

CONSULTATION REPORT

ADVICE-20-007-24 Deforestation-free products from FSC certified management units

ADVICE-20-007-02 Certification of primary forests

ADVICE-40-004-26 Inclusion of the Regulatory Claim

ADVICE-40-005-27 Use of FSC-PRO-06-006b Risk Assessment Framework and ADVICE-20-011-19 Evaluation of the use of FSC-PRO-60-006b Risk Assessment Framework

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**FORESTS
FOR ALL
FOREVER**TM

Title: Consultation Report

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LIST OF ABBREVIATIONS

B2B	Business to Business
B2C	Business to Consumer
CB	Certification Body
CH	Certificate Holder
CNRA	Centralized National Risk Assessment
CoC	Chain of Custody
CRA	Company Risk Assessment
CW	Controlled Wood
EU	European Union
EUDR	Regulation (European Union) 2023/1115 on Deforestation-free Products
FAO	Food and Agriculture Organization
FM/CoC	Forest Management Chain of Custody
FSC	Forest Stewardship Council
FSC IC	FSC International Center
HCV	High Conservation Value
NGO	Non-Governmental Organization
NRA	National Risk Assessment
PSU	Performance & Standards Unit
RA	Risk Assessment
RAF	Risk Assessment Framework
REG	Regulatory Claim
REG+	Regulatory+ Claim
SLIMF	Small or low-intensity managed forest
SME	Micro, Small and Medium-sized Enterprises
WG	Working Group (specifically, the working group involved in the development of the Regulatory Framework)

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FOREWORD AND INTRODUCTION

Introduction

FSC would like to thank members and stakeholders for their participation in the public consultation on four advice notes 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 the 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 advice notes.

This consultation 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

Why have the advice notes been developed?

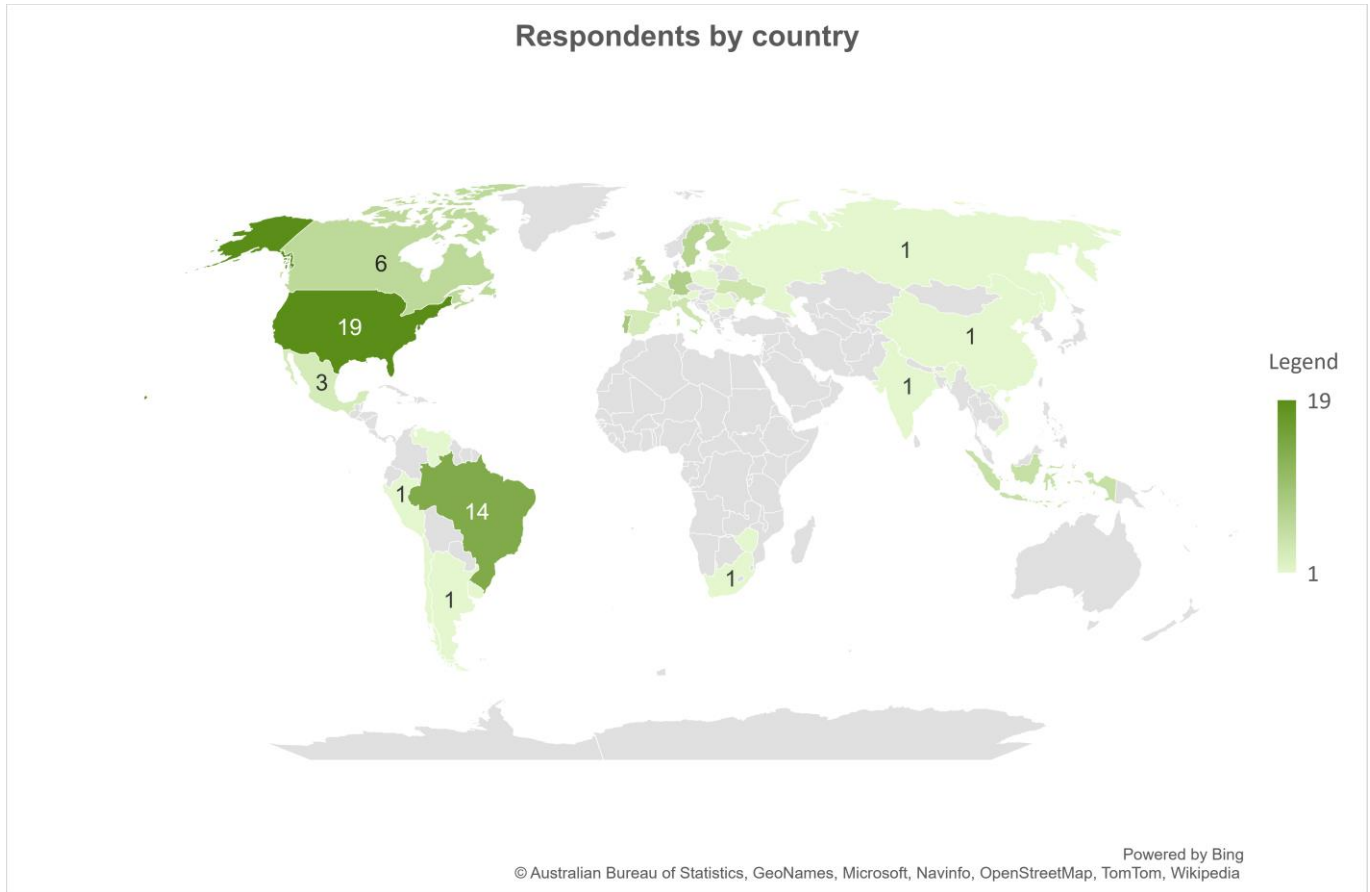
FSC is accelerating changes already planned based on alignment with the Policy to Address Conversion. The recently released regulatory instrument in form of the European Union Deforestation Regulation (EUDR) together with the earlier approval of the Policy to Address Conversion, provide us an opportunity to simultaneously align our system to strengthen the promise behind the FSC label and tighten the deforestation-free status of all FSC certified products, in line with our mission. As directed by the Policy to Address Conversion and the envisaged continued and enhanced alignment with global commitments to end deforestation, FSC is now putting in place strict rules that prevent any material stemming from conversion activities to end up in FSC certified products. These advice notes are part of the effort.

The list of advice notes:

1. ADVICE-20-007-24 Deforestation-free products from FSC certified management units
2. ADVICE-20-007-02 Certification of primary forests
3. ADVICE-40-004-26 Inclusion of the Regulatory Claim
4. ADVICE-40-005-27 Use of FSC-PRO-06-006b Risk Assessment Framework
5. ADVICE-20-011-19 Evaluation of the use of FSC-PRO-60-006b Risk Assessment Framework

1. PUBLIC CONSULTATION PARTICIPATION OVERVIEW

A total of 119 stakeholders participated in the public consultation on the advice notes through the FSC Consultation Platform. Participants came from 31 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, Brazil, Portugal, Germany, and Sweden 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	19	Europe	60
Brazil	14	North America	26
Portugal	9	Latin America	22
Germany	8	Asia Pacific	9
Sweden	7	Africa	2

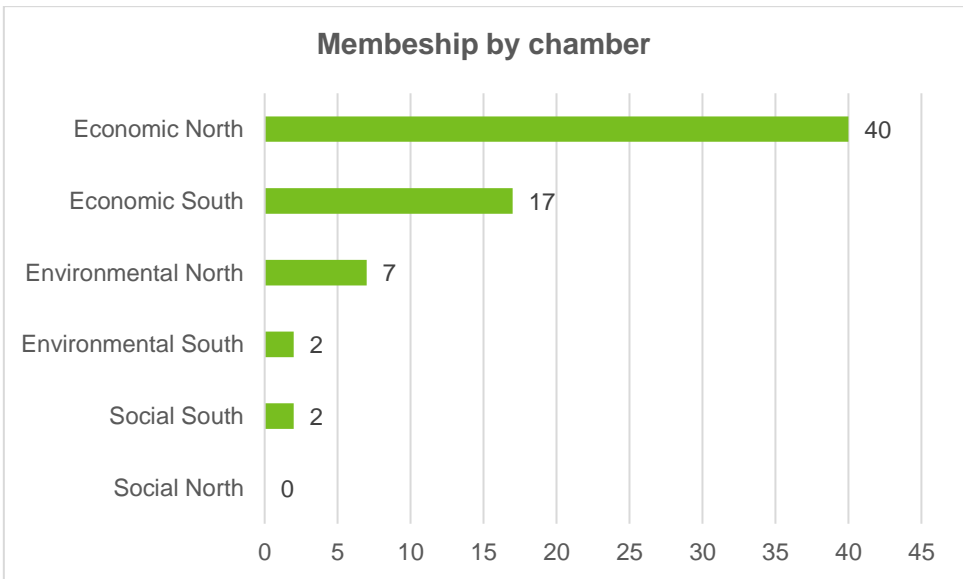
Participant by groups of stakeholders

Respondents were asked to identify themselves by role. Based on the responses, participants were grouped into 9 different stakeholder groups. Among all stakeholder groups, certificate holder showed the most interest with the highest number of participants. Certificate holders represent more than 50% of the total number of participants.



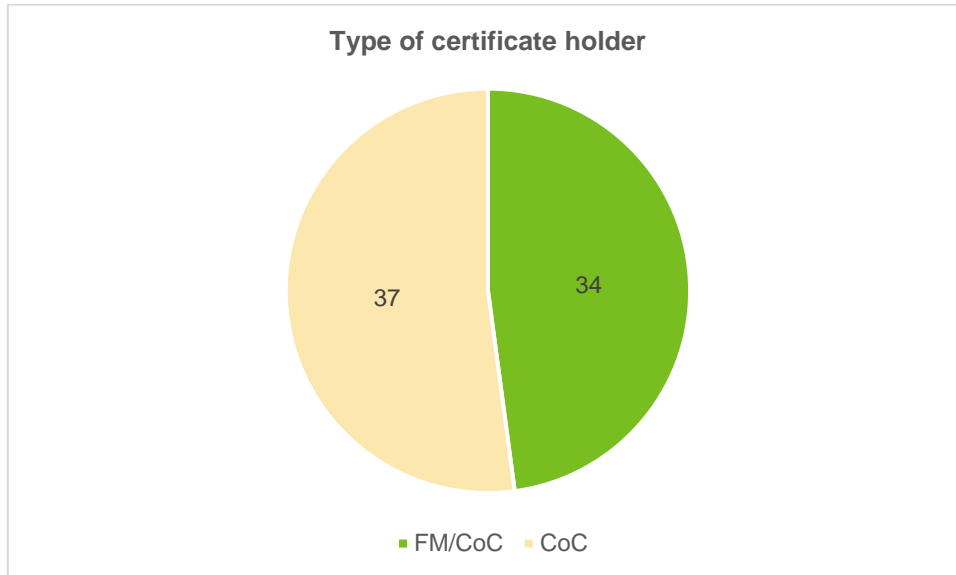
Participant by chamber

More than half of the respondents (58%) were FSC members. The economic chamber showed the highest interest, with 57 out of 68 members participating in the consultation, representing almost 84% of the total number of members. Environmental and social chambers accounted for 13% and 3% of the total number of members, respectively. There is no participant from Social North. Below is an overview of the number of participants by chamber.



