

CONSULTATION REPORT

FSC-STD-01-004 FSC Regulatory Framework
01 February 2024 – 01 March 2024

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**FORESTSTM
FOR ALL
FOREVER**

Title: Consultation Report

Contact for comments: FSC International – Performance and Standards Unit
Adenauerallee 134
53113 Bonn
Germany

Phone: +49 -(0)228 -36766 -0

Fax: +49 -(0)228 -36766 -65

Email: psu@fsc.org

LIST OF ABBREVIATIONS

ASI	Assurance Services International
CA	Competent Authority
CAR	Corrective Action Request
CB	Certification Body
CH	Certificate Holder
CoC	Chain of Custody
CoC/CW	Chain of Custody Controlled Wood
CW	Controlled Wood
CW/FM	Controlled Wood Forest Management
DAR	Digital Audit Report
DDS	Due Diligence System
EC	European Commission
EU	European Union
EUDR	Regulation (European Union) 2023/1115 on Deforestation-free Products
EUTR	Regulation (European Union) 995/2010 on Timber
FM	Forest Management
FM/CoC	Forest Management Chain of Custody
FAQs	Frequently Asked Questions
FSC	Forest Stewardship Council
GDPR	EU General Data Protection Regulation
HS	Harmonized Commodity Description and Coding System
ISO	International Organization for Standardization
IT	Information technology
MU	Management Unit
NGO	Non-Governmental Organization
SME	Micro, Small and Medium-sized Enterprises
PLH	Promotional License Holder

PSU	Performance & Standards Unit
RA	Risk Assessment
RED II	Directive (European Union) 2018/2001 on Renewable Energy
REG	Regulatory Claim
REG+	Regulatory+ Claim
RM	FSC Regulatory Framework
SBP	Sustainable Biomass Program
WG	Working Group (specifically, the working group involved in the development of the Regulatory Framework)

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FOREWARD AND INTRODUCTION

Introduction

FSC would like to thank members and stakeholders for their participation in the public consultation on FSC-STD-01-004 V1-0 D-1-0 *FSC Regulatory Module* that took place between 01 February 2024 and 01 March 2024. We would also like to thank those certificate or promotional license holders that participated in additional 21 interviews globally before public consultation was opened, and those 17 organizations interviewed in China in early March. The results of these interviews have been used as additional input to the qualitative analysis. The suggestions and comments were of great importance to the development of the standard.

This synopsis report has been prepared in accordance with Clause 5.12 of *FSC-PRO-01-001 V3-1 Development and Revision of FSC Normative Documents Procedure* and contains an analysis of the range of stakeholder groups who submitted comments, as well as a summary of the issues raised in relation to the questions posted during the public consultation period. A general response to the comments and an indication as to how the issues were addressed are provided in the document.

Background information on the processes

The EUDR (REGULATION EU 2023/1115 known as the European Union Deforestation Regulation) is a pivotal EU initiative to limit deforestation and degradation caused by forestry and agricultural activities all over the world. Recognizing the significance of aligning forest management practices with this regulatory landscape, FSC has developed the FSC Regulatory Module—a comprehensive and adaptive extension to existing certification standards. By incorporating EUDR specific criteria, definitions, documentation, and verification processes, this module ensures that FSC certificate holders not only meet ecological and social sustainability benchmarks but also adhere to the legal requirements outlined by the EUDR.

The FSC Regulatory Module sets the framework and requirements to:

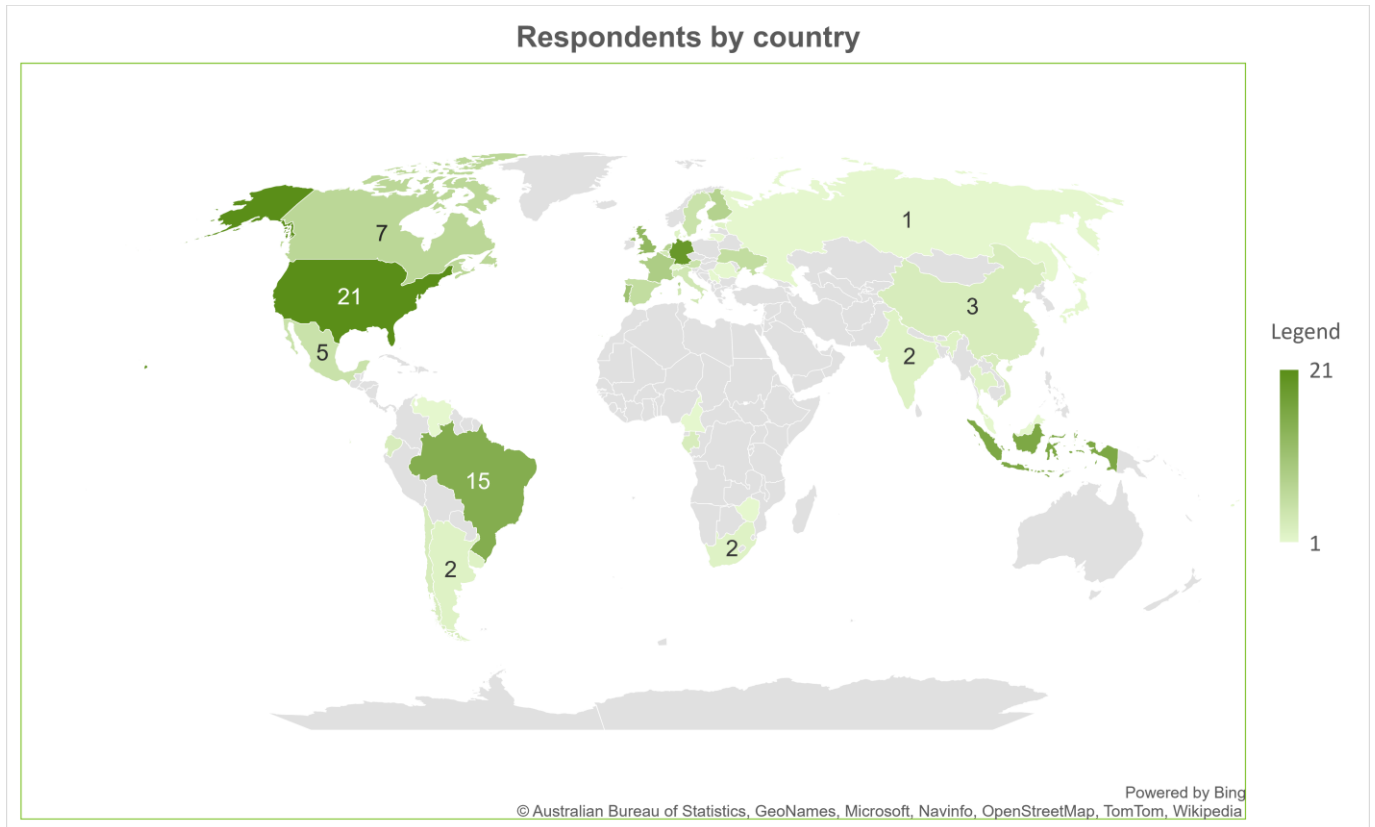
- introduce a due diligence system to support EUDR compliance, including information collection, risk assessment and risk mitigation,
- gather and transmit precise information on the origin of products, including geolocation and time of production, and
- ensure that only deforestation-free material enters the FSC chain of custody.

The Module is a voluntary standard to be used in addition to current FSC certification requirements for forest management, chain of custody and Controlled Wood. It also covers the accreditation requirements for certification bodies to verify certificate holders' conformance against the certification requirements of the FSC Regulatory Module. Certificate holder who decide to get certified against this additional module will have a tool and additional independent assurance to support their efforts in demonstrating compliance with EUDR requirements. The module covers EUDR requirements relevant for each certificate type.

1. PUBLIC CONSULTATION PARTICIPATION OVERVIEW

A total of 204 stakeholders participated in the public consultation on the Regulatory Module (RM) through the FSC Consultation Platform. Participants came from 41 countries across 5 regions. Europe is a continent with the highest number of participants, while Africa has the lowest number of participants. In terms of countries, the US, Germany, Indonesia, Brazil, and United Kingdom are five countries with the highest number of respondents.

The participants’ regional representation is demonstrated below:



Countries with the highest number of respondents		Number of respondents by region	
Country	Number of respondents	Region	Number of respondents
United States	21	Europe	107
Germany	19	Asia Pacific	31
Indonesia	16	Latin America	31
Brazil	15	North America	28
United Kingdom	13	Africa	7

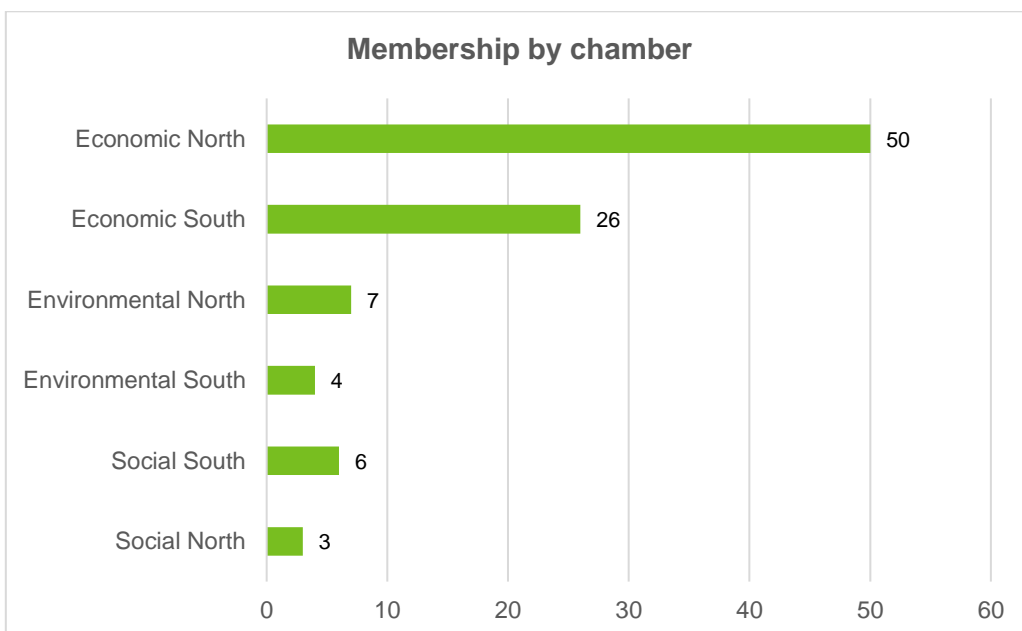
Participant by groups of stakeholders

Respondents were asked to identify themselves by their respective stakeholder groups. Based on the responses, participants are grouped into 12 different stakeholder groups. Among all stakeholder groups, certificate holder showed the most interest with the highest number of participants. They represent more than 60% of the total number of participants. Assurance Services International (ASI), Certification Body (CB), Government, Social NGO, and Promotional License Holder (PLH) are among the groups with the lowest number of participants.



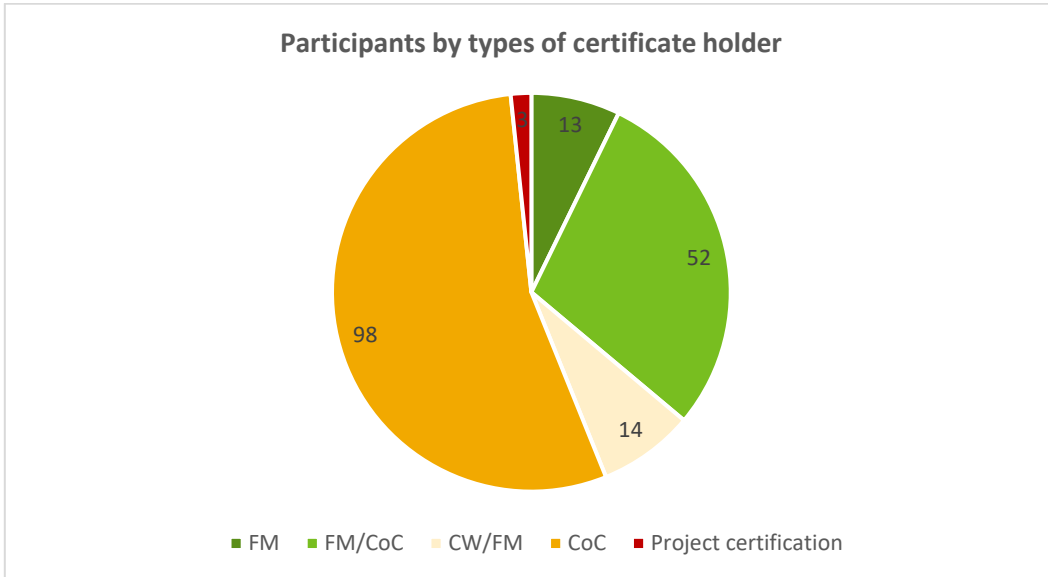
Participant by chamber

From the 195 participants that responded to the question, approximately half (49%) are FSC members, and the other half (51%) are not. The economic chamber showed the highest interest, with 76 out of 96 members participating in the consultation, representing 79% of the total number of members. Environmental and social chambers accounted for 11% and 9%, respectively, of the total number of members. Below is an overview of the number of participants by chamber.



Participant by types of certificate holder

Certificate holders (CHs) were asked to indicate which type of certificates they hold. 5 types of certificate holders participated in this consultation. The number of respondents for each certification group is quite different. FM/CoC and CoC CHs are the two largest groups, representing 83% of the total number of CHs. FM, CW/FM and Project certifications represent only 17% of CHs.



2. METHODOLOGY FOR THE ANALYSIS OF PUBLIC CONSULTATION RESULTS

A three-step methodology was implemented for the analysis of consultation results. The process involved quantitative analysis, qualitative analysis, and WG discussion.

Quantitative analysis

Quantitative analysis was performed using the excel template provided by PSU. Participants' background information and likert scale questions were analysed centrally in the first week after receiving the consultation feedback.

The analysis was conducted taking into account the requirement that all FSC normative documents should take into account the goals and aspirations of all stakeholder groups. The analysis was carried out according to the following categories: (1) background information of the participants; (2) general stakeholder feedback; (3) feedback by stakeholder groups.

An overview of the participants' backgrounds and their overall responses to each quantitative question was compiled and shared with the relevant teams.

Qualitative analysis

Following the quantitative analysis, the consultation feedback was shared to responsible teams for in-depth analysis of the comments. Each team carefully analyzed and evaluated the participants' comments. Feedback is selected and highlighted based on its frequency of appearance and its content.

WG discussion

The quantitative and qualitative results from the consultation were then combined and presented to the WG. The WG then discussed the results and the proposals to reach agreement on the way forward.

3. SUMMARY OF CONSULTATION RESULTS & RESPONSES

Below is a summary of key topics on which stakeholders and members provided feedback. Each key topic contains the question posted during public consultation, quantitative results, and qualitative results. The qualitative results include an assessment and conclusions on how the comments were incorporated into the final document.

EUDR Connection

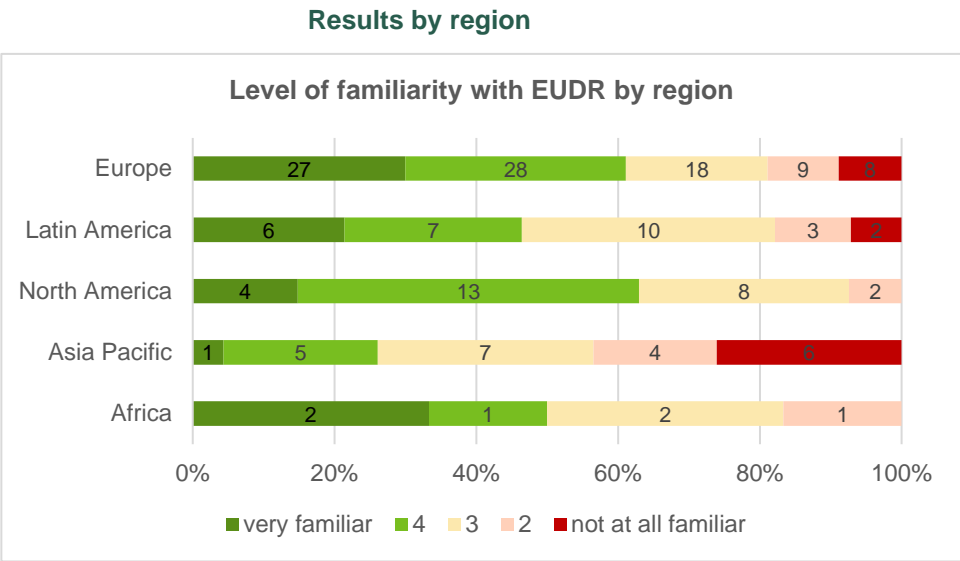
Question 1. How familiar are you with the EU Deforestation Regulation (EUDR)?

Overview:

In total 174 out of 204 respondents answered this question.

An outline of the results shows that:

- Familiar – 94
- Neutral – 45
- Not familiar - 35



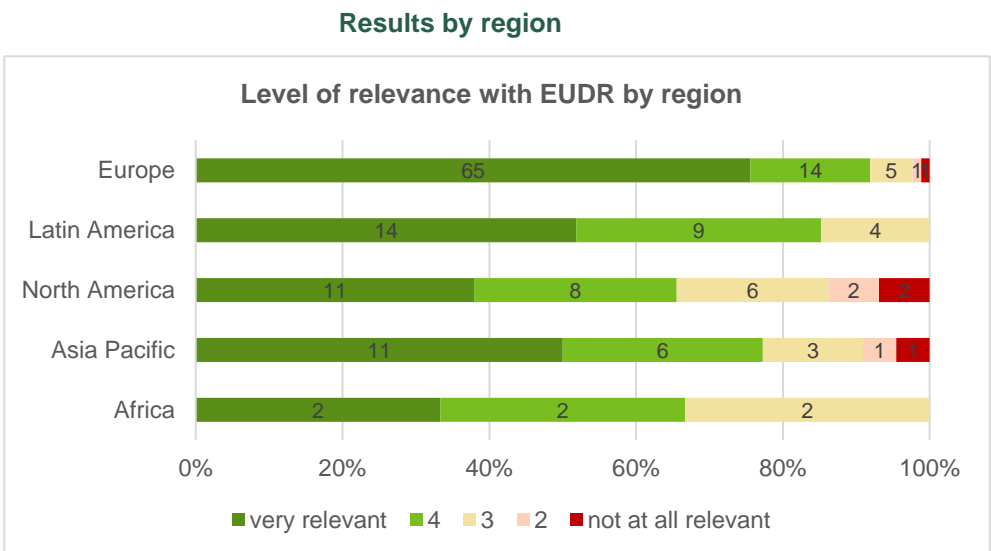
Question 2. How relevant is the EU Deforestation Regulation (EUDR) for you or your organization?

