

TITLE **REQUIREMENTS FOR THE ACCREDITATION OF BODIES ISSUING CERTIFICATES OF CONFORMITY AGAINST THE NATIONAL BIOFUELS SUSTAINABILITY CERTIFICATION SYSTEM.**

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1. INTRODUCTION

In compliance with the Inter-ministerial Decree, in accordance with art. 42, par. 16 of Law Decree 199/2021, hereafter referred to as the Inter-ministerial Decree, regulating the national system for the certification of the sustainability of biofuels, ACCREDIA, as the sole national accreditation body pursuant to Reg.EC 765/2008, has issued this Technical Regulation following indications received from the competent authorities.

In order for this Technical Regulation to have the broadest possible consensus, it was prepared and updated by a working group coordinated by ACCREDIA's Department of Certification and Inspection Bodies (ACCREDIA-DC) and consisting of representatives of the Ministry of the Environment and accredited certification bodies (CB).

ACCREDIA-DC cannot modify the contents of this document without the advance agreement of the Technical Consultative Committee for biofuels, established by the Inter-ministerial Decree of the Ministry for the Environment and Energy Security n. 437 dated 22.12.2023.

2. SCOPE AND FIELD OF APPLICATION

This document contains provisions for Certification Bodies that intend to manage, under accreditation, product certification systems concerning the production of biofuels, in accordance with the national system referred to in the reference legislation.

The contents of this Regulation are to be considered an integral part of the certification scheme.

This Regulation also applies to certification activities carried out by Certification Bodies outside the national territory.

3. LEGISLATIVE/NORMATIVE/INTERNAL DOCUMENTS

3.1. LEGISLATIVE DOCUMENTS

- Inter-ministerial Decree of 7 August 2024 which regulates the national sustainability certification system of biofuels, renewable fuels of non-biological origin and fuels from recycled carbon;
- Directive (EU) 2018/2001 of the European Parliament and of the Council of 11 December 2018 on the promotion of the use of energy from renewable sources;
- Directive 2009/30/EC of the European Parliament and of the Council of 23 April 2009 amending Directive 98/70/EC as regards specifications for petrol and diesel fuels and introducing a mechanism to monitor and reduce greenhouse gas emissions, amending Council Directive 1999/32/EC as regards specifications for fuel used by inland waterway vessels and repealing Directive 93/12/EEC.

- Legislative Decree 31 March 2011, n. 55, containing “Implementation of Directive 2009/30/EC, amending Directive 98/70/EC, as regards the specifications relating to petrol, diesel fuel and gas oil, as well as the introduction of a mechanism aimed at monitoring and reducing greenhouse gas emissions. It amends Directive 1999/32/EC as regards the specifications relating to the fuel used by vessels used for inland navigation and repeals Directive 93/12/EEC”;
- Inter-ministerial Decree 2 March 2018 “Promotion of the use of biomethane and other advanced biofuels in the transport sector”;
- Legislative Decree 199/2021 “Implementation of Directive (EU) 2018/2001 of the European Parliament and of the Council of 11 December 2018 on the promotion of the use of energy from renewable sources”;
- Regulation (EU) 2022/996 of the Commission dated 14 June 2022 setting out rules “to verify sustainability and greenhouse gas emissions saving criteria and low indirect land-use change-risk criteria.”
- Ministerial Decree of 15 September 2022 “Implementation of articles 11, paragraphs 1 and 14, paragraph 1, letter b), of Legislative Decree of 8 November 2021, n. 199, in order to support the production of biomethane fed into the natural gas network, in line with Mission 2, Component 2, Investment 1.4, of the PNRR”;
- Ministerial Decree of 16 March 2023 “Conditions, criteria and methods of implementation of the obligation to use energy from renewable sources in transport between different types of biofuels, including advanced ones, renewable energy carriers of biological origin, RFNBO and RCF” and subsequent amendments and additions;

For the complete list of reference legislation, refer to the Decree which regulates the national certification system.

