



**KARADENİZ İHRACATÇI BİRLİKLERİ
GENEL SEKRETERLİĞİ**

Sayı : 35649853-TİM.KİB.GSK.UYG.2025/455-858

Giresun, 18/03/2025

Konu : AB Ormansızlaşmanın Önlenmesi Tüzüğü

E-POSTA

**KARADENİZ İHRACATÇI BİRLİKLERİ ÜYELERİNE SİRKÜLER
2025/181**

Sayın üyemiz,

Ticaret Bakanlığının bir yazısına atfen, Türkiye İhracatçılar Meclisinden alınan 14/03/2025 tarih 50-683 sayılı yazıda;

2023/1115 Sayılı Ormansızlaşmanın Önlenmesi Tüzüğü (EUDR) ile 30 Aralık 2025 tarihi itibarıyla **soya, sığır eti, palm yağı, ahşap/ağaç ürünleri, kakao, kauçuk, kahve ve bunlardan elde edilen belirli ürünleri üretimde girdi olarak kullanan çikolata, deri, mobilya, lastik gibi ürünlerin AB pazarına girişinde ormansızlaşmaya yol açmadığına ve yasal mevzuata uygun üretildiğine yönelik özen yükümlülüğü beyanının zorunlu hale getirildiği** bildirilmekte ve bu çerçevede, özen yükümlülüğü beyanının sektörel uygulamalarına dair Komisyon tarafından yayımlanan bir örneği ilişik açıklayıcı belge paylaşılmaktadır.

Ayrıca, AB'de özen yükümlülüğüne tabi olan operatörün (ithalatçı/üretici/ distribütör) veya operatörün atayacağı gümrük işlemlerini gerçekleştirecek yetkili temsilcinin özen yükümlülüğüne dair bilgileri gireceği Bilgi Sisteminin kullanıma açıldığı, söz konusu bilgi sistemine sadece AB'de gümrük işlemlerini gerçekleştirmek üzere EORI numarasına sahip operatörlerin giriş yapabildiği, bilgi sistemine ülkemiz ihracatçıları tarafından doğrudan veri girişi imkânının bulunmadığı, anılan bilgi sisteminin nasıl işlediğine dair bilgi sahibi olmak isteyen firmalarımız için Avrupa Komisyonu tarafından hazırlanan eğitim videosuna https://green_business.ec.europa.eu/deforestation-regulation-implementation/information-system-deforestation-regulation_en#training-videos linkinden erişim imkanının bulunduğu belirtilmektedir.

Buna ek olarak, 4-5 Aralık 2024 tarihlerinde düzenlenen Gümrük Birliği Ortak Komitesi (GBOK) toplantısı kapsamında EUDR mevzuatına ilişkin ülkemiz çekincelerinin gündeme getirildiği ve uygulama sürecine dair detaylı bilgi almak üzere Avrupa Komisyonu ile teknik toplantı düzenlenmesinin talep edildiği, Avrupa Komisyonu tarafından mevzuata dair spesifik soruların iletilmesi ertesinde bir toplantının planlanacağına bilgisinin verildiği belirtilmekte ve bu çerçevede EUDR mevzuatına ve uygulama sürecine dair Avrupa Komisyonuna iletilmek üzere sorular talep edilmektedir.

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GENEL SEKRETERLİĞİ**



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Bu bağlamda, TİM'e iletilmek üzere, EUDR mevzuatına ve uygulama sürecine dair Avrupa Komisyonuna iletilmesi talep edilen sorularınü ilişikteki sorun bildirim formunda bildirilmek suretiyle **en geç 26 Mart 2025 Çarşamba günü saat 15.00'e kadar** Genel Sekreterliğimize gönderilmesi gerektiği hususunu bilgilerinize sunarız.

e-imzalıdır

Sertaç Ş. TORAMANOĞLU
Genel Sekreter

EKLER:

Ek-I: EUDR Uygulama Kılavuzu (34 Sayfa)

Ek-II: Sorun Bildirim Formu (1 Sayfa)



EUDR COMPLIANCE

UNDERSTANDING YOUR COMPANY POSITION
IN BEEF, COCOA, COFFEE, PALM OIL,
RUBBER, SOY, AND WOOD SUPPLY CHAINS

UNEP-WCMC
January 2025



EUROPEAN COMMISSION

Directorate-General for ENVIRONMENT
Directorate F — Green Diplomacy & Multilateralism
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Understanding your company position in the supply chain

The EU Regulation on Deforestation-free Products ([Regulation \(EU\) 2023/1115](#), hereinafter referred to as ‘the Regulation’, ‘this Regulation’, or ‘EUDR’) introduces obligations to operators and traders relating to the placing or making available on the Union market, and exporting from the Union of deforestation-related commodities and associated products. This document provides an overview of how the obligations apply, depending on the company type (operator/trader), size (non-SME/SME) and position in the supply chain (first placing/downstream) within the EU (table 1), illustrated through 11 supply chain scenarios. The rules mentioned in the scenarios, while being applied to supply chain-specific scenarios and individual products, generally apply equally for all relevant products (also see Annex I). This document is intended to be read alongside the third iteration of the [FAQs and the guidance document](#), which give additional detail on obligations, as well as the Regulation itself. This document is not legally binding; its sole purpose is to provide information on certain aspects of the EUDR. It does not replace, add to or amend the provisions of the EUDR, which establishes the legal obligations.

