action associated with such activities.

11.6 The occurrence of any one of problems referred to above is not necessarily evidence of ‘sham recovery’. The certification body in consultation with REAL should carefully consider what further evidence or site inspection is required.

12. MARKS OF CONFORMITY

12.1 REAL’s appropriate conformity mark shall only be used in clear association with the specific composting process and it’s compost grade(s) for which the compost producer holds a valid certificate of conformity to this scheme’s rules.

12.2 The mark shall only be used in association with a product that contains a certified compost grade if scheme requirements on providing information about the compost ingredient are fulfilled.

12.3 The scheme requirements regarding use of the conformity marks are stated in the ‘Conformity declaration and conformity mark’ document (document 30 in the Certification Scheme application pack).
12.4 The above consent, in so far as it applies to use of the conformity mark, is limited to using the entire designations “PAS 100 CERTIFIED” or “PAS 100 & CQP CERTIFIED” (whichever is applicable to the scope of certification) and to using the appropriate conformity mark in an identical form to that supplied by REAL. The consent is specific to the producer’s certified composting process and compost grade(s) and shall not be transferred or licensed to any other business.

12.5 Any composter who holds a valid certificate of conformity shall not use (or authorise or license others to use) the conformity mark in any way outside the scope of the above consent, unless that composter has first obtained REAL’s written authorization to do so. Any such composter shall not use or authorise or license others to use any name, mark, sign or device confusingly similar to the conformity mark nor file or cause to be filed any conformity mark, trade mark or company name registration applications containing or confusingly similar to this scheme’s conformity marks. Any such composters shall not oppose or cause any opposition to any conformity mark applications filed by REAL, register the conformity marks anywhere in the world nor otherwise cause any question to be raised concerning REAL’s ownership of this scheme’s conformity marks.

12.6 REAL reserves the right to withdraw from any composter with a valid certificate of compliance the permission granted hereunder, after giving one month’s notice or upon immediate notice if the composter fails to observe this scheme’s requirements with regard to the use of the conformity marks, or if certification is suspended or withdrawn for whatever reason.

12.7 A supply chain company may use the appropriate conformity mark, subject to:
   a) meeting the requirements associated with its use, set out in these documents, and
   b) compliance being verified and confirmed in writing by the certification body.

12.8 Each certification body shall record actions taken with regard to clause 12.7 b) and the outcome of these actions.

13. APPROVED LABORATORIES

13.1 This scheme requires participating compost producers to send compost samples for testing only at independent laboratories approved by REAL. This scheme’s
procedures relating to laboratory enquiries, assessment and approval are not currently included in this scheme rules document.

13.2 Responsibility for responding to enquiries from laboratories about becoming approved to test compost samples under this scheme rests with REAL until further notice. Any laboratory enquiry received by the certification body shall be referred to REAL.

14. CONSULTANCY SERVICES

14.1 The certification body and any of its sub-contractors, consortium partner(s) or related organisations shall not provide consultancy services that compromise or put in doubt the certification body’s impartiality in respect of this scheme (BS EN 45011).

14.2 Compost producers on the Scheme may decide to benefit from the advice from a consultant at commercial rates.

14.3 A number of consultants has been approved by REAL to provide the producers with specific advice and assist them in achieving or maintaining certification. Names and contact details of REAL’s approved consultants can be found at REAL’s web site www.organics-recycling.org.uk.

14.4 Commercial approved consultancy activities, fees and expenses must be agreed between the compost producer and his/her chosen consultant before such work commences.

14.5 The criteria which these consultants have been evaluated against are specified in the ‘Commercial approved consultancy services contract’ that is available from REAL on request.

15. CONFIDENTIALITY

15.1 The certification body shall provide to REAL detailed information regarding each composting process and compost grade under assessment, both those for which initial certification has been applied for and those for which certification has been awarded. Such information is detailed in REAL’s contractual arrangements with the certification bodies.

15.2 Details of registered participants are held on a central database, which is owned by REAL.
15.3 REAL may produce and publish statistical reports drawing upon aggregated scheme data so that individual data cannot be traced back to individual applicants or members.
15.4 Participant data may be retained on the above mentioned databases and will be treated as specified above for up to 5 years after a person has ceased to be a member of REAL scheme.

