



# TÜRKİYE ODALAR VE BORSALAR BİRLİĞİ



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## TÜM ODALAR (Genel Sekreterlik)

2023/1115 Sayılı Ormansızlaşmanın Önlenmesi Tüzüğü ile 30 Aralık 2025'ten itibaren soya, sığır eti, palm yağı, ahşap, kakao, kauçuk, kahve ve bunlardan üretilen çikolata, deri, mobilya, lastik gibi ürünlerin AB pazarına girişinde ormansızlaşmaya yol açmadığı ve yasal üretildiğine dair özen yükümlülüğü beyanı zorunlu hale getirilmiştir. Avrupa Komisyonu'nun sektörel uygulamalara yönelik son açıklayıcı belgesi Ek-1'de yer almaktadır.

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Bu kapsamda, EUDR mevzuatına ve uygulama sürecine dair soru ve görüşlerin Ek-2'de yer alan görüş formuna işlenerek **28 Mart 2025 mesai bitimine kadar** Birliğimize resmi yazı ve e-posta aracılığıyla (egemen.batmaz@tobb.org.tr) iletilmesinden memnuniyet duyulacaktır.

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Saygılarımla,

*e-imza*

Cengiz DELİBAŞ  
Genel Sekreter Yardımcısı

EK:

- 1- EUDR Uygulama Kılavuzu (34 sayfa)
- 2- Görüş Bildirme Formu (1 sayfa)



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## EUDR COMPLIANCE

UNDERSTANDING YOUR COMPANY POSITION  
IN BEEF, COCOA, COFFEE, PALM OIL,  
RUBBER, SOY, AND WOOD SUPPLY CHAINS

UNEP-WCMC  
January 2025



**EUROPEAN COMMISSION**

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Unit F.1 — Planetary Common Goods, Universal Values & Environmental Security

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Manuscript completed in January 2025

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## Understanding your company position in the supply chain

The EU Regulation on Deforestation-free Products ([Regulation \(EU\) 2023/1115](#), hereinafter referred to as ‘the Regulation’, ‘this Regulation’, or ‘EUDR’) introduces obligations to operators and traders relating to the placing or making available on the Union market, and exporting from the Union of deforestation-related commodities and associated products. This document provides an overview of how the obligations apply, depending on the company type (operator/trader), size (non-SME/SME) and position in the supply chain (first placing/downstream) within the EU (table 1), illustrated through 11 supply chain scenarios. The rules mentioned in the scenarios, while being applied to supply chain-specific scenarios and individual products, generally apply equally for all relevant products (also see Annex I). This document is intended to be read alongside the third iteration of the [FAQs and the guidance document](#), which give additional detail on obligations, as well as the Regulation itself. This document is not legally binding; its sole purpose is to provide information on certain aspects of the EUDR. It does not replace, add to or amend the provisions of the EUDR, which establishes the legal obligations.

<b>1. EU-based operations with commodities produced in the EU.....</b>	<b>8</b>
Scenario 1: Supply chain for domestic timber .....	8
Scenario 2: Supply chain for domestic timber .....	10
Scenario 3: Supply chain for newspaper, with domestically produced paper	12
Scenario 4: Supply chain for domestic cattle .....	15
Scenario 5: Supply chain for domestic cattle .....	17
<b>2. EU-based operations with commodities produced outside the EU... </b>	<b>19</b>
Scenario 6: Supply chain for newspaper, produced with imported paper .....	19
Scenario 7: Supply chain for palm oil.....	20
Scenario 8: Supply chain for rubber.....	23
Scenario 9: Supply chain for coffee .....	25
Scenario 10: Supply chain for cocoa.....	27
Scenario 11: Supply chain for soy .....	29

## EUDR COMPLIANCE

**Table 1: Overview of the “level” of due diligence (DD) obligations by type of company (operator/trader), position in supply chain (first placing/downstream) and size (non-SME/SME).**

Type of company <sup>1</sup>	Action	Applicable Products	DD obligations	DD statement submission obligations	Record keeping requirement <sup>4</sup> (See FAQ 5.8)	Responsibility for compliance in relation to DD <sup>5</sup>	Communicate information to downstream operators/trader	Public reporting requirement
<b>Upstream operator (non-SME)</b> <i>FAQ 3.1</i>	Places on or exports from Union market products not covered by DD statement	Relevant products	✓ Exercise Art. 4(1) <i>FAQ 3.4</i>	✓ Complete Art. 4(2)	✓ <i>DDS (Art. 4(3))</i> <i>DD updates (Art. 12(2))</i> <i>Documentation (Art. 12(5))</i>	✓ Assumes Art. 4(3), Retains Art. 6(1)	✓ Art. 4(7)	✓ Art. 12(3) <i>FAQ 5.14</i>
<b>Upstream operator (SME)</b> <i>FAQ 3.1, 3.10</i>	Places on or exports from Union market products not covered by DD statement	Relevant products	✓ Exercise Art. 4(1) <i>FAQ 3.5</i>	✓ Complete Art. 4(2)	✓ <i>DDS (Art. 4(3))</i> <i>DD updates (Art. 12(2))</i> <i>Documentation (Art. 12(5))</i>	✓ Assumes Art. 4(3) Retains Art. 6(1)	✓ Art. 4(7)	✗
<b>Downstream operator (non-SME)</b> <i>FAQ 3.1</i>	Places on or exports from the Union market products covered by DD statement	Relevant products contained in or made from relevant products (if covered by a DD statement submitted by an upstream operator) <sup>2</sup>	✓ “Ascertain” Art. 4(9) <i>FAQ 3.4</i>	✓ Refer Art. 4(2), (9) <i>FAQ 3.4</i>	✓ <i>DDS (Art 4(3))</i> <i>DD updates (Art. 12(2))</i> <i>Documentation (Art. 12(5))</i>	✓ Retains Art. 4(10), Art. 6(1) <i>FAQ 3.4</i>	✓ Art. 4(7)	✓ Art. 12(3) <i>FAQ 5.14</i>
<b>Trader (non-SME)</b> <i>FAQ 3.8</i>	Makes available on Union Market	Relevant products	✓ “Ascertain” Art. 4(9) <i>FAQ 3.4, 3.8</i>	✓ Refer Art. 4(2), (9)	✓ <i>DDS (Art. 4(3))</i> <i>DD updates (Art. 12(2))</i> <i>Documentation (Art. 12(5))</i>	✓ Retains Art. 4(10), Art. 6(1) <i>FAQ 3.4, 3.11</i>	✓ Art. 4(7)	✓ Art. 12(3) <i>FAQ 5.14</i>

