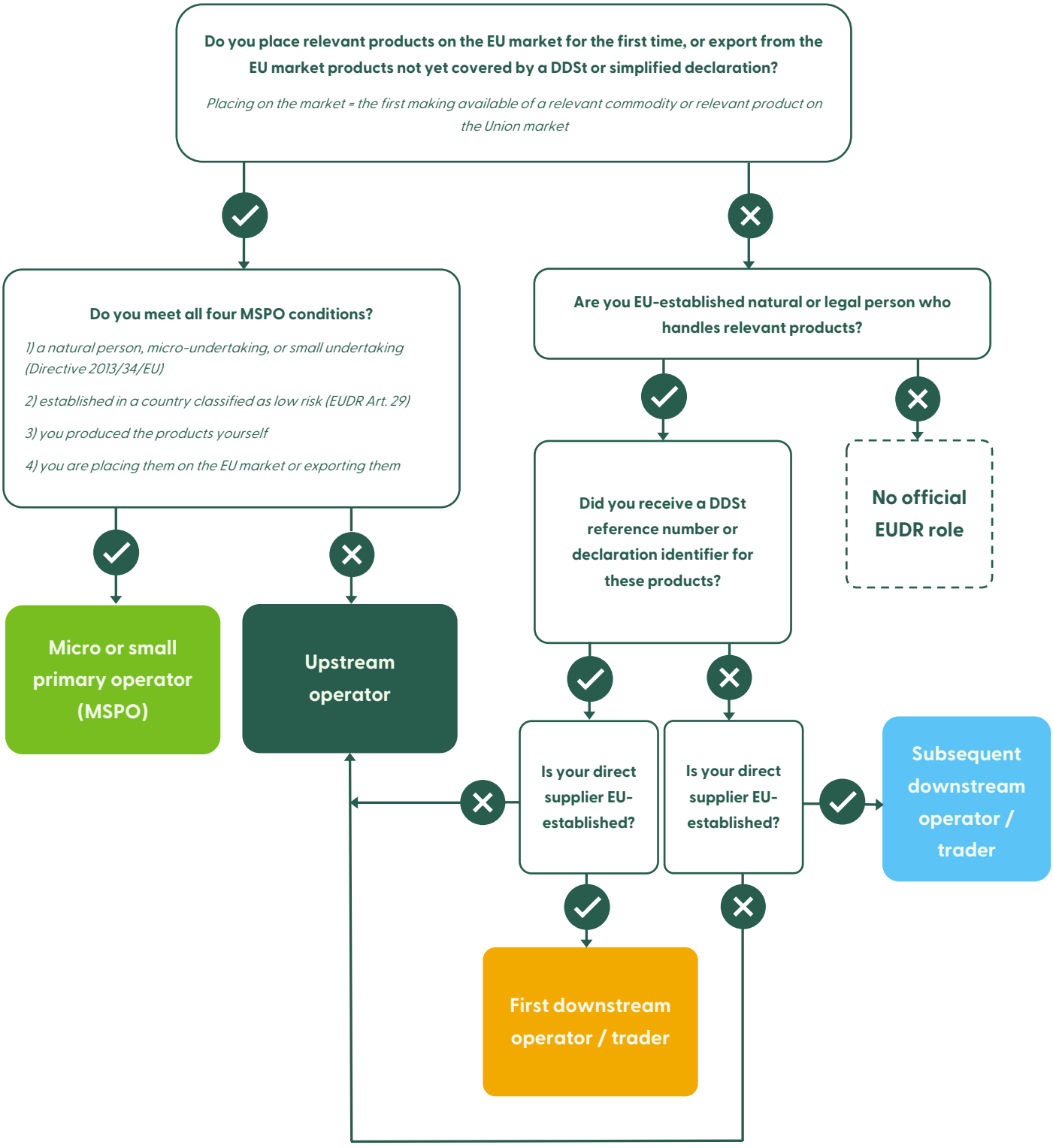
EUDR GUIDANCE SERIES:

IDENTIFYING YOUR EUDR ROLE

1. You may hold more than one EUDR role - they attach per supply chain, not per company.
2. EUDR role status is not permanent - re-check when your sourcing or the country benchmarking changes.
3. Your EUDR role – not your FSC certificate type – determines your obligations.



ARE YOUR PRODUCTS IN SCOPE?

The EUDR applies if you place on the EU market, make available on the EU market, or export from the EU any of the seven commodities listed in Annex I of the Regulation, or products made from them. For FSC certificate holders, the relevant commodities are wood and wood-based products (including most paper products) and natural rubber. If in doubt, check the EU Combined Nomenclature codes in Annex I of the regulation text and the FSC Product Classification & Harmonized System Alignment Guidance.

APPLICATION DATES

The EUDR applies from 30 December 2026 for medium and large operators across all EUDR commodities, and for micro and small operators whose products were already covered by the EU Timber Regulation (EUTR). 30 June 2027 applies for micro and small operators and natural persons (established as such by 31 December 2024) whose products were not previously under EUTR – for FSC certificate holders this means non-timber commodities such as natural rubber, and timber-sector products outside EUTR scope.

THE FOUR EUDR ROLES

Upstream operator. You place relevant products on the EU market for the first time, or export products not yet covered by a Due Diligence Statement (DDSt) or simplified declaration. The most demanding role: EU importers, EU producers first placing products, EU exporters of not-yet-covered products, and any non-EU person placing products directly on the EU market. If a non-EU person places products on the EU market, the first EU-established person who then makes them available also counts, independently, as an upstream operator (Article 7).

Micro or small primary operator (MSPO). A sub-category of upstream operator with a simplified regime. You are a natural person, micro- or small undertaking (Directive 2013/34/EU) established in a country benchmarked low risk under Article 29, and you place on the market or export products you produced yourself – grown, harvested or obtained on your own plots. For products you did not produce yourself, you act as a standard upstream operator.

First downstream operator or trader. You are EU-established, you place, make available or export products already covered by a DDSt or simplified declaration, and your direct supplier is the EU-established upstream operator or MSPO who submitted it. You recognise this position by receiving a DDSt reference number or declaration identifier from your supplier.

Subsequent downstream operator or trader. You are EU-established and handle already-covered products, but your direct supplier is itself a downstream operator or trader – you are further down the chain. You are not required to hold the reference number or declaration identifier at all.

Downstream operator vs. trader: whether your output's HS code differs from your input's at the level listed in Annex I (e.g. timber transformed into furniture) or not (e.g. distributor or retailer) makes no difference to your obligations. The distinctions that matter are first vs. subsequent in the chain, and SME vs. non-SME; non-SME downstream actors carry additional obligations (Information System registration, verification on substantiated concerns).

DISCLAIMER: FSC certification is not a green lane. Responsibility for EUDR compliance always stays with you as the certificate holder - it is never transferred to FSC and is not discharged by holding a certificate. EUDR Article 10(2)(n) permits certification schemes to be used in the risk assessment procedure but preserves your responsibility to exercise due diligence. Use core FSC certification as evidence within your own assembled due diligence system and other obligations – identified, justified and documented. "We are core FSC-certified" is not a due diligence conclusion.

FSC FORESTS FOR ALL FOREVER™