

Deforestation Regulation: provisions relating to the date of application

2024/0249(COD) - 14/11/2024 - Text adopted by Parliament, partial vote at 1st reading/single reading

The European Parliament adopted by 371 votes to 240, with 30 abstentions, **amendments** to the proposal for a regulation of the European Parliament and of the Council amending Regulation (EU) 2023/1115 as regards provisions relating to the date of application.

The matter was referred back for interinstitutional negotiations to the committee responsible.

As a reminder, the proposal aims to postpone by 12 months the date of application of the provisions of Regulation (EU) 2023/1115 on deforestation which lay down obligations for operators, traders and competent authorities, in order to allow Member States, operators and professionals to be better prepared and able to fully comply with their obligations under this regulation.

Through its amendments, Parliament believes that the benchmarking system should be based on a **four-level system** (instead of three) which would classify countries as having no, low, standard or high risk.

The **‘no risk’** refers to countries or parts thereof that meet the following assessment criteria:

- forest area development has remained stable or has increased compared to 1990;
- the Paris Agreement and international conventions on human rights and on preventing deforestation have been signed by those countries and parts thereof;
- regulations on preventing deforestation and forest conservation at national level are strictly implemented and enforced in full transparency and monitored.

The amendments state that relevant commodities and relevant products from countries or parts thereof that present no risk should not be placed or made available on the market or exported unless all the following conditions are fulfilled: (a) they have been produced in accordance with the relevant legislation of the country of production; and (b) they fulfil certain **documentation requirements**.

Operators that place or make available on the market or export relevant commodities and relevant products produced in countries or parts thereof that present no risk will fulfil the documentation requirements by making the following documents available to the competent authorities upon request:

- trade name and type of the relevant products, the quantity of the relevant products, the country of production and, where relevant, parts thereof;
- the name, postal address and email address of any business or person from whom they have been supplied with the relevant products or of any business, operator or trader to whom the relevant products have been supplied;
- adequately conclusive and verifiable information that the relevant products are free of forest degradation;
- adequately conclusive and verifiable information that the relevant commodities have been produced in accordance with the relevant legislation of the country of production.

Each Member State will ensure that the annual checks carried out by its competent authorities cover at least **0.1 % of the operators** placing or making available on the market or exporting relevant products that contain or have been made using relevant commodities produced in a country or parts thereof classified as no risk.

In the period before the date of application, and in order to avoid any delays, the Commission should prioritise the optimisation of the **platform for the exchange of information** between the relevant stakeholders and the competent authorities. The Commission also undertakes to publish the risk classification so that the relevant stakeholders can prepare for the defined mandatory scope of this Regulation.