Participant by types of certificate holder

Certificate holders were asked to indicate which type of certificates they hold. The number of respondents for FM/CoC and CoC certification was fairly equal, with approximately 48% of participants holding FM/CoC certification and 52% holding CoC certification.



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 consider 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, and (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)?

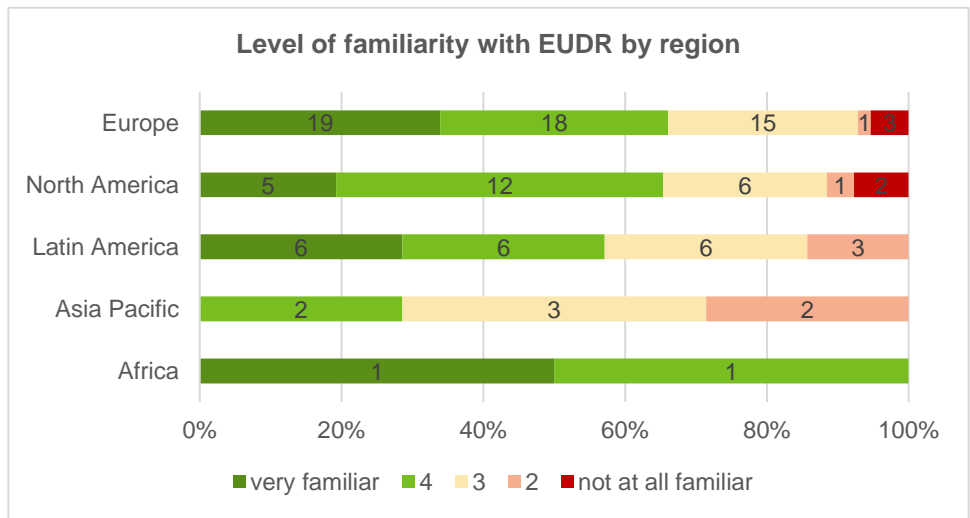
Overview:

In total 112 out of 119 respondents answered this question.

An outline of the results shows that:

- Familiar – 70
- Neutral – 30
- Not familiar - 12

Results by region



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

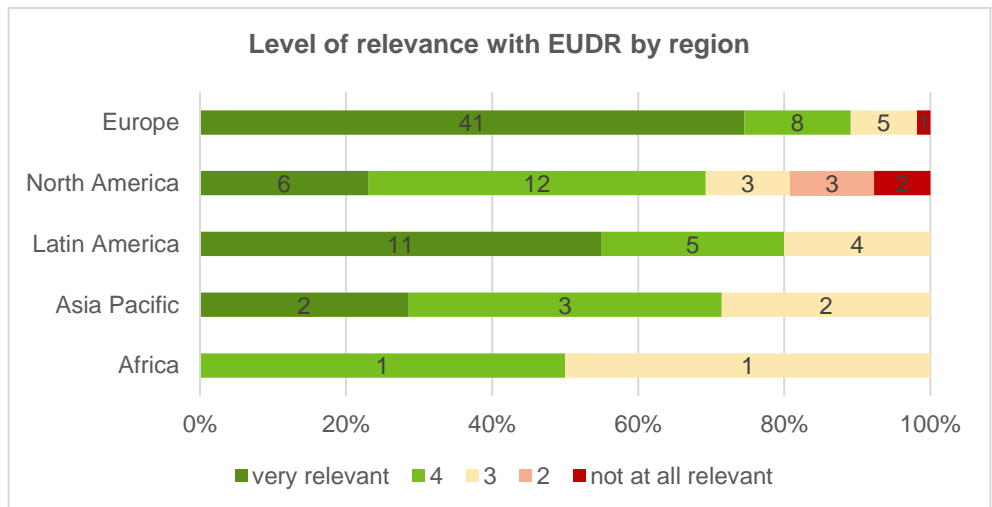
Overview:

In total 110 out of 119 respondents answered this question.

An outline of the results shows that:

- Relevant– 89
- Neutral – 15
- Not relevant - 6

Results by region



1 ADVICE-20-007-24 Deforestation-free products from FSC certified management units

Question 4. How much do you agree that forest products sourced from FSC certified management units should be made deforestation-free, as achieved with the introduction of this advice note? 5 (fully agree) to 1 (fully disagree)

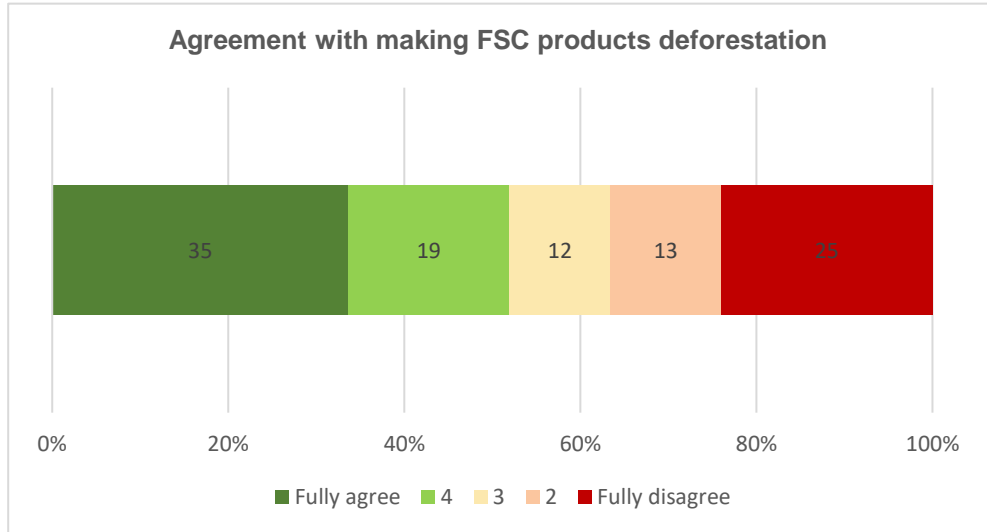
Overview:

In total 104 out of 119 respondents answered this question.

An outline of the results shows that:

- Agree - 54
- Neutral - 12
- Disagree - 38

Results by all types of stakeholders



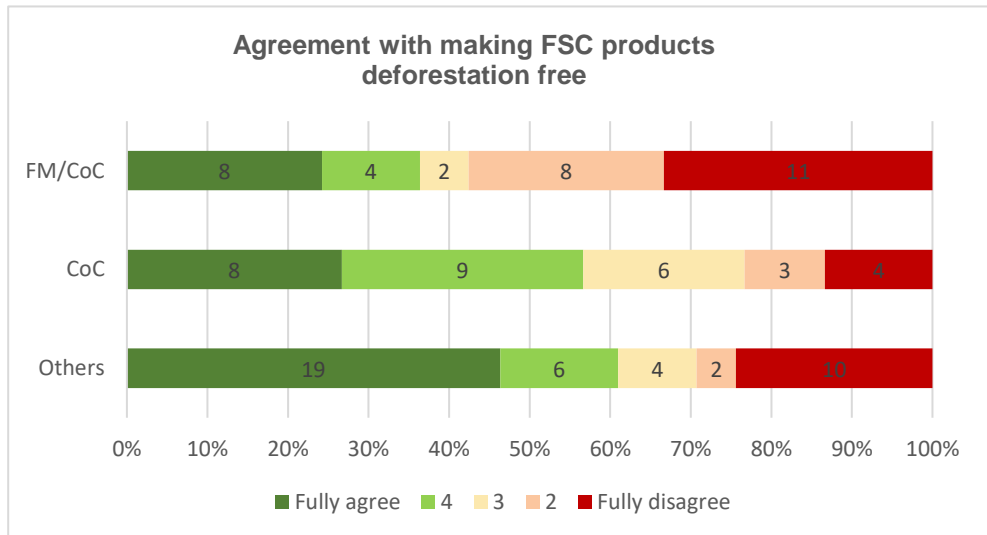
Overview:

In total 33 out of 104 respondents are **FM/CoC CHs**

An outline of the results shows that:

- Agree - 12
- Neutral - 2
- Disagree - 19

Results by type of certification held



Overview:

In total 60 out of 104 respondents are **FSC Members**

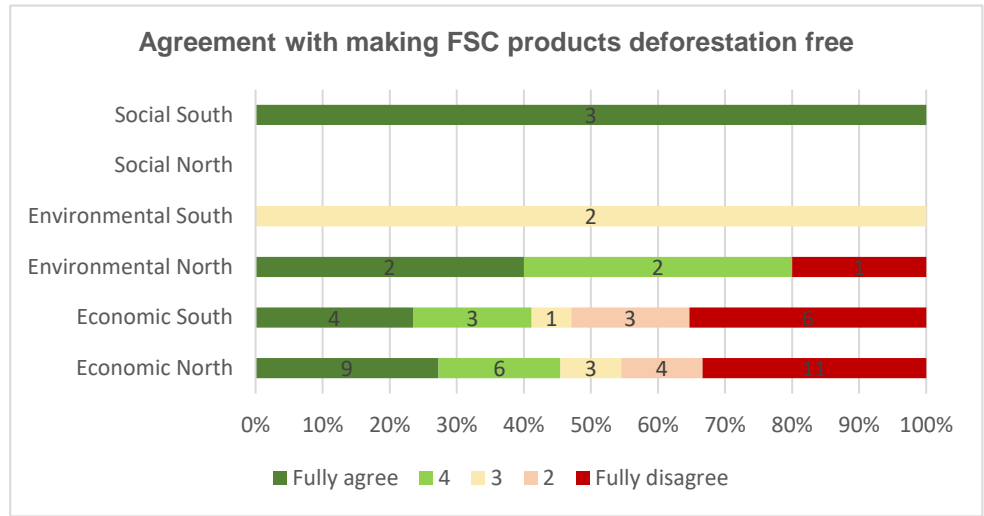
An outline of the results shows that:

Agree - 29

Neutral - 6

Disagree – 25

Results by chambers



Question 5. If you are an FM/CoC certificate holder: how significant is the impact of a prohibition of selling products originated from minimal conversion as FSC certified for your operations? 5 (very significant) to 1 (not at all significant)

Overview:

In total 68 out of 119 answered this question

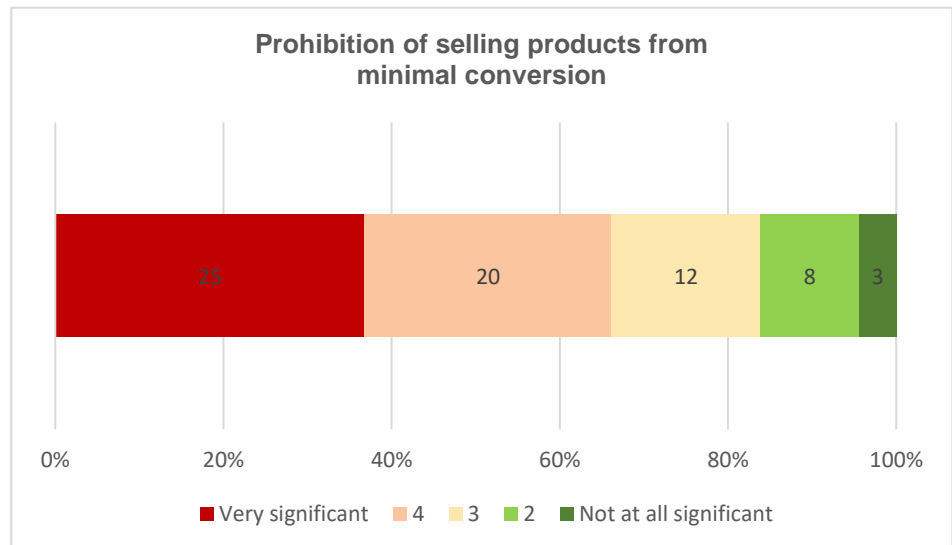
An outline of the results shows that:

Significant - 45

Neutral - 12

Not significant - 11

Result by all types of stakeholders



Overview:

In total 32 out of 68 respondents are **FM/CO C CHs**

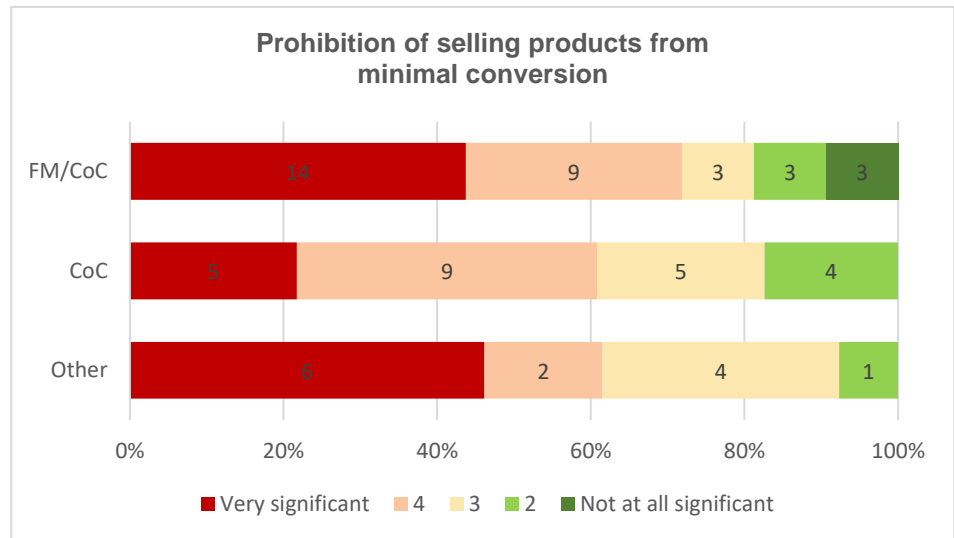
An outline of the results shows that:

Significant - 23

Neutral - 3

Disagree - 6

Results by all types of stakeholders



Question 6. Please explain your response, if possible, including details regarding the volume of material that would not be possible to sell as FSC certified.

Comment	Response
There are cases of minimal conversion that do not meet the EUDR definitions of deforestation or forest degradation. Not being able to sell products of such conversion as certified would result in burning of material or other unsustainable practices.	The advice note has been aligned more closely with the EUDR definitions of deforestation and forest degradation to achieve the intent of ensuring that FSC certified products are deforestation-free while minimising the impact on other cases of minimal conversion.
Minimal conversion for social benefits or renewable energy generation might be desirable.	Minimal conversion consistent with Criterion 6.9 will remain possible. The advice note has been aligned more closely with the EUDR definition of deforestation (i.e., conversion or transformation to agricultural use) to achieve the intent of ensuring that FSC certified products are deforestation-free while minimising the impact on other cases of minimal conversion.
It should be possible to sell products from conversion to restore open ecosystems as FSC certified.	It is FSC’s understanding that EUDR is not intended to prevent such restoration, even if subsequent conservation management involves some agricultural activity. FSC will provide additional guidance in supporting materials based on EUDR direction.
It is not clear whether the prohibition applies to past conversion, especially conversion between 1994 and 2020.	The date from which the prohibition on the sale of products as FSC certified applies has been clarified in the revised advice note.
It is not clear whether the prohibition applies to plantations.	The application of the advice note to plantations has been clarified. Plantations are considered forests and therefore forest products resulting

<p>Are plantations considered forests or are they considered converted land? If the latter, can products from plantations be sold as FSC certified?</p>	<p>from their transformation to agricultural use cannot be sold as FSC certified. In the specific case of transformation of plantations into rubber plantations after 31 December 2020, the advice note clarifies that forest products from such a plantation cannot be sold as FSC certified, in keeping with the EUDR definition of deforestation-free, as they would have been produced on land subject to deforestation.</p>
<p>Clarify whether products from minimal conversion can be used as controlled material.</p>	<p>Products resulting from cases of minimal conversion considered deforestation or degradation by EUDR cannot be used as controlled materials.</p>
<p>The prohibition should be included only in Regulatory Module. Applying the prohibition system-wide would reinforce FSC's Eurocentric nature.</p>	<p>Limiting the prohibition on the sale of products as FSC certified to users of the Regulatory Module would not achieve the intent of ensuring that FSC certified products are deforestation-free.</p>
<p>The proposed prohibition would require tricameral work and broader discussions beyond a 30-day public consultation. It was not foreseen in the development of the Policy to Address Conversion.</p>	<p>The process to develop the advice note follows FSC requirements for development of normative documents (FSC-PRO-01-001), including decision making by the Board of Directors, representing the membership.</p>

Question 7. If you are an FM/CoC certificate holder, how significant is the impact of a prohibition of selling products originated from the transformation of plantations on sites not directly converted from natural forest to agricultural use as FSC certified? 5 (very significant) to 1 (not at all significant)

Overview:

In total 62 out of 119 participants answered this question

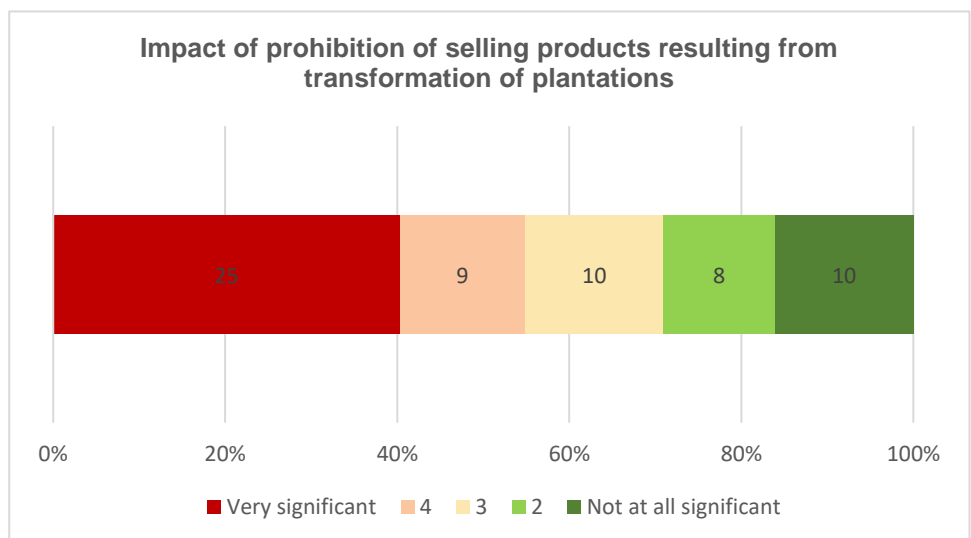
An outline of the results shows that:

Significant - 34

Neutral - 10

Not significant - 18

Results by all types of stakeholders



Overview:

In total 31 out of 62 respondents are **FM/COC CHs**

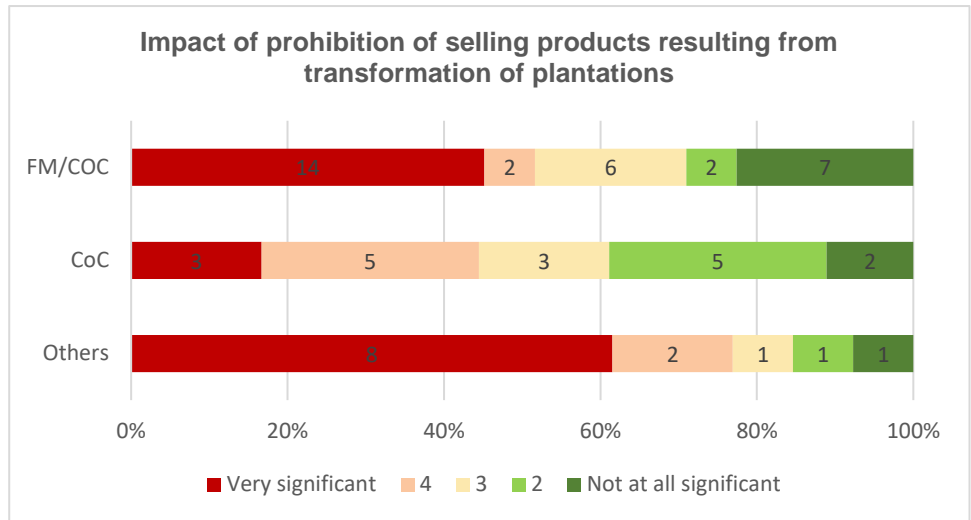
An outline of the results shows that:

Significant - 16

Neutral - 6

Not significant - 9

Results by all types of stakeholders



Question 8. Please provide more details to your response:

Comment	Response
The transformation of a commercial plantation into an agricultural crop does not constitute conversion.	It is FSC’s understanding that the transformation of forest plantations into an agricultural crop does meet the EUDR definition of deforestation. The advice note has been aligned more closely with the EUDR definition of deforestation (i.e., conversion or transformation to agricultural use) to achieve the intent of ensuring that FSC certified products are deforestation-free while minimising the impact on other cases of minimal conversion. The revised advice note addresses specific scenarios regarding rubber plantations.
A prohibition could disproportionately affect small producers seeking to diversify their businesses and land use on their property.	EUDR does not provide exceptions for small producers. Therefore, no changes have been made to the draft based on this comment.
How this might eventually relate to wood sourced from land impacted by catastrophic wildfire, or other environmental disasters? Would salvage harvest be impacted by this?	The application of the advice note to non-human induced deforestation has been clarified. Salvage harvest will remain possible provided the plantation is not transformed to agricultural use.
Transformation of plantations on sites not directly converted from natural forest to agricultural use is not relevant to some certificate holder.	This is duly noted as a reason why a prohibition on the sale of products from such transformation as FSC certified would not be significant for some certificate holder.

Question 9. The EUDR only prohibits products when conversion to agricultural land is concerned. Do you think that FSC should prohibit the sale of products as FSC certified only when the transformation leads to agriculture, or should it apply also when the transformation leads to a different use such as mining, infrastructure, etc.?

