



Criteria for assessment of certification schemes in the context of the Danish Government's policy and guidelines on public procurement of sustainable timber; and assessment results of FSC and PEFC

The DK rules and guidelines on public procurement of sustainable timber entering into force 1 July 2014 include a definition of "sustainable timber", which has been developed for easy reference in requirement specifications in tendering material etc. "Sustainable timber" in this context is defined as timber that is either "sustainably produced timber", "recycled timber" or – within specified rules and procedures – combinations with "legally harvested timber".

In addition to the definition of sustainable timber, a number of system criteria for the assessment of certification schemes have been established with the aim to provide concrete recommendations for proof of sustainable timber as defined in the guidelines. The majority of all established criteria are, where applicable, identical or similar to corresponding CPET criteria developed for use in the UK Government's procurement policy for timber and for the assessment of certification schemes. In undertaking assessments of schemes against the DK criteria, advantage has been taken of the current CPET assessments of certification schemes against the corresponding CPET criteria. Where the DK criteria and CPET criteria are identical, or are assessed by the Nature Agency to be equivalent, the CPET scorings have been used, following the same scoring methodology as CPET. Thus, compliance with the requirements of each criterion has been scored on a 3-point scale as follows:

- 0: Inadequately addressed and not acceptable.
- 1: Partially addressed.
- 2: Acceptable.

In assessing certification schemes' overall compliance with the requirements for "sustainable timber" in the context of the DK timber procurement guidelines, an approach similar to the one used by CPET has been used. This means that a minimum score of 1 is required for each criterion and an overall score of 75% of the total possible score. With 27 criteria, the total possible score is 54.

The Nature Agency has on this basis assessed the certification schemes, FSC and PEFC, and found that they both currently can offer sufficient proof of sustainable timber as defined in the Danish guidelines on ensuring sustainable timber. The full list of criteria used for assessing certification schemes and the results of the FSC and PEFC assessments is reproduced in the table below. It includes, where applicable, a reference to the corresponding CPET criteria.

The Nature Agency recognizes that a number of revisions of relevant standards and guidelines for both FSC and PEFC have been launched since 2010 (when the CPET assessments referred to were carried out). The Agency has striven to take this into account to some extent, but has not performed an exhaustive review of all relevant new or revised background papers from the FSC and the PEFC. Should the Nature Agency become aware of relevant changes to the standards or guidelines for FSC or PEFC, which may give rise to amending the overall assessment of the schemes, the Nature Agency will reconsider the assessments and, if necessary, revise the guidelines in this field.

| | SCORE | | COMMENTS |
|--|-------|------|--|
| | FSC | PEFC | |
| SECTION 1: LEGALLY HARVESTED TIMBER | | | |
| 1. The timber must have been harvested in accordance with the applicable legislation in the country of harvest. Applicable legislation is the legislation in force in the country of harvest covering the following matters: | | | |
| 1.1 rights to harvest timber within legally gazetted boundaries; | 2 | 2 | The DK-definition is identical to the one used to define “legally harvested timber” in the EUTR ¹ . A CPET assessment of 2010 was carried out on the basis of another definition largely in line therewith, which coincide with the former DK-definition of legal timber ² . The current CPET advice in the context of the UK timber procurement policy is to accept both FSC and PEFC as evidence of meeting the requirements for legal timber. Based on this the Nature Agency currently takes the same approach in the context of the DK timber procurement policy ³ . |
| 1.2 payments for harvest rights and timber including duties related to timber harvesting; | | | |
| 1.3 timber harvesting, including environmental and forest legislation including forest management and biodiversity conservation, where directly related to timber harvesting; | | | |
| 1.4 third parties’ legal rights concerning use and tenure that are affected by timber harvesting; and | | | |
| 1.5 trade and customs, in so far as the forest sector is concerned. | | | |
| SECTION 2: STANDARD SETTING | | | |
| 2. The forest must have been managed in accordance with a standard that meets the requirements set out below in criteria 2.1 – 2.4: | | | |
| 2.1 The standard must be performance-based, meaning that measurable outputs must be included and cover all the issues set out in criterion 3.1 to 3.6. | 2 | 2 | (CPET 2010 / 1.2.2) |

¹ Cf. REGULATION (EU) No 995/2010 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 20 October 2010 laying down the obligations of operators who place timber and timber products on the market, Art 2 f and 2 h.

