



## FSC® DIRECTIVE

### FSC Directive on FSC Forest Management Evaluations

FSC-DIR-20-007 EN



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The Forest Stewardship Council® (FSC) is an independent, not for profit, non-government organization established to support environmentally appropriate, socially beneficial, and economically viable management of the world's forests.

FSC's vision is that the world's forests meet the social, ecological, and economic rights and needs of the present generation without compromising those of future generations.

## **Foreword**

FSC received various comments from Certification Bodies and stakeholders requesting a reduction in the number of normative documents to make the documented certification system more comprehensible. FSC therefore combined all previous Advice Notes into single documents which are called “directive”. A directive includes all advices issued in relation to a single standard. The relation to a standard is reflected in the document code. Where new interpretation is approved, these will be added to the directive and the revised document will be reissued.

The intention of this document is to standardize understanding and implementation of requirements by FSC accredited certification bodies and certificate holders.

This document will be revised as required. The content of the directive will be incorporated into the related standards in each major review as feasible.

Changes and amendments to the directive will be announced to the FSC Network immediately.

## **Note on use of this directive**

All aspects of this document are considered to be normative, including the scope, effective date, references, terms and definitions, tables and annexes, unless otherwise stated.

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## **A Scope**

This document provides FSC's formal interpretation of requirements included in *FSC-STD-20-007*.

## **B Effective date**

The effective date is specified for each advice separately.

## **C References**

The following referenced documents are indispensable for the application of this document. For undated references, the latest edition of the referenced document (including any amendments) applies.

*FSC-STD-01-001 FSC Principles and Criteria for forest stewardship*  
*FSC-STD-20-007 V3-0 EN Forest management evaluations*

## **D FSC normative documents replaced by this Directive**

*FSC-GUI-20-200 FSC Guidelines for Certification Bodies (Version March 2005)*  
*FSC-ADV-20-006 EN Certification of windbreaks*  
*FSC-ADV-20-007 EN Certification of forest remnants*  
*FSC-ADV-30-502 EN FSC certification of bamboo*  
*FSC-ADV-30-602 EN Conversion of plantation to non forest land*  
*FSC-ADV-50-001 EN Shiitake mushrooms labeled with the FSC trademarks*

## **E Terms and definitions**

Terms and definitions are provided in *FSC-STD-01-002 FSC glossary of terms*. Further advice-related definitions may be provided in the context of each advice.

## Part 1 General Issues

- 1 The FSC Directive is providing certification bodies and other stakeholders with clear advices on the implementation of FSC's international policies and standards. A directive is designed to provide formal advice in relation to a single specific issue or question raised with the FSC International Center. All advices on a series of issues related to a specific FSC international policy or standard are collected in one document to improve accessibility of interpretations for certification bodies, certificate holders and interested parties.
- 2 If a certification body is in doubt about the correct implementation of an FSC policy or standard, the certification body must request clarification from the FSC Policy and Standards Unit. If required, such clarification will be provided in the form of a new directive.
- 3 Prior to the finalisation of an advice, a certification body may make its own decision in relation to a question for which clarification has been sought. In such a case, responsibility for the consequences of the decision shall rest exclusively with the certification body concerned. Formal advice subsequently provided by the FSC International Center will be applicable retrospectively.
- 4 The advices provided in this document represent the formal position of the FSC International Center unless and until it is superseded by the approval of a more recent policy, standard, or advice. In such cases the requirements specified in the more recent document shall take precedence.
- 5 Certification bodies are required to comply with the most recent formal advices, and ASI (Accreditation Services International) will base its evaluations and issue of corrective actions on these.
- 6 Finalised advices are approved by the FSC Director General Head or the FSC Policy and Standards Committee (PSC) to the FSC Board of Directors. If a certification body wishes to contest the advice provided it may do so by requesting a formal review and decision by the PSC. Until and unless such a review and decision has been finalised, the certification body shall continue to comply with the position of the FSC International Center.
- 7 Directives are under continual review and may be revised or withdrawn in response to new information, experience or changing circumstances, for example by the development of new policies or standards approved by the FSC Board of Directors.

## Part 2 FSC Advices

| <b>ADVICE-20-007-01</b> | <b>Scope of forest certification</b>                          |  |
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| Normative reference     | FSC-STD-20-007 V3-0 EN Clause 1.1<br>FSC-POL-10-004 (2005) EN |  |
| Effective date          | June 1998   |  |
| Terms & definitions     |   |  |
| Background              | 1   | Trees may be grown in a wide variety of systems in order to yield a wide variety of products. FSC was founded on the basis that both plantation and natural forests should be within the scope of certification. However there are a number of production systems that cannot clearly be described as 'forests'.   |
|                         | 2   | Such production systems include: <ul style="list-style-type: none"> <li>2.1 Very short rotation crops such as:                             <ul style="list-style-type: none"> <li>- Conifers, traditionally Norway Spruce (<i>Picea abies</i>) grown for use as Christmas trees.</li> <li>- Poplar (<i>Populus</i> spp.) and other species coppiced on short rotations (e.g. 4 - 7 years) for use as fuel.</li> <li>- Willow (<i>Salix</i> spp.) and other species coppiced on short rotations for production of shoots for e.g. basketwork and production of hurdles.</li> </ul> </li> <li>2.2 Orchards;</li> <li>2.3 Silvo-pastoral production systems;</li> <li>2.4 Agro-forestry production systems;</li> <li>2.5 Plantations managed for Non Timber Forest Products (e.g. rubber, oil palm, coconuts).</li> </ul> |
|                         | 3   | Are such production systems within the scope of FSC certification?   |
| Advice                  | 1   | The term 'forest' denotes a formation dominated by trees. It is defined by the Shorter Oxford Dictionary as 'An extensive tract of land covered with trees and undergrowth sometimes intermingled with pasture'.   |
|                         | 2   | A 'tree' in turn is defined as 'A perennial plant having a self-supporting woody main stem or trunk (which usually develops woody branches at some distance from the ground), and growing to a considerable height and size. Extended to bushes or shrubs of erect growth and having a single stem; and even some perennial herbaceous plants which grow to a great height, as the banana or plantain'.  |
|                         | 3   | However, such linguistic definitions of the word 'forest' may not however be useful for the purpose of defining the scope of certification. Many stakeholders draw a strong distinction between a 'forest' and a 'plantation'. An area growing a very short rotation crop of trees would not normally be described as a forest, because the trees have not yet developed their 'considerable height and size'. Nevertheless, the area may consist of 'an extensive tract of land covered with trees and undergrowth'. If the same area was left to grow without intervention it would very likely develop into a forest. Similar problems apply to other production systems, such as orchards.   |
|                         | 4   | FSC accepts a broad approach to the scope of FSC accreditation of forest stewardship. For the purposes of defining scope the FSC Principles and Criteria may potentially be applicable to any 'tract of  |