Overview:

In total 170 out of 204 respondents answered this question.

An outline of the results shows that:

- Relevant– 142
- Neutral – 20
- Not relevant - 8



General – Scope, Terms and Definitions

Question 4. How would you rate the clarity of the scope?

Overview:

In total 150 out of 204 respondents answered this question.

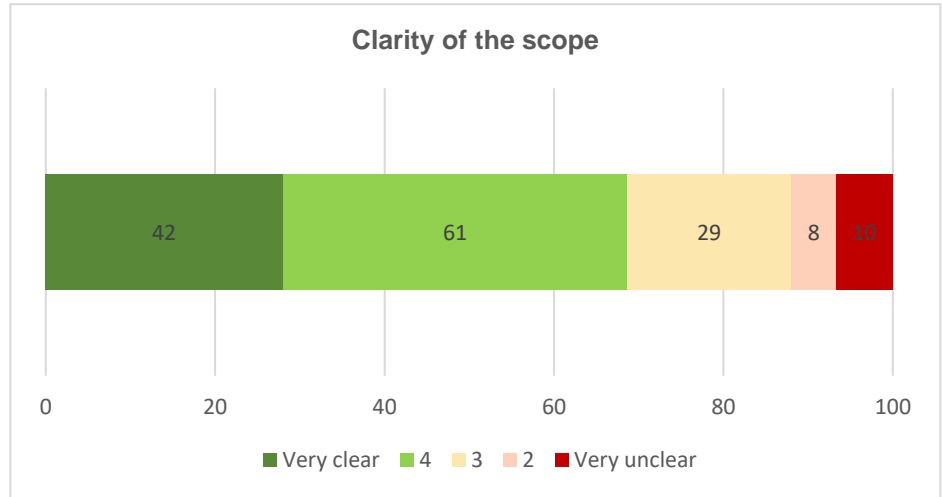
An outline of the results shows that:

Clear – 103

Neutral – 29

Unclear - 18

Results by all respondents



Q4. Qualitative results

Comment	Response
A disclaimer should be added that clearly states that neither FSC nor the CBs can guarantee the acceptance of the FSC Regulatory Model as evidence for compliance with the EUDR by the relevant competent authorities.	This statement about final decision resting with the competent authorities is already included in the introduction of the standard. It has also been made clear in the consultation materials and in the series of public webinars. FSC will continue to include it in all related guidance and communication materials.
Will a product be deforestation-free if it does not participate in the module/ does not carry the REG claim?	With introduction of this standard, and implementation of ADVICE-20-007-24 Deforestation-free products from FSC certified management unit and ADVICE-20-007-02 Certification of primary forests, the material originating from the FSC certified management unit will be considered deforestation free in line with the EUDR.
Include additional column showing if FSC aligned partly, fully or exceeds EUDR's requirements for compliance and marketing purposes.	The level of alignment between FSC and EUDR will be shown in the crosswalk document.
Clarify which mechanisms will be used when non-conformity is detected by audit and subsequent corrective actions	The mechanisms used when a non-conformity is detected, have been considered and included in the accreditation section of the standard in section 8.3.
It is not clear if all entities in the supply chain would need to be audited to this optional module	Only users of the RM will have to be evaluated against the requirements of the Module. However, the CHs using the module shall make sure that all requirements of the module are full filled to demonstrate compliance. However, if all links in the supply chain have adopted the RM, the products in those chains are allowed to use a + symbol with the product claim and are entitled to use a specific promotional claim.

Question 5. How would you rate the clarity of the comparison of the EUDR and FSC terminology?

Overview:

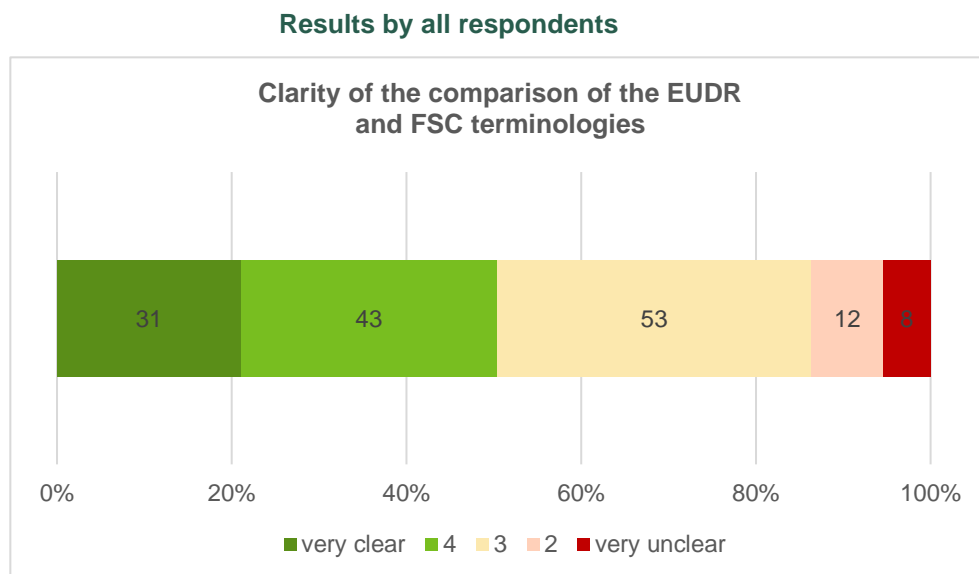
In total 147 out of 204 respondents answered this question.

An outline of the results shows that:

Clear – 74

Neutral – 53

Unclear - 20



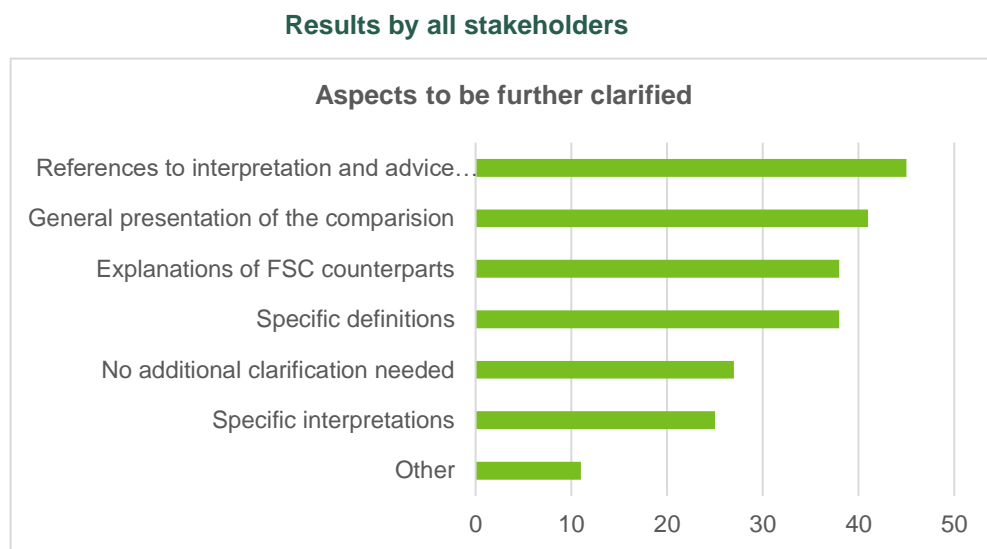
Question 6. Which specific aspects do you believe would benefit from additional clarification?

Overview:

In total 130 out of 204 respondents answered this question.

An outline of the results shows that:

“General presentation of the comparison”, “References to interpretation and advice notes”, “Explanations of FSC counterparts” and “Specific definitions” are mostly requested to be clarified.



⇒ Confirming general understanding that this should not be part of the final document, but a separate explanatory material.

Q7. Please provide more details to your response

Comment	Response
Add “non-conforming product” definition.	The definition is added to the RM

<p>Clarify following terms “agricultural use”, “agroforestry”, “deforestation” in relation to definition of “conversion”, “forest”, “natural forest”, “planted forest”, “primary forest” in relation forest degradation and “rubber plantation” in relation agriculture use.</p>	<p>These definitions are clarified either in the comparison table of FSC and EUDR terminology in the explanatory materials, in the advice notes or the consultation report on advice notes.</p>
<p>To include the entire FSC definitions for the respective terminology into the table</p>	<p>The WG decided to keep in the standard itself the terms and definitions that are used in the RM for legibility of the standard. In addition, a new document was developed to allow for comparison of key terms by EUDR and FSC. This new document also includes the new interpretations which further clarify the terminology.</p>
<p>Too many cross references to other documents which makes it difficult to understand</p>	
<p>‘Operator’ definition and subsequent use of the icons is confusing. / Consider changing the icons for SME and non-SMEs in case of printing in black and white colors.</p>	<p>Reflecting these two comments, the WG decided to change the way the icons are represented in the standard to reduce confusion and allow better appearance in case of printing in black and white colors.</p>

Forest Management

Question 8. How would you rate the clarity of the proposed additional requirements in forest management section? 5 (very clear) to 1 (very unclear)

Overview:

In total 121 out of 204 respondents answered this question.

An outline of the results shows that:

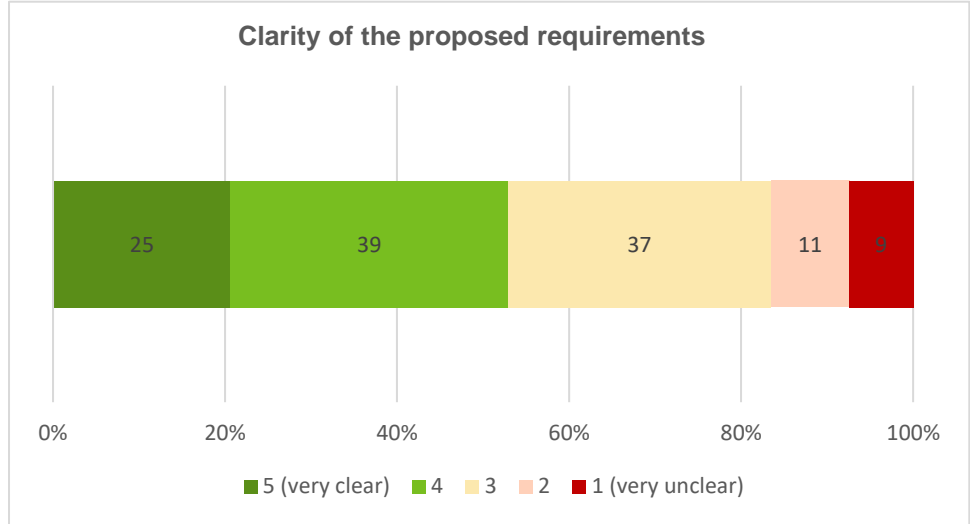
Very clear – 64

Neutral – 37

Very unclear – 20

For respondents that are FM certificate holder, the percentage of those who found the requirements clear was even higher.

Results by all group of stakeholders



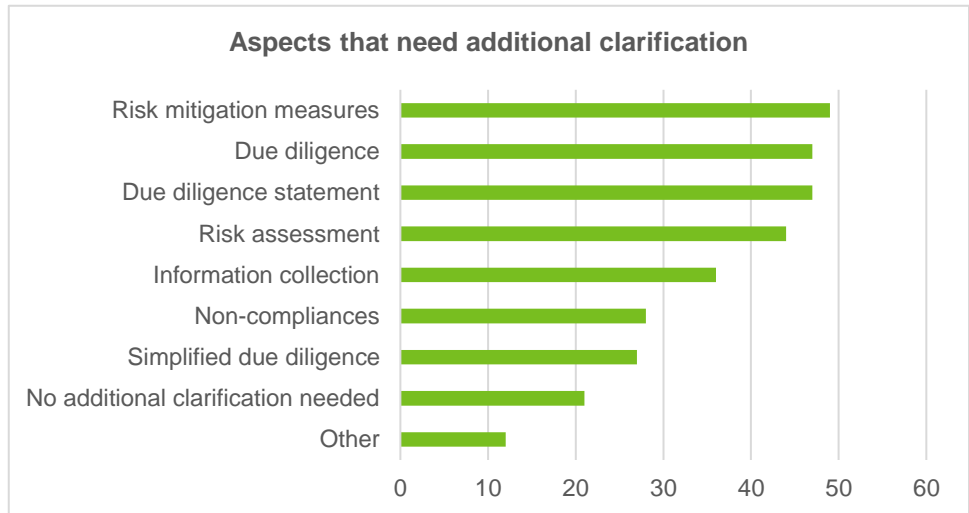
Question 9. Which specific aspects do you believe would benefit from additional clarification? (Select all that apply)

Overview:

In total 117 out of 204 respondents answered this question.

An outline of the results shows that the due diligence system and its elements are the aspects where additional clarification would be beneficial.

Results by all respondents



Q10. Please provide more details to your response

Comment	Response
<p><u>1. Due Diligence</u></p> <p>a) Clarifications on the application of due diligence to microenterprises and SMEs required.</p> <p>b) The process of citing due diligence numbers on products is inefficient and very manual (high probability of error).</p> <p>c) Additional guidance would be beneficial</p>	<p>a) The module identifies which clauses apply to SMEs operators and which not. The derogation from EUDR due diligence requirements for SMEs according to Article 4 paragraph 8 of the Regulation applies only “for relevant products contained in or made from relevant products that have already been subject to due diligence... and for which a due diligence statement has already been submitted”. As this would not be the case for FM/CoC certificate holder at the beginning of supply chains, the derogation does not apply. However, for SMEs in FM groups, some or all responsibility for due diligence may be taken on by the group entity as per clause 3.3.1.</p> <p>b) Requirements for providing reference numbers of due diligence statements are set out in the EUDR. FSC Blockchain can support FSC certificate holder in this exercise.</p> <p>c) The requirements for due diligence are further developed in other sections of the RM. FSC will consider offering further clarification in supporting documents, e.g., the FAQ document.</p> <p>No changes were made directly to the RM as a result of these comments.</p>
<p><u>2. Information Collection</u></p> <p>Further clarification would be beneficial for the following topics:</p> <p>a) Link of the digital map of FSC with the geolocation data required.</p> <p>b) Deviation ratio acceptable for the geolocation.</p> <p>c) Information collection should be clarified through all supply chains (aggregation, unification, interpretation).</p> <p>d) How to deal with suppliers without access to geolocation technology.</p> <p>e) Geolocation at the plot level is unnecessary on public land in Canada.</p> <p>f) Is it appropriate for clause 1.2.1(b) to be expressed as an “or”? The intent of EUDR Article 9 paragraph 1(b) is not completely clear.</p>	<p>Many of the comments received in the consultation are related to the expected implementation of EUDR rather than the FSC Regulatory Module. FSC will monitor further clarifications provided by the European Commission and consider offering further clarifications in supporting documents.</p> <p>Regarding a), while the level of detail that will be requested for FM certificate as a result of motion 61/2021 ‘Compile a digital map of FSC-certified forests worldwide’ is different the geolocation data required by EUDR, FSC is working on technical solutions that can support FSC certificate holder in this exercise.</p> <p>Regarding f), the RM draft has been modified to provide clarity regarding to which metric unit can be used in each scenario (for relevant products entering or leaving the Union marker and in all other cases).</p> <p>No changes were made directly to the RM draft as a result of the other comments received.</p>
<p><u>3. Risk Assessment and Risk Mitigation Measures</u></p> <p>a) Section 1.3 and 1.4 related to the risk assessment and risk mitigation, respectively, may be overly complex, redundant, and unnecessary. Compliance with relevant legislation and</p>	<p>Sections 1.3 and 1.4 of the RM have been simplified to provide more clarity regarding how the EUDR requirements can be applied by companies with FM certification.</p> <p>Risk assessments may be conducted using the simplified risk assessment template provided by FSC. This pre-filled simplified RA and Annex 3 outline how FSC FM certification requirements address the risk indicators in the FSC Risk Assessments. The objective of this RA simplified template is to reduce the CH’s and CB’s workload, while providing a robust framework.</p>

<p>FSC standards should be sufficient.</p> <p>b) Sections 1.3 and 1.4 lack clarity on necessity and should show how FM certification aligns with EUDR, reducing CHs' and CBs' workload.</p> <p>c) Contradiction in the purpose of the risk mitigation, where FSC certification is already deemed effective measure The FSC FM is already a way of mitigation recognised by the Portugal's competent authority.</p> <p>d) Concerns about FSC 100% not needing further mitigation, as there have been cases showing challenges with legality.</p> <p>e) FSC certification's efficacy in mitigating risks is not aligned with the possibility for minimal conversion.</p>	<p>Risk mitigation measures are needed when, as a result of the Risk Assessment, a non-negligible risk is identified, which could happen for example in case of non-conformities with an identified criteria in Annex 3.</p> <p>Advice Note ADVICE-20-007-24 addresses the differences between EUDR and FSC, including cases of minimal conversion that could qualify as deforestation, to ensure that FSC certified products leaving a certified management unit are deforestation-free.</p>
<p><u>4. Due Diligence Statement (DDS)</u></p> <p>Clarity would be beneficial regarding sharing the Due Diligence and Due Diligence statement with other user of the RM in the supply chain (section 1.5.4 of the RM).</p>	<p>The section 1.5.4. of the RM has been closer aligned with the EUDR (Article 4, section 7) for further clarity.</p>
<p><u>5. Non-compliance</u></p> <p>In the event of non-compliance, the organizations to which the product has been supplied must be notified until the retailer/brand is informed, making sure to cover the entire supply chain.</p>	<p>Clause 1.7.2 is aligned with EUDR Article 4 paragraph 5. Under EUDR, each operator or trader appears to be responsible for informing “traders to whom they supplied the relevant product”. This is reflected in Clause 1.7.2. No changes have been made to the Forest Management certification section.</p>
<p><u>6. Other comments</u></p> <p>Overall comments and requests for clarification regarding the level of effort for FM CHs that already conform with the FM requirements, and questions regarding why additional efforts are needed, as well as the value of the RM for them, particularly when they are not operators under EUDR or when the FM certificate holder does not produce finished products.</p>	<p>For FM CHs that are not operators, there are no obligations under EUDR. However, obligations do arise under FSC if the module is chosen for implementation. Within the module, we've identified the requirements that CHs who are not operators do not need to comply with, such as those requiring interaction with the competent authority.</p> <p>Products listed in EUDR (Annex I) include wood in the rough, so the provisions of the Regulation can still apply even if FM CHs are not producing finished products. FSC will consider offering further clarification in supporting documents, e.g., the FAQ document. No changes have been made to the FM certification section.</p> <p>Additional comments related to Group Certification, icons, suspensions, Certification Bodies' responsibilities, and other topics outside the scope of FM certification have been addressed in other sections.</p>

Question 11. How much effort do you estimate it would require implementing the requirements from this section compared to the efforts that your organization would already implement to comply with EUDR without the module? 5 (Efforts using the module go beyond efforts without using it) - 1 (Efforts using the module go below efforts without using it)

Overview:

In total 108 out of 204 respondents answered this question.

