



2006 Review of forest certification schemes

Submitted Comments and responses on the Program for the Endorsement of Forest Certification schemes

December 22, 2006

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These comments were submitted as part of the 2006 Review of forest certification schemes. The comment period closed on the 24 of June 2006. Each comment has been assigned a number, based on the order in which they appear in the document below. Though the names of the stakeholders have been kept anonymous, each group or individual has been assigned a numbers which is consistent through all five of the 'scheme comment' documents, to facilitate identification of their comments by the stakeholders. These numbers are found under the heading 'Commentator'.

1. Forest Standards

1.1 Content of standards for legal compliance

Criteria	Guidance on implementation	Commentator	CPET responses
<p>1.1.1 The standard requires that the forest owner/manager holds legal use rights to the forest</p>	<p>If schemes are only applicable to countries where legal use rights are clear then an explicit requirement for legal compliance is sufficient for a score of 1 even if legal use rights are not explicitly addressed. However, if the scheme can be applied in countries where legal use rights are not clear, there must be an explicit requirement.</p>		
<p>Comments on 1.1.1</p>			
<p>1</p>	<p>CPET's score of 2 to the PEFC is clearly wrong. CPET found that the criterion was adequately addressed by PEOLG Criterion 6.1b which requires that <i>'Property rights and land tenure arrangements should be clearly defined, documented and established for the relevant forest area. Likewise, legal, customary and traditional rights related to the forest land should be clarified, recognised and respected.'</i> However, the PEOLG do not require that the forest owner/manager holds legal use rights to the forest, which is the test of compliance.</p>	<p>24</p>	<p>This requirement is addressed through PEOLG Criterion 6.1b: <i>'Property rights and land tenure arrangements should be clearly defined, documented and established for the relevant forest area. Likewise, legal, customary and traditional rights related to the forest land should be clarified, recognised and respected.'</i> Therefore any forest management in the defined forest area would have to be subject to this requirement.</p>

Criteria		Guidance on implementation	Commentator	CPET responses
<p>1.1.2 The standard requires compliance from both the forest management organisation and any contractors with local and national legal requirements including those relevant to:</p> <ul style="list-style-type: none"> • Forest management • Environment • Labour and welfare • Health & safety • Other parties' tenure and use rights 		<p>In general, compliance with the law means compliance with all relevant laws. However, it is now recognised in some countries laws may be unclear or conflicting making clear definition of legality difficult to achieve. The FLEGT¹ process has proposed that in such countries it will be necessary to have or develop a practical working definition of 'legal' or a set of core laws which must be met which has support from major stakeholder groups. This can be done through a national standard-setting process or other appropriate means.</p>		
Comments on 1.1.2				
No comment received.				
1.1.3 The standard requires payment of all relevant royalties and taxes		Where payment is clearly required by law, then an explicit requirement for legal compliance is sufficient for a score of 1.		
Comments on 1.1.3				
2	<p>CPET scored the PEFC scheme 2 noting that <i>"This is not explicitly addressed in the standard but should be adequately covered by the requirement for legal compliance"</i>. CPET's assessment is clearly wrong in both cases because neither scheme's standard</p>		24	<p>This requirement was partially addressed. There is no specific reference to the payment of royalties and taxes. However,</p>

¹ Forest Law Enforcement, Governance and Trade is the European Union's response to the problem of illegal logging and trade in associated timber products. The process of developing a working definition of 'legal' has been initiated for Indonesia.

Criteria	Guidance on implementation	Commentator	CPET responses
	includes an express requirement regarding payment of all relevant royalties and taxes. CPET was also wrong to defer to criterion 1.1.2 because some payments are not provided for and regulated by law, for example payments agreed in contracts between seller and buyer.		this is partially covered by legal compliance. PEFC Technical Document Annex 3 section 3.2 states that ' <i>National laws, regulations, programs and policies shall be respected in forest management and certification.</i> '
1.1.4 The standard requires compliance with the requirements of CITES.	For standards which can only be applied in countries which are CITES signatories and have incorporated the requirements into national law this can be implicit under legal requirements. However, it must be explicit if the scheme can be used in non-signatory countries or countries which have not incorporated CITES requirements into national law.		
Comments on 1.1.4			
No comments received.			

1.2 Content of standards for sustainable variant

Criteria	Guidance on implementation	Commentator	CPET responses
1.2.1 Certification standards must be consistent with a widely accepted set of international principles and criteria defining	It is not possible to define a detailed global standard for forest management because of the huge variation in climate, vegetation,		

Criteria	Guidance on implementation	Commentator	CPET responses
<p>sustainable or responsible forest management at the forest management unit level.</p>	<p>topography, socio-economic context etc. Therefore, certification standards need to be adapted to local conditions, but to ensure consistency and avoid trade barriers, it is important to base each standard on accepted international principles such as:</p> <ul style="list-style-type: none"> • Intergovernmental processes designed for use at FMU level, for example the Pan-European Operational Level Guidelines (PEOLG). • Requirements developed by an international organisation such as the ITTO Criteria • International principles developed explicitly for forest certification such as the FSC Principles and Criteria <p>Such international principles can be developed either to guide national planning and reporting, or to guide management at the scale of the forest management unit. As certification applies at the latter level it is appropriate to base certification standards on international principles designed for this use. However, use of a set of appropriate international criteria developed for national reporting or other uses is sufficient for a score of 1.</p>		

Criteria	Guidance on implementation	Commentator	CPET responses
Comments on 1.2.1			
No comments received.			
1.2.2 The standard must be performance-based.	<p>There are two types of requirements - performance and management system. Only performance requirements guarantee a defined level of performance. Therefore, only standards which include performance requirements (which may be in addition to system requirements) can provide the basis for the delivery of the UK government requirements for legal compliance or sustainability.</p> <p>To score 2, the standard must address all of the requirements set out in 1.2.3 - 1.2.6 as performance elements, not as issues to be addressed by a management system without any minimum threshold of performance. To score 1, each of the criteria 1.2.3 - 1.2.6 must be at least partially addressed.</p>		
Comments on 1.2.2			
No comments received.			
1.2.3 The standard must ensure that harm to ecosystems is minimised. In order to do this the standard must include requirements for:	The first sentence sets out the goal of the criterion. Compliance will be assessed against the list of requirements.		