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|  | <p><i>land dominated by trees’.</i></p> <p>5 The second determinant of scope is whether such a tract of land dominated by trees can be managed in compliance with the <i>FSC P&amp;C</i>, and maintain the ecological functions and values required by the <i>FSC P&amp;C</i>. Satisfaction of this requirement depends on the particular production system in question rather than on the product type, or the tree species as such.</p> <p>6 Whether the ecological functions and values required by the FSC Principles and Criteria can be maintained has to be judged on a case by case basis. The decision includes consideration of the species involved as well as the production system itself.</p> <p>7 Very short rotation tree crops</p> <p>7.1 The FSC Principles and Criteria include a number of requirements which may require the development of mature trees. These include criteria 6.2, 6.3 and 6.4, and in the case of plantations, criteria 10.1, 10.2, 10.3, and 10.5.</p> <p>7.2 Forest management units or systems in which the main management objective is the production of short rotation products would not be expected to meet these criteria. Such management systems are therefore likely to be outside the scope of FSC-accredited forest certification.</p> <p>7.3 Some areas of short rotation tree crops may however form part of a larger area devoted mainly to longer cycles or to forest conservation or restoration. There is nothing in principle which prevents such products being produced in the context of a forest management unit that complies with the FSC Principles and Criteria, in which case the products are eligible to carry the FSC Logo.</p> <p>7.4 Regional Forest Stewardship Standards may provide further clarification as to the limits of area of short rotation tree crop that can be regarded as forming part of a wider forest management unit, eligible to meet the requirements of the <i>FSC P&amp;C</i>.</p> <p>5 Oil palm.</p> <p>5.1 Oil palm (<i>Elaeis guineensis</i>) is a tropical African forest palm. Its native habitat was the moist tropical forest of the Gulf of Guinea, from about Nigeria to the Republic of Congo. Fruits of the palm have been collected since ancient times, and cultivation by the forest peoples may have taken place as long as 5000 years ago. It grows to a height of about 15m and can live to around 80 years of age. The earliest plantations are thought to have been established through natural germination following removal of the native forest canopy ('Tropical plants' W. Lötschert &amp; G. Beese, HarperCollins Publishers, 1994).</p> <p>5.2 A typical production system for oil palm involves trees being grown to adulthood. Fruit may be harvested year round. Trees are typically felled and replaced when more than 30 - 40 years of age. Whilst management is typically intensive, there is no reason in principle why trees should not be grown in a way that allows the development of an undercover, in combination with other species along watercourses and in protected areas, thus allowing the ecological functions and values of a forest to develop.</p> |
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|  | <p>5.3 In <i>principle</i> therefore, there is no reason why an oil palm plantation should not be eligible for certification.</p> <p>5.4 In practice whether an oil palm plantation can be certified would depend on compliance with the FSC P&amp;C, as it would for a plantation of any other species.</p> <p>6 Similar arguments may be advanced for other species such as rubber, cacao, brazil nut trees, apples, oranges or olives.</p> <p>7 In the case of silvo-pastoral, agroforestry and medium to long rotation coppice systems decisions would have to be made on a case by case basis. FSC recognises that there may be no clear-cut distinction between a system which is sufficiently close to maintaining the ecological functions and values required by the FSC P&amp;C to be certifiable, and one which does not. In such cases it is recommended to agree with the FSC Secretariat whether the system in question is within the scope of the FSC certification system before entering into an evaluation contract with the client.</p> |
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| <b>ADVICE-20-007-02</b> | <b>Primary forests</b>   |
| Normative reference     | FSC-STD-20-007 V3-0 EN Clause 1.1  |
| Effective date          | March 2005 (revised 2010)  |
| Terms & definitions     | <i>Primary forest:</i> Forest/ Other wooded land of native species, where there are no clearly visible indications of human activities and the ecological processes are not significantly disturbed (FAO Definition).  |
| Background              | <p>When the FSC Principles and Criteria were first approved in October 1994, FSC Principle 9 referred to the requirements for certification of 'primary' forests. Principle 9 was subsequently reviewed and replaced by the new Principle 9 concept of 'High Conservation Value Forests', which was approved by the FSC members and Board of Directors in January 1999.</p> <p>What are the implications of this revision to the certification of primary forests?</p> |
| Advice                  | Primary forest may be certified within the FSC system when its management is in compliance with the requirements of the applicable Forest Stewardship Standard including but not limited to the requirements in relation to FSC Principle 9.   |

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| <b>ADVICE-20-007-03</b> | <b>Certification of concessions</b>  |
| Normative reference     | FSC-STD-20-007 V3-0 EN Clause 1.1<br>FSC-STD-01-001 Criterion 1.6  |
| Effective date          | March 2005   |
| Terms & definitions     | <i>Forest concession:</i> system of awarding harvesting rights to individuals, private companies and/or communities who assume the risk and responsibility of forest resources exploitation and/or management.   |
| Background              | <p>1 Forest land is often managed and/or harvested on a concession system. The landowner, typically a state, leases the right to harvest the concession area to a private company for a specified length of time. The concession is issued subject to terms and conditions agreed between the land owner and the concessionaire which vary widely from one case to another. The landowner has the right to revoke the concession if the terms of the agreement are not met. Concessions may be leased for short time periods (e.g. 5 years), based on harvesting rights, or for much longer (e.g. 30 years) based on harvesting rights and many management responsibilities. Even the longest concessions rarely reflect the life cycle of the harvested species.</p> <p>2 The concession system raises a number of issues for certification bodies and FSC. Firstly, it represents a division of responsibilities</p> |

