



WWF Questionnaire to Certification Standard Setting Bodies / Certification Bodies Associated with Asia Pulp & Paper: PEFC; SGS; LEI; TUV Rheinland; AFNOR and EU Ecolabel

15 February 2012

In a press release on December 14, 2011, Asia Pulp & Paper (APP) called on WWF International to disassociate itself from *The Truth Behind APP's Greenwash*, a December 2011 report of Sumatra NGO coalition "Eyes on the Forest (EoF)". The APP release contained the claim:

"In fact, APP is regularly assessed and certified by many of the world's leading authorities on sustainable forest management and environmental auditors - including Geneva-based SGS, TUV, AFNOR, the official French auditors for the European 'EcoLabel', PHPL, Indonesian sustainable forest management standard, LEI, Indonesian voluntary sustainable forest management standard, and PEFC Chain-of-Custody, the world's largest forest certification program."

WWF International has thus decided to verify whether the above mentioned organisations agree to the claim that they demonstrate APP's sustainability and whether their certifications can help APP deny any of the issues raised by the Eyes on the Forest and other NGOs.

The bodies contacted were:

- **PEFC** (Programme for the Endorsement of Forest Certification) - standard setting body and acts as an umbrella organization that endorses national forest certification systems. Certification of compliance with PEFC-endorsed standards is not carried out by PEFC itself, but by independent third parties, accredited certification bodies. PEFC requires certification bodies to be accredited by their respective national accreditation (which in turn must be members of the International Accreditation Forum (IAF)). If certification bodies meet the respective requirements by PEFC, they get "notified" by PEFC.¹
- **SGS** - accredited certification body, notified by PEFC. It audited and certified some of APP's operations in Indonesia against the PEFC Chain of Custody (**CoC**) and non-controversial wood standard. It is also standard setting and evaluation body of the SGS' own "Timber Legality & Traceability Verification (**TLTV**)" service².
- **LEI** (Lembaga Ekolabel Indonesia) - standard setting body that accredits certification bodies to audit and issue certificates against its LEI standards³.
- **TUV Rheinland** - accredited certification body who audited and certified some of APP's operations in Indonesia against the LEI standards in Indonesia⁴.
- **EU Ecolabel** - Set up by an European Commission regulation, the European Union Ecolabelling Board (EUEB) is the standard setting body, and each Member State designates a competent body to apply the regulation, and verify companies' application to the ecolabel⁵.
- **AFNOR** - competent body designated by France to verify applications to the EU Ecolabel from companies in France (see above)⁶.

This document contains:

1. WWF's questionnaire to the above organisations.
2. Summary table of WWF interpretations of their responses and some key quotes.
3. Collation of their original responses.

¹ <http://www.pefc.org>

² <http://www.sustainability.sgs.com/> for Chain of Custody audits. <http://www.public-sector.sgs.com/en/Monitoring-Services/Timber-Traceability-and-Legality/Timber-Legality-Audits.aspx> for TLTV audits

³ <http://www.lei.or.id>

⁴ <http://www.tuv.com>

⁵ <http://ec.europa.eu/environment/ecolabel/> and EC regulation on <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2010:027:0001:0019:EN:PDF>

⁶ <http://www.afnor.org/>

1. WWF questionnaire to PEFC, SGS, LEI, TUV Rheinland and AFNOR sent on 20th December 2011

Dear Sir/Madam,

On 14 December 2011, the Sinar Mas Group's Asia Pulp & Paper company published the following as part of its global marketing campaign:

"APP is regularly assessed and certified by many of the world's leading authorities on sustainable forest management and environmental auditors - including Geneva-based SGS, TUV, AFNOR, the official French auditors for the European 'EcoLabel', PHPL, Indonesian sustainable forest management standard, LEI, Indonesian voluntary sustainable forest management standard, and PEFC Chain-of-Custody, the world's largest forest certification program."

The WWF Global Network would like to verify the extent of these claims and kindly requests clarification of the questions below. WWF intends to publish the answers as part of an analysis of APP's sustainability claims. If WWF does not receive an answer it will publish your answer as "no comment".