Criteria	Guidance on implementation	Commentator	CPET responses
<p>a. Appropriate assessment of impacts and planning to minimise impacts;</p> <p>b. Protection of soil, water and biodiversity;</p> <p>c. Controlled and appropriate use of chemicals and use of Integrated Pest Management wherever possible.</p> <p>d. Proper disposal of wastes to minimise any negative impacts.</p>	<p>To score a 2, each requirement must be adequately addressed. Where this is not achieved, but there are no major omissions, a score of 1 can be awarded.</p> <p>Where an issue (for example, waste disposal) is adequately covered by legal requirements in all countries where a scheme can be used, it need not be explicit provided that legal compliance is required by the standard.</p>		
Comments on 1.2.3			
3	<p>1.2.3 b Biodiversity & Water Protection</p> <p>The Australian Forestry Standard addresses this under 4.3. Criterion 3 and 4.6 Criterion 6</p> <p><i>‘3 - Forest management shall protect and maintain the biological diversity of forests, including their successional stages, across the regional landscape’</i></p> <p><i>‘6 - Forest management shall protect soil and water resources’</i></p> <p>The nature of the standard is highly contradictory In a note immediately under 4.3 the document provides for a apparently comprehensive approach but then seeks to constrain this by using the phrase ‘where relevant’</p> <p>4.3.1 sets out how biodiversity shall be assessed for significance, then constrains the elements that need to be maintained and protected to a narrow subset identified as ‘Significant Biological Diversity Values’.</p> <p>This is in fact a prelude to clause 4.3.2, which provides for the conversion of native</p>	18	<p>For the PEFC scheme as a whole, 1.2.3b is adequately addressed. Protection of soil, water and biodiversity is addressed in several places, but in particular protection of soil and water is fully addressed through Criterion 5 <i>Maintenance and appropriate enhancement of protective functions in forest management (notably soil and water)</i>; protection of biodiversity is specifically addressed through Criterion 4 <i>Maintenance, conservation and appropriate enhancement of biological diversity in forest ecosystems</i></p> <p>For AFS, this is adequately addressed by AFS Criterion 3, and its sub-criteria. A</p>

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	<p>vegetation to plantations. The intent of this clause is to only constrain conversion where it applies to the very limited subset identified under 4.3.1. The few constraints provided under clause 4.3.2 are further compromised in the notes found below the clause. These notes provide exceptions where ‘Significant Biological Diversity Values’ can be cleared and non-conforming plantations can be a certified.</p> <p>The effects of these clauses can be seen in how the system is implemented. Certificates have been issued to land managers in Tasmania whose business model is based on rapid and unsustainable forest conversion. The effects of the conversion have been the subject of a number scientific studies (an example has been provided), which point directly to significant declines in the abundance and range of a number of species including the increased threat of extinction to two threatened species.</p> <p>We would argue strongly that Clause 4.3.2 of the AFS should cause a failure of compliance (a 0 score) with this CPET Criteria because it explicitly provides a mechanism for driving biodiversity loss and further allows for the destruction of threatened elements of biodiversity and post facto recognition of wood arising from non-conforming plantations. This constitutes a major omission.</p> <p>Further this clause contradicts with and prevents the effective implementation of AFS Clause 4.6.3. Which identifies that impacts on hydrological flow should be minimised. This clause in itself is weak and does not adequately address the CPET criteria because it merely seeks that impacts to hydrological flows be ‘taken into account’.</p> <p>There is a direct link between this CPET criteria and 1.2.3 c.</p> <p>1.2.3 c. Chemical Use</p> <p>AFS Clause 4.5.5</p> <p>The clause directs forest managers who ‘shall reduce reliance on chemicals’. The note provided below this clause effectively negates this sentiment.</p>		<p>note to Criterion 3 also states that:</p> <p><i>‘The intent of the requirements under this criterion is to protect and maintain the elements of the biological diversity of the forests, including where relevant ecosystem diversity,....species diversity,....genetic diversity.’</i></p> <p>CPET requirements do not explicitly preclude any forest conversion.</p> <p>AFS Sub-criterion 4.3.2 states that:</p> <p><i>‘The forest manager shall not undertake conversion, except in circumstances where conversion entails a limited portion of the forest type at the bioregional level and where it is reasonably certain that it does not involve viable examples of threatened (including vulnerable, rare or endangered) forest ecosystems; old-growth forest that is rare or depleted within a forest ecosystem; and important habitat of threatened (including vulnerable, rare or endangered) species.’</i></p> <p>This review does not include assessments of the actual outcome of certification in the forest.</p> <p>For the PEFC scheme as a whole, 1.2.3c is</p>

Criteria	Guidance on implementation	Commentator	CPET responses
	<p>'Note – This requirement seeks to reduce or minimise reliance on the use of chemicals and is not intended to result in forest managers foregoing achievement of critical forest management outcomes.'</p> <p>This approach to standard setting allows organisations and certifiers to continue management activities unchanged. All legal registered chemicals are available for use under the AFS. AFS Ltd continues to defend the use of the poison 1080, which is used in an untargeted way to poison large numbers of native mammals on private land in Tasmania. The AFS certified Forestry Company Gunns Ltd is the single largest user of 1080 and has rigorously defended its right to continue with its application, including where adjacent landowners are conducting organic farming operations. The use of the chemical atrazine is also highly controversial in Australia because it is both persistent and highly mobile through many of Australia's soils. It is also a suspected carcinogen. This means that this chemical among others enters waterways very easily. It is not used by FSC certified organisations within Australia .Clause 4.6.5 of the AFS, which relates to water pollution prevention is itself weak. Forester mangers are to prevent and constrain and have an 'objective'. This implies that they don't need systems and processes.</p> <p>Chemical use governance has been exposed in Tasmania as very weak. This is elaborated in attached documentation. Under these circumstances, where prosecutions almost never occur compliance auditing is presumably based on the organisation having the objective written down. The AFS is inadequate in meeting this CPET requirement.</p> <p>This is not adequate either to protect water 1.2.3 b or encourage chemical use minimisation and IPM alternatives.</p>		<p>adequately addressed through PEOLG Criterion 2.2c: <i>'The use of pesticides and herbicides should be minimised, taking into account appropriate silvicultural alternatives and other biological means.'</i></p> <p>PEOLG Criterion 2.2d also states that <i>'In case fertilisers are used they should be applied in a controlled manner and with due consideration to the environment.'</i></p> <p>PEOLG Criterion 2.2a requires that <i>'Forest management practices should make best use of natural structures and processes and use preventive biological measures wherever and as far as economically feasible to maintain and enhance the health and vitality of forests.'</i></p> <p>For AFS, this requirement is adequately addressed by sub-criterion 4.5.5, which states that:</p> <p><i>The forest manager shall reduce reliance on chemicals (including pesticides and fertilizers) and favour alternative cost-effective methods (including safe biological agents) that minimize adverse impacts on the environment. Note: This requirement seeks to reduce or minimize</i></p>