² The former CPET-definition of legal timber was similar to the one formerly used in the DK guidelines for public procurement of legal and sustainable timber. Differences between the definition formerly used in DK and the now EUTR-aligned definition include: **a)** Explicit reference to legislation related to biodiversity conservation is new as compared to the former legality definition; **b)** Legislation related to labour, health and safety is no longer an explicit part of the legality definition. Such aspects are, however now covered in the DK-sustainability criteria 3.6 iv.

³ It is noted that both FSC and PEFC have gone through substantial revisions of their respective standards and guidelines since the 2010 CPET assessment was carried out, inter alia in order to bring their respective standards and guidelines in line with the EUTR-definition and requirements. It should be underlined, however that the Nature Agency’s current advice on accepting those schemes as sufficient evidence of meeting the DK criteria for legally harvested timber in the Danish timber procurement context should not and cannot be taken as an indication of operators full compliance with all applicable requirements of the EUTR.

| | SCORE | | COMMENTS |
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| | FSC | PEFC | |
| 2.2 The standard setting process must be open to the participation of all stakeholders and seek to ensure balanced representation and input from the economic, environmental and social interest categories. | 2 | 2 | (CPET 2010 / 1.3.2) |
| 2.3 The standard setting process must seek to ensure that: i. the standard is established by consensus of the parties represented, ii. no single interest can dominate the process; and iii. no decision can be made in the absence of agreement from the majority of an interest category | 1 | 2 | (CPET 2010 / 1.3.3) |
| 2.4 The standard-setting process must be consistent with the requirements of <i>ISO/IEC Guide 59:1994 Code of good practice for standardization or the ISEAL Code of Good Practice for Setting Social and Environmental Standards</i> or equivalent | 1 | 2 | (CPET 2010 / 1.3.1) |
| SECTION 3: SUSTAINABILITY CORE CRITERIA | | | |
| 3. The standard must be consistent with a widely accepted set of international principles and criteria defining sustainable or responsible forest management at the forest management unit level, and shall as a minimum seek to ensure the following: | 2 | 2 | (CPET 2010 / 1.2.1) |
| 3.1 Maintenance of forest resources and their contribution to global carbon cycles. In order to do this the standard must include requirements for: i. Safeguarding the quantity and quality of the forest resources in the medium and long term by balancing harvesting and growth rates, and by preferring techniques that minimize direct or indirect damage to forest, soil or water resources. ii. Avoidance of conversion of forests to other types of land use, including conversion of primary forests to forest plantations, unless in justified circumstances where the conversion: (1) is in compliance with national and regional policy and legislation relevant for land use and forest management and is a result of national or regional land-use planning governed by a governmental or other official authority including consultation with materially and directly interested persons and organizations; and (2) entails a small proportion of forest type; and (3) does not have negative impacts on threatened (including vulnerable, rare or | 2 | 2 | Considered sufficiently covered in: FSC INTERNATIONAL STANDARDS: Principles and Criteria for Forest Stewardship (FSC-STD-01-001, Version 4-0 1996), notably criteria 5.1, 5.6, 6.3 and 6.10 PEFC INTERNATIONAL STANDARD: Sustainable Forest Management – Requirements (PEFC ST 1003:2010), notably criteria 5.1.9, 5.1.11 and 5.4.4 |