3.2. NORMATIVE DOCUMENTS

- UNI CEI EN ISO/IEC 17065 Requirements for Bodies certifying products, processes and services;
- UNI CEI EN ISO/IEC 17029 Conformity assessment – General principles and requirements for validation and verification bodies;
- UNI EN ISO 14065 General principles and requirements for validation and verification bodies of environmental information;
- UNI/TS 11429 Guidelines for the qualification of economic operators (organizations) in the biofuel and bioliquid production chain for the purposes of traceability and the mass balance system;
- UNI/TS 11567 Guidelines for the qualification of economic operators (organizations) in the biomethane production chain for the purposes of traceability and the mass balance system;
- UNI EN ISO 14064-3 Greenhouse gases – Part 3: Specifications and guidance for the validation and verification of greenhouse gas declarations.

In the current version.

3.3. INTERNAL DOCUMENTS

- RG-01 "Regulation for the accreditation of Certification, Inspection, Verification and Validation Bodies – General Part";
- RG-01-03 "Regulation for the accreditation of Product/Service/Process Certification Bodies".
- RG-01-05 "Regulation for the accreditation of Verification and Validation Bodies".

In the current version.

4. DEFINITIONS

All definitions of the Inter-ministerial Decree regulating the National Sustainability Certification System for Biofuels apply.

5. REQUIREMENTS FOR ACCREDITATION

5.1. ACCREDITATION

Certification Bodies (CBs) that issue certificates of conformity to companies against the "National certification system of the sustainability of biofuels" must be accredited in accordance with the standard UNI CEI EN ISO/IEC 17065 for the specific certification scheme and for the validation and verification activities of environmental claims in accordance with UNI CEI EN ISO/IEC 17029 and UNI EN ISO 14065 (when performing verifications on the real values of greenhouse gases).

ACCREDIA recognizes as equivalent all certifications accredited by Accreditation Bodies signatory to the Mutual Recognition Agreements for the PRD scheme in the certification scheme referred to in this Technical Regulation.

For the accreditation process, the document review, the on-site assessment and the witnessed assessment shall be carried out for each individual category requested as defined by the ACCREDIA Regulation RG-01 General Part.

The decisions taken by ACCREDIA regarding the granting, extension, suspension, reduction, withdrawal and renewal of accreditation shall be communicated to the Ministry of the Environment and Energy Security.

Accreditation is issued to Certification Bodies by cluster-category:

- A. Products of the agricultural phase;
- B. Products of the forest phase;
- C. Waste and by-products;
- D. Intermediate and finished products (including renderings), biofuels;
- E. Used Cooking Oil (collecting and re-use);
- F. Storage and trading activities;

G. Biogas and biomethane;

H. Use of biofuels¹.

Below is the conversion table between categories as specified by the GSE in the National Certification System register and by the Technical Regulation RT-31:

GSE CATEGORIES (current code)	RT-31 CATEGORIES
Producer of agricultural raw material	Products of the agricultural phase
Producer of waste	Waste, by-products / Used Cooking Oil
Producer of by-products	Waste, by-products / Used Cooking Oil
Collecting point	Waste, by-products / Used Cooking Oil/ products of the forest phase
Storage	Storage and marketing activities
Trader without storage	Storage and marketing activities
Trader with storage	Storage and marketing activities
Producer of intermediate products	Intermediate and finished products including renderings, biofuels
Producer of biofuels/bioliquids	Intermediate and finished products including renderings, biofuels
Transport	Storage and trading activities
Producer of biomethane	Biogas and biomethane
Producer of biogas	Biogas and biomethane
Waste dump	Biogas and biomethane
Users for the production of electricity	Use of biofuels
Users for the joint production of electrical energy and thermal energy.	Use of biofuels

5.2. RISK-BASED SAMPLING

Excepting the sampling % defined in Annex 2 of the Inter-ministerial Decree, the minimum percentage of product (expressed in quantitative terms, for example: tons for bioliquids, biofuels and solid fuels, standard cubic metres for biomethane) valued to be sampled² during surveillance and recertification checks is reported in Table 1 and is determined on the basis of risk.