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			<p><i>reliance on the use of chemicals and is not intended to result in forest managers foregoing achievement of critical forest management outcomes.</i></p> <p>This review does not include assessments of the actual outcome of certification in the forest.</p>
<p>1.2.4 The standard must seek to ensure that productivity of the forest is maintained. In order to do this the standard must include requirements for:</p> <p>a. Management planning and implementation of management activities to avoid significant negative impacts on forest productivity.</p> <p>b. Monitoring which is adequate to check compliance with all requirements, together with review and feedback into planning.</p> <p>c. Operations and operational procedures which minimise impacts on the range of forest resources and services.</p> <p>d. Adequate training of all personnel, both employees and contractors.</p> <p>e. Harvest levels that do not exceed the long-term production capacity of the forest,</p>	<p>The first sentence sets out the goal of the criterion. Compliance will be assessed against the list of requirements.</p> <p>To score a 2, each requirement must be adequately addressed. Where this is not achieved, but there are no major omissions, a score of 1 can be awarded.</p> <p>Where an issue is adequately covered by legal requirements in all countries where a scheme can be used, it need not be explicit provided that legal compliance is required by the standard.</p>		

Criteria	Guidance on implementation	Commentator	CPET responses
based on adequate inventory and growth and yield data.			
Comments on 1.2.4			
No comments received.			
<p>1.2.5 The standard must seek to ensure that forest ecosystem health and vitality is maintained. In order to do this the standard must include requirements for:</p> <p>a. Management planning which aims to maintain or increase the health and vitality of forest ecosystems</p> <p>b. Management of natural processes, fires, pests and diseases.</p> <p>c. Adequate protection of the forest from unauthorised activities such as illegal logging, mining and encroachment.</p>	<p>The first sentence sets out the goal of the criterion. Compliance will be assessed against the list of requirements.</p> <p>To score a 2, each requirement must be adequately addressed. Where this is not achieved, but there are no major omissions, a score of 1 can be awarded.</p> <p>Where an issue is adequately covered by legal requirements in all countries where a scheme can be used, it need not be explicit provided that the standard assures legal compliance.</p>		
Comments on 1.2.5			
No comments received.			
<p>1.2.6 The standard must seek to ensure that biodiversity is maintained. In order to do this the standard must include requirements for:</p>	<p>The first sentence sets out the goal of the criterion. Compliance will be assessed against the list of requirements.</p> <p>To score a 2, each requirement must be</p>		

Criteria	Guidance on implementation	Commentator	CPET responses
<p>a. Implementation of safeguards to protect rare, threatened and endangered species.</p> <p>b. The conservation/set-aside of key ecosystems or habitats in their natural state.</p> <p>c. The protection of features and species of outstanding or exceptional value.</p>	<p>adequately addressed. Where this is not achieved, but there are no major omissions, a score of 1 can be awarded.</p> <p>Where an issue is adequately covered by legal requirements in all countries where a scheme can be used, it need not be explicit provided that the standard assures legal compliance.</p>		
Comments on 1.2.6			
4	<p>1.2.6 a</p> <ol style="list-style-type: none"> 1. This relates closely to comments made in respect 1.2.3b. The conversion clause AFS 4.3.2 effectively negates any safeguards for the protection of rare, threatened and endangered species. Conversion is occurring in Tasmania at a whole of landscape scale (public and private tenures) and is largely confined to productive landscapes already under pressure. 2. There is documented evidence that this is increasing the probability of local extinction of at least 2 species that are listed under Tasmanian and National legislation. The Tasmanian wedge-tailed eagle and the Spotted-tail quoll. In addition to these species many other listed plant and animal listed species are threatened directly by the clearing of their habitat these are identified in RFA documents available. Others are threatened by the loss of hollow bearing trees and rotting wood. While it is possible to manage for the protection of these assets in the context of some silvicultural systems. This is impossible where land is being converted to short rotation plantation or short rotation single age native forest management. Again the conversion clause is contrary to the 	18	<p>1.2.6a: see response to comment no. 3.</p> <p>1.2.6c For the PEFC scheme as a whole, this requirement is partially addressed by Criterion 4.1b which requires the identification of areas of importance for biodiversity, while 5.1 requires identification of areas of significance for their protective functions. However, requirements for the protection of such features or species are less explicit.</p> <p>For AFS, this is partially addressed by AFS Criterion 3, and its sub-criteria, which require the identification, maintenance and protection of <i>Significant Biological Diversity Values</i>.</p>

Criteria	Guidance on implementation	Commentator	CPET responses
	<p>outcomes sought under AFS clause 4.3.4 which seeks to establish and maintain a diversity of growth stages and forest structural elements.</p> <p>We would argue strongly that Clause 4.3.2 of the AFS should cause a failure of compliance (a 0 score) with this CPET Criteria because it explicitly provides a mechanism for driving biodiversity and loss, which has been explicitly linked to threatened species loss and further allows for the destruction of threatened elements of biodiversity and post facto recognition of wood arising from non-conforming plantations. This constitutes a major omission.</p> <p>1.2.6 c</p> <ol style="list-style-type: none"> 1. In Australian forest production regions where Regional Forest Agreements or equivalent processes have been undertaken and are therefore eligible for AFS certification old-growth forest is a significantly depleted resource. Less than 16% of the extant area of forest in these regions is protected old-growth. Less than 10% of the original pre European (1750) forest remains as old-growth. These old-growth remnants contain the tallest flowering plants in the world. By any reasonable definition this constitutes a feature of outstanding value. The AFS allows for the logging of these forests unless the individual forest community is rare. 2. There is no provision within the standard for the maintenance of this value beyond the very narrowly defined subset. <p>We would argue strongly that Clause 4.3.2 of the AFS should cause a failure of compliance (a 0 score) with this CPET Criteria because it explicitly provides a mechanism for driving continued old-growth forest loss and further allows for the destruction of threatened old-growth and post facto recognition of wood arising from non-conforming plantations. This constitutes a major omission.</p>		

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1.3 Standard-setting process

