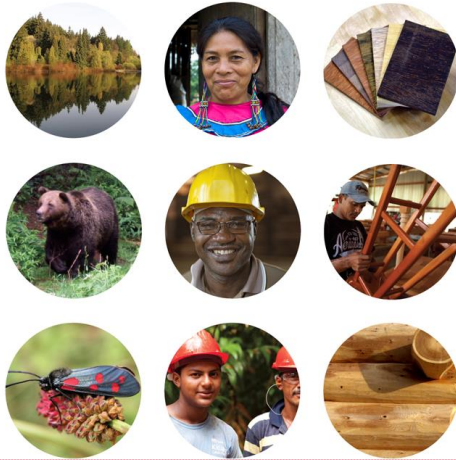




Forest Stewardship Council®



**Commented [LFMM1]:** Proposed changes to this document:

INT-STD-20-001\_22 – New (see page 16)

# Interpretations of the normative framework

GENERAL

15 March 2017 **[DATE]**



# Table of content

Page 4-5



Page 6-16



Page 17-21



POLICIES	4
FSC-POL-01-004 (V2-0) POLICY FOR THE ASSOCIATION OF ORGANIZATIONS WITH FSC	4
FSC-POL-20-005 (V2-4) ANNUAL ADMINISTRATION FEE POLICY (AAF)	5
STANDARDS	6
FSC-STD-01-002 (V1-0) FSC GLOSSARY OF TERMS	6
FSC-STD-20-001 (V3-0) GENERAL REQUIREMENTS FOR FSC ACCREDITED CERTIFICATION BODIES	9
FSC-STD-20-001 (V4-0) GENERAL REQUIREMENTS FOR FSC ACCREDITED CERTIFICATION BODIES	16
PROCEDURES	<del>1817</del>
FSC-PRO-01-001 (V3-1) THE DEVELOPMENT AND REVISION OF FSC NORMATIVE DOCUMENTS	<del>1817</del>
FSC-PRO-20-003 (V1-0) TRANSFER OF FSC CERTIFICATES AND LICENSE AGREEMENTS	<del>2019</del>
FSC-PRO-20-004 (V1-2) GENERAL REQUIREMENTS FOR AN FSC TRAINING PROGRAMME	<del>2322</del>

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## POLICIES

### **FSC-POL-01-004 (V2-0) POLICY FOR THE ASSOCIATION OF ORGANIZATIONS WITH FSC**

<b>Code</b>	INT-POL-01-004_01
<b>Requirement (s)</b>	Clause 1.e
<b>Publication date</b>	11 July 2011

**Does research on GMOs by FSC certificate holders or affiliated organizations constitute a breach of the FSC Policy on Association?**

The FSC Policy on Association had its origins in the FSC Partial Certification Policy and is intended to prevent green washing by companies that are not committed to FSC certification. The Policy states that FSC shall not be associated with organizations that are directly or indirectly involved in the introduction of genetically modified organisms in forestry operations. Research, as defined in this document, does not constitute a breach to the FSC Policy on Association since the concept of operations is related to the standard commercial activities of an organization and as such does not include research efforts.

For the purpose of this clarification, research is understood as activities that:

- have a clear investigative purpose (i.e. test a hypothesis),
- are carried out on a limited scale and with defined timelines that are compatible to the scope of the research,
- are conducted following all related legal requirements, including safeguards and permits.

Decision making process: The above interpretation was approved by the FSC Board of Directors at the 57th meeting.

## **FSC-POL-20-005 (V2-4) ANNUAL ADMINISTRATION FEE POLICY (AAF)**

<b>Code</b>	INT-POL-20-005_01
<b>Requirement (s)</b>	Clause 3.3.1
<b>Publication date</b>	19 May 2014
<p><b>In the FSC Policy for Annual Administration Fee, the definition of trader is the following: “A person or legal entity that buys and sells wood and/or non-timber forest products and who takes legal possession of the goods. Traders do not conduct any changes to these products, either directly or through outsourcing.” What does “conducting changes to a product” mean in the context of determining whether a certificate holder is considered a trader or a processing enterprise for the AAF?</b></p> <p>For the purpose of AAF calculation, traders that regularly perform processing activities to transform a product are “conducting changes to a product” and therefore are not eligible for AAF category for traders.</p> <p>Examples:</p> <ul style="list-style-type: none"><li>- An organization that cuts and/ or de-barks logs may be classified as a trader.</li><li>- An organization that regularly or sporadically saws or chips logs shall be classified as a processing enterprise.</li><li>- An organization such as a paper merchant (distributor) who only sporadically cuts products to size on demand of the customer may be classified as a trader.</li><li>- Paper merchants regularly cutting paper to size shall be classified as a processing enterprise.</li></ul>	