¹ For the definition of the use of biofuels, refer to the Inter-ministerial Decree of 07.08.2024

² The elements to be verified are defined in art.7 paragraph 2 of the Inter-ministerial Decree that regulates the National Sustainability Certification System for biofuels and bioliquids and subsequent amendments and additions; For the purposes of correct

This risk is calculated for the macro-category of products managed in the period since the last verification:

- products of the agricultural phase;
- products of the forest phase;
- waste and by-products (including Used Cooking Oil);
- intermediate and finished products (including renderings), biofuels;
- biogas (anaerobic digester) and biomethane.

In addition to these product macro categories:

- storage and trading activities;
- use of biofuels

Table 1: sampling (%) to be performed during the surveillance assessment

	NEGLIGIBLE RISK	MODERATE RISK	HIGH RISK
Base value	2%	5%	8%

In the first surveillance assessment after certification and in recertification, the sampling percentage increased by 10%.

If the result of the operation is not a whole number, it must be rounded up to the next whole number if the decimal point is equal to or greater than 5 and to the next whole number if the decimal point is lower than 5.

Starting from the base value, the sampling threshold is:

- doubled in the case of biofuels that benefit from increases (advanced or double counting); raw materials, by-products, waste, intermediate products of the relative supply chain;
- multiplied by a factor of 1.3 in the case of biofuels used for the production of electrical or thermal energy or for cooling for the purpose of obtaining incentives; raw materials, by-products, waste, intermediate products of the relevant supply chain;
- doubled in the case of biomethane that benefits from increases (advanced or double counting) or the incentive schemes referred to in the Ministerial Decree of 15 September 2022; raw materials, by-products, waste, intermediate products of the relevant supply chain;
- doubled in the case of low ILUC risk certification;
- tripled in the case of Used Cooking Oil (in the production and collection phase).

A corrective coefficient is foreseen, linked to company management, to be multiplied by the sampling percentage, given by:

sampling, all elements must be verified starting from the sustainability declaration issued by the previous economic operator up to the declaration issued by the operator undergoing verification.

$CC_{tot} = (1 + \sum CC_i)$, where the CCs are defined in Table 2.

Table 2: Correction coefficients

	CORRECTION FACTORS	CORRECTION COEF. CC
CC ₁	Presence of a management system certified according to ISO 9001 and/or ISO 14001 and/or EMAS by accredited CBs and/or other voluntary schemes related to the sustainability of biofuels approved by the EU	- 0.3
CC ₂	Non-conformities reported in the previous year	+ 0.2
CC ₃	Disputes with Authorities relating to the scheme during the 5-year certification cycle	+ 0.1

EXAMPLE 1: biofuels that benefit from increases, moderate risk, second surveillance.

In this example the base value will be equal to: $5\% \times 2 = 10\%$.

In the case of an ISO 9001 certified operator (CC₁) and simultaneously subject to legal dispute (CC₃), the $CC_{tot} = (1 - 0.3 + 0.1) = 0.8$. Consequently, the sampling percentage, calculated according to the methodology described in the previous point, must be multiplied $\times 0.8$.

Therefore in the case of example 1, the actual sampling will be equal to $10\% \times 0.8 = 8\%$.

EXAMPLE 2: non-advanced biofuels, without increases, negligible risk, recertification.

In the case of an operator in which all the correction factors in Table 2 are present, the total correction coefficient CC_{tot} is equal to $(1 - 0.3 + 0.2 + 0.1) = 1$. Therefore, the sampling percentage must be multiplied by this coefficient.

Therefore, if the risk of the macro-category of products is negligible and the biofuel is not subject to increases, the sampling percentage for recertification is equal to:

$$2\% \times 1 \times 1.1 = 2.2\% \sim 2\%$$

Risk determination

The risk must be determined annually by the Certification Body, by calculating the arithmetic average of the various risks, except in cases where even only one high-risk factor is present, which automatically leads to the placing of the group or macro-category in the high-risk class.

- a) Negligible risk factor: 0;
- b) Moderate factor: 1;
- c) High-risk factor: 2.

If two different risk values can be applied to the same macro-category for the same factor, the higher risk class is applied.

The overall risk calculation operation must be repeated for each macro-category subject to certification, which will have a different sampling percentage.

For the methods for applying the following tables to group certification, refer to the specific paragraph.