Criteria	Guidance on implementation	Commentator	CPET responses
1.3.1 The standard-setting process must be consistent with the requirements of <i>ISO Guide 59: Code of Good Practice for Standardisation</i> or the <i>ISEAL Code of Good Practice for Setting Social and Environmental Standards</i> or equivalent.	Consistency or equivalence can be assessed by reference to the list of key requirements in Annex 1.		
Comments on 1.3.1			
No comments received.			
1.3.2 The standard-setting process must seek to ensure balanced representation and input from the economic, environmental and social interest categories.	It is widely accepted that ‘sustainable forest management’ is management which delivers an appropriate combination of economic, environmental and social benefits. In practice it is rarely possible to deliver all possible benefits all of the time so it is necessary to find appropriate compromises between competing interests. The only way to achieve balanced representation in practice is to ensure that the		

Criteria	Guidance on implementation	Commentator	CPET responses
	<p>range of issues and viewpoints of the different stakeholder groups making up the economic, environmental and social interest categories are fed into and influence the standard-setting process.</p> <p>Major stakeholder groups include such groups as forest owners and managers, processors, buyers, governments, academics, conservation organisations, NGOs, workers, forest users, indigenous groups, and communities.</p> <p>To score 2 the process must actively seek to ensure that the full range of stakeholder groups within each interest category are engaged and involved. A score of 1 can be achieved if the range of stakeholder groups within each interest category have access to the standard-setting process.</p>		
Comments on 1.3.2			
5	<p>The [organisation] on behalf of Australian ENGO's has undertaken a major critique of the AFS particularly its governance structures. AFS has responded to this critique and continued to try and perpetuate a myth that Australian ENGO's either did 'participate' or don't want to participate. This has been dealt with in a further document. Rather than repeat and re-present all the evidence contained in the reports in these tables. I would ask that you use the documentary evidence provided. I have provided a summary of the</p>	18	<p>For the PEFC scheme as a whole, this requirement was partially addressed.</p> <p>PEFC Technical Document Annex 2 section 3.5.1 Forum for standard setting states that</p>

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<p>facts below</p> <p>In summary:</p> <ol style="list-style-type: none"> 1. The AFS does not have an environmental interest category. 2. Work on the standard was commenced between industry and government without ENGO's. 3. The interim standard was developed without meaningful ENGO participation. 4. ENGO's have maintained a willingness to participate in standards development on an equitable basis. 5. The standard reflects the lack of effective access to the standard setting process. 6. At no stage has AFS Lts made any attempt to amend the standard to address fundamental and oft repeated issues of concern. 7. Recent changes to the structure of AFS have failed to address the fundamental issues because AFS Ltd will only offer engagement on its terms – that is acceptance of the existing standard produced without meaningful engo engagement through the establishment of an environmental interest category. <p>The standard setting process has failed comprehensively to meet this criterion and it should score 0</p>			<p><i>'The process of development of certification criteria shall be initiated by national forest owners' organisations or national forestry sector organisations having the support of major forest owners' organisations in that country. All relevant interested parties will be invited to participate in this process.</i></p> <p><i>A forum (e.g. committee, council, working group) shall be created to which interested parties are invited to participate in the process. The invited parties should represent different aspects of sustainable forest management and include, e.g. forest owners, forest industry, environmental and social non-governmental organisations, trade unions, retailers and other relevant organisations at national or sub-national level.'</i></p> <p><i>Participation in the Forum shall be organised according to its respective consensus – building procedures which should provide for balanced representation of interest categories such as producers, buyers, consumers etc'</i></p>

Criteria		Guidance on implementation	Commentator	CPET responses
				<p>The forum provides access for the full range of stakeholder groups to participate in the standard-setting process, it is not required to actively seek to ensure that the full range are engaged and involved.</p> <p>AFS mechanisms were found to be consistent with these PEFC requirements.</p> <p>See also responses to comments under 1.3.3.</p>
	<p>It is clear that the PEFC Council and some PEFC national standards setting bodies do not have balanced representation of the three interest groups. In spite of this PEFC scored 1 in the CEPT assessment. The findings of the CEPT assessment include a number of extracts from the PEFC's procedures. Even if documented procedures were admissible as evidence of compliance, the scheme would not comply with the criterion to an adequate degree because the procedures do not state that national standard-setting bodies or the PEFC Council (which is responsible for adopting the standard) must include <i>"balanced representation of economic, environmental and social interest categories"</i>.</p>		24	See response to comment no. 5.
1.3.3	The standard-setting and decision-	The way in which the process is run and		

Criteria	Guidance on implementation	Commentator	CPET responses
<p>making process adopted must seek to ensure:</p> <ul style="list-style-type: none"> • No single interest can dominate the process; • No decision can be made in the absence of agreement from the majority of an interest category. 	<p>decisions are made is as important as the range of interests represented since an appropriate compromise will only be achieved if all the interest categories are able to influence the standard-setting and decision-making process.</p> <p>To achieve a score of 2 the standard-setting process must be designed to ensure that all three interest categories can influence the process equally and that the standard cannot be finalised in the absence of agreement from a majority of an interest category. In practice this can be achieved by:</p> <ul style="list-style-type: none"> • A process based on consensus where this means that a decision cannot be reached if any major stakeholder group sustains a strong objection; or • A process based on majority voting within each of the three interest categories. <p>Where neither of these approaches is followed, in order to achieve a score of 1 the scheme must ensure² that it would not be possible for a standard to be finalised if:</p>		

² If a process provides a genuine opportunity for any major stakeholder group to influence the content of the standard, but a group chooses not to participate, this would not constitute a failure.

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	<ul style="list-style-type: none"> • It would be possible for a major stakeholder group to be involved in the process but not able to significantly influence the content of the standard; and • The stakeholder group was strongly opposed to the content of the standard. 		
Comments on 1.3.3			
6	<p>[Referring to a National Scheme that was part of the PEFC probationary re-assessment]</p> <p>The source document in relation to standards development under [organisation] has been revised and approved by [organisation]. The changes align with the PEFC requirements and CPET criterion.</p>	4	Comment noted.
	<p>[From a letter referring to the above process]</p> <p>1. (a) Please explain how engagement to pursue a CoC Standard can be achieved in view of the outstanding and unresolved stakeholder issues which have occurred in relation to the development of the Forest Management Standard itself and, (b) In light of ENGO non participation in the [...] development stages of the CoC Standard could you also please explain how a CoC Standard ballot can be undertaken and without completion of a multi-stakeholder endorsed Management Standard.</p> <p>2. [Organisation] is aware of previous requests from other ENGO's for a full and comprehensive restructuring of the AFS Terms of Reference, the composition of the Steering Committee and Technical Reference Committee, and Board of AFS Ltd. Until these initial ENGO concerns have been addressed [Organisation] cannot enter into, nor</p>	5	<p>This was a letter copied to CPET, but it was not clear whether it was a submission for this review.</p> <p>These issues are covered by the response to comment no. 8.</p>