15.5 The following information shall be made publicly available by REAL:

- Details specified by the composter in his/her application form; and
- Information about the composting process and the certification status of each assessed compost grade (including certificate issue, ‘valid from’, expiry, suspension and withdrawal dates, as applicable to each grade’s status).

15.6 Details of the information gained during the course of the certification body’s assessment shall be supplied to REAL if requested and shall supplied to members of the Technical Advisory Committee, the certification body's accreditation body, the regulator and/or the competent authority as relevant, if the assessment is selected for review. Information gained during investigation of a complaint or suspected/reported 'sham recovery', or information associated with an appeal made by a composter shall be supplied to REAL, members of the Technical Advisory Committee, the certification body’s accreditation body, the regulator and/or the competent authority, according to which organisations are involved in the appeal.

15.7 The compost sample test results and sample codes of any compost producers on the Scheme shall be supplied by the approved laboratory to the certification body and/or REAL whenever requested by either party (e.g. during investigation of a complaint or in association with testing and evaluating an independently sampled compost grade).

16. OBLIGATION TO INFORM CERTIFICATION BODIES OF CHANGES

16.1 Compost producers registered on REAL’s Compost Certification Scheme shall inform the certification bodies when any changes are made in relation to:

- mailing addresses;
- person or contact details of the person responsible for implementing and maintaining the certification scheme procedures and complying with the scheme requirements;
- person or contact details of the person that is responsible for compost sales or related contact details; and
- any other details relevant to this certification scheme.
17. COMPOSTING PROCESS ADDITIVES

17.1 Under this scheme incorporation of a mineral-based (e.g. rock dust) or biodegradable additive during the composting process is allowed provided that:

- it is intended to confer a benefit to the composting process or reduce emissions,
- REAL has provided written confirmation that its use is acceptable,
- it is used as advised by the manufacturer,
- compost quality and fitness for purpose is not adversely affected.

17.2 Firstly, the operator shall check if the additive is listed on the Approved Composting Process Additives List' (see document 28 in the Application Pack) as 'Additive products approved for use until notification otherwise'.

17.3 If the additive is already on the list of ‘Additive products approved for use until notification otherwise’, the producer is allowed to use it providing that:

- the product is used according to the product manufacturer’s recommendations and guidelines for use
- the composting process is carried out as per the producer’s Standard Operating Procedures, and
- the requirements in clause 17.8 of these scheme rules are met.

17.4 If the additive is not already on that list with that description, then a written request for using it shall be submitted to REAL. The information supplied will be reviewed, and REAL may then confirm ‘approval for trial use’ or refuse approval, stating the reason(s) why.

17.5 Any approved trial shall be carried out such that the following conditions are met:

- The product is used according to the product manufacturer’s recommendations and guidelines for use and the composting process is carried out as per the producer’s Standard Operating Procedures.
- The producer’s record of the trial clearly states the proportion / rate, how and when the additive has been used.
- Compost batches are sampled and tested as specified by REAL, corresponding with any potential risks to compost quality or the environment(s) in which the compost is likely to be used.
- Each sampled and tested compost batch shall be kept at the compost production site until the trial record and compost batch test results have been evaluated by REAL.

17.6 REAL shall review the records and test results associated with the trial. If the trial has been carried out as required in 17.5 and REAL is satisfied that compost quality and fitness for purpose was not adversely affected, REAL will confirm approval for use until
notification otherwise or until a specific date (e.g. if manufactured, the product’s licence expiry date) and the additive will be listed in document 28 with that description.

17.7 If the additive is not already on the ‘Approved Composting Process Additives List’ (see document 28 in the Application Pack), an assessment charge shall apply (see REAL’s current schedule of charges for this scheme). REAL reserves the right to remove an additive from the list and require all producers using it to cease doing so with immediate effect.

17.8 The compost producer shall include in the Standard Operating Procedures the name of any approved composting process additive used. The SOPs or a linked QMS document shall also state how often the additive is used (or exceptional circumstances in which it would be used if not used on a regular basis), how much is used ‘per use’, and how it would be applied / incorporated into the composting process (including the stage(s) at which it is applied).