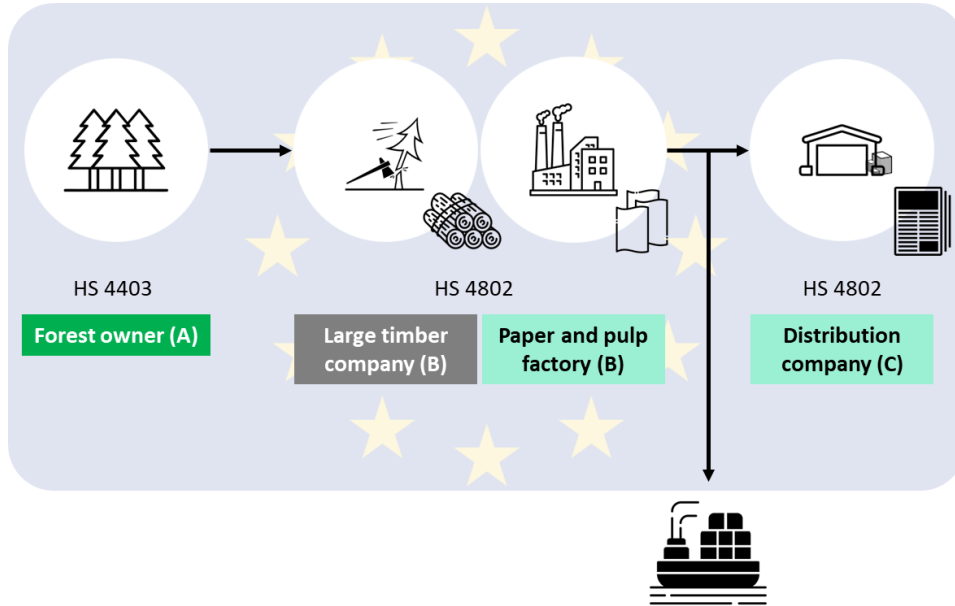
## EUDR COMPLIANCE

Type of company <sup>1</sup>	Action	Applicable Products	DD obligations	DD statement submission obligations	Record keeping requirement <sup>4</sup> (See FAQ 5.8)	Responsibility for compliance in relation to DD <sup>5</sup>	Communicate information to downstream operators/ trader	Public reporting requirement
Downstream operator (SME) FAQ 3.1, 3.10	Places on or exports from the Union market products covered by DD statement	Products contained in or made from relevant products (if covered by a DD statement submitted by an upstream operator) <sup>2</sup>	✗	✗	✓ 📁 Record Art. 4(8)	✗	✓ Art. 4(7)	✗
Trader (SME)	Makes available on Union Market	Relevant products	✗	✗	✓ 📁 Record Art. 5(3), (4)	✗	✗	✗
Legend: ✓ = <b>Yes</b> (The company must fulfil the obligation) ✗ = <b>No</b> (The company does not need to fulfil the obligation, or it is not applicable) 📁 = <b>Record</b> (A related record keeping or information obligation applies)			Due diligence (DD) obligations: <ul style="list-style-type: none"><li>• <b>Complete</b> = Exercise due diligence (DD) for relevant products, per Article 8. See FAQ 5.1</li><li>• <b>Ascertain</b> = Ascertain that due diligence upstream has been carried out in accordance with Art 4(1). See text box 2.</li></ul>			Due diligence (DD) Statement Obligations: <sup>3</sup> <ul style="list-style-type: none"><li>• <b>Complete</b> = Complete and submit a DD statement, including the information and declaration provided in Annex 2 (Art. 4(2))</li><li>• <b>Refer</b> = Refer to the unique reference number of existing DD statement</li><li>• <b>Record</b> = No requirement to submit a DDS but obliged to keep records of associated DDS reference numbers</li></ul>		
Notes: <ol style="list-style-type: none"><li>1. Operators based in a third country have the same obligations as operators, applicable to the first natural or legal person in the Union who makes the relevant product available on the Union market (Art. 7 and see FAQ 3.7)</li><li>2. For parts of products not already covered by a DD statement, DD obligations as per Art. 4(1) will apply.</li><li>3. Full details of the legal requirements and obligations for companies are found in the Regulation text and accompanying official FAQ.</li><li>4. Operators or traders may mandate an authorised representative to submit the due diligence statement on their behalf. The operator retains responsibility for the compliance of the product. An operator that is a natural person or a microenterprise may mandate the next operator or trader further down the supply chain that is not a natural person or a microenterprise to act as an authorised representative (Article 6 and see FAQ 5.2)</li><li>5. All operators – including large traders – and SME traders are obliged to immediately inform the Competent authorities where they obtain or are made aware of new information indicating that a relevant product is at risk of not complying with the Regulation (Articles 4(5), 5(5)).</li></ol>								



## 1. EU-based operations with commodities *produced* in the EU

### Scenario 1: Supply chain for domestic timber (1)



A **forest owner A**, a natural person established in the EU, signs a contract with a **large timber company B**, for the sale of standing trees. Based on their contract, forest owner A is placing a relevant product, wood in the rough, whether or not stripped of bark or sapwood, or roughly squared (HS 4403), on the Union market for the first time by transferring the ownership of this product to B after the harvest, so **forest owner A** is an **SME upstream operator** (Art. 2(15)). Forest owner A mandates the large timber company B as an authorised representative to submit a due diligence statement (*Text Box 1*) in the Information System on her behalf (Art. 6(3)). Forest owner A retains responsibility for ensuring that the harvested logs (HS 4403) are deforestation-free and legal in compliance with EUDR Art. 3 before timber company B submits the due diligence statement (Art. 6(3), FAQ 5.2).

**Timber company B** fells the trees and transports part of the harvested logs to a paper and pulp factory that it owns. At this factory, timber company B processes the logs into paper products (HS 48). Part of the paper produced at the factory is then exported from the EU, and the rest is sold to a **paper sales and distribution company C** that is within the EU.

**Timber company B** is placing on the market and exporting relevant products (paper products) from the EU. It is a **non-SME downstream operator** and must

## EUDR COMPLIANCE

submit due diligence statements for the paper products in the Information System (Art. 4(2)). Since the harvested logs have already been subject to due diligence, **Timber company B** can refer to the due diligence statements already submitted by including the relevant reference numbers. It must ascertain (*Text Box 2*) that due diligence was exercised upstream prior to placing the paper products on the market / exporting them (Art. 4(1), (9), FAQ 3.1, 3.4, 5.2).

The **large paper sales and distribution company C** sells printing/writing/copying paper (HS 4802; a relevant product under the scope of HS 48) to companies within the EU. Paper sales and distribution company C is not placing the paper products on the market for the first time, because they were already placed on the Union market by company B. **Paper sales and distribution company C** is therefore a **non-SME trader**. Obligations for non-SME traders are the same as for non-SME operators (Art. 5(1)), so it must submit a due diligence statement to the Information System (*Text Box 1*). Since the paper has already been subject to due diligence, **paper sales and distribution company C** can refer to the due diligence statements that have already been submitted by including the relevant reference numbers of the paper. However, paper sales and distribution company C must first ascertain (*Text Box 2*) that due diligence was exercised upstream in accordance with the EUDR (Art. 4(9), FAQ 3.4).

#### **Text Box 1: Content of Due Diligence Statements**

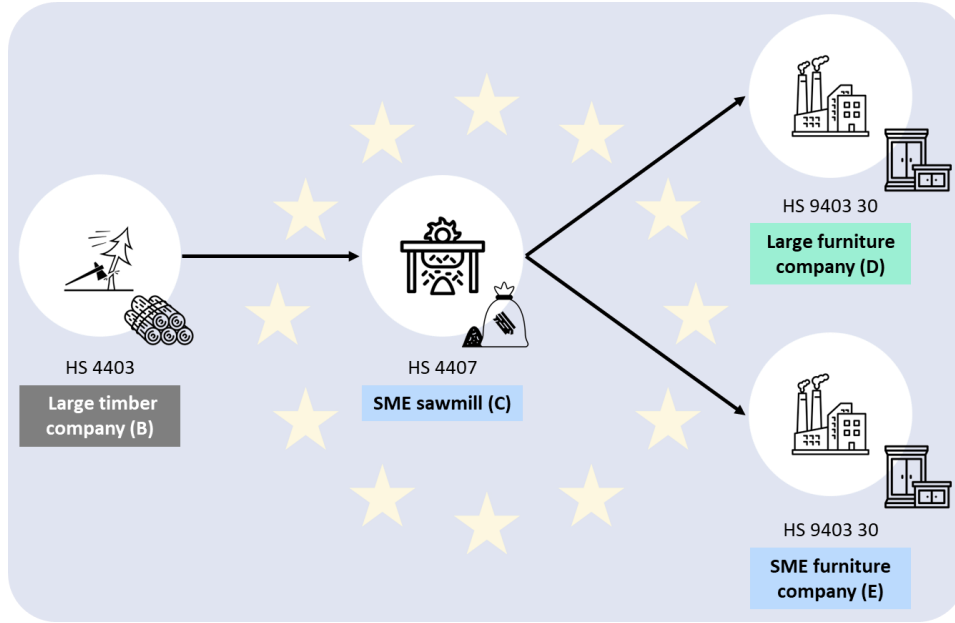
*The information to be included in due diligence statements is set out in Annex 2 of the EUDR. In addition to descriptive information about the operator and the relevant products, the due diligence statement must include details of the country of production and the geolocation of all plots of land where the relevant commodities were produced as well as the reference numbers of existing (upstream) due diligence statements, where applicable (Annex II, FAQ 5.15).*

