



Forest Stewardship Council®



FSC Directive on Chain of Custody Evaluations

FSC-DIR-20-011 EN

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The Forest Stewardship Council® (FSC) is an independent, not for profit, non-government organization established to support environmentally appropriate, socially beneficial, and economically viable management of the world's forests.

FSC's vision is that the world's forests meet the social, ecological, and economic rights and needs of the present generation without compromising those of future generations.

Foreword

FSC received various comments from certification bodies and stakeholders requesting a reduction in the number of normative documents to make the documented certification system more comprehensible. FSC therefore combined all previous advice notes related to a standard into single documents which are called "directive". Where new advice notes are approved, these will be added to the directive and the revised document will be reissued.

The intention of this document is to standardize understanding and implementation of requirements by FSC accredited certification bodies.

This document will be revised as required. The content of the directive will be incorporated into the related standards in each major review as feasible.

Changes and amendments to the directive will be announced to stakeholders immediately.

Note on use of this directive

All aspects of this document are considered to be normative, including the scope, effective date, references, terms and definitions, tables and annexes, unless otherwise stated.

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A Scope

This document provides FSC's formal interpretation of the requirements included in FSC-STD-20-011.

B Effective date

The effective date is specified for each advice separately.

C References

The following referenced documents are indispensable for the application of this document. For undated references, the latest edition of the referenced document (including any amendments) applies.

FSC-PRO-01-001 The Development and Revision of FSC Normative Documents

FSC-STD-20-011 Accreditation Standard for Chain of Custody Evaluations

D FSC normative documents replaced by this version of the Directive:

E Terms and definitions

Terms and definitions are provided in *FSC-STD-01-002 FSC Glossary of Terms* or referenced normative documents. Further advice-related definitions are provided in the context of each advice.

Part 1 General Issues

- 1 The FSC Directive contains all advice notes related to a specific FSC international policy or standard that are collected into a single document for improved accessibility for certification bodies, certificate holders and other interested stakeholders. The FSC Directive provides clear advices on the implementation of FSC's international policies and standards.
- 2 If a certification body is in doubt about the correct implementation of an FSC normative document, the certification body must request clarification from the FSC Policy and Standards Unit. If required, such clarification will be provided in the form of a new advice note or standard interpretation.
- 3 Prior to the finalisation of an advice note, a certification body may make its own decision in relation to a question for which clarification has been sought. In such a case, responsibility for the consequences of the decision shall rest exclusively with the certification body concerned. Formal advice note subsequently provided by the FSC International Center will be applicable retrospectively.
- 4 The advices provided in this document represent the formal position of the FSC International Center unless and until it is superseded by the approval of a more recent policy, standard, or advice note. In such cases the requirements specified in the more recent document shall take precedence.
- 5 Certification bodies are required to comply with the most recent formal advice notes, and the Accreditation Services International will base its evaluations and issue of corrective actions on these.
- 6 Policy and Standards Director or the FSC Director General. If a certification body wishes to contest the advice provided it may do so by requesting a formal review and decision by the FSC Policy and Standard Committee. Until and unless such a review and decision has been finalised, the certification body shall continue to comply with the position of the FSC International Center.
- 7 Directives are under continual review and may be revised or withdrawn in response to new information, experience or changing circumstances, for example by the development of new policies or standards approved by the FSC Board of Directors.

Part 2 FSC Advices

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| ADVICE-20-011-01 | Evaluation of Minor Components Derogation Applications |
| Status | Withdrawn |

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| ADVICE-20-011-02 | Ensuring organizations' compliance with newly effective standard requirements when resuming FSC business activity |
| Normative reference | FSC-STD-20-011 V4-0, Clause 3.3 |
| Effective date | 16 March 2009 – first version, 28 November 2017 – Current version |
| Terms & definitions | The definitions provided in FSC-STD-20-011 and FSC-STD-40-004 apply. |
| Background | <p>This advice provides clarification to certification bodies regarding their responsibilities for surveillance of organizations holding an FSC Chain of Custody certificate that are to be evaluated within the applicable audit cycle against a newly approved certification standard or a new release following a major revision. The Advice Note addresses the following situations:</p> <ul style="list-style-type: none"> • the organization is opting to waive its surveillance audit following FSC-STD-20-011 V4-0, Clause 3.3 • the organization's certificate is currently suspended <p>The FSC-STD-20-011 standard does not indicate whether certification bodies could also waive surveillance audits in the event that a required new certification standard (or a new version after a major revision) has become effective since the previous audit.</p> <p>Neither is it clear whether any additional safeguards would have to be put in place in order to prevent an organization from restarting its FSC activities based on outdated certification requirements in the event of a lapse of surveillance audits due to a qualified waived audit or certificate suspension.</p> |
| Advice | <ol style="list-style-type: none"> 1. For surveillance audits at the time of which a required certification standard has become effective – newly or following a major revision – clause 3.3 may only be applied with the following amendment to the conditions stipulated by its sub-clauses: <ol style="list-style-type: none"> 1.1. The certification body shall conduct an assessment of the organization's procedures against the relevant new standard requirements at the regular time scheduled for the surveillance audit. 1.2. The assessment shall be carried out on-site if: <ol style="list-style-type: none"> a) the organization's Chain of Custody system requires adjustments due to changed requirements that, if left unaddressed, are likely to result in major non-compliances; b) the organization will use a new system for controlling FSC claims under a specific product group (FSC-STD-40-004); |

