

## Annex I Category A evidence



# User Manual for Assessing Forest certification Schemes by TPAC

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# 1 Introduction

## 1.1 The purpose of TPAS

The primary objective of the Dutch Timber Procurement Assessment System (TPAS) is to provide assurance to governmental parties, both national and local, that procured timber comes from sustainable sources, or in case the specified timber is not available from sustainably managed sources, at least legal sources.

In addition, TPAS can also provide this assurance to other timber buying parties like companies and consumers.

## 1.2 Timber Procurement Assessment Committee.

The Minister of Environment has installed the *Timber Procurement Assessment Committee (TPAC)* to assist the Government Procurement Officer in assessing compliance with the Dutch timber procurement requirements. To that end TPAC has two tasks:

- to assess whether certification systems for timber meet the Dutch Procurement Criteria, and further requirements regarding the reliability of these certification systems (see below under Category A evidence);
- to assist, on request, the Government Procurement Officer in assessing Category B evidence for sustainably produced timber and for legal timber.

The focus of this User Manual is the assessment of certification systems for sustainable forest management. The TPAC provides assurance that existing certification systems for sustainable timber meet the Dutch Procurement Criteria, and that the corresponding certificates can be accepted as a valid proof of sustainability.

## 1.3 About this document

The purpose of this User Manual is to provide interested parties with all the necessary information concerning the assessment of certification systems for sustainable forest management. The primary target group of this document consists of representatives of certification systems -referred to as system managers- as it is they who are invited by the Dutch Ministry of Environment to enter into the assessment procedure. However, this User Manual will also provide all the necessary information to other stakeholders, such as forest owners, timber traders, NGOs, government organisations and concerned citizens. All these parties will simply be referred to as stakeholders.

The User Manual is structured as follows: in chapter 2, information is provided on the Procurement Criteria and the organisational structure of TPAS, as far as relevant for the assessment of certification systems. Chapter 3 elaborates on the assessment procedure, whilst chapter 4 explains the procedures that are in place to file complaints, objections and appeals. Finally, chapter 5 provides information on the implementation of TPAS and the implications for the different types of organisations. The elements of chapter 3 and 4 are based on the "SMK Handbook" which contains amongst others the SMK by-laws, procedures and regulations.

Finally, the Appendices of the document include a list of definitions, the complete set of the Procurement Criteria, the application form and the contact details.

## **2 About the Timber Procurement Assessment System**

### **2.1 The Dutch Timber Procurement Criteria**

The Dutch Timber Procurement Criteria form the basis upon which certification systems for sustainable timber are assessed. The Timber Procurement Criteria are established by the Dutch Minister of Environment and reflect what the Dutch government, along with the stakeholders, deems important when considering sustainable timber. The Timber Procurement Criteria are structured in the following domains or matrices:

1. Sustainable Forest Management (SFM);
2. Chain-of-Custody and Logo Use (CoC);

The SFM matrix contains principles and criteria that demand that forests are managed according to the three dimensions of sustainability: people, planet and profit. The CoC domain requires that certified timber is traceable through the entire supply chain and that there are clear rules for administration and on-product claims.

In addition the Minister has established principles and criteria that require that the certification system operates in a way that is transparent, verifiable and accountable. These principles and criteria comprise the DAM matrix:

3. Development, Application and Management of certification systems (DAM).

Finally, the Minister has established principles and criteria for so-called meta-systems, pertaining to organisations that do not operate a certification system themselves, but instead assess whether existing certification systems meet their general standard. An example of such a system is PEFC-International. The criteria for meta-systems are included in the PEM domain:

4. Procedure on Endorsement of certification systems by a Meta-system (PEM).

### **2.2 The structure of principles and criteria**

The domains or matrices are structured into principles and criteria:

1. The SFM domain: 9 principles and 39 criteria;
2. The CoC domain: 3 principles and 13 criteria;
3. The DAM domain: 5 principles and 24 criteria.

This makes a total of 17 principles and 76 criteria. In addition the PEM domain contains one principle and 17 criteria.

The principles are described in the following sections, the complete set of principles *and* criteria are included in the annex of this document.

### **2.2.1 Sustainable Forest Management (SFM)**

#### *Legislation and regulation*

- P1. Relevant international, national, and regional/local legislation and regulations shall be respected.

#### *Social aspects*

- P2. The interests of directly and indirectly involved stakeholders shall be sufficiently taken into account.
- P3. Safety, health, and labour conditions shall be sufficiently safeguarded and where relevant enhanced.

#### *Ecological aspects*

- P4. Biodiversity shall be maintained and where possible enhanced.
- P5. The regulation function and quality, health, and vitality of the forest shall be maintained and where possible enhanced.

#### *Economic aspects*

- P6. The production capacity of timber and relevant non-timber forest products shall be maintained.
- P7. Forest management shall contribute to the local economy and employment.

#### *Management aspects*

- P8. Sustainable forest management shall be realised through a management system.
- P9. Forest management in a group or regional association shall offer sufficient safeguards for sustainable forest management.

### **2.2.2 Chain of Custody (CoC) and logo use requirements**

- P1. A Chain of Custody (CoC) must be in place from the forest unit of origin to the final certified product, which provides a link between the certified material in the product or product line and certified forest units.
- P2. If Group certification of the CoC is allowed, the standard must require that the group as whole must comply with the same requirements which are posed on individual companies.
- P3. Logos and labels that belong to the certification system and occur on products and documents shall have an unambiguous meaning and shall be applied in accordance with the rules established by the certification system.

### **2.2.3 Development Application and Management (DAM) of certification systems**

#### *Standard development*

- P1. The process of standard development and the standard itself shall fulfil the requirements as established by international umbrella organisations (such as ISO and ISEAL).

#### *Certification system management*

- P2. The certification system shall be managed by a legal entity (system manager). The tasks and responsibilities shall be clearly distributed among the organisations, which form an organisational and/or functional part of the system.
- P3. Decision-making bodies shall reflect the interests of stakeholders and shall provide for adequate procedures for objection and appeal regarding the decisions made and the functioning of the decision-making bodies.

#### *Certification Bodies and Certification Procedures*

- P4. Certification bodies shall be independent and shall be competent to assess sustainable forest management and the chain of custody system.

#### *Accreditation*

- P5. The accreditation agencies that grant the accreditations for certification of sustainable forest management and/or the chain of custody shall be competent and independent, national or international organisations that are preferably member of the IAF.

### **2.2.4 Procedure on Endorsement of certification systems by a Meta-system (PEM)**

- P1. Processes of assessment and endorsement of certification systems are reliable and transparent.

## **2.3 The organisational structure**

The Dutch Minister of Environment has commissioned the development of the TPAS, but the organisational component of the TPAS is embedded in the Dutch foundation SMK. SMK is an independent organisation which develops sustainability criteria for (consumer) products and is the competent body for the European Ecolabel. SMK is accredited by the Dutch Accreditation Council (*Raad voor Accreditatie*).

The organisation of the Dutch TPAS is composed by the following bodies:

- Timber Procurement Assessment Committee (TPAC)
- Secretariat
- SMK director
- SMK Supervisory Board
- SMK Board of Appeal

For the purposes of the TPAS, the most important body is the Assessment Committee (see also next section). This Committee handles all applications for assessment and decides whether a certification system meets the Dutch Procurement Criteria. The Assessment Committee is supported by a secretariat, which is responsible for the day-to-day management of the TPAS. In most cases, the secretariat will be the primary contact point for stakeholders and system managers.

The SMK director appoints the members of the Assessment Committee. In addition, he/she handles complaints on the functioning of the Committee or secretariat (see chapter 4). The SMK Supervisory Board has only limited relevance for TPAS. Its most important responsibility is to handle appeal cases to complaints.

The Board of Appeal deals with appeals against decisions of the Committee. For a description of the full procedure please refer to 4.4.

## **2.4 The Timber Procurement Assessment Committee (TPAC)**

The primary task of the Timber Procurement Assessment Committee (TPAC) is to verify whether national and international certification systems for timber satisfy the Dutch Procurement Criteria for sustainable timber.

The Committee is composed of at least four independent persons, including the chair. Although the members do not represent any group, organisation or sector, the composition of the Committee must ensure that the relevant knowledge and understanding of the three pillars of sustainability: people (social aspects), planet (ecological aspects) and profit (economic aspects), are present within the Committee. The Committee meets at least three times a year and is expected to make its decisions based on consensus. If for any reason this consensus is not possible, the Committee will make its decisions based on a majority vote.