*Information contained in existing due diligence statements may be referred to in order to avoid duplications and increase efficiency. For example, the geolocation information for commodities may be identified in the upstream due diligence statement and will not have to be provided again if reference is made to the statement (Guidance Document at 9.b).*

#### **Text Box 2: Ascertaining prior due diligence**

*Downstream non-SME operators and non-SME traders, who are placing on the market, making available or exporting relevant products containing or made from (other) relevant products (e.g. newspaper from paper or leather from hides), may refer to existing due diligence statements that have already been submitted to the Information System. They can do this only after they have ascertained that the applicable due diligence was carried out as required by the EUDR (Article 4(9)).*

## Scenario 2: Supply chain for domestic timber (2)



The **large timber company B** from scenario 1 also sells some of the logs (HS 4403) to a **small sawmill C** who transforms them into sawn wood (HS 4407). Sawmill C is placing a new relevant product listed in Annex 1 of the EUDR on the Union market. However, because **sawmill C** is an **SME downstream operator**, it is not required to exercise due diligence or submit a new due diligence statement to the Information System for this relevant product (HS 4407) because the sawn wood is made entirely from the logs (HS 4403) that were already subject to upstream due diligence (Art. 4(8)). Sawmill C must keep a record of due diligence reference numbers obtained from large timber company B (Art. 4(8), FAQ 3.11).

The sawn wood (HS 4407) that sawmill C produces is sold to companies producing furniture in the EU. One of the furniture companies is a **large furniture company D** and the other is an **SME furniture company E**. Both furniture companies are transforming the sawn wood that has already been subject to due diligence upstream into furniture (HS 9403 30), which is also a relevant product, and both are placing the furniture on the Union market for the first time. Both are therefore downstream operators. However, the two furniture companies have different obligations under the EUDR, based on their size (FAQ 3.4).

As a **non-SME downstream operator, furniture company D** must submit a due diligence statement for the furniture it places on the Union market (*Text Box 1*). Furniture company D can refer to the due diligence statement already submitted by large timber company B by including the relevant reference number, but it must first ascertain (*Text Box 2*) that due diligence was exercised upstream in accordance with the EUDR (Art. 4(9); FAQ 3.4). Furniture company D retains responsibility for the compliance of the relevant products (Art. 4(10); FAQ 3.11).

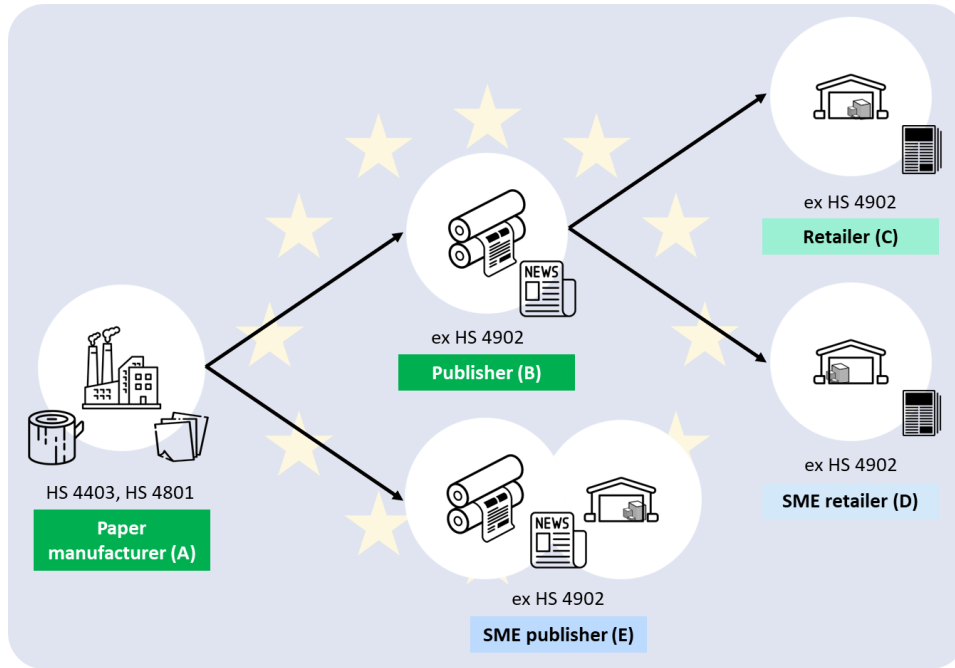
EUDR COMPLIANCE

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As an **SME downstream operator, furniture company E** it is not required to exercise due diligence or submit a new due diligence statement to the Information System, but it must keep a record of the reference number of the due diligence statement that has already been submitted (Art. 4(8)).

If in the making of their furniture either of the furniture companies D and E use any sawn wood that has not been subject to due diligence already (e.g. if D or E import it), then they would need to exercise full due diligence on these relevant products for which they are the first placers on the Union market (FAQ 3.1, 5.1), and include their geolocations in the due diligence statement submitted to the Information System (FAQ 5.19, 3.1).

## Scenario 3: Supply chain for newspaper, with domestically produced paper



A **large EU timber company/paper manufacturer A**, established in the EU, manufactures newsprint paper (HS 4801) from wood (HS 4403) that it sources from forests it owns. **Paper manufacturer A** is placing a relevant product (HS 4801) onto the Union market. It is a **non-SME upstream operator** and must exercise due diligence for the paper products (HS 4801) (Art. 4(1), FAQ 3.1). It must ensure that the products are deforestation-free and legal. It must also submit due diligence statements for the paper products in the Information System (*Text Box 1*; Art. 4(2)) and is responsible for the compliance of the relevant products with the EUDR (Art. 4(3), (10)). As paper manufacturer A is placing batches of newsprint paper on the market over a period of time, which originate from the same geolocations (its own forests), these could be covered by a single due diligence statement for up to one year, so long as due diligence has been carried out for all relevant products intended to be placed on the market prior to submission of the statement (*Text Box 3*).

Paper manufacturer A sells some of the paper (HS 4801) to **large publisher B** who uses it to print newspapers (ex HS 4902). **Publisher B** is a **non-SME downstream operator** as it is transforming an EUDR relevant product into another relevant product and placing the newspapers on the Union market for the first time. It must submit a due diligence statement for the newspapers to the Information System before placing on the Union market. It can refer to due diligence statements that have already been submitted upstream by including the relevant reference numbers but must first ascertain (*Text Box 2*) that due diligence was exercised in accordance with the EUDR (Art. 4.9; FAQ 3.4). Publisher B retains responsibility for the compliance of the relevant product (Art. 4(10);

## EUDR COMPLIANCE

FAQ3.11). Given that publisher B may be making newspapers available on the market in batches over a period of time (e.g. daily/weekly, using paper supplied by the same upstream supplier/s), publisher B could submit a single due diligence statement to cover multiple batches for up to one year, so long as due diligence has been ascertained for all relevant products intended to be placed on the market (Text Box 3).