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Table 1: Overview of the “level” of due diligence (DD) obligations by type of company (operator/trader), position in supply chain (first placing/downstream) and size (non-SME/SME).

Type of company ¹	Action	Applicable Products	DD obligations	DD statement submission obligations	Record keeping requirement ⁴ (See FAQ 5.8)	Responsibility for compliance in relation to DD ⁵	Communicate information to downstream operators/trader	Public reporting requirement
Upstream operator (non-SME) FAQ 3.1	Places on or exports from Union market products not covered by DD statement	Relevant products	✓ Exercise Art. 4(1) FAQ 3.4	✓ Complete Art. 4(2)	✓ DDS (Art. 4(3)) DD updates (Art. 12(2)) Documentation (Art. 12(5))	✓ Assumes Art. 4(3), Retains Art. 6(1)	✓ Art. 4(7)	✓ Art. 12(3) FAQ 5.14
Upstream operator (SME) FAQ 3.1, 3.10	Places on or exports from Union market products not covered by DD statement	Relevant products	✓ Exercise Art. 4(1) FAQ 3.5	✓ Complete Art. 4(2)	✓ DDS (Art. 4(3)) DD updates (Art. 12(2)) Documentation (Art. 12(5))	✓ Assumes Art. 4(3) Retains Art. 6(1)	✓ Art. 4(7)	✗
Downstream operator (non-SME) FAQ 3.1	Places on or exports from the Union market products covered by DD statement	Relevant products contained in or made from relevant products (if covered by a DD statement submitted by an upstream operator) ²	✓ “Ascertain” Art. 4(9) FAQ 3.4	✓ Refer Art. 4(2), (9) FAQ 3.4	✓ DDS (Art. 4(3)) DD updates (Art. 12(2)) Documentation (Art. 12(5))	✓ Retains Art. 4(10), Art. 6(1) FAQ 3.4	✓ Art. 4(7)	✓ Art. 12(3) FAQ 5.14
Trader (non-SME) FAQ 3.8	Makes available on Union Market	Relevant products	✓ “Ascertain” Art. 4(9) FAQ 3.4, 3.8	✓ Refer Art. 4(2), (9)	✓ DDS (Art. 4(3)) DD updates (Art. 12(2)) Documentation (Art. 12(5))	✓ Retains Art. 4(10), Art. 6(1) FAQ 3.4, 3.11	✓ Art. 4(7)	✓ Art. 12(3) FAQ 5.14