Overview:

In total 102 out of 119 respondents answered this question

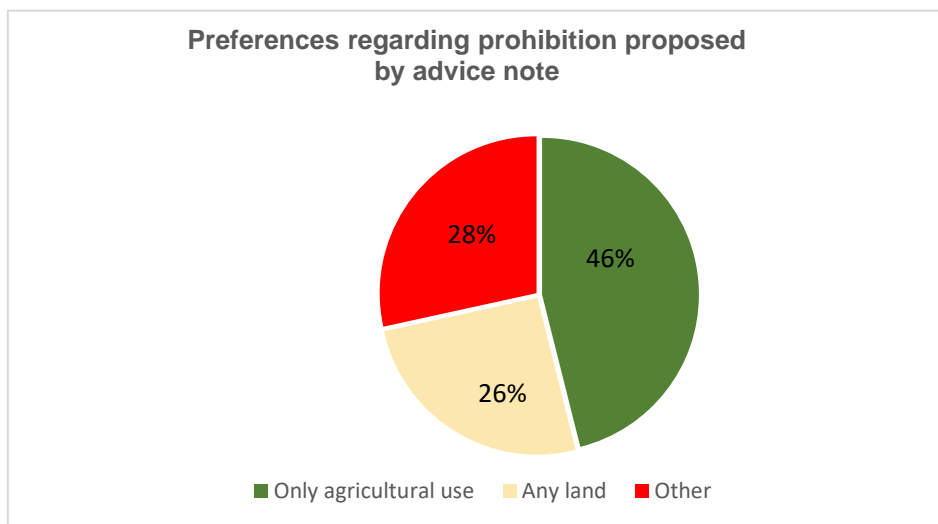
An outline of the results shows that:

Only agricultural - 47

Any land – 26

Other - 29

Results by all types of stakeholders



Overview:

In total 33 out of 102 respondents are **FM/CoC CHs**

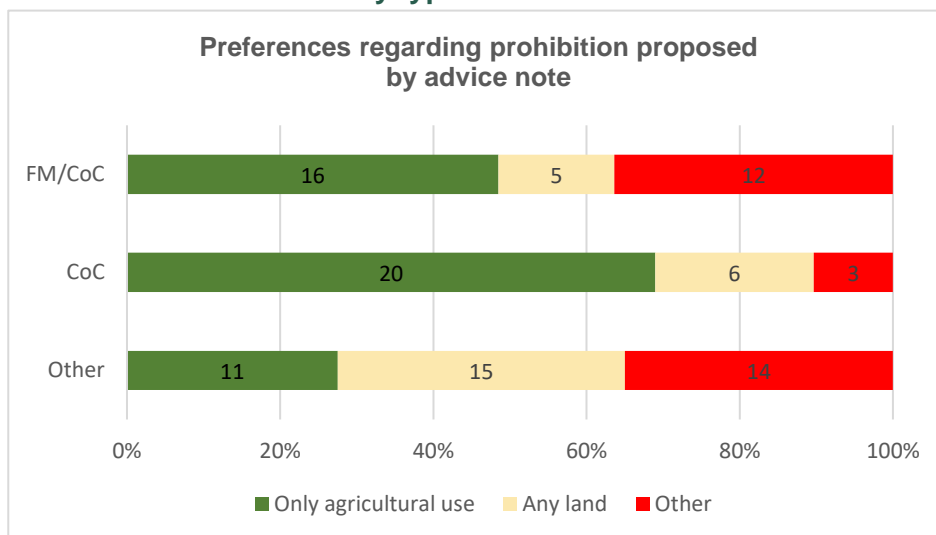
An outline of the results shows that:

Only agricultural - 16

Any land – 5

Other - 12

Results by type of certification



Overview:

In total 60 out of 90 respondents are

FSC Members

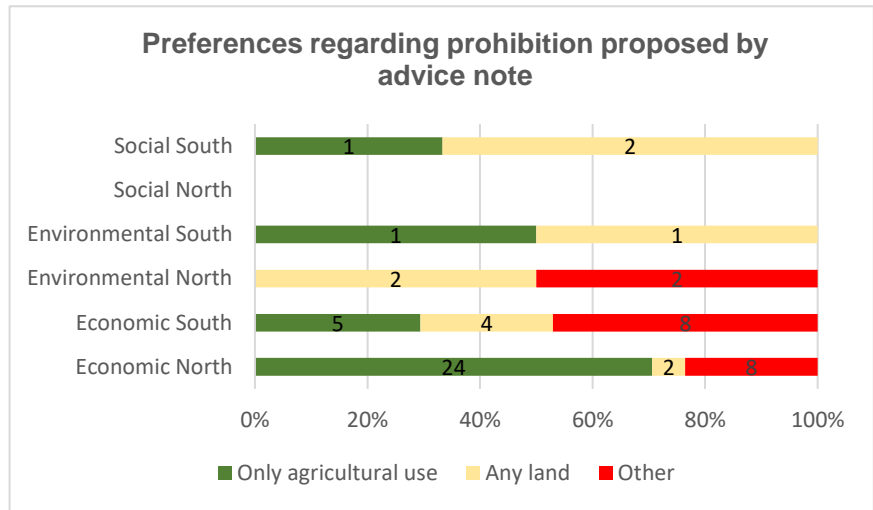
An outline of the results shows that:

Only agricultural - 31

Any land – 11

Other - 18

Results by types of chambers



Question 10. Please provide more details to your response

Comment	Response
<p>Various arguments calling for a focus on conversion to agricultural use, including:</p> <ul style="list-style-type: none"> • No reason to go beyond EUDR. • Agriculture is the main driver of conversion. • Further restrictions could become an obstacle to community development. • Some conversion, e.g., for energy generation, is important for tackling climate change. • Going beyond EUDR could weaken FSC’s value proposition. • Going beyond EUDR could lead to loss of certificate holder. 	<p>Overall, there was support for focussing on agricultural use as per EUDR. The advice note has been aligned more closely with the EUDR definitions of deforestation and forest degradation to achieve the intent of ensuring that FSC certified products are deforestation-free while minimising the impact on other cases of minimal conversion. A consequence of focussing on conversion to agricultural use as per the EUDR definition of deforestation is that it is now necessary to address the various forest degradation scenarios which could occur under minimal conversion. See the background section of the revised advice note.</p>
<p>The prohibition of the sale of products as FSC certified should only apply when the transformation is to agricultural use for one of the (non-wood) “relevant commodities” as defined in EUDR (namely cattle, cocoa, coffee, oil palm, rubber or soya).</p>	<p>The EUDR definition of agricultural use is not limited to the relevant commodities or products covered by the Regulation. It is FSC’s understanding that products resulting from any conversion or transformation from forest to agricultural use would not be considered deforestation-free, regardless of the commodity being farmed. The EUDR definition of agricultural use has been adopted in the revised advice note.</p>

<p>Various views on addressing transformation to other uses, including:</p> <ul style="list-style-type: none"> • The prohibition of the sale of products as FSC certified should only apply when the transformation is to agricultural use for now, but FSC should consider addressing mining, infrastructure etc. in future. • The prohibition of the sale of products as FSC certified should apply when the transformation is to mining and infrastructure. • The prohibition of the sale of products as FSC certified should not apply to infrastructure projects. 	<p>There was no clear consensus on addressing transformation to other uses. As noted above, given the overall support for focussing on agricultural use as per EUDR, the advice note has been aligned accordingly.</p>
<p>The prohibition of the sale of products as FSC certified should not apply to conversion beyond the control of the manager, including mining, infrastructure and governmental expropriation.</p>	<p>As noted above, given the overall support for focussing on agricultural use as per EUDR, the advice note has been aligned accordingly. However, to achieve the intent of ensuring that FSC certified products are deforestation-free, the prohibition does still apply to deforestation (i.e., conversion or transformation to agricultural use) beyond the control of the forest manager.</p>
<p>The prohibition of the sale of products as FSC certified should not apply to minimal conversion in plantations.</p>	<p>It is FSC's understanding that minimal conversion in plantations meets the EUDR definition of deforestation if it results in a change to agricultural use. The advice note has been aligned more closely with the EUDR definition of deforestation (i.e., conversion or transformation to agricultural use) to achieve the intent of ensuring that FSC certified products are deforestation-free while minimising the impact on other cases of minimal conversion.</p>
<p>Clarify how the prohibition applies to plantations and to trees from non-forest land such as urban or garden trees.</p>	<p>The application of the advice note to plantations has been clarified.</p> <p>Regarding urban or garden trees, EUDR excludes lands predominately under urban land use from the definition of forest.</p> <p>There are different typologies of urban forests: forests in periurban areas, forest in urban areas, city parks, pocket parks, gardens, trees on the streets, etc. FSC certification covers 'urban forests' when they qualify as forests as defined by FSC (a tract of land dominated by trees) (e.g., forests in periurban and urban areas). Other types would not meet this definition (e.g., trees on the street). Therefore, they are not FSC certifiable at this point and the advice note is not relevant in this context.</p>
<p>To align with EUDR, exclude "land that is predominantly under agricultural or urban land use".</p>	<p>The advice note has been amended by including the term and definition of 'other wooded land' to bring it in line with the deforestation and degradation scenarios of the EUDR. Agricultural and urban land use is therefore now excluded from the relevant degradation scenario.</p>
<p>The prohibition of the sale of products as FSC certified should</p>	<p>The advice note has been aligned more closely with the EUDR definitions of deforestation and forest degradation to achieve the intent of ensuring that</p>

<p>not apply to restoration of non-forest ecosystems.</p> <p>Clarify the definition of agriculture to take account of open land grazed by animals for conservation purposes.</p>	<p>FSC certified products are deforestation-free while minimising the impact on other cases of minimal conversion. It is FSC’s understanding that EUDR is not intended to prevent such restoration, even if subsequent conservation management involves some agricultural activity. An explanatory note has been added to the relevant clause that “The removal of invasive species and potential subsequent planting of other, non-invasive species in the interest of protection or ecosystem restoration is not considered conversion under the above requirement.”</p>
<p>Consider the needs of indigenous communities for subsistence agriculture and minimal infrastructure.</p>	<p>The advice note has been aligned more closely with the EUDR definition of deforestation (i.e., conversion or lasting transformation to agricultural use) to achieve the intent of ensuring that FSC certified products are deforestation-free while minimising the impact on other cases of minimal conversion. However, while EUDR explicitly acknowledges the rights of Indigenous People, and is presumably not intended to prevent subsistence agriculture, this is not explicitly stated in the definition of agricultural use. As such, in order to achieve the intent of the advice note, no exceptions for subsistence agriculture are provided in the advice note.</p>
<p>Minimal conversion consistent with FSC requirements should be permissible, and it should be permissible to sell products resulting from such conversion as FSC certified.</p>	<p>Minimal conversion consistent with Criterion 6.9 will remain possible. The advice note has been aligned more closely with the EUDR definitions of deforestation and forest degradation to achieve the intent of ensuring that FSC certified products are deforestation-free while minimising the impact on other cases of minimal conversion. Responses to question 4 show that there is overall support for forest products sourced from FSC certified management units being made deforestation-free, as achieved with the introduction of this advice note.</p>
<p>The scope of the prohibition should be reviewed after a reasonable period of implementation.</p>	<p>FSC-PRO-01-001 V4-0 EN <i>The Development and Revision of FSC® Requirements</i> requires FSC to monitor whether the implementation of requirements leads to the key intended outcomes.</p>

Question 11. The advice note implies the withdrawal of:

- a) ADVICE-20-007-09 Clearance of encroaching forest,**
- b) ADVICE-20-007-10 Conversion of plantation to non-forest land and**
- c) ADVICE-20-007-11 Products of land clearance**

that allow the sales of products resulting from clearance and minimal conversion as FSC certified.

How much do you agree with the proposal to withdraw these advice notes? 5 (fully agree) to 1 (fully disagree).