Publisher B sells the newspapers (ex HS 4902) to a **non-SME retailer C** and an **SME retailer D**, who both sell newspapers to customers. Neither of the retailers are placing the newspapers on the Union market for the first time, because they were already placed on the market by publisher B. **Retailer C** is a **non-SME trader**. Obligations for non-SME traders are the same as for non-SME operators (Art. 5(1)), so retailer C must submit a due diligence statement for the newspapers. Non-SME retailer C can refer to due diligence statements that have already been submitted by publisher B by including the relevant reference numbers, but it must first ascertain (Text Box 2) that due diligence was exercised upstream in accordance with the EUDR (Art. 4.9; FAQ 3.8). Non-SME retailer C retains responsibility for the compliance of the relevant products (Art. 4(10); FAQ 3.11). As described for publisher B above, retailer C could also submit a single due diligence statement covering multiple batches of newspapers for up to one year (Text Box 3).

**Retailer D** is an **SME trader** and is not required to exercise due diligence or submit a due diligence statement. Retailer D must keep a record of its suppliers and any operators or traders it supplies to, as well as the reference numbers of the existing due diligence statements (Art. 5(3), FAQ 5.8). However, unlike non-SME traders, SME traders do not retain responsibility for relevant products that they make available on the market (FAQ 3.11).

Paper manufacturer A sells some of the paper (HS 4801) to small publisher E who also uses it to print newspapers. Publisher E is placing a new relevant product (ex HS 4902) on the Union market. However, because **publisher E** is an **SME downstream operator** and the newspaper is made entirely from the paper (HS 4801) that was already subject to upstream due diligence, publisher E is not required to exercise due diligence or submit a new due diligence statement to the Information System, but it must keep a record of due diligence reference numbers (Art. 4(8)).

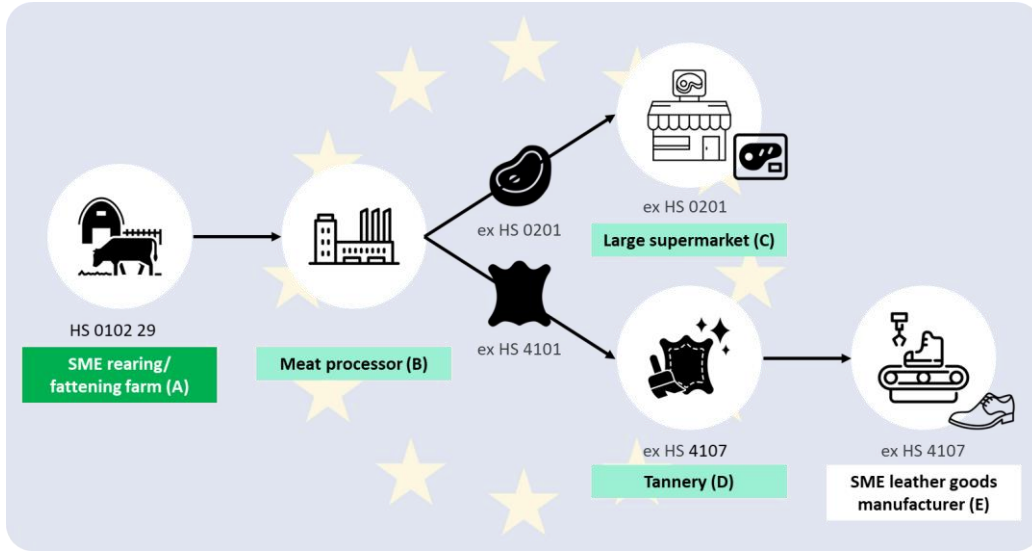
**Text Box 3: Due diligence statements for multiple batches**

To simplify obligations and reduce the administrative burden for operators, a due diligence statement can cover multiple physical batches/shipments. In these situations, the operator (or non-SME trader, see Art. 5(1) EUDR) has to confirm that due diligence was carried out for all relevant products intended to be placed on, made available on the Union market, or exported and that no or only a negligible risk was found that the relevant products do not comply with Art. 3, point (a) or (b), of the Regulation (Annex II) and that the operator assumes responsibility for the compliance of the relevant products with Art. 3 EUDR (Art. 4(3) EUDR).

In addition, there are legal requirements and practical considerations that must be taken into account including that the additional complexity may increase the risk of non-compliance, and that once the quantity of products covered by the due diligence statement has been met, a new statement must be filed for additional quantities (see FAQ 5.19).



## Scenario 4: Supply chain for domestic cattle (1)



SME **rearing/fattening farm A** (established in the EU) sells live cattle to meat processor B. **Farm A** is placing a relevant product (HS 0102 29) included in Annex I of the EUDR on the Union market for the first time, so it is an **SME upstream operator** (Art. 2(15)). It must exercise due diligence (Art. 4(1)) and submit a due diligence statement in the Information System (*Text Box 1*; Art. 4(2); FAQ 3.1). Since cattle farm A produces the live cattle itself, for their due diligence for the live cattle, farm A needs to ensure that its cattle are produced in accordance with the relevant legislation (in this case any relevant regional, national and EU legislation), and it needs to comply with the requirement of the cattle being produced on an area not subject to deforestation since 31 December 2020.

**Meat processor B** uses the cattle to produce two relevant products: meat of cattle, fresh or chilled (ex HS 0201) and raw hides and skins of cattle (ex HS 4101), and places them on the Union market for the first time. **Meat processor B** is a **non-SME downstream operator** as it is transforming a relevant product into other relevant products. It must submit due diligence statements for the meat and raw hides/skins. It can refer to due diligence statements that have already been submitted by including the relevant reference numbers but must first ascertain (*Text Box 2*) that due diligence was exercised in accordance with the EUDR (Art. 4.9; FAQ 3.4). Meat processor B retains responsibility for the compliance of the relevant products (Art. 4(10); FAQ 3.11).

Meat processor B sells the meat products (ex HS 0201) to large supermarket C, which sells them to customers. **Supermarket C** is not placing the meat products on the market for the first time, because they were already placed on the Union market by processor B. **Supermarket C** is therefore a **non-SME trader**. Obligations for non-SME traders are the same as for non-SME operators (Art. 5(1)), so supermarket C must submit a due diligence statement for the meat



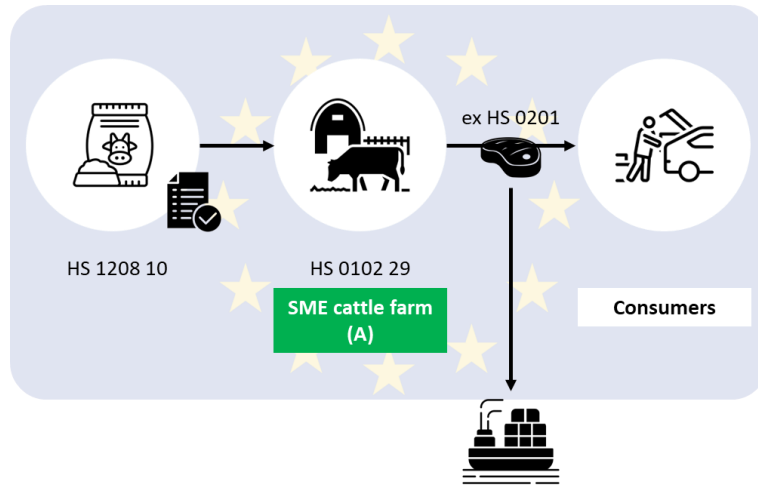
## EUDR COMPLIANCE

products. Since the meat has already been subject to due diligence, supermarket C can refer to due diligence statements that have already been submitted by meat processor B by including the relevant reference numbers, but it must first ascertain (*Text Box 2*) that due diligence was exercised upstream in accordance with the EUDR (Art. 4.9; FAQ 3.8). Supermarket C retains responsibility for the compliance of the relevant products (Art. 4(10); FAQ 3.11).

