



Frequently Asked Questions

EUDR ALIGNED: FAQ ON FSC REQUIREMENTS

FAQ on normative changes proposed in FSC Regulatory Module, FSC Risk Assessments and system wide changes



INTRODUCTION

FSC is developing solutions to facilitate FSC certificate holders' efforts in demonstrating compliance with EU Regulations such as the European Union Deforestation Regulation, EUDR. One solution includes a modular approach to certification through the development of the FSC Regulatory Module—a comprehensive and adaptive extension to existing certification standards incorporating EUDR-specific criteria, definitions, documentation, and verification processes.

The FSC Regulatory Module is not a standalone but rather a voluntary standard to be used in addition to current FSC certification requirements for forest management, chain of custody and controlled wood and to be optimally used in conjunction with other parts of EUDR Aligned. The FSC Regulatory Module also includes accreditation requirements for certification bodies to verify conformance of certificate holders against the voluntary standard.

An integral part of EUDR Aligned and the implementation of the FSC Regulatory Module is the application of FSC Risk Assessments. The FSC Risk Assessments are based on <FSC-PRO-60-006b Risk Assessment Framework>, a revision process also in consultation.

In addition, FSC has developed a set of proposed normative changes in Advice Notes, which are applicable across the FSC system and based not solely on EUDR alignment but further alignment with <FSC-POL-01-007 Policy to Address Conversion> as well.

From 1 February 2024 – 1 March 2024, FSC is consulting these three complementary sets of normative requirements being developed to support EUDR alignment.

This set of FAQs is to support understanding of the draft set of requirements in consultation.

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1. Requirements Development Process

What process is being applied to develop these requirements?

Due to the EUDR legislation published in June 2023 with an 18-month timeframe for implementation, FSC has needed to act quickly. The development process is done in accordance with <FSC-PRO-01-001 Development and Revision of FSC Requirements>. The FSC Board of Directors decided to apply a 'hybrid' process to develop the requirements, comprising elements of an 'accelerated process' and elements of a 'major process'. As such, an internal technical working group comprising FSC staff and a representative from ASI have developed the draft requirements. The process includes a public consultation for 30 days to ensure that all stakeholders are informed and can provide feedback in a timely manner. The final decision on the draft requirements will be made by the FSC Board of Directors.

What are the requirements being consulted right now?

FSC has three related consultations open simultaneously between 1 Feb and 1 March 2024.

- 1) A consultation on [FSC Regulatory Module](#).
- 2) A consultation on three Advice Notes on changes that are proposed for all certificate holders.
- 3) A consultation on [FSC-PRO-60-006b Risk Assessment Framework Procedure](#) related to users of controlled wood and/or FSC Regulatory Module.

Stakeholders interested in the full scope of FSC alignment with the EUDR, including both system wide changes and the voluntary module, are invited to respond to all three consultations.

Stakeholders interested in changes proposed to general certification requirements are invited to respond to consultations 2 and 3.

How will I know what happens with my feedback?

FSC will compile all feedback and develop a Consultation Report to review and indicate how feedback was addressed in the final draft. When this document is ready, all respondents will receive a copy of the Consultation Report. The Consultation Report will also be published on the applicable process pages here:

- [FSC Regulatory Module](#)
- [FSC Risk Assessment Framework](#)

What are the next steps after this consultation?

After compiling and analysing feedback, the final draft of the FSC Regulatory Module and system-wide changes will go to the [Policy and Standards Committee](#) and then FSC International Board of Directors to approve the requirements. The Policy and Standards Committee is the approval body for the <FSC PRO-60-006b FSC Risk Assessment Framework>.

When will the final requirements be published by?

All requirements under consultation are scheduled to be published on 1 July 2024 in order to offer certificate holders time to implement FSC requirements and tools as soon as possible. The requirements will be immediately effective for any certificate holders applying the FSC Regulatory Module, while the

systemic changes and changes to the FSC Risk Assessment Framework include an 18-month transition starting on 1 October 2024 to end 1 January 2026.