Products of the agricultural phase

RISK FACTOR	RISK SCORE	
	Moderate (score 1)	Negligible (score 0)
Traceability of funds allocated to crop cultivation through documents submitted to receive funds according to Reg. 73/2009 or Reg. 1698/2005	The connection between funds and crop is not traceable	The connection between funds and crop is traceable
Proximity or overlap with areas of high biodiversity, high carbon stock and peatlands	Overlap and distance of less than 2 km	Distance greater than 2 km
Land converted to the production of biofuels or bioliquids	Uncultivated land before adhering to the certification system	Land intended for agricultural activity before adhering to the certification system
Cultivation of sustainable and non-sustainable biomass on the same farm	Presence of parallel crops	Absent
Methodology for calculating greenhouse gas emissions	Data calculated as described in Annex II to the decree establishing the national certification system for biofuels and bioliquids	Standard data or NUTs areas data
Use of the decoy coefficient in the calculation	Used	Considered null
Only for group certification, the number of agricultural companies joining the group increased by more than 10% compared to the previous year.	YES	NO

Products of the forest phase

RISK FACTORS	RISK SCORE		
	High (2)	Moderate (1)	Negligible (0)
Origin	From non-EU countries	From the European Union	From Italy

Presence of legal certification of timber	No certification	Other certifications of legal compliance of timber (e.g. V-legal or SLVK certification of legal wood by the Indonesian government; OLB system; Timber Legality Verification (TLV))	PEFC/FSC Certification
Wood species	Forestry/woodland origin	Origin from forest plantation	Tree crops
Methodology for calculating greenhouse gas emissions related to transport	-	Emissions calculated from real values	Use of standard values, disaggregated or not

Waste, by-products (including Used Cooking Oil)

RISK FACTORS	RISK SCORE		
	High (2)	Moderate (1)	Negligible (0)
Origin	From non-EU countries	From the European Union	From Italy
Methodology for calculating greenhouse gas emissions related to transport	-	Emissions calculated from real values	Use of standard values, disaggregated or not

Intermediate and finished products (including renderings), biofuels

RISK FACTORS	RISK SCORE		
	High (2)	Moderate (1)	Negligible (0)
Origin of raw materials, intermediate products, waste, by-products entering the plant	From non-EU countries	From the European Union	From Italy
Methodology for calculating greenhouse gas emissions related to transport	-	Emissions calculated from real values	Use of standard values, disaggregated or not
Processing of products subject to markups and products not subject to markups in the same facility	Presence of both product categories	Only products subject to markups	Only products not subject to markups

Biogas (anaerobic digester) and biomethane

RISK FACTORS	RISK SCORE		
	High (2)	Moderate (1)	Negligible (0)
Origin of raw materials, by-products, waste, and processed wastewater	From non-EU countries	Origin of raw materials from EU countries in cases other than the negligible ones	Raw materials, by-products, waste, wastewater from companies belonging to the group defined in the decree. National companies with self-production of raw materials, by-products, waste, wastewater
Type of raw materials, by-products, waste, wastewater	-	Co-digestion different from that indicated as negligible	Co-digestion with a maximum of three macro categories
Methodology for calculating greenhouse gas emissions	Emissions calculated from real values	Use of weighted averages from standard values in the presence of co-digestion	Use of tabulated total standard values for co-digestion. Use of standard values for single chain
GHG saving values in terms of percentage reduction compared to the corresponding fossil fuel (only for the last operator)	Compared to the limit values established by the directive: GHG saving $\leq 5\%$ only in the case of emissions calculated from real values	Compared to the limit values established by the directive: $5\% < \text{GHG saving} \leq 10\%$ only in the case of emissions calculated from real values	Use of default values In the case of emissions calculated from real values, compared to the limit values established by the directive: GHG saving: $> 10\%$

Storage and trading activities

For traders only, the risk assessment must be fulfilled on the total number of products traded.

RISK FACTORS	RISK SCORE		
	High (2)	Moderate (1)	Negligible (0)
Origin of products (raw materials, intermediate products, finished products) or waste or by-products stored/marketed	From non-EU countries	From the European Union	From Italy
Methodology for calculating greenhouse gas emissions	-	Emissions calculated from real values	Use of standard values, disaggregated or not
GHG saving values in terms of percentage reduction compared to the corresponding	Compared to the limit values established by the Directive:	Compared to the limit values established by the Directive:	Use of default values.

