Experiences of EUTR checks on paper products in Germany

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Competent authority

For imports: Bundesanstalt für Landwirtschaft und Ernährung (BLE, Federal Agency for Agriculture)

- Central office in Bonn
- Several district offices with control officers

Control of operators (importers):

- Due Diligence System (DDS)
- Documents
- Interviewing responsible staff of the company
- Inspecting warehouses
- Taking samples for analysis
Control Approach (1/2)

- Operators in Germany: ca. 25,000 (of this ca. 11,000 more than two imports/year)
- BLE controls following a risk-based approach:
  - Products, tree species, countries, quantity
  - Using the DDS of a Monitoring Organisation?
- Control plan is set up every three months: list of operators to control
- Usually control officers are free to decide when to control whom (within three months)
Control Approach (2/2)

- In addition: Urgent checks because of „substantiated concerns“
- With each operator 10 cases are checked in detail
- Check reports are analysed in the central office of BLE
  - Decisions on sanctions etc.

- New since 2016: Focus-checks
  - E.g. paper, plywood and fibre-boards from China:
    - 40 checks in 2016/17 of which …
    - …26 done, 18 check-reports analysed so far, none of them finds DDS is good enough
Results of some Paper Checks 2015/16

Big company importing pulp from Brazil (plantations):
- Very good DDS
- Risk assessment and mitigation: certification, questionnaire and own audits, own microscopic checks of fibres (random)

Importer of paper products from China
- Insufficient DDS warning letter (administrative offence, misdemeanor)
- Subsequent check, 6 months later: DDS now adequate, part of suppliers changed, certified products
Results of Paper Checks in 2015/16 (ctd.)

Company importing paper products from China

- Checked after substantiated concern by NGO based on analysis of species
- Insufficient DDS warning letter
- Subsequent check, 4 months later: DDS still not adequate notice of remedial action / injunction (also possible directly, without prior warning letter)
- Subsequent check: ongoing, no behaviour change would mean fine (up to 50,000. €)
Analysis of samples

BLE takes samples routinely:

at least 2 products, may be more in cases of special risk

- Samples are analysed for species (origin not possible for paper so far) by national „center of competence on timber origins“

- Also analysis of evidence for use of recycled paper

Paper and fibreboards:

- No macroscopic identification possible
- Mostly mix of different species
- DNA destroyed
Species identification (paper, fibre-boards)

- 3D-Information
- 80 - 100 features

Foto: Ilja Hendel, Schaubilder: Braune et al. 2007

Dr. Andrea Olbrich und PD Dr. habil. Gerald Koch, TI
References for Asian species

- *Durio* spp.
- *Lophopetalum* spp.
- *Gonystylus* spp.
Publication (in preparation)

Atlas of

VESSEL ELEMENTS

Identification of Asian timbers

Project funded by DBU
Markers:

Each colour made of different mix of species!
Experience so far and outlook

- Comparison of features of unknown mixed samples with known references works well and fast
- Experience for fibre-boards and paper from Asia: declaration nearly never correct (wrong, missing and/or additional species)!
- Recycling: characteristic pattern (brightener, colour) but problematic for preconsumer-recycling (cut-offs)

Outlook:

- Identification software will be developed
- More references for relevant species
What does this mean for EUTR?

- Wrong declaration of species is a sign that DDS is not working as it should
- Risk for illegality is depending on the species found
- Operator should ask supplyer for full declaration of all species that could be included, however this makes DDS very complicated
- Operator should control his supplyer, e.g. make use of new methods of species identification
Challenges for BLE

- Only up to 200 operators controls/year possible so far
- High number of subsequent checks necessary
- Juridical difficulties to impose sanctions for insufficient DDS (what is good enough and what should operator have known?)
- Analysis on behalf of NGO can‘t be accepted for official purpose, sometimes product is no longer available for check of BLE
Possible solutions

- Focus checks: better preparation for control officers, comparison of many different cases
- More use of the possibility to order that timber has to be sent back
- More common investigations with other CAs (so far only with CZ)
- Two more experts will be hired (international forestry / timber experience)
- Questionnaires to certain groups of operators to prepare or substitute on-site controls
- Closer cooperation with NGOs to prepare controls
Questions?

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