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|        | <p>between the owner and the manager. Criterion 1.6 of the FSC Principles and Criteria refers to the forest managers' commitment to adhere to the FSC P&amp;C, rather than the forest owner's. This criterion requires clarification in the case of a concession system.</p> <p>3 Secondly, Criterion 2.1 asks for 'clear evidence of long-term forest use rights to the land'. Whilst the legal rights of concessionaires are often clear, it is not clear whether these can be considered 'long-term'. The situation is compounded when a concessionaire applies for certification towards the end of a concession period.</p>  |
| Advice | <p>1 Division of management responsibilities between owners and managers is very common in forestry. It occurs on all scales from the very large to the very small. In such cases the manager's freedom to manage the land in accordance with the FSC P&amp;C may be constrained by the owner's management objectives. However committed the manager is to implementation of the P&amp;C, the manager may be over-ruled by the owner. It is therefore essential that the manager has explicit authorisation from the owner to manage the forest in compliance with the FSC P&amp;C. In the case of concession systems the certification body must be satisfied that the manager has full authority to implement the FSC P&amp;C in the concession area. It must be clear to the manager that if the owner imposes constraints which prevent implementation of the P&amp;C, the certificate will be withdrawn.</p> <p>2 Short concession lengths have been symptomatic of short-term interest in the forest. However the length of a concession does not of itself determine whether good management will or will not take place, nor whether the owners or managers are committed to the FSC Principles and Criteria. Ownership of forest land can change, even where the land is owned by the forest manager. Long concessions may change hands before their expiry date.</p> <p>3 FSC does not consider that a short concession length necessarily precludes certification. In some cases, very short logging concessions or harvesting licences may be issued by owners (including states) committed to good long term management. Similarly the number of years that a concession has to run does not determine whether certification is possible or not. A forest manager coming to the end of a 50 year concession is just as eligible for certification as a forest manager at the start of a 50 year concession. The key factor is whether there is convincing evidence of management for the long-term stewardship of the forest. The certification body shall document this evidence in the relevant audit report.</p> <p>4 In evaluating long-term commitment to the FSC Principles and Criteria, FSC is looking for evidence of resources invested in long term management - for example in research, inventory, management planning, roading, controlled harvesting, post harvest inventory and forest protection. These are considered in other FSC Criteria.</p> <p>5 In evaluating long-term forest use rights to the land, FSC is looking for clear long-term use rights of the owner. These may be partially delegated to a responsible authority, such as a concessionaire, for a shorter or longer period. FSC is then looking for clear evidence of this delegation of authority, together with the owner's commitment that the delegated authority has the right to manage the land in compliance with the FSC P&amp;C.</p> |

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|  | 6 | When ownership or management changes during the period of validity of a certificate, the certification body must withdraw the certificate, and may re-issue it in the name of the new owner/manager only if the certification body is satisfied that the conditions on which certification depends are still being complied with. |
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| <b>ADVICE-20-007-04</b> | <b>Mining and Quarrying</b>   |  |
| Normative reference     | FSC-STD-20-007 V3-0 EN Clause 1.2 b) and 8.14<br>FSC-POL-20-003 The excision of areas from the scope of certification |  |
| Effective date          | March 2005  |  |
| Terms & definitions     |   |  |
| Background              | 1   | In many countries mining and mineral rights are separated from rights of ownership or rights to manage land for forestry or other purposes. Often these rights are dealt with by different government departments, and may be exercised by different and independent entities.   |
|                         | 2   | This can lead to major conflicts between a forest management enterprise trying to implement forest stewardship in compliance with the FSC P&C, and other enterprises engaged in mineral prospecting or extraction.   |
| Advice                  | 1   | The basis of certification is the implementation of the FSC Principles and Criteria in the forest.   |
|                         | 2   | If mining can be carried out in a forest area without compromising the implementation of the FSC Principles and Criteria, then that forest area may be certified.  |
|                         | 3   | In some circumstances it may be acceptable to excise areas in which mining takes place from the scope of the certificate, and/or to accept limited areas within the scope of the certificate in which the full set of requirements are not fully met. Specific criteria and indicators for assessing these situations are specified in <i>FSC-POL-20-003</i> . |

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| <b>ADVICE-20-007-05</b> | <b>Non Timber Forest Products</b>  |   |
| Normative reference     | FSC-STD-20-007 V3-0 EN Clause 1.1  |   |
| Effective date          | March 2005 (revised 2015)  |   |
| Terms & definitions     |  |   |
| Background              | It has been recognised for some time that additional guidance is required with respect to the level of evaluation that is required, especially when there is harvesting of Non-Timber Forest Products (NTFPs) for commercial sales, or when non-commercial harvesting of NTFPs has important impacts. Special guidelines are also required for the labelling of NTFPs. |   |
| Advice                  | 1  | Certification bodies must take account of the potential impacts of the harvesting or collection of NTFPs as part of the normal evaluation for compliance of a forest management enterprise with the applicable Forest Stewardship Standard. The potential impacts of such harvesting or collection must be considered whether or not the client proposes to use the FSC Trademarks to promote those products. |
|                         | 2  | At the 12 <sup>th</sup> FSC Board meeting, January 1998, the FSC Board approved a policy to allow FSC certification and labelling of NTFPs with immediate effect. NTFPs from certified forests may carry the FSC Logo on-product, and may be promoted with the FSC Logo and Trademarks off-product.   |

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|  | 3  | If a client wants to make on-product or off-product claims, the certification body must evaluate the management system used for the specific NTFP. The NTFP evaluation may take place during the main certification evaluation, or may be carried out at any time afterwards.   |
|  | 4  | The certification body shall use standards prepared or adapted in the region for that NTFP, or it shall prepare its own NTFP standards by a process of national or regional consultation similar to the process currently used for the local adaptation of certification body generic standards (see FSC-STD-20-002). The standard shall at least include NTFP-specific indicators for the following criteria:<br><br>Criteria 1.1, 2.1, 4.2, 5.6, 6.1, 6.6, 7.1, and 8.2   |
|  | 5  | The certification body shall submit the standard to FSC International in order to request a formal decision from the Policy and Standards Committee prior to using the standard.  |
|  | 6  | Standards developed by FSC National Initiatives for the certification of NTFPs may be submitted to the FSC International Center for FSC approval. Once approved, such standards shall be used by any FSC-accredited certification body as the basis for FSC certification of NTFPs within the scope of the approved standard.   |
|  | 7  | Certification bodies shall take account of existing NTFP standards in a region, case by case, whenever they are contracted to certify and label NTFPs, even when the standards are not formally approved by FSC.  |
|  | 8  | The certification body must include NTFPs in the scope of the applicable joint FM/COC certificate in order for the NTFPs to be labelled or promoted subsequently using the FSC trademarks.  |
|  | 9  | On-product labelling of NTFPs using the FSC trademarks shall only be permitted on the basis of a chain of custody certificate or joint FM/COC certificate issued by an FSC-accredited certification body which includes the specified NTFP product(s) within its scope.   |
|  | 10 | In order to issue a chain of custody certificate for an NTFP product, the certification body shall first describe the proposed product(s) and related claim(s) to the Trademark Department of FSC Global Development, including a description of all non FSC-certified ingredients that may be included in the product. The certification body must receive written permission that the FSC trademarks may be used to promote the product(s) on the basis of the proposed claim(s), prior to the issue of an FSC-endorsed certificate. The Trademark Department shall not withhold such permission unreasonably. The certification body shall then evaluate its client's chain of custody control systems to verify the proposed claim. |
|  | 11 | The Trademark Department of FSC Global Development and FSC reserve the right to register the FSC Trademarks for the appropriate classes and to charge the certification body at cost for this service. The cost may be passed on to the client which has requested the sub-licence to use the FSC Trademarks for labels or market claims. The cost is likely to be around US\$500 per trademark per country and category, and typically takes 3 - 6 months. The certification body should inform its client of the probable cost of registration at an early stage.   |
|  | 12 | Claims and labels shall use a form of words adapted as appropriate from the FSC Trademark Standards. All parties may take a flexible approach, with full consultation between the certification body, the FSC Trademark Department, and the client. The certification body  |