1. Exactly which certification(s) have you issued to APP? Please provide title(s) and certificate number(s).
2. Does your certification assessment cover **all APP operations**? If no, please specify which operations are covered by your certificate(s).
3. Does your certification assessment cover **all APP products**? If no please specify which products are covered by your certificate(s).
4. Do you agree with APP 's claim that your certification of APP products or operations **demonstrates APP's sustainability**?
5. Does your certification of APP products or operations **demonstrate the legality of forest operations from which APP or its supplier sources fiber**? If so, please specify for what aspects of legality.
6. Does your certification assessment for products or operations claim to verify that **no natural forests with high conservation value or located on deep peat (above 3 m) are cleared** by APP or its suppliers, and that communities with customary rights over forests cleared by APP and/or any of APP's suppliers have **granted their free prior informed consent to those forests being cleared**?
7. Does your certification assessment for products or operations claim to verify that APP or its supplier **plantation fiber sources were established without clearing of natural forests with high conservation value or located on deep peat (above 3 m)** and that communities with customary rights over forests cleared by APP and/or any of APP's suppliers **have granted their free prior informed consent to those forests being cleared**?

We are looking forward to your answers to help us assess the sustainability of APP's operations.

Yours sincerely,

Emmanuelle Neyroumande, Pulp and Paper Strategy Manager, WWF International

2. WWF summary of their responses with some key quotes (in italic text).

	What certification(s) did you issue? What is the scope of audit and certification(s)? (All operations? All products?) (WWF questions 1-3)	Does the certification demonstrate APP's sustainability? (Q4)	Does the certification demonstrate legality of forest operations from which APP or its suppliers source wood?(Q5)	Does the certification audit verify the absence of critical sustainability and legality issues related to natural forest wood sourcing? ¹ (Q6)	Does the certification audit verify the absence of critical sustainability and legality issues related to plantation establishment for plantation wood sourcing? (Q7)		
					Conversion of HCVF	Conversion on peat more than 3 meters	Conversion without FPIC
PEFC	See SGS answer below.	No. <i>"PEFC Chain of Custody cannot be claimed to demonstrate a company's sustainability."</i>	"Not applicable" question, according to PEFC ²	"Not applicable" question, according to PEFC ²	"Not applicable" question, according to PEFC ²		
SGS	<p>TLTV Audit Statements and PEFC CoC Certificates³. Not all operations, not all products.</p> <p><i>"The TLTV evaluations by SGS do not cover all the APP forestry operations in Indonesia."</i> TLTV certifications were given to most but not all of APP associated plantations⁴ and to no operation in natural forest⁵.</p> <p>PEFC certificates only relate to Chain of Custody (CoC) for 8 paper mills (see SGS table further below)⁶. PEFC CoC audits include a "non-controversial wood manufacturing" audit of 2 pulp mills, but covering only the wood used for the manufacturing of PEFC products in question⁷, thus these do not cover any product containing Mixed Tropical Hardwoods, <i>"which are not allowed to be used in production of PEFC products"</i>⁸.</p>	<p>No.</p> <p><i>"The SGS certificates/statements do not support the claim of "sustainability"."</i></p> <p><i>" TLTV simply confirms legal compliance. The PEFC CoC certificates they hold also do not provide any assurance of their own "sustainability" since these are simply chain of custody and nothing more."</i>⁹</p>	<p>Yes for TLTV verified plantations.</p> <p><i>"The SGS TLTV evaluations undertaken by SGS covered the plantation operations of APP, but these do not cover the operations in natural tropical forests"</i></p> <p>No answer regarding PEFC COC and non-controversial wood manufacturing audit.</p>	<p>No.</p> <p>None of the SGS evaluations/audits therefore statements/certifications cover APP natural forest sourcing in Indonesia.^{5, 8, 10}</p>	<p>No.</p> <p>"The SGS TLTV evaluations are restricted to legal compliance."</p> <p>No answer regarding PEFC COC and non-controversial wood manufacturing audit.</p>	<p>Yes.</p> <p>Plantations on peat deeper than 3 meters were found but certified, while admitting controversy as legal prohibition lacks key definition.¹¹</p>	<p>No</p> <p>Not covered by SGS TLTV evaluations.¹²</p> <p>No answer regarding PEFC COC and non-controversial wood manufacturing audit.</p>