The Commission consists of the following persons:

- H.A. Udo de Haes (Helias); chair
- E.M. Lammerts van Bueren (Erik); deputy chair, forest management
- G.A. Persoon (Gerard); social aspects
- T.H.V. Wanders (Tieme); ecological aspects
- C.P.J. Burger (Kees); economic aspects

The full assessment procedure that the Committee follows is described in chapter 3 of this document.

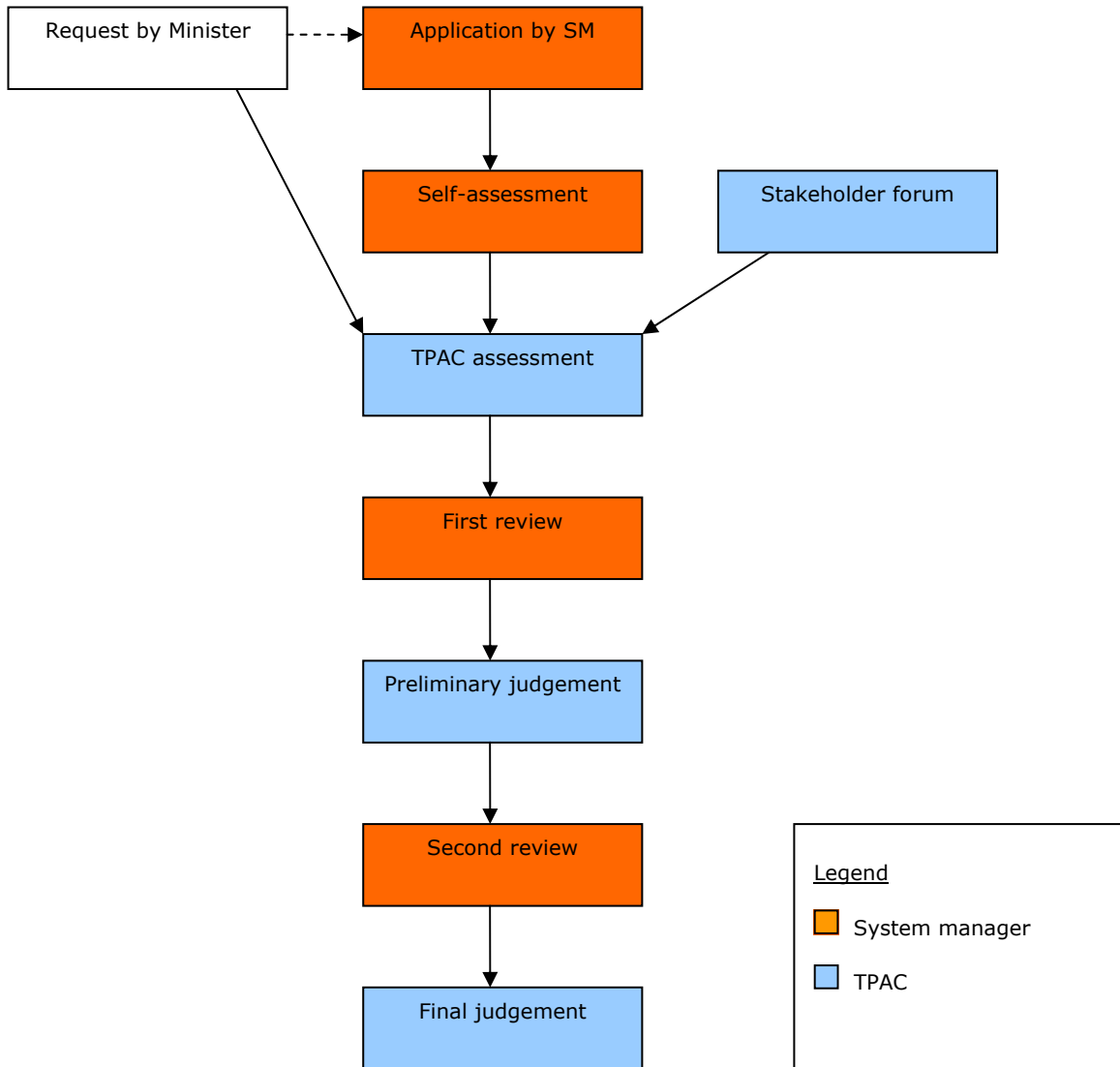
## **2.5 Periodical revision**

With a changing context, both the Procurement Criteria and the organisational structure of the TPAS may need revision. Once every three years, or sooner if the Committee finds it necessary, an evaluation of the TPAS will take place, executed by an independent party. Based on the evaluation, the Committee will formulate a proposal for revision of the TPAS. Through an online forum, stakeholders will be invited to comment on the proposal. The Committee will then revise the proposal. In case of revision of the Procurement Criteria, the Minister of Environment will officially endorse the amended criteria.

### 3 About the Assessment Procedure

#### 3.1 Summary of the procedure

A graphical summary of the TPAC assessment procedure is presented in below.



## **3.2 Application and decision on application**

There are two possibilities for starting the assessment procedure: a system manager can apply for assessment or the Dutch Ministry of Environment can request the assessment of a certification system. The procedures for both pathways are elaborated hereafter.

Also meta-systems, that is, organisations that do not operate a certification system themselves, but instead assess whether certification systems meet their general standard can apply for assessment.<sup>1</sup>

### **3.2.1 Application by the system manager**

Every national or international certification system for sustainable timber can apply for assessment, provided that it meets the following requirements:

1. It is a legally registered organisation with statutes, contact address, telephone, email and website;
2. All relevant system documents are publicly available;
3. The system has appointed a person who has authority to decide and acts as a representative for the system (TPAC refers to this person as the system manager);
4. The system manager agrees to all procedures, time schedules and consequences of TPAS which are described in the User Manual.

To enter into the procedure, the application form has to be completed by the system manager and sent to the secretariat of the Committee after which a confirmation of receipt will be sent. If the application is provided in a foreign language which needs translation, the Committee can request the certification manager to provide such a translation. Within 4 weeks<sup>2</sup> after receiving the application, the Committee will inform the applicant whether the application has been accepted, rejected or whether additional information is needed to decide on the application. The decision on the application will also be published on the SMK website. The application for assessment is free of charge.

In principle, the procedure starts directly when the Committee has accepted the application for assessment. However, the Committee has the right to request a one-time delay of a maximum of three months in case the workload does not permit a timely progress of the procedure. Applications by system managers get priority over requests from the Ministry.

### **3.2.2 Request by the Dutch Ministry of Environment**

In addition to the application by the system manager, the Dutch Ministry of Environment (VROM) can request TPAC to assess a system of its choice.

In case of a request by the Ministry, the system manager will be informed on the fact that his system will be assessed by TPAC, what the assessment will contain, and the wish for cooperation during the procedure. The system manager will be invited to take over the application by submitting a formal application. This implies that the system manager will perform the self-assessment. An other difference is that in case of application by the system manager, the system can be withdrawn from the assessment procedure, before the final judgement is made public. (see also 3.8.4 "status of the assessment procedure").

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<sup>1</sup> This particularly holds true for meta-systems where the individual certification systems participate in the governance of the meta-system.

<sup>2</sup> All periods mentioned in this chapter are an indication and can be altered in consultation with the system manager.

After clarifying which organisation starts the assessment procedure (the Ministry or the certification system), the procedure starts automatically.

On the TPAC website an overview is available of the assessment status of the certification systems under assessment.

### **3.3 The functioning of the system in practice**

In addition to the "paper" assessment of a certification system (see section 3.4), TPAC gathers information on the functioning of the system "in practice". This includes amongst others an online stakeholder forum.

#### **3.3.1 Online stakeholder forum**

At the online stakeholder forum, which will be scheduled by the Committee ([www.tpac.smk.nl](http://www.tpac.smk.nl)), stakeholders are invited to comment online on the certification system at hand. The objective of the forum is to collect stakeholders' experiences and opinions on the functioning of certification systems. By sharing their knowledge on certification systems, stakeholders give TPAC the opportunity to make more thorough assessments.

The online discussion will be moderated by SMK. Following the wrap-up of the forum discussion, the system manager can comment on the discussion and provide additional information where necessary. Finally, TPAC reports back on how all comments have been taken into account in the final judgement of the certification system. This forum report will be available on the TPAC website.