What will the transition dates be?

The transition timeline will differ between the FSC Regulatory Module and the Advice Notes that will be applicable across the FSC system.

The FSC Regulatory Module will become effective immediately on 1 July 2024 so that certificate holders applying the module can implement the requirements and tools immediately. There will be no transition timeline for the FSC Regulatory Module.

The Advice Notes applicable across the FSC system will become effective immediately on 1 July 2024 for those certificate holders that are applying the FSC Regulatory module.

For all other certificate holders, the Advice Notes will only become effective on 1 October 2024.

The transition end date for the system wide changes will be 1 April 2026, following the default 18-month timeline.

What other resources are available for me to better understand FSC's response to the EUDR alignment and these proposed normative requirements?

FSC has published a range of supplementary materials to understand the upcoming requirements and offerings. They are as follows:

- Interactive user journey webpage to understand the FSC Regulatory Module requirements based on user type
- Infokit to highlight certification requirements based on the FSC Regulatory Module
- Consultation video to understand how the consultation works
- Brief on FSC Risk Assessment Framework changes
- Brief on system-wide changes
- Introductory video on [Meeting your EUDR requirements with FSC](#)
- Resources on overall on how FSC is aligning with EUDR on the dedicated EUDR Aligned webpage here: www.fsc.org/eudr.

2. General system-wide certification requirements

I am not in the EU nor do I trade with the EU, are there changes relevant for me?

Yes, FSC has developed some Advice Notes that are relevant across the FSC system. They are as follows:

- ADVICE-20-007-xx Deforestation-free products from FSC-certified management units
- ADVICE-20-007-02 Certification of primary forests
- ADVICE-40-005-27 Addressing systemic changes into requirements for sourcing FSC Controlled Wood
- ADVICE-40-004-26 Addressing systemic changes in Chain of Custody Certification

For forest management users: Closer alignment with the FSC Policy to Address Conversion by ensuring that all forest products sourced from FSC-certified management units are deforestation free. In addition, to clarify how degradation of primary forests is expressly not allowed in the FSC system.

All CoC users may need to adjust their systems slightly if they want to pass on the new FSC Regulatory claim

To source controlled wood, users must shift to the new <FSC-PRO-60-006b Risk Assessment Framework> during upcoming annual review of risk assessments instead of using the risk assessment as outlined in <FSC-PRO-60-002a FSC National Risk Assessment Framework>, including new risk assessment terminologies to align with EUDR and be consistent throughout the FSC system.

Learn more about these changes here.

How are these changes being included in the FSC normative framework?

These rules are provisionally stipulated by means of Advice Notes related to Forest Management and Chain of Custody Certification; including the sourcing of controlled material.

Why is FSC introducing new requirements for everyone because of EUDR?

The intentions of the EUDR and FSC are already closely aligned. With the publication of EUDR, FSC is furthering that alignment by accelerating changes already planned based on alignment with the Policy to Address Conversion. As closer align with the intention of 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.

3. FSC Regulatory Module general

Is the FSC Regulatory Module mandatory?

No, the FSC Regulatory Module is a voluntary add-on module only.

Is the FSC Regulatory Module for EUDR only or other regulations as well?

Currently, the FSC Regulatory Module only addresses the European Deforestation Regulation (EUDR). As further regulatory developments progress, FSC could utilize the module for further regulatory alignments.

Who is the FSC Regulatory Module relevant for?

This standard is for voluntary use by organizations applying for or holding FSC certification to extend their certification scope to align with the EUDR. It can be used in addition to all existing certification types and includes accreditation requirements for certification bodies.

The FSC Regulatory Module standard focuses on wood and wood-based products.

Can I get certified to the FSC Regulatory Module only?

No, this is not a standalone set of requirements but rather an add-on module. Users must also either already be certified with FSC or selecting to include the FSC Regulatory Module as part of their certification process.