17.9 Any product used at the composting site more than once to control flies shall have been prior approved by REAL, having undergone the same approval request and check procedures as for composting process additives. Any product used once at the composting site to control flies shall have been prior approved by REAL.
SCHEME STRUCTURE

18. OVERALL STRUCTURE

18.1 Scheme’s owner

18.1.1 REAL, the owner of the scheme, is responsible for the following:

1. promotion of the scheme,
2. development of the scheme and these scheme rules,
3. management of information displayed publicly on compost producers’ certification status,
4. selection of certification bodies,
5. contractual arrangements with certification bodies,
6. monitoring the performance of CBs,
7. providing feedback to the CBs on their performance,
8. updating contracted CB managers on any changes to standards, scheme rules and associated documentation,
9. updates to compost producers on the scheme on changes to standards, scheme rules and associated documentation,
10. selection and monitoring of laboratories approved by REAL to test composites on this scheme,
11. selection and monitoring of consultants approved by REAL to advise compost producers on this scheme and land managers to whom they sell compost,
12. provide technical support to certification bodies, approved consultants and approved laboratories, and
13. co-ordination of this scheme’s Technical Advisory Committee meetings.

18.2 Technical Advisory Committee (TAC)

18.2.1 This Scheme’s Technical Advisory Committee (TAC) advises on scheme issues, to ensure that a cross section of views is considered by REAL.

18.2.2 The TAC representatives have an obligation to ensure confidentiality of information arising from TAC meetings.

18.2.3 REAL shall select and de-select each representative of the TAC.

18.2.4 Each certification body’s personnel responsible for scheme management shall participate in, at reasonable notice, TAC meetings. Each certification body shall make all reasonable endeavours to participate in each TAC meeting. REAL shall confirm at
reasonable notice prior to each meeting whether it will be held face-to-face or by telephone conference.

18.2.5 At least two TAC meetings shall take place per year; they may be more frequent according to arising issues if they cannot be resolved by email and/or telephone communications.

18.2.6 In addition to REAL and WRAP, the TAC includes representatives of the following stakeholder groups:

- the certification bodies contracted to provide assessment and certification services aligned to REAL’s Compost Certification Scheme,
- compost producers participating in this scheme,
- independent experts in the composting industry,
- regulators for the countries of the United Kingdom and Northern Ireland, and
- REAL’s approved laboratories.

18.3 Certification bodies

18.3.1 The certification bodies are appointed by REAL to provide compost producers’ independent assessment for conformance with PAS 100, the Compost Quality Protocol (if applicable) and REAL Compost Certification Scheme rules.

18.3.2 Each certification body appointed by REAL shall operate its certification service aligned to this scheme in accordance with BS EN 45011, which sets general requirements for bodies operating product certification systems.

18.3.3 The certification body shall have composting expertise within its structure, or utilise technical support from REAL, such that the CB’s personnel can gain technical interpretation of the standards and scheme requirements when requested. The appointed certification bodies shall meet the requirements specified in section 19 of these scheme rules.

19. CERTIFICATION BODIES’ REQUIREMENTS

19.1 Personal attributes

19.1.1 Each trainer, inspector, certification decision and administrator maker shall conduct himself / herself professionally, be objective, have good communication skills and maintain the integrity of himself / herself, and his / her employer or the organisation for which he/she is contracted to work.
19.2 Experience

19.2.1 Each trainer, inspector and certification decision maker shall have at least one year of experience in composting or agriculture/horticulture, plus one of the following subjects:

- quality management systems
- product / material safety within a manufacturing context,
- risk assessment,
- Hazard Analysis and Critical Control Points assessment, or
- Inspection or assessment of waste management activities.

19.3 Competence

19.3.1 Each inspector and certification decision maker shall be competent in relation to REAL certification scheme’s rules requirements. Competent means that he/she meets at least the following criteria and any further criteria specified by REAL:

- he/she is familiar with all the requirements of the PAS 100 (latest version);
- he/she is familiar with all the requirements of the Compost Quality Protocol;
- he/she is familiar with REAL Compost Certification Scheme rules;
- he/she is at all times up to date with regard to any changes made to any of the requirements specified above; and
- he/she has undertaken any training required by REAL.

19.4 Exceptions regarding qualifications and experience

19.4.1 If a Certification Body seeks to employ a trainer or certification decision maker, or employ or sub-contract an inspector, who does not fully meet the qualification and experience criteria, the Certification Body shall state in writing to REAL the reasons why the individual’s qualifications and experience may still be suitable.