The forum is preferably scheduled for a period of four weeks at the beginning of the assessment procedure, but can be postponed for logistical reasons as long as it takes place before the final judgement of the Committee. Stakeholders will be notified through the TPAC website and relevant newsletters.

#### **3.3.2 Assessing national systems which are endorsed by meta-system**

When a meta-system is assessed, information about its functioning in practice can be gathered by investigation of national (or regional) systems, which have been endorsed. The specific focus of the assessment is to establish the extent to which the requirements of the meta-system and of TPAS are complied with by endorsed systems.

### **3.4 Self-assessment and TPAC assessment**

Application by the system manager automatically implies that he agrees to conduct the self-assessment. If the assessment is requested by the Ministry of Environment, the assessment is done by TPAC.

#### **3.4.1 Content of the self-assessment**

The self-assessment implies the completing of the assessment matrices. These matrices constitute a reproduction of the Procurement Criteria, which allow the system manager to match the system's own criteria with the Dutch Procurement Criteria.

Following the domains of the Procurement Criteria, there are three matrices:

1. Sustainable Forest Management (SFM);
2. Chain-of-Custody and Logo Use (CoC);
3. Development, Application and Management (DAM) of certification systems.

In case of a meta-system, the system manager is also requested to fill out a fourth matrix:

4. Procedure on Endorsement of certification systems by a Meta-system (PEM).

The self-assessment has to be based on the official system documents, i.e. standards, technical documents, procedure documents, by-laws, or where relevant other legally binding documents.

Completion of the assessment matrices requires considerable time and understanding of the certification system. The system manager can commission a third party, for example a consultant, to complete the matrices as long as the matrices are accompanied by a signed letter of the system manager, confirming that the matrices have been completed fully and truthfully. In addition, the matrices will only be accepted into the procedure if all underlying documents are provided or readily available on the web.

The matrices have to be completed and sent to the Committee within eight weeks<sup>3</sup> after acceptance into the procedure. The system manager may request for a one-time postponement of the deadline. This request should be accompanied by a written motivation.

### 3.4.2 Content of the TPAC assessment

The assessment performed by TPAC consists, analogous to the self-assessment, of the “matching” of the Dutch Procurement criteria with the criteria of the certification system. In addition, the Committee takes into consideration the input of the stakeholder forum (see section 3.3) and the self-assessment, if applicable. It should be noted that in this assessment, the legal and social context within which the certification system operates, is explicitly taken into account.

On some issues, the Committee may require additional information to be able to make an accurate assessment; these *information requests* will be sent along with the TPAC assessment to the system manager.

## 3.5 First and second review

An important element of the TPAC assessment procedure is the review by the system manager. This review takes place at least two times during the procedure: the first review after TPACs assessment and the second review after TPACs preliminary judgement (see 3.1 summary assessment procedure). During the first review, the system manager is expected to address all *information requests* the Committee may have. But the system manager is also free to comment on all other elements of the assessment if necessary. Again, where possible, the review should be based on official system documents such as standards and by-laws. Preferably the first review coincides with the system manager’s review of the stakeholder forum.

The second review can be considered a “final check” by the system manager before the Committee makes its final judgement: only if new information is provided, the comments are taken into account.

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<sup>3</sup> All periods mentioned in this chapter are an indication and can be altered in consultation with the system manager.

### 3.6 Preliminary and final judgement

Following the first review, TPAC will make a preliminary judgement of the certification system based on all information obtained during the assessment procedure, using the assessment method described in section 3.8. The Committee will finalise the preliminary judgement within eight weeks after receiving the self-assessment.

After the second review, the Committee will make a final judgement of the certification system. This judgement may be "system conforming" or "system not-conforming". This judgement will be communicated to the system manager before making the results public. In case the final judgement is "system not conforming", the system manager can decide to withdraw the system from the procedure. This option is however only open to those system managers who have *applied* for the assessment procedure or who have taken over the application of the Ministry (see section 3.2). If a system is withdrawn from the procedure, TPAC will only communicate "system withdrawn" to the general public. Yet, the ministry will be informed about all assessment results.

If the final judgement is "system conforming", this implies that timber certified by the certification system in question meets the Procurement Criteria and therefore can be procured by Dutch government organisations as sustainable timber. The judgement categories are depicted in table 1 and elaborated in section 3.8.4.

The Committee will make the final judgement within four weeks after receiving the second review of the system manager.

<b>Status in the assessment procedure</b> <ul style="list-style-type: none"><li>• Assessment in progress</li><li>• Assessment postponed<sup>1</sup></li><li>• System withdrawn<sup>2</sup></li><li>• Final judgement</li></ul>	<b>Notes</b> <i><sup>1</sup> Under specific conditions, the assessment procedure can be postponed; the period and conditions for finalising the assessment are fixed and made public.</i> <i><sup>2</sup> If the system manager applied for assessment, the system can be withdrawn from the assessment procedure.</i>
<b>Final judgement categories:</b> <ul style="list-style-type: none"><li>• System conforming</li><li>• System not-conforming</li></ul>	

### 3.7 Additional information gathering

If the acquisition of information as described in the sections above in the opinion of the Commission is not sufficient, the Commission can invite one or more persons who can provide additional information. If this is not possible, or seems less appropriate, the Commission can also, as a last resort, send experts to the country involved to obtain the required information.

More in general, experts can, on behalf of TPAC, also accept an invitation by certification systems for a study trip, on the condition that the programme includes sufficient opportunity for a balanced input from relevant stakeholders.

### 3.8 The assessment method

The main task of the Committee is to assess whether certification systems for timber and timber products meet the Dutch Procurement Criteria. To conduct this task, a well structured method must be followed, based on the criteria and principles included in the Procurement Criteria. This method is described in the following sections.

#### 3.8.1 The level of criteria

The criteria are awarded one of the following scores:

Scores for criteria	
=	Fully addressed
≈	Partially addressed
≠	Inadequately addressed
n.r.	Not relevant
co.	Covered otherwise in legal and social context

The score "fully addressed" is given if in the opinion of the Committee the criterion in question is (nearly) fully covered by the system. The score "partially addressed" is given if a relevant part of the criterion is covered, as can be the case in composite criteria. An example of such a composite criterion is C4.6 on non-timber forest products, hunting and fishing; some of these activities may be addressed by a system while others are not. The score "inadequately addressed" is given if in the opinion of the Committee the criterion is not or insufficiently covered.

"Not relevant" means that the criterion in question is not applicable in the country under consideration, for example the criteria concerning indigenous peoples.

"Covered otherwise" means that the criterion is already covered by legislation or by social institutions in the country in question. If that is the case, there is no need that the requirements of the criterion are also included in the certification system. A precondition is however that the relevant legislation or social institutions function well in practice.

For some criteria guidances have been formulated. These provide information on how the Committee interprets the criterion and are taken into account when awarding a score for the given criterion.

#### 3.8.2 The level of principles

On basis of the scores given on the level of the criteria, the principles are awarded one of the following three scores:

Scores for criteria	
=	Fully addressed
≈	Partially addressed
≠	Inadequately addressed
n.r.	Not relevant
co.	Covered otherwise in legal and social context

This scoring runs parallel to the scoring of the criteria. This implies that the score "fully addressed" is given if in the opinion of the Committee the principle in question is (nearly) fully covered by the criteria belonging to this principle. The score "partially addressed" is given if a relevant part of the principle is covered. The score "inadequately addressed" is awarded if in the opinion of the Committee the principle is not or insufficiently covered. The score "not relevant" is awarded if all criteria under this principle score "not relevant".

In practice, this scoring method implies that a principle including one or two criteria can only be awarded the score "fully addressed", if all the underlying criteria are also fully addressed. Principles with more criteria can also be fully addressed if some of the criteria are partially addressed. In general principles will not be assessed as fully addressed if one or more of the criteria are inadequately addressed. Principles of which a significant number of criteria are inadequately addressed will be scored as inadequately addressed.

As will be clear from the above description, the scoring of the principles does not follow a strict, "mechanical" routine. The main reason for this is that the weight of a criterion may vary depending on the actual context and that "partially addressed" implies a certain range in the degree to which the criterion is met. Given the Anglo-Saxon grades of A to E, "fully addressed" would imply an A, "partially addressed" a B or C, and "inadequately addressed" a D or E.

### **3.8.3 Decision rules**

The decision rules concern the last step in the assessment method, where the scores on principles and criteria are translated into the final decision whether the certification system meets the Dutch Procurement Criteria or not.

