

Bee Better Certified Temporary Variance from the Production Standards

Process and Requirements

Temporary variances from the requirements as set forth in the Bee Better Production Standards may be granted by the Xerces Society for Invertebrate Conservation (Xerces). Temporary variances may be granted for production standards when there is a declared natural disaster, state of emergency within the region of an operation or conditions leading to large scale crop loss. Any temporary variances will be granted for a specified period of time. Temporary variances for the standards listed in Table 1 will not be granted. These practices are further outlined in the production standards.

Certified Operations

A certified operation must submit the request for a temporary variance to their certifier. The request must include the following:

1. Formal request in writing, including supporting documentation justifying the need for the variance and any preventative steps taken leading up to the off standard practice. Supporting documentation should include appropriate public records showing the declared natural disaster, state of emergency or state/city records justifying the claim, or reputable & relevant third party documentation.
2. Description of how records and any procedures or practices impacted by the temporary variance will be maintained, if the variance were granted.
3. Description of the ways in which impacts from the variance may be mitigated.

Certifier

The certifier receiving the request will:

1. Within five business days of receipt review the documentation, determine if it is satisfactorily completed with appropriate justifications to request the temporary variance and follow-up with the certified operation if additional documentation is required.
2. Within fifteen business days of receipt submit the documentation along with their comments/recommendations or concerns to Xerces.
3. Upon notification from Xerces of the establishment of a temporary variance, the certifier will notify the production or handling operation it certifies who requested the variance.

Xerces

1. Xerces will review the operator request and any notes from the certifier to determine a final decision as to whether the temporary variance will be granted.
2. Within ten business days and as warranted, Xerces may request additional documentation prior to making a decision. All requests will be passed to the certified operation through their certifier.
3. Within 30 business days of receipt Xerces will provide written notification to the certifying agent upon approval of a temporary variance. The notice will include:
 - i. The certified operation name and
 - ii. Specific period of time the variance is to remain in effect
 - iii. Mitigations or specifications to offset the impact of the variance, as warranted (these may include additional mitigations beyond what the producer proposed).

Timeline

Notification (email, written letter or phone call) of a pending request or off standard action must be given to a certifier before the off standard action occurs. A formal application for a temporary variance can follow the off standard action within no more than ten business days. Xerces does not guarantee approval of a temporary variance. All communications must be through a certification body.

A response will be given to the certified operation in writing in no more than 45 days from the date of initial submission by the certified operation.

Please note that a determination for a variance from the Bee Better production standards is not final until an official determination is tendered by the certifier.

Extension terms and timeline

Xerces may grant an extension to a temporary variance when conditions leading to the initial variance remain in effect longer than initially predicted or the initial time period granted has proven to be insufficient. A formal request in writing, including supporting documentation justifying the need for the extension must be submitted to the certifier prior to the end of the initial period granted for the variance. Within 45 business days of receipt Xerces will provide written notification to the certifying agent upon approval of a temporary variance.

A limit of one variance from the pesticide section of the production standards (2.1-2.4, with the exception of those listed in Table 1 below) may be issued per calendar year.

Table 1. BBC Standards for Which Variances Will Not Be Granted

HABITAT
1.1 a. ix. Permanent pollinator habitat must not be planted in locations where nitroguanidine neonicotinoids were applied in the previous two years. Application includes the planting of seeds treated with nitroguanidine neonicotinoids.
1.4 a. Develop a standard operating procedure (SOP) for how to reduce the impact of tillage activities on ground-nesting bee nests located within crop fields.
PESTICIDES
2.1.b. Implement and maintain at least two (2) preventive non-chemical pest management strategies and one (1) more if fungicides are used during pre-bloom and/or bloom time. Fungicides may only be used on a crop during its pre-bloom or bloom-time if at least one non-chemical pest management strategy is used to directly address the fungal concern prompting the application(s).
2.2.a. There must be no unjustified use of pesticides employed against insects, mites, and diseases.
2.2 b. During bloom for crops that are visited by or pollinated by insects, do not apply or allow to drift to any flowering plants (including weeds) products containing any pesticide rated as Level I under the Bee Precaution system maintained by the University of California Statewide Agricultural and Natural Resources IPM Program. See Appendix K.
2.2 d. The use or application of nitroguanidine neonicotinoids (clothianidin, dinotefuran, imidacloprid, and thiamethoxam), including the use of seeds treated with nitroguanidine neonicotinoids, is prohibited on certified land.
2.2 e. Do not use genetically modified crops that express pesticides or are resistant to herbicides.
2.2 f. Do not use conventional soil fumigants (see appendix N).
MANAGED BUMBLE BEES
3.1 a. Do not use commercial bumble bees for open field pollination. Commercial bumble bees may only be used in secure indoor facilities, such as screened greenhouses, in which they are not able to interact with wild bumble bees.