



TEXTS ADOPTED

P10_TA(2024)0031

Deforestation Regulation: provisions relating to the date of application

Amendments adopted by the European Parliament on 14 November 2024 on the proposal for a regulation of the European Parliament and of the Council amending Regulation (EU) 2023/1115 as regards provisions relating to the date of application (COM(2024)0452 - C10-0119/2024 - 2024/0249(COD))¹

(Ordinary legislative procedure: first reading)

¹ The matter was referred back for interinstitutional negotiations to the committee responsible, pursuant to Rule 60(4), fourth subparagraph.

Amendment 3

Proposal for a regulation

Article 1 – paragraph 1 – point -1 (new)

Regulation (EU) 2023/1115

Recital 68

Present text

(68) Furthermore, the Commission should assess the deforestation and forest degradation risk at the level of a country or parts thereof based on a range of criteria that reflect quantitative, objective and internationally recognised data, and indications that the countries are actively engaged in fighting deforestation and forest degradation. Such benchmarking information should make it easier for operators in the Union to exercise due diligence and for competent authorities to monitor and enforce compliance, while also providing an incentive for producer countries to increase the sustainability of their agricultural production systems and reduce their deforestation impact. This should help to make supply chains more transparent and sustainable. The benchmarking system should be based on a **three**-tier system for classification of countries as low, standard **or** high risk. In order to ensure appropriate transparency and clarity, the Commission should in particular make publicly available the data being used for benchmarking, the reasons for the proposed change of classification and the reply of the country concerned. For relevant products from low-risk countries

Amendment

(-1) Recital 68 is replaced by the following:

‘(68) Furthermore, the Commission should assess the deforestation and forest degradation risk at the level of a country or parts thereof based on a range of criteria that reflect quantitative, objective and internationally recognised data, and indications that the countries are actively engaged in fighting deforestation and forest degradation. Such benchmarking information should make it easier for operators in the Union to exercise due diligence and for competent authorities to monitor and enforce compliance, while also providing an incentive for producer countries to increase the sustainability of their agricultural production systems and reduce their deforestation impact. This should help to make supply chains more transparent and sustainable. The benchmarking system should be based on a **four**-tier system for classification of countries as low, standard, high **or no** risk. In order to ensure appropriate transparency and clarity, the Commission should in particular make publicly available the data being used for benchmarking, the reasons for the proposed change of classification and the reply of the country concerned. For relevant products from low-risk

or parts thereof operators should be allowed to exercise simplified due diligence. For relevant products from high-risk countries or parts thereof competent authorities should be required to apply enhanced scrutiny. The Commission should be empowered to adopt implementing acts to establish the list of countries or parts thereof that present a low or high risk.

countries or parts thereof operators should be allowed to exercise simplified due diligence. For relevant products from high-risk countries or parts thereof competent authorities should be required to apply enhanced scrutiny. ***Relevant products from no-risk countries and parts thereof should not be the subject of those conditions.*** The Commission should be empowered to adopt implementing acts to establish the list of countries or parts thereof that present a low or high risk.'

Amendment 4

Proposal for a regulation

Article 1 – paragraph 1 – point -1 a (new

Regulation (EU) 2023/1115

Recital 86

Present text

(86) Operators, traders and competent authorities should be given a reasonable period in order to prepare themselves to meet the requirements of this Regulation.

Amendment

(-1a) Recital 86 is replaced by the following:

'(86) Operators, traders and competent authorities should be given a reasonable period in order to prepare themselves to meet the requirements of this Regulation. ***In the period before the date of application, and in order to avoid any delays, the Commission should prioritise the optimisation of the platform for the exchange of information between the relevant stakeholders and the competent authorities. The Commission also undertakes***

to publish the risk classification so that the relevant stakeholders can prepare for the defined mandatory scope of this Regulation. Both the platform for the exchange of information and the risk classification should be available and fully functioning at least six months before the date of application. In the event of further delays, the date of application should be postponed accordingly.'

Amendment 5

Proposal for a regulation

Article 1 – paragraph 1 – point -1 b (new)

Regulation (EU) 2023/1115

Article 3 – introductory part

Present text

Relevant commodities and relevant products shall not be placed or made available on the market or exported, unless all the following conditions are fulfilled:

Amendment

(-1b) in Article 3 , the introductory part is replaced by the following:

'1. Relevant commodities and relevant products **from countries or parts thereof, that present a low, standard or high risk in accordance with Article 29** shall not be placed or made available on the market or exported, unless all the following conditions are fulfilled:'

Amendment 6

Proposal for a regulation

Article 1 – paragraph 1 – point -1 c (new)

Regulation (EU) 2023/1115

Article 3 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

(-1c) in Article 3, the following paragraph is added:

‘1a. Relevant commodities and relevant products from countries or parts thereof that present no risk in accordance with Article 29 shall not be placed or made available on the market or exported unless all the following conditions are fulfilled:

(a) they have been produced in accordance with the relevant legislation of the country of production; and

(b) they fulfil the documentation requirements laid down in Article 5(1a).’