<b>Code</b>	INT-POL-20-005_02
<b>Requirement (s)</b>	Section 4
<b>Publication date</b>	14 December 2015
<p><b>Clause 4.10 containing information about transferring certificates has been removed from the new AAF Policy (v2-3). Is there an intention to clarify what should happen to the AAF liability on transfer of a certificate?</b></p> <p>AAF is invoiced on a quarterly basis. The preceding CB is still responsible to pay the AAF within the quarter where the transfer is happening. From the following quarter on the succeeding CB will be invoiced.</p>	

## STANDARDS

### **FSC-STD-01-002 (V1-0) FSC GLOSSARY OF TERMS**

<b>Code</b>	INT-STD-01-002_06
<b>Requirement (s)</b>	Section 2
<b>Publication date</b>	09 June 2015
<p><b>A certificate holder applies a chemical, recently listed by FSC as ‘highly’ hazardous pesticide, to lakes and rarely to streams to control invasive species.</b></p> <p><b>a) Are water bodies included in the scope of an FM certificate?</b></p> <p><b>b) Does the scale of the water body influence this?</b></p> <p>a) Water bodies contribute to the management objectives and therefore, applying the definition of Management Unit (MU), water bodies within or adjacent to the spatial area(s) submitted for certification under legal title or management control of, or operated by or on behalf of The Organization are in the scope of the certificate.</p> <p>b) The definition of water body in the International Generic Indicators (FSC-STD-60-004 V1-0 EN) does not make distinctions based on the scale. See definition below.</p> <p><u>Water bodies (including water courses):</u> Seasonal, temporary, and permanent brooks, creeks, streams, rivers, ponds, and lakes. Water bodies include riparian or wetland systems, lakes, swamps, bogs and springs.</p>	

<b>Code</b>	INT-STD-01-002_05
<b>Requirement (s)</b>	Section 2
<b>Publication date</b>	09 June 2015
<p><b>Shall nurseries that do not physically fall within the geographical boundaries of the Management Unit (MU), but are owned and operated by the certificate holder be evaluated against the P&amp;C and thus be subject to evaluation?</b></p> <p>No, PSU has received the mandate from the Policy and Standards Committee to develop a new advice note on nurseries. The advice note will define criteria for the material entering in the MU regardless of the situation of the nursery.</p> <p>Until the new advice note has been developed, only nurseries <u>within or adjacent</u> to the MU are subject to evaluation.</p>	

<b>Code</b>	INT-STD-01-002_04
<b>Requirement (s)</b>	Section 2
<b>Publication date</b>	19 January 2015
<p><b>What type of infrastructure shall to be evaluated against the P&amp;C and thus be subject to evaluation?</b></p> <p>All infrastructure within the Management Unit. This includes:</p> <ul style="list-style-type: none"> <li>• All infrastructure within or adjacent to this spatial area or areas under legal title or management control of, or operated by or on behalf of The Organization, for the purpose of contributing to the management objectives.</li> <li>• All infrastructure outside, and not adjacent to this spatial area or areas and operated by or on behalf of The Organization, solely for the purpose of contributing to the management objectives.</li> </ul> <p>NOTE. Infrastructure: In the context of forest management, roads, bridges, culverts, log landings, quarries, impoundments, buildings and other structures required in the course of implementing the management plan (Source: FSC 2014).</p>	

<b>Code</b>	INT-STD-01-002_03
<b>Requirement (s)</b>	Section 2
<b>Publication date</b>	19 January 2015
<p><b>Can a Management Unit (MU) be only a part of a forest covered by a management plan?</b>  <b>For example: can five lands be five management units, if for these five lands there is only one management plan?</b></p> <p>No, the definition of MU is directly linked to the management plan. If there are management planning documents at different levels, MU can be defined as the area at which the calculation is made of the yield which can be permanently sustained (as per criterion 5.6 and usually referred to as AAC (Annual Allowable Cut)).</p>	