RISK FACTORS	RISK SCORE		
	High (2)	Moderate (1)	Negligible (0)
fossil fuel (only for the last operator)	GHG saving: $\leq 5\%$ only in the case of emissions calculated from real values	$5\% < \text{GHG saving} \leq 10\%$ only in the case of emissions calculated from real values	In the case of emissions calculated from real values, compared to the limit values established by the Directive: GHG saving: $> 10\%$

Use of biofuels

RISK FACTORS	RISK SCORE	
	High (2)	Negligible (0)
GHG saving values in terms of percentage reduction compared to the corresponding fossil fuel	Compared to the limit values established by the Directive: GHG saving $\leq 5\%$ only in the case of emissions calculated from real values	Use of default values in the case of emissions calculated from real values, compared to the limit values established by the Directive: GHG saving: $> 10\%$

Risk assessment in cases of group certification

In the case of certification of a group consisting of agricultural enterprises, agricultural consortiums or agricultural cooperatives, the determination of the risk class must be carried out for each economic operator involved: for each agricultural organization, and, if applicable, collector and/or processor. The attribution of a moderate risk classification to an agricultural organization entails the attribution of the moderate risk classification to the entire agricultural phase, while for the processor its own risk analysis remains valid.

With regard to collectors, storage centers and agricultural product storage areas for products awaiting transfer to the organization's center, the same percentage of document sampling as in the agricultural phase is maintained.

Example 3: 500 agricultural companies that produce sunflower seeds with the group leader being the pressing plant for the production of bioliquids.

According to the Inter-ministerial Decree, the verification will be carried out on the pressing plant and on the square root of the companies in the group.

The verifier carries out a risk analysis on all 500 agricultural companies and samples at least the square root, therefore 23, choosing first among the companies with moderate risk.

On each of the 23 selected companies, s/he carries out a site inspection according to the percentages defined in the Inter-ministerial Decree and a document check on a quantity of material determined through the risk assessment.

For example, in the case of an initial surveillance visit after certification:

- if the group is at negligible risk, for each of the 23 agricultural companies, a quantity of seed equal to: $2\% \times 1.1 \times 1.3 = 2.9\% \sim 3\%$, multiplied by any corrective factors applicable to the lead company, will be sampled.
- if the group is at moderate risk (because even only one company is at moderate risk), for each of the 23 agricultural companies, a quantity of seed equal to: $5\% \times 1.1 \times 1.3 = 7.1\% \sim 7\%$, multiplied by any corrective factors applicable to the lead company, will be sampled.

In the selection of the 23 agricultural companies, 6 agricultural companies (at least 25%) will be chosen randomly, while the remaining 17 companies must be different from those visited the previous year. Agricultural companies entering the group in the reference year must also be assessed, as well as those with reported non-conformities during the previous year.

In the case of group certifications consisting of harvester organizations, agricultural and/or forestry consortiums or agricultural and/or forestry cooperatives, the determination of the risk classification must be carried out for each economic operator involved: harvester organizations, agricultural and/or forestry consortiums or agricultural and/or forestry cooperatives.

In the case of certification of a group consisting of producers of less than 100 tons per year of waste, or of residues, the group consists of economic operators where the waste or residues originate and the collection point of the waste/residues. The risk assessment must be performed on each economic operator involved: point of origin of the waste/residues and collection point of the waste/residues.

In the case of certification of a group consisting of producers of winemaking by-products that they deliver to the distillery, the risk assessment is conducted only on the distillery.

In the case of certification of a group consisting of olive crushing mills that deliver to pomace facilities, the risk class must be determined for each economic operator involved: the crushing mills and the pomace facility.

In the case of group certification consisting of an economic operator that produces biogas for biomethane and the entities that supply the raw materials, by-products, waste or wastewater to be delivered to the anaerobic digestion plant/facility, the risk class determination must be carried out on all the economic operators involved, from the production phase of dedicated agricultural crops, by-products of agriculture, forestry, aquaculture and agri-food activities.

