

Office of Agreements and Scientific Affairs
Foreign Agricultural Service
U.S. Department of Agriculture, Stop 1040
1400 Independence Avenue, SW
Washington DC 20250
United States of America

Amsterdam, 11 July 2011

Subject: Comment on Guidelines for Eliminating Child and Forced Labor in
Agricultural Supply Chains (Billing code 3410-10)

Dear Sir/Madam,

UTZ CERTIFIED *Good Inside* is very pleased with the increased importance the USDA places on the elimination of the use of child and forced labor in agricultural supply chain. As a leading international NGO in the area of sustainable coffee, cocoa and tea supply chains¹, we have been working towards the elimination of child and forced labor (amongst many other sustainability issues) since our founding in 2002.

We welcome the development of the Guidelines for Eliminating Child and Forced Labor in Agricultural Supply Chains and notice an approach that is focused on (internal) company programs. Besides process-oriented standards such as ISO 9001 and 19011 there are however also voluntary standard systems with a more content or performance oriented approach which target the issue of child and forced labor. Leading sustainability organizations such as UTZ CERTIFIED, Rainforest Alliance, Fairtrade, Social Accountability International and other full members of the [ISEAL Alliance](#)² (the global association for social and environmental standards), explicitly address these issues.

¹ In 2010, eight years after its launch, UTZ CERTIFIED became the largest program worldwide for sustainably produced coffee. In 2007 UTZ CERTIFIED expanded its scope by developing sustainability programs for cocoa and tea. We furthermore provide traceability services to the Round Table for Sustainable Palm Oil (RSPO) and the Better Cotton Initiative (BCI) by tracing sustainably produced palm oil and cotton through the entire supply chain.

² **ISEAL** Alliance is the global association for social and environmental standards which also works with companies, non-profit organizations and governments to support their use of voluntary standards. ISEAL Members are leading international standard-setting and accreditation organisations that meet the strict ISEAL Codes of Good Practice for social and environmental standards systems. By adhering, standard setting organisations ensure that when they create or apply their standard it will result in measurable progress towards their social and environmental objectives, without creating unnecessary hurdles to international trade. The Code of Good Practice builds on WTO disciplines of openness, transparency and



UTZ CERTIFIED believes that child labor is related to many broader issues, notably sustainable livelihoods. Sustainable agricultural production involves more than decent work; food safety and environmental care to name a few. For this reason, we believe that supply chain or product-specific certification programs should be broad in scope, encompassing the social, environmental and economic pillars of sustainable development. Thereby they create a framework for a broader range of mutually reinforcing incentives and improvements at farm level.

To avoid duplication of efforts we would welcome the Guidelines for Eliminating Child and Forced Labor in Agricultural Supply Chains to recognize and complement existing broader certification programs to address the particular issue of child labor. Here we think especially of Fairtrade, Rainforest Alliance and UTZ CERTIFIED, since their social standards are based on core ILO conventions and focus on agriculture in developing countries.

We therefore suggest a third category is added to chapter III: next to A. Independent Third Party Monitoring, and B. Independent Third Party Verification, to add "C. Independent Third Party Certification". We suggest wording along the following lines:

1. Suppliers that are certified according to internationally recognized voluntary standards that include specific requirements on child and forced labor, may be excluded from the additional monitoring & verification within companies' programs.
2. Besides including specific requirements on child and forced labor, these internationally recognized voluntary standards will be full members of the ISEAL Alliance or otherwise need to be approved specifically by USDA/FAS.

With regard to paragraph II.A.1.a. we would like to underline that our standards are adopted to sector specific conditions (fit for purpose) and based on a thorough (ISEAL-approved) multi-stakeholder process. In this process a consulted interpretation and elaboration of relevant ILO standards was decided upon. Depending on the particular commodity, these may differ in emphasis³. The summary paragraph II.A.1.a. may therefore not be fully relevant/applicable to all commodities and therefore not included in the codes of conduct of the aforementioned programs.

participation. In addition the ISEAL Code of Good Practice serves as a minimum bar against which to evaluate the credibility of voluntary standards systems.

³ For instance, in 2008 a broad international group of stakeholders from different parts of the cocoa supply chain and from civil society worked intensively on the UTZ CERTIFIED Code of Conduct for Cocoa. Experts on child labor and social issues, including the International Cocoa Initiative, participated in this effort and further input was sought through public consultations, internationally and locally. Members of the Technical Working Group for the UTZ CERTIFIED Code of Conduct for Cocoa were: ANOPACI (Association Nationale des Organisations Professionnelles Agricoles de Côte d'Ivoire), Cargill, Ecom, Mars, Nestlé, Oxfam Novib (the Dutch chapter of Oxfam International), Royal Ahold, Solidaridad, the Sustainable Tree Crops Program (STCP), UTZ CERTIFIED, WWF International, and the International Cocoa Initiative (ICI; in the social subgroup).



UTZ CERTIFIED farmers undergo several trainings on social topics including child and forced labor. Independent auditors check training records and if the people that perform the training have the appropriate qualifications.

The age of people working on UTZ CERTIFIED farms is checked through identity cards or birth certificates. If no official certificates are available, dates of birth are documented by asking the person in question in what year they were born. This is then cross-checked with family members and co-workers. This is an auditing technique used by accredited certification organizations around the globe.

UTZ CERTIFIED is internationally appreciated for its strong and specific guidance documents to our Codes of Conduct on how to identify signs of trafficked children. UTZ CERTIFIED is informed of all non-compliances to its Codes of Conduct and therefore looks at all non-compliances, including child labor, on a case-by-case basis. We are in the process of developing a procedure how to react to different levels of severity of violations, ranging from a found lack of understanding of the concept of child labor by people working on the farm to an actual case of child labor/trafficking found. In case of the latter UTZ CERTIFIED will organize appropriate remediation on a case-by-case basis. We are furthermore commissioning an independent multi-year impact assessment study on different indicators including child labor.

UTZ CERTIFIED farmers refrain from using child labor, partly because they become more professional in general, but also because they would risk their certification premium and market if they would do so. Please refer to the attached Position Paper on Child Labor for a further explanation of the relation between (UTZ) certification and child labor. Please also find attached a summary of all the control points regarding child and forced labor in the UTZ CERTIFIED Codes of Conduct.

If you or your colleagues are interested to discuss my comments in more depth, we are at your disposal by telephone or email.

On behalf of UTZ CERTIFIED *Good Inside*,

Sincerely yours,

Han de Groot
Executive Director
UTZ CERTIFIED *Good Inside*
Han.de.Groot@UTZCERTIFIED.org
Tel.: +31 20 530 8000

Graham Mitchell
General Manager North America
UTZ CERTIFIED *Good Inside*
Graham.Mitchell@UTZCERTIFIED.org
Tel.: (781) 752 5792

Annexes:

- UTZ CERTIFIED Position paper on child labor
- Child and forced labor references in the UTZ CERTIFIED *Good Inside* Codes of Conduct