Criteria	Guidance on implementation	Commentator	CPET responses
	<p>be seen endorsing, consultations regarding this CoC Standard. Communications with any other stakeholder sector regarding this ballot cannot be seen as legitimate given the ENGO sectors exclusion from the original formation of the AFS.</p> <p>3. In order for there to be legitimate ENGO engagement an environmental interest sector needs to be established equitably within the process and with a membership that genuinely reflects this sector interest. It should include National and Regional ENGO's and National and Regional organisations promoting nature conservation.</p> <p>4. When you are willing to engage on the matters referred to above we would be willing to enter into discussions regarding possible future consultations. We would welcome the development of a legitimate [Place] Forest Standard. We are happy to see diversity in the certification market providing standards guarantee sustainability rather than lowest common denominator status quo accreditation.</p>		
7	<p>The PEFC standard has criteria related to reindeer herding and Sámi people, but neither Sámi people's organizations nor reindeer herders organizations have approved the criteria. The Sámi Parliament was heard in the making of the criteria, but they have not approved the end result. Reindeer herders, represented by co-operatives, were not involved. The governmental Reindeer Herders Association was involved, but it does not represent reindeer herders in these matters.</p> <p>The criterion on reindeer herding requires that Metsähallitus informs co-operatives before logging. 'Negotiation' is also required, but the standard does not define what it means. Even if the logging harms reindeer herders seriously and the co-operative tells Metsähallitus that the logging is unacceptable, Metsähallitus can carry it out and still fulfil the demands of the criterion. This is because the criterion does not require true negotiations or the consent of reindeer herders.</p> <p>In the audit of PEFC co-operatives have not been heard and probably non of the</p>	7	<p>See responses to comments nos. 5 and 8.</p> <p>This review does not assess the actual outcome of certification in the forest.</p>

Criteria	Guidance on implementation	Commentator	CPET responses
	<p>statements of co-operatives on the negative effects of logging reach the awareness of the auditors. Despite high and loud resistance of logging, despite severe and large damages for the pastures, there is no difference in the PEFC-certification result. Thus, the PEFC-standard is not able to measure the acceptability of State forestry in Inari, nor can the PEFC-certificate guarantee that the production does not cause severe harm to Sámi reindeer herding.</p>		
8	<p>The [organisation] on behalf of Australian ENGO's has undertaken a major critique of the AFS particularly its governance structures. AFS has responded to this critique and continued to try and perpetuate a myth that Australian ENGO's either did 'participate' or don't want to participate. This has been dealt with in a further document. Rather than repeat and re-present all the evidence contained in the reports in these tables. I would ask that you use the documentary evidence provided in those documents and other attachments. I have provided a summary of the facts below as they relate to this criterion.</p> <p>In summary:</p> <ol style="list-style-type: none"> 1. The process is overwhelmingly dominated by the forestry sector and has been from the beginning. Government Forest agency heads and industry executives dominate the current Board of AFS Ltd. In the case of the Chair the former head of the Commonwealth of Australia's Forestry Department. The TRC is similarly unbalanced and has been from the beginning (Evidence in Procedure 1). 2. There was no environment interest category when the interim standard was agreed. The decision to put the standard to ballot without addressing the strong opposition to the process used and content of the standard reflected the Governance arrangements at the time - that is that engo's could not change the outcome based on the voting procedures in place and this was clearly 	18	<p>This requirement is partially addressed by the PEFC scheme as a whole, taking into account the findings for a number of endorsed national schemes, including AFS.</p> <p>PEFC Technical Document Annex 2 section 3.5.1 Forum for standard setting states that</p> <p><i>'Formal approval of standards shall be based on evidence of consensus.'</i></p> <p><i>'Participation in the Forum shall be organised according to its respective consensus - building procedures which should provide for balanced representation of interest categories such as producers, buyers, consumers etc'</i></p> <p>The adopted definition of consensus (Annex 1) is taken from ISO Guide 2, which requires <i>'the absence of sustained</i></p>

Criteria	Guidance on implementation	Commentator	CPET responses
	<p>understood by the AFS Steering Committee and TRC.</p> <ol style="list-style-type: none"> 3. The failure of process was recognised by Standards Australia who only granted interim status to the standard. 4. Having obtained sufficient status to start issuing certificates and become an accredited standards organisation in its own right AFS Ltd has produced a procedures document to give the appearance of compliance with more stringent international governance standards. This document was produced without any input from stakeholders including the AFS TRC. It is unclear what the status of this document is. 5. There is still no environmental interest category so that engo input if it occurred would continue to be subject to crude numbers manipulation established by the voting procedures set out in the Procedures document. To illustrate this point two new 'community organisations' have joined the AFS TRC. The Bush Users Group of Victoria is an anti environment 'wise use' group that campaigns to keep areas out of reserves, seeks motorised access to nature conservation reserves is publicly aligned to the logging industry and promotes the grazing of alpine vegetation by exotic browsers etc. The Tourism Council of Tasmania has 32 members including a number of Tasmanian Government agencies and or government business enterprises one of which is Forestry Tasmania. It is hard to see how these two groups could be considered to have a national mandate as required by the TRC eligibility rules of the procedures document (Annex 2). 6. Annex 4 of the procedures document sets out the voting procedure. Given the composition of the TRC and the claimed 'unanimous' support for the interim standard and CoC standard, any ballot (with or without engo participation) will be passed by the required majority. This means that the final ratification of the 		<p><i>opposition to substantial issues by any important part of the concerned interests' but need not imply unanimity.</i></p> <p>However, evaluations of PEFC-endorsed national schemes by CPET have shown that implementation of Annex 2 requirements on consensus has been variable. There are endorsed national schemes using voting mechanisms that are not consistent with the Annex 2 requirements. In response, PEFC Council have recently clarified requirements for consensus and strengthened the process of assessing national schemes.</p> <p>The PEFC Council interpretation of requirements for consensus have now been further detailed in <i>Guideline GL5/2006</i>. This explicitly allows for voting, with the safeguard that "a negative vote which represents sustained opposition of any important part of the concerned interests to a substantive issue" triggers a further negotiation and dispute resolution process.</p> <p><i>Guideline GL5</i> does not provide definitions of "any important part of the concerned interests" or "substantive</p>