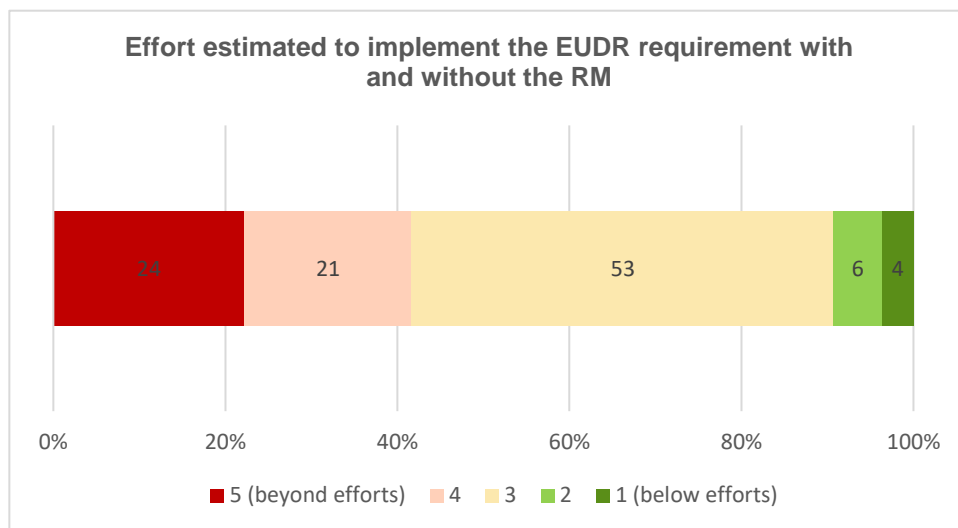
An outline of the results shows that:

Beyond efforts – 45

Neutral – 53

Below efforts - 10

Results by all respondents



Question 12. If you respond 4 or 5, please identify what additional actions you foresee.

Comment	Response
<p>The following topics have been identified as additional effort due to the new requirements:</p> <ul style="list-style-type: none"> a) New system will be required, and for larger organizations it may be necessary to adapt the existing IT. b) Additional audit time and cost, and Certification Bodies (CBs) might face legal risk when assessing compliance with EUDR. c) Staff training and adaptation of the organization's internal systems <p>Additional comments made reference to the new requirements not adding any value or adding more burden to the organizations and suggesting that the RM should be dropped.</p>	<p>Some respondents appear to be describing the burden of complying with EUDR itself, rather than any additional burden of conforming to the RM.</p> <p>However, it is worth acknowledging that there would be increases in audit time and costs.</p> <p>CBs will not assess compliance with EUDR but conformity against the RM. This assessment does not replace the assessments by the competent authority.</p> <p>However, to reduce the burden of compliance with the RM, FSC has worked in different systems and tools such as a Simplified Risk Assessment for the FM/CoC, Blockchain and others, which will be available to the FSC certificate holder.</p>

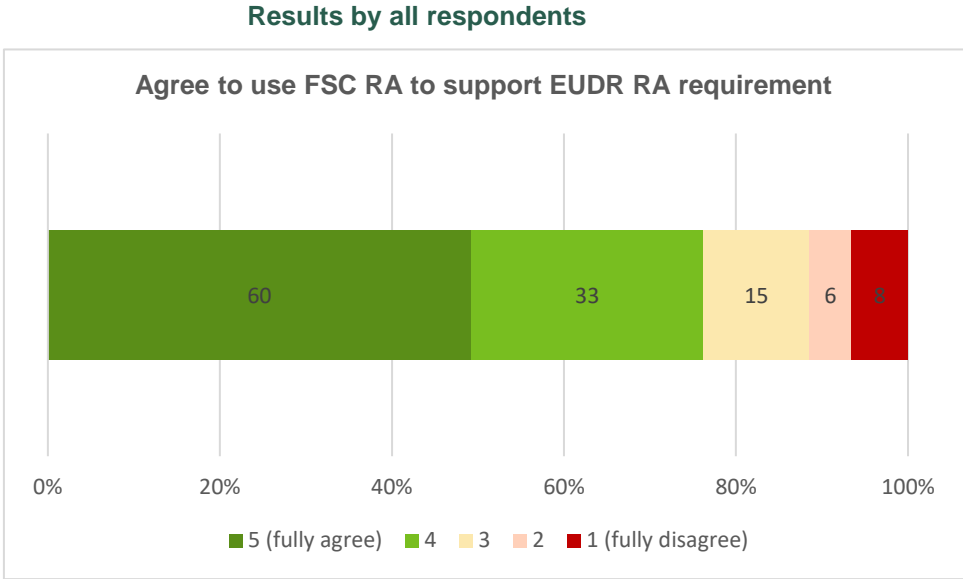
Question 13. Do you agree with the general proposal of using FSC Risk Assessments to support EUDR risk assessment requirements? 5 (fully agree) – 1 (fully disagree)

Overview:

In total 122 out of 204 respondents answered this question.

An outline of the results shows that:

- Agree – 93
- Neutral – 15
- Disagree - 14



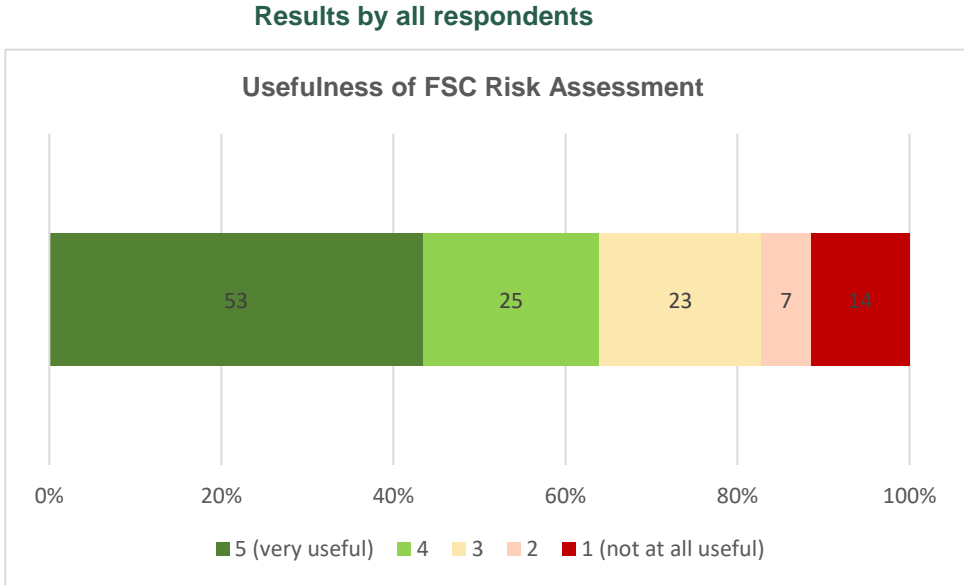
Question 14. How would you rate the usefulness of FSC providing a template for conducting the risk assessments, in particular when the relevant FSC Risk Assessment is not available? 5 (very useful) – 1 (not at all useful)

Overview:

In total 122 out of 204 respondents answered this question.

An outline of the results shows that:

- Useful – 78
- Neutral – 23
- Not useful - 21



Question 15. Do you agree that FSC Forest Management certification can be considered an effective risk mitigation measure to achieve no or only a negligible risk level? 5 (fully agree) – 1 (fully disagree)

Overview:

In total 126 out of 204 respondents answered this question.

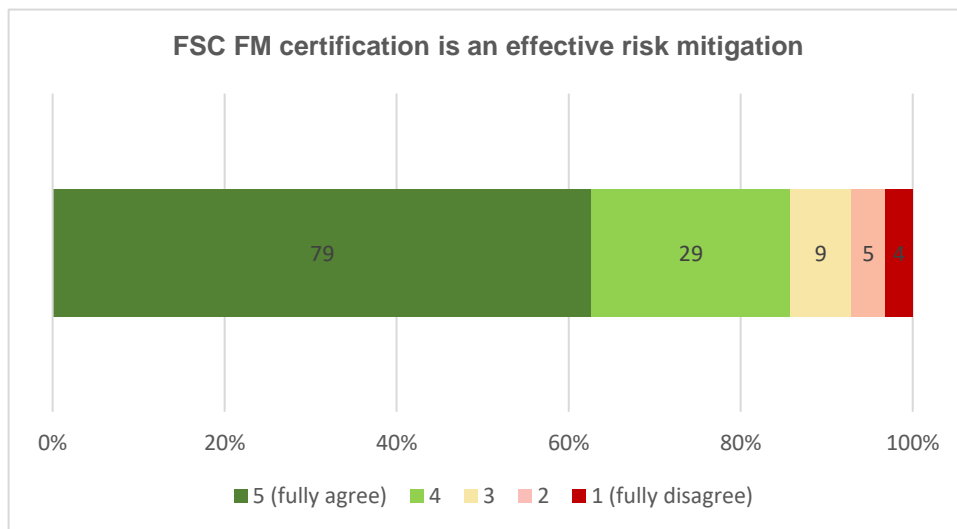
An outline of the results shows that:

Fully agree – 108

Neutral – 9

Fully disagree - 9

Results by all respondents



Question 16. If you have selected 1, 2 or 3, please explain your rationale.

Comment	Response
There are differences between FSC FM certification and EUDR, in particular the focus on a forest management system in one case and a specific timber transaction in the other. Issues of non-conforming products might only be identified after a long period.	<p>The differences between FSC FM certification and EUDR are acknowledged, but this does not imply that FSC cannot contribute to a negligible risk designation or to be an effective risk mitigation measure.</p> <p>EUDR applies also to forest managers and the products they supply. The aspect highlighted is addressed in the EUDR and the RM through the supply chain.</p> <p>No changes were made directly to this section of the RM as a result of the comment received.</p>
There is no allowance in EUDR for minimal conversion	<p>ADVICE-20-007-24 “Deforestation-free products from FSC certified management units” has been aligned with the EUDR to address the gap related to minimal conversion.</p> <p>No changes were made directly to this section of the RM as a result of the comment received.</p>
It is unclear whether FSC, even with new requirements, will be sufficient to comply with EUDR. There should be mandatory additional mitigation measures.	<p>FSC considers that FSC Forest Management certification and the RM provide a robust framework for FM certificate holder to demonstrate compliance with EUDR and can be considered as an effective risk mitigation measure.</p> <p>No mandatory mitigation measures are being suggested.</p>

Controlled forest management

Question 17. Organizations applying the recently approved standard for controlled Forest Management Certification (FSC-STD-30-010 V3-0 Controlled Forest Management) seeking conformance with the FSC Regulatory Module, will be required to conform with the requirements listed in Part 1 Applicable Forest Stewardship Standard. Do you think there is any relevant requirement missing?

Overview:

In total 110 out of 204 respondents answered this question

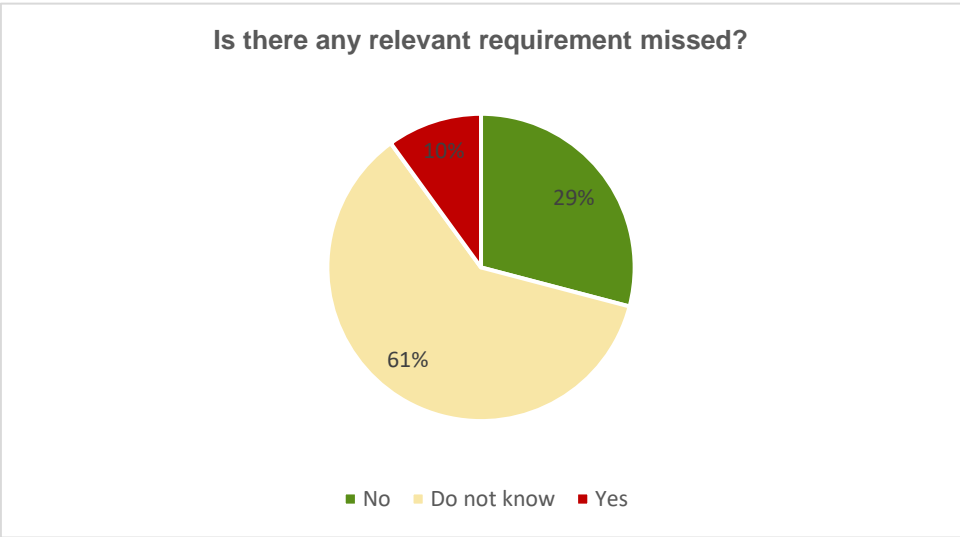
An outline of the results shows that:

Yes - 11

Do not know - 67

No - 32

Results by all respondents



Question 18. Please provide more details to your response

Comment	Response
No relevant requirement is missing, because FSC-STD-30-010 has many requirements which are aligned with EUDR.	No action required.
In cases where a forest manager has time limited tenure or management rights, does Controlled Wood include a provision that the land must remain forest even after the manager no longer has responsibility for it?	This aspect does not affect compliance with the EUDR or conformity with the RM which focuses on the products from the management unit being “deforestation-free” at the time of production. No changes to the RM have been made.
The RM should include all applicable points for controlled forest management	This option has been considered for the final version of the RM. However, no changes to the RM have been made.

Consider making Controlled Wood simpler while aligning with EUDR	The revision of Controlled Wood requirements is outside of the scope of this process.
Clarify the role of Controlled Wood in mitigating risks	Please see response to topic 3 in Q10 above.

Forest Management Group

Question 19. How would you rate the clarity of the requirements for Forest Management Group (section 3 in the FSC Regulatory Module)? 5 (very clear) - 1 (very unclear)

Overview:

In total 93 out of 204 respondents answered this question.

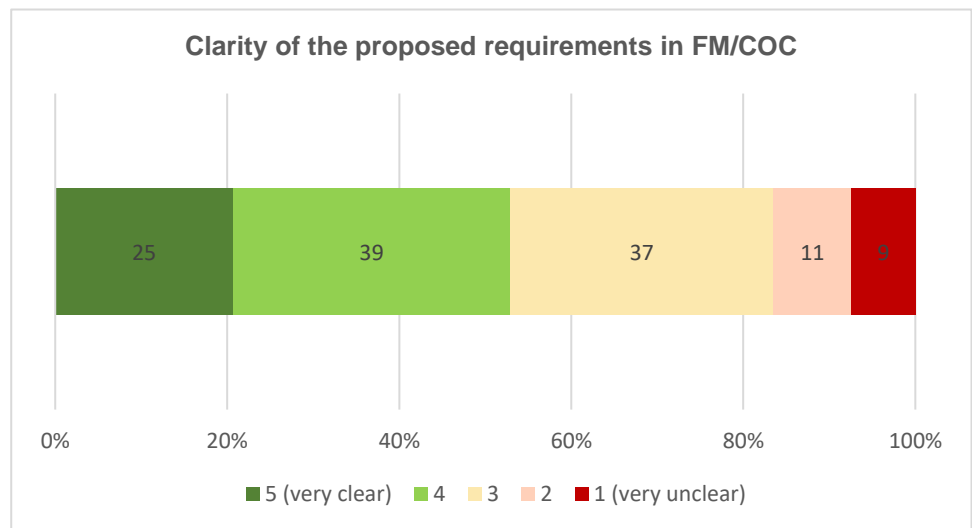
An outline of the results shows that:

Clear – 64

Neutral – 37

Unclear - 20

Results by all respondents



Question 21. Do you think there is any relevant requirement missing?

Overview:

In total 91 out of 204 respondents answered this question

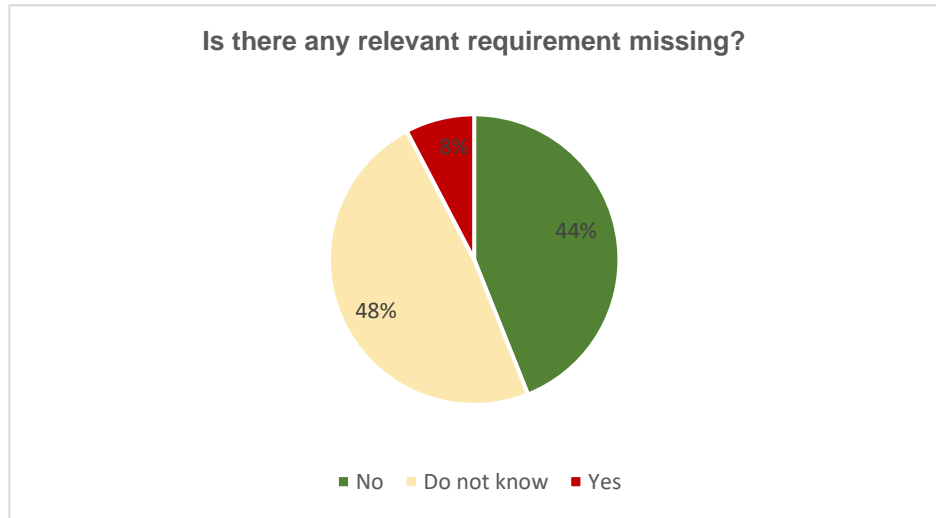
An outline of the results shows that:

Yes - 7

Do not know - 44

No - 40

Results by all types of stakeholders



Question 22. Please provide more details to your response

Question 23. Please share any additional comments on the forest management section. If applicable, please refer to the specific section or clause your comments relate to.