A certification system meets the Dutch Procurement Criteria if the following five requirements are met:

1. all "relevant" principles of SFM, CoC and DAM must at least have a score of 1;
2. at least 50% of the – in total – 17 principles must have a score of 2;
3. within the social, ecological and economic aspects of SFM, at least one of the two principles must have a score of 2;
4. the fraction of the criteria that is "inadequately addressed" shall be not more than 10% of the total of the 76 SFM, CoC and DAM criteria together;
5. for meta-systems the PEM principle must have a score of 2.

The first requirement implies that if any one of the principles of SFM, CoC or DAM is inadequately addressed, the certification system does not meet the Dutch Procurement Criteria.

The second requirement implies that at least 50% of the principles must be fully addressed.

The third requirement implies that the 50% requirement applies to the social, ecological and economical aspects of SMF; for each of these aspects at least one of the two principles must be fully addressed. This requirement aims to achieve that each certification system will amply meet the requirements of these three crucial aspects of sustainable forestry, be it possibly with different accents.

The fourth requirement implies that a certification system does not meet the Procurement Criteria if the total number of criteria which are inadequately addressed of SFM, CoC and DAM together, exceeds 7. This requirement puts an upper bound to the number of criteria that are inadequately addressed. For systems that pass the first three requirements, such an upper bound becomes binding.

Finally, as indicated, for meta-systems the PEM-principle must also have a score of 2.

### 3.8.4 Status of the assessment process

TPAC has four different statuses in the assessment procedure, and two final judgement categories:

<b>Statuses in the assessment procedure</b>	
English	Nederlands
Assessment in progress	Toetsing in behandeling
Assessment postponed	Procedure opgeschort
System withdrawn	Systeem teruggetrokken
Final judgement	Eindbeoordeling

<b>Final Judgement Categories of TPAS</b>	
English	Nederlands
System conforming	Systeem conform
System not-conforming	Systeem niet conform

The system has the status “assessment in progress” from the moment the Committee has accepted the request for assessment by the Ministry or the application made by the system manager, until one of the other categories applies.

“Assessment postponed” indicates that the assessment procedure of a specific system is suspended under specific conditions for a specific period of time. The conditions, for example that the issues x, y and z have to be improved, will be communicated to the system manager. In consultation with the system manager the time period will be determined. If, after expiration of the time period, a clear indication exists that the conditions are met, the assessment procedure will be resumed. There is no need for a new application. Both the conditions and the time period are public. After expiration of the time period, or so much later as has been agreed upon with the system manager, the procedure will be finalised.

“System withdrawn” implies that the system manager has withdrawn the certification system from the TPAC assessment procedure and that consequently the procedure has stopped. This option is however only open to those system managers who have *applied* for the assessment procedure. The Committee provides the option for system managers to take over the initiative from the Dutch Ministry of Environment in order to provide all system managers with the option to withdraw their system from the assessment procedure. If a system is withdrawn, the final judgement will not be made public; only the decision on withdrawal and decision date will be communicated. A public report of the stakeholder forum will be provided, containing at least the postings on the forum and the consequences of these postings for the judgement of the addressed criteria.

The last step in the procedure concerns the final judgement. The Committee awards one of the following judgement categories: “system conforming” or “system not-conforming”. “System conforming” is awarded to systems that meet the Dutch Timber Procurement Criteria. In this case a summary of the assessment will be published, including the scores on criterion level. If the system is not-conforming, the principles and criteria which particularly need improvement will be mentioned shortly on the TPAC website. For the public information to be provided, see section 3.9.

### **3.8.5 Warrants for the assessment method**

As already indicated, the Committee has not chosen for a purely mechanical assessment method. The Committee holds the opinion that a strict, mechanical set-up does not fit TPAS, which aims to assess individual certification systems with diverse organisational structures, which are placed in different countries with different legal contexts.

The Timber Procurement Assessment Systems includes the following procedural warrants for a well-based assessment decision:

1. The composition of the Committee. The members of the Committee have no (financial) interest in the outcome of the assessment. Furthermore, the composition of the Committee is such that expertise is included from social, ecological, economical and forest management and certification background.
2. The development of jurisprudence by the Committee, which if appropriate will be translated into guidance on how criteria are interpreted.
3. The stakeholder forum and transparent reporting on its results.
4. The public reporting about positive acceptance decisions of certification systems.
5. The objection and appeal procedures for stakeholders.

## 3.9 Communication

### 3.9.1 Communication with the system manager

After the request for assessment by the system manager, the TPAC secretariat will communicate the decision on acceptance as soon as possible to the system manager. In case of a positive acceptance decision, the system manager is requested to consent to all procedures and consequences of TPAS which implies amongst others that the system manager is obliged to notify the secretariat if any changes are made to the certification system.

If the Ministry of Environment has requested for assessment, the secretariat will notify the system manager about the assessment procedure and informs whether the system manager is willing to apply for the assessment. If so, this implies that the system manager will perform the preliminary assessment. If not, the preliminary assessment will take place under responsibility of TPAC.

### 3.9.2 Public information

Concerning the activities and decisions of the Committee, the TPAC website ([www.tpac.smk.nl](http://www.tpac.smk.nl)) will provide following information:

#### **Assessment status**

- Assessment in progress
- Assessment postponed
- System withdrawn
- Final judgement

#### **Public information:**

If required, information on the progress is made public (e.g., when deviating from the standard procedure)

Conditions and time period for postponement are made public

The fact that a system has been withdrawn is made public.

If the procedure is concluded with a final judgement, this judgement is made public.

#### **Final judgement categories:**

- System conforming      A summary report of the final assessment is made public
- System not-conforming      A summary report of the final assessment is made public

Of all systems the date of the last decision will be provided. Of the stakeholder forums a public report will be provided as soon as possible, containing at least: the postings on the forum and the consequences of these postings for the judgement of the addressed criteria.

### **3.10 Validity of the acceptance**

The acceptance is valid for a maximum of five years, after which the certification system needs to be re-assessed. There are two situations in which a certification system will be re-assessed before the end of this five year term:

#### **1. Alterations in the certification system**

In case the system manager requested assessment, the system manager is obliged to notify the Committee of all changes made to the certification system. In case the Ministry of Environment requested assessment, the system manager is kindly requested to notify the Committee of all changes. Following a notification of changes in the system, the Committee will investigate whether the system still meets the Dutch Procurement Criteria. If relevant, the Committee will request the system manager to make alterations to the system. This request is bound to a certain period of time, depending on the nature of the requested alterations. The system manager shall give written proof of the alterations (for example a new standard). If the system manager fails to make the alterations before the deadline, without a written request for delay, the acceptance is revoked.

#### **2. Irregularities**

The Committee may discover irregularities within a certain certification system or can be informed about irregularities by (a) stakeholder(s). The Committee will then investigate background and facts of the reported irregularities. Based on this investigation, the Committee will decide whether the irregularities need to be investigated in more detail. If this is the case, the Committee will inform the system manager and may propose a field visit. The outcome of the field research will be given to the system manager for review. Depending on the outcome of the field research and the response of the system manager, the Committee will decide to:

1. revoke the acceptance;
2. request the system manager to make a Corrective Action Plan.

The Committee holds the right to temporarily suspend the acceptance pending the investigation.

## 4 About the procedures for complaints, objections and appeal

### 4.1 Overview of the procedures

		Subject of the procedure	
		Activities and functioning of the Secretariat and the Committee	Decisions of the Committee concerning applications and acceptance of certification systems
Procedure	Complaint	to: Director of SMK	
	Objection		to: the Committee
	Appeal	to: Supervisory Board of SMK	to: Board of Appeal

### 4.2 Filing a complaint

A stakeholder can file a complaint about activities and functioning of the secretariat or the Timber Procurement Assessment Committee. This complaint has to be directed to the director of SMK (see Annex for contact details). If the director decides not to deal with the complaint, the plaintiff will be informed about this decision within six weeks after receiving the complaint. The plaintiff then has the opportunity to file an appeal.

If the director decides to deal with the complaint, both the plaintiff and the person(s) whose actions and/or functioning is subject of the complaint, will get the opportunity to be heard. Within six weeks, the complaint will be settled. The plaintiff will be informed by letter about possible consequences which follow from the settlement of the complaint. All correspondence concerning the complaint will be included in the SMK complaints register.