Criteria	Guidance on implementation	Commentator	CPET responses
	<p>interim standard will hinge on the dissent of a 'major interest' - nowhere in the procedures document is major interest defined. The only precision around this is set out below:</p> <p>'A major interest may be within one stakeholder grouping or a combination of votes that have a similar reason for registering a negative vote.'</p> <p>7. The Chair of the Committee has a very clear and powerful role with the 'project manager' in making decisions in respect of a negative vote. The Chair of the TRC has been involved since the beginning of the process it is very hard to see why he should acquiesce to the concerns of engos having made no attempt to do this since 2001. The Chair has the power to effectively override the dissent. This is despite an apparent conflict of interest in the current Chair being a senior executive of an AFS accredited organisation (Forestry Tasmania).</p> <p>8. There is a final discretionary provision available to the chair to refer the process to the Standards Australia Policy Board. The Wilderness Society has been advised by Standards Australia (verbally 23/06/2006) if a referral in respect of a failure of consensus is made to the Policy Board it can make no recommendation in respect of the content or accreditation of the standard and would refer AFS Ltd to a mediation process. As this amounts to a failure of the ballot it is hard to imagine, given the history of AFS Ltd that this would occur. It should be noted that there is no clear process as to the matter of referring an interim standard back to the Standards Policy Board for a second time (no documentation for this eventuality could be found). Effectively there is no final arbiter beyond AFS td</p> <p>9. Australian engos have stood resolute in their rejection of the Australian Forestry Standard ie have sustained a strong objection for 5 years! The reasons for this rejection have been very publicly stated, communicated directly to Standards</p>		<p>issue". However, PEFC have confirmed that groups such as small forest owners, ENGOs or indigenous peoples would be considered as an "important part of the concerned interests".</p> <p>PEFC Council have also now (Board resolution in October 2006, amendments to Annex 7) introduced a mandatory peer review of the national scheme assessment report. The Panel of Experts for undertaking a peer review is required to include "a broad range of interests including:</p> <ul style="list-style-type: none"> • Forestry • Certification and accreditation processes • NGOs (including social and environmental interests) • Market access." <p>PEFC have confirmed that a programme of training for scheme assessors and peer reviewers will specifically reinforce the issues covered by <i>Guideline GL5</i>.</p>

Criteria	Guidance on implementation	Commentator	CPET responses
	<p>Australia, communicated in correspondence to AFS Ltd and to the consultant representing PEFC. Further the evidence supporting this rejection has been made publicly available. At no stage have the substantive issues with process or the conflict with the content of the standard been addressed. Australian engos remain willing to participate if the grievances first raised in 2001 are dealt with. This would involve re-constituting a true multi-sectoral standard setting process and withdrawing the certificates that have been issued by AFS. As these were issued in the absence of multi-sectoral consent to the interim standard.</p> <p>The standard setting process has failed comprehensively to meet this criterion and it should score 0</p>		
9	<p>The criterion is ambiguous. It is not clear whether assessment against the three conditions should be confined to the way in which the standard-setting-body takes into account the views of its members in reaching a decision, or should extend to the way in which the views of persons who have engaged in the standard-setting process as consultees are taken into account. For example, if an NGO with a large membership is not represented on the standards-setting body but has engaged in the process and maintains an objection, can the standard-setting body ignore the objection and adopt the standard and still be in compliance with the criterion? The guidance does not shed any light on the matter.</p> <p>The assessor applied the broad interpretation of the criterion in terms of the two possibilities described in paragraph 0 – <i>“there is no requirement to ensure participation of different interest categories, and thereby prevent a single interest from dominating the process”</i>. In spite of what appears to be a fundamental failure against the test of the criterion, PEFC was scored 1.</p>	24	<p>CPET requirements relate to both representation (1.3.2) and decision-making (1.3.3) during the standard-setting process.</p> <p>With regard to 1.3.2 PEFC scored 1 because:</p> <p>The forum provides access for the full range of stakeholder groups to participate in the standard-setting process, it is not required to actively seek to ensure that the full range are engaged and involved.</p> <p>This finding is consistent with the guidance which states:</p> <p><i>A score of 1 can be achieved if the range of stakeholder groups within each interest</i></p>

Criteria	Guidance on implementation	Commentator	CPET responses
			<i>category have access to the standard-setting process.</i>

2. Certification

Criteria	Guidance on implementation	Commentator	CPET responses
2.1 Certification must be undertaken by a body whose organisation, systems and procedures conform to applicable ISO guidance, or publicly available equivalent.	<p>Applicable ISO guidance includes:</p> <ul style="list-style-type: none"> • ISO Guide 62:1996 General requirements for bodies operating assessment and certification/registration of quality systems • ISO Guide 65: 1996 General Requirements for bodies operating product certification systems • ISO Guide 66: 1999 General requirements for bodies operating assessment and certification/registration of environmental management systems (EMS). <p>Note if this is not delivered by the scope of the accreditation, then the checklist in Annex 2 must be completed.</p>		
Comments on 2.1			
No comments received.			

Criteria	Guidance on implementation	Commentator	CPET responses
2.2 Certification is undertaken by a-body which is accredited to evaluate against forest management standards.	The scope of the accreditation should include the elements set out in 2.3 - 2.6.		
Comments on 2.2			
No comments received.			
2.3 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.	<p>The make-up of the team, the sampling strategy and the amount of time spent carrying out the audit are all important in ensuring that sufficient objective evidence of compliance with the standard is collected to make the final decision robust.</p> <p>The possible scores against this criterion are either 0 or 2.</p>		
Comments on 2.3			

Criteria	Guidance on implementation	Commentator	CPET responses
10	<p>To assess a scheme, CEPT must study the way in which audits are carried out and must not rely on evidence from scheme rules governing audit procedures. If that is not the intention, the criterion should be revised.</p> <p>The criterion duplicates 2.1 in many respects. The duplication is reflected in the CPET assessment - PEFC was scored 2 against the criterion on the basis that the scheme's certification procedures conformed to relevant ISO guidance (criterion 2.1) and therefore should be adequate. If criterion 2.1 is a sufficient test, criterion 2.3 is redundant and can be deleted. However, if 2.3 adds to 2.1, it should be retained.</p> <p>The finding in the assessment of PEFC "<i>the required compliance with ISO guidance should provide an adequate basis</i>" is surprising for a supposedly rigorous assessment. The assessor should determine whether compliance with ISO guidance does or does not ensure compliance with the criterion.</p> <p>There is a substantial difference of opinion between the CPET assessment and some interested parties over the scoring of some schemes. One of the main reasons for the difference is that the CPET assessment appears not to have applied rigorously the test that the certification audit must verify "<i>outcomes in the forest to ensure that both system and performance requirements in the standard are being met</i>". There is strong evidence that forests can be certified under the PEFC and SFI schemes without verification of outcomes in the forest against all of their standards' system and performance requirements. CPET's finding quoted in paragraph 0 is not strong enough evidence of compliance with the criterion.</p>	24	<p>CPET's findings for PEFC now state that:</p> <p><i>This is not addressed specifically in Technical Document Annex 6 Section 4. However, the required compliance with ISO guidance (criterion 2.1 above) provides an adequate basis.</i></p> <p>No objective verifiable evidence was submitted that adequate verification of outcomes in the forest is not being undertaken under the PEFC scheme.</p>
2.4 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.	Consultation with external stakeholders is very important to establish whether there are any issues which might prevent full compliance with the standard which the audit team has not identified (eg seasonal issues not evident at the		