19.5 Training

19.5.1 The certification body’s personnel who deliver certification services under this scheme shall be trained on this scheme’s topics as relevant to their roles.

19.5.2 The certification body’s personnel who deliver certification services under this scheme shall successfully complete any training specified by REAL.

19.5.3 Each inspector shall undergo a supervised period of training in practical assessment.
CLARIFICATION ON THE INTERPRETATION OF SPECIFIC REQUIREMENTS/Criteria

20 ALLOWED INPUT WASTES

20.1 PAS 100 requires that input materials to the composting process are biodegradable and have been separately collected from non-biodegradable materials, and that have not been mixed, combined or contaminated with other potentially polluting wastes, products or materials. Further specific requirements related to input materials are described in section 6 of PAS 100.

20.2 In addition to PAS 100 requirements, the Compost Quality Protocol requires that input wastes are only those listed in Appendix B of the Protocol and these must also be source-segregated and biodegradable. Digestates used as input materials to a Compost Quality Protocol compliant process must comply with clauses 1.4.3 and 1.4.4 of the Compost Quality Protocol. Compost producers that seek or hold certification to ‘PAS 100 only’ do not need to comply with these additional requirements.

20.3. Any skip waste stream that mixes biowaste with inert and/or any other types of non-biodegradable waste or materials, at any stage, are not acceptable as inputs under this certification scheme, even after the biowaste has been separated from the mixture.

20.4 ‘Compostable’ packaging and plastic products made of biodegradable material are permitted only if the product is independently certified as conforming to all composting-relevant parts of a standard accepted by the Environment Agency or Northern Ireland Environment Agency. Standards accepted at the time of publishing the Compost Quality Protocol are BS EN 13432, BS EN 14995, ASTM D6400 and AIB-Vincotte International S.A.’s ‘Program OK 2’ criteria for ‘home compostable’ packaging and plastics. These scheme rules require that the valid certificate has been issued by an independent certification body.

NOTE: In any country where the Compost Quality Protocol applies, please also see specific provisions in Appendix B, which also require independent certification of conformity to the ‘compostable’ criteria within one of the relevant standards.

21 COMPOSTING PROCESS

21.1 Composter’s criteria for completion of the composting process

21.1.1 The composter’s criteria for completion of the composting process shall be clearly defined in the compost producer’s Standard Operating Procedures. The criteria shall be specific to the compost grade.
21.1.2 Composting process duration shall be evaluated as follows:

21.1.2.1 If the composting process does not include any maturation phase after screening, the composting process is considered to start when the batch formation has been completed and to finish on the date of the start of any screening activities.

21.1.2.2 If the composting process includes a minimum maturation period after screening, the composting process duration is considered to start when the batch formation has been completed and to finish when the minimum maturation period has been completed.

21.1.4 Any batch that is dispatched before composting process completion shall be dispatched as non-PAS 100 conforming material.

21.2 Composting process with different, parallel sanitization phases

A compost producer may operate two different, parallel sanitisation phases within a single composting process and produce one or more compost particle size grade(s) from that composting process only if:

- the sanitized batches coming from the two different sanitization phases are combined at the start of the stabilisation phase,
- at the start of the stabilisation phase the batches are combined in a defined, consistent proportion specified in the Standard Operating Procedures,
- the entire composting process and the compost particle size grades it produces are described in one Standard Operating Procedures document,
- traceability is maintained between the different sanitization phases as well as through the rest of the process,
- records are kept that enable traceability checks to be carried out by the certification body, and
- the certification body’s inspection includes each sanitisation phase and the related QMS records.

21.3 Addition of allowed input waste types after first sanitization

A compost producer is allowed to add input materials after a first sanitisation phase only provided that:

- the added input materials are allowed under the PAS 100 ‘only’ or PAS 100 & the Compost the Quality Protocol Certification Scheme (according to the scope of certification sought); and
- an additional sanitisation takes place after the new input materials are added to the process;
• the entire composting process and the compost particle size grades it produces are described in one Standard Operating Procedures document;
• traceability is maintained between the different sanitisation phases as well as through the rest of the process;
• records are kept that enable traceability checks to be carried out by the certification body; and
• the certification body’s inspection includes each sanitisation phase and the related QMS records.