<b>Code</b>	INT-STD-01-002_02
<b>Requirement (s)</b>	Section 2
<b>Publication date</b>	06 June 2014
<p><b>A multinational manages both own and third party estates (consortium and leases with private owners and public administrations). The management and its responsibility correspond to the multinational and there are ongoing contracts. This context has not changed in the last 15 years but this client has switched from group to individual certification and vice versa, following the criteria of different CBs. According to FSC Normative, should it be treated as a single or a group certificate?</b></p> <p>Management means having full control of all aspects of the Principles &amp; Criteria. If this multinational company has full managerial control over all areas they manage, it should be treated as a multiple FMU and therefore single certification. If the company has partial managerial control (only over some areas or aspects), it should be treated as a group certificate.</p>	

<b>Code</b>	INT-STD-01-002_01
<b>Requirement (s)</b>	Section 2
<b>Publication date</b>	10 April 2012
<p><b>“Self-contained” and “collection of documents” appear contradictory so the use of documents as basis for definition of FMU could result in inconsistent interpretation of what an “FMU” is in the case where an organisation has a number of management planning documents at different levels, assuming the collection of documents together meet Principle 7 requirements for management plans.</b></p> <p>Forest Management Unit (FMU): A clearly defined forest area with mapped boundaries, managed by a single managerial body to a set of explicit objectives which are expressed in a self-contained multi-year management plan. Where there is management planning documentation at different levels, FMU can be defined as the area at which the calculation is made of the yield which can be permanently sustained (as per criterion 5.6 and usually referred to as AAC (Annual Allowable Cut)).</p>	



## **FSC-STD-20-001 (V3-0) GENERAL REQUIREMENTS FOR FSC ACCREDITED CERTIFICATION BODIES**

<b>Code</b>	INT-STD-20-001_11
<b>Requirement (s)</b>	Clauses 1.3 and 1.5
<b>Publication date</b>	11 April 2014

### **How shall university education or 'equivalent' be interpreted according to the requirements for auditor qualification provided in the standard FSC-STD-20-001?**

University level education is equal to higher education (tertiary or third level education) in a discipline relevant to the evaluation (e.g. ecology, forestry, sociology, economics, anthropology).

An equivalent of university education may be secondary education, and a minimum of 10 years of professional experience in an area of work relevant to forestry evaluation (e.g. forest management, postgraduate research, consultancy).

<b>Code</b>	INT-STD-20-001_15
<b>Requirement (s)</b>	Clause 7.5
<b>Publication date</b>	07 October 2014

### **A certificate holder having a single FMU in the scope of certification has applied for a change of the scope to add a significant new area to the FMU. If major non-conformities (NCs) are identified in the area to be added during the change of scope audit or the surveillance audit prior to the decision, is their correction a precondition to grant the change of scope?**

Yes, if the major non-conformity is linked to the area to be added.

If the major non-conformity is independent of the area to be added, but linked to the overall management system, the area can be added to the certificate before the non-conformity is closed.

<b>Code</b>	INT-STD-20-001_14
<b>Requirement (s)</b>	Clause 7.5
<b>Publication date</b>	06 October 2014

### **Is it possible to split an existing FSC Forest Management certificate into two separate certificates, following a surveillance evaluation?**

Yes, provided that in the surveillance evaluation this change of the scope was evaluated according to FSC-STD-20-001 Clause 7.5.

If the change of the scope was not evaluated in the surveillance evaluation, another evaluation according to the requirements above will be required.

<b>Code</b>	INT-STD-20-001_19
<b>Requirement (s)</b>	Clause 7.7
<b>Publication date</b>	01 July 2016
<p><b>Shall the certification body identify a nonconformity against ADVICE-40-004-008 on non-conforming product in cases where the client has continued to sell material as FSC certified despite being suspended?</b></p> <p>No, ADVICE-40-004-008 is not applicable in this case. The certification body shall refer to the certification contract between the certification body and the client, as the contract shall stipulate the obligations of clients in case of suspensions. If the suspended client continues to sell material as FSC certified this is a breach of the certification contract which can be sanctioned accordingly.</p>	

<b>Code</b>	INT-STD-20-001_01
<b>Requirement (s)</b>	Clause 7.7b
<b>Publication date</b>	21 February 2011
<p><b>What is meant by “relevant” customers?</b></p> <p>The following customers are considered “relevant”:  Certified and uncertified clients who:</p> <ul style="list-style-type: none"> <li>• Bought certified material;</li> <li>• Placed an order or submitted an enquiry for certified products;</li> <li>• Otherwise expressed an interest in purchasing certified products.</li> </ul>	