### 4.3 Filing an objection

If a stakeholder does not agree with a decision of the Committee, it has the opportunity to file an objection. Objections have to be directed to the Committee and must concern decisions on:

1. the acceptance of a certification system into the assessment procedure;
2. the final assessment decision regarding a certification system.

All objections have to be accompanied by a *notice of objection* and have to be filed six weeks after the decision has been communicated. The Committee decides whether or not to deal with the objection. Upon the decision to do so, the Committee can schedule a hearing, during which the plaintiff and, if necessary, other stakeholders or experts will be invited. In addition, written documents and/or evidence will be taken into account by the Committee. Within six months after the objection has been filed, the Committee will come to a decision. If necessary, this term can be prolonged. The decision, including its possible consequences will be communicated to the relevant stakeholders as soon as possible after the Committee has decided on the objection.

#### **4.4 Filing an appeal**

The appeal procedure is to a large extent similar to the procedure for objections. If the appeal concerns a decision by the Committee on an objection, the appeal has to be directed to the Board of Appeal. If the appeal concerns the decision of the director of SMK on a complaint, the appeal should be directed to the Supervisory Board. In both cases, the appeal, accompanied by a *notice of appeal* should be filed within six weeks after the decision has been communicated.

After a hearing and within six months after the appeal has been filed, the respective organ will come to a decision which will be communicated as soon as possible. If necessary, the term of six months can be extended with a maximum of two more months.

#### **4.5 Costs of the procedure**

For the handling of an appeal by the Supervisory Board, there are no costs for the submitter. If the appeal is directed to the Board of Appeal, the person or organisation filing the appeal can be charged a sum of €1,000 to be paid in advance.

## **5 About the implementation of TPAS**

### **5.1 Introduction**

TPAS and the TPAC assessments have a number of implications for certification systems and governmental organisations, but also for timber traders. The relevance of TPAS for these parties is described in the sections below.

### **5.2 Relevance for certification systems**

The most important implication for certification systems is the need to undergo an assessment by TPAC. The system manager for this reason needs to apply for the assessment through the application form included in Annex V. Subsequently, the system manager needs to make a self-assessment by completing the assessment matrices. These matrices can be downloaded from the TPAC website or can be requested from the secretariat (for contact details see Annex VI). More information on the self-assessment and the complete assessment procedure can be found in chapter 3.

Once the certification system is accepted by TPAC, the system manager is obliged to notify TPAC of any changes made to the criteria and/or the certification system. Depending on the magnitude of the changes, TPAC can decide on a re-assessment and possibly revoke the assessment (see also section 3.10 on validity of acceptance).

### **5.3 Relevance for procurement officers**

The TPAC assessments will result in a list of "TPAC-approved" certification systems; timber carrying a certificate of one of these systems is subsequently eligible to be procured by public procurement officers. The certification systems which are accepted by TPAC are published on the TPAC website ([www.tpac.smk.nl](http://www.tpac.smk.nl)).

### **5.4 Relevance for timber corporations**

Timber corporations supplying (indirectly) to government organisations, will have to evaluate to what extent their timber supply is assessed and accepted by TPAC. In case (a part of) the timber supply is certified by a system which is not yet assessed by TPAC, the corporation is advised to notify the system manager of the relevant certification system and ask him to apply for assessment. A corporation can at any time turn to the TPAC secretariat for assistance.

## **Annex I - Abbreviations**

CoC	Chain-of-Custody
DAM	Development, Application and Management of certification systems
PEM	Procedure on Endorsement of certification systems by a Meta-system
SFM	Sustainable Forest Management
SMK	Stichting Milieukeur
TPAC	Timber Procurement Assessment Committee
TPAS	Timber Procurement Assessment System

## Annex II - Definitions

*Within the context of the assessment of certification systems against the Dutch Procurement Criteria for timber, TPAC uses the following definitions.*

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### Accreditation (of certification bodies)

The formal recognition by a specialized body – an accreditation body – that a certification body is competent to carry out certification in specified business sectors.<sup>4</sup>

### Annual allowable cut (AAC)

The volume of timber harvest permitted per year from a specified area of land, usually expressed as cubic meters of wood per year. The AAC must be calculated considering landscape, forest types, ecological protection areas and infrastructure and shall not exceed the net annual increment on the long run.

### Assessment matrix

A reproduction of the Procurement Criteria in the form of a matrix. The system managers of certification systems are invited to complete the assessment matrices in the course of the assessment procedure. There are four assessment matrices:

- Sustainable Forest Management (SFM);
- Chain-of-Custody and Logo Use (CoC);
- Development, Application and Management (DAM) of certification systems and
- Procedure on Endorsement of certification systems by a Meta-system (PEM).

### Biodiversity

The variability among living organisms from all sources including, inter alia, terrestrial, marine and other aquatic ecosystems and the ecological complexes of which they are part; this includes diversity within species, between species and of ecosystems.<sup>5</sup>

### Chemicals

All types of fertilisers, biocides and hormones.

### Certification

The issuing of written assurance (the certificate) by an independent external body that it has audited a forest management unit or chain of custody firm and verified that it conforms to the requirements specified in the standard.<sup>6</sup>

### Certification system (for timber)

A legally registered system which has the objective to promote sustainable forest management through certification of forest management and of the associated chain-of-custody.

### Chain-of-Custody (CoC)

All the succeeding custodianships of forest based products during harvesting, processing and the distribution chain from the forest to the end-user.

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<sup>4</sup> Based on ISO, see ISO website ([www.iso.org](http://www.iso.org))

<sup>5</sup> CBD, see CBD website ([www.cbd.int](http://www.cbd.int))

<sup>6</sup> Based on ISO, see ISO website ([www.iso.org](http://www.iso.org))

Chain-of-Custody system

A set of regulations, processes and documents at company level, that ensures the traceability of certified material.

Conversion (of a natural forest)

A human activity through which a natural forest is transformed into another type of land use.

Ecological cycles

Natural processes in which elements are continuously cycled in various forms between different compartments of the ecosystem, including nutrient, carbon and water cycles.

Ecological functions

Ecological processes which are in a material way beneficial for society.

Endangered species

Plant and animal species at least classified as threatened in the IUCN Global Red List and the IUCN Guidelines for Application of IUCN Red List Criteria at Regional Levels.

Forest management

The processes of planning and implementing practices for the management and use of forests and other wooded land, aimed at achieving specific economic, environmental, social and /or cultural objectives.<sup>7</sup>

Forest management unit

A unit of forest, which may be natural forest, plantation forest or other forest type, which is managed on the basis of a management system of explicit objectives, in accordance with a long-term forest management plan.

Forest manager

The owner, concessionaire or person who in some other capacity is responsible for the management and exploitation of a forest management unit.

Free and informed consent

The right of indigenous peoples and local communities to give or withhold consent to activities planned on their lands and territories or which will affect their cultures and traditional knowledge. Information on which they should base their decisions should be complete, presented in an understandable manner and be made available timely.

Genetically modified organism

An organism that has been transformed by the insertion of one or more transgenes.<sup>8</sup>

Group (or regional association)

Legal entity uniting forestry enterprises in a certain area; or companies active in a specific part of the chain of custody.

Habitat

The place or type of site where an organism or population naturally occurs.<sup>9</sup>

Indigenous peoples

Indigenous communities, peoples and nations are those which, having a historical continuity with pre-invasion and pre-colonial societies that developed on their territories, consider themselves distinct from other sectors of the societies now prevailing in those territories, or parts of them. They form at present non-dominant sectors of society and are determined to preserve, develop and transmit

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<sup>7</sup> FAO (2005), Global Forest Resources Assessment.

<sup>8</sup> FAO website on biotechnology (<http://www.fao.org/biotech/find-formalalpha-n.asp>)

<sup>9</sup> CBD, see CBD website ([www.cbd.int](http://www.cbd.int))

to future generations their ancestral territories, and their ethnic identity, as the basis of their continued existence as peoples, in accordance with their own cultural patterns, social institutions and legal systems.<sup>10</sup>

Legal use right (of the forest manager)

The right to undertake forest operations in a certain area, granted by the authorised government body.

Local population

The people living in or near the area where the forestry operations take place and which can be affected by those operations.

Meta-system

Organisation that does not operate a certification system itself, but instead assesses whether national or regional certification systems meet its general standard.

Non-timber forest product

Any product from the forest other than timber, including materials obtained from trees, such as resins and leaves, and any other plant, animal or plant/animal product.