NOTE: Questions 22 and 23 are addressed together in the following table:

Comment	Response
The likelihood of the EU officially recognizing the RM at this time is non-existent.	The RM serves as a supporting tool, and seeking endorsement from the EU is not pursued at this stage.
The RM enhances buyer confidence and provides guidance for Risk Assessments not covered in the EUTR. Feasible adoption requires customer demand and financial viability, with potential cost savings through concurrent management audits.	No action required.
Despite FSC certification ensuring 100% legal compliance, the competent authority may still require the operator to furnish specific documents as evidence of legal compliance for a particular product batch. It's important to note that such evidence is not included in public	The FSC public summary report serves as adequately conclusive and verifiable information to prove compliance with the EUDR requirements. Nevertheless, in concordance with the Art 9, section 2, of the EUDR, the operator shall make available to the competent authorities upon request the information, documents and data collected.

<p>summaries, meaning it may not be sufficient for the operator.</p>	
<p>In sections 1.3.2 and 1.5.3. Where it reads “the FSC certified” and “an FSC claim,” should it not be “the FSC REG”?</p>	<p>Relevant changes have been made in the revised draft.</p> <p>Moreover, in the revised version of the draft, FM certificate holders can use the REG+ claim.</p>
<p>Section 1.4.3: While internal auditing is a beneficial management practice already embraced by many companies, it is not indispensable and could serve as an optional control strategy if the company deems it necessary for additional internal assurance before undergoing the certifier's audit.</p>	<p>The section 1.4.3 of the RM is aligned with the Art 11, section 2 of the EUDR, which states in the point (d) “an independent audit function to check internal policies, controls and procedures referred to in point (a) for all non-SME operators. No action required.</p>
<p>Section 1.7.1: It's important to clarify that the company will be responsible for informing the certifier about any non-conformities identified by the competent authority.</p>	<p>No action required. The section 1.7.1 of the RM is considered clear in this regard.</p>
<p>This module may add extra workload and expenses for FM-certified organizations without guaranteed added value. The FSC forest management system, particularly FSC 100%, already ensures legal compliance without the need for supplementary risk assessment requirements. Introducing this module could undermine confidence in FSC 100% credibility, suggesting unnecessary additional verification, which seems illogical.</p>	<p>It is worth acknowledging that there would be increases in audit time and costs. However, it is important to clarify that the RM aims to align the FSC system with the EUDR requirements, which contains requirements that FSC has not yet incorporated, including the Due Diligence System, including Due Diligence Statement, Risk Assessment, and Risk Mitigation.</p> <p>To reduce the burden of compliance with the RM, FSC has worked in different systems and tools such as a Simplified Risk Assessment for the FM/CoC, Blockchain and others, which will be available to the FSC certificate holder.</p>
<p>I oppose the FSC Regulatory Module. Instead, FSC should aim for EU recognition by ensuring certified products meet "deforestation-free" and "forest degradation-free" criteria. Collaboration with EU and stakeholders to establish a framework akin to REDII Directive compliance, recognizing voluntary schemes like SBP,</p>	<p>This comment is related to engagement activities. Changes based on this comment have not been made to the draft.</p>

<p>would ensure sustainability beyond mere absence of deforestation and forest degradation.</p>	
<p>It is challenging to answer whether participants agree with using FSC Risk Assessments to support EUDR risk assessment requirements, because the approach appears to be geared towards aligning the FSC Risk Assessment with EUDR requirements, rather than utilizing the FSC Risk Assessments in their current form to support the EUDR requirements. Consequently, we are uncertain whether the question pertains to utilizing the current Risk Assessments or revising them.</p>	<p>FSC-PRO-60-006b Risk Assessment Framework is being revised and the FSC Regulatory Framework aligned with the revised version, as reflected in Draft 1-0, Clause 1.3.1.1.</p>
<p>Section 1.3 assumes the existence of a Competent Authority, which may not apply to CHs outside the EU. This raises questions about interpretation. It's unclear what advantages the FSC Regulatory Module provides to FM certificate holders.</p>	<p>The revised draft identifies which clauses are not applicable for certificate holders outside the scope of the EUDR. Enhanced buyer confidence is one of the benefits that using the module can provide to these certificate holders.</p>
<p>The FSC system combined with the RM is important for standardizing supplier and CB procedures and avoiding audit fatigue. However, compliance with EUDR should remain open to other DDS that can demonstrate it.</p>	<p>The FSC Regulatory Module is for voluntary use by organizations applying for or holding FSC certification to extend their certification scope in order to align with the EUDR.</p>
<p>The general feedback from stakeholders, including our office, is that FM certification should be adequate to comply with the DDS. Therefore, adjustments should be made in the standard.</p>	<p>FSC FM certification is regarded as an effective measure for achieving negligible risk. It also serves as a credible justification for demonstrating conformity with the requirements of deforestation-free products and compliance with the relevant legislation of the country of production. However, there are additional elements required within the DDS that are not covered by the FSC System, such as information collection or risk assessments. The RM has been developed to address these gaps, ensuring that FSC certificate holder using it adhere to the requirements outlined by the EUDR.</p>

Chain of Custody

Question 24. How would you rate the clarity of the chain of custody certification section?

Overview:

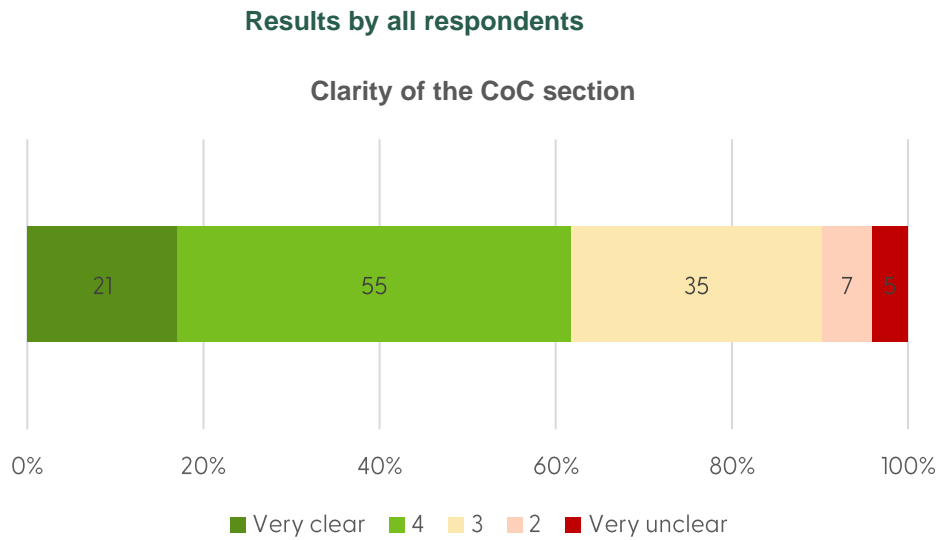
In total 123 respondents answered this question.

An outline of the results shows that:

Clear – 76

Neutral – 35

Unclear – 12



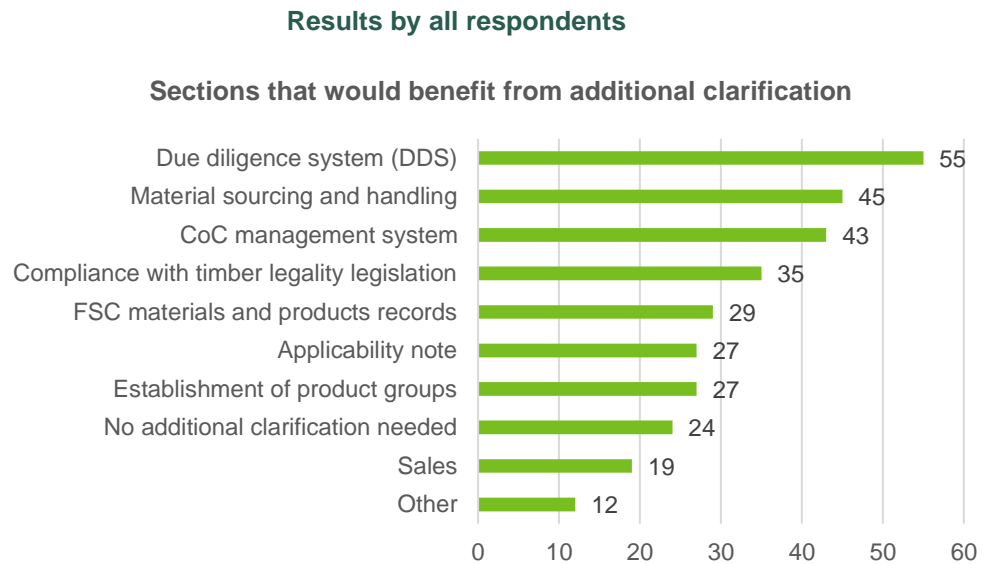
Question 25. Which sections would benefit from further additional clarification?

Overview:

In total 108 respondents answered this question.

An outline of the results shows that:

DDS and Material sourcing & handling were the two most voted sections requiring additional clarification.



Question 26. Please provide more details to your response.

Comment	Response
<p><u>DDS / due diligence statements</u></p> <p>FSC's DDS shouldn't be the only/final solution.</p> <p>Not clear what is additional to existing DDS requirements (CoC/CW).</p> <p>FSC has no mandate to audit due diligence statements.</p> <p>Auditors cannot verify the correctness of due diligence statements.</p>	<p>FSC's structure of the DDS follows the same steps as the EUDR for establishing and maintaining the DDS. It has also a similar structure to be one applicable to CHs sourcing controlled material (FSC-STD-40-005). FSC is implementing one risk assessment across the system, for consistency. Allowing other types of DDS, and in particular other risk indicators, it would result in greater inconsistency across the system, sectors and countries.</p> <p>The CoC/CW CH has to follow the requirements for DDS under the chain of custody section. The CoC/CW CH can adapt its current system to address the requirements not yet covered. It's not possible to specify the exact requirements in the RM as they vary according to the scope, scale, intensity and risk of the organization's operations.</p> <p>FSC requirements ask for verification of FSC requirements, not for direct verification of the EUDR. For FSC to offer a tool to support CH compliance to the EUDR a verification of the accuracy of the data is important.</p>
<p><u>Product groups and claims</u></p> <p>Not advisable to have a product group only for legal reasons.</p> <p>Disagreement with the Regulatory claim. Perceived as FSC 100% not being credible.</p> <p>Regulatory+ (REG+) is unclear.</p> <p>How to know that a supply chain is fully verified?</p>	<p>Different product groups have to be controlled separately, based on the input eligibility criteria. A claim is FSC's formal mechanism to identify a type of product by its attributes. Regulatory-claimed material does not have the same meaning as without the claim (verified against an additional set of requirements). To note that, as any FSC claim, the organization can choose which product groups to apply the RM, and whether or not to include a specific product within a product group.</p> <p>The definitions of the Regulatory and Regulatory+ claims have been added, as well as examples of how to present them in combination with the FSC claim. Regulatory+ ensures full traceability back to the forest, minimizing the risk of non-compliance with the EUDR.</p> <p>The Regulatory+ claim is the mechanism to ensure that the supply chain has been fully verified.</p>

Question 27. How much effort do you estimate it would require implementing the requirements from this section compared to the efforts that your organization would already implement to comply with EUDR without the module?

Overview:

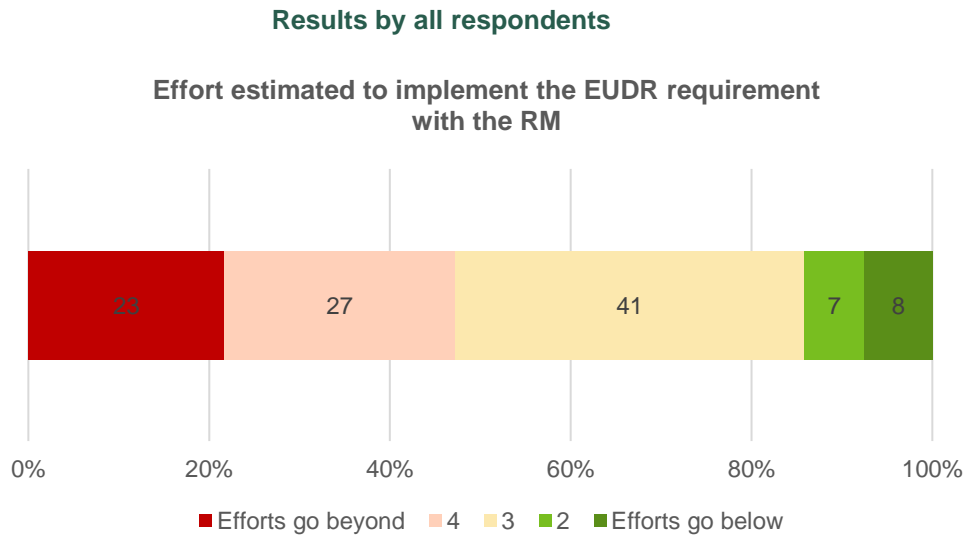
In total 106 respondents answered this question.

An outline of the results shows that:

Efforts go below – 15

Neutral – 41

Efforts go beyond – 50



To note that, some of the stakeholders who answered ‘neutral’ and ‘efforts go beyond’, refer to the EUDR related efforts, and not necessarily related with the RM. Their opinion was also weighted by the fact that companies have not yet started to adapt their systems or are in an early stage.

Question 28. If you responded 4 or 5, please explain your rationale.

Comment	Response
Audit time/cost is hugely increased.	With additional requirements being assessed, it is acknowledged that the audit duration will increase, varying according to the scope, scale, intensity and risk of the organization's operations. Please refer to the accreditation section below, for more detailed information.
Regulatory Module should be merged with the regular CoC audits.	Given that the RM adds requirements to the CHs current certification scope, it is expected that both assessments are conducted in the same evaluation moment.
Risk assessments are complex and go beyond the EUDR.	FSC Risk Assessment includes the legality requirements, but is not limited to, the risk criteria identified in the EUDR. Please refer to the revision process of FSC-PRO-60-006b, for more detailed information.
FSC is not recognized by the European Commission (EC)	This comment reappeared throughout the 3 consultations and the interviews with companies. The EC has ruled out recognizing certification systems as a “green lane”. As mentioned in the communication materials and communicated in the public webinars, FSC also does not position itself as a green lane. However, FSC provides solutions to support and enable CHs to comply with EUDR. More communication effort will be put into highlighting this message throughout FSC EUDR’s communication materials.

Question 29. To increase transparency and consistency of assessments carried out by certification bodies under the FSC Regulatory Module, FSC may consider including a public summary report in the FSC database. To what extent do you support corrective action requests (CARs) being available in such report?

Overview:

In total 117 respondents answered this question.

An outline of the results shows that:

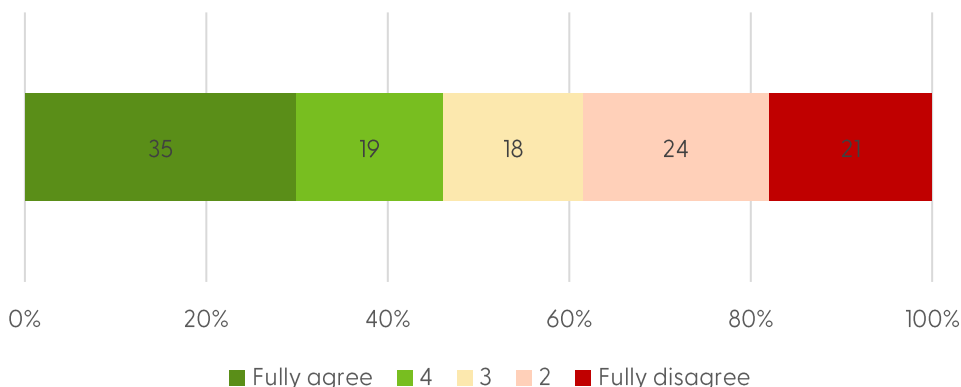
Agree – 54

Neutral – 18

Disagree – 45

Results by all respondents

Level of agreement for CARs available in public summary report



Overview:

In total 117 respondents answered this question.

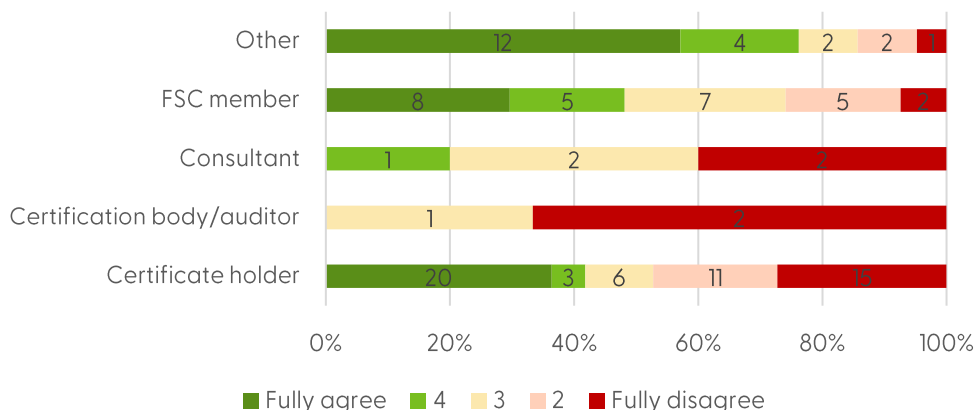
An outline of the results shows that:

Level of disagreement is higher in CHs, CBs and Consultants.

Level of agreement is higher in FSC membership and Other*.