<b>Code</b>	INT-STD-20-001_06
<b>Requirement (s)</b>	Clause 12.4
<b>Publication date</b>	28 May 2013
<p><b>Can an ASI witness audit be substituted for a witness audit carried out by the CB to meet the requirements of 12.4? In other words does a witness audit performed by ASI on a particular Lead audit fulfill this requirement or are CBs required to conduct a witness audit of every lead audit regardless of whether or not they have been witnessed by ASI to conform to this requirement?</b></p> <p>No, the responsibility for complying with the requirements of FSC-STD-20-001 cannot be “outsourced” to ASI.</p>	

<b>Code</b>	INT-STD-20-001_17
<b>Requirement (s)</b>	Clause 16.3
<b>Publication date</b>	10 June 2015
<p><b>According to Clause 16.3 the certification body should ensure that no client is evaluated by the same lead auditor on more than 3 consecutive audits. What happens if it is not possible or feasible to rotate the lead auditor after 3 consecutive audits?</b></p> <p>The certification body shall provide a justification why it was not possible or feasible to rotate the auditor and shall demonstrate how an impartial and objective evidence based audit is ensured.</p>	

<b>Code</b>	INT-STD-20-001_18 (also published under FSC-PRO-20-003 with code INT-PRO-20-003_06)
<b>Requirement (s)</b>	Clause 19.5
<b>Publication date</b>	14 December 2015
<p><b>Clause 5.1 of FSC-PRO-20-003 requires the preceding certification body to remove all data from the certificate holder's entry in the FSC database that the certification body considers to be confidential. What happens with public summary reports when a certificate is transferred?</b></p> <p>Public summary reports are not considered confidential per definition and shall therefore be kept in the FSC database of certificates to remain publicly available.</p>	

<b>Code</b>	INT-STD-20-001_04
<b>Requirement (s)</b>	Clauses 19.5 and 19.6
<b>Publication date</b>	22 May 2012
<p><b>A Resource Manager, located in Country A, manages forestlands in Country B (type II group scheme). All forestlands are owned by foreign investors with permanent addresses in Country A. No permanent address exists in Country B. Certificate holder is the forestmanager as resource manager.</b></p> <p><b>Problem: The FSC Database only allows including one country. Hence, there is confusion about the "allocation of the FM certificate and certified area".</b></p> <p>Additional Information on the FMUs (such as location, etc) should be presented in the optional field "FMU comment" of the database.</p>	

<b>Code</b>	INT-STD-20-001_03
<b>Requirement (s)</b>	Clause 19.5
<b>Publication date</b>	22 March 2012
<p><b>Which documents are required to be uploaded to the FSC Database?</b></p> <p>Certification Bodies are required to upload the following documents to the FSC Database:</p> <ul style="list-style-type: none"> <li>• Public summary reports of Forest Management certificates (FSC-STD-20-001 V3-0 Clause 19.5; <a href="#">FSC-STD-20-007b V1-0</a> Clause 3.1, 3.2;</li> <li>• Publicly available results of companies' Controlled Wood risk assessments (ADVICE-40-005-007 of <a href="#">FSC-DIR-40-005</a>);</li> <li>• Form for registration and approval of FSC product groups grandfathered with the reduced labelling threshold percentage and exemption of Controlled Wood requirements for co-products (Annex A of <a href="#">FSC-DIR-40-004</a>);</li> <li>• Application and evaluation form for minor components derogations (Annex 1 of <a href="#">FSC-PRO-40-004 V2-2</a>);</li> <li>• FSC Trademark License Agreement (TLA)</li> </ul>	

<b>Code</b>	INT-STD-20-001_16
<b>Requirement (s)</b>	Clause 19.6
<b>Publication date</b>	21 November 2014
<p><b>Can an FM/CoC Certificate Holder sell certified material as FSC Controlled Wood?</b></p> <p>Yes. The FM-CoC Certificate Holder may opt to sell FSC certified material as FSC Controlled Wood by downgrading the output claim*, subject to the following conditions:</p> <ul style="list-style-type: none"> <li>- The Certificate Holder shall conform to all applicable requirements for FSC Controlled Wood claims provided in FSC-STD-50-001 and Annex 3 of the standard FSC-STD-30-010;</li> <li>- The Certification Body shall issue an additional certificate code of the form: XXX-FM/CW-#####-ABC, where XXX are the initials of the certification body agreed with FSC, ##### is a unique six digit number or combination of numbers and letters issued by the Certification Body itself, and ABC is a sub-certificate code issued only to the members of group certificates, in the form, A, B, C, AA, AB, etc.).</li> </ul> <p>For reasons of clarity the Certification Body shall not use the same code number for valid certificates issued to different legal entities (i.e., the Certification Body would not issue a CoC certificate XXX-COC-123456 to company A, and an FM certificate XXX-FM-123456 to company B).</p> <p>If a certificate is withdrawn and later re-issued to the same legal entity, the original registration code may be used.</p> <ul style="list-style-type: none"> <li>- The FM certificate code shall be used for the identification of the certificate. The FM/CW code shall be included along with the FM certificate code in the certification reports pre-</li> </ul>	