Processor B sells the hides/skins (ex HS 4101) to **tannery D**, which uses them to produce leather (ex HS 4107). **Tannery D** is a **non-SME downstream operator** as it is transforming a relevant product into other relevant products and placing them on the Union market. Tannery D must submit a due diligence statement in the Information System (Art. 4(2)); it can refer to the due diligence statement that has already been submitted by including the relevant reference number but must first ascertain (*Text Box 2*) that due diligence was exercised upstream in accordance with the EUDR (Art. 4.9; FAQ 3.4). It retains responsibility for compliance of the relevant products (Art. 4(10); FAQ 3.11).

Tannery D sells the leather (ex HS 4107) to **SME leather goods manufacturer E**, which uses it to make shoes it sells. Leather goods manufacturer E does not have any EUDR obligation for the shoes, as they are not listed in Annex I (FAQ 2.1). Leather goods manufacturer E is not placing or making available a relevant product on the Union market and is therefore **not an operator or a trader** under the EUDR. If leather goods manufacturer E had instead imported the leather directly from a third country, it would need to exercise full due diligence on these relevant products for which it would be the first placer on the Union market (FAQ 3.1, 5.1), and include their geolocations in the due diligence statement submitted to the Information System (FAQ 5.19).

## Scenario 5: Supply chain for domestic cattle (2)



**SME cattle farm A** (established in the EU) produces and raises live cattle (HS 0102 29). Cattle farm A uses some of its live cattle to produce meat of cattle, fresh or chilled (ex HS 0201); some of that meat is then sold directly to local consumers, and some is exported from the Union market.

Cattle farm A is placing a relevant product listed in Annex I (ex HS 0201) on the Union market for the first time and is also exporting it. **Cattle farm A** is therefore an **SME upstream operator** (both for the placing on the Union market and for the export) and is obliged to exercise due diligence for the relevant product (ex HS 0201) (Art. 4(1)) and submit separate due diligence statements in the Information System for the meat that will be made available on the Union market and for the meat being exported (*Text Box 1* and 3; Art. 4(2), FAQ 3.1). Since cattle farm A produces the live cattle itself, for their due diligence for the meat cattle farm A needs to ensure that its cattle are produced in accordance with the relevant legislation (in this case any relevant regional, national and EU legislation), and it needs to comply with the requirement of the cattle being produced on an area not subject to deforestation since 31 December 2020.

The position for cattle farm A would be the same (for placing or exporting) even if they were a non-SME (Art. 4(1)); as an operator first placing on the Union market or exporting, due diligence is required both in the case of placing relevant products and if exporting.

Cattle farm A uses another relevant product, soymeal [HS 1208 10], to feed its cattle. As part of its due diligence system, cattle farm A should therefore ensure that the soymeal feed is deforestation free (EUDR recital 39). If the soymeal feed has already undergone due diligence earlier in the supply chain (i.e. it had already been placed on the Union market), cattle farm A could use relevant invoices, reference numbers of relevant upstream due diligence statements or any other relevant documentation from the feed retailer that indicates that the feed was deforestation-free. This evidence should cover the lifetime of the cattle, up to a

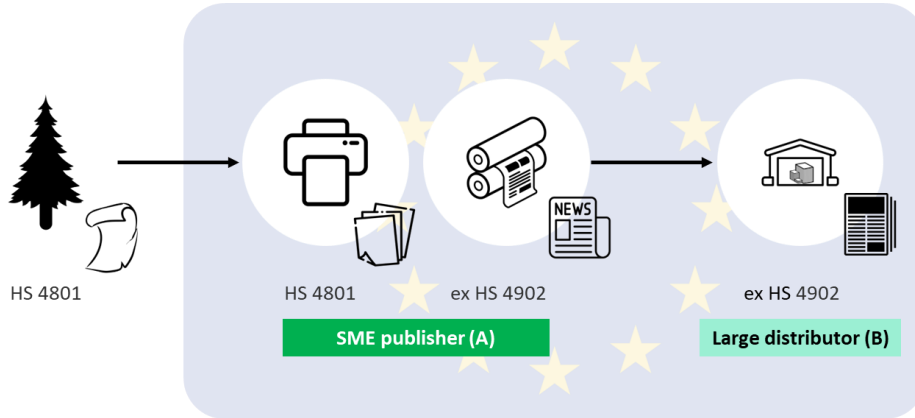
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maximum of five years, and cattle farm A may need to show this evidence to competent authorities upon request. If instead cattle farm A imports into the EU the soymeal [HS 1208 10] to feed to its cattle, it would be an SME upstream operator for the soymeal and would be obliged to exercise due diligence, submit a due diligence statement to the Information System and include the DDS reference number in the customs declaration for release for free circulation for the soymeal (FAQ 2.10). It would then use the reference numbers and other documentation from the soymeal that it imported to demonstrate that its cattle feed is deforestation free.

## 2. EU-based operations with commodities produced outside the EU

### Scenario 6: Supply chain for newspaper, produced with imported paper



**SME publisher A** imports paper (HS 4801) to the EU from a third country. Although **publisher A** is an SME, it is placing the paper on the Union market for the first time and therefore it is an **SME upstream operator** and must exercise due diligence for the paper to ensure that it is deforestation-free and legal (Art. 4(1)) and must also submit a due diligence statement for the paper in the Information System prior to placing it on the Union market (*Text Box 1 and 4*; Art. 4(2); FAQ 3.1). If the paper is imported as multiple shipments/batches from the same geolocations, these can be covered by a single due diligence statement for up to one year, so long as due diligence has been carried out for all relevant products intended to be placed on the market (*Text Box 3*).

**SME publisher A** uses the paper to print newspapers in-house and then places the newspapers on the market. **Publisher A** is therefore an **SME downstream operator** for the newspapers because they are a new relevant product (ex HS 4902) (Annex I, FAQ 3.1). As publisher A is an SME and the paper used to produce the newspapers has already been subject to due diligence and is covered by an existing due diligence statement, publisher A is not required to exercise due diligence or submit a new due diligence statement to the Information System. Publisher A must keep a record of the due diligence reference numbers (Art. 4(8); FAQ 3.11).

**Large distributor B** buys the newspapers and makes them available on the Union market. As the HS code (ex HS 4902) does not change, distributor B is a **non-SME trader**. Obligations for non-SME traders are the same as for non-SME downstream operators (Art. 5(1)) so it must submit a due diligence statement to the Information System for the newspapers. Since the paper has already been

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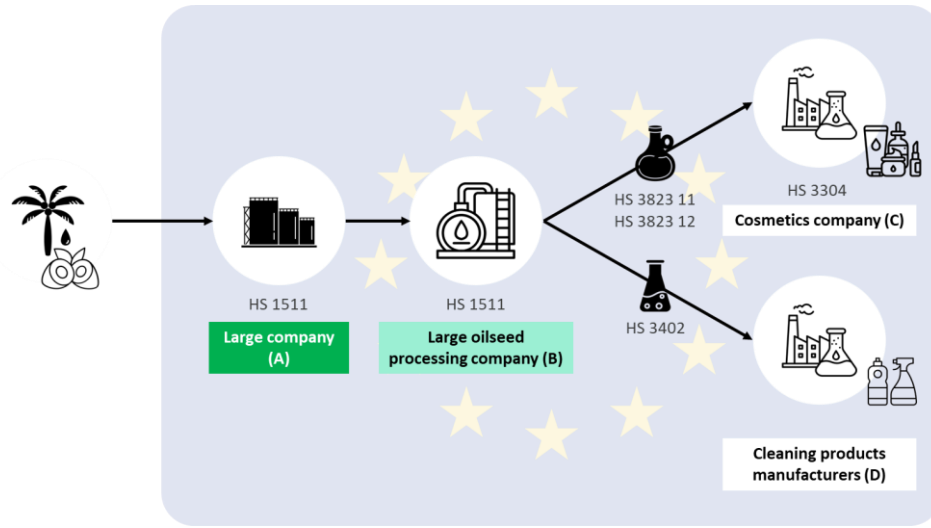
subject to due diligence, distributor B can refer to the due diligence statements that have already been submitted by including the relevant reference number, but distributor B must first ascertain (*Text Box 2*) that the due diligence was exercised upstream in accordance with the EUDR (Art. 4(9); FAQ 3.4). Distributer B retains responsibility for the compliance of the newspapers (Art. 4(10), FAQ 3.11). As distributor B may be making newspapers available on the market in batches over a period of time (e.g. daily/weekly newspapers supplied by the same upstream

supplier/s), it could also submit a single due diligence statement to cover multiple batches for up to one year, so long as due diligence has been ascertained for all relevant products intended to be made available on the market (*Text Box 3*).