Overview:

In total 75 out of 112 respondents answered this question

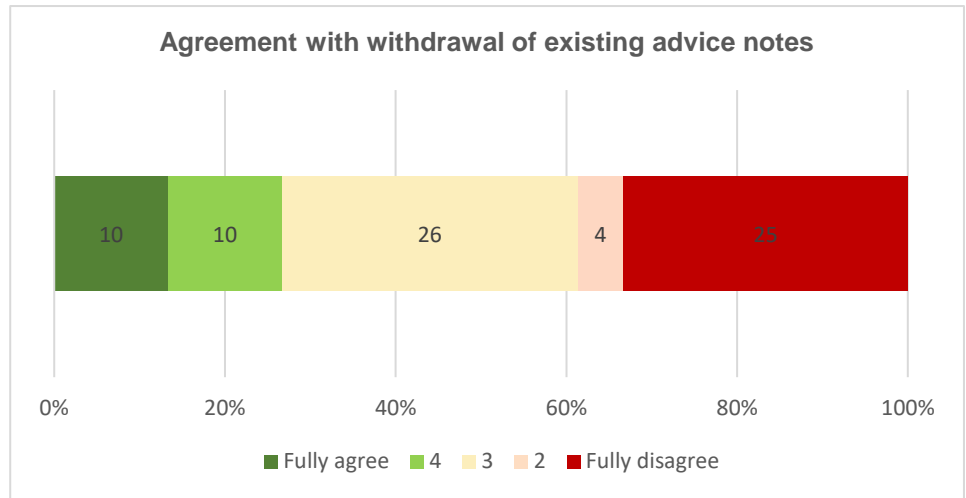
An outline of the results shows that:

Agree - 20

Neutral – 26

Disagree - 29

Results by all types of stakeholders



In total 24 out of 75 respondents are **FM/CoC CHs**

FM/CoC CHs

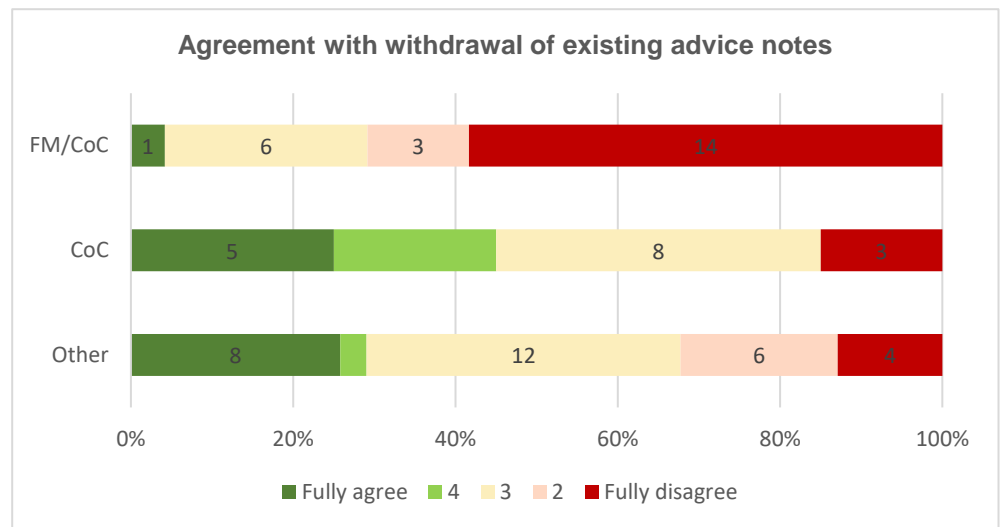
An outline of the results shows that:

Agree- 1

Neutral - 6

Disagree - 17

Results by types of certificate holders



In total 24 out of 75 respondents are

FSC Member

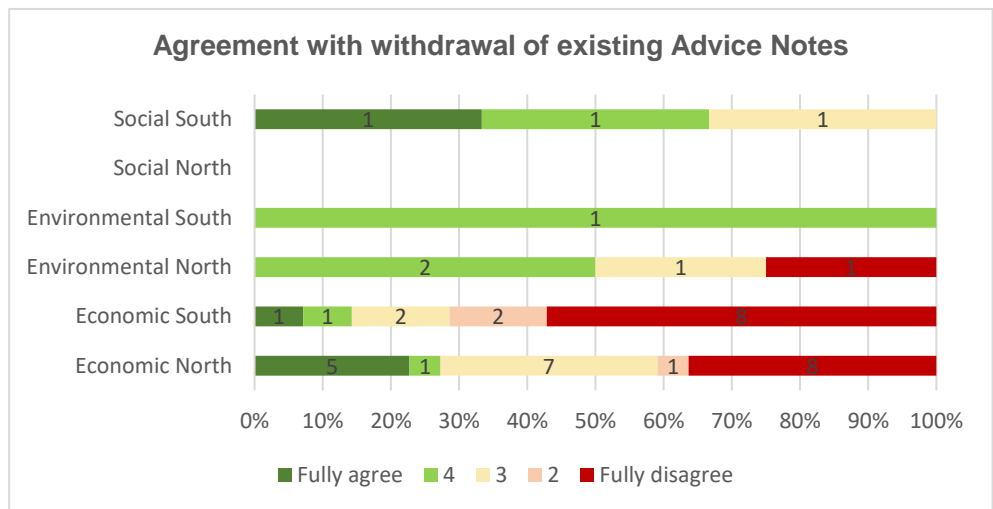
An outline of the results shows that:

Agree-13

Neutral - 11

Disagree – 20

Results by chambers



Question 12. Please provide more details to your response.

Comment	Response
The advice notes, although outdated, result from important discussions and play a crucial role within the FSC system, particularly for small and medium certificate holder. For example, ADVICE-20-007-09 holds significant economic incentives, especially for SLIMF, by encouraging the clearing of ecologically valuable areas invaded by exotic species such as prairies, savanna, peatlands and grasslands. However, it could potentially create conflicts with the Principles and Criteria.	On the basis of the changes made to ADVICE-20-007-24 and this feedback, ADVICE-20-007-09 is going to updated with a reference to the latest version of Principles and Criteria, alignment with ADVICE-20-007-24 and by adding a definition for 'Forest encroachment'. ADVICE-20-007-10 and ADVICE-20-007-11 will be withdrawn as they do not bring additional value to the normative framework
ADVICE-20-007-10 and ADVICE-20-007-11 suggest that materials harvested from certified management units conforming to the Principles and Criteria and the Policy to Address Conversion should be permitted to be sold with an FSC claim.	ADVICE-20-007-10 and ADVICE-20-007-11 will be withdrawn as they do not bring additional value to the normative framework
ADVICE-20-007-11 advice section 3 appears to be a big loophole so could be withdrawn.	ADVICE-20-007-11 will be withdrawn

<p>The advice notes should be aligned with the latest versions of the Principles and Criteria, the Policy to Address Conversion and FSC-POL-20-003. FSC-POL-20-003 also requires updating.</p>	<p>These elements of the normative framework will be taken into account when the advice notes are aligned with ADVICE-20-007-24 on deforestation-free products from FSC certified management units.</p> <p>FSC-POL-20-003 will be included in the forthcoming process to revise the Principles and Criteria and International Generic Indicators.</p>
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Question 13. Please provide any other comment you may have on this advice note.

Comment	Response
<p>The Advice Note exceeds the scope of EUDR. Only forests converted to agricultural use should be considered.</p>	<p>The Advice Note has been aligned more closely with the EUDR definition of deforestation (i.e., conversion or transformation to agricultural use) to achieve the intent of ensuring that FSC certified products are deforestation-free while minimising the impact on other cases of minimal conversion.</p>
<p>The new requirement should only apply to FM/COC certificate holder who adopt the Regulatory Module.</p>	<p>Limiting the prohibition on the sale of products as FSC certified to users of the Regulatory Module would not achieve the intent of ensuring that FSC certified products are deforestation-free.</p>
<p>Clarifications are necessary regarding the date from which the prohibition applies, how the prohibition would impact Controlled Wood materials, and whether the prohibition applies to all future production from the affected area.</p>	<p>The date from which the prohibition on the sale of products as FSC certified applies has been clarified in the revised advice note.</p> <p>The revised advice note clarifies that it applies to organizations holding Forest Management certification, including organizations certified against FSC-STD-30-010 V3-0 EN <i>Controlled Forest Management</i>.</p> <p>The revised advice note clarifies that the prohibition applies to products resulting from specific activities. In the specific case of transformation of plantations into rubber plantations after 31 December 2020, the Advice Note clarifies that forest products from such a plantation cannot be sold as FSC certified, in keeping with the EUDR definition of deforestation-free, as they would have been produced on land subject to deforestation.</p>
<p>Minimal conversion is likely to take place at the same as other harvesting. Segregation of similar forest products from the same harvest will be challenging and is unlikely to be conveyed correctly to mills purchasing the material, which is a liability to primary sourcing companies.</p>	<p>While FSC acknowledges the potential challenges of segregation, there are already circumstances under which segregation of certified and non-certified forest products is managed successfully, for example in cases of excision under FSC-POL-20-003.</p>
<p>Changes as significant as those proposed should be submitted for consideration by the membership since they will affect the entire FSC system.</p>	<p>The process to develop the advice note follows FSC requirements for development of normative documents (FSC-PRO-01-001), including decision making by the Board of Directors, representing the membership.</p>
<p>If the changes are implemented throughout the FSC system as proposed, there should be monitoring for possible unintended effects.</p>	<p>FSC-PRO-01-001 V4-0 EN <i>The Development and Revision of FSC® Requirements</i> requires FSC to monitor the effects of the implementation of requirements.</p>

2 ADVICE-20-007-02 Certification of primary forests

Question 14. How would you rate the clarity of this advice note? 5 (very clear) to 1 (very unclear)

Overview:

In total 84 out of 119 respondents answered this question

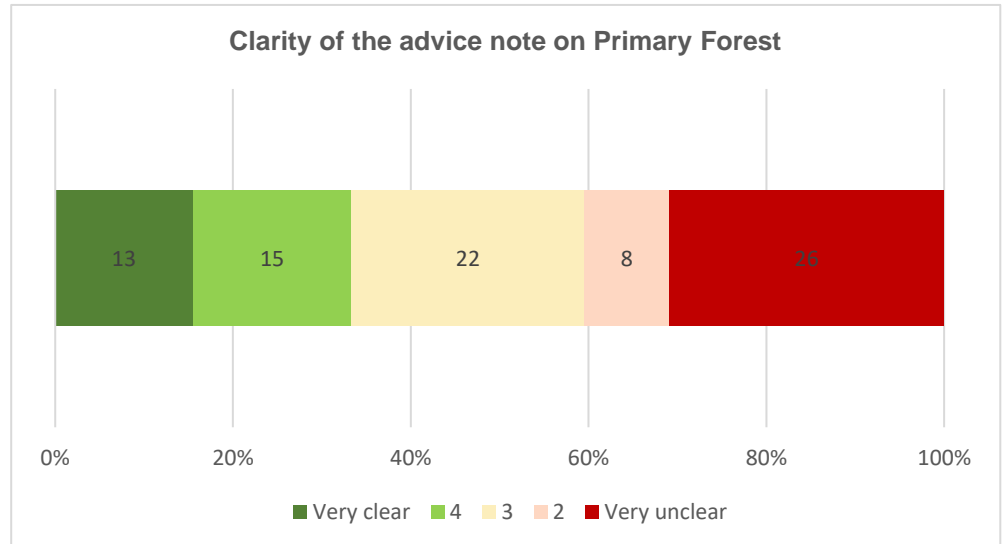
An outline of the results shows that:

Clear - 28

Neutral – 22

Unclear - 34

Results by all types of stakeholders



Overview:

In total 25 out of 84 respondents are

FM/COC CHs

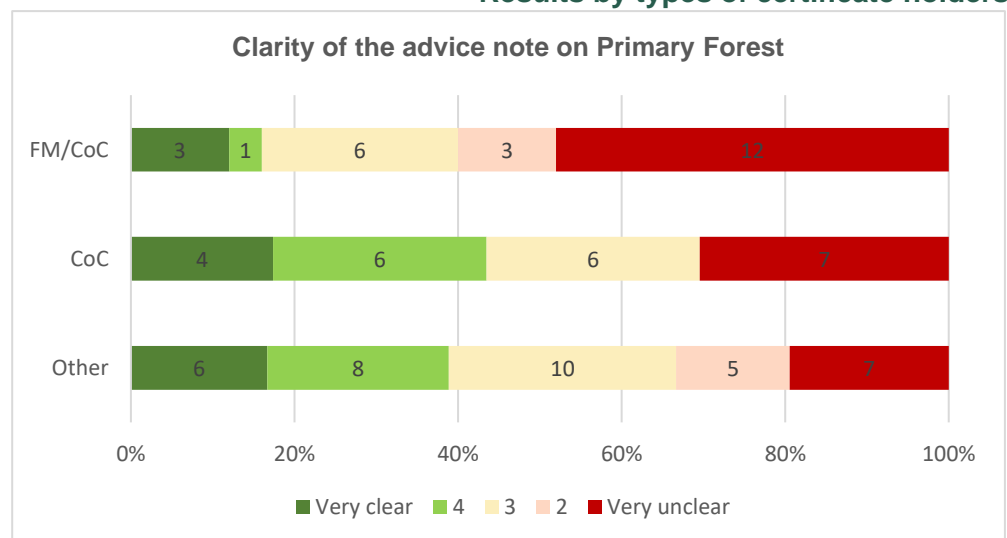
An outline of the results shows that:

Clear-4

Neutral - 6

Unclear - 15

Results by types of certificate holders



Overview:

In total 50 out of 84 respondents are

FSC Members

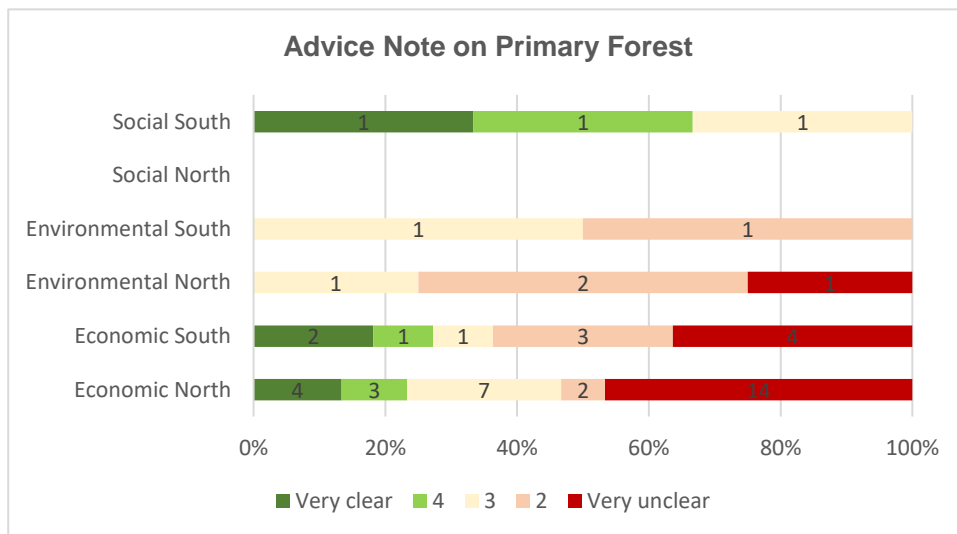
An outline of the results shows that:

Clear-12

Neutral - 11

Unclear - 27

Results by chambers



Question 15. Please provide more details to your response.

Question 16. Please provide any other comment you may have on this advice note.

NOTE: Questions 15 and 16 are addressed together in the following table:

Comment	Response
While FSC's current normative position on degradation focusses on permanent, human-induced changes, the revised text would prohibit all forms of degradation in primary forests, including those not induced by humans. This increases confusion and complexity within the FSC normative framework.	The advice note has been revised to refer more generally to the regulation of conversion, including degradation, by Criterion 6.9. The reference to degradation being prohibited has been removed. The second point of advice now states why changes of primary forest to planted forests induced by harvesting are effectively prevented by relevant FSC requirements and the adoption of relevant terms and definitions considered degradation, and the EUDR definition of planted forests has been adopted. This restores the focus of degradation to human-induced changes, as per the FSC definition of conversion.
The revised text suggests that any degradation would be prohibited, even if it is not human induced (e.g., hurricane, wildfire, pest/disease). This would mean that natural disasters could result in certificate holder losing their certification and/or ability to sell materials as certified. This is not aligned with the Policy to Address Conversion.	The advice note has been revised to refer more generally to the regulation of conversion, including degradation, by Criterion 6.9. The reference to degradation being prohibited has been removed. The second point of advice has been revised and an explanatory notes now states that changes of primary forest to planted forests induced by harvesting is effectively prevented by the FSC requirement to regenerate vegetation cover to pre-harvesting or more natural conditions.
The Advice Note suggests that all primary forests are High Conservation Values (HCVs). This	The first advice of the advice note is unchanged in its intent from the existing version of ADVICE-20-007-02, and although it refers specifically to the HCV requirements in Principle 9 this does not imply that all primary forest is HCV.

<p>would mean that Forest Management certificate holder would not be able to harvest or replant, as that would lead to degradation. This would create a significant impact, for example, in Canada or tropical forests, where most forests are primary forests. In the case of Canada, a large portion of primary forest is currently managed in accordance with the Forest Stewardship Standard.</p>	<p>This was, however, reflected in Interpretation #06 of the FSC Regulatory Module, consulted in parallel to this advice note and which has been revised. Based on the existing HCV definition, primary forests cannot be considered HCVs by default (e.g., a primary forest might be insufficiently significant to meet the definition of HCV 1 or HCV 3, or too small or fragmented to meet the definition of HCV 2).</p> <p>To align with EUDR, advice 2 has been revised and an explanatory notes now states that changes of primary forest to planted forests induced by harvesting is effectively prevented by the FSC requirement to regenerate vegetation cover to pre-harvesting or more natural conditions.</p>
<p>The basis for the second point of advice is unclear, and the conclusion (that degradation of primary forest is prohibited by Criterion 6.9) is therefore not justified. Primary forest is clearly a subset of natural forest, but Criterion 6.9 does not prohibit the conversion of natural forest; it only limits it.</p>	<p>The advice note has been revised to refer more generally to the regulation of conversion, including degradation, by Criterion 6.9. The reference to degradation being prohibited has been removed.</p>
<p>The purpose of and need for this Advice Note are unclear. The two points of advice cover issues that are already addressed in FSC's definitions and rules. FSC should not add a new definition of primary forests and thus complicate the normative framework.</p>	<p>The first point of advice is unchanged in its intent from the current version of ADVICE-20-007-02 and has been found to be a useful element of the normative framework.</p> <p>The second point of advice was intended to convey existing FSC requirements regarding degradation clearly, to demonstrate alignment with EUDR requirements transparently. However, FSC acknowledges that the way this was expressed created ambiguity rather than clarity. The second point of advice has been revised and an explanatory notes now states that changes of primary forest to planted forests induced by harvesting is effectively prevented by the FSC requirement to regenerate vegetation cover to pre-harvesting or more natural conditions .</p> <p>Summarizing, the advice note has been revised to reflect the latest FAO definition of primary forests and that the requirements related to conversion of primary forests to planted forests in the EUDR are covered in FSC forest management certification.</p>
<p>Compliance with EUDR should be fully voluntary, without imposing significant negative consequences on companies that do not comply with EUDR, as could happen with this Advice Note (i.e., loss of certification due to something outside of the certificate holder's control).</p>	<p>Limiting the prohibition of degradation to users of the Regulatory Module would not achieve the intent of demonstrating alignment with EUDR. However, the second point of advice has been revised and an explanatory notes now states that changes of primary forest to planted forests induced by harvesting is effectively prevented by the FSC requirement to regenerate vegetation cover to pre-harvesting or more natural conditions.</p>

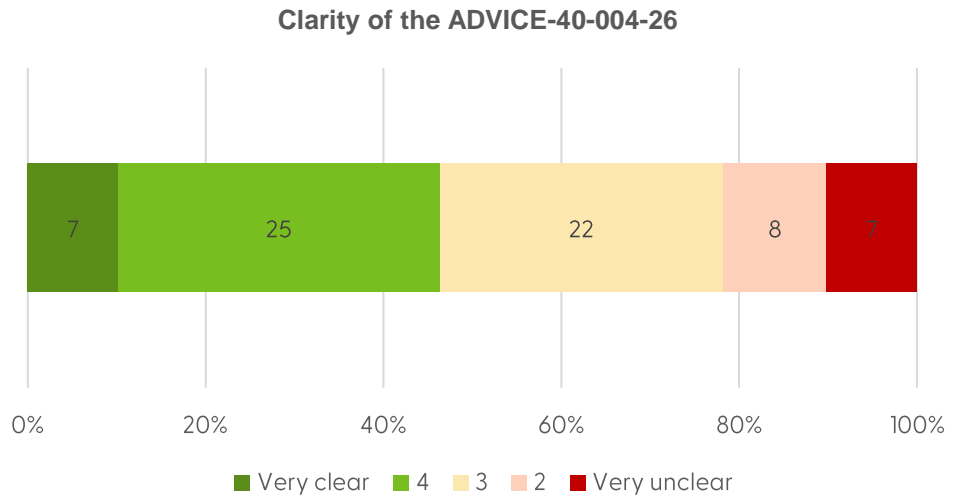
3 ADVICE-40-004-26 Inclusion of the FSC Regulatory Claim

Question 17. How would you rate the clarity of this advice note?

Overview:

In total 69 respondents answered this question.
 An outline of the results shows that:
 Clear – 32
 Neutral – 22
 Unclear – 15

Results by all types of stakeholders

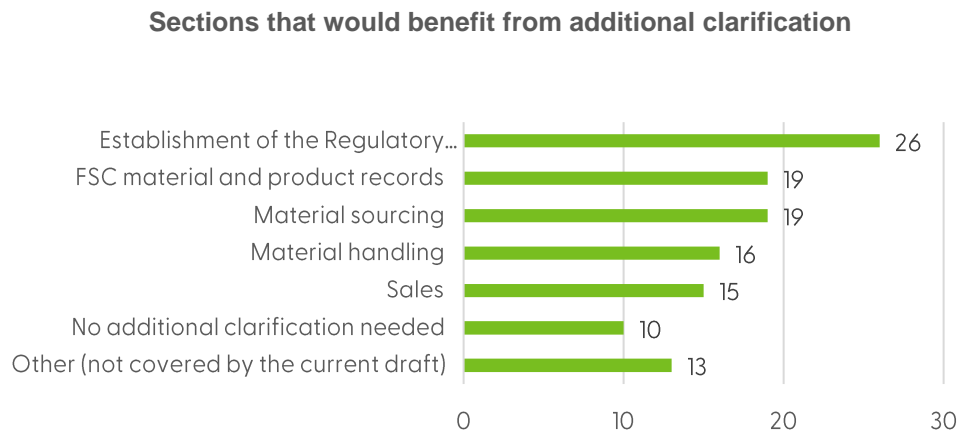


Question 18. Which sections would benefit from additional clarification?