Amendment 7

Proposal for a regulation

Article 1 – paragraph 1 – point -1 d(new)

Regulation (EU) 2023/1115

Article 4 – paragraph 10 a (new)

Text proposed by the Commission

Amendment

(-1d) in Article 4, the following paragraph is added:

‘10a. By way of derogation from paragraphs 1 to 10 of this Article, operators that place or make available on the market or export relevant commodities and relevant products produced in countries or parts thereof that present no risk in accordance with Article 29 shall only be required to fulfil the documentation requirements laid down in Article 5(1a). For

relevant products and parts of relevant products that have been produced in countries or parts thereof that present no risk in accordance with Article 29, operators shall exercise due diligence in accordance with paragraph 1 of this Article.'

Amendment 9

Proposal for a regulation

Article 1 – paragraph 1 – point -1 e (new)

Regulation (EU) 2023/1115

Article 5 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

(-1e) in Article 5, the following paragraph is inserted:

'1a. Operators that place or make available on the market or export relevant commodities and relevant products produced in countries or parts thereof that present no risk in accordance with Article 29 shall fulfil the documentation requirements by making the following documents available to the competent authorities upon request:

(a) trade name and type of the relevant products;

(b) the quantity of the relevant products;

(c) the country of production and, where relevant, parts thereof;

(d) the name, postal address and email address of any business or person from whom

they have been supplied with the relevant products;

(e) the name, postal address and email address of any business, operator or trader to whom the relevant products have been supplied;

(f) adequately conclusive and verifiable information that the relevant products are free of forest degradation;

(g) adequately conclusive and verifiable information that the relevant commodities have been produced in accordance with the relevant legislation of the country of production.'

Amendment 10

Proposal for a regulation

Article 1 - paragraph 1 - point -1 f (new)

Regulation (EU) 2023/1115

Article 16 - paragraph 10 a (new)

Text proposed by the Commission

Amendment

(-1f) in Article 16, the following paragraph is inserted:

'10a. Each Member State shall ensure that the annual checks carried out by its competent authorities pursuant to paragraph 1 of this Article cover at least 0,1 % of the operators placing or making available on the market or exporting relevant products that contain or have been made using relevant commodities produced in a country or parts thereof classified as no risk in accordance with Article 29.'

Amendment 11

Proposal for a regulation

Article 1 - paragraph 1 - point -1 g (new)

Regulation (EU) 2023/1115

Article 29 – paragraph 1

Present text

1. This Regulation establishes a **three**-tier system for the assessment of countries or parts thereof. For that purpose, Member States and third countries, or parts thereof, shall be classified into one of the following risk categories:

(a) ‘high risk’ refers to countries or parts thereof, for which the assessment referred to in paragraph 3 results in the identification of a high risk of producing in such countries or in parts thereof, relevant commodities for which the relevant products do not comply with Article 3, point (a);

(b) ‘low risk’ refers to countries or parts thereof, for which the assessment referred to in paragraph 3 concludes that there is sufficient assurance that instances of producing in such countries or in parts thereof, relevant commodities for which the relevant products do not comply with Article 3, point (a), are exceptional;

(c) ‘standard risk’ refers to countries or parts thereof which do not fall in either the category ‘high risk’ **or the category** ‘low

Amendment

(-1g) in Article 29, paragraph 1 is replaced by the following:

‘1. This Regulation establishes a **four**-tier system for the assessment of countries or parts thereof. For that purpose, Member States and third countries, or parts thereof, shall be classified into one of the following risk categories:

(a) ‘high risk’ refers to countries or parts thereof, for which the assessment referred to in paragraph 3 results in the identification of a high risk of producing in such countries or in parts thereof, relevant commodities for which the relevant products do not comply with Article 3, point (a);

(b) ‘low risk’ refers to countries or parts thereof, for which the assessment referred to in paragraph 3 concludes that there is sufficient assurance that instances of producing in such countries or in parts thereof, relevant commodities for which the relevant products do not comply with Article 3, point (a), are exceptional;

(c) ‘standard risk’ refers to countries or parts thereof which do not fall in either the category ‘high risk’, ‘low risk’ **or the**

risk.

category 'no risk;

(ca) 'no risk' refers to countries or parts thereof that meet the following assessment criteria:

(i) forest area development has remained stable or has increased compared to 1990;

(ii) the Paris Agreement and international conventions on human rights and on preventing deforestation have been signed by those countries and parts thereof;

(iii) regulations on preventing deforestation and forest conservation at national level are strictly implemented and enforced in full transparency and monitored.'