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## WEBINAIRE

### Mise en application du règlement européen contre la déforestation et la dégradation forestière (RDUE)

**Mardi 27 mai 2025 de 9h30 à 11h**

Présentation de la mise à jour de la foire aux questions de la  
Commission européenne et des formalités douanières



# Programme

- **Introduction**

Amélie Coantic, Director, Deputy to the General Commissioner for Sustainable Development

- **Simplified Frequently Asked Questions - Obligations of companies**

Marine Reboul, Project Manager at the CGDD

- **The TRACES information system - an update**

Jean-Bernard Dereclenne, Policy Officer at the DGPE

- **Customs formalities**

Lou Le Guelvouit, Assistant to the Head of the COMINT2 Office at the Directorate-General for Customs and Indirect Taxation



MINISTÈRE  
DE LA TRANSITION  
ÉCOLOGIQUE,  
DE LA BIODIVERSITÉ,  
DE LA FORÊT, DE LA MER  
ET DE LA PÊCHE

*Liberté  
Égalité  
Fraternité*

# FREQUENTLY ASKED QUESTIONS

## CORPORATE OBLIGATIONS

# Calendar

## 15 April 2025

- 4th version of the **FAQ**
- 2<sup>nd</sup> version of the **guidance document**

**22 May 2025:** publication of **the implementing act** with the list of countries classified as "low" and "high" risk.

**June 2025:** publication of the **delegated act** amending Annex 1

**30 December 2025:** application of the EUDR

**30 June 2026:** entry into force for small and micro-businesses

# Country rankings

**70% of countries classified as "low" risk - 4 countries classified as "high" risk**

**Simplified due diligence** for products from risk countries

"low" (article 13)

➡ Information gathering (article 9)

✗ Risk assessment (article 10)

✗ Risk mitigation (Article 11)

**Control rates** (Article 16)

- 1% of companies marketing products from 'low-risk' countries
- 3% of companies - "standard" risk countries
- 9% of companies and 9% of products - "high-risk" countries

# Product scope - reminder

## Products listed in Annex 1 only



If the product is listed in Annex 1 but is not manufactured from the corresponding base product  
=> not covered by the EUDR (e.g. iron chair)



If the product is manufactured from a base product but is not listed in Annex 1  
=> not concerned (e.g. palm oil-based soap)

# Product scope - draft delegated act & FAQ

## Products not concerned :

- ✗ Samples used for testing or analysis purposes
- ✗ Packaging and pallets when not sold as such but are used to package or support a product
- ✗ Explanatory or commercial products associated with a product (e.g. catalogues), instructions for use, etc.)
- ✗ Waste
- ✗ Products that have completed their life cycle
- ✗ Second-hand products
- ✗ Rental products (FAQ 2.15)
- ✗ Products used as correspondence media (FAQ 2.13)

# Companies - reminder

The EUDR concerns imports, exports, placing on the European market and distribution.

All companies in the supply chain are affected by the EUDR:  
importer, processor, distributor.

**Reduced obligations are planned for SMEs and simplified for downstream companies.**

## **Do I have any obligations when I buy a product listed in Annex 1?**

⇒ A company that purchases a product listed in Annex 1 on the European market with no intention of processing / marketing has no obligation under the EUDR.



A company that buys a product listed in Annex 1 from a third country is an importer and therefore an "operator" within the meaning of the EUDR.



# Companies - FAQ

°[FAQ 3.13]: **a subsidiary of a group may be considered an SME if its balance sheet/Sales/Number of employees corresponds to the SME category** defined by Directive 2013/34/EU as amended by Delegated Directive (EU) 2023/2775, transposed by Decree no. 2024-152 of 28 February 2024.

[FAQ 2.10] : **Service providers** are not subject to the EUDR if they do not own the products in question.

[FAQ 3.1.1] : **a processing company** can be considered as a  
The product is considered as a "trader", and not as a trader, if the transformation of the product does not modify the first 4 digits of its customs code.

# Details of company obligations

Definitions of "Operator" (article 2.15) and "Trader" (article 2.17)

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*For the explanations on the following slides, the "upstream" or "downstream" details are as follows data to characterise the type of operator.*

- **"Upstream operator"**: 1<sup>st</sup> producer on the European market or exporter
- **"Downstream operator"**: processor of a basic product listed in Annex 1 already covered by a DDS, into another product listed in Annex 1, involving a change in the customs nomenclature of the product.
- **"Trader"**: distributor, with no transformation of the product (no change of name).  
customs nomenclature)

# Obligations of non-SME upstream operators

- Establish a **due diligence system** (article 12.1)
- Publish an **annual report** on the due diligence system (article 12.3)
- Carry out **due diligence** on marketed products (article 4.1)
- Submit a **Due Diligence Statement** (DDS) in the information TRACES (articles 3 and 4.2) system
- **Transmit** the declaration number and verification number for downstream declarations (article 4.7)
- **Keep** declaration data in a dedicated register for 5 years (article 4.3)
- **Inform** the competent authorities and commercial partners in the event of a risk of non-compliance (article 4.5)

# Obligations of non-SME downstream operators and traders

## => Simplification FAQ 3.4

- Establish a **due diligence system** (article 12.1)
- Publish an **annual report** on the due diligence system (article 12.3)
- Carry out **due diligence** on marketed products (article 4.9)
- Submit a **Due Diligence Statement** (DDS) in the information system TRACES (articles 3 and 4.2)
- **Transmit** the declaration number and verification number for downstream declarations (article 4.7)
- **Keep** declaration data in a dedicated register for 5 years (article 4.3)
- **Informing** the competent authorities and business partners in the event of a risk of non-compliance compliance (article 4.5)

# Obligations of non-SME downstream operators and traders

In application of **article 4.9** and taking into account the responsibility assumed by downstream operators and traders (article 4.10)

## [FAQ 3.4] - Verification of DDSs by downstream companies

- Collection of upstream DDS numbers and verification of their validity in the TRACES information system
- If there is a potential risk, check the consistency of the information in the DDSs
- If necessary, review additional information and check that the suppliers have a robust due diligence system.