How can we distinguish between operator and trader in FSC Requirements?

The FSC Regulatory Module includes the definitions for “operator” and “trader” as well as icons to identify which requirement is relevant for which user-type based on the EUDR terminology of “operator”, “trader”, “SME,” and “non-SME.”

When can I start getting certified to the FSC Regulatory Module?

Upon publication, users of the FSC Regulatory Module can immediately use it as it will be immediately effective. FSC recommends indicating to your certification body early if you are interested in implementation the module so they can plan their time accordingly.

Will the FSC Regulatory Module guarantee compliance with EUDR?

No, only competent authorities have the authority to verify compliance with the EUDR. FSC has included additional requirements that can support demonstrating this compliance by aligning FSC requirements with EUDR but the decision still rests solely on the competent authority. Certification bodies will check for conformity with FSC requirements, which can benefit users by having another third-party verifying conformity.

4. Forest Management Regulatory Module

Do I need to make significant changes to my practices to conform with the FSC Regulatory Module?

The FSC Regulatory Module has been developed to minimize the effort for forest management certificate holders building on the groundwork already done to achieve FSC Forest Management Certification.

The EUDR requires that due diligence is exercised to demonstrate that the products are deforestation-free and have been produced according to the relevant legislation of the country of production.

While FSC requirements, including the new ADVICE-20-007-XX Deforestation-free products from FSC certified management units, cover these aspects and there are not additional changes to forest practices required, EUDR (and therefore the module) requires activities, such as collection of information, risk assessments and risk mitigation measures, issuance of a due diligence statement, maintenance of records, etc.

The module supports forest management certificate holders to demonstrate that several of these aspects are covered by FSC certification, while minor efforts are still needed.

Do forest managers need to use the FSC Risk Assessments?

Yes, if the management unit is not in a country or part of a country classified as 'low risk' in accordance with the EUDR three-tier risk system, the FSC Risk Assessment - if available for the geographical area where the management unit is located - is required to be used as the first step or reference to assess risk. FSC will provide a template:

- To support certificate holders to assess the risk if no FSC Risk Assessment exists, and
- To demonstrate that FSC Forest Management Certification is a solution to achieve no or negligible risk, if a non-negligible risk has been identified in the FSC Risk Assessment or the company risk assessment.

When will this Risk Assessment template for forest managers be available?

The template will be available with the FSC Regulatory Module publication on 1 July 2024.

Are there different requirements for Controlled Forest Management under the Regulatory Module?

Certificate holders applying the Controlled Forest Management standard will have to conform with the same requirements as forest management certificate holders.

What about forest management groups?

The FSC Regulatory Module includes supplementary requirements regarding how the standard is implemented in a group set up. This includes, for example, how responsibilities are divided or how the internal monitoring system must be adapted. All group members must demonstrate conformity with the FSC Regulatory Module if this is included in the scope.

5. Chain of Custody Regulatory Module

What are the biggest changes for chain of custody users?

Following the provisions of the EUDR, FSC's Regulatory Module includes specific requirements depending on your organization's position in the supply chain. (i.e., Operators and Traders). One new aspect that was introduced is the development and implementation of a Due Diligence System (DDS) that includes at a minimum the collection of information, a risk assessment, and risk mitigation processes. FSC is also introducing a new output claim (i.e., 'Regulatory') for products sold through the FSC Regulatory Module. As a result, certificate holders that are not using the FSC Regulatory Module can voluntarily decide to add the Regulatory claim to their scope.

If I am not implementing the FSC Regulatory Module are there still changes I need to make?

FSC is introducing a systemic change so that non-users of the FSC Regulatory Module have clear requirements for the purpose of controlling the Regulatory output claim. The organization may choose to use the Regulatory claim in sales documentation (followed by the FSC claim), provided that the provisions in the new advice note are met.

Do I need to update my due diligence system every time I collect more information?

