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Author	R Scheffer

ESTA governance

Quality Assurance System for Seed Treatment and Treated Seed

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This document is to summarize and clarify aspects of ESTA governance.

On the scope and purpose of this Quality Assurance system

ESTA provides a framework for good practices to prepare and apply seed treatments that *include crop protection agents*, till and including the intended use of the treated seed (drilling – sowing – planting). ESTA is restricted to those seed treatments that provide crop protection after drilling, sowing or planting through the crop protection agents on the seed.

It is the ambition of ESA that ESTA will be the general quality assurance system that supports unrestricted flow of (treated) seed within all EU Member countries.

Legislation

The EU Directive 2010/21/EU amends Annex I of the Directive 91/414/EEC with specific provisions on clothianidin, thiamethoxam, imidacloprid and fipronil.

Key statements are:

- The seed coating shall only be performed in professional seed treatment facilities. Those facilities must apply the best available techniques in order to ensure that the release of dust during application to the seed, storage, and transport can be minimized,



- Adequate seed drilling equipment shall be used to ensure a high degree of incorporation in soil, minimization of spillage and minimization of dust emission.

Only this seed treatment specific EU Directive is cited here as it impacts the scope, purpose and use of the ESTA standard. Obviously more European legislation exists, especially on worker and environmental safety.

Governance aspects covered in annexes to the standard

ESTA Standard Annex 2: ESTA: controlled use of name and logo; governance

On controlled use, ownership and copyright of the name ESTA and the ESTA logo

On governance and use of ESTA

For the ESTA Board and all governance topics reference is made to this ESTA governance document.

ESTA Standard Annex 3: Requirements for certifying bodies

Certifying bodies must meet the following requirements:

accreditation to ISO/IEC Guide 65 – ISO/EN 45011, and

proven experience in the field of agriculture, forestry and fishing, group 01.01, 01.02, 01.61 as defined in NACE Rev. 2 – Statistical classification of economic activities in the European Community. 2008. European Commission.

If the accreditation of a certifying body is withdrawn the ESTA Board must promptly be informed; the right to certify to the ESTA standard will be suspended.

ESTA Standard Annex 4: Use and interpretation of the standard

Key point related to governance is the requirement to have annual verification audits.

ESTA Standard Annex 5: Dispute and complaint handling

Complaints from ESTA participants (auditees) on audit results or the certification scheme go to the certifying body. Escalation would be to the national accreditation authority or the national agent (if in place). In the last instance escalation is to the ESTA Board, which represents ESA, the owner of ESTA.

ESTA Standard Annex 6: Sanctions

Not solving non-conformances in the agreed time frame will result in withdrawal of the ESTA certificate.

ESTA Board

- ▶ ESA installed the ESTA Board. The ESTA Board is appointed by the Board of ESA and represents ESA as the owner of ESTA. The ESTA Board assumes governance of ESTA; STAT will maintain an advisory role towards the ESA Board.
- ▶ The ESTA Board consists of the Executive Committee of ESA, the Chair of STAT and the ESTA Manager in an advisory role.

Tasks and responsibilities of the ESTA Board:

- manages the ESTA documentation (standard and accompanying documents) and publishes the adopted standard and relevant accompanying documents on the ESTA web pages;
- decides on adaptations of the ESTA standard and relevant accompanying documents and on acceptance of national agents;



- grants certifying bodies the right to audit organizations on compliance to the ESTA standard and maintains a public register of the accepted certifying bodies at the ESTA website;
- enters into non-exclusive license agreements with the ESTA certified organizations on the use of the logo;
- publishes certifications on the ESTA website;
- maintains adequate communication with all stakeholders.

