



# EUDR: Will the p&p industry be able to tame the bureaucratic monster?

## Season 3

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- Previously in EUDR (what's new since the last AFVP event in June 2024)?
- What is practically expected from the companies?
- What are the main remaining problems?
- Will the file still evolve at political level?

# What's new?

## 2024

- 2 versions of the Information System put on line on December 5th
  - LIVE (ou TRACES) official site
  - ACCEPTANCE for rehearsal
- Implementation regulation UE 2024/3084 published on December 6th (Information System).
- Regulation UE 2024/3234 published on December 23 (postponement of 1 year)

# What's new?

## 2025

- 4th version of the FAQ and 2nd version of the Guidance published on April 15th (simplifications)
  - Delegated Act on appendix I (public consultation until May 13th). Not published yet (practical questions: samples, waste, packaging...).
  - Country benchmarking, published on May 23
- + technical documents throughout 2024 and 2025 (users' manual of the IS, specifications of the API, specification of the GeoJSON....)

# What is expected from the companies?

- Requirements are different for:
  - ✓ upstream and downstream operators.
  - ✓ SMEs and non SMEs operators (this distinction applies to downstream operators only).

- **Upstream operator** = places a product on the EU market (= no Due Diligence before)

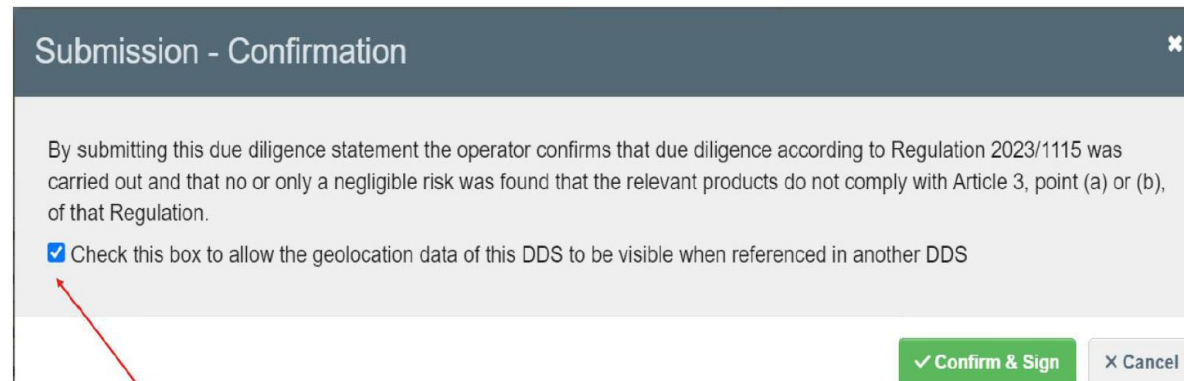
Example = a papermaker in France imports pulp from Brazil.

- **Downstream operator** = places on the EU market a product whose « *components of ingredients (all of them) have previously been subject to a DD* » (FAQ 3.4).

Example = a papermaker in France purchases pulp produced in France, imported from Sweden or purchased to a legal entity in the EU that has already made the DDS for non-EU pulp.

# What is expected from the companies?

- **Upstream operators** (be it a SME or a non-SME) have to:
  - ✓ Carry out a DD (Collect information (art. 9) and, if necessary, risk analysis and risk mitigation).
  - ✓ Submit a DD Statement in the IS before selling products (art. 4.2, FAQ 3.1).
- The upstream operator decides if geolocation data will be kept hidden (or not) (FAQ 3.6, FAQ 7.7).



Submission - Confirmation

By submitting this due diligence statement the operator confirms that due diligence according to Regulation 2023/1115 was carried out and that no or only a negligible risk was found that the relevant products do not comply with Article 3, point (a) or (b), of that Regulation.

☒ Check this box to allow the geolocation data of this DDS to be visible when referenced in another DDS