Results by all respondents

Level of agreement by type of stakeholder

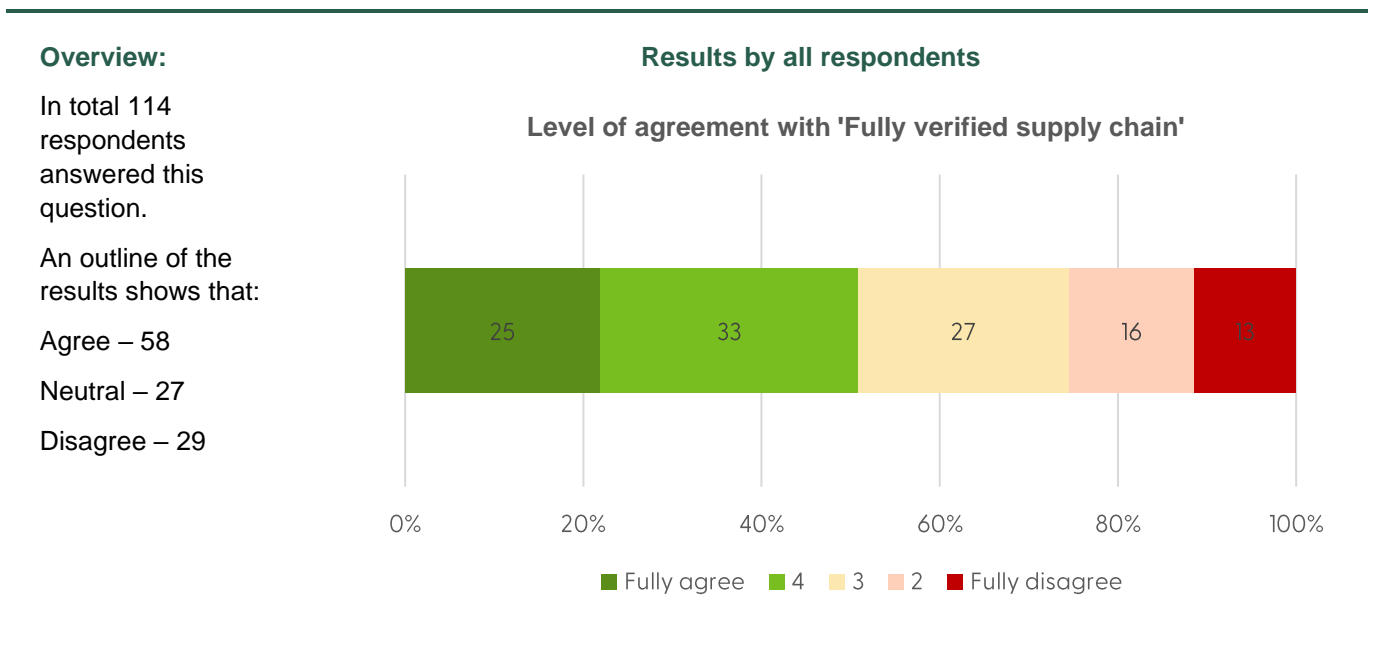


*Note: The type of stakeholder 'Other' includes FSC Network Partner and International staff, FSC trademark license holders, and those who have classified themselves as 'Other' not elsewhere classified.

Question 30. Please provide more details to your response.

Comment	Response
<p><u>Support:</u> Brings consistency and transparency. Ability to be compared. Consistent with the public summary report for sourcing controlled material, and the Digital Audit Report (DAR).</p>	<p>It is recognized that public summary reports in the FSC Certificate Database may not be an efficient way for CBs to analyse and compare data for a particular country or region. It therefore compromises one of the main objectives – consistency of assessments.</p> <p>Taking into account the concerns raised by stakeholders, it has been decided not to introduce the requirement for a public summary report. As part of the ongoing monitoring of the normative framework, FSC will reassess the integrity relevance and technical feasibility of such requirement.</p> <p>FSC will continue to provide public webinars and guidance materials, as well as calibration workshops for CBs.</p>
<p><u>Not support:</u> Goes beyond the requirements of EUDR and has no added value. It will be misunderstood by the public and exposes CHs to the competent authorities. Bad-faith criticism and/or denial of privileges by business partners.</p>	

Question 31. To what extent do you agree that the ‘fully verified supply chain’ should be introduced?



Overview:

In total 114 respondents answered this question.

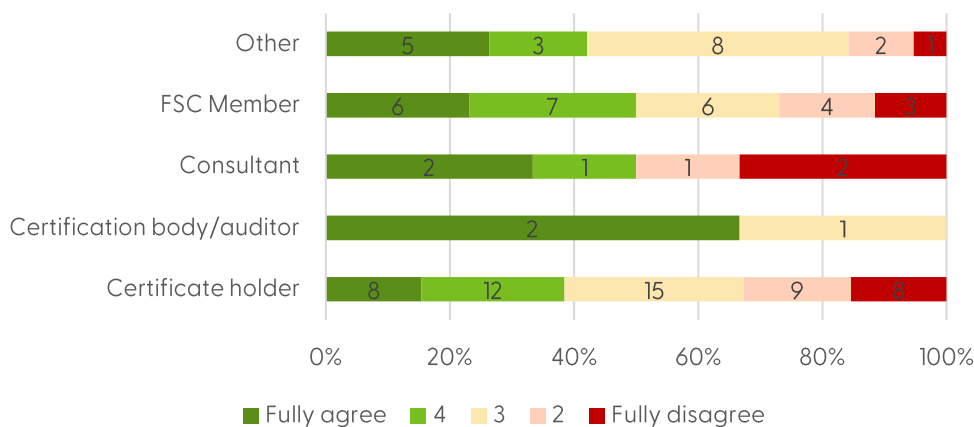
An outline of the results shows that:

CHs and Consultants have balanced opinions.

FSC membership and Other* have a higher level of agreement.

Results by all respondents

Level of agreement by type of stakeholder



*Note: The type of stakeholder ‘Other’ includes FSC Network Partner and International staff, FSC trademark license holders, and those who have classified themselves as ‘Other’ not elsewhere classified.

Question 32. Please provide more details to your response.

Comment	Response
<p>Support:</p> <p>Should be the only option, and certification should guarantee this.</p> <p>Allows a stronger statement.</p> <p>As long it’s optional.</p>	<p>As an ‘add-on’ tool, the RM cannot be mandatory for all CHs in a supply chain, with special consideration for those who are not required to comply with the EUDR.</p> <p>The concept of ‘fully verified supply chain’ will remain voluntary. A CH receiving Regulatory+ claimed materials may opt to ‘downgrade’ to Regulatory (see ADVICE-40-004-26).</p>
<p>Not support:</p> <p>Unlikely to happen at scale (only short and specific supply chains).</p> <p>Unrealistic expectations for end market; REG+ too ambitious.</p> <p>FSC 100% should be reinforced, so there’s no need for more claims.</p>	<p>Regulatory+ ensures full traceability back to the forest, and therefore minimizes the risk of non-compliance with the EUDR. Some CHs and their supply chains may find this important, therefore this additional option is being kept.</p> <p>As mentioned above, the RM is not mandatory for all CHs, therefore FSC claims must have a differentiation indicating conformity with this set of requirements.</p>

Question 33. Currently, Clause 4.5.7 states the Regulatory+ is optional for use in cases of a ‘fully verified supply chain’. This creates the possibility of suppliers not identifying it for all products, and thus, restraining organizations further down the supply chain from using/benefiting the claim and promotional statements. Would you support the requirement to be mandatory?

Overview:

In total 113 respondents answered this question.

An outline of the results shows that:

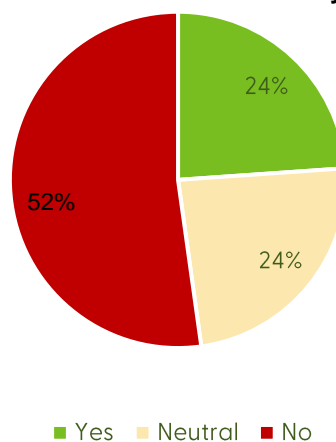
Yes – 27

Neutral – 27

No – 59

Results by all respondents

Should REG+ be mandatory?



Question 34. Which method would you consider to be the preferred way to establish a ‘fully verified supply chain’?

Overview:

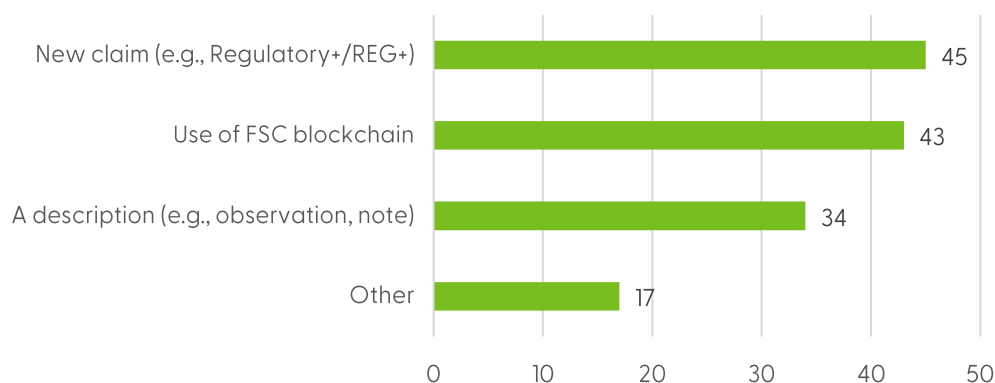
In total 95 respondents answered this question.

An outline of the results shows that:

The two preferred options would be a new claim and the use of FSC blockchain.

Results by all respondents

Considered method to establish a ‘fully verified supply chain’



Question 35. Please provide more details to your response.

Comment	Response
<u>New claim</u> A claim is consistent, a description is not, neither FSC Blockchain will be used by all. Can be checked by anyone.	FSC acknowledges that a new claim is a consistent mechanism for transferring the information, and therefore will maintain Regulatory+ for that purpose. FSC blockchain will also capture the claim in addition to the claim on sales and delivery documentation.

<p><u>A description</u> Simpler, but not different from a claim (unclear).</p>	<p>It should be noted that this is a multiple-choice question, and a relevant percentage of stakeholders has selected a new claim in combination with FSC blockchain.</p>
<p><u>FSC Blockchain</u> Blockchain is not mandatory.</p>	

Question 36. Please share any additional comments on the chain of custody section. If applicable, please refer to the specific section or clause your comments relate to.

Comment	Response
<p><u>Management system</u> How to identify ‘relevant competent authorities’ if the CH is outside EU? What ‘immediately inform’ means?</p>	<p>Annex 1 in the RM has been created to identify the clauses that do not apply to CHs that are not required to comply with the EUDR (non-EU-based CHs). Also, Note 2 has been added to Clause 4.1.4: relevant competent authorities refer to those EU Member States in which the organization places products on the market.</p> <p>Although FSC recognizes that ‘immediately inform’ is a subjective term, the RM should not interpret it until clarity from the EC has been provided, so that there’s no misalignment between the RM and the EUDR.</p> <p>Note 1 in Clause 4.1.4 has been amended to clarify who can identify a non-confirming product. Two additional clauses have been added, outlining the necessary assistance to be provided to competent authorities (upon request), as well as their notification in case of a suspension of the Module from the CH certification scope.</p>
<p><u>Material sourcing</u> Clarity in Notes 1 in Clauses 4.2.2 and 4.2.3.</p>	<p>Note 1 in Clause 4.2.2 comes directly from the EUDR. It means that, in addition to the set of units prescribed in Clause 4.2.2 c), the CH may also define a supplementary unit, provided that this unit can be used consistently for all subheadings of the 6-digit HS code.</p> <p>Clause 4.2.3, Note 1: Under the EUDR, SME traders are exempted from providing due diligence statements, such as SME operators are for products that are already covered by a due diligence statement (see Art. 4.8). Therefore, the note has been kept with minor changes.</p> <p>Clauses 4.2.2 and 4.2.3 have been kept separate, because, depending on the situation (e.g., multiple reference numbers of due diligence statements), the information may not be referred in sales and delivery documentation, but rather through supplementary documentation. By not being prescriptive, the CH can choose the preferred option according to the situation.</p>
<p><u>Material handling</u> Note under 4.3 is unclear and redundant with the FSC-STD-40-004.</p>	<p>The concept in Section 3 of FSC-STD-40-004 doesn’t change in the RM. FSC considers that an explanation (in the form of a note) is still helpful in cases where not all materials or products are included in the scope of the RM.</p> <p>The Note has been re-drafted for clarification.</p>

<p><u>Material and product records</u></p> <p>Can the records be kept in an information system?</p>	<p>Yes. Recording inputs/outputs doesn't change with the RM.</p>
<p><u>Sales</u></p> <p>Clause 4.5.1 b): include example.</p> <p>Clause 4.5.3 duplicates 4.5.2 (not needed).</p> <p>Clause 4.5.4, Note: what is the online tool?</p>	<p>Examples added: FSC 100% / Regulatory+; FSC Mix / Regulatory.</p> <p>Clause 4.5.2 refers to the abbreviation of the claim, while 4.5.3 refers to the absence of the claim (whether abbreviated or not). In addition, this clause refers to the information in both 4.5.1 and 4.5.2, with 4.5.1 a) also requiring the reference number(s) of the due diligence statement(s) (not only the claim). The pre-conditions for the use of the abbreviation in Clause 4.5.2 have been removed, streamlining its use.</p> <p>Note under 4.5.4 has been deleted. The introductory part of the RM will describe more generally FSC's technical solutions.</p>
<p><u>Compliance with timber legality</u></p> <p>SMEs will not have access to all information, but non-SMEs will enforce it – extremely demanding to audit.</p> <p>The information is required in all circumstances, not upon request.</p>	<p>Under the EUDR, there is no explicit obligation for SME traders to provide such information – only operators and non-SME traders, according to Art. 4(7). Also, companies with customers outside the EU may not need to provide such information. For this reason, the requirement is being kept as 'upon request', i.e., when the specific situation requires so.</p> <p>Supply chains can be quite diverse in terms of user groups, that's why the requirement is applicable to all user groups, so that this aspect does not create blockers for downstream operators and non-SME traders to fulfill their DDS obligations.</p> <p>Paragraph e) in Clause 4.6.1 has been added to specify the meaning of paragraph d), in relation to supporting information used in due diligence statements.</p>
<p><u>Product groups</u></p> <p>Different classifications create confusion.</p> <p>Explain Clause 4.7.2, Note 1 – understood as one product group per species.</p> <p>Possible to have a product group under the RM but not in CoC?</p>	<p>The RM doesn't change how product groups should be established and maintained. A claim is the formal mechanism to distinguish materials with different attributes, and thus to confirm the eligibility criteria.</p> <p>Note 1 in Clause 4.7.2 has been redrafted. One or more species can be included in one product group (same concept used in FSC-STD-40-004).</p> <p>Table 3 has been added, presenting the eligible inputs for the corresponding regulatory output claim.</p> <p>Being the RM an 'add-on' to the normative framework (complementary to existing FSC certification requirements – see Introduction section of the RM), a product group cannot exist outside of FSC-STD-40-004.</p>
<p><u>DDS – Implementation and maintenance</u></p> <p>FSC should not check due diligence statements sent to CAs.</p> <p>Clause 4.8.1, Note 2: why only land rights mentioned?</p> <p>Clause 4.8.3: Should specify how to know the due diligence statement is in conformance.</p>	<p>The due diligence statement is a key element in EUDR. Not requiring it from CHs, and thus CBs not checking for its existence, plausibility and accuracy, would be considered a fundamental failure in a normative tool to support EUDR compliance.</p> <p>Note 2 in Clause 4.8.1 comes directly from the EUDR. Being a note (and therefore an explanation of a specific aspect or situation), FSC has decided not to over-interpret it. The indicators and thresholds for evaluating all legality aspects can be found in FSC-PRO-60-006b.</p> <p>In Clause 4.8.3, the content and format of a due diligence statement is already specified in Annex 2 of the RM. Requirements for collecting</p>

<p>Clause 4.8.4: Only works in ‘fully verified supply chain’. Impossible to list all sub-suppliers (information may be protected).</p> <p>Clause 4.8.6: Internal audits go beyond EUDR – should be optional.</p> <p>Clause 4.8.8: Meaning to be clarified.</p> <p>Clause 4.8.9: Should be integrated/related w/ 4.6.1.</p>	<p>supportive documentation are also present throughout the standard. The type and detail of data will vary depending on the specific situation. In the future, FSC can consider further exploring this topic in guidance materials, combining the implementation learnings from the RM and the EUDR.</p> <p>In Clause 4.8.4, a list of sub-suppliers is not required, even in the case of a ‘fully verified supply chain’. A note has been added for clarification.</p> <p>On Clause 4.8.6 (internal audit), even though it adds another step in the process, it also adds value in ensuring that the system is properly implemented and maintained. It has also the particularity of being conducted before the annual evaluation by the CB. The level of effort will depend on the complexity of the DDS itself, but it should be noted that it only covers the product groups within the RM. CHs can combine this with their regular internal audits under FSC-STD-40-003 and FSC-STD-40-005 (if applicable). A note has been added indicating a source for guidelines (ISO 19011).</p> <p>In Clause 4.8.8, ‘other information’ is to be understood as any information that the CH obtains or is made aware of (including substantiated concerns). A few changes have been made, including the removal of the timeline to address issues, as it may vary on the type of issue, and a note has been added regarding the risk of non-eligible inputs.</p> <p>FSC has adopted the suggestion made by stakeholders in integrating the concept of Clause 4.8.9 into Clause 4.6.1.</p>
<p><u>DDS – Obtaining information</u></p> <p>Impossible to be audited – don’t implement a DDS.</p> <p>Clause 4.9.3 (reference to Management Unit – MU): how and why?</p>	<p>The collection of information (as part of the DDS) is a mandatory step for the majority of the user groups that are required to comply with the EUDR (FSC-certified or not). For the RM to be a valuable tool, it must have a similar structure as the EUDR.</p> <p>The reference to the MU aims to better track and link the information of origin, from a system integrity perspective. A note has been added, explaining how the format may be received and passed, consistent with the FM evaluation standard, FSC-STD-20-007, Annex 4.</p>
<p><u>DDS – Risk Assessment</u></p> <p>What if the EC sets other requirements for risk assessments?</p> <p>Clause 4.10.4: the objectives and conclusions of the meetings of the Commission expert groups are not known.</p>	<p>If the EC sets new requirements, FSC will also need to adapt, for consistency with legality requirements. Depending on the timelines set by the EC, the annual review (and revision) may be used for the update.</p> <p>Regarding Clause 4.10.4, the requirement comes directly from the EUDR, and therefore it’s not possible to exclude or change it. As part of the ongoing monitoring of the implementation of the RM, and once these results are known, FSC may consider further clarification on this aspect.</p> <p>The Risk Assessment section had relevant changes, with a clear differentiation in the process according to the FSC claim (FSC 100% or FSC Mix/CW).</p>
<p><u>DDS – Risk Mitigation</u></p> <p>Clause 4.11.3: Independent audit: refers to CB audit?</p>	<p>Yes, the annual evaluation conducted by the CB suffices the conformity with this requirement; a note has been added.</p>
<p><u>DDS – Public information</u></p> <p>Clause 4.12.1 h): is the personal contact information complaint</p>	<p>There should be no expectation that personal contacts should be shared, only professional one. Please note that the paragraph states “contact information of the person OR position (...)”.</p>

<p>with EU General Data Protection Regulation (GDPR)? Clause 4.12.3: Should be optional for CHs outside EU.</p>	<p>Annex 1 of the RM has been created, identifying the clauses that CHs are not required to conform, where they are not required to comply with the EUDR (i.e., based outside the EU).</p>
<p><u>Simplified DDS</u> What are the concrete requirements? Same as 4.10.5?</p>	<p>For clarity, the clauses have been merged into one, explaining the exemption under the specified conditions.</p> <p>Clause 4.10.5 refers to a simplified risk assessment, while Clause 4.13 refers to an exemption of the risk assessment and risk mitigation (with the exception of Clause 4.10.9).</p>

Project Certification

Question 37. How would you rate the clarity of the project certification section?