Plantation forest

Forest stands established by planting or/and seeding in the process of afforestation or reforestation. They are either of introduced species (all planted stands), or intensively managed stands of indigenous species, which meet all the following criteria: one or two species at plantation, even age class, regular spacing.<sup>11</sup>

Stakeholders

Organisations and persons, in addition to forest managers, who are affected by or are interested in the management of the forest and the related Chain-of-Custody. These organisations or persons include, but are not restricted to, the following: local communities, indigenous peoples or organisations which represent their interests, local or national environmental organisations, trade unions, governmental organisations, industry organisations and concerned individuals.

Sustainable forest management

The management and use of forests and forest lands in a way and at a rate, that maintains their productivity, biodiversity, regeneration capacity, vitality and their potential to fulfil, now and in the future, relevant economic, ecological and social functions, at local, national, and global levels, and that does not cause damage to other ecosystems.<sup>12</sup>

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<sup>10</sup> Cobo, R. Martinez (1983), The Study on the Problem of Discrimination Against Indigenous Populations.

<sup>11</sup> FAO (2001), Global Forest Resources Assessment, FRA 2000.

<sup>12</sup> United Nations Forum on Forests website (<http://www.un.org/esa/forests/faq.html>)

System manager

Person who acts as a (legal) representative of the certification system.

Tenure and use rights

Tenure and use rights refer to the rights to own, use, develop and control the lands, territories, and resources in areas traditionally occupied by indigenous peoples and local populations<sup>13</sup>.

Verifiable system (for uncertified material)

A set of regulations, processes and documents designed to ascertain that uncertified material in a product or product line does originate from non-disputed, at least legal sources.

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<sup>13</sup> UN (draft 2007) Declaration on the Rights of Indigenous Peoples.

## Annex III – The Dutch Procurement Criteria

### SUSTAINABLE FOREST MANAGEMENT (SFM)

Legislation and Regulation		
Legislation and regulation	P 1. Relevant international, national, and regional/local legislation and regulations shall be respected. To that end the system requires that:	
Requirements of forest manager	C 1.1. The forest manager holds legal use rights to the forest.	
	C 1.2. The forest manager complies with all obligations to pay taxes and royalties.	
	C 1.3. Legal and regulatory obligations that apply to the forest management unit, including international agreements, are fulfilled.	Guidance: International Agreements pertain in particular to the Convention on Biological Diversity (CBD), the Convention on International Trade in Endangered Species (CITES), ILO agreements and the UN Declaration on the Rights of Indigenous Peoples. Irrespective of the fact whether a given country has ratified these agreements, the standard of the Certification system should, where relevant, reflect the intention of these agreements.
Illegal activities	C 1.4. The forest management unit is sufficiently protected against all forms of illegal exploitation, illegal establishment of settlements, illegal land use, illegally initiated fires, and other illegal activities.	
Social Aspects		
Interests of stakeholders	P 2. The interests of directly and indirectly involved stakeholders shall be taken into account. To that end the system requires that:	
Tenure and use rights	C 2.1. The legal status of the management of the forest management unit and claims of the local population, including indigenous peoples, in the property/tenure or use rights regarding the forest management unit or a portion thereof have been inventoried and are respected.	
Consultation and permission	C 2.2. Effective communication with and consultation and participation of stakeholders take place regarding the management of the forests.	Guidance: A plan and reports on how and when communication with stakeholders takes place are considered to be indicators of effective communication.

	C 2.3. The local population and indigenous peoples have a say in forest management on the basis of free and informed consent, and hold the right to grant or withhold permission and, if relevant, receive compensation where their property/use rights are at stake	<p>Guidance: Free and informed consent is interpreted in the sense that the activity will not be undertaken before the relevant consent is given.</p> <p>Guidance: The local population and indigenous peoples can only prevent activities through withholding their consent where their property/use rights are at stake.</p>
Public availability	C 2.4. The forest management plan and accompanying maps, relevant monitoring results and information about the forest management measures to be applied are publicly available, except for strictly confidential business information.	<p>Guidance: Public availability implies that if stakeholders should have limited access to certain media, the management plan is dispersed through other channels. Depending on the level of detail in the management plan, the full plan or a summary should be available.</p> <p>Guidance: Wherever practical and necessary, information on the forest management can also be communicated to the people in the forest through <i>in situ</i> markings or information displays.</p>
Dispute resolution	C 2.5. Adequate mechanisms are in place for resolving disputes regarding forest management, property/usage rights, work conditions, or social services.	Guidance: In case of a conflict of significant dimension, the FMU will not be certified.
Objects of cultural and economic value	C 2.6. Objects of cultural and traditional economic value are identified and inventoried in consultation with the stakeholders and are respected.	
Health and labour conditions	P 3. Safety, health, and labour conditions shall be sufficiently safeguarded and where relevant enhanced. To that end the system requires that:	
Health and safety	C 3.1. The forest manager must take adequate health and safety measures, at least in compliance with relevant legislation and in accordance with ILO conventions, in order to protect the personnel, including contractors and their employees and, where appropriate, the local and indigenous population.	<p>Guidance: The core conventions of ILO in relation to this criterion are:</p> <ul style="list-style-type: none"> <li>• Convention 155 - Occupational Safety and Health and its accompanying Recommendation No. 164;</li> <li>• Convention 161 - Occupational Health Services and its accompanying Recommendation No. 171.</li> </ul>
Employment conditions	C 3.2. Employees have the right to organise and negotiate wages and employment conditions, in accordance with national laws and the core conventions of the International Labour Organisation (ILO).	<p>Guidance: The following ILO conventions are relevant:</p> <ul style="list-style-type: none"> <li>• 'Freedom of Association and Collective Bargaining' (Conventions 87 and 98);</li> <li>• 'Elimination of Forced and Compulsory Labour' (Conventions 29 and 105);</li> <li>• 'Elimination of Discrimination in respect of employment and occupation' (Conventions 100 and 111).</li> </ul>

Ecological Aspects		
Biodiversity	P 4. Biodiversity shall be maintained and where possible enhanced. To that end the system requires that:	Guidance: The objective that biodiversity shall be maintained should be reviewed taking into account time and scale.
Species and Ecosystems	C 4.1. Objects of high ecological value and representative areas of forest types that occur within the forest management unit are identified, inventoried and protected.	Guidance: 5% is considered to be a relevant proportion
	C 4.2. Protected and endangered plant and animal species are not exploited for commercial purposes. (C 13.2) Where necessary, measures have been taken for their protection and, where relevant, increase of their population.	Guidance: Plant species include tree species.
Conversion	C 4.3. Conversion of forests in the FMU to other types of land use, including timber plantations, shall not occur unless in justified exceptional circumstances.	<p>Guidance: Exceptional circumstances are for example natural disasters. In addition conversion can take place if the area to be converted is insignificant, if it enables clear long term conservation benefits, or if it is based on undisputed governmental decisions.</p> <p>Guidance: The forest manager of a plantation should aspire to make clear how the plantation helps in relieving pressure from natural forests; for instance when the plantation is established on degraded land instead of by conversion of natural forest.</p>
Plantations	C 4.4. In case of plantations native species are preferred and a relevant proportion of the plantation shall be allowed to regenerate to natural forest.	Guidance: 5% is considered to be a relevant proportion
	C 4.5. Plantations shall not be established through the conversion of natural forests after 1997.	Guidance: Degraded land and degraded forest may be converted into plantations if this is ecologically and economically beneficial and if the owner or user has no relation to the actors behind the degradation.