Overview:

In total 71 respondents answered this question.
 An outline of the results shows that:
 Establishment of product groups, material records and material sourcing were the three most voted sections requiring additional clarification.

Results by all respondents



Question 19. Please provide your rationale and suggestions for improvement.

Comment	Response
<p><u>Scope</u></p> <p>Voluntary or mandatory?</p> <p>Even without applying the Regulatory Module?</p> <p>Expansion of certification scope like in the Regulatory Module?</p>	<p>Scope and background sections have been redrafted for clarification on the claim’s applicability, the connection with the Regulatory Module and the voluntary nature of the advice note.</p>
<p><u>Background</u></p> <p>Limited description of the objective – non-users of the Regulatory Module may not understand.</p> <p>B2C or B2B?</p>	<p>The background section provides context in terms of what drove the Regulatory Module, what it is, the reasoning for a system-wide change, as well as the objective of this advice note.</p> <p>The section has been amended, clarifying the voluntary aspect of the advice note and how relevant it could be for CHs’ customers. It has also been clarified that it doesn’t apply to the Regulatory+ claim, as the prerequisite for passing such claim is a ‘fully verified supply chain’ (definition added).</p> <p>The Regulatory claim can be used in either B2C or B2B. The advice note does not restrict the B2C aspect, as it is the case for FSC Controlled Wood (Clause 5.6 of FSC-STD-40-004). This means that only materials with the FSC CW / Regulatory claim would have such restriction.</p>
<p><u>Product groups</u></p> <p>It’s not explicit if can be used in all control systems; controlled separately?</p> <p>How are product groups defined?</p> <p>Suggestion: This advice note applies only to product groups with the Regulatory claim.</p>	<p>Notes 1 and 2 have been added to Clause 1.1, clarifying that the establishment of product groups remains unchanged (as per Section 8 of FSC-STD-40-004), and that any of the FSC control systems can be used.</p> <p>Suggestion adopted in the Scope and Background sections.</p>
<p><u>Material sourcing</u></p> <p>Clarify ‘consider’.</p> <p>Clarify that the REG+ claim cannot be passed.</p> <p>Differentiate suppliers with the Regulatory Module and without.</p>	<p>Former Clause 2.1 has been deleted (which included the term ‘consider’). The clause was informative rather than adding a new requirement. As Clauses 2.1 and 2.2 of FSC-STD-40-004 don’t change for product groups with the Regulatory Claim, it was considered not necessary.</p> <p>Scope, Terms and Definitions, and Background sections have been updated for clarity on Regulatory+ Claim non-applicability in the context of this advice note.</p> <p>The possibility of ‘downgrading’ inputs (Regulatory+ to Regulatory) has been included in Section 1 (see Table 1) and clarified in the Background section.</p> <p>The differentiation of suppliers (with and without the Regulatory Module) can be done via the FSC Certificate Database. The concept presented in this advice note is not different from other FSC approaches, e.g., FSC CW</p>

	<p>claim – the organization may be applying FSC-STD-40-005 (identified in the certification scope) or source material already claimed as FSC CW (without FSC-STD-40-005). In the same rationale, the organization can have FSC-STD-01-004 (FSC Regulatory Module) in the scope, or source material already claimed as Regulatory.</p>
<p><u>Material handling</u> Should be physically separated?</p>	<p>This advice note does not change the provisions of Clause 3.1 of FSC-STD-40-004. Clause 3.1 in the advice note is intended to clarify that Regulatory-claimed materials (which include an FSC claim) shall be treated separately from other FSC-claimed materials. This relates to the eligibility criteria for a given FSC product group, as mentioned above. No changes have been made to the advice note.</p>
<p><u>Material & product records</u> What ‘material category’ means? What are the consequences for the annual volume summary?</p>	<p>For ‘material category’ definition, please refer to Annex E of FSC-STD-40-004. The term in Clause 4.1 (of the advice note) has been replaced by ‘FSC claim’, for accuracy – within FSC’s material categories, only FSC 100%, FSC Mix, FSC CFM and FSC CW products can be claimed with the Regulatory claim.</p> <p>Clause 4.4 of FSC-STD-40-004 doesn’t change. This means that if a new product group is created for the Regulatory Claim, a separate quantification is required.</p>
<p><u>Sales</u> Would mean EUDR compliance? Make an example (as in Clause 2.2). What ‘clear indication’ means?</p>	<p>FSC’s normative framework refers to conformity with FSC’s requirements, not to EUDR compliance, even if the organization applies the Regulatory Module.</p> <p>Example of the Regulatory Claim added in Clause 5.1 of the advice note (FSC 100% / Regulatory).</p> <p>The term ‘clear indication’ was adopted from Clause 5.1 g) of FSC-STD-40-004, for consistency. It’s not the purpose of this advice note to prescribe (or change) the organization’s current practice. As mentioned in this clause, the claim can be presented in the sales documents for each product item or the total of products.</p>
<p><u>Other</u> Not explicit if ‘false claims’ applies to this situation. Need to demonstrate that they do not need to meet EUDR? EUDR is about data, not a claim – adds complexity. Differentiation in the FSC database? Outsourcing possible?</p>	<p>For ‘false claim’ definition, please refer to ADVICE-40-004-18 (V2-0). An FSC-certified product sold with the Regulatory Claim, when doesn’t meet the requirements for that, will be considered an ‘inaccurate claim’.</p> <p>There’s no requirement to demonstrate conformity (or the absence of) with the Regulatory Module.</p> <p>In the FSC system, the formal mechanism for communicating what a product represents is via a claim. The Background section has been amended to explain how the claim could be relevant to the organization’s customers.</p> <p>Regarding the differentiation in the FSC Certificate Database, please refer to the comments provided in the ‘Material sourcing’ section.</p> <p>Outsourcing is possible. This aspect is intentionally not mentioned as it has not been changed from the current provisions in FSC-STD-40-004.</p>

	The organization should consider that, different claims may require additional identification and segregation methods.
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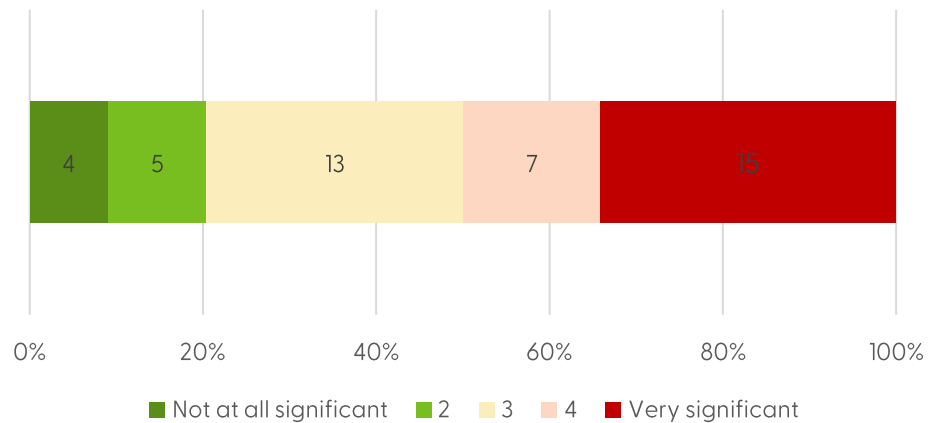
Question 20: If you are a CoC certificate holder, at this time, how significant is the impact of the advice note for your operations?

Overview:

In total 44 respondents answered this question.
 An outline of the results shows that:
 Significant – 9
 Neutral – 13
 Not significant – 22

Results by all types of stakeholders

Impact of ADVICE-40-004-26 in CH operations



Question 21: Please provide more details to your response.

Comment	Response
<p><u>Additional claim</u> More claims, more complexity. Perceived as FSC 100% is inferior or not being credible.</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 in the context of this advice note, and whether or not to include a specific product within a product group.</p>
<p><u>Recognition</u> Given the extra workload, only if buyers recognize it. The end-consumers will not recognize the REG claim.</p>	<p>Given its voluntary nature, FSC is keeping the core concept of the advice note, so Regulatory Module users (EU or non-EU-based CHs) can be supported in their due diligence efforts (specifically addressing the risk of mixing).</p>
<p><u>EU vs non-EU-based CHs</u> Just to benefit EU-CHs? Physical segregation is unfeasible.</p>	<p>The Regulatory Module can be used by any CH (either within or outside the EU). Therefore, physical segregation and the Regulatory Claim from a non-EU CH, may still benefit customers outside EU.</p>

Irrelevant for non-EU-based CHs.

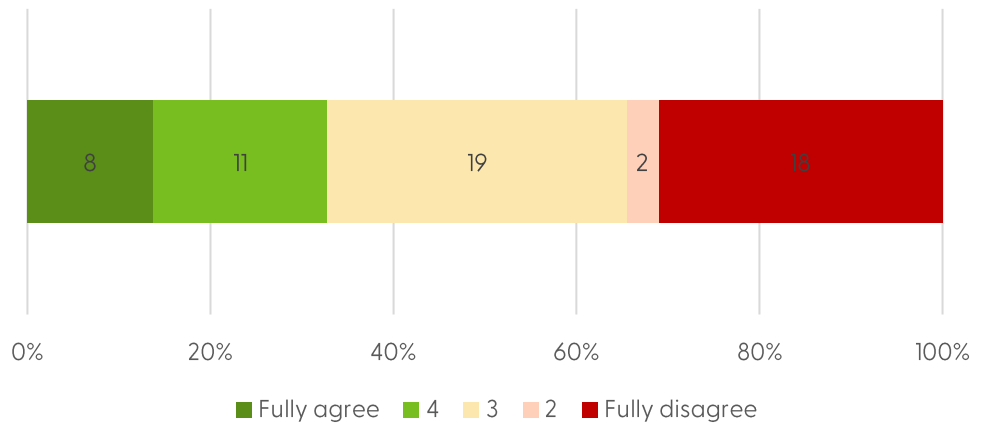
Question 22: Overall, to what extent do you agree with this advice note?

Overview:

In total 67 respondents answered this question.
 An outline of the results shows that:
 Agree – 19
 Neutral – 19
 Disagree – 20

Results by all types of stakeholders

Level of agreement with ADVICE-40-004-26



Question 23. Please share any additional comments you may have on the draft advice note.

Comment	Response
<p><u>Agreement</u></p> <p>Important to allow the Regulatory Claim without the Regulatory Module – appreciation of materials.</p> <p>‘Fully agree’ because it’s voluntary.</p>	<p>No action required.</p>
<p><u>Disagreement</u></p> <p>Not feasible in existing credit systems.</p> <p>Double the work and no added value.</p> <p>No uptake outside EU.</p>	<p>It is recognized that some sectors and in supply chains not directly linked to the EU, the availability of Regulatory claimed material may be limited and not covering the entire sourcing in a product group (thus compromising a Regulatory claim output in existing credit systems). Nevertheless, as mentioned above, there will still be markets that can benefit from it, by minimizing the risk of mixing in the supply chain.</p>

4 ADVICE-40-005-27 Use of FSC-PRO-60-006b Risk Assessment Framework

Question 24. How would you rate the clarity of this advice note?

