



## BRIEFING ON WOOD RELATED CRITERIA FOR THE EU ECOLABEL AND GREEN PUBLIC PROCUREMENT

September 2009

### EU Ecolabel

At the next meeting of the EU Ecolabel Board (EUEB) on the 22<sup>nd</sup> September the draft criteria on wooden floor coverings and for wooden furniture will be discussed. The Regulatory Committee will adopt these criteria on the 24<sup>th</sup> of September.

Our main concerns are the following<sup>1</sup>:

- **Setting too low the threshold for timber from sustainable sources**

NGOs demand fully certified wooden floor coverings and wooden furniture (by FSC or equivalent), where at least 70 % is coming from sustainably managed forests and the rest from non-controversial sources. This will simplify the requirements for assessment and verification of compliance, since all currently operating credible certification schemes already have a threshold of 70% for timber originating from sustainable sources and additional provisions to ensure that the remaining does not come from controversial sources. This is also the case for PEFC rules (PEFC ST 2001:2008). In the case of FSC, a short transition phase was introduced whereby the percentage of chip and fibre products originating from certified sustainable managed forests is temporarily reduced from 70% to 50%. This exemption will only apply until the 31<sup>st</sup> of December 2009 - FSC Note FSC-ADV-40-004 1-0 EN).

Such a requirement has not been taken up by the Ecolabel, despite the fact that this has already been accepted in some national (mandatory) timber procurement policies. The UNECE Annual Market Review 2005/2006<sup>2</sup> shows that 50% of the Western European forests are certified and that the current potential supply of certified forest products exceeds actual demand in many markets in Europe. There is therefore no reason not to adopt this requirement as part of a voluntary policy.

- **Providing vague criteria or inadequate requirements for timber from non- controversial sources**

The draft criteria for timber from non-controversial sources are vague or have incomplete requirements. One of the problematic issues is genetically modified trees. Despite the request from a large number of Member States and NGOs at the EUEB meeting of April 2008, the draft criteria for wooden furniture and wooden floor coverings do not exclude the use of wood originating from genetically modified trees. Given the lack of public acceptance for GMOs, this would clearly undermine the credibility of the Ecolabel.

There are also no requirements to prevent conversion of forests to plantations (or non-forest uses) despite the fact that this is one of the major drivers of deforestation and biodiversity loss. Finally, there are no guarantees ensuring that the wood was not harvested in violation of the rights of indigenous people and local communities.

---

<sup>1</sup> This position is also supported by BEUC (European Consumer Organisation)

<sup>2</sup> UNECE (2006). Forest Product Annual Market Review 2005/2006. pg 103

- **Verification tools**

NGOs have formulated detailed proposals to ensure credible verification tools. These refer to the certification system as a whole and to the organisation of the chain of custody (COC). However, the current proposals for criteria are very weak and vulnerable to fraud.

It is well known that, especially in countries with high levels of corruption, false verification certificates are easy to obtain. Despite this, the current verification tools imply that appropriate documentation from the wood supplier indicating types, quantities and origins of wood are sufficient.

With regards to the criteria for credible certification schemes, the Council Resolution of 1998 on a Forestry Strategy is outdated and not detailed enough. New commonly accepted criteria for credible certification schemes should be taken into account, such as :

- the balanced participation of a broad range of stakeholders in governance and standard setting, with a consensus-based decision process
- continuous improvement of the system
- GM trees cannot be certified
- conversion of forests cannot be certified
- the certification is carried out at management unit level, in a cost-effective manner

It is also important to ensure that the certified products are covered by a valid chain of custody certificate as a proof of supply. The applicant must be able to demonstrate that systems are in place and functioning. The certificate should be issued in the applicant's name and cover the products under application. The organisation supplying the COC certificate should be accredited to audit against the certification schemes. The criteria set by the Commission for the COC of the Ecolabel for wooden floor coverings and wooden furniture might have serious implications for the EU illegal logging Regulation, whose final shape is still under discussion in the Council and Parliament.