***Text Box 4: Customs declarations***

*An operator placing on the market imported products or exporting relevant products will need to also complete a customs declaration (applicable for the customs procedures 'release for free circulation' and 'export'). To complete the customs declaration, a due diligence statement reference number will first be needed. To obtain this, a due diligence statement is submitted by the operator into the Information System and a reference number is then issued and can be used on the customs declaration lodged for that relevant product. Where a DDS covers multiple shipments/batches, the same DDS reference number can be referred to in several customs declarations, as long as the legal requirements of the EUDR are respected (see FAQ 5.19, 5.20).*

## Scenario 7: Supply chain for palm oil



A **large company A** imports palm oil (HS 1511) to the EU from a third country. **Company A** is a **non-SME upstream operator** placing the product on the Union market for the first time (FAQ 3.1) and therefore must exercise due diligence for the palm oil to ensure that it is deforestation-free and legal (Art. 4(1)) and must submit a due diligence statement to the Information System prior to placing it on the Union market (Text Box 1 and 4; Art. 4(2)).

The palm oil is sold to **large oilseed processing company B**, which uses it to make three products: oleic acid, industrial (HS 3823 12), stearic acid, industrial (HS 3823 11), and surfactants (HS 3402). Surfactants are not a relevant product under Annex I, so they are not subject to due diligence obligations (FAQ 2.1). The stearic acid (HS 3823 11) is a relevant product under Annex I, so is subject to the EUDR. Therefore, **oilseed processing company B** is a **non-SME downstream operator** for the stearic acid because it is a new relevant product (FAQ 3.1). Since the stearic acid was made using the palm oil that has already been subject to due diligence, oilseed processing company B can refer to due diligence statements that have already been submitted by company A by including the relevant reference numbers, but it must first ascertain (Text Box 2) that due diligence was exercised upstream in accordance with the EUDR (Art. 4(9); FAQ 3.4). Oilseed processing company B retains responsibility for the compliance of the relevant products (Art. 4(10); FAQ 3.11).

Oilseed processing company B sells the stearic acid (HS 3823 11) to **cosmetics company C**. Cosmetics company C uses the stearic acid to manufacture cosmetic products (HS 3304) and sells them to consumers. Cosmetics are not a relevant product under Annex I. Cosmetics company C is therefore not placing a relevant product on the Union market, hence it does **not have obligations under the EUDR for the cosmetics**. If cosmetics company C was instead importing relevant products (such as stearic acid) into the EU from a third country to use in its cosmetic products, it would need to exercise full due diligence on these

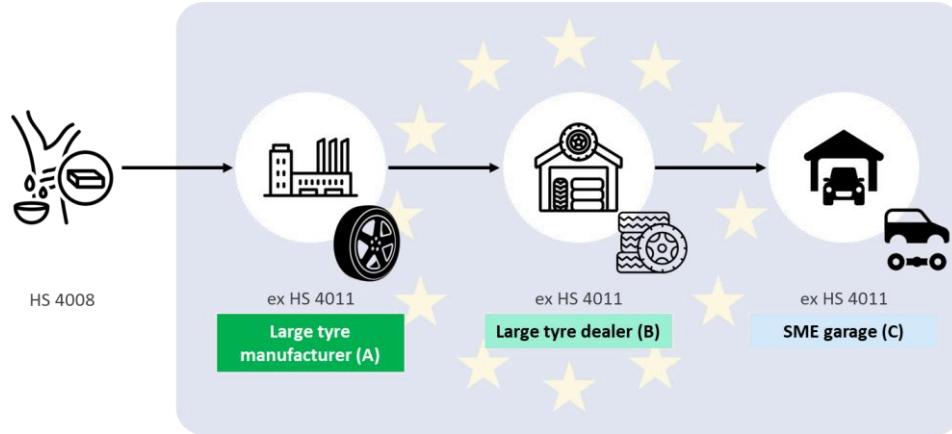
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relevant products for which they would be the first placers on the Union market (FAQ 3.4, 3.5), and to include the geolocations of the palm oil in the due diligence statement submitted to the Information System (FAQ 3.1).

Oilseed processing company B sells the surfactants (HS 3402) to **downstream cleaning products manufacturers (D)** in the EU. As surfactants are not a relevant product (Annex I), neither oilseed processing company B nor the downstream manufacturers or retailers are placing or making available a relevant product on the Union market. **Neither have obligations under EUDR for this product.**

## Scenario 8: Supply chain for rubber



Natural vulcanised rubber (ex HS 4008) is imported to the EU by a **large tyre manufacturer A**. **Tyre manufacturer A** is a **non-SME upstream operator** placing a relevant product on the Union market for the first time and therefore must exercise due diligence for the vulcanised rubber (ex HS 4008) (Text Box 1 and 4; Art. 4(1); FAQ 2.2, 3.1). It must ensure that the product is deforestation-free and legal and must also submit a due diligence statement in the Information System prior to import (Art. 4(2)). If tyre manufacturer A imports multiple shipments of vulcanised rubber (ex HS 4008 from the same country/region), these could be covered by a single due diligence statement for up to one year, so long as due diligence has been carried out for all relevant products intended to be placed on the market (Text Box 3).

Tyre manufacturer A uses the rubber to produce new tyres (ex HS 4011), a new relevant product (Annex I) which it places on the Union market. **Tyre manufacturer A** is therefore a **non-SME downstream operator** for the new tyres (ex HS 4011) and must submit a due diligence statement for the new tyres in the Information System (FAQ 2.2), but it can refer to the due diligence statements that it has already submitted by including the relevant reference number (Art. 4(9)).

The new tyres (ex HS 4011) are sold to **large tyre dealer B**. Tyre dealer B makes the new tyres available on the Union market, and the HS code does not change. **Tyre dealer B** is therefore a **non-SME trader**. Obligations for non-SME traders are the same as for non-SME operators (Art. 5(1)), so it must submit a due diligence statement to the Information System for the new tyres. Since the new tyres have already been subject to due diligence, tyre dealer B can refer to the due diligence statements that have already been submitted by large tyre manufacturer A by including the relevant reference numbers. However, tyre dealer B must first ascertain (Text Box 2) that due diligence was exercised upstream in accordance with the EUDR (Art. 4(9), FAQ 3.8). Tyre dealer B retains responsibility for the compliance of the relevant products (Art. 4(10); FAQ 3.11).