21.4 Composting process at the same site

All activities of a composting process⁹ shall take place at the same site, on a specifically designated area, or areas, within a single site’s boundaries unless the circumstances match those defined in rule 21.4.1.

21.4.1 Activities within the same composting process taking place at different locations

This clause applies to a compost producer who, for a single composting process, carries out some of the activities listed under the definition of composting process⁵ at separate sites. This is allowed provided that:

• the compost producer clearly states on his/her Standard Operating Procedures and any other relevant QMS documents where each of the activities take place;
• all sites where activities take place have an environmental permit / waste management licence / pollution prevention control permit / exemption authorised by the regulator for carrying out the relevant activities;
• the different sites that comprise the single composting process are operated or supervised by the same organisation, or the same organisation is responsible for PAS and Protocol compliance at those sites;
• traceability is maintained between the different locations for the composting process and records are kept that enable traceability checks to be carried out by the certification body;
• the organization nominates one person who oversees all the activities of that composting process and is responsible for implementing and maintaining the certification scheme procedures for all sites. This person shall take responsibility for the all composting process, from the input waste delivery to the dispatch of a fit for use product;
• each location shall be inspected by the certification body.

Any additional related cost incurred by the CB for inspecting different locations shall be borne by the compost producer.

⁹ See definition of ‘Composting process’ under the Terms and definitions section of this document.
22 TEMPERATURE MONITORING EQUIPMENT CALIBRATION

Calibration of equipment used for monitoring temperature shall be carried out at least once per year by an independent third party calibration service provider.

23. SAMPLING

23.1 Compost producer’s sampling

23.1.1 Samples taken according to section 12 of PAS 100 shall be sent to one of REAL’s Approved Laboratory promptly.

23.1.2 Guidance on compost sampling is included in REAL’s application pack for the Scheme.

23.2 Circumstances under which re-sampling is allowed

23.2.1 Re-sampling and re-testing of a batch that does not conform to the minimum quality requirements of PAS 100 is allowed only under the circumstances described in clause 15.2a of PAS 100:2011, namely after an appropriate corrective action has been undertaken to remove the cause on the non-conformity.

23.2.2 If the re-sampled batch test result(s) for the failed parameter is / are pass(es), the batch can be released as PAS 100 compliant (’positive release’).

23.3.3 However, any such pass does NOT count towards regaining the passes for proving the efficacy of the routine composting process.

23.3. Certification Scheme’s independent sampling procedures

23.3.1 For quality assurance purposes, a percentage of composting processes that produce certified compost shall be selected for independent sampling. Composters selected for independent sampling shall allow sampling to take place unimpeded.

23.3.2 The independent sampling shall be carried out by an appointed competent person who is independent of the composter, who is also responsible for dispatching the independently taken sample(s) to the approved laboratory used by the producer. Competent means that he/she shall have received training on procedures to follow for taking independent samples and related records of training must be kept. The independent sample taker is not allowed to be an approved laboratory nor work for or on behalf of an approved laboratory under this scheme. In addition, each independent sampling person shall be independent of the compost producer. Key criteria for demonstration of independence are that the independent sampling service provider:
• did or does not currently work for or on behalf of the compost producer that is subject to independent sampling; and
• is not providing consultancy to the producer, nor has done so within the last year.

23.3.3 The independent sample taker shall ensure that all information specified in the Association’s independent sampling pro-forma is recorded when the independent sample is taken.

23.3.4 Independent sampling and the associated testing is carried out to check compost grades’ compliance with the PAS 100 minimum quality criteria and any additional specification that is applicable to the sampled grade(s).

23.3.5 Independent sampling costs

23.3.5.1 Cost of taking the samples and sending them to the approved labs

The cost of the independent sample taking is spread across all compost producers on the Scheme, the associated invoices being issued by REAL to the compost producers for fee payment directly to REAL.

23.3.5.2 Cost of testing the samples

The cost associated with testing the samples shall entirely be borne by each compost producer selected for the independent sampling. The compost producer shall liaise directly with the laboratory with regard to the invoices associated with independent testing, i.e. the producer pays the approved laboratory directly.

23.3.6 The results of the independent sample(s) can count towards the minimum samples and test results required for achieving or maintaining validation.