Stakeholders that claim that fully certified products linked with clear requirements on chain of custody is not possible should be seriously challenged on the current verification tools that are listed in the proposed criteria. Until today, there has been no serious proposal for other credible verification tools that guarantee that wood is coming from sustainably managed forests or from non controversial sources.

- **PVC**

In addition to forest related criteria, NGOs are extremely concerned that the draft criteria for wooden furniture do not exclude the use of PVC, despite the fact that in the EUEB of April 2008 a large number of Member States rejected the same criteria that would allow furniture containing PVC. Considering that PVC is a very controversial material with serious life cycle problems reported in various Commission studies, environmental and consumer NGOs have repeatedly warned that the credibility of the EU Ecolabel scheme would be seriously undermined if PVC was finally permitted in wooden furniture and that there could be serious consequences in terms of environmental and consumer NGOs' support to the scheme.

## **Green public procurement**

The proposed specifications for wood-based products in all the product groups are a great disappointment: these specifications undermine the FLEGT process, do not represent sustainability and threaten to render the EU procurement policy meaningless.

Our main concerns are:

- **'Legal' should be a precondition for entering the EU market, not a green premium.**  
In all the product groups, the core criteria as well as the comprehensive criteria indicate that legal timber can be considered as 'green.' For green procurement, legality should be a given, and sustainability a minimum. Legality should be a precondition for wood to be allowed on the market, not a minimum for GPP.
- **Only products from forests certified as sustainably managed must be accepted.**

Criteria on sustainable timber in the award stage should be moved to the technical specifications. In all product groups, criteria for wood that is verified as being from sustainably managed sources are only included in the award stage. However these criteria should be a basic requirement and already be included in the technical specifications.

The threshold for sustainable timber should be clear and ambitious. Currently only a certain percentage of sustainable wood is required. Instead, the technical specifications of the core criteria should include the requirement that timber should be fully certified with at least 70 % coming from sustainably managed forests and the rest from non-controversial sources.

- **Criteria developed through regional processes should not be accepted.**  
The current criteria allow that timber coming from forests that are well managed as defined by UNCED or any of the regional processes outlining sustainable forest management will be accepted. This is in violation of the EU position that these regional processes cannot and should not be used for certification given that they have been developed for national level monitoring and not for forest management certification. Therefore the European Commission should reject any criteria that are developed through regional processes. The policy should simply state that products must come from forests certified by FSC or equivalent.
- **The acceptance of ‘other appropriate means of proof as proof of compliance’ could create a giant loophole.**  
Only credible certification schemes should be allowed to verify sustainable forest management.
- **Verification tools and mechanisms are weak or non-existent.**  
The accreditation and evaluation of the performance of certification schemes should not be a desk-based process. Competent authorities in the Member States should have a mandate to perform various controls, including regular checks and field audits, to make sure that a certification scheme complies with the criteria and requirements set in the green public procurement policy.
- **The acceptance of simple “declarations of legality” as proof of legality could severely undermine the development and credibility of the FLEGT licensing scheme.**  
As mentioned above, in certain places, false verification certificates declaring legality are easily acquired. By setting such low standard of acceptance (a simple declaration of legality), the Commission will seriously undermine the development and credibility of the future FLEGT licensing scheme, and may even create a disincentive for countries to join FLEGT partnership agreements.

Legality should be a precondition to enter the EU market and therefore GPP should only accept timber certified as sustainable. However, if our recommendations were not to be followed with the justification that incentives are needed for “legal wood products” and that GPP can serve that purpose, then we would recommend phasing out this clause immediately after the entry into force of the new EU illegal logging legislation. At this date, all wood products will have to be legal and the need for such incentives will become redundant.

During this temporary phase, only FLEGT licenses should be accepted as proof of legality under the GPPP. This would be in line with the Dutch and UK timber procurement policy that currently accepts such licenses, but that aims to phase them out in the next years and only allow for timber products certified as coming from well managed forests by FSC or (some) PEFC schemes or equivalent.

**In addition to forestry related issues, environmental NGOs are extremely alarmed by the fact that PVC windows and Vinyl 2010 are being promoted through the GPP guidelines for windows that are currently under finalisation. We strongly believe that this will seriously discredit this product policy instrument.**

END