	What certification(s) did you issue? What is the scope of audit and certification(s)? (All operations? All products?) (WWF questions 1-3)	Does the certification demonstrate APP's sustainability? (Q4)	Does the certification demonstrate legality of forest operations from which APP or its suppliers source wood?(Q5)	Does the certification audit verify the absence of critical sustainability and legality issues related to natural forest wood sourcing? ¹ (Q6)	Does the certification audit verify the absence of critical sustainability and legality issues related to plantation establishment for plantation wood sourcing? (Q7)		
					Conversion of HCVF	Conversion on peat more than 3 meters	Conversion without FPIC
LEI	See TUV answer below. <i>"We do not have data of all APP operations." "We do not have data about all APP's products."</i>	Partially, yes. <i>"Current sustainability claims from LEI's certification valid only for those companies that passed assessment under LEI's standard."</i>	Yes for certified plantations, though no detail on what aspects of legality are verified. ¹³	No. LEI certificates are not issued for APP's operations in natural forests ¹⁴	Not covered by LEI standard¹⁵		
TUV	LEI CoC certificates (5 companies) & LEI Sustainable Timber Plantation Management Certificates (6 companies). ¹⁶ Not all operations, not all products.	No direct response but reference to sustainability as a "process." ¹⁷	Yes for certified plantations, no for CoC certificates. ¹⁸	No direct response	No direct response		
AFNOR	EU Ecolabel «Copying and graphic paper» certification. Not all operations, not all products. Only two photocopy paper products of PT Pindo Deli, APP subsidiary. ¹⁹	No direct response. ^{20, 21}	No direct response	No direct response	No direct response		

3. Responses from the bodies contacted

A. Response from PEFC

First reply by PEFC on 9 January 2012:

„The questions posed in the letter concern the scope of certificates as well as the certification assessment. As a standard setting body PEFC does not perform certification assessments, nor do we issue certificates. The certification process is independent from PEFC and performed by accredited certification bodies, which are best placed to respond to your detailed questions. I am assuming that your questions specifically concern APP operations in Indonesia, for which the certificates were issued by SGS South Africa (Pty) – Qualifor Programme. From your letter I gather that you contacted all organizations mentioned by APP, including SGS. The response by SGS to your question should therefore contain all the necessary information requested with respect to PEFC certificates issued to APP in Indonesia . Please note information on PEFC chain of custody certificates issued in Indonesia can also be found on http://register.pefc.cz/RESULT1.asp?COUNTRY_CODE=52&TYPE_OF_CERTIFICATION=COCC&OPERATION=_&ORGANISATION_NAME=&CERTIFICATION_NUMBER=&CERTIFICATION_BODY_NAME=_&fstatus=valid&B1=Search+now and the PEFC Chain of Custody standard, detailing the requirements of the standard against which companies are certified is available on <http://pefc.org/standards/technical-documentation/pefc-international-standards-2010/item/673> „

Second reply PEFC on 10 January 2012 following WWFs request for further information:

„As a standard setting body aligned with ISO requirements, we must respect the clear separation of standard setting, certification and accreditation. While it is of utmost importance to PEFC as a standard setting body that claims made by certified entities are correct and do not misrepresent the scope of their PEFC certificate, we need to remain impartial to the business conducted outside of the scope of PEFC certification. Thus when it comes to the statement you provided us with, we must consequently limit ourselves to assessing whether or not it is technically correct. From a technical point of view, the statement that “APP is [...] certified by many of the world’s leading authorities on sustainable forest management [...] including PEFC Chain of Custody [...]” could certainly be improved by specifying for example that “APP has obtained certification for compliance with PEFC Chain of Custody standard requirements from SGS South Africa (Pty) – Qualifor Programme for the following production lines.....”, yet we cannot prohibit a company from claiming that they have obtained PEFC Chain of Custody certification where they have been found to be in compliance with the requirements laid out in the standard by an independent third party accredited certification body. I’d like to ask you for your understanding that PEFC as a standard setting body cannot comment on what it “thinks” about specific companies, but is required to operate within the scope of certification and the tools it provides. We are certainly concerned by accusations against APP concerning its compliance with requirements laid out in the PEFC Chain of Custody standard, and you will be aware that PEFC has already filed two complaints with SGS South Africa (PTY) – Qualifor Programme (in addition to an on-going request for investigation) concerning APP’s PEFC Chain of Custody certifications. These complaints could not be substantiated (see e.g. <http://www.pefc.org/index.php/news-a-media/general-sfm-news/news-detail/item/786-pefc-publishes-results-of-complaint-against-app> for the most recent complaint and <http://www.pefc.org/index.php/news-a-media/general-sfm-news/news-detail/item/804-pefc-requests-investigation-of-recent-greenpeace-allegations> for the ongoing investigation). „

Third reply by PEFC on 18 January 2012 following WWFs request for further information:

„Please note that the comment in the table concerning PEFC “No direct response, deferred to certifying body” is misleading as these questions concern the scope of certificates and certification assessments, which are performed by certification bodies and not by PEFC. Kindly modify the table accordingly. The one question that does not cover the scope of CB’s certificates or its certification assessment is as to whether “our certification

of APP products or operations demonstrates APP's sustainability" (question 4). PEFC Chain of Custody cannot be claimed to demonstrate a company's sustainability. Chain of Custody certification provides customers of forest based products with accurate and verifiable information on the content of material originating in PEFC certified, sustainably managed forests or recycled material. „

B. Response from SGS on 11 of January 2012 and a summary table of what they have certified TLTV and PEFC COC received on 25 of January 2012

Part of the response was excluded from publication at SGS's request.