Non-timber forest products, hunting and fishing	C 4.6. The exploitation of non-timber forest products, including hunting and fishing, are regulated, monitored and controlled. Insofar as relevant, knowledge of the local population, indigenous peoples, and locally active environmental organisations is utilised in monitoring commercial exploitation.	
Genetically modified organisms	C 4.7. Genetically modified organisms are not used.	
Regulation functions	P 5. The regulation function and quality, health, and vitality of the forest shall be maintained and where possible enhanced. To that end the system requires that:	
Soil	C 5.1. The soil quality of the forest management unit is maintained and, where necessary, improved, whereby special attention is given to shores, riverbanks, erosion-prone parts and slopes.	Guidance: Thresholds for allowable maximum altitude and maximum gradient are relevant indicators for the prevention of soil erosion.
Water	C 5.2. The water balance and quality of both groundwater and surface water in the forest management unit, as well as downstream (outside of the forest management unit), are maintained and, where necessary, improved.	
Ecological cycles	C 5.3. Important ecological cycles, including carbon and nutrient cycles, which occur in the forest management unit, are at least maintained.	Guidance: e.g., no lowering of groundwater table on peat soils, avoidance of turbidity of streams, measures which avoid large leakage of nutrients after logging.
Reduced impact logging	C 5.4. Avoidable damage to the ecosystem is prevented by application of the most suitable and available methods and techniques for logging and road construction under the prevailing conditions.	
forest fires	C 5.5. Initiating of forest fires is only permitted if that is necessary for the achievement of the management goals of the forest management unit and adequate safety measures are taken.	Guidance: Small scale, traditional sustainable "slash and burn" practices within a FMU are not restricted by this criterion.
Diseases and pests	C 5.6. Forest management is geared towards preventing and controlling diseases and pests, inasmuch as they threaten the timber production.	
Chemicals	C 5.7. The use of chemicals is only permitted if maximum use of ecological processes and sustainable alternatives proves insufficient. The use of class 1A and 1B pesticides, as drafted by the World Health Organisation, and of chlorinated hydrocarbons is not permitted.	
Waste and litter	C 5.8. Non-organic waste and litter are avoided, collected, stored in the designated places and removed in an environmentally responsible manner.	

Economic Aspects		
Production function	P 6. The production capacity of timber and relevant non-timber forest products shall be maintained. To that end the system requires that:	
Production capacity	C 6.1. The production capacity of each forest type of the forest management unit as a whole is maintained.	Guidance: Over-exploitation of individual commercial tree-species shall be avoided.
Contribution to local economy	P 7. Forest management shall contribute to the local economy and employment. To that end the system requires that:	
Employment	C 7.1. Forest management stimulates employment of the local population, including indigenous peoples, as well as the local processing of timber and non-timber forest products.	Guidance: The employment of local people, including indigenous peoples, shall be stimulated, for example through training.
Infrastructure	C 7.2. Insofar as not provided for otherwise, a contribution is made to the development of local physical infrastructure and of social services and programmes for the local population, including indigenous peoples. This contribution is made in agreement with the local population.	
Management Aspects		
Management system	P 8. Sustainable forest management shall be realised through a management system. To that end the system requires that:	
Management cycle	C 8.1. Forest management aims to achieve the goals formulated in the forest management plan and comprises the cycle of inventory and analysis, planning, implementation, monitoring, evaluation, and improvement.	
Forest management plan	C 8.2. There is a forest management plan, consisting of, or dealing with at least: <ul style="list-style-type: none"> <li>a. a description of the current condition of the forest management unit</li> <li>b. long-term objectives</li> <li>c. the average annual allowable cut per forest type, and, if relevant, the annually allowable exploitation of non-timber forest products, based on reliable and current data</li> <li>d. budget for the implementation of the forest management plan.</li> </ul>	<p>Guidance: A realistic budget should allow the implementation of the management plan.</p> <p>Guidance: In the management plan attention should be given to economic, social as well as ecological (ecosystems, species, functions) elements.</p>
Maps	C 8.3. Essential elements for forest management are indicated on maps.	
Monitoring	C 8.4. The implementation of the forest management plan and the ecological, social, and economic effects of forest management on the FMU and its surroundings are monitored periodically on the basis of adequate data.	
Knowledge and expertise	C 8.5. Forest management is based on scientific research and, if needed, information on comparable forests types.	
	C 8.6. Forests are managed by professional staff and forest workers. Adequate periodic training secures the level of skills, including knowledge of relevant laws and treaties.	
Management group or regional association	P 9. Forest management in a group or regional association shall offer sufficient safeguards for sustainable forest management. To that end the system requires that:	

Group or regional association	C 9.1. A group or regional association is under the leadership and supervision of an independent legal entity.	
	C 9.2. The management system of a group or regional association offers sufficient guarantee to fulfil criterion 9.3.	
Sustainable forest management requirements	C 9.3. A group or regional association complies with the requirements set by the SFM standard of the certification system. In addition, each member of a group or regional association complies with these requirements, inasmuch as they apply to its operations.	

## CHAIN OF CUSTODY AND LOGO USE (CoC)

Chain of Custody system	P 1. A Chain of Custody (CoC) must be in place from the forest unit of origin to the final point of sale, which provides a link between the certified material in the product or product line and certified forest units. To that end the system requires that:	
Organisation	C 1.1 Each individual organisation in the CoC possesses an operational CoC system.	
	C 1.2 The management system of each organisation in the CoC provides sufficient guarantees that the requirements of the CoC standard are being met.	
	C 1.3 Each individual organisation in the CoC registers quantities and the names and certificate numbers of the organisations from which it purchases timber and to which it sells timber.	
Legal sources	C 1.4 If the system allows for mixing of SFM-certified and non-SFM-certified material, the non-SFM certified material is covered by a verifiable system to ensure that it is from non-disputed, at least legal sources. This applies to new-, including pre-consumer recycled material, and post-consumer recycled material.	Guidance: For post-consumer recycled material it is sufficient if its status as post-consumer material is ascertained by the verifiable system; the legality of the origin of the timber is not taken into account. In contrast, for pre-consumer recycled material the legality of the origin must be ascertained by the verifiable system.
	C1.5 SFM-certified timber, including timber products, timber from other verified legal sources and timber from non-verified (legal) sources are administratively separated. Timber from non-verified (legal) sources is also physically separated from the other two sources.	
Mixed wood and assembled products	C1.6 If the system allows for mixing of SFM-certified and non-SFM-certified material, (one of) the following approaches shall be used: <ul style="list-style-type: none"> <li>• mass balance claim: the proportion of the product sold as SFM certified is equal to the proportion of SFM certified material entering a process;</li> <li>• percentage based claim: the percentage of SFM certified material in a product or product line is reported.</li> </ul>	
Chain of Custody group	P 2. If Group certification of the CoC is allowed, the standard must require that the group as whole must comply with the same requirements which are posed on	

certification	individual companies. To that end the system requires that:	
Juridical entity	C 2.1 A group has a juridical entity, which is responsible for the group as a whole.	
Management	C 2.2 The group has a management system that provides sufficient guarantees that C 2.3 will be met.	
	C 2.3 The group operates according to principle 1; in addition, each member of the group complies with these requirements inasmuch as they apply to its operations.	
Registration	C 2.4 The group leader has a registration system in place including: a. names and addresses of the group members b. declarations of each member to comply with the certification requirements of the CoC.	
Logos and labels	P 3. Logos and labels that belong to the certification system and occur on products and documents shall have an unambiguous meaning and shall be applied in accordance with the rules established by the certification system. To that end the system requires that:	
Design and use of logos and labels	C 3.1. The system manager employs rules for the use of logos and labels and for supervision of compliance. The rules comprise at least: a. specification of the logos and labels b. unambiguous description of the claim that the logos and labels represent, including the requirement to communicate the actual or minimum percentages of SFM certified- and post-consumer recycled material included in the product or product line c. rights to use logos and labels d. instructions regarding the use of logos and labels and the informative text they show.	
Copyright	C 3.2. The logo is copyrighted and is a registered trademark.	
Clear and accurate claims	C 3.3 There is a clearly defined mechanism for controlling all claims made about the certified nature of products, which ensures that claims are clear and accurate and that action is taken to prevent any false or misleading claims.	