Overview:

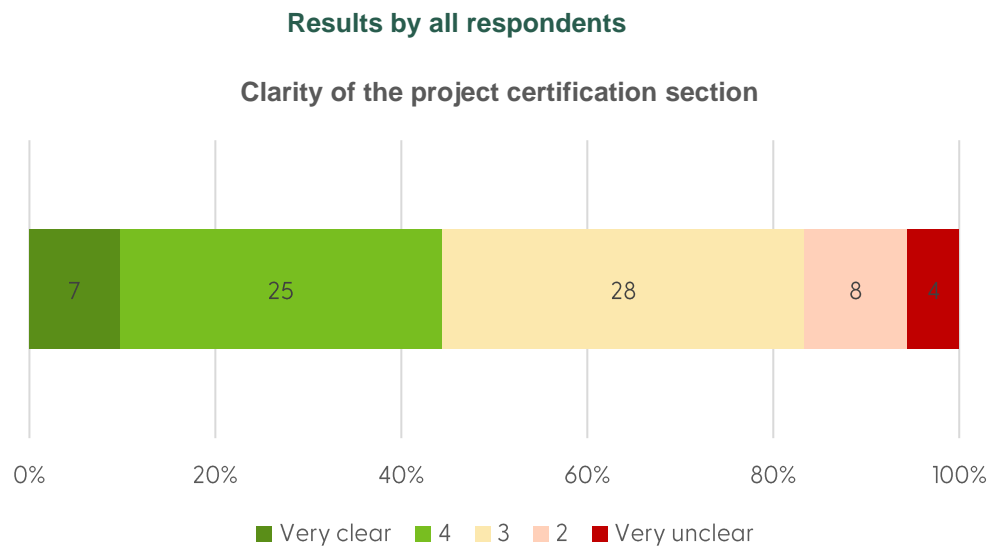
In total 72 respondents answered this question.

An outline of the results shows that:

Clear – 32

Neutral – 28

Unclear – 12



To note that, a third of the respondents to this section acknowledged not having sufficient knowledge of the FSC-STD-40-006, which may partially explain the high percentage of 'neutral' responses throughout the consultation.

Question 38. Which specific aspects do you believe would benefit from additional clarification?

Overview:

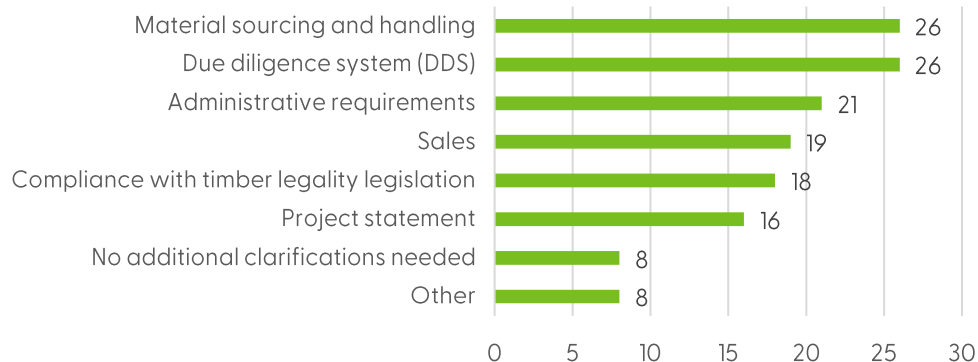
In total 56 respondents answered this question.

An outline of the results shows that:

DDS and Material sourcing & handling were the two most voted sections requiring additional clarification.

Results by all respondents

Sections that would benefit from additional clarification



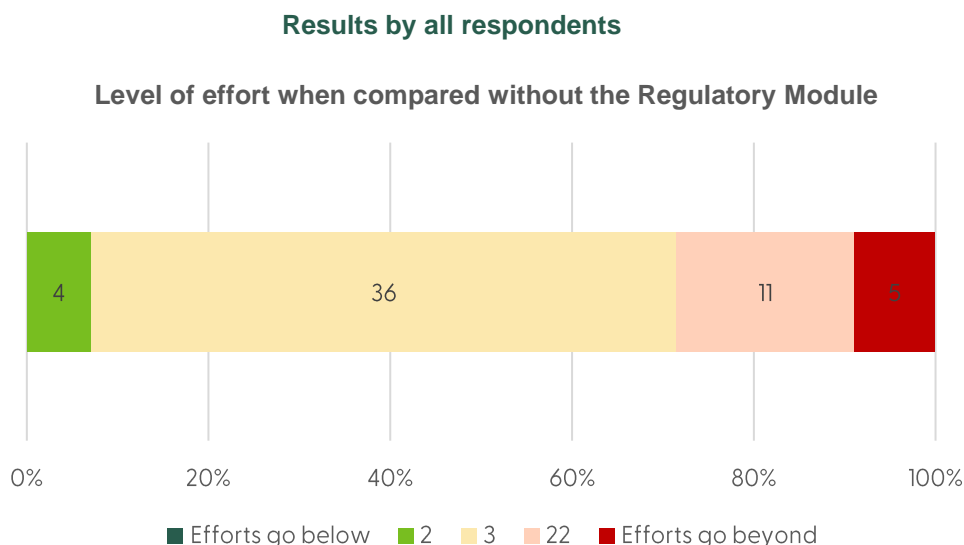
Question 39. Please provide more details to your response.

Comment	Response
Is project certification relevant for EUDR?	Yes. Organizations applying FSC-STD-40-006 (which is a 'stand-alone standard') may manage a project and sell it on the market as a product that would be listed in Annex I of the Regulation, e.g., a unique piece of wooden furniture (under the HS code subheading 9430), unique prefabricated wood building (under the HS code subheading 9406).

Question 41. How much effort do you estimate it would require to implement the requirements from this section compared to the efforts that your organization would already implement to comply with EUDR without the module?

Overview:

In total 56 respondents answered this question.
 An outline of the results shows that:
 Efforts go below – 4
 Neutral – 36
 Efforts go beyond – 16

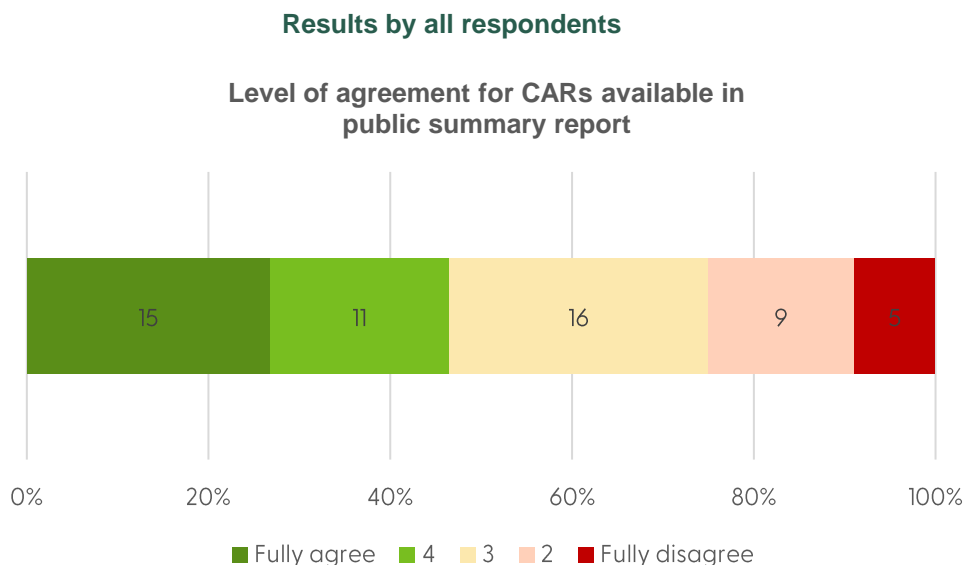


Only a small percentage of the participants provided more detail on the question above. The level of effort is associated with the implementation of a new standard and a new management system.

Question 43. To increase transparency and consistency of assessments carried out by certification bodies under the FSC Regulatory Module, FSC may consider including a public summary report in the FSC database. To what extent do you support corrective action requests (CARs) being available in such report?

Overview:

In total 56 respondents answered this question.
 An outline of the results shows that:
 Agree – 26
 Neutral – 16
 Disagree – 14



When asked to provide more details to the question above, the responses were consistent with the CoC section (see Question 30 above for more details).

Controlled Wood

Question 46. How would you rate the clarity of the Controlled Wood section?

Overview:

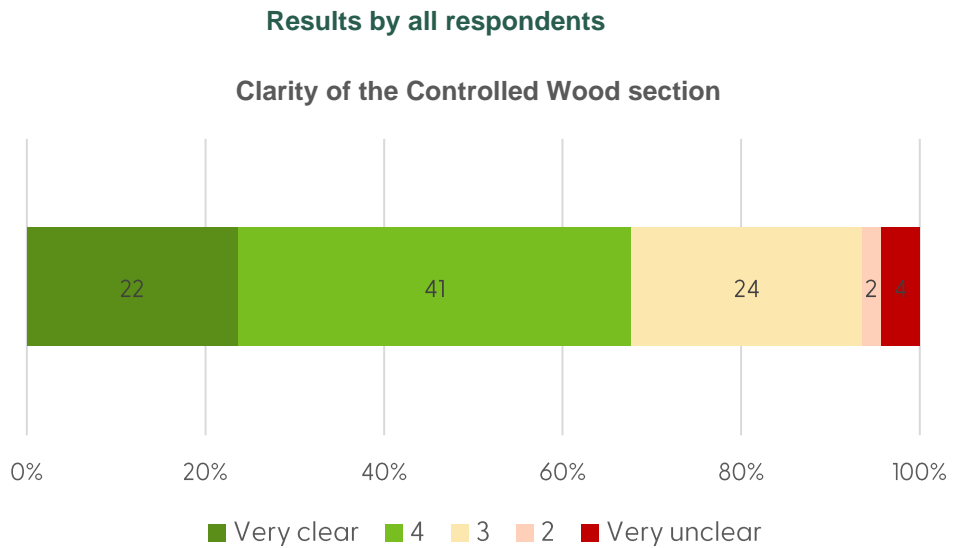
In total 93 respondents answered this question.

An outline of the results shows that:

Clear – 63

Neutral – 24

Unclear – 6



Question 47. Please provide more details to your response in terms of understanding about requirements towards conducting risk assessment as per the FSC-PRO-60-006b Risk Assessment Framework.

Comment	Response
<p><u>Applicability note</u></p> <p>The section is short and clear.</p> <p>Clarify that the CoC DDS adds to current FSC-STD-40-005.</p>	<p>The applicability note has been redrafted for further clarification.</p>
<p><u>Risk Assessment Framework</u></p> <p>Valuable tool, when compared with the EUDR.</p> <p>Flexible to accommodate various standards and/or Regulations.</p> <p>Should be optional, not a systemic change.</p>	<p>No fundamental change required in the RM.</p> <p>Please refer to the consultation process on ADVICE-40-005-27 and FSC-PRO-60-006b for more detailed information.</p>

Trademark Use

Clarity of the Trademark Use section.

Question 50. How would you rate the clarity of the Trademark Use section?

Overview:

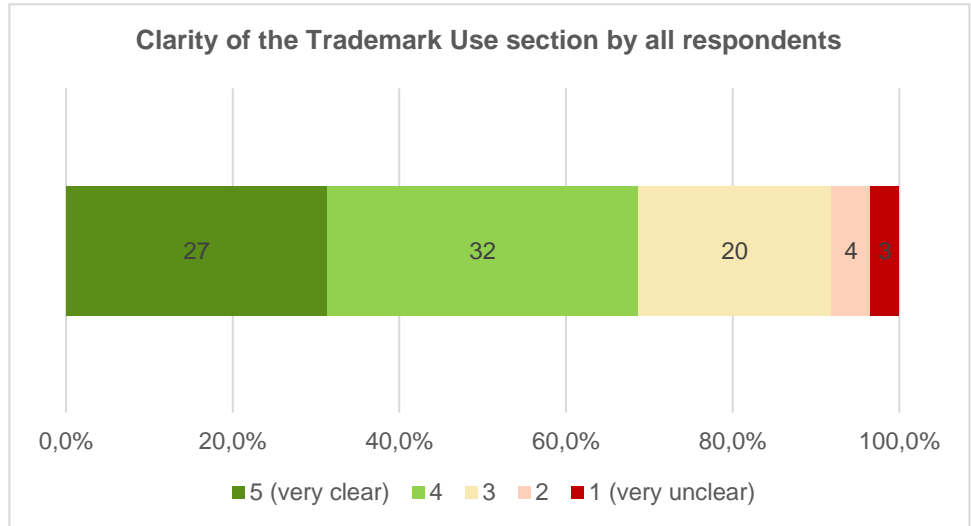
In total 86 out of 204 respondents answered this question.

An outline of the results shows the following.

Clear – 59

Neutral – 20

Unclear – 7.



Question 51. Which specific aspects do you believe would benefit from additional clarification?

Comment	Response
Clarify if the statements are meant to be used on or off product.	The normative document has been amended to clarify this aspect.
Give examples of materials where the promotional statements may be used.	The normative document has been amended to clarify this aspect.
Give examples of incorrect promotional statements.	Guidance will be provided outside the normative document.

Interest to use the proposed promotional statements.

Question 52. Clauses 7.1.2. and 7.1.3 present promotional statements that may be used by certificate holder to promote products in the scope of the FSC Regulatory Module. Would you be interested in using these statements?

Overview:

In total 80 out of 204 respondents answered this question.

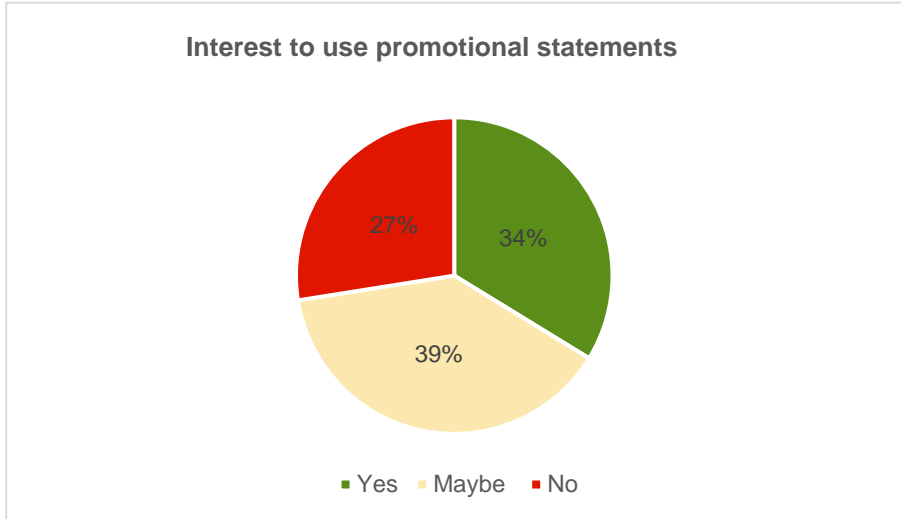
An outline of the results shows the following responses:

Yes – 27

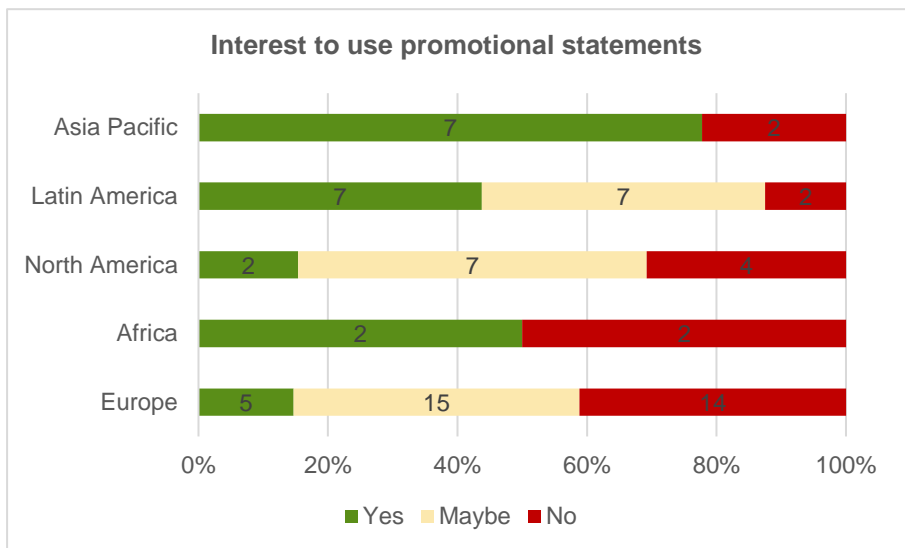
Maybe-31

No – 22

Results by all respondents



Results by region



Question 53. Please provide more details to your response.

Question 54. Please share any additional comments on the trademark section.