„...The public statements you have mentioned by APP were as far as we are aware made without reference or consultation from us as a certifier to this organisation, therefore these statements should be verified with APP directly. However as a preliminary clarification to the points raised in your request, it may be worth stressing out that FSC disassociated from APP some years ago and in terms of this no APP company (and any company in which they own more than 50%) holds any form of an FSC certificate. SGS has therefore only conducted TLTV audits and issued TLTV statements for most of their plantation operations in Indonesia. APP also hold a number of PEFC CoC certificates, issued by SGS.”

“1. None of the TLTV evaluations conducted by SGS and the statements issued by SGS provide the company with the right to claim that their operations are “sustainable forest management”. TLTV simply confirms legal compliance. The PEFC CoC certificates they hold also do not provide any assurance of their own “sustainability” since these are simply chain of custody and nothing more. The PEFC certified material they use in their production, thus enabling them to make PEFC certification claims, is all imported from outside Indonesia as by our understanding there are no PEFC certified forests in Indonesia.

2. The TLTV evaluations by SGS do not cover all the APP forestry operations in Indonesia.

3. The only products covered by SGS certificates are as defined by the PEFC CoC scheme and we would assume this would definitely not cover products such as mixed tropical hardwood which are not allowed to be used in the production of PEFC products.

4. The SGS certificates/statements do not support the claim of “sustainability”.

5. The SGS TLTV evaluations undertaken by SGS covered the plantation operations of APP , but these do not cover the operations in natural tropical forests.

6. The SGS evaluations are restricted to existing plantation operations and do not extend to the areas that may be converted from natural forests. The question of planting of areas on peat deeper than 3m has been evaluated by SGS and whilst there is evidence of such plantings, these have been approved by the government. The Indonesian law prescribes “3m peat in upstream situations” without providing a definition of what “upstream” means. The SGS TLTV evaluations are restricted to legal compliance and whilst the legal requirements of Indonesia require environmental and social impact assessments before a license is awarded, these evaluations do not cover “free prior informed consent” processes. „

Table provided by SGS: “APP Group – List of services in Indonesia”