23.3.7 If, as a result of the selection, the compost producer selected is in the period of corrective actions after inspection, the independent sample(s) taking shall be deferred such that the sample test results are evaluated as part of the next inspection.

23.4 Timing of the independent sample taking

23.4.1 The principal compost grade and any additional grade required to be tested shall be sampled, when possible:

a) during the week after the batch has completed the composting process (including any maturation step applicable to the grade);

b) after particle size screening, if applicable; and

c) before any blending with other wastes, materials, composts, products or additives.'
23.4.2 If compost of the right age is not available at the time of the independent sampling, the independent sample(s) shall be taken from any batch(es) that are stored on the site awaiting dispatch.

23.4.3 The requirements specified under clause 23.4.1 require the competent person to pre-announce and pre-arrange the time of the visit with the compost producer in advance to ensure that compost batch(es) meeting the criteria specified in clause 23.4.1 are available on site on the day of the site visit.

23.4.4 In addition to taking an independent sample of the composting process’s principal PAS 100 certified compost grade, this scheme also requires the independent sampling of one additional PAS 100 certified compost grade chosen by the independent sample taker according to his/her on-site assessment of which additional grade is at highest risk of failing any one or more PAS 100 obligatory parameters.

24 DEALING WITH A NON-CONFORMING BATCH AND INVESTIGATING THE CAUSE

24.1 Options for dealing with a sampled and tested compost batch that does not conform with PAS 100’s minimum quality and/or plant response requirements are set out in clause 15.2 of the PAS.

24.2 An exception to clause 15.2 of PAS 100 is represented by failures on one or more potentially toxic elements. If the PTE test result(s) of the sampled and tested batch is more than 10% above the PTE upper limit specified in Table 3 of PAS 100, the only options available to deal with the failed batch under REAL’s Compost Certification Scheme is that it is dispatched for use as ‘waste’, processing elsewhere or disposal and the recipient and regulator are notified of the nature of its non-conformity with PAS 100. 

E.g. if the Zinc (Zn) test result shown on the lab report for a failed batch is 445 mg/Kg dm (upper Zn limit = 400 mg/Kg dm). This batch can only be dispatched as ‘waste’, processed elsewhere or disposed of and the recipient notified of the nature of the failure. However, if the Zinc (Zn) test result is 430 mg/Kg dm, then the batch can be dealt with according to any options described in section 24.1 of PAS 100.

24.3.1 During the investigation required in clause 16.1 of PAS 100 no batch of compost produced after the batch that failed shall be dispatched as PAS 100 conforming unless it is sampled, tested on the parameter(s) corresponding with the failure(s), and found to have passed the test(s).

24.3.2 During the investigation, if the batch sampled and tested after the ‘triggering fail batch’ fails on the same parameter, the composter shall immediately inform the certification body and supply details of the failures and actions taken to date. The composter shall do the same if any other incident of two or more consecutive failures on the same parameter occurs during the investigation. The certification body shall evaluate such information within 10 working days of its receipt and decide whether to
suspend the certificate of compliance, having taken account of the severity of the failures and progress of the investigation. **N.B.: Suspension of certification may be actioned before the composter has completed the investigation, as appropriate to the severity of the failures and progress of the investigation.**

### 25 DISPATCH INFORMATION

25.1 Any compost producer that supplies compost **with a ‘waste’ status** for use in:

- agriculture & soil/field-grown horticulture,
- soft landscaping,
- land restoration,
- professional & amateur horticulture,
- forestry and
- any other market

shall ensure that compost is supplied in accordance with waste regulatory controls. Any such compost producer shall ensure that the compost recipient is informed that compost dispatched is a ‘waste’ and, thus, that it has to be transported, stored and used according to waste regulatory controls.

25.2 When dispatching / supplying / selling any of his / her certified compost grade(s) the compost producer shall ensure that the information supplied about the specific compost grade includes:

- REAL’s conformity mark for this scheme (the version appropriate to the scope of certification),
- the compost grade’s unique certification number,
- all the information required in section 17 of PAS 100 on ‘Labelling and Marking’, in sections 3.2 and Appendix E of the Compost Quality Protocol, and one of the following:
  - a declaration of conformance with the PAS 100 & Compost Quality Protocol if the compost is to be used in England, Wales or Northern Ireland, or
  - a declaration of conformance with PAS 100, in connection with the relevant compost grade.