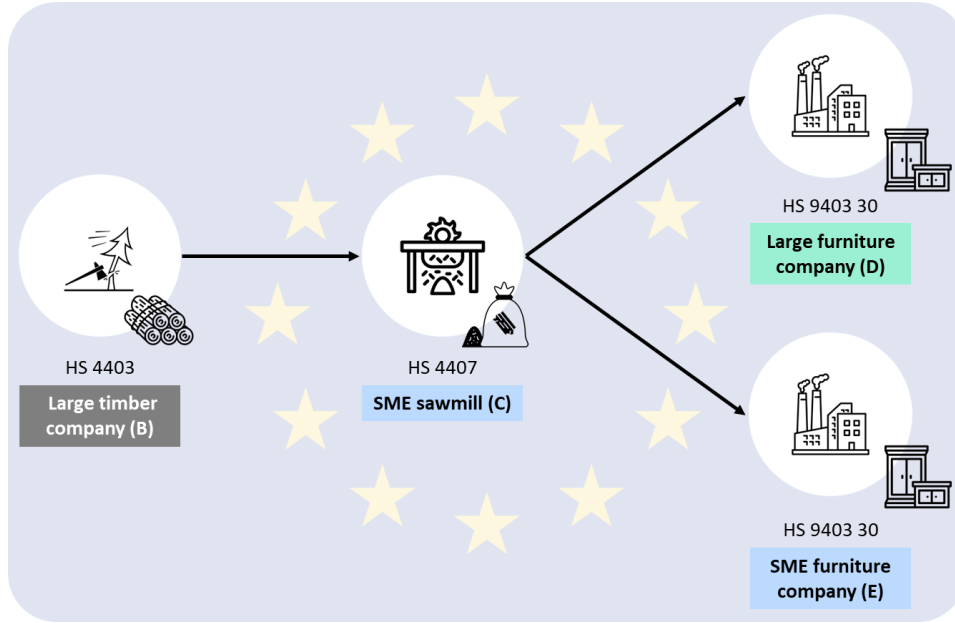
EUDR COMPLIANCE

Type of company ¹	Action	Applicable Products	DD obligations	DD statement submission obligations	Record keeping requirement ⁴ (See FAQ 5.8)	Responsibility for compliance in relation to DD ⁵	Communicate information to downstream operators/trader	Public reporting requirement
Downstream operator (SME) FAQ 3.1, 3.10	Places on or exports from the Union market products covered by DD statement	Products contained in or made from relevant products (if covered by a DD statement submitted by an upstream operator) ²	✗	✗	✓ 📁 Record Art. 4(8)	✗	✓ Art. 4(7)	✗
Trader (SME)	Makes available on Union Market	Relevant products	✗	✗	✓ 📁 Record Art. 5(3), (4)	✗	✗	✗
Legend: ✓ = Yes (The company must fulfil the obligation) ✗ = No (The company does not need to fulfil the obligation, or it is not applicable) 📁 = Record (A related record keeping or information obligation applies)			Due diligence (DD) obligations: <ul style="list-style-type: none"> • Complete = Exercise due diligence (DD) for relevant products, per Article 8. See FAQ 5.1 • Ascertain = Ascertain that due diligence upstream has been carried out in accordance with Art 4(1). See text box 2. 			Due diligence (DD) Statement Obligations:³ <ul style="list-style-type: none"> • Complete = Complete and submit a DD statement, including the information and declaration provided in Annex 2 (Art. 4(2)) • Refer = Refer to the unique reference number of existing DD statement • Record = No requirement to submit a DDS but obliged to keep records of associated DDS reference numbers 		

Notes:

- Operators based in a third country have the same obligations as operators, applicable to the first natural or legal person in the Union who makes the relevant product available on the Union market (Art. 7 and see FAQ 3.7)
- For parts of products not already covered by a DD statement, DD obligations as per Art. 4(1) will apply.
- Full details of the legal requirements and obligations for companies are found in the Regulation text and accompanying official FAQ.
- Operators or traders may mandate an authorised representative to submit the due diligence statement on their behalf. The operator retains responsibility for the compliance of the product. An operator that is a natural person or a microenterprise may mandate the next operator or trader further down the supply chain that is not a natural person or a microenterprise to act as an authorised representative (Article 6 and see FAQ 5.2)
- All operators – including large traders – and SME traders are obliged to immediately inform the Competent authorities where they obtain or are made aware of new information indicating that a relevant product is at risk of not complying with the Regulation (Articles 4(5), 5(5)).

Scenario 2: Supply chain for domestic timber (2)



The **large timber company B** from scenario 1 also sells some of the logs (HS 4403) to a **small sawmill C** who transforms them into sawn wood (HS 4407). Sawmill C is placing a new relevant product listed in Annex 1 of the EUDR on the Union market. However, because **sawmill C** is an **SME downstream operator**, it is not required to exercise due diligence or submit a new due diligence statement to the Information System for this relevant product (HS 4407) because the sawn wood is made entirely from the logs (HS 4403) that were already subject to upstream due diligence (Art. 4(8)). Sawmill C must keep a record of due diligence reference numbers obtained from large timber company B (Art. 4(8), FAQ 3.11).

The sawn wood (HS 4407) that sawmill C produces is sold to companies producing furniture in the EU. One of the furniture companies is a **large furniture company D** and the other is an **SME furniture company E**. Both furniture companies are transforming the sawn wood that has already been subject to due diligence upstream into furniture (HS 9403 30), which is also a relevant product, and both are placing the furniture on the Union market for the first time. Both are therefore downstream operators. However, the two furniture companies have different obligations under the EUDR, based on their size (FAQ 3.4).

As a **non-SME downstream operator, furniture company D** must submit a due diligence statement for the furniture it places on the Union market (*Text Box 1*). Furniture company D can refer to the due diligence statement already submitted by large timber company B by including the relevant reference number, but it must first ascertain (*Text Box 2*) that due diligence was exercised upstream in accordance with the EUDR (Art. 4(9); FAQ 3.4). Furniture company D retains responsibility for the compliance of the relevant products (Art. 4(10); FAQ 3.11).

As an **SME downstream operator, furniture company E** it is not required to exercise due diligence or submit a new due diligence statement to the Information System, but it must keep a record of the reference number of the due diligence statement that has already been submitted (Art. 4(8)).

If in the making of their furniture either of the furniture companies D and E use any sawn wood that has not been subject to due diligence already (e.g. if D or E import it), then they would need to exercise full due diligence on these relevant products for which they are the first placers on the Union market (FAQ 3.1, 5.1), and include their geolocations in the due diligence statement submitted to the Information System (FAQ 5.19, 3.1).

FAQ3.11). Given that publisher B may be making newspapers available on the market in batches over a period of time (e.g. daily/weekly, using paper supplied by the same upstream supplier/s), publisher B could submit a single due diligence statement to cover multiple batches for up to one year, so long as due diligence has been ascertained for all relevant products intended to be placed on the market (Text Box 3).

Publisher B sells the newspapers (ex HS 4902) to a **non-SME retailer C** and an **SME retailer D**, who both sell newspapers to customers. Neither of the retailers are placing the newspapers on the Union market for the first time, because they were already placed on the market by publisher B. **Retailer C** is a **non-SME trader**. Obligations for non-SME traders are the same as for non-SME operators (Art. 5(1)), so retailer C must submit a due diligence statement for the newspapers. Non-SME retailer C can refer to due diligence statements that have already been submitted by publisher B by including the relevant reference numbers, but it must first ascertain (Text Box 2) that due diligence was exercised upstream in accordance with the EUDR (Art. 4.9; FAQ 3.8). Non-SME retailer C retains responsibility for the compliance of the relevant products (Art. 4(10); FAQ 3.11). As described for publisher B above, retailer C could also submit a single due diligence statement covering multiple batches of newspapers for up to one year (Text Box 3).

