

To: Virginijus Sinkevičius, European Commissioner Environment, Oceans and Fisheries
Cc: Florika Fink-Hooijer, Director General for Environment
Astrid Schomaker, Director ENV. F.
Astrid Ladefoged, Head of Unit ENV. F.1

Brussels, 5 December 2023

Subject: Stepping up guidance and engagement for EUDR Implementation

Dear Commissioner Sinkevičius,

Our organisations represent European sectors producing, trading, using and processing products such as palm oil, coffee, cocoa, cattle, soy, wood, and rubber and putting on the market products within the scope of the EUDR. We would like to express our concerns regarding the implementation of the deforestation-free supply chains regulation (Regulation (EU) No 2023/1115) and call upon the European Commission and Member States to urgently provide legal clarity through guidance and clarification on the way forward.

Getting ready for the EUDR: Guidance and legal clarity are needed

With the EU Deforestation Regulation (EUDR) entering into application on 30 December 2024, supply chain actors are doing their utmost to be ready to comply with the requirements of the regulation. However, time is running out fast and many practical implementation questions and legal uncertainties are awaiting urgent clarification. Companies and producers need assurances that the new procedures and solutions they are investing in are in line with the requirements of the EUDR. In the absence of clarification, our members find themselves in legal uncertainty, which is disrupting sectors that are heavily reliant on forward buying, meaning that contracts for 2025 and beyond are currently being concluded.

- The EUDR provides no indication as to how to treat commodities and semi-finished products that are placed on the EU market or imported before 30 December 2024 and made available on the market after this date, in raw or processed form. The absence of clarity, the time needed for adaptations by our members, and for related investments, throughout the supply chains and finally the absence of a workable information system to register imports before the date of application, makes it impossible to expect operators and traders to be compliant before this date. Hence there is an urgent need to determine the modalities for commodities and derived products that will be placed on the market or imported before the date of application.
- Article 9 of the EUDR outlines a set of information requirements for regulation compliance. However, there is uncertainty regarding which documentation constitutes adequate proof of compliance with relevant legislation of the country of production and their sourcing from a deforestation-free area. Supply chain actors seek clarity on identifying what evidence is necessary to demonstrate the new legality requirements and in what form this would need to be provided in order to be verifiable.
- Many pending questions arise in the context of the information system, described under Article 33, which is a central element of the EUDR. Among others, whether the register can be made compatible with existing data management systems, whether the register will be able to handle the amount of geolocation data that needs to be uploaded and stored, and whether the treatment of data which is considered commercially or privately sensitive can be handled with adequate confidentiality, are some of the points of attention that need responses.

We strongly urge the European Commission and Member States to provide clear guidance on making the EUDR practical and workable. Our members need predictability and legal certainty to continue to support their supply chains and to ensure the continued availability of their products on the EU market.

Stepping up public engagement and partnership

To minimise disruption in the current European supply chains and resulting scarcity and consumer price increases, close partnership with EU and non-EU producing countries is key. For decades, producing countries and industry have been in close cooperation and moving towards sustainable practices and sourcing of raw materials.

While our organisations are concerned with the unintended consequences of the requirements of the EUDR for the respective supply chains and the subsequent impact on markets, we call for a strong, transparent and meaningful dialogue between the European Commission and EU and non-EU producing countries. This will be vital to (1) avoid exclusion of smallholders from the European supply chains, (2) uphold social fairness and systemic transformation of the supply chains and (3) continue to promote a framework for compliance with the EUDR. Building on existing national systems schemes and on traceability initiatives will be critical to achieve an inclusive implementation of the EUDR.

Yours faithfully,

The undersigned associations:

- APAG - Oleochemicals Europe
- ACE – Alliance for Beverage Cartons and the Environment
- CAOBISSCO – Chocolate, Biscuit and Confectionery of Europe
- CEI-Bois – European Woodworking Industry Confederation
- CEPI – Confederation of European Paper Industries
- CEPF – Confederation of European Forest Owners
- CESIO – Surfactants Europe
- COCERAL - European Association of Trade in Cereals, Oilseeds, Rice, Pulses, Olive Oil, Oils and Fats, Animal Feed and Agrosupply
- COPA-COGECA - European Farmers and European Agri-Cooperatives
- COTANCE – European Leather Industry
- ECA - European Cocoa Association
- ECF – European Coffee Federation
- EFIC – European Furniture Industries Confederation
- EPF - European Panel Federation
- EOS - European Organisation of the Sawmill Industry
- ETTF – European Timber Trade Federation
- ETRMA - European Tyre & Rubber Manufacturers Association
- FEDIOL - EU Vegetable Oil and Protein meal Industry
- FEFAC - European Feed Manufacturers' Federation
- FEP - European Parquet Federation
- INTERGRAF - European Printing Industry Association
- UECEBV - The European Livestock and Meat Trades Union



This letter has also been sent to:

Valdis Dombrovskis, Executive Vice-President, and European Commissioner for Trade
Sabine Weyand, Director General for Trade

Maroš Šefčovič, Executive Vice-President, European Green Deal, Interinstitutional Relations, and Foresight
Anthony Agotha, Senior diplomatic expert *Action against global deforestation*

Janusz Wojciechowski, European Commissioner for Agriculture
Wolfgang Burtscher, Director General for Agriculture

Margaritis Schinas, Vice-President, and *acting* European Commissioner for International Partnerships
Koen Doens, Director General for International Partnerships

Thierry Breton, European Commissioner for Internal Market, Industry, Entrepreneurship and SMEs
Kerstin Jorna, Director General for Internal Market, Industry, Entrepreneurship and SMEs

Adina Vălean, European Commissioner for Mobility & Transport
Magda Kopczynska, Director General for Mobility & Transport