No.	Company name	Standard	Type of audit	Location	Output	Remarks
1	Arara Abadi, PT	TLTV - LP - VLC and LEI/LOV	Verification of legal compliance (TLTV) and Verification of origin chain of custody against the customized benchmark standard of LEI	Riau, Indonesia	Audit Statement	yearly audit
2	Satria Perkasa Agung , PT	TLTV - LP - VLC and LEI/LOV	Verification of legal compliance (TLTV) and Verification of origin chain of custody against the customized benchmark standard of LEI	Riau, Indonesia	Audit Statement	
3	Perawang Sukses Perkasa Industri, PT	TLTV - LP - VLC and LEI/LOV	Verification of legal compliance (TLTV) and Verification of origin chain of custody against the customized benchmark standard of LEI	Riau, Indonesia	Audit Statement	
4	Mitra Hutani Jaya , PT	TLTV - LP - VLC and LEI/LOV	Verification of legal compliance (TLTV) and Verification of origin chain of custody against the customized benchmark standard of LEI	Riau, Indonesia	Audit Statement	
5	Satria Perkasa Agung II, PT	TLTV - LP - VLC and LEI/LOV	Verification of legal compliance (TLTV) and Verification of origin chain of custody against the customized benchmark standard of LEI	Riau, Indonesia	Audit Statement	
6	Bina Duta Laksana, PT	TLTV - LP - VLO and LEI/LOV	Verification of legal compliance (TLTV) and Verification of origin chain of custody against the customized benchmark standard of LEI	Riau, Indonesia	Audit Statement	
7	Sebangun Bumi Andalas, PT	TLTV - LP - VLC and LEI/LOV	Verification of legal compliance (TLTV) and Verification of origin chain of custody against the customized benchmark standard of LEI	South Sumatera	Audit Statement	
8	Bumi Andalas Permai, PT	TLTV - LP - VLC and LEI/LOV	Verification of legal compliance (TLTV) and Verification of origin chain of custody against the customized benchmark standard of LEI	South Sumatera	Audit Statement	
9	Bumi Mekar Hijau, PT	TLTV - LP - VLC and LEI/LOV	Verification of legal compliance (TLTV) and Verification of origin chain of custody against the customized benchmark standard of LEI	South Sumatera	Audit Statement	
10	Sumber Hijau Permai, PT	TLTV - LP - VLC and LEI/LOV	Verification of legal compliance (TLTV) and Verification of origin chain of custody against the customized benchmark standard of LEI	South Sumatera	Audit Statement	
21	Pabrik Kertas Tjiwi Kimia, PT	PEFC Chain of Custody	PEFC COC Certification	Surabaya, Indonesia	PEFC Chain of Custody Certificate	certificate valid 5 years
22	Indah Kiat Perawang, PT	PEFC Chain of Custody	PEFC COC Certification	Perawang, Indonesia	FSC Chain of Custody Certificate	certificate valid 5 years
23	Lontar Papyrus, PT	CBS audit base on requirements from PEFC	Non-controversial wood manufacturing		Audit Statement	yearly audit
24	Indah Kiat Pulp and Paper, PT	CBS audit base on requirements from PEFC	Non-controversial wood manufacturing		Audit Statement	yearly audit
25	Lontar Papyrus, PT	PEFC Chain of Custody	PEFC COC Certification	Jambi, Indonesia	PEFC Chain of Custody Certificate	certificate valid 5 years
26	Pindo Deli Pulp and Paper, PT	PEFC Chain of Custody	PEFC COC Certification	Karawang, Indonesia	PEFC Chain of Custody Certificate	certificate valid 5 years
27	Indah Kiat Tangerang, PT	PEFC Chain of Custody	PEFC COC Certification	Tangerang, Indonesia	PEFC Chain of Custody Certificate	certificate valid 5 years
28	Indah Kiat Serang, PT	PEFC Chain of Custody	PEFC COC Certification	Serang, Indonesia	PEFC Chain of Custody Certificate	certificate valid 5 years
29	Pindo Deli Pulp and Paper, PT - Karawang	PEFC Chain of Custody	PEFC COC Certification		PEFC Chain of Custody Certificate	certificate valid 5 years
30	The Univenus	PEFC Chain of Custody	PEFC COC Certification	Perawang, Indonesia	PEFC Chain of Custody Certificate	certificate valid 5 years

C. Response from LEI on 29 December 2011

Firstly I would like to make clarification on LEI's role in forest certification in Indonesia. LEI is constituent-based organization which develops a voluntary forest certification standards and chain of custody standards and serves as accreditation body for certification bodies. Certificate of forest management operation or products of companies issued by certification body who assessed that company using the LEI's standard. Therefore this answer is on perspective of LEI as standard developer and for assessment details you can please contact the certification body PT. TUV Rheinland Indonesia (www.tuv.com) who conducted assessments for companies under APP group.

1. Please refer to certification body
2. We do not have data of all APP operations. Forest companies under APP group that holding certificate under LEI standard are: PT Wira Karya Sakti (Jambi Province), PT Finantara Intiga (West Kalimantan Province), PT Surya Hutani Jaya (East Kalimantan Province), PT Rimba Hutani Mas (Jambi Province), PT Bukit Batu Hutani Alam (Riau Province) and PT Sekato Pratama Makmur (Riau Province).
3. We do not have data about all APP's products. Companies under APP group holding CoC (chain of custody) certificate of LEI's standard are: PT Pindo Deli, located in Karawang-West Java Province (producing paper product and tissue paper), PT Pindo Deli, located in Perawang-Riau Province (producing tissue paper), PT Tjiwi Kimia, located in Mojokerto-East Java Province (producing paper product), PT Lontar Papyrus, located in Jambi Province (producing pulp), PT Indah Kiat Pulp and Paper, located in Riau Province (producing pulp and paper).
4. Currently sustainability claims from LEI's certification valid only for those companies that passed assessment process under LEI's standards, as mentioned in number 2 and 3.
5. The LEI's standard applied only for company as a legal entity that holding a legal permit from Government of Republic of Indonesia for operating in Indonesia. LEI standard was developed under consensus among stakeholders on the sustainability objectives, it doesn't rely on government regulations on company operations or products even though in the assessment those companies must able to demonstrate their obedience to any government regulations related to their operations or products.
- 6 & 7. Those above forest companies at number 2 were granted Forestry Ministerial Decrees more than 7 years ago as legal basis for their operations. The assessments were conducted after they already established as plantation forest and their management practices were entering the second period forward of their harvest rotations. The assessment report of certification body said that those companies have established some part of their forest concession area as a protected area including natural forest and deep peat as it stipulated in the government regulation on protected area within forest concession area. Nevertheless the decision to establish forest plantation in certain area, either it was converting natural forest with HCVF or deep peat and how it was conducted in it relation to the FPIC is beyond the LEI's standard coverage. The LEI standard was developed to assess the existing forest management practices on forest concession after the management of plantation forest had been established; the LEI's standard doesn't cover the establishment process of the forest concession.