pared according to the standard FSC-STD-20-007a and in the public summary reports prepared according to the standard FSC-STD-20-007b.

- The FM/CW code shall be used to make FSC Controlled Wood claims on invoices.

\* Please see the Standard Interpretation of the standard FSC-FSC-40-004 from 29 May 2013 on downgrading claims for Chain of Custody certification.

<b>Code</b>	INT-STD-20-001_05
<b>Requirement (s)</b>	Clauses 19.6 and 7.2
<b>Publication date</b>	07 September 2012
<b>Is it possible to issue certificates to non-registered entities? Are the following examples possible?</b>	
<b>Certificate issued to "FMU ABC" or "Certification Group XYZ" (not necessarily a legal entity) represented by Forest Management Enterprise Ltd. (legal entity) Woodstreet 1, 12345 Greenhills. Timberland</b>	
No, it is not possible to issue certificates to unregistered entities. Certificates shall be issued to legal entities.	
According to Clause 19.6 c) in FSC-STD-20-001 V3-0, all FM and COC certificates shall include (...) the legal name and registered address of the certificate holder, plus any trade names and other addresses that will be used for sales invoices.	
Furthermore, according to Clause 7.2.a) of the same standard, a client needs to have entered into and hold a valid TLA 'License Agreement for the FSC Certification Scheme', which is not suspended. Only a legal entity can validly enter into a License Agreement.	

<b>Code</b>	INT-STD-20-001_08
<b>Requirement (s)</b>	Clause 20.1
<b>Publication date</b>	11 September 2013
<b>Is it required to assess the Certificate Holder (CH) within the next 12 months from the last surveillance audit?</b>	
Not for surveillance evaluations. FSC-STD-20-001 Clause 20.1 states that surveillance evaluations of FSC CHs shall take place at least annually and a PSU interpretation states that in the context of surveillance "annually" is to be interpreted as follows:	
<ul style="list-style-type: none"><li>• FM audits: at least once per calendar year (to allow flexibility for evaluating seasonal activities);</li><li>• COC audits: at least once per calendar year, but it should not be later than 15 months after the last audit.</li></ul>	

<b>Code</b>	INT-STD-20-001_02
<b>Requirement (s)</b>	Clause 20.1
<b>Publication date</b>	01 March 2011
<p><b>Please clarify the definition of “annually”.</b></p> <p>PSU interpretation (mandatory): In the context of surveillance “annually” is to be interpreted as follows:</p> <ul style="list-style-type: none"> <li>• FM audits: at least once per calendar year (to allow flexibility for evaluating seasonal activities);</li> <li>• COC audits: at least once per calendar year, but it should not be later than 15 months after the last audit.</li> </ul>	

<b>Code</b>	INT-STD-20-001_13
<b>Requirement (s)</b>	Clause 21.2
<b>Publication date</b>	19 May 2014
<p><b>How is the certification body expected to control the FSC trademark use of their clients following its approval?</b></p> <p>The certification body is expected to control the FSC trademark use by:</p> <ul style="list-style-type: none"> <li>- auditing the trademark use at minimum at the time of the annual surveillance evaluations and re-evaluations (sampling can be applied); and</li> <li>- addressing cases of detected or reported trademark misuses by their clients.</li> </ul>	

<b>Code</b>	INT-STD-20-001_12
<b>Requirement (s)</b>	Annex 1; Clause 3.1
<b>Publication date</b>	19 May 2014
<p><b>Is it considered a conflict of interest if an FSC accredited certification body is formally recognised as a Monitoring Organisation according to the EU Timber Regulation (# 995/2010) and in this function monitors its FSC certified clients?</b></p> <p>No, FSC does not consider it a conflict of interest, if an FSC accredited certification body is also servicing their FSC certified clients as Monitoring Organisation in the context of the EUTR, as this service does not cover compliance elements of the FSC standards.</p>	