✓ Confirm & Sign X Cancel

# What is expected from the companies?

- **Non-SME downstream operator :**

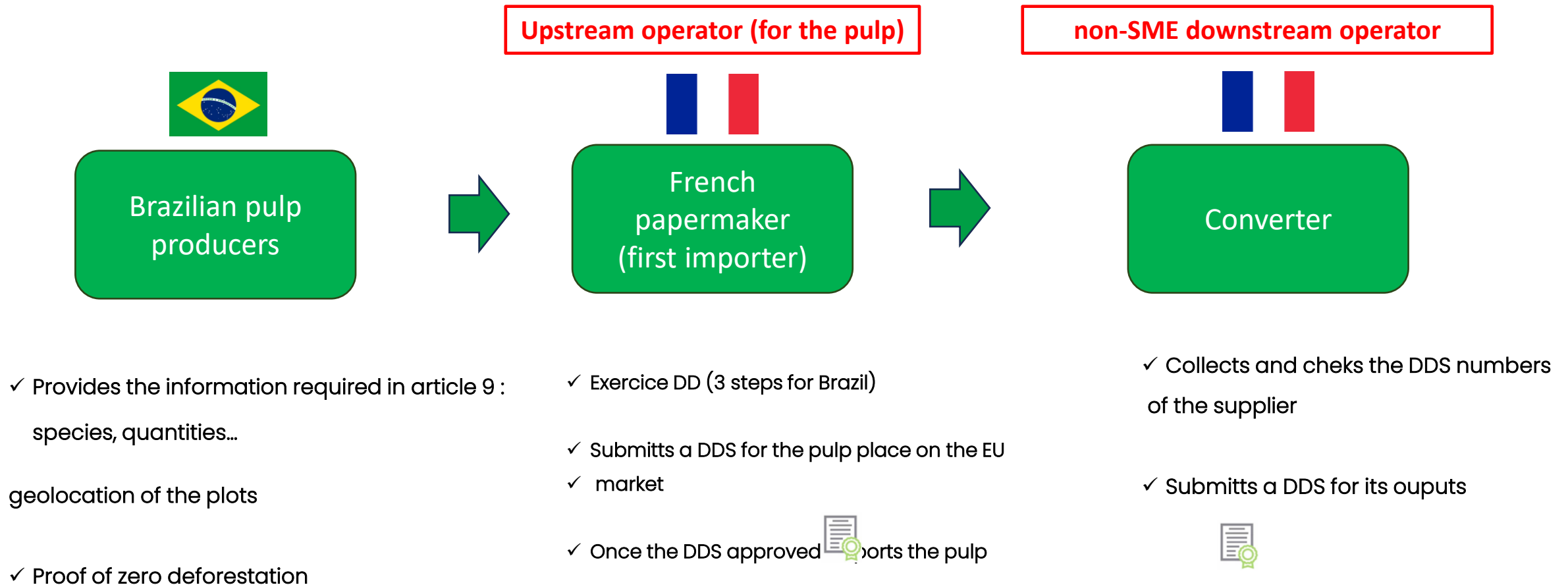
- ✓ **Ascertains** that the DD of the pulp has been done by (i) collecting 2 numbers (DDS reference number and DDS verification number) and (ii) by checking the validity of the DDS

- ✓ **Submits a DDS** for the paper reels it produces

- As non-SME papermakers retain legal responsibility, they **could decide** to take further steps (require further information, make audits ...).

- Non-SME papermakers do not have to collect information required by Art. 9 EUDR (**including geolocation**).

# What is expected from the companies?





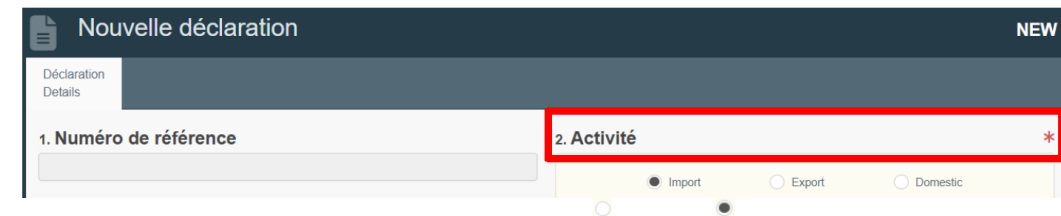
# What is expected from the companies?

- **SME downstream operator :**
  - ✓ Holds a register of the suppliers and customers
  - ✓ Store these data for 5 years
  - ✓ Made the data available to competent authorities
  - ✓ Send to their customers the « DDS numbers » of the raw material that purchase (and that are associated to the products they sell)
- SME operators retain the legal responsibility of the products they sell (FAQ 3.5) (pb of legal consistency)
- Remark: customers may on SME downstream operators will have difficult time(ex: pulp producers vis-à-vis sawmills selling chips, converters vis-à-vis SME papermakers, odd situation of a « chain of downstream operators »).