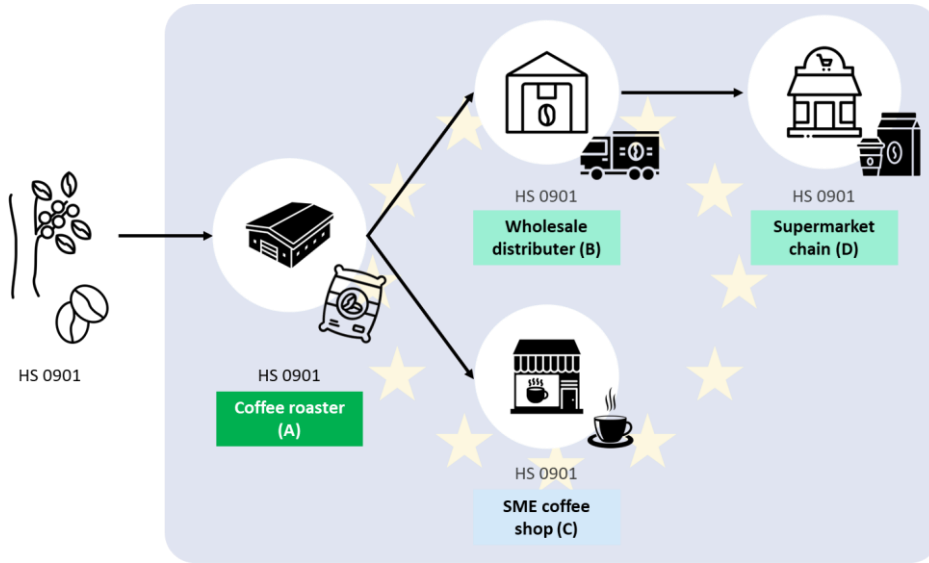
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If tyre dealer B makes tyres available on the market in batches over a period of time, which originate from the same suppliers, tyre dealer B could also submit a single due diligence statement to cover multiple batches for up to one year, so long as due diligence has been ascertained for all relevant products intended to be made available on the market (*Text Box 3*).

Tyre dealer B sells the tyres to **SME garage C**, which sells tyres to customers. Garage C makes the new tyres available on the Union market, and the HS code does not change. **Garage C** is therefore an **SME trader**. Garage C is not required to exercise due diligence or submit a due diligence statement. Garage C must keep a record of information including details of its suppliers and any operators or traders it supplies to, as well as the reference numbers of the existing due diligence statements (Art. 5(3), FAQ 5.8). SME traders do not retain responsibility for relevant products that they make available on the market (FAQ 3.11).

## Scenario 9: Supply chain for coffee



**Non-SME coffee roaster A** imports coffee beans (HS 0901) in bulk containers into the EU from a third country. **Coffee roaster A** is a **non-SME upstream operator** placing the product on the Union market for the first time (FAQ 3.1) and therefore must exercise due diligence for the coffee to ensure that it is deforestation-free and legal (Art. 4(1)) and submit a due diligence statement to the Information System prior to placing it on the Union market (*Text Box 1 and 4*; Art. 4(2)). If coffee roaster A places batches of coffee beans originating from the same geolocations over a period of time, these could be covered by a single due diligence statement for up to one year, so long as due diligence has been carried out for all relevant products intended to be placed on the market (*Text Box 3 and 5*).

Coffee roaster A sells the coffee beans to **large wholesale distributor B** and to SME coffee shop C.

As a **non-SME trader**, **wholesale distributor B** has the same obligations as a non-SME operator (Art. 5(1); FAQ 3.8), so it must submit a due diligence statement to the Information System. Wholesale distributor B may refer to existing due diligence statements by including the relevant reference numbers, but it must first ascertain (*Text Box 2*) that due diligence had been exercised upstream in accordance with the Regulation. Wholesale distributor B retains responsibility for the compliance of the relevant products (Art. 4(10); FAQ 3.11).

As an **SME trader**, **coffee shop C** is not required to exercise due diligence or submit a due diligence statement. It must keep a record of its suppliers and any operators or traders it supplies to, as well as the reference numbers of the existing due diligence statements (Art. 5(3), FAQ 5.8). However, unlike non-SME traders, SME traders do not retain responsibility for relevant products that they make available on the market (FAQ 3.11).

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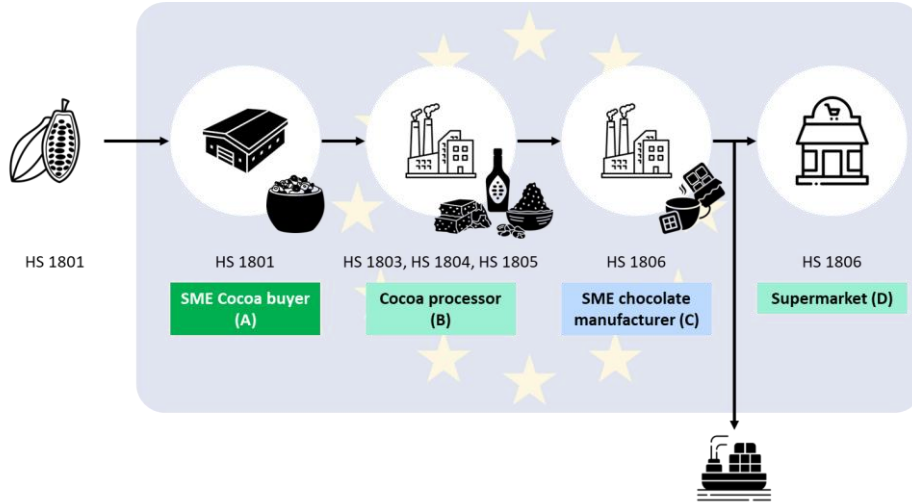
Wholesale distributor B ships roasted coffee beans on to supermarket chain D which sells the roasted beans to consumers. As a **non-SME trader, supermarket chain D** must submit a due diligence statement for the roasted coffee beans. It may refer to existing due diligence statements by including the relevant reference numbers, but it must first ascertain (*Text Box 2*) that due diligence had been exercised upstream in accordance with the EUDR (Art. 5(1); FAQ 3.8). Supermarket chain D retains responsibility for the compliance of the relevant products (Art. 4(10); FAQ 3.11).

If supermarket chain D makes available over a period of time roasted coffee beans, supplied by the same upstream supplier/s, these could be covered by a single due diligence statement for up to one year, so long as due diligence has been ascertained for all relevant products intended to be made available on the market (*Text Box 3*).

***Text Box 5: Traceability and mass balance chains of custody***

*Under the Regulation, the commodities used in all relevant products must be traceable back to the plots of land where they were produced. The traceability requirements apply to each batch of imported/exported/traded relevant commodities. Mass balance chains of custody that allowing mixing of deforestation-free commodities with commodities of unknown origin or non-deforestation free commodities are consequently not allowed under the Regulation. This means that the commodities placed on the EU market, or exported, need to be segregated from commodities of unknown origin and from non-deforestation-free commodities at every step of the supply chain (FAQ 1.1 - 1.4).*

## Scenario 10: Supply chain for cocoa



**SME cocoa buyer A** imports cocoa beans (HS 1801) to the EU from a third country. **Cocoa buyer A** is an **SME upstream operator** placing a relevant product on the Union market for the first time. It must exercise due diligence for the cocoa beans to ensure that they are deforestation-free and legal (Art. 4(1)). It must also submit a due diligence statement for the cocoa beans in the Information System prior to placing them on the Union market (Text Box 1 and 4; Art. 4(2); FAQ 3.1).

The cocoa beans (HS 1801) are sold to a **large cocoa processor B**, which processes them into cocoa mass/liquor (HS 1803), cocoa butter (HS 1804), and cocoa powder (HS 1805). **Cocoa processor B** is transforming a relevant product into other relevant products (Annex I), so is a **non-SME downstream operator** for the cocoa mass/liquor (HS 1803), cocoa butter (HS 1804), and cocoa powder (HS 1805) (FAQ 3.1). Since these products were made using the cocoa beans (HS 1801) that have already been subject to due diligence, cocoa processor B can refer to due diligence statements that have already been submitted by cocoa buyer A by including the relevant reference number but must first ascertain (Text Box 2) that due diligence was exercised upstream in accordance with the EUDR (Art. 4(9)). Cocoa processor B retains responsibility for the compliance of the relevant products (Art. 4(10); FAQ 3.11).