<b>Code</b>	INT-STD-20-001_09
<b>Requirement (s)</b>	Annex 2, Clause 1.2
<b>Publication date</b>	15 November 2013
<p><b>Can a 3-days ISO 19011 training course (incl. exam) be accepted as qualification for lead auditors after 31 December 2012?</b></p> <p>Yes, the transitional exception for lead auditor training (FSC-STD-20-001 V3-0, Annex 2, Clause 1.2) has been extended until the next revision of FSC-STD-20-001 (scheduled for 2013/14).</p>	

<b>Code</b>	INT-STD-20-001_10
<b>Requirement (s)</b>	Annex 2, Clause 1.5; Annex 3, Section 3
<b>Publication date</b>	05 February 2014
<p><b>Shall CB auditors and CB audit teams conducting Controlled Wood evaluations at FMU level (according to FSC-STD-40-005, Annex 3) have the same qualification as for evaluations of Forest Management Enterprises (according to FSC-STD-30-010)?</b></p> <p>Yes, CB auditors conducting Controlled Wood evaluations at FMU level shall comply with auditor qualifications specified in FSC-STD-20-001, Annex 2, Clause 1.5 Audit teams shall comply with qualifications as specified in FSC-STD-20-001, Annex 3, Section 3.</p>	

<b>Code</b>	INT-STD-20-001_07
<b>Requirement (s)</b>	Annex 3, Clause 2.1.2
<b>Publication date</b>	29 May 2013
<p><b>FSC-STD-20-001 requires that a chain of custody evaluation team shall always include at least one team member who is fluent in the language of the area in which the evaluation takes place, or a designated independent interpreter. Are there any scenarios that could warrant an exception to this rule, such as cases where the parent company has a standard corporate language requirement which is different from the local language?</b></p> <p>It is acceptable that the evaluation team include at least one team member who is fluent in the corporate language instead of the local language if all of the following criteria are met:</p> <ul style="list-style-type: none"> <li>• All relevant records and procedures for the CoC system are written and understood in the corporate language;</li> <li>• All management staff and those with FSC responsibilities can communicate fluently in the corporate language.</li> </ul>	

**FSC-STD-20-001 (V4-0) GENERAL REQUIREMENTS FOR FSC ACCREDITED CERTIFICATION BODIES**

<b>Code</b>	INT-STD-20-001_20
<b>Requirement (s)</b>	Clause 4.6.7
<b>Publication date</b>	01 July 2016
<p><b>May certification bodies issue a sub-certificate to Participating Sites of a group or multi-site certificate?</b></p> <p>Yes, certification bodies may optionally do so. Where issued, sub-certificates shall include:</p> <ul style="list-style-type: none"> <li>a) a clear reference to the group or multi-site organization holding the certificate;</li> <li>b) a reference to the same scope, or sub-scope of the main certificate;</li> <li>c) the sub-certificate code issued to the Participating Site.</li> </ul>	

<b>Code</b>	INT-STD-20-001_21
<b>Requirement (s)</b>	Clause 4.8.2
<b>Publication date</b>	15 March 2017
<p><b>Where a newer FSC standard contradicts an older FSC standard, should CBs follow the newer standard?</b></p> <p><b>For example:</b></p> <ul style="list-style-type: none"> <li>• FSC-STD-20-001 V4-0 states that a major nonconformity shall be corrected within three months (Clause 4.3.16b) whereas FSC-STD-20-012 V1-1 Clause 7.7 states that a CW FM certificate shall be suspended immediately if a major nonconformity is identified.</li> <li>• FSC-STD-20-001 V4-0 has removed “repeated” from the definition of major nonconformity (Clause 4.3.13b) (since “repeated” is not necessarily “systematic”), whereas FSC-STD-20-012 V1-1 (Clause 7.5a) and FSC-STD-20-007 V3-0 (Clause 8.8b) still contain the word “repeated”.</li> </ul> <p>The answer depends on the following three scenarios that can occur:</p> <ul style="list-style-type: none"> <li>(I) There is a perceived contradiction between rules in two versions of the same standard. In this case the new rule must be applied once the certificate holder has transitioned to the new version of standard.</li> <li>(II) There is a perceived contradiction between rules in different standards. In this case both rules are valid in the context of the scope of the respective standard (see examples above)</li> <li>(III) There is a contradiction between rules in different standards. In this case the newer rule supersedes the older rule.</li> </ul>	

<b>Code</b>	<u>INT-STD-20-001_22</u>
<b>Requirement (s)</b>	<u>1.2.3 g)</u>
<b>Publication date</b>	<u>[DATE]</u>



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**Can certification bodies request access to organization's records related to non-FSC materials and products for the purpose of verifying organization's conformance with applicable certification requirements?**

Yes, certification bodies can request access to records related to non-FSC materials and products when this information is relevant to confirm organizations' conformity with the applicable certification requirements. This right is assured through the legally enforceable certification agreement established between certificate holders and certification bodies, in which FSC certificate holders agree that the certification body, FSC and ASI have the right to access confidential information, examine documentation deemed necessary, and access to the relevant equipment, location(s), area(s), personnel, and bodies providing outsourced services to clients.