| | SCORE | | COMMENTS |
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| endangered) forest ecosystems, culturally and socially significant areas, important habitats of threatened species or other protected areas; and (4) makes a contribution to long-term conservation, economic, and social benefits. | | | |
| <p>3.2 Maintenance of protective functions of forests. In order to do this the standard must include requirements for:</p> <ul style="list-style-type: none"> i. appropriate assessment of impacts and planning to minimize impacts; ii. protection of soil, water and biodiversity; iii controlled and appropriate use of chemicals and use of Integrated Pest Management wherever possible; and iv. proper disposal of wastes to minimize any negative impacts. | 2 | 2 | (CPET 2010 / 1.2.3) |
| <p>3.3 Maintenance of productive functions of forests. In order to do this, the standard must include requirements for:</p> <ul style="list-style-type: none"> i. management planning and implementation of management activities to avoid significant negative impacts on forest productivity; ii. monitoring which is adequate to check compliance with all requirements, together with review and feedback into planning; iii. operations and operational procedures which minimize impacts on the range of forest resources and services; iv. adequate training of all personnel, both employees and contractors; and v. harvest levels that do not exceed the long-term production capacity of the forest, based on adequate inventory and growth and yield data. | 2 | 2 | (CPET 2010 / 1.2.4) |
| <p>3.4 Maintenance of forest ecosystem health and vitality. In order to do this, the standard must include requirements for:</p> <ul style="list-style-type: none"> i. management planning which aims to maintain or increase the health and vitality of forest ecosystems ii. management of natural processes, fires, pests and | 2 | 1 | (CPET 2010 / 1.2.5) |

| | SCORE | | COMMENTS |
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| diseases; and iii. adequate protection of the forest from unauthorized activities such as illegal logging, mining and encroachment. | | | |
| 3.5 Maintenance and conservation of biological diversity in forest ecosystems. In order to do this, the standard must include requirements for: i. implementation of safeguards to protect rare, threatened and endangered species; ii. the conservation/set-aside of key ecosystems or habitats in their natural state; and iii. the protection of features and species of outstanding or exceptional value. | 2 | 2 | (CPET 2010 / 1.2.6) |
| 3.6 Maintenance of socio-economic functions and conditions. In order to do this the standard must: i. require that the legal, customary and traditional tenure and use rights of indigenous peoples and local communities related to the forest are identified, documented and respected. ii. require that appropriate mechanisms are in place for resolving grievances and disputes including those relating to tenure and use rights, to forest management practices and to work conditions. iii. ensure that the basic labour rights of forest workers are safeguarded, including by requirements concerning the following: (1) freedom of association and the effective recognition of the right to collective bargaining; (2) the elimination of all forms of compulsory or forced labour; (3) the effective abolition of child labour; and (4) the elimination of discrimination in respect of employment and occupation; iv. require that appropriate safeguards are put in place to protect labour and health and safety of forest workers, including compliance with local and national legal requirements | 2 | 2 | (CPET 2010 / 1.1.2, 1.2.7, 1.2.8, 1.2.9, 1.2.10) |
| SECTION 4: CERTIFICATION | | | |
| 4.1 Certification must be undertaken by a body whose organization, systems and procedures conform to applicable ISO guidance, or publicly available equivalent. | 2 | 2 | (CPET 2010 / 2.1) Applicable ISO guidance includes <i>ISO/IEC 17065:2012 Conformity assessment – Requirements for bodies certifying products,</i> |

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| | | | <i>processes and services”, “ISO/IEC 17021 Conformity assessment – Requirements for bodies providing audit and certification of management systems” or equivalent.</i> |
| 4.2 Certification is undertaken by a body which is accredited to evaluate against forest management standards. | 2 | 2 | (CPET 2010 / 2.2) |
| 4.3 The requirements for certification audits must include assessment of systems and documentation together with verification of outcomes in the forest adequate to ensure that both system and performance requirements in the standard are being met. | 2 | 2 | (CPET 2010 / 2.3) |
| 4.4 The certification audit must include sufficient consultation with external stakeholders to ensure that all relevant issues are identified relating to compliance with the requirements of the standard. | 2 | 2 | (CPET 2010 / 2.4) |
| 4.5 A summary of the results of the certification audit (excluding confidential information) must be publicly available to interested parties. | 2 | 1 | (CPET 2010 / 2.5) |
| 4.6 There is an accessible and functioning mechanism for dealing with complaints and disputes which is open to any interested party. | 2 | 2 | (CPET 2010 / 2.6) |
| 4.7 The certification scheme must include measures which limit and clearly describe and justify the circumstances in which certification may be awarded to a forest, the character of which has been subject to planned and systematic transformation in a concentrated period of time with the consequence of significantly reducing the forest’s biodiversity and/or health and vitality of the forest ecosystem for example, the conversion of natural forest or forest with many of the characteristics of natural forest to industrial forest plantation. | 2 | 1 | (CPET 2010 / 2.7) |