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| | <p>c) the certification body deems this necessary to evaluate the implementation of corrective action requests or a change of the certificate scope.</p> <p>NOTE: The intent is to ensure that organizations are in full compliance with the new or revised standard at the time they again take up activities under the scope of their FSC Chain of Custody certificate.</p> <p>2. In case a suspension of an organization's Chain of Custody certificate extends beyond the scheduled time of their regular surveillance audit at the time of which a certification standard has become effective – newly or following a major revision – the the certification body shall conduct an assessment of the organization's procedures to ensure that they are in compliance with relevant new standard requirements at the time when suspension is lifted.</p> |
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| ADVICE-20-011-03 | When shall an FSC Controlled Wood code be issued by the certification body? |
| Status | Withdrawn |

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| ADVICE-20-011-04 | Field verification audits, results, decision making and required actions |
| Status | Withdrawn |

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| ADVICE-20-011-05 | What is the sampling rate and pool that certification bodies shall use for field evaluations of supplies from sources with unspecified risk? |
| Status | Withdrawn |

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| ADVICE-20-011-06 | What are examples of major non-compliances with the requirements of FSC-STD-40-005 V2-1? |
| Status | Withdrawn |

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| ADVICE-20-011-07 | Can a Certification Body issue a certificate that gives exclusive rights of commercialization to the organization who had paid for the certificate? |
| Status | Withdrawn |

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| ADVICE-20-011-08 | Can a manufacturer at the end of the chain possess a COC certificate covering the several links of the supply chain? |
| Status | Withdrawn |

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| ADVICE-20-011-09 | Requirements for transition from version V2-1 to version V3-1 of the controlled wood standard FSC-STD-40-005 |
| Normative reference | FSC-PRO-01-001 V3-1, Clauses 12.3, 12.5; FSC-STD-20-001 V4-0, Clauses 4.3.5, 4.3.6, 4.3.16, 4.7.1; FSC-STD-20-011 V4-0, Clause 6.1. |
| Publication date | 28 November 2017 |
| Effective date | 28 November 2017 |
| Background | <p>In 2015 FSC published a revised controlled wood standard FSC-STD-40-005 V3-0, which introduced major changes to the controlled wood requirements. Through subsequent revision of this standard to V3-1, the end of the transition period to this standard was set on 31 December 2017.</p> <p>FSC has observed the low rate of the transition within the transition period and received requests for extending the transition period.</p> <p>FSC recognizes that in many cases the late transition is caused by the demanding revised requirements and the additional time needed to implement the revised standard. Therefore, FSC introduces this advice note to address exceptional circumstances introduced by the standard FSC-STD-40-005 V3-1 to facilitate the transition to this standard.</p> <p>This advice note was approved by FSC Director General on 16th November 2017.</p> <p>NOTE: The transition period is not extended by this advice note.</p> |
| Advice | <ol style="list-style-type: none"> 1. Evaluation of certificate holders according to the standard FSC-STD-40-005 V3-1 meets the transition requirements as per Clause 12.3 in FSC-PRO-01-001 V3-1, if all the following requirements are met: <ol style="list-style-type: none"> a) The certification body has been accredited to the evaluations according the standard FSC-STD-40-005 V3-0 or V3-1 by 31 December 2017; b) The audit plan has been shared with the client (as per Clause 4.3.5 in FSC-STD-20-001 V4-0) by 31 December 2017; c) The audit team has been assigned (as per Clause 4.3.6 in FSC-STD-20-001 V4-0) by 31 December 2017; d) Stakeholder consultation by certification body has started by 31 December 2017, when required (as per Clause 6.1 in FSC-STD-20-011); e) The audit closing date is 31 March 2018 at the latest. |