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10 For example, compost of ‘waste’ status should be transported by a registered waste carrier, and the recipient should be supplied with a duty of care notice and hold an environmental permit / waste management licence / pollution prevention and control permit / exemption in order to store or use the compost. **Waste regulatory controls should apply to supply chain organisations / individuals as well as the user of a ‘waste’ compost. These requirements apply, whether the compost recipient is a distributor, wholesaler, retailer, anyone / any other organisation in the compost supply chain, or the compost user.**
• REAL’s conformity mark for this scheme (the version appropriate to the scope of certification).

25.3 Those producing compost made from animal by-products that have been treated in accordance with Regulation EC No. 1069/2009, the implementing regulations EC.142/2011 or the relevant national regulations\(^1\) shall make the compost recipient aware that it is derived from animal by-products and that if regulatory rules on its use on land to which farmed animals have access, graze or are fed herbage cut from that land (see clauses 25.4 and 25.5 below) and rules on the recording of such activities are not adhered to, an offence will have been committed.

25.4 The interval between application of ABP-derived compost to land and:

• access to, or grazing of, such land by farmed animals shall be at least 21 days; and
• the cutting of herbage from that land for feeding to farmed animals shall be at least 21 days; or
• access to that land by pigs, or the cutting of herbage from that land for feeding to pigs, shall be at least 60 days.

25.5 The person responsible for land to which ABP-derived compost has been applied and to which farmed animals have access or from which herbage is cut for feeding to farmed animals, shall keep records for at least two years of:

• the date and places of application (e.g. each field or part-field on which ABP-derived compost is applied and the date of application at that place);
• the quantity of ABP-derived compost applied at each place of application (e.g. in tonnes per hectare or cubic metres per square metre);
• the dates, following the application of ABP-derived compost, on which ['farmed animals' or] livestock\(^12\) [if not ‘farmed animals’] have been allowed to graze on the land or on which the land has been cut for herbage to be used for feeding.

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\(^{1}\) Regulation EC No. 1069/2009 came into effect in March 2011), the implementing regulations EC.142/2011 and the implementing national regulations in the countries of the UK set out rules for the management of animal by-products not intended for human consumption. They include labelling requirements and restrictions on the use of compost derived from animal by-products which are listed in clauses 25.5 and 25.6.

\(^{12}\) ‘Farmed animal’ is defined in EU ABP Regulation 1069/2009 as: ‘a) any animal that is kept, fattened or bred by humans and used for the production of food, wool, fur, feathers, hides and skins or any other product obtained from animals or for other farming purposes; b) equidae’ [equine animals].

For ABP compliance purposes, in most cases ‘livestock’ and ‘farmed animals’ have the same meaning. Pets that do not comply with the above definition of ‘farmed animal’ are regarded as ‘livestock’ (even if kept in a domestic garden), so they should not be allowed access to nor be allowed to graze from land to which ABP-derived compost has been applied, at least for the relevant minimum interval stated above in 2.12.1 (60 days in the case of a pet pig, and 21 days in the case of any other kind of pet). Such pets should also not be fed herbage that was cut from land to which ABP-derived compost was applied, if that herbage was cut sooner than the relevant minimum interval stated above in 2.12.1. The only species of pets to which the ABP controls do not apply are cats, dogs, guinea pigs and hamsters.
25.6 Please note that TSE Regulations 2006 (SI 2006/1228) prevent the use of category 2 mammalian meat and bone meal on agricultural land. This ban includes anything derived from rendered mammalian material, so a composting plant treating category 2 rendered material could not use the resultant compost on agricultural land. The material could still be used on non-agricultural land.

26. COMPOST BAGS

26.1 When dispatching / supplying / selling any of his / her certified compost grade(s) in bags, the compost producer shall ensure that the packaging (and/or separate document stuck to each packaging item) for the specific compost grade includes:

- REAL’s conformity mark for this scheme (the version appropriate to the scope of certification),
- compost grade’s unique certification number,
- all the information required in section 17 ‘Labelling and Marking’ of PAS, and one of the following:
  - a declaration of conformance with the PAS 100 & Compost Quality Protocol if the compost is to be used in England, Wales or Northern Ireland, or
  - a declaration of conformance with PAS 100, in connection with the relevant compost grade.