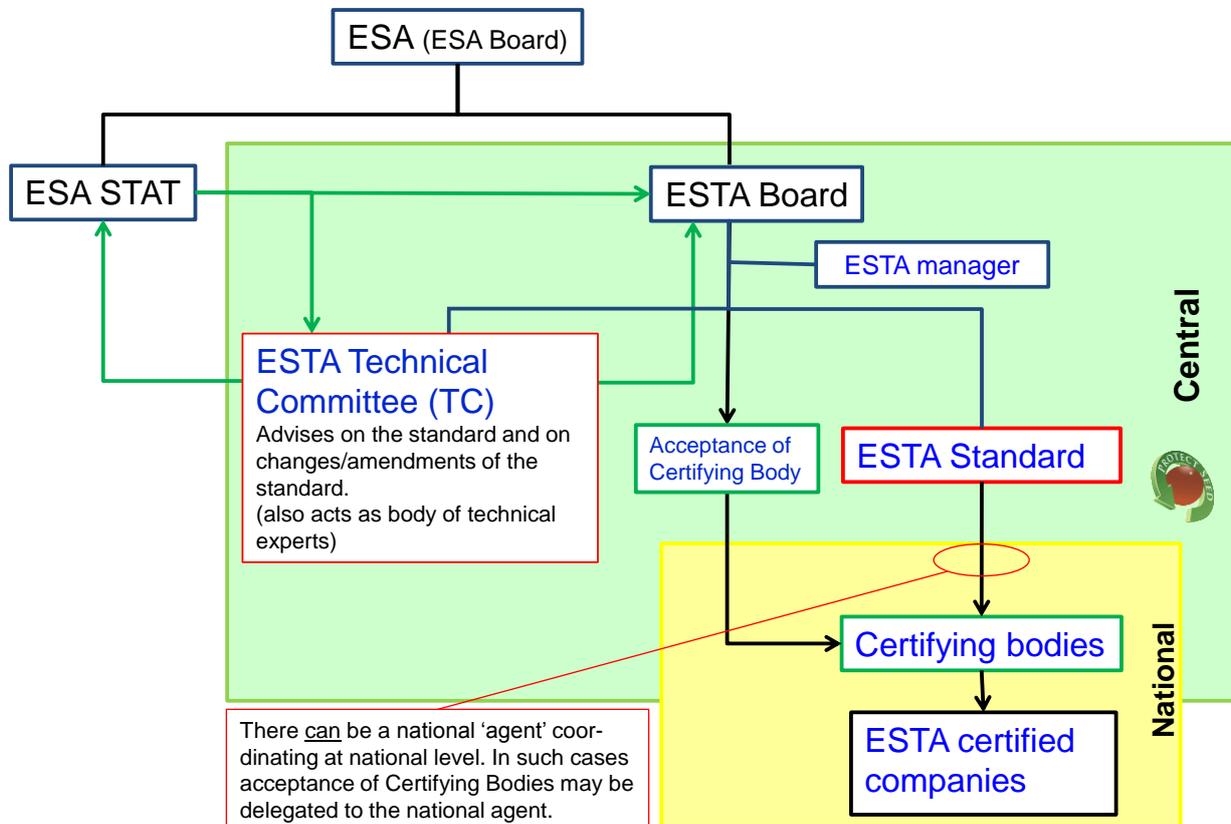
ESTA Manager

- ▶ ESA appoints an ESTA Manager to support the ESTA Board.

Tasks and responsibilities of the ESTA manager:

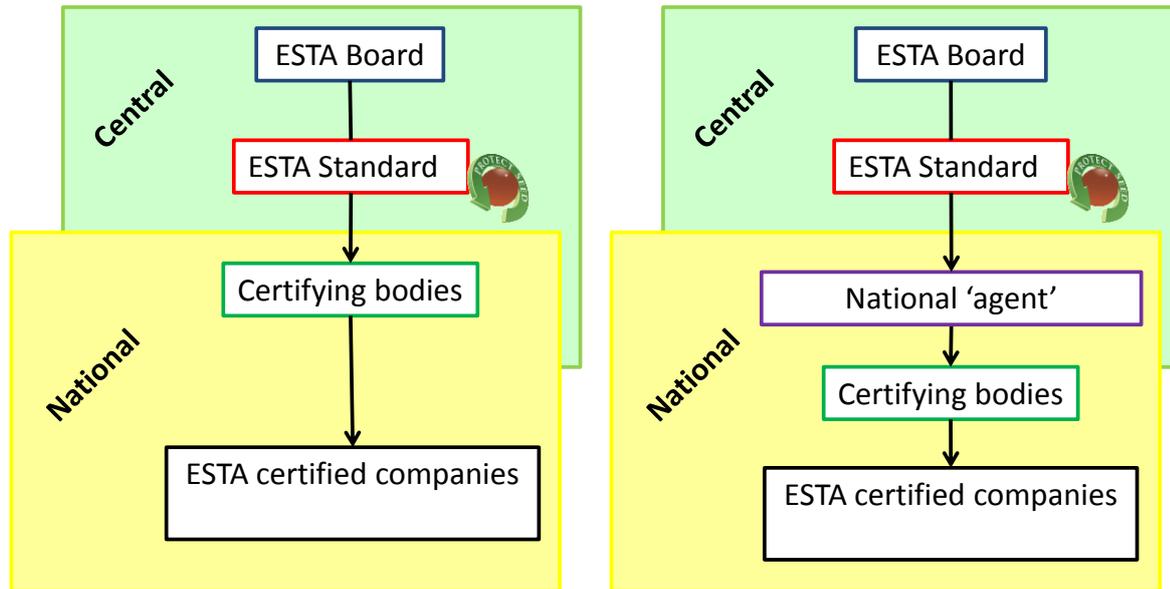
- Lead responsibility for implementation, maintenance and further development of ESTA, including relations with certifying bodies and agents
- Manage relevant ESA Working Groups, including meeting preparation, minutes and follow-up, in close cooperation with the ESA membership
- Liaise closely with colleagues in national seed associations and company offices
- Develop processes to ensure successful and effective coordinated management of ESTA by ESA and relevant national bodies, including a regular review of ESTA and its operation
- Develop and maximize relations with key opinion formers and relevant decision-makers
- Ascertain documentation and data management via the ESA and ESTA website (information on accepted certifying bodies, certified treatment facilities etc.)

ESTA governance (graphical)





The difference between the formal situation with and without an agent can be visualized as follows:



ESTA Technical Committee (TC)

The ESTA Board appoints a delegation of experts; these can be members of ESA-STAT, but this is not a prerequisite.

Tasks and responsibilities of the ESTA TC:

- discuss proposals to amend the ESTA standard and remarks to the standard or other aspects of ESTA and formulate proposals for modification of the standard
- propose additional guidance
- Review the 'regular review of ESTA and its operation' and conclude on relevant amendments of the ESTA standard and other aspects of ESTA

Proposals of the ESTA TC are sent to the ESTA Board and to ESA-STAT; ESA-STAT is invited to advise the ESTA Board. The ESTA Board will not decide on proposals before ESA-STAT has had time to react.

ESTA Stakeholder Meeting

An annual conference on ESTA may be a relevant platform to discuss ESTA, developments, issues and opportunities. Such a conference may provide a platform to all stakeholders, including farmers, growers, legislators and NGOs.

On the link with national quality assurance schemes

In principle no conflicts can develop if a national QA scheme adds additional components or restrictions to ESTA.

Conflicts would develop if a national QA scheme would either allow things not acceptable for ESTA, or if conflicting requirements would be mandatory.

On purpose the ESTA standard makes no reference to national QA schemes. ESTA is to provide a framework that can act as the 'umbrella' over national schemes that typically are more focused (specific for crop, active ingredient, or a key aspect like dust emission).



In the Steering Group meeting (March 23, 2011) this was worded as: ESTA should be the benchmark; it sets the standard. There is flexibility how national bodies implement it. However, it is not compulsory to have national systems; if no such system is in place, an organization still could seek ESTA certification.