## PROCEDURES

### **FSC-PRO-01-001 (V3-1) THE DEVELOPMENT AND REVISION OF FSC NORMATIVE DOCUMENTS**

<b>Code</b>	INT-PRO-01-001_01 (also published under FSC-STD-60-006 with code INT-STD-60-006_01)
<b>Requirement (s)</b>	Section 18
<b>Publication date</b>	14 March 2016

#### **Which body is responsible to give formal and binding interpretations of National Forest Stewardship Standards?**

Interpretation of National Forest Stewardship Standards:

- Requests for interpretation of National Forest Stewardship Standards may originate from accredited Certification Bodies (CBs), Certificate Holders (CHs) or interested stakeholders in the country (or region) covered by the scope of the Forest Stewardship Standard.
- The Interpretation request(s) shall be made on specific issues in the Forest Stewardship standard. It should include clear and correct reference to the indicator(s) for which the interpretation is requested, some background information and suggested response.
- Interpretation request(s) shall be sent to FSC National Office (NO) or registered Standards Development Groups (SDG) for processing where these bodies exist. Where they do not exist, interpretation requests shall be sent to the FSC Policy and Standards Unit (PSU).
- NOs or registered SDGs shall be responsible for developing interpretation(s) to their Forest Stewardship Standards.
- Before addressing the interpretation request, the NO or registered SDG shall first seek if there is an existing interpretation(s) addressing the issue in the Forest Stewardship Standards interpretation database available in the FSC IC website.
- If there is already an approved interpretation(s) on the issue it shall be adopted as appropriate.
- All Interpretation(s) developed by NOs or registered SDGs shall be sent to the FSC PSU for formal approval and publishing in the FSC IC website.

**NOTE:** Interpretation(s) are only valid after the review and approval of the FSC PSU. It is the responsibility of the NO or the registered SDG to analyze any requests or need for interpretation of Forest Stewardship Standards.

- Interpretation(s) developed by NOs or registered SDGs shall be presented to the FSC PSU as illustrated in Box1.

Box 1.

#### **FORMAT FOR INTERPRETATIONS**

**Keyword(s):** [*name a few key words that define/classify the enquiry*]

**Enquiry:** [*formulate the interpretation request as a question; background may be included*]

**Proposed Interpretation:** [*propose a response*]

**Normative Reference:** [*the FSC Forest Stewardship Standard and indicator the enquiry refers to*]

- NO or registered SDGs, shall decide on the process to develop and consult on interpretation(s) prior to submitting it to the FSC PSU.

**NOTE:** The process shall be designed in relation to the scale and controversy of the issue, considering the requirements set out in this standard and shall uphold FSC values of stakeholders' engagement.

- FSC PSU shall process interpretation requests from NO or registered SDG in line with its internal procedure (section 3 of the *PSU Enquiry Procedure; PSU-PRO-10-201 V1-1EN*).
- The FSC PSU shall evaluate the proposed interpretation(s) and respond within thirty (30) days
- If interpretation(s) are approved they shall be registered in the PSU interpretation database and the NO or SDG shall be informed accordingly.
- All approved interpretation(s) shall be published by the NO or SDG and national stakeholders informed accordingly.