NOTE: Questions 53 and 54 are addressed together in the following table:

Comment	Response
<p>The proposed statements are process-oriented, and one could question their value. The statements should be more specific and refer to guaranteeing that the products are free of deforestation and degradation.</p>	<p>The proposed promotional statements position FSC as a tool to support certificate holders' efforts in demonstrating compliance with the EUDR requirements. Read below further details about the relevant legal limitations.</p>
<p>Legal compliance is not something to market.</p>	<p>The proposed promotional statements do not advertise legal compliance. Instead, they present FSC as a tool to support certificate holders' efforts in demonstrating compliance with the EUDR requirements. Certificate holder who decide to get certified against FSC-STD-01-004 will have a tool and additional independent assurance to support their efforts in demonstrating compliance with EUDR requirements as they can show competent authorities and other companies that relevant information has been gathered and due diligence exercised. While FSC-accredited certification bodies will evaluate conformance with FSC-STD-01-004, the decision as to whether a company is compliant with EUDR remains with the relevant competent authorities.</p>
<p>The proposed statements might conflict with European regulations if they are related exclusively with law compliance.</p>	<p>The proposed promotional statements position FSC as a tool to support certificate holders' efforts in demonstrating compliance with EUDR requirements. The statements do not advertise legal compliance. The promotional statements have been assessed by the FSC Legal team to be compliant with the relevant legal framework.</p>

Accreditation requirements

Question 55. How would you rate the clarity of this section? 5 (very clear) to 1 (very unclear)

Overview:

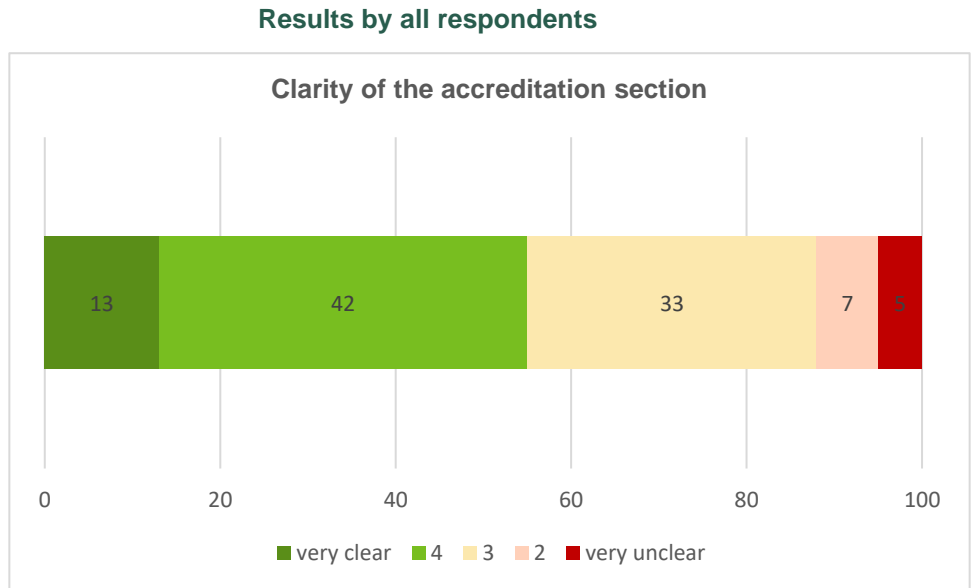
In total 45 out of 204 respondents answered this question.

An outline of the results shows that:

Clear – 55

Neutral – 33

Unclear – 12



Question 56. Which specific aspects do you believe would benefit from additional clarification?

Stakeholder participants did not provide substantial feedback on what needs further clarification.

Question 57. How feasible is the verification of the accreditation requirements? 5 (highly feasible) to 1 (not feasible)

Overview:

In total 51 out of 204 respondents answered this question.

An outline of the results shows that:

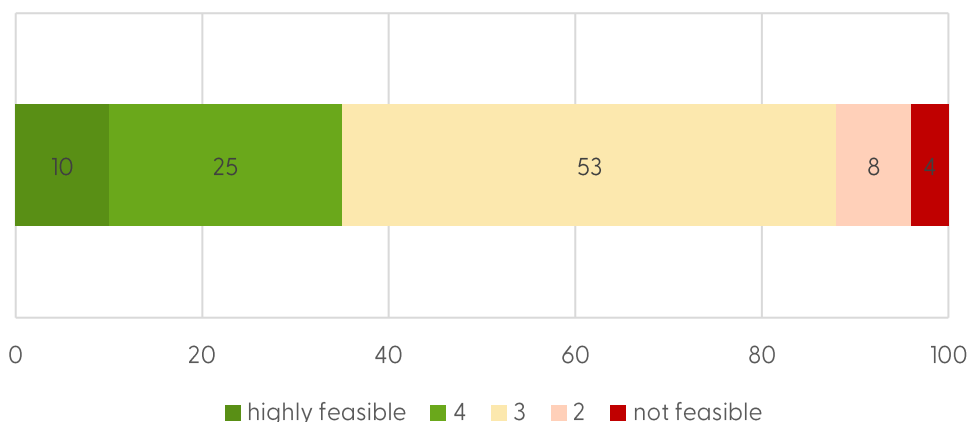
Feasible – 35

Neutral – 53

Not feasible – 12

Results by all respondents

Feasibility of the verification of the accreditation requirements



Question 58. If you responded 1 or 2 (not feasible) to the previous question, please explain your rationale:

Comment	Response
It is the task of the competent authorities to assess the correctness of Due Diligence Statements.	FSC requirements ask for verification of FSC requirements, not for direct verification of the EUDR. For FSC to offer a tool to support CH compliance to the EUDR a verification of the accuracy of the data is important. The requirements as such should be feasible to be implemented as they are based on existing accreditation requirements and no new concepts are introduced
This cannot be done by CBs, as there is a high risk for legal disputes arising out of different assessment results between CBs and competent authorities.	Same as above. Information flow between the CH and competent authorities as well as passing on of information to CBs is foreseen to ensure a shared understanding on the implementation and of the FSC requirements.
FSC cannot provide solutions for the DDS to comply with the EUDR, unless the requirements are clearly described and approved by the competent authorities (like monitoring organizations for the EUTR needed endorsement by the EU).	The RM is a voluntary tool and FSC will constantly monitor for additional guidance on the implementation of the EUDR.

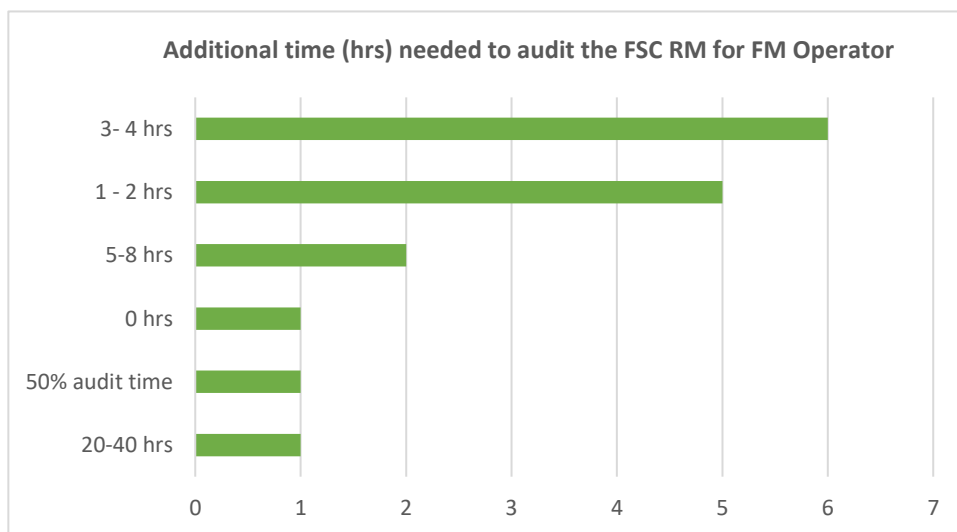
Question 59. How much additional time (in hours) would you estimate is needed to audit the FSC Regulatory Module for an FM operator?

Overview:

In total 20 out of 204 respondents answered this question.

An outline of the results shows that:

Results by all respondents



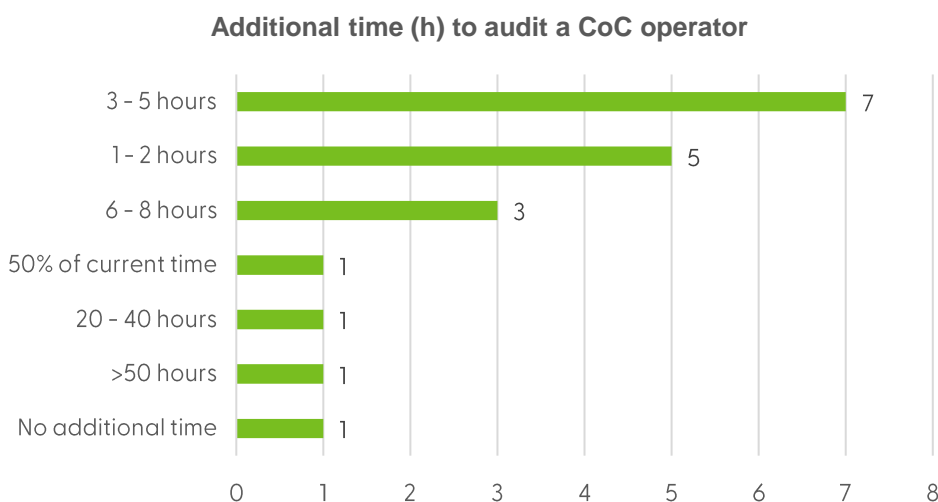
Questions 61 & 62. How much additional time (in hours) would you estimate is needed to audit the FSC Regulatory Module for a CoC operator and trader?

Overview:

In total 23 participants answered this question.

An outline of the results shows that on average will vary between 0.25 to 0.5 audit-days.

Results by all respondents

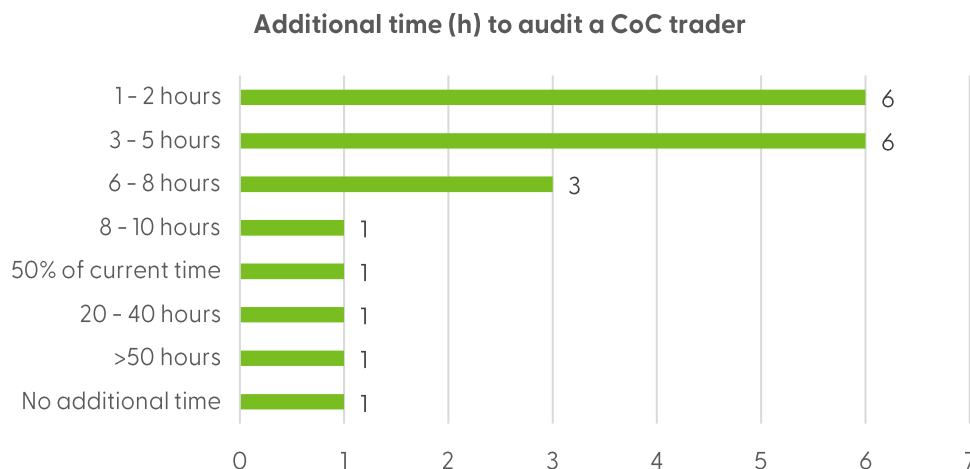


Overview:

In total 23 participants answered this question.

An outline of the results shows that on average will vary between 0.25 to 0.5 audit-days.

Results by all types of stakeholders



It is noteworthy that the results are subjective to the complexity and scale of the activities covered in the CH/s certification scope.

Question 63. Certification bodies are asked to evaluate the relevance, effectiveness, and adequacy of the clients DDS. This includes that a sample of the clients’ data (e.g., to the plot of land) needs to be verified, to confirm that correct information has been collected. What criteria would you as certification body use to sample and verify the data (e.g., drawing from your experience in evaluating DDS for Controlled Wood)?

Several consultation participants presented the process steps that a CB would undertake to evaluate the DDS but did not respond to the actual question asked. A CB reiterated the general concerns about the CB role in evaluating DDS rather than leaving this to the competent authority. No substantial feedback was provided on criteria for sampling and verification of the data.

Question 64. What are the implications of the transition timeline for you as CBs?

Comment	Response
CBs will not be prepared on 1 July to evaluate CHs against the RM	The proposed timelines need to be kept, so that CHs have time to prepare for the scope extension. However, as a response to the feedback the application of the RM was changed to be voluntary for CBs. CBs need to notify ASI once they are ready to implement the RM, only a desk audit of CBs is needed.
Many CHs will likely ask the CBs to conduct the additional desk assessment in the second half of 2024	See above.
There are concerns about auditor shortage and capacity of technical CB staff	This is a general concern that is not limited to the implementation of the RM. It is acknowledged that where capacity constraints exist, they will be further strained with the introduction of the RM.

	To respond to the existing auditor shortage FSC is considering what can be done to support activating and training of new auditors. The topic is also considered in the revision of the general accreditation standard FSC-STD-20-001. The analysis of the problem shows that the auditor shortage is partially due to a lack of attractiveness of the job to the younger auditor generation and different solutions need to be investigated to support solving the problem.
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Questions 65 & 66. Section 10.5 introduces the requirements for the evaluation of the DDS by the CB for CoC and project certification, which is an adaptation of the requirements currently present in Section 6 of FSC-STD-20-011, regarding the evaluation of Controlled Wood according to FSC-STD-40-005. What is your preferred option to present the set of requirements?

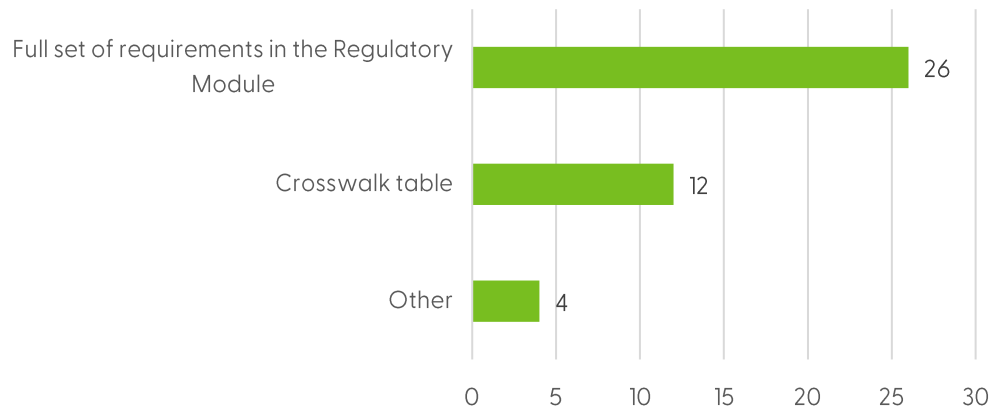
Overview:

In total 41 participants answered this question.

An outline of the results shows that the full set of requirements is the preferred option.

Results by all respondents

Preferred option of stakeholders



Based on the consultation results, the current structure will be maintained.

Questions 67. Box 1 (Clause 10.2.1) includes examples of major nonconformities to the requirements of the FSC Regulatory Module. Do you foresee any concerns with the examples provided (e.g., auditability)? What additional examples could be included?

Comment	Response
<p><u>Auditability</u> Difficult to rely on the accuracy of the data provided. Example e): difficult to have evidence of manipulation.</p>	<p>The requirements as such should be feasible to be implemented as they are based on existing accreditation requirements and no new concepts are introduced.</p>
<p><u>Suggestions to be included.</u> Change example b) to: “Ineffective segregation measures resulting in mixing of Regulatory</p>	<p>First suggestion fully adopted. Second suggestion has a similar meaning has current example e).</p>

<p>material with non-eligible material”.</p> <p>False or misleading information in records.</p> <p>Trademark major non-conformity.</p>	<p>Regarding the third suggestion, there’s no immediate expectation that a wrong promotional statement will result in a major non-conformity (and therefore, suspension of the Module). This should be assessed on a case-by-case scenario.</p>
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General feedback

Question 68. How helpful is the regulatory module add-on to certification requirements as written here, as a tool to support achieving compliance with EUDR?

Overview:

In total 95 out of 204 respondents answered this question.

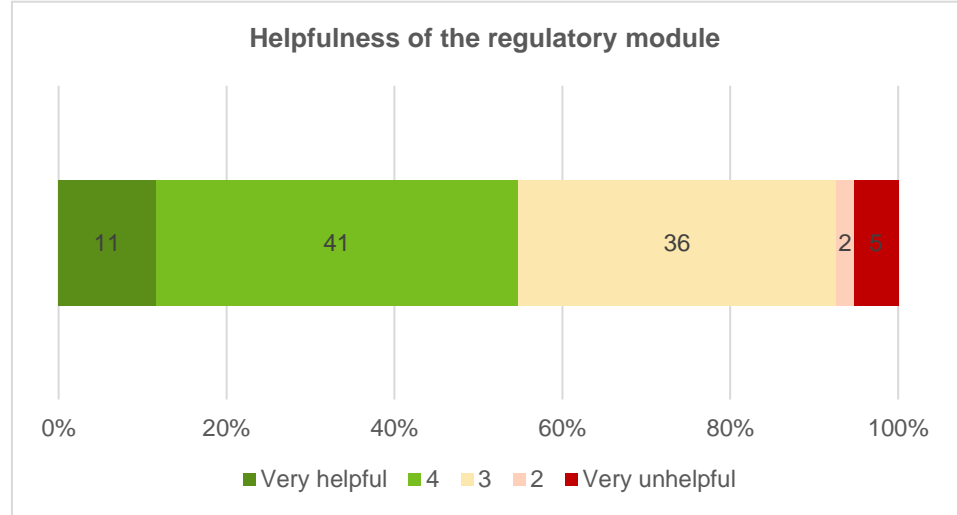
An outline of the results shows that:

Clear – 52

Neutral – 36

Unclear -7

Results by all respondents



Overview:

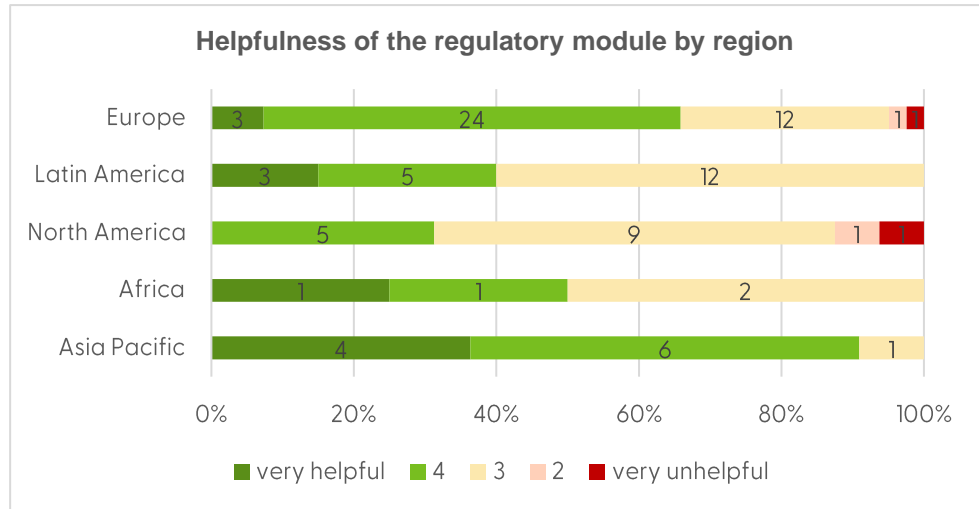
In total 150 out of 204 respondents answered this question.