# Obligations of non-SME downstream operators and traders

## [FAQ 3.4] IMPLICATIONS

### Due diligence (articles 8, 9, 10 and 11)

**Downstream operators and traders do not have to collect the information listed in article 9 for products covered by a DDS** but may, if a risk is identified, request additional information .

### The due diligence system (article 12)

This system must detail the framework of procedures and measures implemented.

=> Example: presentation of the business, sources of products (countries classified as at risk or not), details of the processes implemented (decision tree, data management, other possible checks), alert mechanism (article 4.5).

# Obligations of upstream SME operators

- Establish a **due diligence system** (article 12.1)
- ~~Publish an **annual report** on the due diligence system (article 12.3)~~
- Carry out **due diligence** on marketed products (article 4.1)
- Submit a **Due Diligence Statement** (DDS) in the information system TRACES (articles 3 and 4.2)
- **Transmit** the declaration number and verification number for downstream declarations (article 4.7)
- **Keep** declaration data in a dedicated register for 5 years (article 4.3)
- **Inform** the competent authorities and commercial partners in the event of a risk of non-compliance (article 4.5)

# Obligations of downstream SME operators

- Establish a **due diligence system** (article 12.1)
- ~~Publish an **annual report** on the due diligence system (article 12.3)~~
- ~~Carry out **due diligence** on marketed products (article 4.1)~~
- ~~Submit a **Due Diligence Statement** (DDS) in the information system TRACES (articles 3 and 4.2)~~
- **Transmit** the declaration number and verification number for downstream declarations (article 4.7)
- **Keep** declaration data in a dedicated register for 5 years (article 4.3)
- **Inform** the competent authorities and business partners **of** any risk of non-compliance (article 4.5)

**Article 4.8**  
Applicable  
to products  
already  
covered by  
a DDS



# The obligations of SME traders

- ~~Establish a **due diligence system** (article 12.1)~~
- ~~Publish an **annual report** on the due diligence system (article 12.3)~~
- ~~Carry out **due diligence** on marketed products (article 4.1)~~
- ~~Submit a **Due Diligence Statement** (DDS) in the information system TRACES (articles 3 and 4.2)~~
- ~~**Transmit** the declaration number and verification number for downstream declarations (article 4.7)~~
- **Keep** declaration data in a dedicated register for 5 years (article 5.4) + **customer and supplier contacts** (article 5.3)
- **Inform** the competent authorities and commercial partners in the event of a risk of non-compliance (article 5.5)

# Declaration of Due Diligence (DDD) - A reminder

**Traders may appoint an agent** to make the declaration on their behalf. Operators or traders retain responsibility for the RFI (article 6)

**Excess declaration** (FAQ 1.18): it is possible to declare more production plots than those from which the products originate. None of the plots must have been subject to deforestation after 31/12/20.

**Periodic declaration** (FAQ 5.19): possibility of making a grouped declaration over a given period (up to a maximum of one year) for products which will be marketed in stages.

# Declaration of due diligence (DDD)

[FAQ 1.17] : for companies operating with a production system other than *first in/first out*. Companies can use a system adapted to their process that enables them to make the link between incoming and outgoing DDDs.

Provided that all incoming flows comply with the EUDR(no mixing).  
with products of unknown or non-compliant origin).

Example: a company could choose to use the average length of its production cycle\* to establish the list of upstream DDD numbers to be referenced in its own DDD.

\* *time between supply and market launch*

# Declaration of due diligence: import / export

[FAQ 1.2, 5.4, 5.6.1] :

- in the case of an export of a product that has already been the subject of an DDD, the exporting company can use the DDD carried out upstream to draw up its own DDD.
- a company re-importing a product previously exported from the EU market must submit its DDD, but can rely on the DDD that was submitted for the export.

[FAQ 5.22] : in the case of a product imported and then sold by the same company to customers, this company may submit a single DDD covering the release for free circulation and then the marketing of the product.

# Product legality - Recall

(Article 3)



## Zero deforestation

No deforestation or degradation after 31/12/2020



## Being **legal**

Compliance with the legislation of the country of origin



Be subject to a **declaration of due diligence (DDD)**

# Product legality

[FAQ 1.29.1]: legislation relating to **the production area** must be studied. Other regulations, such as customs or trade regulations, will only be relevant if they relate to the sector of activity in question (e.g. legislation on the timber trade).

[FAQ 3.3] : only **the legislation of the country of origin of the basic product** must be taken into account. The compliance of the product with the legislation of the countries through which it has subsequently passed in order to be processed, if necessary, must not be verified.

# Thank you very much!

**Find out more about the EUDR:**

On the EU Commission website: [https://green-business.ec.europa.eu/deforestation-regulation-implementation\\_en](https://green-business.ec.europa.eu/deforestation-regulation-implementation_en)

on the Ministry website: <https://www.deforestationimportee.ecologie.gouv.fr/>

Contact: [deforestation@developpement-durable.gouv.fr](mailto:deforestation@developpement-durable.gouv.fr)