I hope this help you answer the questions.

Your sincerely,

D. Response from TUV Rheinland on 9 January 2012

Thank you for your letter, which I unfortunately can only answer today.

After having spoken to our colleagues in Indonesia, please find our answers below. Please note that you in general can see all certification on our "TUVdotCom"-Service-Website (<http://www.tuvdotcom.com>). On a general note I would like to stress that we are not certifying products in these project but rather processes and managerial procedures (in other words: "systems"). Therefore a number of your questions do not really apply to the tasks performed by us.

TUV Rheinland Indonesia has issued certificates to the following entities:

Company	Type of Certification/ Standard	Standard used	Number certificate
PT. Indah Kiat Pulp and Paper	chain of custody	LEI CoC	824 301 09001
PT. Lontar Papyrus Pulp and paper Industries	chain of custody	LEI CoC	824 301 09002
PT. Pindo Deli - Karawang	chain of custody	LEI CoC	824 301 09004
PT. Pindo Deli - Perawang	chain of custody	LEI CoC	824 301 09005
PT. Tjiwi Kimia	chain of custody	LEI CoC	824 301 09003
PT. Wirakarya Sakti	Sustainable timber plantation management	LEI Standard	824 300 08001 and 824 300 10001
PT. Surya Hutani Jaya	Sustainable timber plantation management	LEI Standard	TRID-PHTL-004
PT. Finnantara Intiga	Sustainable timber plantation management	LEI Standard	TRID-PHTL-003
PT. Bukit Batu Hutani Alam	Sustainable timber plantation management	LEI Standard	TRID-PHTL-005
PT. Sakato Pratama Makmur	Sustainable timber plantation management	LEI Standard	TRID-PHTL-006
PT. Rimba Hutani Mas	Sustainable timber plantation management	LEI Standard	TRID-PHTL-007

As you can see, only system audits and certifications are performed.

TUV Rheinland Indonesia covers the certification according to the LEI scheme on CoC and the LEI scheme on Forest Management certification. The assessment focuses on ensuring the company's compliance with the referenced LEI standards according to the LEI system, we are accredited for. The certifications were granted based on the compliance of the operation demonstrated during the assessment time. Further compliance toward LEI standard requirements (including sustainability requirements) will be checked through regular surveillance audits during the validity of a certificate. Moreover, we are convinced that "sustainable development" is a process and hence we believe that the road to sustainability is long and our contribution is to enable and support making progress on the avenue thereto.

A LEI CoC Certification only covers the chain of custody system and traceability of material (from LEI certified forest) and not specifically the legality.

Under the LEI forest certification scheme, however, auditors check all relevant company's legality aspects starting from land preparation to wood harvesting by randomly checking legal documents such as company documents, environmental impact assessment, cutting permits, approved forest management plan, etc. Any illegal issue that comes up will lead to a failure and thus non-issuing of a certificate. Again: we check the system and whether all elements are in place to properly manage the tasks.

I would like to propose to you to directly look into the LEI Standard and like to draw your attention especially to provision E 1.1 and E 2.1. The elements of the LEI standard have to be fulfilled in order to achieve the certification.

We hope that our answers are somewhat helpful and propose to get in touch with the companies directly as well as governmental entities should you feel you need more information on site-specifics. As laid out before, certification by us is dependent on the fulfillment of all LEI Standards requirements.

