



## Synopsis of 1<sup>st</sup> consultation comments on the Advice notes (CW, CoC) consulted between 23 May and 23 July 2013

FSC-STD-20-001 General requirements for FSC accredited certification bodies - application of ISO/IEC Guide 65:1996 (E)  
FSC Directive on Chain of Custody Certification  
FSC Directive on Controlled Wood



Bonn, March 2014

**Synopsis of the 1<sup>st</sup> public consultation feedback on the Advice Notes (CW, CoC) consulted between 23 May and 23 July 2013:**

- ADVICE-20-001-XX Controlled Wood auditor qualifications**
- ADVICE-40-004-XX Pre-consumer reclaimed wood compliance with timber legality**
- ADVICE-40-004-XX Verification of controlled input materials**
- ADVICE-40-005-07 Controlled Wood public summaries**
- ADVICE-40-005-XX Stakeholder consultation**

Consultation period  
23<sup>th</sup> May – 23<sup>th</sup> July 2013

This document has been prepared in accordance with FSC-PRO-01-001 (V 3-0)<sup>1</sup>, 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 requirements), a general response to the comments and an indication as to how the issues raised were addressed.

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Abbreviations used:  
ADVs – Advice notes  
MU – Management Unit  
CH – Certificate Holder

Contact for comments: Joanna Nowakowska (j.nowakowska@fsc.org)

in black: Stakeholder feedback summary  
in italics and "Result": PSU comment

<sup>1</sup> Please consult clause 5.12 of FSC-PRO-01-001 V 3-0.



## **1. Range of stakeholder consultation participants**

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28 stakeholders provided feedback on the consulted Controlled Wood and Legality Advice notes. 13 of the respondents are FSC members (2 Environmental, 8 Certification Bodies, 3 Certificate Holders). Overall 9 participants are representing Certification Bodies, 11 are Certificate Holders, 5 Environmental Organizations and 3 others.

## **2. General comments on Advice notes**

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Stakeholders requested that the ADVs should follow the requirements of *FSC-PRO-01-001 The development and revision of FSC normative documents*.

*The drafting process and consultation of the proposed Advice notes started before the publication of the FSC-PRO-01-001 (3-0), but the following steps related to the Advice notes development will be aligned with the procedural requirements.*

Some stakeholders are concerned that ADVs introduce significant changes to the FSC system, and suggest that they are postponed until the National Risk Assessment for the given country is developed.

*There is no need for postponing ADVs, as ADV requirements relate to unspecified risk areas assessed either by the NRA or the 'Company-Risk Assessment'. Additionally, Advice notes are intended to strengthen the CW system before the ongoing revision is completed.*

A number of comments have been considered as informal according to the clause 5.8 of the FSC-PRO-01-001. Comments considered as informal as per bullets a, b and d, were not summarized in the synopsis.

## **3. Comment summary of ADVICE-20-001-XX Controlled Wood auditor qualifications**

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Comments addressing ADV contents indicated:

- Lack of clarity whether requirements consider single auditors or auditor teams;
- Lack of consistency between proposed requirements with requirements for forest management certification.
- Grammar corrections have been implemented where needed.

### **Result:**

Instead of an Advice note a standard interpretation (FSC-STD-20-001) is provided based on existing requirements, to ensure uniform qualifications of auditors evaluating the implementation of the Controlled Wood standards at FMU level. The standard interpretation is available [here](#).

## **4. Comment summary of ADVICE-40-005-XX Stakeholder consultation**

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Environmental and economic stakeholder interest groups have polarized opinions. Environmental stakeholders support the ADV, while economic stakeholders do not support the ADV, claiming that the consultation process as prescribed in the ADV would:

- require significant efforts from certified Organizations,
- be very costly,
- allow for unjustified blockage of CW sourcing,
- cause overlapping consultation efforts by different CHs,

*FSC acknowledges potential difficulties with handling such stakeholder consultations, but confirms that these are crucial for implementation of FSC's mission and vision. Consultation outcomes may be a valid source of information when avoiding sourcing from unacceptable sources, thus, the effort made in relation to consultation is legitimate.*