Criteria	Guidance on implementation	Commentator	CPET responses
	<p>time of the audit, ongoing social conflicts) and to ensure that any interpretation of the requirements of the standard for the immediate local conditions is appropriate.</p> <p>To score 2, the stakeholder consultation must be designed to ensure identification of all relevant issues. To score 1, there must be some provision for consultation.</p>		
Comments on 2.4			

Criteria	Guidance on implementation	Commentator	CPET responses
11	<ol style="list-style-type: none"> 1. AFS Ltd has provided no publicly available information in the form of standards documentation that it has met this requirement. However in correspondence to the Australian Conservation Foundation dated 21 May 2006 there is a reference to JAS-ANZ and its role with certification bodies and a link to the JAS-ANZ website from the AFS Ltd website 2. Upon examination there appear to have been additions to JAS-ANZ Procedure No 26 relating to the conduct of audits vis a vis certification audits. 3. No public consultation process occurred in respect of these changes. 4. The AFS interim Standard itself does not provide appropriate direction to forest managers and it clearly should 5. The requirements for public consultation are very weak in the JAS-ANZ procedures and are self evidently not following a participatory model. 6. The requirements for consultation are not sufficiently inclusive or open to meet the requirements of the criteria as the organisation being assessed can choose who it considers as a relevant stakeholder. The auditor then gets to choose a sample and decides relevance. It is unclear whether the auditor is required to choose from within the list provided by the organisation or can go beyond it. <p>Presumably these have been submitted to CPET so there is clearly some provision for consultation. However it is completely inadequate. Score 0 or 1</p>	18	<p>The PEFC scheme as a whole partially addressed this requirement.</p> <p>PEFC Technical Document Annex 6 Section 4 states that <i>'The audit evidence to determine the conformity with the forest management standard shall include relevant information from external parties (e.g. government agencies, community groups, conservations organisations etc) as appropriate.'</i></p> <p>This does not specifically require that stakeholder consultation must be designed to ensure the identification of all relevant issues.</p> <p>The requirements of JAS - ANZ Procedure no. 26 (section 3.3) relating to stakeholder consultation are consistent with this finding.</p>

Criteria	Guidance on implementation	Commentator	CPET responses
12	<p>In order to meet the criterion in full, certification bodies must run a consultation process that engages external stakeholders in such a way that it achieves as a result that “all relevant issues relating to compliance with the standard are identified”</p> <p>The intended test might be that a scheme’s rules require certification bodies to run consultation processes that reach out to everyone who has information relevant to the assessment of compliance pass the test. If that is so, schemes that allow certification bodies to run consultation processes that are unlikely to reach everyone or that exclude people who have information relevant to the assessment fail the test. The procedures cited by CPET in the assessment of the PEFC and SFI schemes allow certification bodies to run exclusive information gathering processes. Neither scheme requires a process that could reasonably be assessed as meeting the test of the criterion. In spite of this both schemes were scored 2.</p>	24	See response to comment no. 11.

Criteria	Guidance on implementation	Commentator	CPET responses
<p>2.5 A summary of the results of the certification audit (excluding confidential information) must be publicly available to interested parties.</p>	<p>Sustainability can only be delivered by an appropriate balance of economic, social and environmental imperatives. It is important that representatives of each of these groups can monitor certification to make sure that the appropriate balance is being delivered.</p> <p>The information must, at a minimum, provide a summary of the findings with respect to conformance with the requirements of the forest management standard.</p> <p>To score 2, the public summary must be available on a relevant website. To score 1, the summary must be electronically available to any interested party on request within a defined timescale.</p>		
<p>Comments on 2.5</p>			
<p>No comments received.</p>			
<p>2.6 There is an accessible and functioning mechanism for dealing with complaints and disputes which is open to any interested party.</p>	<p>It is widely accepted good practice to ensure that any issues or concerns are dealt with efficiently and transparently, whatever their origin.</p>		
<p>Comments on 2.6</p>			

Criteria	Guidance on implementation	Commentator	CPET responses
13	The grievances procedure of the AFS was written after the interim standard was 'approved'. The only reference in the standard is at 4.2.3. 4 th dot point: "employing appropriate mechanisms to resolve disputes and grievances". The AFS grievance procedure itself directs any complainants to the forest manager the grievance is with and allows no role for the certifier. A number of groups and individuals have tried to have grievances dealt with. A set of correspondence between An aggrieved party AFS Ltd a certified organisations and certifiers is provided. This evidence in respect of the failure of system implementation. It demonstrates that the mechanism is clearly not functioning! AFS Ltd has failed comprehensively to meet this criterion and it should score 0	18	<p>This requirement is adequately addressed by the PEFC scheme as a whole.</p> <p>Resolution of disputes relating to certification decisions are covered in Annex 3 Clause 6.2 which refers to the dispute resolution mechanisms required for certification bodies and accreditation bodies.</p> <p>The requirements of JAS - ANZ Procedure no. 26 relating to appeals, complaints and disputes (section 2.4) are consistent with this finding.</p>

3. Accreditation

Criteria	Guidance on implementation	Commentator	CPET responses
3.1 Accreditation must be undertaken by a national or international body whose organisation, systems and procedures are consistent with ISO 17011:2004 <i>Conformity assessment -- General requirements for accreditation bodies accrediting conformity assessment bodies</i> or equivalent.	Note if this is not provided by the requirements of the certification system, or through other mechanisms such as the International Accreditation Forum's Multilateral Recognitions Arrangements then the checklist in Annex 3 must be completed.		

Criteria	Guidance on implementation	Commentator	CPET responses
Comments on 3.1			
No comments received.			