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|  | <p>shall evaluate all on- and off-product claims in relation to the certification of the product, and ensure that they are not misleading.</p> <p>13 The FSC Trademarks shall not be associated in any way with NTFPs unless they come from forests fully certified within the FSC system.</p> |
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| <b>ADVICE-20-007-06</b> | <b>FSC certification of bamboo</b>  |
| Normative reference     | FSC-STD-20-007 V3-0 EN Clause 1.1   |
| Effective date          | 13 May 2004   |
| Terms & definitions     |   |
| Background              | Can certification bodies certify/ label bamboo?   |
| Advice                  | <ol style="list-style-type: none"> <li>1. Where bamboo occurs within the matrix of an FSC-certified natural forest or plantation it may be certified/ labeled as a Non-Timber Forest Product (NTFP) following FSC's general guidance for NTFPs.</li> <li>2. If bamboo is itself grown as a plantation crop, or is itself the principal component of a 'natural forest' it may or may not be possible to certify under the FSC system, depending on the specific situation. The key question is whether the area of bamboo is within FSC's definition of a 'natural forest' or 'plantation', and then whether the management of the area meets the requirements of the FSC Principles and Criteria for Forest Stewardship. Potential applicants for certification are advised to request a 'scoping visit' from an FSC accredited certification body to seek advice on this before proceeding to a full evaluation.</li> <li>3. Within the FSC system a forest or a tree plantation may be considered for certification if it meets either the definition of 'natural forest' or a 'plantation' (see glossary to FSC-STD-01-001 FSC Principles and Criteria for Forest Stewardship). If an area of bamboo can be considered natural forest or part thereof, or a plantation, can be managed in compliance with the FSC P&amp;C, and maintain the ecological functions and values required by the FSC P&amp;C, then it may be evaluated and certified within the FSC system. Satisfaction of these requirements depends on the particular production system in question rather than on the product type, or the tree/bamboo species as such.</li> <li>4. There are many species of bamboo, the larger of which may be considered treelike. Larger areas of such bamboo are often referred to as 'bamboo forests'. Such areas may be considered as 'natural forests' within FSC's definition, and may be evaluated for certification based on the FSC Principles and Criteria for Forest Stewardship.</li> <li>5. Bamboo of any size may also occur naturally as patches within a natural forest or plantation matrix. In this case the bamboo may be considered as a non-timber forest product, and be certified as such within the FSC system.</li> <li>6. In the case of plantation grown bamboo a decision would need to be made by the certification body as to whether it comes within the FSC definition of 'plantation', and whether the management system can meet the FSC Principles and Criteria. This decision may be based on such factors as the size of the bamboo stems, the length of the rotation, the presence or absence of other trees within the matrix, and the extent to which ecological functions are maintained.</li> </ol> |

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| <b>ADVICE-20-007-07</b> | <b>Cultivated Shiitake mushrooms</b>   |
| Normative reference     | FSC-STD-20-007 V3-0 EN Clause 1.1  |
| Effective date          | 16 September 2005 (revised 2010)   |
| Terms & definitions     |  |
| Background              | Can cultivated Shiitake mushrooms be FSC-certified or be marketed with the FSC Logo or associated claims? If so, what kinds of claims would be permitted?  |
| Advice                  | <p>1 'Wild harvested' mushrooms from FSC-certified forests are considered to be a non-timber forest project and eligible for certification and labelling under existing rules and regulations.</p> <p>2 The cultivation of the Shiitake is not directly related to the forest management and the Shiitake is not in this case a wild-grown product harvested from the forest. Cultivated Shiitake mushrooms therefore are not considered eligible as an 'FSC-certified' non-timber forest product, based on the described means of cultivation. The case depends on whether other claims can be made using the FSC logo, based on the substrate used, or location of cultivation. Responsibility for providing advice and approval about the use of FSC trademarks for this case rests with the Trademark Department of FSC Global Development.</p> <p>FSC proposes the following regarding labeling:</p> <ul style="list-style-type: none"> <li>a) Mushrooms that are grown on FSC-certified logs (solid, or re-constituted) may be marketed using the FSC trademarks. The logs themselves shall be "FSC pure" (100% FSC), coming from an FSC-certified forest and covered by a valid FM/CoC or CoC certificate.</li> <li>b) Whether cultivated mushrooms are grown within or outside of an FSC-certified forest area is not considered relevant.</li> <li>c) Mushrooms not grown on FSC-certified logs and which are not 'wild harvested' from FSC-certified forests, may not be promoted using the FSC trademarks.</li> <li>d) The statement associated with the FSC trademarks must be in relation to the FSC-certified logs where the mushrooms were cultivated. Examples include: "These Shiitake mushrooms and Criteria" or "The process of cultivation of these Shiitake mushrooms takes place on FSC-certified logs."</li> <li>e) FSC is open to consider other proposed claims suggested by Nominated Agents or Certification Bodies. Such claims shall be in line with the advice given by MCU above.</li> <li>f) Claims may not be made about cultivated mushrooms based on the location of the cultivation unit.</li> </ul> |

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| <b>ADVICE-20-007-08</b> | <b>Single species sustained yield</b>  |
| Normative reference     | FSC-STD-01-001 Criterion 5.6   |
| Effective date          | March 2005   |
| Terms & definitions     |  |
| Background              | <p>1 In any natural forest there is a succession of trees of different species at different scales. At scales varying from a single tree gap, to the aftermath of a flood, forest fire, hurricane or landslip there is a succession from colonizing trees to the trees typical of an older forest. No forest is in a steady state at all scales.</p> <p>2 A typical pattern of 'management' of natural forests worldwide has been to successively harvest the most valuable species of the most useful size-classes, with varying degrees of consideration of the consequences for future management of the forest. This has often</p> |