In all the cases mentioned above, the correction coefficient (CC) applies only to the leader company.

5.3. QUALIFICATION CRITERIA OF THE AUDIT TEAM AND OF THE DECISION-MAKING BODY REGARDING CERTIFICATION

The audit teams of the Certification Bodies must be qualified in the following categories:

- agricultural phase products;
- forestry phase products;
- waste and by-products (including Used Cooking Oil);
- intermediate and finished products (including renderings), biofuels;
- biogas (anaerobic digester) and biomethane;

- storage and trading activities;
- use of biofuels.

For the definition of the auditors' competence criteria, refer to the provisions of the standards UNI CEI EN ISO/IEC 17065, UNI CEI EN ISO 17029, UNI ISO 14065, UNI EN ISO 19011, the applicable EA/IAF and MD IAF Guides and the ACCREDIA Regulations RG-01, RG-01-03 and RG-01-05.

Furthermore, as provided for in art. 11 of Reg. 996, the audit team must possess the specific competences necessary to perform the control with respect to the system criteria, including:

- i) for the criteria concerning use of land referred to in points 2 to 9 of Article 29 of Directive (EU) 2018/2001 and for the low ILUC risk certification methodology referred to in Chapter V and Annex VIII to this implementation regulation: experience in agriculture, agronomy, ecology, life sciences, forestry, forestry sciences or a related field, including specific technical skills necessary to verify compliance with the criteria for highly biodiverse grassland and highly biodiverse forest;
- ii) for the greenhouse gas emission saving criteria referred to in Article 29(10) of Directive (EU) 2018/2001 or for the determination of greenhouse gas emissions of recycled carbon fuels and renewable fuels of non-biological origin in accordance with the methodology referred to in Article 28(5) of Directive (EU) 2018/2001: a minimum of two years' experience in life cycle assessment of fuels and motor fuels is necessary, and specific experience in checking greenhouse gas emission calculations in accordance with the methodology referred to in Annexes V and VI to Directive (EU) 2018/2001, which is relevant for the type of checks to be carried out by the individual operator. Depending on the specific scope of the audit, this experience is supplemented by experience in agriculture, agronomy, ecology, forestry, natural sciences, forestry, engineering, energy management or a related field. If the scope of the audit includes verification of organic carbon levels in soil, technical knowledge of soil science is also required to apply the emission reduction credit for soil carbon accumulation;
- iii) for the chain of custody criteria referred to in Article 30, paragraphs 1 and 2 of Directive (EU) 2018/2001: experience in mass balance systems, supply chain logistics, accounting, traceability and data management or in a related field;
- iv) for group controls: experience in conducting group controls.

As regards the training of auditors in the sector in question, the following is required as a minimum:

- participation in a training course of at least 8 hours on the requirements of the National Certification System for the sustainability of biofuels; completion of a final exam aimed at demonstrating the participants' compliance with the training requirements in the technical sector(s) in which they operate; the duration of the course may be reduced to 4 hours if the auditor is already qualified in the voluntary schemes related to the sustainability of biofuels approved by the EU;
- participation as an observer in at least 4 days of on-site audit, in any category, on the Interministerial Decree under the supervision of an already qualified auditor; the support activities can be reduced to 2 days of audit if the auditor is already qualified in the voluntary schemes related to the sustainability of biofuels approved by the EU. The requirement does not apply to auditors who have already carried out audit activities on the National Certification System for the sustainability of biofuels.

To maintain their competences, auditors must follow refresher courses that take into account the guidelines defined by the National System. The CB is responsible for defining further specific requirements for the qualification of auditors in each category and for maintaining the qualification.

For auditors who carry out verifications on the real values of greenhouse gases, the CB must guarantee:

- basic knowledge of the standard UNI EN ISO 14065;
- good knowledge of the GHG calculation principles required by the Directive.

Training activities followed by auditors for other voluntary schemes may be considered equivalent.

5.4. MANAGEMENT OF TRANSFERS OF CERTIFICATIONS

For the management of transfers, refer to the provisions of the document IAF MD2, reporting cases of non-compliance to the competent authority as provided for by the Inter-ministerial Decree.