## DEVELOPMENT, APPLICATION AND MANAGEMENT OF CERTIFICATION SYSTEMS (DAM)

Standard Development		
Standard development	P 1. The process of standard development and the standard itself shall fulfil the requirements as established by international umbrella organisations (such as ISO and ISEAL). To that end the system requires that:	
ISEAL and ISO Guide 59	C 1.1. The development process of the standard fulfils the requirements established in the <i>ISEAL 'Code of Good Practice for Setting Social and Environmental Standards'</i> , the <i>ISO Guide 59 'Code of Good Practice for Standardisation'</i> or equivalent requirements. The development process and application of the standard at least fulfil the following criteria: 1.2. through 1.10.; 2.1. and 2.2.; 3.3. through 3.6. of this assessment table.	
Stakeholder input	C 1.2. The standard development body comprises the relevant interested groups that serve the economic, social and environmental interests without undue dominance of one interest.	
	C1.3 Decisions of the standard development body are made, if possible, by consensus. If consensus is not reached, qualified majority voting applies.	Guidance: The most common requirement for a qualified majority is a two-third majority; other requirements can apply as long as the different interests are taken into account.
	C 1.4. The development of the standard takes place with input of the relevant stakeholders. Potential limitations for certain groups such as indigenous peoples and small forest owners to contribute directly are taken into account.	
Public consultation	C 1.5. The standard development procedure provides for public input during a reasonable period of time.	
Justification for handling comments	C 1.6. With the development of the standard, the standard setting organisation takes into account any comments submitted in writing and communicated verbally. The organisation maintains reports of the development process of the standard including the received input and how it is dealt with. A summary of it is published and is freely available.	
Publication	C 1.7. The standard setting organisation publishes the standard as soon as it has been established.	
Reference to international standards	C 1.8. A national standard which is part of an international certification system with a generic standard or which is based on a generic standard of an umbrella organisation, must refer to the relevant generic standard and be accepted by the relevant international system or organisation.	
General applicability	C 1.9. The standard and the procedures for establishing compliance are sufficiently flexible to be applied under changing local conditions and to forest management units of any size, either as a part of a group or regional association or otherwise.	
Process criteria and performance criteria	C 1.10. The standard contains both process and performance criteria and consists, where appropriate, of measurable, unambiguous parameters with	

	guidelines for interpretation.	
<b>Certification system management</b>		
System manager	P 2. The certification system shall be managed by a legal entity (system manager). The tasks and responsibilities shall be clearly distributed among the organisations, which form an organisational and/or functional part of the system. To that end the system demonstrates that:	
Legal entity, statutes	C 2.1. The system manager is a legally registered organisation with statutes, contact address, telephone, e-mail, and website.	
Entities, distribution of responsibilities	C 2.2. The distribution of the responsibilities, authorities, and tasks among the entities, comprising an organisational and/or functional part of the certification system, and the procedures to be followed are clear and publicly available. The certification system comprises at least rules for the following functions: <ul style="list-style-type: none"> <li>a. standard development</li> <li>b. certification</li> <li>c. accreditation</li> <li>d. supervision of proper performance of tasks and compliance with the rules</li> <li>e. objection and appeal handling</li> <li>f. design and use of logos and labels</li> </ul>	
Decision-making bodies and objection and appeal procedures	P 3. Decision-making bodies shall reflect the interests of stakeholders and shall provide for adequate procedures for objection and appeal regarding the decisions made and the functioning of the decision-making bodies. To that end the system requires that:	
Composition	C 3.1. The decision-making and advisory bodies comprise the relevant interested groups without undue dominance of one interest.	Guidance: In case certain interest groups are not represented, TPAC will examine the reason why this is the case. In addition, it will be examined whether the interest is represented through other means. If TPAC holds the opinion that given interests are unjustifiably absent, this will be taken into account in the assessment of the criterion.
Decision-making	C 3.2. Decisions of decision-making and advisory bodies are made, if possible, by consensus. If consensus is not reached, majority voting applies.	
Provision for objection or appeal	C 3.3. Objection and appeal procedures are publicly available and clearly indicate the entity a stakeholder must turn to in the event of an objection or appeal against the operation of a particular entity or against a decision made by a particular entity.	
Justification	C 3.4. The objection and appeal procedures require that the submitter or a representative substantiates the objection or appeal with arguments and relevant documentation.	
Reasonable period	C 3.5. Objection and appeal procedures contain clear and reasonable deadlines for handling of the objection or appeal.	
Independent forum	C 3.6. A forum of independent persons, which adequately represent legal and domain knowledge, handles appeal cases. Decisions are taken by majority voting.	

Certification Bodies and Certification Procedures		
Certification bodies and procedures	P 4. Certification bodies shall be independent and shall be competent to assess sustainable forest management and the chain of custody system. To that end the system requires that:	
Certification bodies	C 4.1. The certification bodies are accredited on the basis of the requirements and guidelines in ISO 17021 <sup>14</sup> ' <i>Conformity Assessment - Requirements for Bodies Providing Audit and Certification of Management Systems</i> ' and/or ISO Guide 65 (EN 45011) ' <i>General Requirements for Bodies Operating Product Certification Systems</i> ' and preferably on the basis of specific supplemental requirements for performance of conformity assessments according to the standards for sustainable forest management and the chain of custody.	
Procedure for assessment	C 4.2. The certification contains an assessment of system documents, site visits, and sufficient consultation of external stakeholders.	
	C 4.3. In case of group or regional certification an adequate sample of group members must be audited.	
Public availability	C 4.4. The certification agency makes the following items public in addition to the requirements in ISO 17021 and ISO Guide 65: <ul style="list-style-type: none"> <li>a. summaries of assessment reports</li> <li>b. a list of the granted certificates</li> </ul>	
Accreditation		
Accreditation	P 5. The accreditation agencies that grant the accreditations for certification of sustainable forest management and/or the chain of custody shall be competent and independent, national or international organisations that are preferably member of the IAF. To that end the system requires that:	
Accreditation body	C 5.1. Accreditation must be granted by a national or international organisation that fulfils requirements as included in ISO 17011 ' <i>General Requirements for Assessment and Accreditation of Certification Bodies</i> '.	
Peer review	C 5.2. The accreditation body takes part in a peer review process with sister organisations, preferably within the framework of the IAF.	Guidance: A peer review preferably takes place within the framework of the IAF and its regional bodies. Comparable frameworks include: the multilateral arrangements for ISO/IEC 17021(SFM certification) and ISO/IEC Guide 65 (CoC).

<sup>14</sup> ISO 17021 has replaced ISO Guide 62 (EN 45012) and ISO Guide 66. A transition period applies. ISO Guide 62 (EN 45012) and ISO Guide 66 may be used until September 2008.

## Annex IV - Procedure on Endorsement of certification systems by a Meta-system (PEM)

Processes of assessment and endorsement	P1 Processes of assessment and endorsement of Certification Systems are reliable and transparent.	
Procedure	C 1.1. The assessment procedure is transparent and follows a clear time table.	
Assessment: Independence and expertise	C 1.2. The assessment is performed by an independent body. The auditors have relevant experience and expertise.	
	C 1.3. The system manager of the meta-system shall submit the assessment report for peer review.	
Consultation	C 1.4. A provision is in place for consultation of the system manager on the assessment report.	
	C 1.5. The assessment procedure provides for public input on the scheme during a reasonable period of time.	
	C 1.6. The assessing body takes into account any written comments. Records of the received input and how it is dealt with shall be maintained. At least a summary of the received comments is published and freely available.	
Modes of Assessment	C 1.7. The assessment procedure includes a desk study based on: <ul style="list-style-type: none"> <li>a. a standardized checklist for assessment;</li> <li>b. a documented interpretation of terms and criteria.</li> </ul>	
	C 1.8. The assessment procedure includes a visit to the country of the applicant and consultation of amongst others: <ul style="list-style-type: none"> <li>a. the system manager;</li> <li>b. forest managers;</li> <li>c. forest authority;</li> <li>d. certification bodies;</li> <li>e. local communities;</li> <li>f. Non-Governmental Organisations.</li> </ul>	
	C 1.9. The assessment procedure provides for a transparent scoring system.	
Assessment time	C 1.10. The assessment procedure provides for a reasonable period of time from the start of the actual assessment to the submission of the report.	
Decision on acceptance	C 1.11. The decision on acceptance is taken by an accountable body through transparent and reliable procedures.	
Publication of decision	C 1.12. The decision on the acceptance is published as soon as possible.	
Validity	C 1.13. All changes in the system have to be reported to the manager of the meta-system.	
	C 1.14. The acceptance terminates after five years, or sooner if substantive changes are made to the certification system. In both cases a re-assessment	

	procedure is required for the system to be re-accepted.	
	C 1.15. Criteria and mechanisms shall be in place for suspension and withdrawal of the acceptance of the certification system.	
Resolution of complaints and appeals	C 1.16. Objection and appeal procedures are publicly available and clearly indicate the entity a stakeholder must turn to. The procedure also indicates clear time schedules.	
	C 1.17. Appeal cases are handled by an independent body with adequate legal and domain knowledge. The decision on the appeal is taken by an accountable body through transparent and reliable procedures.	

## Annex V - Application form



1. Name Organisation	
2. Postal Address	3. Postal Code
4. City	4. Country
5. Name System Manager	6. Position System Manager
7. Phone no.	8. Fax no.
9. Email Address	10. Website

The system manager declares to agree to all procedures, time schedules and consequences of TPAS which are described in the User Manual.

Date:

Signature system manager:

## **Annex VI - Contact details**

TPAC Secretary

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