Retailer D is an **SME trader** and is not required to exercise due diligence or submit a due diligence statement. Retailer D must keep a record of its suppliers and any operators or traders it supplies to, as well as the reference numbers of the existing due diligence statements (Art. 5(3), FAQ 5.8). However, unlike non-SME traders, SME traders do not retain responsibility for relevant products that they make available on the market (FAQ 3.11).

Paper manufacturer A sells some of the paper (HS 4801) to small publisher E who also uses it to print newspapers. Publisher E is placing a new relevant product (ex HS 4902) on the Union market. However, because **publisher E** is an **SME downstream operator** and the newspaper is made entirely from the paper (HS 4801) that was already subject to upstream due diligence, publisher E is not required to exercise due diligence or submit a new due diligence statement to the Information System, but it must keep a record of due diligence reference numbers (Art. 4(8)).

Text Box 3: Due diligence statements for multiple batches

To simplify obligations and reduce the administrative burden for operators, a due diligence statement can cover multiple physical batches/shipments. In these situations, the operator (or non-SME trader, see Art. 5(1) EUDR) has to confirm that due diligence was carried out for all relevant products intended to be placed on, made available on the Union market, or exported and that no or only a negligible risk was found that the relevant products do not comply with Art. 3, point (a) or (b), of the Regulation (Annex II) and that the operator assumes responsibility for the compliance of the relevant products with Art. 3 EUDR (Art. 4(3) EUDR).

In addition, there are legal requirements and practical considerations that must be taken into account including that the additional complexity may increase the risk of non-compliance, and that once the quantity of products covered by the due diligence statement has been met, a new statement must be filed for additional quantities (see FAQ 5.19).

products. Since the meat has already been subject to due diligence, supermarket C can refer to due diligence statements that have already been submitted by meat processor B by including the relevant reference numbers, but it must first ascertain (*Text Box 2*) that due diligence was exercised upstream in accordance with the EUDR (Art. 4.9; FAQ 3.8). Supermarket C retains responsibility for the compliance of the relevant products (Art. 4(10); FAQ 3.11).

Processor B sells the hides/skins (ex HS 4101) to **tannery D**, which uses them to produce leather (ex HS 4107). **Tannery D** is a **non-SME downstream operator** as it is transforming a relevant product into other relevant products and placing them on the Union market. Tannery D must submit a due diligence statement in the Information System (Art. 4(2)); it can refer to the due diligence statement that has already been submitted by including the relevant reference number but must first ascertain (*Text Box 2*) that due diligence was exercised upstream in accordance with the EUDR (Art. 4.9; FAQ 3.4). It retains responsibility for compliance of the relevant products (Art. 4(10); FAQ 3.11).

Tannery D sells the leather (ex HS 4107) to **SME leather goods manufacturer E**, which uses it to make shoes it sells. Leather goods manufacturer E does not have any EUDR obligation for the shoes, as they are not listed in Annex I (FAQ 2.1). Leather goods manufacturer E is not placing or making available a relevant product on the Union market and is therefore **not an operator or a trader** under the EUDR. If leather goods manufacturer E had instead imported the leather directly from a third country, it would need to exercise full due diligence on these relevant products for which it would be the first placer on the Union market (FAQ 3.1, 5.1), and include their geolocations in the due diligence statement submitted to the Information System (FAQ 5.19).

maximum of five years, and cattle farm A may need to show this evidence to competent authorities upon request. If instead cattle farm A imports into the EU the soymeal [HS 1208 10] to feed to its cattle, it would be an SME upstream operator for the soymeal and would be obliged to exercise due diligence, submit a due diligence statement to the Information System and include the DDS reference number in the customs declaration for release for free circulation for the soymeal (FAQ 2.10). It would then use the reference numbers and other documentation from the soymeal that it imported to demonstrate that its cattle feed is deforestation free.