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|        | <p>been combined with techniques to discourage or eliminate the less commercially valuable species. This pattern may generate a succession of 'commercial' species as the most valuable are repeatedly removed until they become either commercially or locally extinct. In this way the forest may become commercially and environmentally degraded until it is abandoned, often to be burnt or converted to agriculture.</p> <p>3 Between the extremes of non-intervention and unsustainable exploitation are forest managers trying to achieve a commercial harvest of wood and non wood products whilst maintaining the social and environmental values of the forest. Nevertheless, any commercial harvesting of trees will influence the natural succession, at a scale dependent on the scale of harvesting. Many management systems in fact intentionally distort both the species and size-class distribution in order to favour 'commercial' species of 'commercial' sizes. Such distortions must have an effect on the distribution of biodiversity within the forest.</p> <p>4 Furthermore there may be an inherent conflict between some impacts of harvesting or management, and the longer term distribution of species and age-classes within the forest. Many commercial species, including mahogany (<i>Swietenia spp.</i>) are essentially light demanding. Higher intensity logging will create more light, improving regeneration, but increasing disturbance. Single tree logging will allow less light, reducing regeneration, but causing less disturbance. There may therefore be inherent trade-offs between the objectives of reducing short term environmental impact, and the longer term environmental objective of regeneration. Opinion amongst conservation scientists appears to be divided as to the environmentally preferable option (e.g. see P. Rice, Scientific American March 1997). Similar conflicts are common in temperate as well as tropical ecosystems.</p> <p>5 How should a certification body determine in similar circumstances whether a particular forest management enterprise is carrying out unsustainable exploitation of the forest, or is implementing long term forest stewardship?</p> |
| Advice | <p>1 The FSC International Center considers that it would be counterproductive to insist that companies slavishly work to ensure single species sustained yield, when the implication is a high level of immediate environmental impact, a high financial cost, and unknown long term environmental impacts.</p> <p>2 However, in situations in which logging is likely to lead to long term changes in species and size-class distribution it is essential that representative areas, and areas of particular conservation value, are protected from logging.</p> <p>3 Where there are doubts as to the impact of logging on long term yields of forest products it becomes especially important to implement the monitoring requirements of Principle 8. Criterion 8.2 states:</p> <p><i>'Forest management should include the research and data collection needed to monitor, at a minimum, the following indicators:</i></p> <ul style="list-style-type: none"> <li>a) <i>Yield of all forest products harvested.</i></li> <li>b) <i>Growth rates, regeneration and condition of the forest.</i></li> <li>c) <i>Composition and observed changes in the flora and fauna.</i></li> <li>d) <i>Environmental and social impacts of harvesting and other operations.</i></li> <li>e) <i>Costs, productivity, and efficiency of forest management.'</i></li> </ul>  |

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| <b>ADVICE-20-007-09</b> | <b>Clearance of encroaching forest</b> |  |
| Normative reference     | FSC-STD-01-001 Criterion 6.10          |  |
| Effective date          | March 2005                             |  |
| Terms & definitions     |  |  |
| Background              | 1                                      | The <i>FSC P&amp;C</i> actively promote the conservation, and in some cases restoration of forests.  |
|                         | 2                                      | Is it acceptable to clear areas in which trees are encroaching onto unforested land?   |
| Advice                  | 1                                      | Encouragement of natural regeneration on non forested land may often contribute to compliance with of Principles 6 and 10. However clearance of natural regeneration and even early secondary forest is not forbidden, as long as this does not conflict with other FSC Criteria, and in particular with the requirements of Criterion 6.10. |
|                         | 2                                      | In all cases, any specific requirements should be specified as Indicators in the applicable Forest Stewardship Standards, and evaluation shall take place to ensure compliance with the specified indicators. The following remarks are related to the development and evaluation of indicators.   |
|                         | 3                                      | When encroachment by natural regeneration is degrading the (non-forest) habitat of a rare, threatened or endangered species or where such encroachment is by exotic species, clearance may be required in order to comply with FSC criteria (e.g. Criteria 6.2, 6.9, 10.7).  |
|                         | 4                                      | In general certification bodies should ensure that such clearance operations are explicitly justified in the evaluation report, and that they do not compromise other environmental management objectives (e.g. with respect to Criterion 6.3).  |
|                         | 5                                      | So long as such clearance operations are carried out within the context of an integrated forest management plan for the whole area and in compliance with the applicable Forest Stewardship Standard the resulting forest products may be sold as certified.   |

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| <b>ADVICE-20-007-10</b> | <b>Conversion of plantation to non forest land</b>       |  |
| Normative reference     | FSC-STD-01-001 Criterion 6.10                            |  |
| Effective date          | 29 March 2004 (revised 2010)                             |  |
| Terms & definitions     |  |  |
| Background              | If areas of plantation are converted to non-forest land: |  |
|                         | 1)   | how does this affect the certification status of the whole forest management unit;   |
|                         | 2)   | can the wood from such converted areas be sold as FSC-certified?   |
| Advice                  | 1  | FSC Criterion 6.10 permits the conversion of limited areas of plantation to non-forest land uses as part of an FSC-certified management area under certain circumstances. Wood from the converted area may therefore be sold as FSC-certified.   |
|                         | 2  | Conversion in circumstances other than compliance with FSC Criterion 6.10 cannot take place within an FSC-certified area. If such conversion takes place it would lead to the removal of the FSC certificate for the whole forest management unit  |
|                         | 3  | Specific areas of plantation may be identified for conversion and be excised from the FSC-certified area in compliance with FSC-POL-20-003 FSC Policy on the excision of areas from the scope of certification. The wood from such excised areas cannot be considered as FSC-certified, and cannot be sold as FSC-certified. |



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| <b>ADVICE-20-007-11</b> | <b>Products of land clearance</b> |   |
| Normative reference     | FSC-STD-01-001 Criterion 6.10     |   |
| Effective date          | March 2005 (revised 2010)         |   |
| Terms & definitions     |                                   |   |
| Background              | 1                                 | Trees may be cleared from land for a variety of reasons, many of which are economically, socially or environmentally benign: for example, removal of encroaching scrub from pastureland, conversion to agriculture within an approved land management plan, removal of invading exotic species from unforested land, salvage of timber before or after dam construction.  |
|                         | 2                                 | Convincing arguments may be made as to the positive environmental or other impacts of these operations even though they are not themselves examples of sustainable forest management.   |
| Advice                  | 1                                 | FSC exists to support forest stewardship. Whilst there are many environmentally benign sources of timber, if they are not derived from management that complies with the requirements of the applicable Forest Stewardship Standard, they cannot generally be considered as 'FSC-certified'.  |
|                         | 2                                 | In some circumstances wood that is the result of conversion to plantation or non-forest land use may be sold as FSC-certified, when this takes place within the context of a larger area which is in compliance with the requirements of the applicable forest stewardship standard, and is itself in compliance with the requirements of Criterion 6.10.   |
|                         | 3                                 | In some circumstances activities may take place within a certified area that do not comply with the requirements of the applicable Forest Stewardship Standard, but which are limited in scale and which are beyond the control of the forest managers. In the specific circumstances defined in sections 1a, 2a, 3a and 4a of <i>FSC-POL-20-003 FSC Policy on the excision of areas from the scope of certification</i> wood resulting from such activities and that can be salvaged may be sold as FSC-certified. |