Kind regards,



E. Response from AFNOR

First reply by AFNOR on 2nd January 2012:

- „Answer to question n°1: AFNOR Certification issued to Pindo Deli, a subsidiary of APP, an EU Ecolabel « Copying and graphic paper » (Decision 2002/741/CE of 4 September 2002) for two photocopy papers (Registration number FR/011/01, licence number 01/01/1 and 01/01/2) ;
- Answer to question n°2: the sole operations having a link with the criteria defined in the decision 2002/741/CE of 4 September 2002 are concerned by our assessment;
- Answer to question n° 3: As yet mentioned below, two products are certified: GOLDEN PLUS – Multi Purpose Paper Extra White, 210x297, 500 sheets, 80 g; LUCKY BOSS – Multi Purpose Paper, 210x297, 500 sheets, 80 g. You will find enclosed hereafter the certificate delivered by AFNOR Certification;
- Answer to question n°4: One criterion of the decision 2002/741/CE of 4 September 2002 concerns « 3. Fibres — sustainable forest management »;
- Answer to questions n° 5 to 7: Licenses awarded by AFNOR Certification for the EU Ecolabel « Copying and graphic paper » certify that the products cited on the certificates (see document attached) meet the requirements of the Decision 2002/741/CE of 4 September 2002. „

Second reply by AFNOR on 6 January 2012 following WWFs request for further information:

„Answer to questions n° 5 to 7: Licenses awarded by AFNOR Certification for the EU Ecolabel "Copying and graphic paper" certify that the products cited on the certificate (see document attached) meet the 8 criteria of the Decision 2002/741/CE of 4 September 2002. Among these criteria, the criterion 3 "Fibres — sustainable forest management" requires : "Fibres may be wood fibres, or recycled fibres from recovered paper, or other cellulose fibres. Fibres from paper mill broke shall not be considered as recycled fibres. At least 10 % of virgin wood fibres from forests shall come from forests that are certified as being managed so as to implement the principles and measures aimed at ensuring sustainable forest management. The remaining virgin wood fibres from forests shall come from forests that are managed so as to implement the principles and measures aimed at ensuring sustainable forest management. The origin of all virgin fibres used shall be indicated. In Europe, the principles and measures referred to above shall at least correspond to those of the Pan-European Operational Level Guidelines for Sustainable Forest Management, as endorsed by the Lisbon Ministerial Conference on the Protection of Forests in Europe (2 to 4 June 1998). Outside Europe they shall at least correspond to the UNCED Forest Principles (Rio de Janeiro, June 1992) and, where applicable, to the criteria or guidelines for sustainable forest management as adopted under the respective international and regional initiatives (ITTO, Montreal Process, Tarapoto Process, UNEP/FAO Dry-Zone Africa Initiative).

In addition, the criterion on fibers has been considerably strengthened since October 2010 as part of the standard Ecolabel process aiming at making the criteria progressively more difficult to achieve, so to ensure that only the best products can get the EU Flower. The new criterion 3 is as follows: "The fibre raw material in the paper may be recycled or virgin fibre. Virgin fibres shall be covered by valid sustainable forest management and chain of custody certificates issued by an independent third party certification scheme such as FSC, PEFC or equivalent. However, where certification schemes allow mixing of certified material and uncertified material in a product or product line, the proportion of uncertified material shall not exceed 50 %. Such uncertified material shall be covered by a verification system which ensures that it is legally sourced and meets any other requirement of the certification scheme with respect to uncertified material. The certification bodies issuing forest and/or chain of custody certificates shall be accredited/recognised by that certification scheme. „

F. Response from EU Ecolabel when asked by WWF on the 2nd of January to complete AFNOR's response. Received on 03 January 2012

"The Commission is not a certification or a verification body. As you can read in the Ecolabel Regulation (EU) 66/2010, it is the responsibility of each Member State (article 4) to carry out the tasks provided for in the Ecolabel Regulation. The rules for verification processes are clearly written in article 4.4 of the Ecolabel Regulation and we have no evidences that these rules have not been followed by AFNOR in the specific case mentioned in your email."