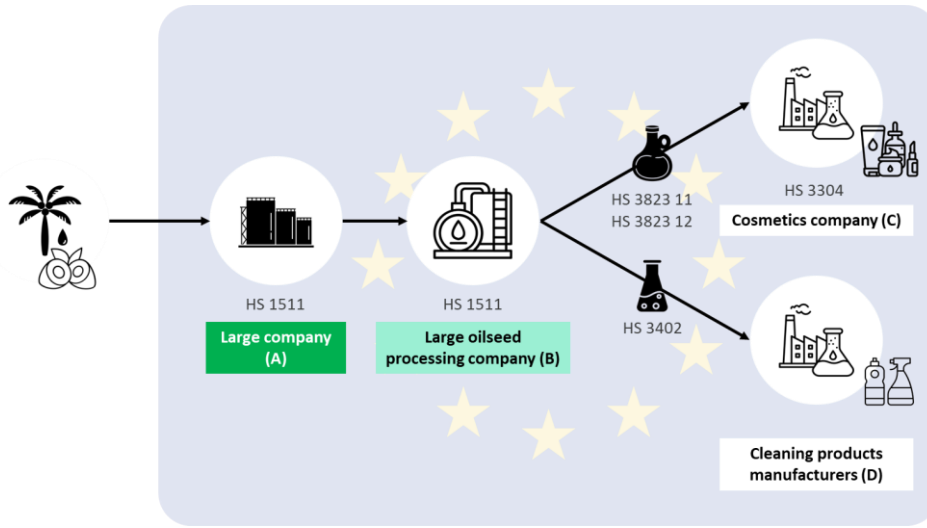
subject to due diligence, distributor B can refer to the due diligence statements that have already been submitted by including the relevant reference number, but distributor B must first ascertain (*Text Box 2*) that the due diligence was exercised upstream in accordance with the EUDR (Art. 4(9); FAQ 3.4). Distributer B retains responsibility for the compliance of the newspapers (Art. 4(10), FAQ 3.11). As distributor B may be making newspapers available on the market in batches over a period of time (e.g. daily/weekly newspapers supplied by the same upstream

supplier/s), it could also submit a single due diligence statement to cover multiple batches for up to one year, so long as due diligence has been ascertained for all relevant products intended to be made available on the market (*Text Box 3*).

Text Box 4: Customs declarations

An operator placing on the market imported products or exporting relevant products will need to also complete a customs declaration (applicable for the customs procedures 'release for free circulation' and 'export'). To complete the customs declaration, a due diligence statement reference number will first be needed. To obtain this, a due diligence statement is submitted by the operator into the Information System and a reference number is then issued and can be used on the customs declaration lodged for that relevant product. Where a DDS covers multiple shipments/batches, the same DDS reference number can be referred to in several customs declarations, as long as the legal requirements of the EUDR are respected (see FAQ 5.19, 5.20).

Scenario 7: Supply chain for palm oil



A **large company A** imports palm oil (HS 1511) to the EU from a third country. **Company A** is a **non-SME upstream operator** placing the product on the Union market for the first time (FAQ 3.1) and therefore must exercise due diligence for the palm oil to ensure that it is deforestation-free and legal (Art. 4(1)) and must submit a due diligence statement to the Information System prior to placing it on the Union market (Text Box 1 and 4; Art. 4(2)).

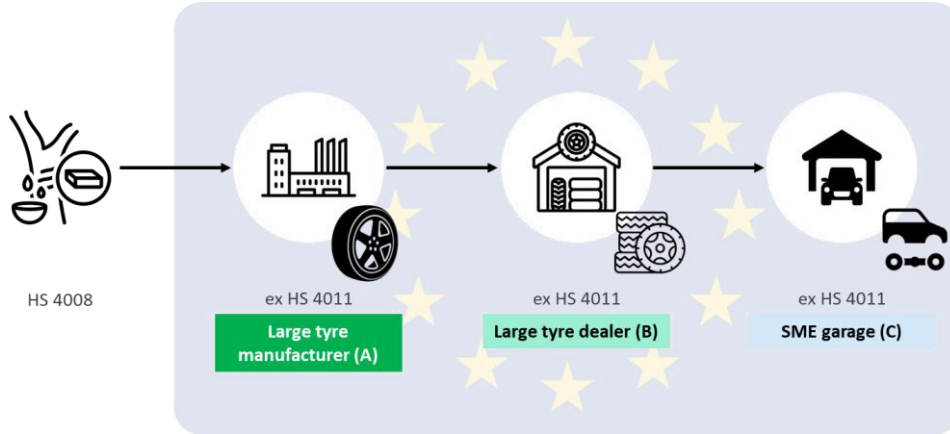
The palm oil is sold to **large oilseed processing company B**, which uses it to make three products: oleic acid, industrial (HS 3823 12), stearic acid, industrial (HS 3823 11), and surfactants (HS 3402). Surfactants are not a relevant product under Annex I, so they are not subject to due diligence obligations (FAQ 2.1). The stearic acid (HS 3823 11) is a relevant product under Annex I, so is subject to the EUDR. Therefore, **oilseed processing company B** is a **non-SME downstream operator** for the stearic acid because it is a new relevant product (FAQ 3.1). Since the stearic acid was made using the palm oil that has already been subject to due diligence, oilseed processing company B can refer to due diligence statements that have already been submitted by company A by including the relevant reference numbers, but it must first ascertain (Text Box 2) that due diligence was exercised upstream in accordance with the EUDR (Art. 4(9); FAQ 3.4). Oilseed processing company B retains responsibility for the compliance of the relevant products (Art. 4(10); FAQ 3.11).