Control of ESTA and certified companies

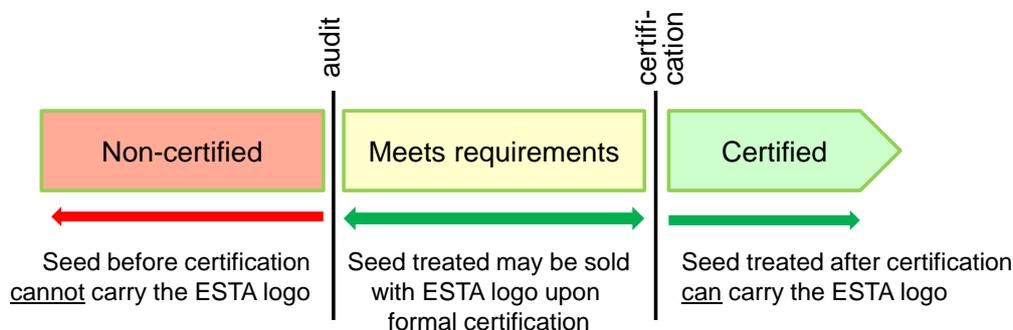
► ESA wants to monitor performance of the certified companies and the certifying bodies. If a national agent is in place control can be simplified and streamlined through the agent, but ESA does not completely step out and leave it entirely to the agent. This aspect will be covered in the agreements (i) between ESA and the certifying bodies and (ii) between ESA and the agents.

First use of the ESTA logo on packaged seed

Use of the name ESTA and the ESTA logo is controlled as described in Annex 2 of the standard. A newly ESTA certified seed treatment plant will enter into an agreement on use of the logo.

Seed treated before the first ESTA certification cannot be labeled with the ESTA name or logo. However, seed treated after the site passed the audit with the conclusion of the auditor(s) that certification will be recommended, is eligible for carrying the ESTA logo when the formal certification and the agreement on use of ESTA are in place.

Graphically, on a time-scale, this may be represented like below:



If the auditor(s) did not recommend certification, the Corrective Action Requirement(s) (CAR's) must be closed and/or the site may have to pass a re-audit before certification will be recommended. Seed treated during this period cannot carry the ESTA logo. (In the graph: the site did not yet meet the requirements, so the left (red) side of the graph applies.)

Certifying bodies

► A certifying body has to be accepted by ESA for auditing to the ESTA standard and certifying the audited organizations.

Two options: no national agent or a national agent in place

► If no national agent is in place, a company can ask an ESA accepted certifying body to check conformity of its business to the ESTA standard. After the audit the certifying body will certify the auditee if the audit results were OK.



- ▶ If a national agent is in place, the agent will be in contact with the certifying body. The certifying body grants the ESTA certification.

In both cases a certain data set will be sent to the ESTA Manager who makes certain that the company appears in the public register of ESTA certified companies. The national agent may be the only point of contact for ESTA in such a case. The contract for use of the ESTA logo can be arranged through the national agent or directly with the certified seed treatment plant.

If no national agent is in place, ESA interacts with the certifying bodies. Furthermore, ESA has to monitor performance of the certifying bodies and certified companies. If a national agent is in place most of this will be done nationally and ESA basically only needs to be informed periodically (for instance once a year) on the monitoring results.

Exceptions would be newly certified companies (where ESA needs to make additions to the public register) and certificates withdrawn (where ESA also needs to withdraw and remove the company from the public register).

Costs would be different too: if no national agent exists ESA has to do the work and be paid for this. If a national agent does most of the work, ESA has more limited time to invest.

If a national agent is in place, this does not preclude a company to directly approach a certifying body to check conformity of its business to the ESTA standard with the aim that the certifying body (directly) will grant the ESTA certification. If specific legal requirements are in place nationally such an approach may be irrelevant because the national requirements would probably formally not be met in such a case.

Registers of certifying bodies and certified companies

For each accepted **certifying body** the following information will be published in the public ESTA Register of accepted certifying bodies:

- Name, address and accreditation number of the certifying body
- Date of acceptance of the certifying body by the legal entity managing ESTA
- ESTA certifying body registration number
- Scope of the ESTA certifications that the accepted certifying body can issue
- Remarks

For each **ESTA certified company** the following information will be published in the public ESTA Register of ESTA certified companies:

- Name, address and first certification date of the certified company
- Name and ESTA certifying body registration number of the certifying body
- Scope of the ESTA certification
- Remarks