Endnotes

- ¹ WWF: For example, clearing high conservation value forests, clearing forests on deep peat, or clearing forests without the free prior informed consent of communities with traditional rights over the areas affected.
- ² PEFC on 3rd reply : “these questions concern the scope of certificates and certification assessments, which are performed by certification bodies and not by PEFC”
- ³ SGS: see the table provided under their full response.
- ⁴ SGS: “SGS has therefore only conducted TLTV audits and issued TLTV statements for most of their plantation operations in Indonesia.”
- ⁵ SGS: “The SGS TLTV evaluations undertaken by SGS covered the plantation operations of APP, but these do not cover the operations in natural tropical forests.”
- ⁶ Also see the link provided by PEFC on its 1st reply:
http://register.pefc.cz/RESULT1.asp?COUNTRY_CODE=52&TYPE_OF_CERTIFICATION=COCC&OPERATION=&ORGANISATION_NAME=&CERTIFICATION_NUMBER=&CERTIFICATION_BODY_NAME=&fstatus=valid&B1=Search+now
- ⁷ On the explanation of what “non-controversial wood manufacturing audit” means, see for example: WWF (September 2011) WWF statement on the PEFC international standards launched in November 2010.
(http://awsassets.panda.org/downloads/wwf_statement_on_pefc_standards_march_2011.pdf) and WWF (December 2011) WWF view on the EU Eco-label and APP products.
(http://awsassets.panda.org/downloads/wwf_view_on_eu_ecolabel_and_app_for_companies_final_1.pdf)
- ⁸ SGS: “The only products covered by SGS certificates are as defined by the PEFC CoC scheme and we would assume this would definitely not cover products such as mixed tropical hardwood which are not allowed to be used in the production of PEFC products.”
- ⁹ SGS: “None of the TLTV evaluations conducted by SGS and the statements issued by SGS provide the company with the right to claim that their operations are “sustainable forest management”. TLTV simply confirms legal compliance. The PEFC CoC certificates they hold also do not provide any assurance of their own “sustainability” since these are simply chain of custody and nothing more. The PEFC certified material they use in their production, thus enabling them to make PEFC certification claims, is all imported from outside Indonesia as by our understanding there are no PEFC certified forests in Indonesia.”
- ¹⁰ SGS: “The SGS evaluations are restricted to existing plantation operations and do not extend to the areas that may be converted from natural forests.”
- ¹¹ SGS: “The question of planting of areas on peat deeper than 3m has been evaluated by SGS and whilst there is evidence of such plantings, these have been approved by the government. The Indonesian law prescribes “3m peat in upstream situations” without providing a definition of what “upstream” means.”
- ¹² SGS: “The SGS TLTV evaluations are restricted to legal compliance and whilst the legal requirements of Indonesia require environmental and social impact assessments before a license is awarded, these evaluations do not cover “free prior informed consent” processes.”
- ¹³ LEI: “in the assessment those companies must be able to demonstrate their obedience to any government regulations related to their operations or products.”
- ¹⁴ LEI: “The assessments were conducted after they already established as plantation forest and their management practices were entering the second period forward of their harvest rotations.”
- ¹⁵ LEI: “The decision to establish forest plantation in certain area, either it was converting natural forest with HCVF or deep peat and how it was conducted in relation to the FPIC is beyond LEI’s standard coverage. The LEI standard was developed to assess the existing forest management practices on forest concessions after the management of plantation forest had been established; The LEI standard doesn’t cover the establishment process of the forest concession.”
- ¹⁶ TUV Rheinland: see the table of LEI certificate holders in its response
- ¹⁷ TUV Rheinland: “On a general note, I would like to stress that we are not certifying products in these project but rather processes and managerial procedures (in other words “systems”). Therefore a number of your questions do not really apply to the tasks performed by us.” “Moreover, we are convinced that “sustainable development” is a process and hence we believe that the road to sustainability is long and our contribution is to enable and support making progress on the avenue thereto.”

¹⁸ TUV Rheinland: “A LEI COC certification only covers the chain of custody system and traceability of material (from LEI certified forest) and not specifically legality. Under the LEI forest certification scheme, however, auditors check all relevant company’s legality aspects starting from land preparation to wood harvesting by randomly checking legal documents such as company documents, environmental impact assessment, cutting permits, approved forest management plan, etc. Again: we check the system and whether all elements are in place to properly manage the tasks.”

¹⁹ AFNOR: “GOLDEN PLUS – Multi Purpose Paper Extra White, 210x297, 500 sheets, 80 g LUCKY BOSS – Multi Purpose Paper, 210x297, 500 sheets, 80 g”

²⁰ AFNOR: “One criterion of the decision 2002/741/CE of 4 September 2002 concerns « 3. *Fibres — sustainable forest management* ».”

²¹ See WWF (December 2011) WWF view on the EU Eco-label and APP products.

[http://awsassets.panda.org/downloads/wwf view on eu ecolabel and app for companies final 1.pdf](http://awsassets.panda.org/downloads/wwf_view_on_eu_ecolabel_and_app_for_companies_final_1.pdf)