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| <b>ADVICE-20-007-12</b> | <b>Financial evaluation</b>  |   |
| Normative reference     | FSC-STD-01-001 Criterion 5.1 |   |
| Effective date          | March 2005                   |   |
| Terms & definitions     |                              |   |
| Background              | 1                            | FSC's mission is to support environmentally appropriate, socially beneficial and economically viable management of the world's forests. The FSC P&C are designed to implement this mission. There has however continued to be debate as to the extent to which FSC-accredited certification bodies should undertake evaluation and certification of the financial aspects of forest management.   |
|                         | 2                            | Some FSC members have considered that evaluation of financial aspects should be interpreted very widely, to include for example the source of funding for forest management, and the methods of fundraising and marketing. Other FSC members believe that financial evaluation should be interpreted more narrowly, on the grounds that this is beyond the intent of the FSC Principles and Criteria, and that financial auditing is beyond the area of expertise of FSC and FSC-accredited certification bodies, and is best left to other agencies. |
| Advice                  | 1                            | Economic criteria are specified in a number of the FSC Principles, especially Principle 5. More widely the whole set of social and environmental requirements is designed to enhance long-term  |

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|  | <p>economic sustainability of the operation.</p> <p>2 Certification bodies are required to evaluate a forest management enterprise for compliance with the requirements of the applicable FSC Forest Stewardship Standard. Certification bodies are not required by FSC to evaluate compliance with additional requirements.</p> <p>3 Certification bodies must ensure that claims about certification are accurate and are not misleading. The FSC certification system does not provide a financial audit, and does not provide or imply a guarantee of financial returns. Certification bodies must ensure that their clients do not make such claims either explicitly or by implication.</p> |
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| <b>ADVICE-20-007-13</b> | <b>Certification of windbreaks</b>  |
| Normative reference     | FSC-STD-20-007 V3-0 EN Clause 1.1   |
| Effective date          | 8 April 2005 (revised 2010)   |
| Terms & definitions     |   |
| Background              | Are windbreaks within the scope of the FSC certification system?  |
| Advice                  | <p>1 Small forest areas have been certified under the FSC system in a number of situations – for example as small woodlots, and as riverine features. Whilst it is unlikely that a single line of trees would be able to comply with the FSC P &amp; C or the definition of “forest area”, a linear feature which is some tens of metres wide could be within the scope of FSC certification.</p> <p>2 If a windbreak meets FSC’s broad definition of a forest (or plantation) and its management complies with the FSC Principles and Criteria, then it may be certified within the FSC system.</p> <p>3 The certification body has to determine, on a case-by-case basis whether the management of a windbreak complies with the FSC P &amp; C, in accordance with a national or locally adapted FSC Forest Stewardship Standard.</p> |

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| <b>ADVICE-20-007-14</b> | <b>Certification of forest remnants</b>   |
| Normative reference     | FSC-STD-20-007 V3-0 EN Clause 1.1   |
| Effective date          | 8 April 2005 (revised 2010)   |
| Terms & definitions     |   |
| Background              | Where an area of forest has been cleared for agriculture, can the remnant of the forest subsequently be certified under the FSC system?   |
| Advice                  | <p>1 The issue under consideration in this advice relates to remnant forest areas left after conversion of forestland to agriculture.</p> <p>2 The scope of FSC certification does not include agricultural land or agricultural land management practices. Agricultural products are not within the scope of FSC certification and labelling.</p> <p>3 FSC does not at present have any policy or standard that addresses the issue of forestland converted to agriculture prior to the application for certification of the remnant forest.</p> <p>4 For now, certification of forest remnants should be based on the management of the remnants themselves, and their compliance (or non-compliance) with the FSC P&amp;C.</p> <p>5 Under current FSC policies, the management of forest remnants may be evaluated for compliance with the FSC Principles and Criteria (FSC P &amp; C), and if it complies, subsequently be certified.</p> |

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| <b>ADVICE-20-007-15</b> | <b>Certification of Management Units (MUs) with areas converted from natural forest to plantations between 01 November 1994 and 01 April 2013</b>   |
| Normative reference     | FSC-POL-20-003 FSC Policy on the Excision of Areas from the scope of certification<br>FSC-STD-01-001 V4-0 Criterion 10.9<br>FSC-STD-01-001 V5-0 Criterion 6.10  |
| Effective date          | 01 May 2013   |
| Terms & definitions     | <p><b>Management Unit:</b> A spatial area or areas submitted for FSC certification with clearly defined boundaries managed to a set of explicit long term management objectives which are expressed in a management plan. This area or areas include(s):</p> <ul style="list-style-type: none"> <li>• all facilities and area(s) within or adjacent to this spatial area or areas under legal title or management control of, or operated by or on behalf of The Organization, for the purpose of contributing to the management objectives; and</li> <li>• all facilities and area(s) outside, and not adjacent to this spatial area or areas and operated by or on behalf of The Organization, solely for the purpose of contributing to the management objectives.</li> </ul> <p>(Source: Glossary of Terms, in: Principles and Criteria V5)</p>   |
| Background              | <p>There are situations where a single Management Unit (MU) contains a mosaic of heterogeneous stand conditions, including plantation stands established on areas converted from natural forests after 1994. In these situations, Organizations are constrained from entering the whole MU into FSC certification as MUs containing natural forests converted after 1994 are not eligible to be FSC certified.</p> <p>Under defined conditions (see “FSC Policy on the Excision of Areas from the scope of certification”, FSC-POL-20-003) areas which are not eligible for certification may be ‘excised’ from the scope of the certificate (but remain part of the MU) whilst the remaining area can receive full FSC certification.</p> <p>This Advice has been developed to provide an alternative option for situations where the specific conditions of the existing Excision Policy cannot be applied, but where an Organization would like to receive certification to demonstrate their commitment to responsible forest management.</p> |
| Advice                  | <ol style="list-style-type: none"> <li>1. In order to certify MUs in situations as described above, the Organization shall split the existing MU containing post-1994 conversion plantations into 2 or more subunits to separate the post-1994 plantation areas from the potentially certifiable areas.</li> <li>2. Each subunit created by this separation shall be clearly identifiable on maps and on the ground.</li> <li>3. The subunit(s) containing the post-1994 conversion plantations shall be certified to the FSC Controlled Wood Standard (FSC-STD-30-010) before or at the same time as the full FSC certification of the other subunit(s).</li> <li>4. A segregation system for forest products originating from the different subunits shall be implemented as part of the internal Chain of Custody to avoid false claims.</li> <li>5. Any conversion within the MU must have ceased not less than two (2) years before the certificates can be issued.</li> </ol>   |