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| | FSC | PEFC | |
| SECTION 5: ACCREDITATION | | | |
| 5.1 Accreditation must be undertaken by a national or international body whose organisation, systems and procedures are consistent with <i>ISO 17011:2004 Conformity assessment – General requirements for accreditation bodies accrediting conformity assessment bodies</i> or equivalent. | 2 | 2 | (CPET 2010 / 3.1) |
| SECTION 6: CHAIN OF CUSTODY | | | |
| 6.1 Assessment of chain of custody must be undertaken by a certification body operating in accordance with <i>ISO/IEC 17065:2012 Conformity assessment – Requirements for bodies certifying products, processes and services</i> or equivalent and accredited by an accreditation body operating in accordance with <i>ISO 17011:2004 Conformity assessment – General requirements for accreditation bodies accrediting conformity assessment bodies</i> or equivalent. | 2 | 2 | (CPET 2010 / 4.1) |
| 6.2 There must be a certified chain of custody in place from the forest of origin to the final certified product which provides a link between the certified material in the product or product line and certified forests. | 2 | 2 | (CPET 2010 / 4.2) |
| 6.3 If mixing of certified and uncertified material in a product or product line is allowed, the uncertified material must be covered by a verifiable system which is designed to ensure that it is from legal sources. | 2 | 2 | (CPET 2010 / 4.3) Certified material may be either from certified sustainably produced timber, cf. criteria 1 to 3 or from recycled timber, cf. criteria 6.6. |
| 6.4 If mixing of material from certified forests, recycled material and legally harvested timber is allowed there must be a controlled and verifiable system in place, which is designed to ensure that 1. the minimum content of material from certified forests or recycled material is at least 70 %, or 2. the share of material sold as certified from a given production line does not exceed the share of certified material used for the production. | 2 | 2 | Considered sufficiently covered in PEFC INTERNATIONAL STANDARD PEFC ST 2002:2013 Chain of Custody of Forest Based Products – Requirements and FSC INTERNATIONAL STANDARD FSC-STD-40-004 (V2-1) EN FSC Standard for Chain of Custody Certification (2011) |

| | SCORE | | COMMENTS |
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| | FSC | PEFC | |
| 6.5 There is a clearly defined mechanism for controlling all claims made about the certified nature of products which ensures that claims are clear and accurate and that action is taken to prevent any false or misleading claims. | 2 | 2 | (CPET 2010 / 4.5) |
| 6.6 If recycled material is used there must be a verifiable system in place which is designed to ensure that recycled material is from the following categories: <ul style="list-style-type: none"> • Industrial by-products from wood processing industries, but excluding primary wood processing industries (as primary wood processing industries are considered industries processing raw wood) • Post-consumer recycled wood and wood fibre • Drift wood | 2 | 2 | (CPET 2010 / 4.6) |
| SECTION 7: NATIONAL LEVEL APPLICATION | | | |
| 7.1 International certification programmes that endorse national/sub-national schemes or standards must be implementing documented systems that ensure the fulfillment, within a reasonable and practicable timeframe, of all requirements which are applicable at a national level related to: <ul style="list-style-type: none"> a. Forest standards (section 1 to 3) b. Certification (section 4) c. Accreditation (section 5) d. Chain of custody (section 6) | 2 | 2 | (CPET 2010 / 5.1) |
| Total scoring | 52 | 51 | |