Oilseed processing company B sells the stearic acid (HS 3823 11) to **cosmetics company C**. Cosmetics company C uses the stearic acid to manufacture cosmetic products (HS 3304) and sells them to consumers. Cosmetics are not a relevant product under Annex I. Cosmetics company C is therefore not placing a relevant product on the Union market, hence it does **not have obligations under the EUDR for the cosmetics**. If cosmetics company C was instead importing relevant products (such as stearic acid) into the EU from a third country to use in its cosmetic products, it would need to exercise full due diligence on these

relevant products for which they would be the first placers on the Union market (FAQ 3.4, 3.5), and to include the geolocations of the palm oil in the due diligence statement submitted to the Information System (FAQ 3.1).

Oilseed processing company B sells the surfactants (HS 3402) to **downstream cleaning products manufacturers (D)** in the EU. As surfactants are not a relevant product (Annex I), neither oilseed processing company B nor the downstream manufacturers or retailers are placing or making available a relevant product on the Union market. **Neither have obligations under EUDR for this product.**

Scenario 8: Supply chain for rubber



Natural vulcanised rubber (ex HS 4008) is imported to the EU by a **large tyre manufacturer A**. **Tyre manufacturer A** is a **non-SME upstream operator** placing a relevant product on the Union market for the first time and therefore must exercise due diligence for the vulcanised rubber (ex HS 4008) (Text Box 1 and 4; Art. 4(1); FAQ 2.2, 3.1). It must ensure that the product is deforestation-free and legal and must also submit a due diligence statement in the Information System prior to import (Art. 4(2)). If tyre manufacturer A imports multiple shipments of vulcanised rubber (ex HS 4008) from the same country/region, these could be covered by a single due diligence statement for up to one year, so long as due diligence has been carried out for all relevant products intended to be placed on the market (Text Box 3).

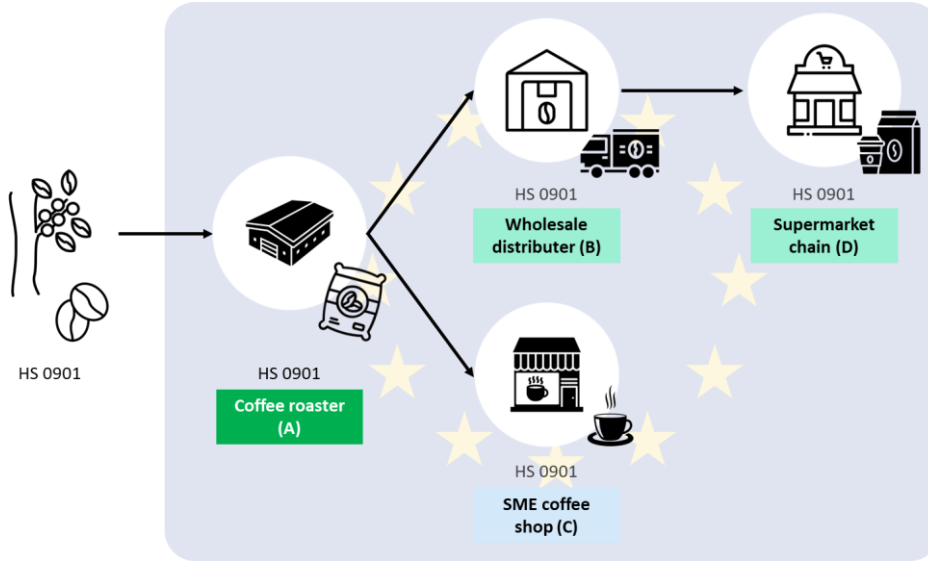
Tyre manufacturer A uses the rubber to produce new tyres (ex HS 4011), a new relevant product (Annex I) which it places on the Union market. **Tyre manufacturer A** is therefore a **non-SME downstream operator** for the new tyres (ex HS 4011) and must submit a due diligence statement for the new tyres in the Information System (FAQ 2.2), but it can refer to the due diligence statements that it has already submitted by including the relevant reference number (Art. 4(9)).

The new tyres (ex HS 4011) are sold to **large tyre dealer B**. Tyre dealer B makes the new tyres available on the Union market, and the HS code does not change. **Tyre dealer B** is therefore a **non-SME trader**. Obligations for non-SME traders are the same as for non-SME operators (Art. 5(1)), so it must submit a due diligence statement to the Information System for the new tyres. Since the new tyres have already been subject to due diligence, tyre dealer B can refer to the due diligence statements that have already been submitted by large tyre manufacturer A by including the relevant reference numbers. However, tyre dealer B must first ascertain (Text Box 2) that due diligence was exercised upstream in accordance with the EUDR (Art. 4(9), FAQ 3.8). Tyre dealer B retains responsibility for the compliance of the relevant products (Art. 4(10); FAQ 3.11).

If tyre dealer B makes tyres available on the market in batches over a period of time, which originate from the same suppliers, tyre dealer B could also submit a single due diligence statement to cover multiple batches for up to one year, so long as due diligence has been ascertained for all relevant products intended to be made available on the market (*Text Box 3*).

Tyre dealer B sells the tyres to **SME garage C**, which sells tyres to customers. Garage C makes the new tyres available on the Union market, and the HS code does not change. **Garage C** is therefore an **SME trader**. Garage C is not required to exercise due diligence or submit a due diligence statement. Garage C must keep a record of information including details of its suppliers and any operators or traders it supplies to, as well as the reference numbers of the existing due diligence statements (Art. 5(3), FAQ 5.8). SME traders do not retain responsibility for relevant products that they make available on the market (FAQ 3.11).