An outline of the results across regions shows that:

65% of respondents in Europe and 90% in Asia Pacific found the module very helpful.

While more than half of the participants in Latin America, North America, and Africa found it neutral or not helpful.

Results by regions



Q69. Please provide more details to your response:

Comment	Response
The most useful aspect of the RM is an additional layer of assurance through third-party audits.	This comment has been mentioned throughout the consultation. Third-party audit is perceived as a very strong asset of the RM.

<p>There are concerns about some requirements proposed by the FSC going beyond the EUDR which might discourage its adoption unless client demand puts significant pressure into this direction.</p>	<p>The comment is expected to refer to the Advice Notes that have now been more tightly aligned with the requirements of EUDR. Please see further details in the Consultation Report for Advice Notes.</p>
<p>Concern about the EU's acceptance of the FSC's solutions for EUDR compliance, given that the EUDR clearly states that there is no possibility of officially recognizing certifications or other external initiatives.</p>	<p>This comment reappeared throughout the 3 consultations and the interviews with companies.</p> <p>As mentioned throughout the communication materials and communicated in the public webinars, FSC does not position itself as a “green lane” for EUDR. However, FSC provides solutions to support and enable CHs to comply with EUDR.</p> <p>More communication effort will be put into highlighting this message throughout FSC EUDR’s communication materials.</p>
<p>Concern if the proposed/ revised Risk Assessment Framework isn't changed there will be many CHs that cannot comply with the RM (i.e., unknown, or legally cannot identify point of origin, can't access risk because it is impossible or the amount of effort is cost prohibitive, etc.).</p> <p>We think it will be a difficult to make the business case for using the module given the potential extra work and costs that will be required. If a CH cannot use the Risk Module, FSC needs to ensure there is a pathway forward for CHs to continue to buy and sell FSC Controlled Wood and FSC Mix material.</p>	<p>Together with the RM, FSC is introducing the revised FSC-PRO-60-006b V2-0 and the new ADVICE-40-005-27 Use of FSC-PRO-06-006b Risk Assessment Framework which, in addition to the aspects that are already part of the scope of the revision, align the main gap of risk assessment related requirements with those of EUDR. Please see the Consultation Report on FSC-PRO-60-600b for further details how the stakeholder feedback was addressed in the final document.</p>
<p>I think that FSC should move forward with the parts of this module that are low cost, low audit time, and don't add additional burden to certificate holder.</p> <p>New claims, new reporting requirements, or increased audit sampling add costs to the module and should be delayed until there is a best use case and value case for their implementation.</p>	<p>The use of the RM is voluntary for organizations. There are additional efforts and costs involved that are linked to the requirements of the EUDR. For example, without introducing a new claim, it is hard to control the flow of materials along the supply chain as required by the EUDR.</p> <p>New reporting requirements are also required by EUDR.</p> <p>Increase audit sampling and requirements are necessary to assure that the users of the RM have taken necessary measures to eliminate the risk of deforestation. This is also required by the EUDR. Third-party assurance is valued highly and welcome by many participants throughout the consultations and interviews with companies.</p>

Question 70. How likely are you to adopt the add-on module to support compliance of your products with the EUDR?

Overview:

In total 85 out of 204 respondents answered this question.

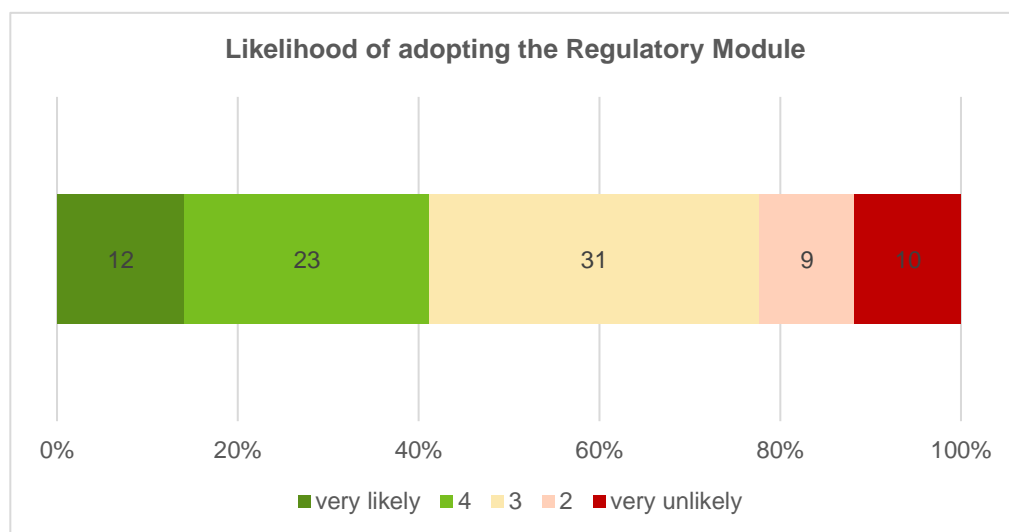
An outline of the results shows that:

Likely – 35

Neutral – 31

Unlikely -19

Results by all respondents



Overview:

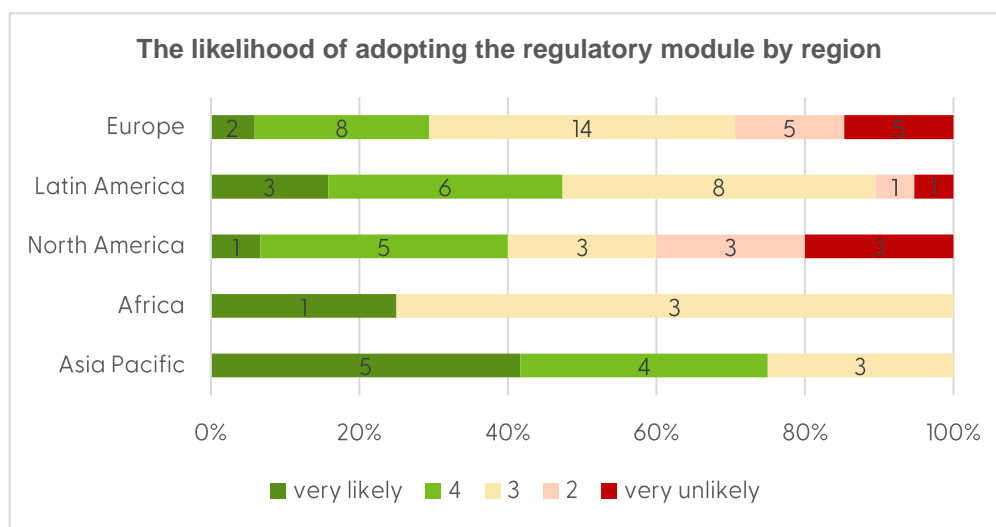
In total 85 out of 204 respondents answered this question.

An outline of the results across regions shows that:

65% of respondents in Europe and 90% in Asia Pacific found the module very helpful.

While more than half of the participants in Latin America, North America, and Africa found it neutral or not helpful.

Results by regions

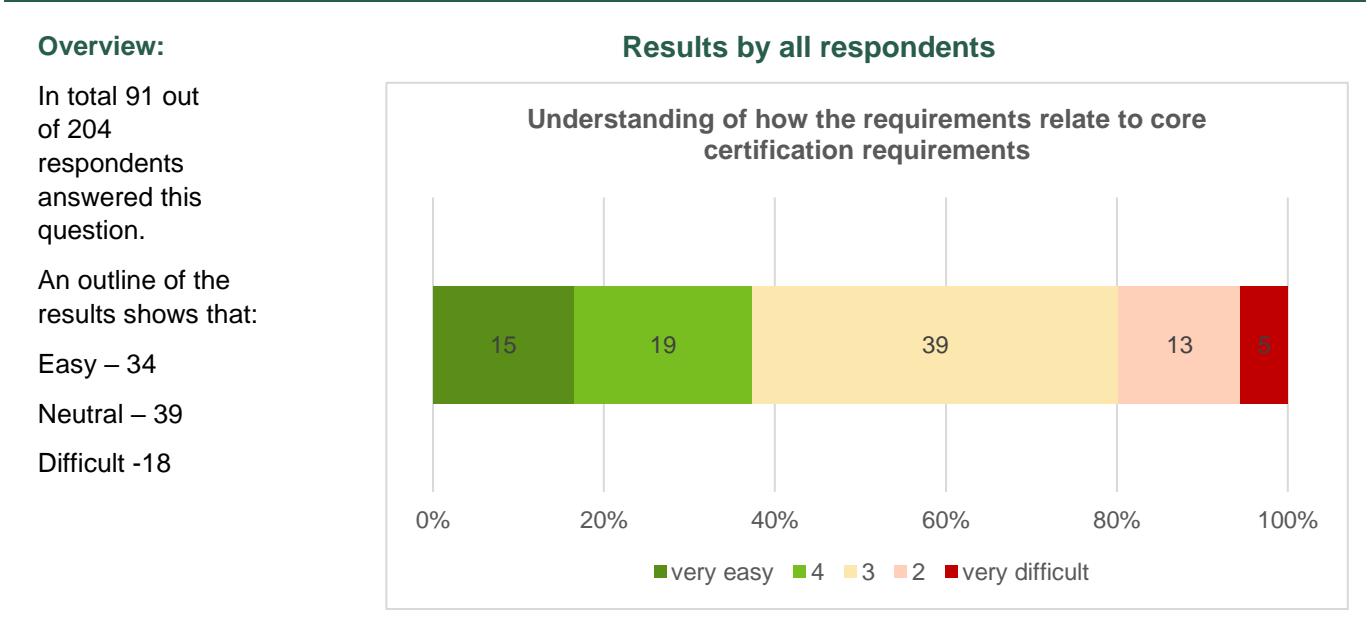


Q71. Please provide more details to your response:

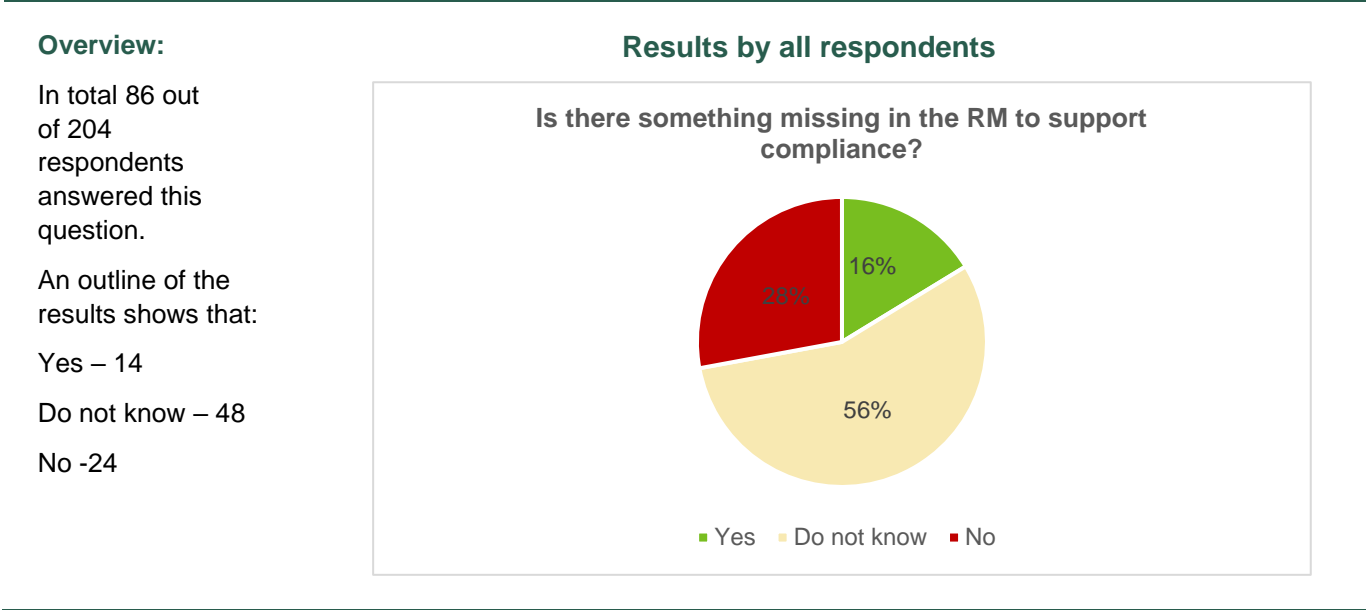
Comment	Response
Clarify the implications of the RM for the entire supply chain.	<p>The RM is a voluntary standard. It is an add-on on to the existing FSC certifications. However, when it is implemented, it will require CHs along the supply chain to provide, pass on information, and take necessary measures required by EUDR.</p> <p>For CHs who are outside the EU and/ or are not the users of the RM, depending on where they are in the supply chain, they are also required to provide, pass on certain type of information and take measures to facilitate</p>

	<p>EUDR compliance of the downstream suppliers (e.g., geolocation, time and date of harvests, supplier information, segregation of materials). Detailed requirements can be found in the standard.</p> <p>In addition, set of icons representing the requirements for operators and traders are included in the standard for easier navigation.</p>
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Question 72. How easy is it to understand how the additional requirements relate to relevant certification requirements and to relevant EUDR requirements in the way the FSC Regulatory Module is presented now?



Question 73. Is there something missing in the FSC Regulatory Module in terms of support in achieving compliance with the EUDR that should be considered in FSC requirements?



Q74. If yes, please provide more details to your response:

Comment	Response
Crosswalk documents	A crosswalk between EUDR and FSC certification requirements is planned to be shared after publication of the standard.
Obligations of organizations who are not operators or traders and organizations that are not in the EU	Guidance for these organizations were added to the Information Guidance section and an Annex was created to list requirements they are not required to conform with. Please refer to Annex 1 of the standard for a list of requirements that are not relevant to organizations not in scope of EUDR.
Clarify how the module would be implemented in case of mixed materials under credit & percentage systems	The clarification for implementation of the RM in case of mixed materials will be added in the FAQs and shared with all stakeholders.
More details on how FM CHs would “automatically” achieve mitigation of any non-negligible risk of non-compliance with EUDR	Please refer to the Policy to Address Conversion and the ADVICE-20-007-24 Deforestation-free products from FSC certified management unit for details about FSC’s solutions to strengthen FSC system and tighten the deforestation free status of FSC certified products.
How compliance is monitored and enforced by CBs	Please refer to the accreditation section of the RM for more details.

Question 75. Other feedback to be considered.

Comment	Response
Support adoption and implementation	
Digitalized templates and clear guidance for filling in.	FSC will provide the full and simplified risk assessment templates in a digital format.
Downsized concepts, use simpler languages, and detail guidelines to streamline & to make it implementable on the ground	The document has been simplified with improved language, reduced redundancies and added guidance. Updated communication materials (e.g., FAQs, Infokit, user journeys, explanatory materials, crosswalk, etc) which provide explanations, interpretation, and examples to make implementation easier for the users will be published to support implementation of the standard.
Detailed FAQs with example	The FAQs have been updated with new questions from the public consultation events. However, it will be further revised and updated in the light of new comments/questions arising from the users.
Provide training & manual for CBs for uniform understanding & practice. Consider CB's capacity to deliver additional requirements. The current system is already under strain in many regions.	FSC is exploring options to support CBs in raising their capacity to deliver additional requirements of the RM.

<p>Split the module for various user groups i.e., FM, CoC, etc</p>	<p>Detailed requirements of the RM are explained and customized for each user groups in the FSC EUDR user guide (https://www.fsc-eudr-journey.org/). CHs can use the webpage as a quick tool to navigate the module's requirements specifically for each group of certificate holders.</p>
<p>Include the equivalence of harmonized EUDR codes to the final RM</p>	<p>The list with Harmonized System codes and respective FSC product codes is published together with the standard.</p>
<p>For considerations</p>	
<p>The overall EUDR process is like a FSC staff-driven process, member-driven process is not considered, without any member mandate</p>	<p>The RM is a voluntary add-on to the existing FSC certification. It provides solutions for CHs to align with EUDR. The development was carried out by a technical working group formed from FSC and ASI staff. This process has been approved by the FSC International Board of Directors, consisting of FSC members.</p>
<p>RM should apply to everyone to avoid "VIP or Prime" CHs for the EU</p>	<p>The intention of developing and offering the RM is not to create "VIP or Prime" CHs for the EU, but to support certificate holders with their efforts to comply with the EUDR. Companies are required to comply with the rules laid out by the Regulation when they place, make available on the Union market as well as the export from the Union of the relevant products. Since not all FSC's CHs are impacted by the Regulation, it is voluntary for CHs to use the Module.</p>
<p>FSC and other stakeholders to work with EU to agree on a same framework and for formal recognition of voluntary certification schemes</p>	<p>FSC is closely following the EU's implementation of the EUDR and is a member of the Multi-Stakeholder Platform on Protecting and Restoring the World's Forests – a platform supported by the European Commission to discuss and identify best practices for effective implementation of EUDR.</p> <p>FSC is also working with a group of organizations to form the Risk Information Alliance (RIA) which aims to develop and maintain credible risk assessments across commodities that provide value beyond the EUDR.</p> <p>FSC does not plan to apply for formal recognition of the RM or to become a "green lane" for EUDR. However, FSC provides solutions to support and enable CHs to comply with EUDR.</p>
<p>Crucial to pilot and test the proposed</p>	<p>FSC has offered for certificate holders and certification bodies a possibility to apply to participate in the still ongoing FSC's EUDR Aligned Early Adopter Programme. The programme consists of 5 stages which covers the FSC Regulatory Module, the Risk Assessment Framework, the FSC Blockchain, and Digital Compliance Upgrade. It will allow examination of impacts and changes required from the perspective of certificate holders and certification bodies and enables testing of individual modules as well as the entire solution.</p>



FSC International – Performance and Standards Unit

Adenauerallee 134

53113 Bonn

Germany

Phone: +49 -(0)228 -36766 -0

Fax: +49 -(0)228 -36766 -65

Email: psu@fsc.org