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| | <p>2. In cases when implementing Clause 1 of this advice note prevents compliance with the timelines for surveillance evaluations as per Clause 4.7.1 in FSC-STD-20-001 V4-0, this advice supersedes Clause 4.7.1. in FSC-STD-20-001 V4-0.</p> <p>3. Certification bodies may extend the timelines for addressing major nonconformities resulting from the evaluation according to the standard FSC-STD-40-005 V3-1 until 30 June 2018 at the latest (compare Clause 4.3.16 in FSC-STD-20-001 V4-0).</p> <p>NOTE: This also applies to evaluations that already took place.</p> <p>Certification granted on the basis of version 2-1 of the standard FSC-STD-40-005 will be considered invalid by FSC after 30 June 2018 (six (6) months after the end of the transition period), without any further notification (as per Clause 12.5 in FSC-PRO-01-001).</p> <p>NOTE: The above shortens the maximum timeframe of six (6) months for correcting major nonconformities as per Clause 4.3.16 in FSC-STD-20-001 V4-0).</p> |
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| ADVICE-20-011_10 | Replacement of onsite audits by desk (remote) audits |
| Normative reference | FSC-STD-20-011 V4-1 Clause 2.6 |
| Approval date | 21 June 2020 |
| Effective date | 22 June 2020 |
| Background | <p>FSC-STD-20-011 V4-1 Clause 2.6.e) specifies that certification bodies shall undertake physical inspection of all sites selected for evaluation, including inspection of all locations where operational activities under the scope of the certificate are carried out. It also specifies the circumstances in which desk (remote) audits can be undertaken. However, these circumstances do not include situations in which an on-site audit is not possible or viable due to the organization being located in a country or region with a demonstrated security risk for the life or health of auditors, or other events of <i>force majeure</i>.</p> <p>This Advice Note has the objective of specifying the requirements in such situations.</p> |
| Advice | <p>In situations where physical inspection of sites selected for evaluation is not possible or viable due to:</p> <ol style="list-style-type: none"> 1. Demonstrated health and/or safety risk to auditors (demonstrated through verifiable public sources, e.g. official travel warnings or restrictions), <i>or</i> 2. travel restrictions imposed by organizational (certificate holder/certification body) health and safety policies or public authorities, <i>or</i> 3. other demonstrated events of <i>force majeure</i>, |

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| | <p>the certification body may apply for derogation from PSU to replace an on-site audit by a desk audit. The application shall include:</p> <ol style="list-style-type: none"> a. Certificate code of the company; b. Activities under the scope of the certificate (products and processes); c. Evidences of circumstances preventing the on-site audit (e.g. an official travel warning); d. Other additional information, as requested by FSC. <p>Derogation applications will be evaluated on a case by case basis.</p> <p>NOTE: This Advice Note is not applicable in case of existing active derogations issued by FSC International for specific situations.</p> |
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| ADVICE-20-011_11 | Precautionary approach towards conflicting legislation and differing interpretations of laws and regulations |
| Normative reference | <p>FSC-STD-20-011 V4-1, Clause 6.20</p> <p>FSC-STD-40-004 V3-0, Clause 6.1</p> <p>FSC-STD-40-005 V3-1 Clause 4.3</p> |
| Approval date | 1 October 2020 |
| Effective date | 1 November 2020 |
| Background | <p>FSC certified chain of custody organizations are required to conform to all applicable timber legislation.</p> <p>Clause 6.20 of FSC-STD-20-011 V4-0 addresses conflicts between legal requirements and adequate control measures, however it leaves the question open how to proceed for certification bodies in cases where there are conflicts between different laws and regulations or where different interpretations of one and the same law or regulation exist by public authorities.</p> <p>This advice note addresses these cases and will be incorporated into the next revised version FSC-STD-20-011 accordingly.</p> |
| Advice | <ol style="list-style-type: none"> 1. Certification bodies shall follow a precautionary approach in cases where there are: <ol style="list-style-type: none"> a. conflicting, contradictory or otherwise inconsistent requirements for certificate holders within or between applicable international, national or local laws, regulations and administrative requirements; b. differing interpretations of the above listed legal instruments by public authorities. 2. A precautionary approach towards these cases implies that: <ol style="list-style-type: none"> a. the more or most restrictive requirements shall be applied as constituting the relevant legal basis; b. the more or most rigorous interpretation by public authorities shall be used to determine the practical implementation of relevant requirements. |

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| | <ol style="list-style-type: none"><li data-bbox="507 194 1404 286">3. Certification bodies shall have a procedure for using the precautionary approach by identifying relevant conflicts in consultation with the relevant FSC Network Partners.<li data-bbox="507 302 1404 432">4. In above cases where the most restrictive requirements or most rigorous interpretation cannot be determined, the certification body shall seek clarification through a formal interpretation by the FSC Performance and Standards Unit, following <i>PSU-PRO-10-201 Enquiry Procedure</i>. |
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