Scenario 9: Supply chain for coffee



Non-SME coffee roaster A imports coffee beans (HS 0901) in bulk containers into the EU from a third country. **Coffee roaster A** is a **non-SME upstream operator** placing the product on the Union market for the first time (FAQ 3.1) and therefore must exercise due diligence for the coffee to ensure that it is deforestation-free and legal (Art. 4(1)) and submit a due diligence statement to the Information System prior to placing it on the Union market (*Text Box 1 and 4*; Art. 4(2)). If coffee roaster A places batches of coffee beans originating from the same geolocations over a period of time, these could be covered by a single due diligence statement for up to one year, so long as due diligence has been carried out for all relevant products intended to be placed on the market (*Text Box 3 and 5*).

Coffee roaster A sells the coffee beans to **large wholesale distributor B** and to SME coffee shop C.

As a **non-SME trader**, **wholesale distributor B** has the same obligations as a non-SME operator (Art. 5(1); FAQ 3.8), so it must submit a due diligence statement to the Information System. Wholesale distributor B may refer to existing due diligence statements by including the relevant reference numbers, but it must first ascertain (*Text Box 2*) that due diligence had been exercised upstream in accordance with the Regulation. Wholesale distributor B retains responsibility for the compliance of the relevant products (Art. 4(10); FAQ 3.11).

As an **SME trader**, **coffee shop C** is not required to exercise due diligence or submit a due diligence statement. It must keep a record of its suppliers and any operators or traders it supplies to, as well as the reference numbers of the existing due diligence statements (Art. 5(3), FAQ 5.8). However, unlike non-SME traders, SME traders do not retain responsibility for relevant products that they make available on the market (FAQ 3.11).

Wholesale distributor B ships roasted coffee beans on to supermarket chain D which sells the roasted beans to consumers. As a **non-SME trader, supermarket chain D** must submit a due diligence statement for the roasted coffee beans. It may refer to existing due diligence statements by including the relevant reference numbers, but it must first ascertain (*Text Box 2*) that due diligence had been exercised upstream in accordance with the EUDR (Art. 5(1); FAQ 3.8). Supermarket chain D retains responsibility for the compliance of the relevant products (Art. 4(10); FAQ 3.11).

If supermarket chain D makes available over a period of time roasted coffee beans, supplied by the same upstream supplier/s, these could be covered by a single due diligence statement for up to one year, so long as due diligence has been ascertained for all relevant products intended to be made available on the market (*Text Box 3*).

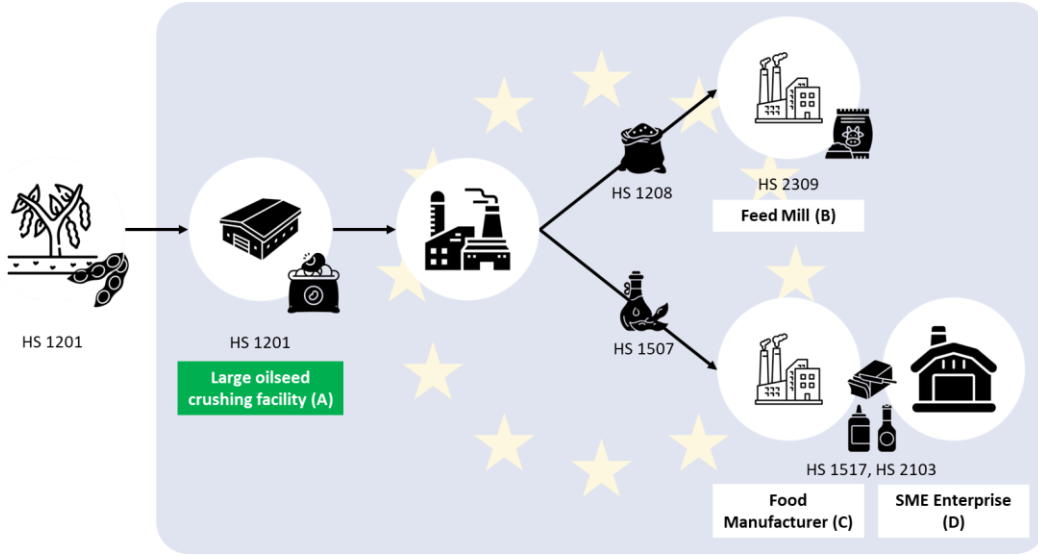
Text Box 5: Traceability and mass balance chains of custody

Under the Regulation, the commodities used in all relevant products must be traceable back to the plots of land where they were produced. The traceability requirements apply to each batch of imported/exported/traded relevant commodities. Mass balance chains of custody that allowing mixing of deforestation-free commodities with commodities of unknown origin or non-deforestation free commodities are consequently not allowed under the Regulation. This means that the commodities placed on the EU market, or exported, need to be segregated from commodities of unknown origin and from non-deforestation-free commodities at every step of the supply chain (FAQ 1.1 - 1.4).