4. Chain of Custody

Criteria	Guidance on implementation	Commentator	CPET responses
4.1 Assessment of chain of custody must be undertaken by a certification body operating in accordance with ISO Guide 65 or equivalent and accredited by an accreditation body operating in accordance with ISO 17011 or equivalent.	Chain of custody certification must be undertaken by an accredited competent third-party just as for forest management certification.		
Comments on 4.1			
No comments received.			
4.2 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.	<p>This means that each organisation in the chain from forest to final certified product which owns or processes the material in any way must have been audited to confirm that they are implementing chain of custody requirements and have a valid chain of custody certificate.</p> <p>The possible scores against this criterion are</p>		

Criteria	Guidance on implementation	Commentator	CPET responses
	either 0 or 2.		
Comments on 4.2			
14	<p>Thus it is not clear if a scheme will pass the test if it has in place a verifiable system that is <u>designed to ensure</u> that recycled material is from the listed categories passes, or if the system <u>must ensure</u> that recycled material is from the listed categories. If the intended test is that the system ensures that recycled material is from the listed categories, schemes that do not have verifiable systems in place or whose systems do not ensure that recycled material is from the listed categories do not comply with the criterion. On this basis the PEFC and SFI schemes merit a score of 0 because they do not have in place a system that ensures that recycled material is from the listed categories. CPET scored PEFC 1 and SFI 2. Systems that are “designed to ensure” may provide only a low degree of assurance. On the other hand no system can provide 100% assurance that recycled material is from the listed categories. The phrase “that provides a high degree of assurance” would be more appropriate. PEFC and SFI would also fail this test.</p>	24	<p>CPET requirement 4.6 was adequately addressed by the PEFC scheme. PEFC Technical Document Annex 4 Appendix 1, states that ‘<i>The definition of the origin defined by this Appendix shall be used together with the requirements of this standard when organisation establishes a chain of custody to use the PEFC logo and/or declarations.</i>’</p> <p>Annex 4 sets out the requirements for chain of custody related to identification of origin: ‘<i>The organisation shall identify and verify the category of the origin of all procured raw material.</i>’ (sections 2.2.1, 3.2.1).</p> <p>Neutral raw material is defined as including ‘<i>Recycled wood and recycled fibres</i>’ which is further defined (section 1.3.15) as ‘<i>post consumer wood and fibres and pre-consumer byproducts</i>’. .</p>
4.3 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	This requirement is relevant when mixing of certified and non-certified material is allowed. Mixing occurs whenever the following approaches are used: percentage labelling,		

Criteria	Guidance on implementation	Commentator	CPET responses
<p>designed to ensure that it is from legal sources.</p>	<p>volume accounting, input-output or processor certification.</p> <p>In such cases, in order to meet UK government requirements for legality, there must be a system in place which provides assurance that the uncertified material is from a legal source.</p> <p>The UK government requires all timber and wood products to be from legal sources. Therefore, if mixing of certified and uncertified material is allowed, in order to meet UK government requirements for legality, there must be a system in place which provides assurance that the uncertified material is from a legal source.</p> <p>If the certification system does not include requirements to ensure that the uncertified material is from legal sources, then only products which are 100% certified can be accepted as providing assurance of legality.</p> <p>NB If a scheme scores 0 for this criterion, it only affects acceptance of products containing uncertified material.</p>		
<p>Comments on 4.3</p>			
<p>15</p>	<p>All schemes fail the test because the criterion is too demanding - no system can provide 100% assurance that all uncertified material used is from legal sources. The phrase</p>	<p>24</p>	<p>The CPET requirement states that there must be:</p>

Criteria	Guidance on implementation	Commentator	CPET responses
	<p>“that provides a high degree of assurance” would be more appropriate. Applying the CPET findings to this less demanding but still exacting test, PEFC passes, SFI fails (no verifiable system in place) and FSC products containing more than 70% certified content fail (no scrutiny of the uncertified portion).</p>		<p><i>....a verifiable system which is designed to ensure that it is from legal sources.</i></p> <p>The requirement does not demand “100% assurance that all uncertified material is from legal sources.”</p>
<p>4.4 If mixing of certified and uncertified material in a product or product line is allowed and the proportion of uncertified material can exceed 30%, then the uncertified material must be covered by a verifiable system which ensures that it is from sustainable forest sources where the requirements for sustainability set out in criteria 1.2.3 – 1.2.6 above are being met.</p>	<p>This requirement is relevant when mixing of certified and non-certified material is allowed. Mixing occurs whenever the following approaches are used: percentage labelling, volume accounting, input-output or processor certification.</p> <p>The UK government requires that 70% of the material in a product or product line is from sustainable sources. To meet this requirement, if the proportion of uncertified material is more than 30% then there must be a system in place which provides assurance that the uncertified material is from a sustainable source.</p> <p>If such a system is not in place, then only material which contains 70% or more certified material can be accepted. Examples of approaches which provide such information include:</p> <ul style="list-style-type: none"> • Segregation: material from a certified 		

Criteria	Guidance on implementation	Commentator	CPET responses
	<p>forest is kept separate from uncertified material throughout the production process.</p> <ul style="list-style-type: none"> • Percentage-based claims: the percentage of material in the product or product line from a certified forest is reported. • Mass-balance: the proportion of product sold as certified is equivalent to the proportion of certified raw material entering the process. <p>NB If a scheme scores 0 for this criterion, it only affects acceptance of products or product lines containing more than 30% uncertified material.</p>		
Comments on 4.4			
16	<p>All schemes fail the test because the criterion is too demanding - no system can provide 100% assurance that all uncertified material used is from sustainable sources. The phrase “that provides a high degree of assurance” would be more appropriate. Applying the CPET findings to this less demanding but still exacting test, all schemes would still fail.</p>	24	<p>Comment noted. All schemes have been scored a ‘0’ for this criterion.</p>
4.5 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	<p>If claims are not controlled, then the veracity of any claim made is in question.</p> <p>Note ISO 14020 contains general guidance on environmental labels and declarations.</p>		

Criteria	Guidance on implementation	Commentator	CPET responses
misleading claims.			
Comments on 4.5			
No comments received.			
<p>4.6 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:</p> <ul style="list-style-type: none"> • Pre-consumer recycled wood and wood fibre or industrial by-products but excluding sawmill co-products • Post-consumer recycled wood and wood fibre • Drift wood 	<p>Further guidance needs to be developed.</p> <p>NB If a scheme scores 0 for this criterion, it only affects acceptance of products containing recycled material</p>		
Comments on 4.6			
No comments received.			