*The Advice note is meant as an interim measure to strengthen the current CW requirements and only provides a clarification and interpretation of existing requirements, aligning the use of terminology with FSC's P&C. PSU is recognizing that there may be an overlap in stakeholder consultation in certain areas and will consider how to address this concern in the revised CW standards system.*

A proposal to accept collective efforts of stakeholder consultation was made.  
*Stakeholder consultation aims to collect information necessary to mitigate risks in areas that have been designated as unspecified risk. This cannot be replaced by collective stakeholder consultation efforts.*

Following feedback has been addressed by changes implemented in the second draft of the advice note:

- Stakeholder concerns about the wording requesting organizations to reach 'all parties' during the consultation: a requirement related to stakeholder identification has been adapted,
- Stakeholder pointed out that the ADV does not address whether consultation should be conducted for all MUs sourced from or sampled MUs as required in the annual verification program: a clarification was made that stakeholder consultation is required for sampled units as a part of the annual verification program,
- Stakeholder feedback allowed identification of a gap between requirements of this ADV and the ADV addressing public summaries. A requirement to request stakeholder consent to publish comments provided has been added,
- Grammar corrections have been implemented where needed.

**Result:**

Due to the changes made in the Advice note, as well as stakeholder concerns related to the implementation, a second round of consultation on this Advice note is planned. The contents of the Advice note was additionally incorporated in the National Risk Assessment Framework (NRAF) as an Annex. The Advice note and the NRAF will be consulted as part of the second round of consultation on the revised Controlled Wood framework (target start date: April 2014).

## **5. Comment summary of ADVICE-40-005-07 Controlled Wood public summaries**

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Comments addressing ADV contents indicated:

- The need for setting a date for adaptation of existing public summaries: CH will be given 6 months to adapt their public summaries;
- The need to consider confidentiality issues in public summaries: ADV has been amended to clarify that stakeholder details will not be connected to their comments;
- Grammar corrections have been implemented where needed.

**Result:**

The amended Advice note will be submitted to the FSC Board of Directors for approval at a later stage, along with the ADVICE-40-005-XX Stakeholder consultation, as the Advice note on public summaries deals with issues regulated and introduced in the Advice note on Stakeholder consultation. Depending on the CW revision timetable, outcomes may also be incorporated in the revised CW framework.

## **6. Comment summary of ADVICE-40-004-XX Verification of controlled inputs materials**

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Some stakeholders support the Advice note as it recognises the value of the originally FSC certified material, while others point out that the Advice note is not needed, arguing that the CW standard should be applied where there is a break in the chain of custody.

Several suggestions for amendments were made.

**Result:**

Considering the stakeholder feedback FSC has put this Advice note on hold, to further investigate the issue.



## **7. Comment summary of ADVICE-40-004-XX Pre-consumer reclaimed wood compliance with timber legality**

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Comments addressing ADV contents indicated:

- The need to clarify the scope of the Advice note and terminology used
- Some stakeholders raised concerns that the Advice note will have significant impact on certain Certificate Holders, such as producers of panel products.
- FSC was asked to postpone implementation of this Advice note and address this issue as part of the revision process of FSC-STD-40-004 or allow for a long transition period before making the requirements effective.

*FSC limited the scope of the Advice note to the EUTR and clarified that “paper scraps” is currently the only pre-consumer reclaimed material that is excluded from the EUTR scope. The Lacey Act allows a “Special Use Designation” to be applied, not requiring identification of the origin and species of “composite, recycled, reused and/or reclaimed materials”. The Australian Prohibition Act has not yet provided sufficient guidance on the product scope of the legislation.*

*In a second step FSC conducted another round of targeted consultation with the stakeholders that provided comments on this Advice note during the first round. According to stakeholder feedback concerns about the impact of this Advice note on CHs persist.*

### **Result:**

FSC created a revised draft Advice note that limits the application of the requirements to the companies directly involved in the trade of FSC certified products to the European Union. Due to the fact that significant changes were made in the revised draft Advice note, a second round of public consultation will be conducted, to allow stakeholders to provide their comments.