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| <b>ADVICE-20-007-016</b> | <b>Wind turbine establishment within FSC certified areas</b>  |
| Normative reference      | FSC-STD-01-001 V4-0 EN (2004) C1.1, C6.1, C6.10<br>FSC-POL-20-003 V1-0 EN (2004)<br>FSC-POL-01-004 V2-0 EN (2011)   |
| Effective date           | 23 July 2012  |
| Terms & definitions      | <p>Affected area: the area that needs to be converted so that the wind turbines are operational.</p> <p>Very limited portion: The area affected shall not exceed 0.5% of the area of the MU in any one year, nor affect a total of more than 5% of the area of the MU. Source: FSC-STD-01-002 (V1-0) EN FSC Glossary of Terms.</p> <p>In the context of this advice only, the following shall apply in addition: It is recognized that in the case of wind turbine establishment annual conversion limits may not be practical to apply. Therefore only the total 5% area restriction shall be applied. In the case of groups of SLIMFs this threshold can be applied at the level of the Resource Management Unit (RMU), as defined in FSC-STD-30-005 (V1-0) EN FSC standard for group entities in forest management groups.</p>   |
| Background               | <p>FSC recognizes that wind turbines can have positive environmental benefits by providing renewable energy. However, there are several factors to consider if wind turbines are proposed within an FSC certified Management Unit (MU). These factors include forest conversion, maintaining High Conservation Values and Environmental Impact Assessment, as well as compliance with applicable laws and regulations.</p> <p>This Advice has been developed on request to provide clarification on existing rules for certificate holders who want to establish wind turbines on their FSC certified land. This Advice is not intended to create new requirements.</p>   |
| Advice                   | <p><b>1 Compliance with the applicable FSC Forest Stewardship Standard</b></p> <p>1.1 The establishment of wind turbines within FSC certified MUs constitutes conversion where the vegetation is changed from forest or plantation to non-forest land use. It is important to note that wind turbines cannot be considered as forest or social-related infrastructure.</p> <p>1.2 In the case of conversion such establishments shall comply with <u>all</u> aspects of Criterion 6.10 in <i>FSC-STD-01-001 V4-0 EN FSC Principles and Criteria for Forest Stewardship</i>, which states:</p> <p><i>C 6.10 Forest conversion to plantations or non-forest land uses shall not occur, except in circumstances where conversion:</i></p> <ul style="list-style-type: none"> <li>a) <i>entails a very limited portion of the forest management unit; and</i></li> <li>b) <i>does not occur on high conservation value forest areas; and</i></li> <li>c) <i>will enable clear, substantial, additional, secure, long term conservation benefits across the forest management unit.</i></li> </ul> <p>1.3 Demonstrating compliance with Criterion 6.10 c) may be a challenge given the nature of the establishment of wind turbines. One example for acceptable evidence of compliance would be strong stakeholder support, including from local communities, on the clear, substantial, additional, secure, long term conservation benefits that wind turbines deliver to the FMU. National Offices may develop further guidance (to be approved by PSU) on means to demonstrate compliance with Criterion 6.10 c).</p> <p>1.4 In addition to demonstrating compliance with Criterion 6.10, the establishment of wind turbines must also comply with all other elements of the applicable FSC Forest Stewardship Standard. Other elements of particular relevance are:</p> <p>Criterion 1.1: compliance with relevant laws and regulations;</p> <p>Criterion 3.2: protecting the resources or tenure rights of indigenous peoples</p> |

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|  | <p>or communities; <i>and</i><br/>Criterion 6.1: Environmental Impact Assessment.</p> <p><b>2 Compliance with the Policy on Excision</b></p> <p>If the proposed establishment of wind turbines does not meet the requirements of the applicable FSC Forest Stewardship Standard, as explained above, the affected area may be excised from the scope of the FSC certificate, as specified in <i>FSC-POL-20-003 FSC Policy on the excision of areas from the scope of certification</i>.</p> <p>In summary, this Policy offers two possible solutions, depending on whether or not the affected area remains under the control of the forest manager:</p> <p>2.1 In situations where there are specific areas of the forest in which full compliance with the requirements of the applicable FSC Forest Stewardship Standard cannot be achieved <u>for reasons beyond the control of the managers</u> the following criteria apply:</p> <ul style="list-style-type: none"><li>a) Management shall make all reasonable efforts to avoid any negative impact of the excised area on the certified area;</li><li>b) Management shall promptly and appropriately respond to any negative impact;</li><li>c) The overall management plan for the certified FMU shall take full account of the potential impacts;</li><li>d) The affected area is a very limited portion of the FMU.</li></ul> <p>2.2 On occasions when it is acceptable to excise specific areas from the scope of an evaluation for reasons which <u>remain under the control of the manager</u>, the following criteria apply:</p> <ul style="list-style-type: none"><li>a) The management of the excised area shall not prevent compliance with FSC standards in the remaining FMU;</li><li>b) The excised area shall be well defined and clearly distinguished from the remaining FMU;</li><li>c) Management of the excised areas shall be verified by the certification body as being in compliance with FSC-STD-30-010;</li><li>d) Management shall implement systems to ensure that any forest products coming from the excised area are not mixed with the products from the certified area;</li><li>e) Management shall provide a full list of all forest areas excised, and a rationale for excision.</li></ul> <p>NOTE: Please see the “FSC Policy on the excision of areas from the scope of certification” (FSC-POL-20-003) for the full set of requirements for forest managers and certification bodies.</p> |
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| <b>ADVICE-20-007-17</b>   | <b>Applicable National and Local Laws and Regulations</b>  |
| Normative reference   | FSC-STD-01-001 V4-0 (2004)<br>FSC-STD-60-002 V1-0 (2009)<br>FSC-STD-20-002 V3-0 (2009)   |
| Effective date  | 01 March 2013 (revised 10 July 2014)<br><br>No Forest Stewardship Standard -either approved by FSC or CB-adapted- shall be used after this date without the application of this Advice Note.   |
| Background  | Criterion 1.1 of the FSC Principles and Criteria (V4-0) states that “Forest management shall respect all national and local laws and administrative requirements”.<br><br>National Standards are required to include a list of the national and local forest laws and administrative requirements which apply in the country or region in which the standard is to be used.<br><br>Given recent development with government legality initiatives, such as the US Lacey Act and EU Timber Regulation, it is important that the scope of the list of laws required by FSC is clear and consistent with the definition of “applicable legislation” as outlined in such regulations.   |
| Advice  | 1. Prior to main/re-evaluation and surveillance audits after 01 March 2013, Certification Bodies shall use Table 1 (below) to compile a list of applicable legislation to be evaluated for each country where they operate.<br><br>2. The Certification Bodies shall consider existing national lists from approved FSC National Forest Stewardship Standards, Certification Body Adapted Standards and other reputable sources in order to compile the list.<br><br>3. Certification Bodies shall apply this list in relation to the evaluation of Forest Management Operations to the applicable Forest Stewardship Standard when evaluating Criterion 1.1 and any other Criteria where existing legislation requires compliance of a Forest Management Operation. Any legal requirements that have not been previously evaluated shall be evaluated in the next audit after the effective date. |
| <b>Table 1:</b>   |  |
| <b>Minimum list of applicable laws, regulations and nationally-ratified international treaties, conventions and agreements.</b> |  |
| 1. Legal rights to harvest  |  |
| 1.1 Land tenure and management rights   | Legislation covering land tenure rights, including customary rights as well as management rights that includes the use of legal methods to obtain tenure rights and management rights. It also covers legal business registration and tax registration, including relevant legal required licenses.  |
| 1.2 Concession licenses   | Legislation regulating procedures for the issuing of forest concession licenses, including use of legal methods to obtain concession license. Especially bribery, corruption and nepotism are well-known issues in connection with concession licenses.  |
| 1.3 Management and harvesting planning  | Any legal requirements for management planning, including conducting forest inventories, having a forest management plan and related planning and monitoring, as well as approval of these by competent authorities.   |
| 1.4 Harvesting permits  | Legislation regulating the issuing of harvesting permits, licenses or other legal document required for specific harvesting operations. It includes the use of legal methods to obtain the permit. Corruption is a well-known issue in connection with the issuing of harvesting permits.  |
| 2. Taxes and fees   |  |
| 2.1 Payment of royalties and harvesting fees  | Legislation covering payment of all legally required forest harvesting specific fees such as royalties, stumpage fees and other volume based fees. It also includes payments of the fees based on correct classification of quantities, qualities and species. Incorrect classification of forest products is a well-known issue often combined with bribery of officials in charge of controlling the classification.   |