The purpose of a due diligence system (DDS) is to assess and mitigate the risk of sourcing material from unacceptable sources. At a minimum the organization has to annually review (and revise if necessary) and address changes that may affect the relevance, effectiveness or adequacy of the DDS. As long as those changes do not occur (e.g., in supply area, type of products, species), the organization is not required to change its DDS every time it collects information.

What is my responsibility around information from my suppliers?

You are always responsible for the plausibility and accuracy of the information collected no matter where your supplier is based, inside or outside the European Union (EU). EUDR is only applicable to organizations that operate or trade in the EU, so if your supplier is outside of the EU they are not required to be compliant with the EUDR. Hence, a higher level of evaluation may be needed to determine their products' compliance.

What is the relationship between EUDR's Harmonized Codes and FSC's product types?

The Harmonized System (HS) codes are a standardized numerical method of classifying traded products. FSC product types are a general description of outputs based on the classification system specified in FSC-STD-40-004a. FSC standards apply to all products within the forest matrix, while the EUDR requires the reporting of specific HS codes, detailed in EUDR Annex I.

This means that not every FSC-certified organization will fall under the provisions of the EUDR, but for those who trade in products that are listed in Annex I, compliance with the EUDR will be required. To bridge the gap between HS codes and FSC Product Classification, FSC is working on a guidance tool so that organizations can match both classifications.

6. FSC Risk Assessments

What are the major changes proposed to process requirements for Risk Assessments?

To align with EUDR, risk assessments are now applicable to Forest Management and Chain of Custody (including Controlled Wood). In addition, the following are also key process-related changes:

- a) The process requirements have been streamlined considering the need for ensuring that the requirements can be followed by other organizations participating in the Risk Information Alliance (further information under the following link: <https://fsc.org/en/newscentre/standards/fscs-new-approach-for-risk-assessments-in-forests>).
- b) Establishment of mitigation measures where 'non-negligible risks' are identified.
- c) Annual review of risk assessments, in addition to a complete review and eventual revision every 5 years.

For further information on key process related changes, please read the crosswalk document shared in consultation together with the second draft of <FSC-PRO-60-006b V2-0 Risk Assessment Framework>: https://connect.fsc.org/sites/default/files/2024-01/FSC-PRO-60-006b%20V2-0%20D2-0_crosswalk.pdf.

What are the major changes proposed to content requirements for Risk Assessments?

The main changes proposed to content requirements can be summarized under the following aspects:

- a) **A common set of indicators:** FSC Risk Assessments now include 76 indicators instead of 32 indicators. Although there is an increase in the number of indicators, the topics covered are mostly the same (e.g. legality assessment, human and labour rights, HCVs, conversion, GMO, etc.). The requirements have structurally changed through how the proposed indicators are written.
- b) **Assessment of conversion** is now aligned with the intention of <[FSC-POL-01-007 Policy to Address Conversion](#)> as well as EUDR, including adopting the precautionary approach to assess the risk of conversion. Therefore, a 'non-negligible' risk designation for conversion is applied as a default. Risk assessments developed by a chamber-balanced working group may change the risk designation through data analysis demonstrating that conversion has not taken place in the area under assessment since 31 December 2020.
- c) **Assessment of forest degradation:** A new indicator introduces the assessment of forest degradation: *There is no forest degradation since 31 December 2020*, including a numerical 'non-negligible' risk threshold to assess this indicator.
- d) **Intact Forest Landscape boundaries** now updated by using other forms of best available information (in addition to the Global Forest Watch maps), such as historical harvesting documentation, existing Forest Stewardship Standard (FSS) frameworks, maps and external data provided by independent organizations, scientists and experts.

For further information on key content related changes, please read the crosswalk document shared in consultation together with the second draft of <FSC-PRO-60-006b V2-0 Risk Assessment Framework >: https://connect.fsc.org/sites/default/files/2024-01/FSC-PRO-60-006b%20V2-0%20D2-0_crosswalk.pdf.