Cocoa processor B sells the cocoa mass/liquor (HS 1803), cocoa butter (HS 1804), and cocoa powder (HS 1805) to a **small chocolate manufacturer C** who produces chocolate and drinking cocoa powder (both HS 1806). Chocolate manufacturer C sells these products to a large supermarket D and also exports chocolate. **Chocolate manufacturer C** is an **SME downstream operator**, placing relevant products (chocolate and drinking cocoa powder, HS 1806) onto the Union market and exporting relevant products (chocolate) from the EU. These products are made entirely from products that were already subject to upstream due diligence therefore as a downstream SME operator, chocolate manufacturer

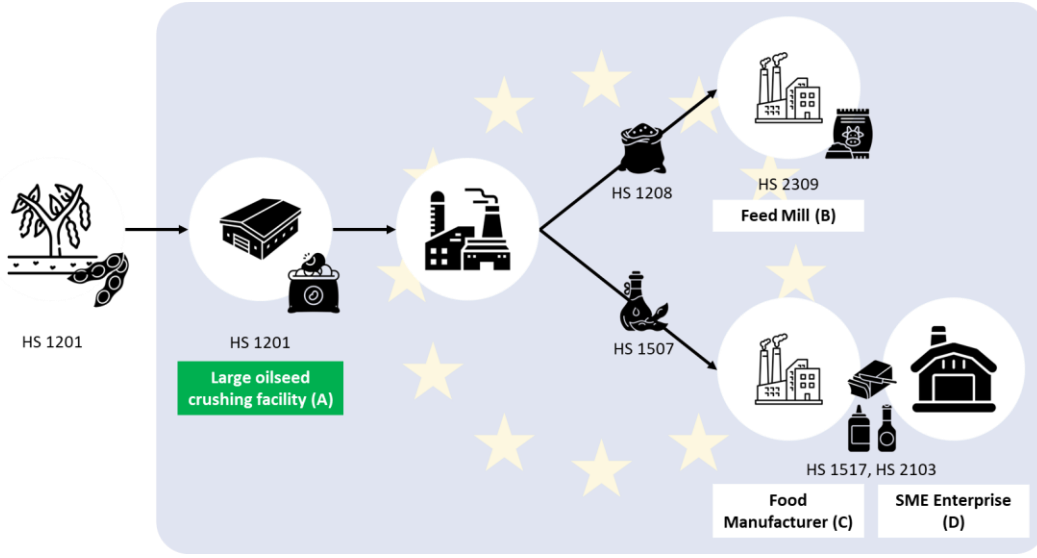
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C is not required to exercise due diligence or submit a new due diligence statement to the Information System (Art. 4(8)). It must keep a record of due diligence reference numbers that have already been submitted (Art. 4(10), FAQ 3.11). Chocolate manufacturer C must make available the due diligence reference numbers received from cocoa processor B when lodging the customs declaration at export (Art. 26(4)).

**Supermarket D** sells the chocolate and drinking cocoa powder to consumers, so is a **non-SME trader** (FAQ 3.8). Obligations for non-SME traders are the same as for non-SME operators (Art. 5(1)), so supermarket D must submit a due diligence statement in the Information System. Since the products have already been subject to due diligence, it can refer to due diligence statements that have already submitted by cocoa processor B by including the relevant reference number, but it must first ascertain (Text box 2) that due diligence had been exercised in accordance with the EUDR (Art. 4(9)). Supermarket D retains responsibility for the compliance of the relevant products (Art. 4(10); FAQ 3.11).

## Scenario 11: Supply chain for soy



**Large oilseed crushing facility A** imports bulk shipments of soybeans (HS 1201) to the EU from a third country. Oilseed crushing facility A is a **non-SME upstream operator** placing soybeans on the Union market for the first time, and therefore must exercise due diligence for them to ensure that they are deforestation-free and legal (Art. 4(1)) and must also submit a due diligence statement for the soybeans in the Information System prior to placing them on the Union market (Text Box 1 and 4; Art. 4(2); FAQ 3.1). If the soybeans are imported as multiple shipments/batches from the same geolocations, they can be covered by a single due diligence statement for up to one year, so long as due diligence has been carried out for all relevant products intended to be placed on the market (Text box 3).

Oilseed crushing facility A processes the soybeans (HS 1201) into soymeal (HS 1208) and soy oil (HS 1507), both relevant products under EUDR (Annex I). **Oilseed crushing facility A** is transforming one relevant product into other relevant products and is therefore now a **non-SME downstream operator** (FAQ 3.1). It must submit a due diligence statement for the soymeal and the soy oil in the Information System (FAQ 2.2), but since the soymeal and soy oil are made using the soybeans that have already been subject to due diligence, it can refer to the due diligence statements that it has already submitted by including the relevant reference number (Art. 4(9)). If oilseed crushing facility A adds any other soybeans in the making of the soymeal and soy oil, that have not been subject to due diligence already, then they would need to exercise full due diligence on these relevant products for which they are the first placers on the Union market (FAQ 3.4, 3.5), and include their geolocations in the due diligence statement submitted to the Information System (FAQ 3.1).

**Oilseed crushing facility A** sells the soymeal (HS 1208) to **feed mill B**, which blends the soymeal with other ingredients like grains and minerals to produce

EUDR COMPLIANCE

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compound feeds (HS 2309) for livestock. As compound feed is not a relevant product under EUDR (Annex I), feed mill B **does not have obligations under EUDR for this product** (FAQ. 2.1).

**Oilseed crushing facility A** sells the soy oil (HS 1507) to a **non-SME food manufacturer C** and to **SME enterprise D** who refine the oil and then make a variety of products like margarine or sauces which are not included in Annex I of the EUDR. **Manufacturer C and enterprise D** are not placing or making available a relevant product on the Union market and are therefore **not operators or traders under the EUDR for those products** (FAQ 2.1) – and hence have no obligations under EUDR.

## Annex 1

**Table 2: Overview of which commodities are used in the scenarios to illustrate various combinations of types of companies (operator/trader), position in supply chain (first placing/downstream) and size (non-SME/SME). The rules mentioned in the scenarios, while being applied to supply chain-specific scenarios and individual products, generally apply equally for all products.**

Type of company	Cattle	Cattle	Cocoa	Coffee	Oil palm	Rubber	Soy	Wood	Wood	Wood – paper	Wood – paper
	Scenario 4	Scenario 5	Scenario 10	Scenario 9	Scenario 7	Scenario 8	Scenario 11	Scenario 1	Scenario 2	Scenario 3	Scenario 6
<b>Operator, first placing/exporting (no upstream due diligence)</b>											
<b>a) Operator (non-SME) importing from 3<sup>rd</sup> country</b>				x	x	x	x				
<b>b) Operator (SME) importing from 3<sup>rd</sup> country</b>			x								x
<b>c) Operator (non-SME) first placing domestic products</b>										x	
<b>d) Operator (SME) first placing domestic products</b>	x	x						x			
<b>e) Operator (non-SME) exporting domestic products</b>		x						x			
<b>f) Operator (SME) exporting domestic products</b>		x									
<b>Downstream operator, placing/exporting (upstream due diligence)</b>											
<b>a) Operator (non-SME) placing products</b>	x		x		x			x	x	x	
<b>b) Operator (non-SME) exporting products</b>								x			



## EUDR COMPLIANCE

Type of company	Cattle	Cattle	Cocoa	Coffee	Oil palm	Rubber	Soy	Wood	Wood	Wood – paper	Wood- paper
c) Operator (SME) placing products			x						x	x	x
d) Operator (SME) exporting products			x								
Trader, making available											
a) Large traders, making available products	x		x	x		x		x		x	x
b) SME Traders, making available products				x		x				x	
Other actors or considerations in the supply chain											
Authorised representative								x			
Cattle fed with a relevant product		x									
Due diligence for multiple shipments/batches		x		x		x	x			x	x

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