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| 2.2 Value added taxes and other sales taxes   | Legislation covering different types of sales taxes which apply to the material being sold, including selling material as growing forest (standing stock sales).  |
| 2.3 Income and profit taxes   | Legislation covering income and profit taxes related to the profit derived from sale of forest products and harvesting activities. This category is also related to income from the sale of timber and does not include other taxes generally applicable for companies or related to salary payments.   |
| <b>3. Timber harvesting activities</b>  |   |
| 3.1 Timber harvesting regulations   | Any legal requirements for harvesting techniques and technology including selective cutting, shelter wood regenerations, clear felling, transport of timber from felling site and seasonal limitations etc. Typically this includes regulations on the size of felling areas, minimum age and/or diameter for felling activities and elements that shall be preserved during felling etc. Establishment of skidding or hauling trails, road construction, drainage systems and bridges etc. shall also be considered as well as planning and monitoring of harvesting activities. Any legally binding codes for harvesting practices shall be considered. |
| 3.2 Protected sites and species   | Covers legislation related to protected areas as well as protected, rare or endangered species, including their habitats and potential habitats.  |
| 3.3 Environmental requirements  | Covers legislation related to environmental impact assessment in connection with harvesting, acceptable level for soil damage, establishment of buffer zones (e.g. along water courses, open areas, breeding sites), maintenance of retention trees on felling site, seasonal limitation of harvesting time, and environmental requirements for forest machineries.   |
| 3.4 Health and safety   | Legally required personal protection equipment for persons involved in harvesting activities, use of safe felling and transport practice, establishment of protection zones around harvesting sites, and safety requirements to machinery used. Legally required safety requirements in relation to chemical usage. The health and safety requirements that shall be considered relate to operations in the forest (not office work, or other activities less related to actual forest operations).   |
| 3.5 Legal employment  | Legal requirements for employment of personnel involved in harvesting activities including requirement for contracts and working permits, requirements for obligatory insurances, requirements for competence certificates and other training requirements, and payment of social and income taxes withhold by employer. Furthermore, the points cover observance of minimum working age and minimum age for personal involved in hazardous work, legislation against forced and compulsory labour, and discrimination and freedom of association.  |
| <b>4. Third parties' rights</b>   |   |
| 4.1 Customary rights  | Legislation covering customary rights relevant to forest harvesting activities including requirements covering sharing of benefits and indigenous rights.   |
| 4.2 Free prior and informed consent   | Legislation covering "free prior and informed consent" in connection with transfer of forest management rights and customary rights to the organisation in charge of the harvesting operation.  |
| 4.3 Indigenous peoples rights   | Legislation that regulates the rights of indigenous people as far as it's related to forestry activities. Possible aspects to consider are land tenure, right to use certain forest related resources or practice traditional activities, which may involve forest lands.   |
| <b>5. Trade and transport</b><br>NOTE: This section covers requirements for forest management operations as well as processing and trade. |   |
| 5.1 Classification of species, quantities, qualities  | Legislation regulating how harvested material is classified in terms of species, volumes and qualities in connection with trade and transport. Incorrect classification of harvested material is a well-known method to reduce/avoid payment of legality prescribed taxes and fees.   |
| 5.2 Trade and transport   | All required trading permits shall exist as well as legally required transport document which accompany transport of wood from forest operation.  |
| 5.2 Offshore trading and  | Legislation regulating offshore trading. Offshore trading with related  |

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| transfer pricing                      | companies placed in tax havens combined with artificial transfer prices is a well-known way to avoid payment of legally prescribed taxes and fees to the country of harvest and considered as an important generator of funds that can be used for payment of bribery and black money to the forest operation and personal involved in the harvesting operation. Many countries have established legislation covering transfer pricing and offshore trading. It should be noted that only transfer pricing and offshore trading as far as it is legally prohibited in the country, can be included here. |
| 5.4 Custom regulations                | Custom legislation covering areas such as export/import licenses, product classification (codes, quantities, qualities and species).   |
| 5.5 CITES                             | CITES permits (the Convention on International Trade in Endangered Species of Wild Fauna and Flora, also known as the Washington Convention).  |
| 6. Due diligence/due care             |  |
| 6.1 Due diligence/due care procedures | Legislation requiring due diligence/due care procedures, including e.g. due diligence/due care systems, declaration obligations, and/or the keeping of trade related documents etc.  |