C is not required to exercise due diligence or submit a new due diligence statement to the Information System (Art. 4(8)). It must keep a record of due diligence reference numbers that have already been submitted (Art. 4(10), FAQ 3.11). Chocolate manufacturer C must make available the due diligence reference numbers received from cocoa processor B when lodging the customs declaration at export (Art. 26(4)).

Supermarket D sells the chocolate and drinking cocoa powder to consumers, so is a **non-SME trader** (FAQ 3.8). Obligations for non-SME traders are the same as for non-SME operators (Art. 5(1)), so supermarket D must submit a due diligence statement in the Information System. Since the products have already been subject to due diligence, it can refer to due diligence statements that have already submitted by cocoa processor B by including the relevant reference number, but it must first ascertain (Text box 2) that due diligence had been exercised in accordance with the EUDR (Art. 4(9)). Supermarket D retains responsibility for the compliance of the relevant products (Art. 4(10); FAQ 3.11).

Scenario 11: Supply chain for soy



Large oilseed crushing facility A imports bulk shipments of soybeans (HS 1201) to the EU from a third country. Oilseed crushing facility A is a **non-SME upstream operator** placing soybeans on the Union market for the first time, and therefore must exercise due diligence for them to ensure that they are deforestation-free and legal (Art. 4(1)) and must also submit a due diligence statement for the soybeans in the Information System prior to placing them on the Union market (Text Box 1 and 4; Art. 4(2); FAQ 3.1). If the soybeans are imported as multiple shipments/batches from the same geolocations, they can be covered by a single due diligence statement for up to one year, so long as due diligence has been carried out for all relevant products intended to be placed on the market (Text box 3).

Oilseed crushing facility A processes the soybeans (HS 1201) into soymeal (HS 1208) and soy oil (HS 1507), both relevant products under EUDR (Annex I). **Oilseed crushing facility A** is transforming one relevant product into other relevant products and is therefore now a **non-SME downstream operator** (FAQ 3.1). It must submit a due diligence statement for the soymeal and the soy oil in the Information System (FAQ 2.2), but since the soymeal and soy oil are made using the soybeans that have already been subject to due diligence, it can refer to the due diligence statements that it has already submitted by including the relevant reference number (Art. 4(9)). If oilseed crushing facility A adds any other soybeans in the making of the soymeal and soy oil, that have not been subject to due diligence already, then they would need to exercise full due diligence on these relevant products for which they are the first placers on the Union market (FAQ 3.4, 3.5), and include their geolocations in the due diligence statement submitted to the Information System (FAQ 3.1).

Oilseed crushing facility A sells the soymeal (HS 1208) to **feed mill B**, which blends the soymeal with other ingredients like grains and minerals to produce

compound feeds (HS 2309) for livestock. As compound feed is not a relevant product under EUDR (Annex I), feed mill B **does not have obligations under EUDR for this product** (FAQ. 2.1).

Oilseed crushing facility A sells the soy oil (HS 1507) to a **non-SME food manufacturer C** and to **SME enterprise D** who refine the oil and then make a variety of products like margarine or sauces which are not included in Annex I of the EUDR. **Manufacturer C and enterprise D** are not placing or making available a relevant product on the Union market and are therefore **not operators or traders under the EUDR for those products** (FAQ 2.1) – and hence have no obligations under EUDR.

Annex 1

Table 2: Overview of which commodities are used in the scenarios to illustrate various combinations of types of companies (operator/trader), position in supply chain (first placing/downstream) and size (non-SME/SME). The rules mentioned in the scenarios, while being applied to supply chain-specific scenarios and individual products, generally apply equally for all products.

Type of company	Cattle	Cattle	Cocoa	Coffee	Oil palm	Rubber	Soy	Wood	Wood	Wood – paper	Wood-paper
	Scenario 4	Scenario 5	Scenario 10	Scenario 9	Scenario 7	Scenario 8	Scenario 11	Scenario 1	Scenario 2	Scenario 3	Scenario 6
Operator, first placing/exporting (no upstream due diligence)											
a) Operator (non-SME) importing from 3rd country				x	x	x	x				
b) Operator (SME) importing from 3rd country			x								x
c) Operator (non-SME) first placing domestic products										x	
d) Operator (SME) first placing domestic products	x	x						x			
e) Operator (non-SME) exporting domestic products		x						x			
f) Operator (SME) exporting domestic products		x									
Downstream operator, placing/exporting (upstream due diligence)											
a) Operator (non-SME) placing products	x		x		x			x	x	x	
b) Operator (non-SME) exporting products								x			

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Type of company	Cattle	Cattle	Cocoa	Coffee	Oil palm	Rubber	Soy	Wood	Wood	Wood – paper	Wood-paper
c) Operator (SME) placing products			x						x	x	x
d) Operator (SME) exporting products			x								
Trader, making available											
a) Large traders, making available products	x		x	x		x		x		x	x
b) SME Traders, making available products				x		x				x	
Other actors or considerations in the supply chain											
Authorised representative								x			
Cattle fed with a relevant product		x									
Due diligence for multiple shipments/batches		x		x		x	x			x	x

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