# What is expected from the companies?

## Frequency of the DDS (FAQ 5.19)

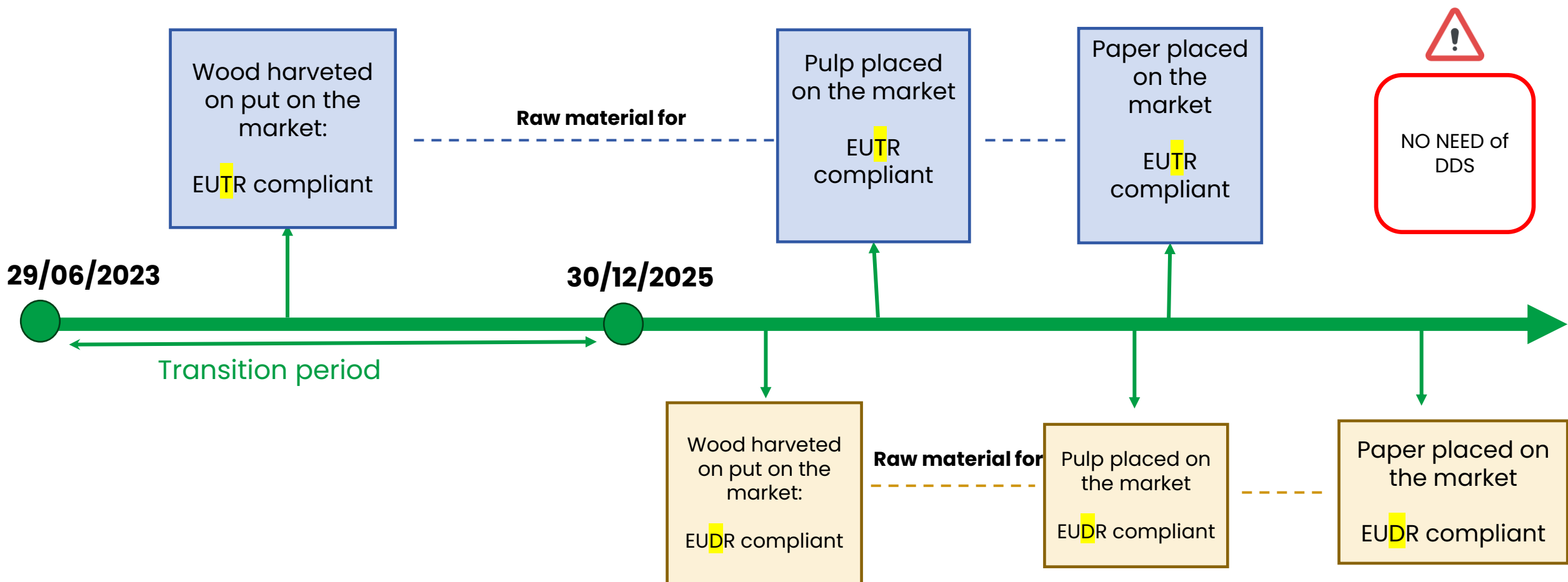
- One DDS can cover multiple physical batches/shipments of multiple different products (but the validity is maximum one year).
- The DDS has to be submitted to the IS before the product is placed on the market
- Once the volume mentioned in the DDS is equal to the volume of products placed on the market, a new DDS has to be submitted.
- If the location of the sale is not known when the DDS is submitted, it is possible to register as « export »



The screenshot shows a web form titled 'Nouvelle déclaration' with a 'NEW' button in the top right corner. Below the title is a 'Déclaration Details' section. The form contains two main input fields: '1. Numéro de référence' and '2. Activité'. The '2. Activité' field is highlighted with a red rectangular box. Below the '2. Activité' field, there are three radio buttons labeled 'Import', 'Export', and 'Domestic'. The 'Import' radio button is currently selected.

# What is expected from the companies?

## The issue of the transition period



# What are the remaining problems?

- Legal risk for companies (huge gap between the FAQ and the EUDR).
- Process of DD for the import from countries that are not at « low risk ».
- Management of the system by the SMEs.
- Interfaces between the operators along a value chain.
- Still open questions on the « workability » of the IS.

# Will this file still evolve at political level?

- The answer is: very likely
  - ✓ Several regulation adopted in the frame of the Green Deal are subject to changes (CSRD, CS3D).
  - ✓ In May, 19 Ministries of Agriculture asked for a simplification of the EUDR.
  - ✓ This week, the right wing of the European Parliament had a similar request.
  - ✓ Disatisfaction of some countries (US, China, Brazil....).
  - ✓ Pressure from trade associations (even if some companies see the possibility to manage complexity as a commercial advantage).
- Difficult to predict how it will evolve, but the series is not over.

# Questions





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