Overview:

In total 67 respondents answered this question

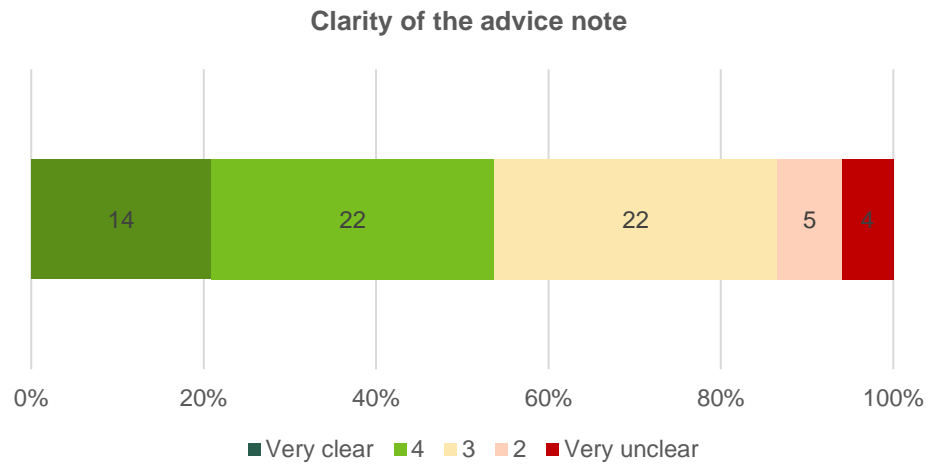
An outline of the results shows that:

Clear – 36

Neutral - 22

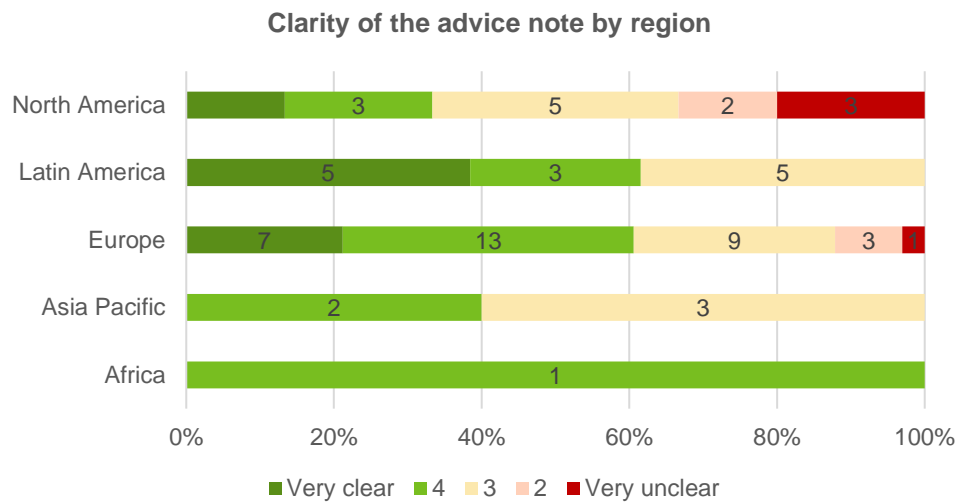
Unclear – 9

Results by all types of stakeholders



An outline of the results by regions

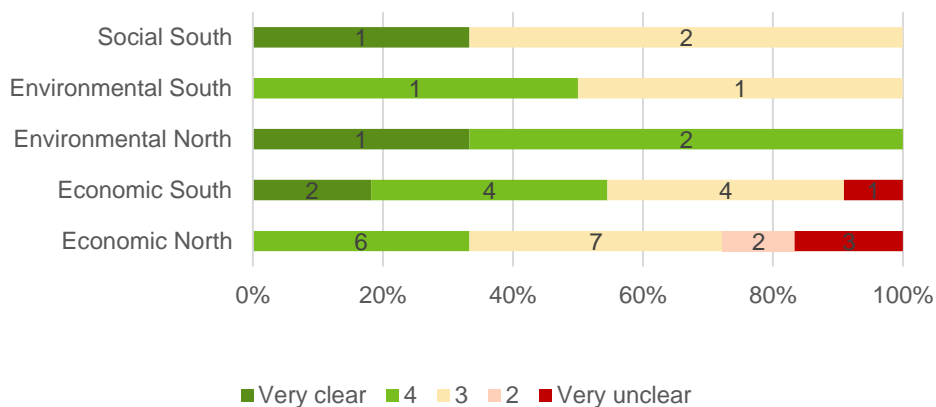
Results by region



An outline of the results by chamber balance participation

Results by chambers

Clarity of the advice note by chamber



Q25 Please provide more details to your response.

Comment	Response
Following terms to be defined: 'not assessed', 'not applicable', 'mitigation measure'.	The definition of 'mitigation measure' has been added to the advice note. FSC-PRO-60-006b V2-0 defines 'not applicable' in 13.3 c) and clarifies 'not assessed in Clause 3.2.
Low risk is for the risk of origin; risk of mixing is 'no risk'.	The advice note is changing the risk designation from 'no risk' to 'negligible risk' (see Clause 3 a).
Which 'corresponding sets of indicators'? Clause 1.3 should be clarified.	The new Clause 2 introduced provides reference to the corresponding indicators in FSC-PRO-60-006b Risk Assessment Framework towards Controlled Wood category 2 and 3.
2. Unclear when the CB has to change: transition end-date or only when the NRA is updated?	A separate advice note ADVICE-20-011-19 has been prepared that provides requirements for CBs with respect to ADVICE-40-005-27.

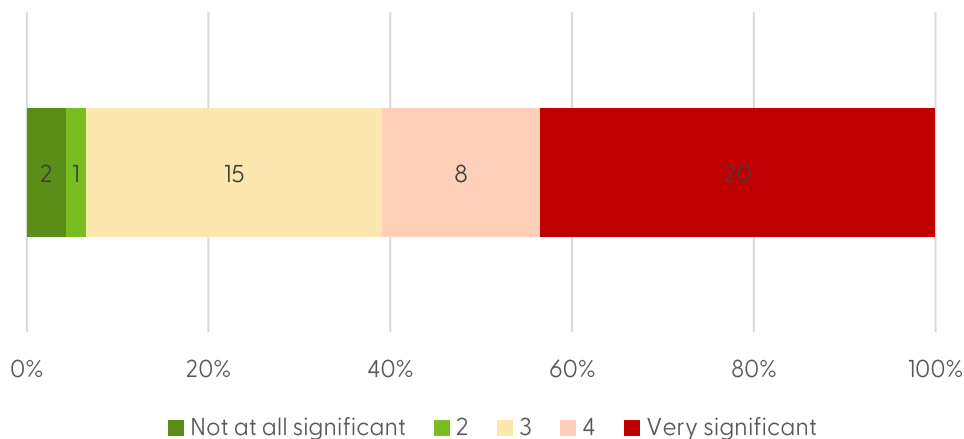
Question 26-27. As a FSC-STD-40-005 CH, how significant is the impact of this advice note in your risk assessment?

Overview:

In total 46 respondents answered this question.
 An outline of the results shows that:
 Not significant – 3
 Neutral – 15
 Significant – 28

Results by all types of stakeholders

Level of impact of ADVICE-40-005-27



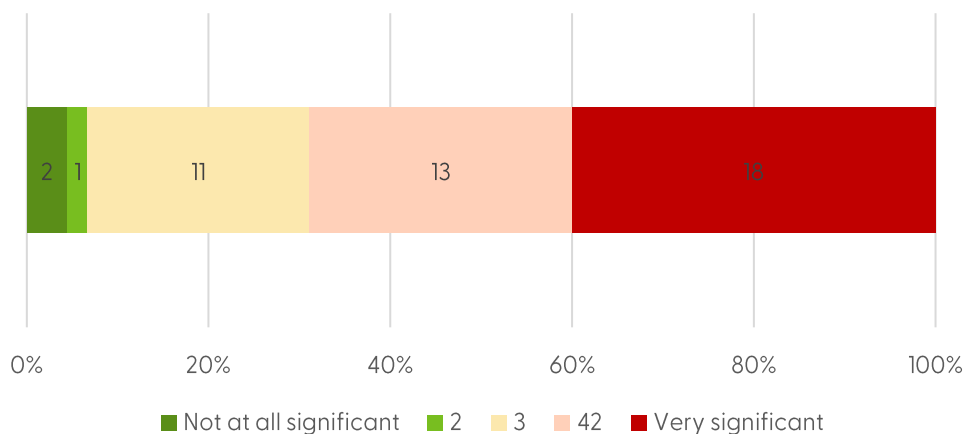
Question 28-29. As a certificate holder, how significant is the impact on the supply of FSC CW?

Overview:

In total 45 respondents answered this question.
 An outline of the results shows that:
 Not significant – 3
 Neutral – 11
 Significant – 31

Results by all types of stakeholders

Level of impact on the CW supply chain



Question 30-31. How much do you agree with this transition plan to bring all CHs in conformance?

NOTE: Comments from questions 26 to 31 are addressed together in the following table.

Comment	Response
<p>Depending on how fast an NRA can be developed – The concern is that in case there would be problems with the revision of CNRA/NRA and would need to go back to the company risk assessments, the impact of this advice note would be immense since it poses very high requirements on company risk assessments.</p>	<p>Advice note clarifies the voluntary concept as well as rationale behind proposed systemic changes as per applicability for the organizations opting for regulatory module. The advice note also helps organization providing a solution to conform with EUDR requirements by developing their own risk assessment until the NRA or CNRA are revised.</p> <p>Note in Clause 3 clarifies that FSC Risk Assessments developed according to <FSC-PRO-60-002a FSC National Risk Assessment Framework> remain valid until replaced by FSC Risk Assessments developed according to <FSC-PRO-60-006b Risk Assessment Framework>.</p> <p>FSC has selected 20 countries for prioritized revision and expected to be concluded in Q2 2025. Please refer to the consultation process of FSC-PRO-60-006b.</p>
<p>Changing terms is not an issue, but rather the revision of NRAs. – impacts can only be assessed at that stage.</p> <p>RAF needs to be improved/clarified on several parts.</p> <p>Much more complex than before – disruption of markets.</p>	<p>The comments are beyond the scope of this advice note.</p>

Additional Priority Comments

Comment	Response
<p>Perception that CHs have until 31 Dec 2025 to adapt to revised RAs – see Clause 3.2 (40-005)</p>	<p>The notes removed from the respective sections to provide clarity on applicability of Risk Assessment Framework.</p>
<p>Annual reviews are very concerning (done by FSC IC with no consultation). Depends on the results of the revised NRA. The revision rush/forced, limited consultation, annual reviews, etc.</p> <p>Decrease in supply/demand for CW. Substantial impact if there’s a change in risk designations or CHs forced to CRA.</p> <p>Illogical for non-EU related CHs. Also, going beyond EUDR itself. First implement EUDR-</p>	<p>The comments provide assumptions and are beyond the scope of this advice note.</p> <p>The comments are not directly related to Controlled Wood.</p>

changes, learn, then implement the system-wide changes.

Various uncertainties – too soon to access these changes. Disadvantageous for non-EU-related CHs – forced to take additional, unnecessary, and costly efforts.

No impact assessment done on systemic changes. Challenges may break FSC system – and CHs may choose other certification systems.



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