26.2 If bagged compost derived from animal by-products is used on grazing land or land where fodder crops are grown, the same rules described under clauses 25.4 – 25.5 above apply to the rules in this section for bagged compost.

26.3 The information on the packaging (and/or separate document stuck to the packaging) shall enable checks on which graded compost batch, or part batch, was filled into each compost bag. Such checks may cover any bagging date(s). Maintenance of traceability is an important PAS 100 requirement and enables checks on compost production and quality in the event of a complaint.

26.4 Bagged compost with a ‘waste’ status shall not be supplied unless requirements in clauses 25.1 and 25.2 are complied with.

27. STORAGE OF COMPOST ON AN UN-AUTHORIZED AREA, ON-SITE OR OFF-SITE IN ENGLAND, WALES AND NORTHERN IRELAND

27.1 The clauses under this section are applicable in England, Wales and Northern Ireland. It does not apply to Scotland.
27.2 With regard to England and Wales, the EA’s briefing note ‘Waste Protocols Project, Change to end of waste criteria – notice to local authorities (April 2009) explains that quality waste-derived products can be stored outside waste management controls on the site of production or off-site, providing that the relevant Quality Protocol’s criteria are met. The Northern Ireland Environment Agency (NIEA) has not published to date an equivalent briefing note; however REAL obtained a written confirmation from NIEA that the same position adopted in England and Wales applies to Northern Ireland.

27.3 In effect, this allows compost certified to the Compost Quality Protocol to be stored on an unpermitted / unlicensed area of the site or off-site, only provided that:

- The requirements of the Compost Quality Protocol, including conditions described in clauses 1.3.1 and 2.2.1, are complied with;
- the composting process and resulting compost grade(s) that are moved into the unpermitted / unlicensed area are certified to PAS 100 and the Compost Quality Protocol;
- the certificate of compliance with PAS 100 & Compost Quality Protocol is valid during the period the compost is stored on the unpermitted / unlicensed area;
- prior to being moved onto the unpermitted / unlicensed storage area:
  - the compost batch(es) have completed the minimum composting process duration that the process has been validated for; this includes any maturation applicable to the graded compost;
  - the compost batch(es) have been screened to one or more of the certified compost grades;
  - the resulting compost grade(s) are fit for all their intended purposes throughout the storage before dispatch to the customer;
  - if sampled and tested, test results for those graded compost batch(es) show compliance with all Quality Policy’s minimum quality criteria;
  - the graded compost batch(es) stored have not become contaminated such that Quality Policy’s minimum quality criteria are no longer met;
  - the compost is stored awaiting dispatch or to be used in a market sector designated by the Compost Quality Protocol; and
  - the records kept enable traceability checks.

27.4 Traceability means the compost producer must keep records that show which graded compost batches have been delivered / moved to storage, which location(s) they have been delivered / moved to and the dates when these activities took place. Please refer to the Compost Quality Protocol for ‘contract of supply’ requirements that apply when compost is dispatched to a customer.

27.5 Please note that this position exempts the storage of compost ‘product ONLY from waste management controls’. The compost shall be stored and used according to any
other regulatory controls that are relevant, including any specific requirements applicable to the land where the compost is stored.

28. COMPOST PRODUCER’S RECORD OF COMPLAINTS

28.1 Each participating compost producer shall make and keep a record of any complaint relating to the compost(s) under assessment. These records shall be reviewed by the inspector, as part of the audit, and taken into account during evaluation of compost quality. Their influence on non-conformance decisions will depend on the number and nature of any such complaints.

29 REQUIREMENTS FOR COMPOST USE IN AGRICULTURE AND SOIL-GROWN HORTICULTURE IN SCOTLAND

29.1 Compost producers in Scotland that supply compost for use as ‘product’ in agriculture and soil-grown horticulture shall keep records of where and when their compost has been sent to agriculture and make these records available to SEPA on request.

29.2 Thus, compost producers should keep a record of supply of all significant (anything over 1 tonne) loads of material supplied to agriculture. The information that should be retained is the name, address and contact details of the farmer, the batch and tonnage of compost supplied and the date the material was supplied.

29.3 Compliance with these requirements enables all PAS 100 producers in Scotland to continue to benefit from SEPA’s position on PAS 100 compost.