Do these Risk Assessments assess risk at country level or product level?

Risk Assessments can limit the scope of assessment to a country, a region that is part of a country, or a region that covers more than one country, as well as to specific products (e.g. timber, rubber, specific NTFPs, and more) and to some of the indicators that are part of <FSC-PRO-06-006b Risk Assessment Framework>.

Who can use FSC Risk Assessments – do I need to be certified?

With the revised <FSC-PRO-06-006b Risk Assessment Framework> anybody can use the FSC Risk Assessments; there is no requirement for certification.

When will the FSC Risk Assessments be available?

The <FSC-PRO-60-006b Risk Assessment Framework> will be published on 1 July 2024. FSC is working to have 20 prioritized Risk Assessments revised and available by 1 January 2025.

Which countries will be prioritized?

FSC will publish related announcements on the [process page here](#).

Is there anything I can do to support the development of a Risk Assessment in my country?

Stakeholders are encouraged to provide inputs during consultation for the development or revision of a Risk Assessment. In addition, the Risk Assessments will be reviewed and updated annually to ensure that the applicable legislation, risk designations and mitigation measures are up-to-date. The annual review will be based on expert and stakeholder inputs. Stakeholders and experts will have the possibility to continuously provide inputs to the Risk Assessment and share information through an online platform provided by FSC.

Furthermore, FSC will be seeking to identify experts to support the revision of Risk Assessments in prioritized countries.

Will existing National Risk Assessments from FSC-PRO-60-002a be eligible to use for the FSC Regulatory Module?

No, only risk assessments developed in accordance with <FSC-PRO-60-006b Risk Assessment Framework> are to be used within the FSC Regulatory Module. Please see Part 4 'Forest Management Regulatory Module' regarding the template provided by FSC to be used by certificate holders to assess the risk if no FSC Risk Assessment exists.

What's the relationship between the FSC Risk Assessments and the "Risk Information Alliance"?

FSC is aiming for an alliance between partners facing similar challenges around developing risk assessments through the [Risk Information Alliance](#). This Risk Information Alliance will foster global

sustainability leadership by collaborating with other sustainability leaders with a focus on developing a single, standardized Risk Assessment framework that will benefit both certified and non-certified companies. The Risk Information Alliance aims to streamline the development of requirements and decision-making processes. However, <FSC-PRO-60-006b Risk Assessment Framework> still allows the development of risk assessments through chamber-balanced working groups; thus building flexibility and a means of fast-tracking risk assessment development with new avenues.

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7. Regulatory Module Accreditation Requirements

What is the role of certification bodies?

Certification bodies are verifying certificate holders' conformity to the certification requirements of the FSC Regulatory Module.

How will these requirements be phased in?

The application of the FSC Regulatory Module will require an extension of the certification scope of certificate holders. This means that certificate holders will need to make a request for scope extension to their certification body. The draft requirements indicate that at minimum certification bodies will need to conduct a desk check of the certificate holders' documentation (e.g. procedures) before the scope extension is made.

Will there be training for certification bodies for the FSC Regulatory Module?

FSC is not planning to provide formal training to certification bodies on the FSC Regulatory Module but will be supporting the introduction and alignment process with FSC and between certification bodies by organizing workshops in Q4 2024 and in the following year. The FSC Regulatory Module accreditation requirements will be similar to the existing accreditation requirements and will not require key new competences from the certification bodies.

Can auditors qualified for schemes other than FSC audit the FSC Regulatory Module?

No, this will not be possible as the FSC Regulatory Module is not designed to ensure independent certification and accreditation against the module but works in conjunction with regular FSC certification and accreditation. Auditors will need to demonstrate the qualifications and trainings as required by <FSC-STD-20-001 General requirements for FSC accredited certification bodies> and <FSC-PRO-20-004 General requirements for an FSC Training Programme>, that are designed specifically for FSC.



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