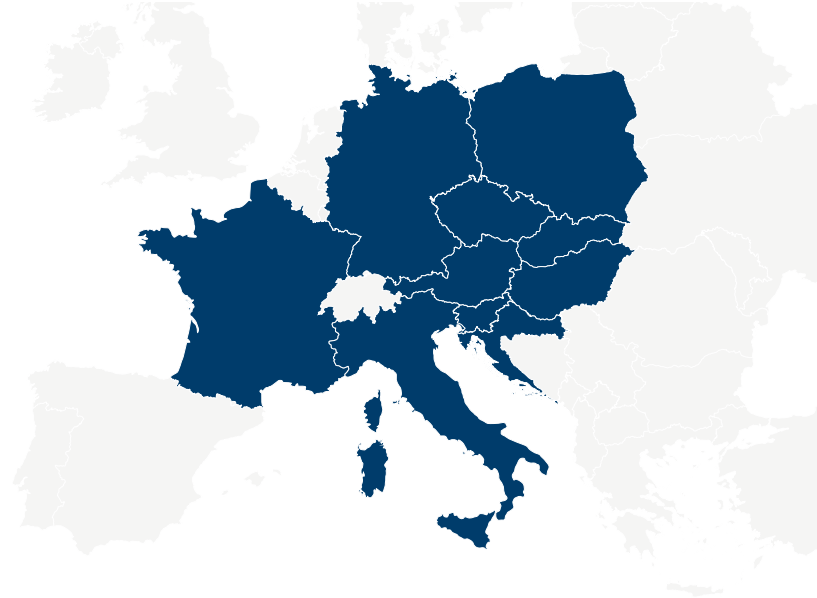


European Commission
Commissioner
Jessika Roswall
Rue de la Loi/Wetstraat 200
1049 Bruxelles/Brussel
BELGIUM



12 March 2026

Dear Commissioner Roswall,

We would like to express our appreciation to you and your Cabinet for your efforts in achieving both the postponement and the substantive correction of the EUDR. These steps were important to address the practical challenges identified by many stakeholders and were widely welcomed across the sector.

As the European Commission is now mandated to present further simplification measures, we would like to share our perspective from industry practice. From our point of view, the current discussions do not yet fully make use of the available room for manoeuvre to effectively reduce administrative burdens. We are concerned that, despite the legislative progress achieved at the end of last year, unnecessary complexity may remain in the practical implementation of the Regulation.

In this context, we would like to reiterate the need for further simplifications of the EUDR:

1. Definition of first downstream operator

It is necessary to clarify the status of undertakings that are both placing on the market a commodity or product for the first time (e.g. EU-based primary producers or first importers) and processing it into a product under a different CN code.

If the two operations are performed by two different legal entities under the same company group, it should be made explicit that the entity first placing on the market the commodity or product is an operator and the entity further processing it is a first downstream operator, even when there is not a change of ownership between the two entities.

When the two activities are carried out by the same legal entity, it should be made clear that:

1. the company is both operator and downstream operator;
2. the entity shall submit a DDS only for those operations for which it is an operator (first placing on the EU market or import) and
3. the company, being both operator and downstream operator, does not have the duty to pass on reference numbers to clients. This would avoid uneven, structure-dependent implementation and excessive pass-through of reference numbers.

2. Registration of non-SME downstream operators

Non-SME downstream operators are required to register in the EU Information System, even though they are no longer obliged to submit their own due diligence statements. This registration requirement should therefore be reconsidered and removed, as it creates administrative obligations without adding practical value.

3. Obligations in cases of substantiated concerns

Non-SME downstream operators are required, in cases of substantiated concerns, to verify that due diligence has been exercised. In practice, this results in large companies continuing to conduct due diligence despite being formally exempt. This obligation does not fully align with the logic of the revised EUDR and risks limiting the intended reduction of administrative burdens. We therefore believe that further clarification or adjustment would be appropriate. Nevertheless, the assessment and investigation of suspected cases should remain the responsibility of the competent authorities.

4. Verification of supplier status

How can a company determine whether it qualifies as a downstream operator or a first downstream operator? The definition of first downstream operator is dependent on the supply chain upstream: the same company can have multiple roles at the same time depending on the supply chain role of the different suppliers and may even vary from one delivery to another from the same supplier, depending on this supplier's role in the supply chain for each delivery (for example, the same supplier can one time be an operator, while another time a first downstream operator).

Only first downstream operators have the obligation to collect the DDS reference numbers received from operators. From the text of the Regulation, it is evident that the co-legislators did not opt for a more pro-active requirement such as 'request' or 'obtain', but rather the more passive term 'collect' while a more active obligation to 'share' has been placed upon operators in Article 4.7.

It should be therefore clarified that the responsibility to inform about first downstream operator status lies with the supplier upstream who has the operator status. Companies should not be required to proactively ask their suppliers whether they are considered a first downstream operator or a downstream operator and should not be considered responsible for misidentification of their own role if that is caused by incomplete or incorrect information provided by the supplier.

It should be also clarified if and under which circumstances first downstream operators will be able to access the DDS of the operator via reference and verification numbers.

5. Adjustment of the transitional provisions

The current transitional framework imposes retroactive obligations on timber lawfully produced before 29 June 2023. EUDR compliance cannot be met retrospectively, and the sell-through period until 2029 is unrealistic under current market conditions. The framework should therefore be adjusted so that pre-cut-off, EUTR-compliant timber can continue to be marketed without additional burdens or with a significantly extended timeframe. It must also be clarified that relevant products manufactured during the transition period between 06/23 and 12/26 can still be placed on the market without restrictions after 2029.

6. Corrective measures under Article 24

Article 24 imposes corrective actions that cannot be realistically applied to complex, multi-stage timber value chains, particularly for products already processed or placed on the market. This results in an enforcement paradox that undermines proportionality and legal certainty. The Commission should therefore introduce alternative, proportionate corrective measures tailored to the sector in order to ensure practical enforceability while maintaining the Regulation's environmental objectives.

7. Facilitation for imports from third countries without deforestation risk

In various negotiations between the EU and its trading partners, concessions were made in 2025 for simplifications in the EUDR. In its current form, however, there are no simplifications in terms of the amount of data to be provided, even if the risk of deforestation is low. The involvement of trading partners or adjustments to definitions, e.g., of references to land parcels, could represent important concessions here and help to contain trade conflicts before they arise.

These adjustments would allow the revised EUDR to fully deliver on its objective of reducing unnecessary bureaucracy. From our perspective, they constitute primarily technical or editorial clarifications rather than substantive changes to the Regulation. However, they are highly relevant for companies in their day-to-day implementation.

We sincerely appreciate your continued attention to this matter and remain at your and your Cabinet's disposal for any further questions or discussion. We would very much welcome the opportunity to continue this exchange.

Yours sincerely,

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Chairman


Mag. Heinrich Sigmund, MSc.
Managing Director

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Marijan Kavran
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