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## **FSC-PRO-20-003 (V1-0) TRANSFER OF FSC CERTIFICATES AND LICENSE AGREEMENTS**

<b>Code</b>	INT-PRO-20-003_03
<b>Requirement (s)</b>	Scope
<b>Publication date</b>	06 June 2014
<p><b>a) Does FSC-PRO-20-003 apply to certificate holders that are moving from an individual certificate to a group certificate (as group members) under another certification body?</b></p> <p><b>b) Do these companies need to comply with FSC-PRO-20-003, in particular in Clause 2.2?</b></p> <p>a) No, this cannot be considered as moving the responsibility for maintaining active FSC certificate from one certification body to another.</p> <p>b) No, FSC-PRO-20-003 does not apply.</p>	

<b>Code</b>	INT-PRO-20-003_04
<b>Requirement (s)</b>	Clause 2.1
<b>Publication date</b>	20 May 2015
<p><b>According to FSC-PRO-20-003 criterion 2.1, FSC certificates can only be transferred once within the 5-year's period of validity of a certificate. Is it allowed to transfer a certificate two times in five years, when the second time is due to CAB accreditation termination?</b></p> <p>Yes, we consider this to be an extraordinary transfer. Negative impacts on certificate holders should be minimized when the certification body has stopped working in the country. Therefore criterion 2.1 does not apply for such a transfer. However, all other requirements in FSC-PRO-20-003 are fully applicable.</p>	

<b>Code</b>	INT-PRO-20-003_02 (also published in FSC-STD-20-011 with code INT-STD-20-011_08)
<b>Requirement (s)</b>	Clause 2.2
<b>Publication date</b>	19 May 2014
<p><b>How does the status of open minor nonconformities not evaluated within the 12 months timeframe affect the ability to transfer certificates to a new certification body?</b></p> <p>Minor nonconformities not evaluated by the preceding certification body within the required 12-months timeframe do not automatically upgrade to majors. The certificate may still be transferred to the succeeding certification body but the pending minor nonconformities shall be evaluated in the transfer audit and then be upgraded if not closed.</p>	

<b>Code</b>	INT-PRO-20-003_05
<b>Requirement (s)</b>	Clause 3
<b>Publication date</b>	05 October 2015
<p><b>When an FSC FM certificate is transferred to another certification body at the re-evaluation audit stage and the re-issuance of a 5 years certificate is planned without any change in the license number, is it considered as a new certificate, and consequently is a peer review process requested?</b></p> <p>When an FSC FM active certificate is transferred to another CB in the year of the re-evaluation, the transfer audit shall be conducted in a way that satisfies the requirements for the re-evaluation, except for clause 7.2.b in FSC-STD-20-007. The succeeding CB is required to prepare a full, new certification report and public summary according to FSC-STD-20-007a and FSC-STD-20-007b. This applies unless the succeeding CB deems necessary to conduct the audit according to the requirements for a main evaluation.</p>	

<b>Code</b>	INT-PRO-20-003_07
<b>Requirement (s)</b>	Clauses 3.2.e and 2.2
<b>Publication date</b>	14 December 2015
<p><b>Some succeeding Certification Bodies (CB) only communicate the transfer of a certificate to the preceding CB through the Automated Certificate Transfer tool in the FSC certificates database system.</b></p> <p><b>a) Can this tool replace the communication between CBs required in Clause 3.2.e?</b>  <b>b) What reasons are legitimate for preceding CBs for not accepting a request to transfer a certificate?</b></p> <p>a) No, this tool is supporting the communication between CBs as per Clause 3.2.e but does not replace it. Previous communication shall happen.  b) A certificate cannot be transferred where any of the situations described in Clause 2.2 exists.  Clause 2.2.c covers the requirement of communication between CBs.  In addition, the only valid reason would be that the CH has not fulfilled all contractual obligations with the current CB.</p>	

<b>Code</b>	INT-PRO-20-003_01
<b>Requirement (s)</b>	Clause 3.2.f)
<b>Publication date</b>	19 February 2014
<p><b>We are transferring a FM certificate that will expire in May 2014 from another CB and we will perform the transfer audit (TA) and renewal audit (RA) at the same time before that date.</b></p> <p><b>According to FSC-PRO-20-003 Clause 3.2, if the on-site transfer audit is conducted in a way that satisfies all the formal requirements for a main evaluation, a new 5-years certificate may be issued.</b></p> <p><b>Should we consider this TA as a main evaluation or as a re-evaluation (same procedures as for the main evaluation with exceptions)?</b></p> <p>The transfer audit can be conducted as main evaluation or as re-evaluation, but only if conducted as main evaluation a new 5 years certificate can be issued.</p>	

<b>Code</b>	INT-PRO-20-003_06 (also published under FSC-STD-20-001 with code INT-STD-20-001_18)
<b>Requirement (s)</b>	Clause 5.1
<b>Publication date</b>	14 December 2015
<p><b>Clause 5.1 of FSC-PRO-20-003 requires the preceding certification body to remove all data from the certificate holder's entry in the FSC database that the certification body considers to be confidential. What happens with public summary reports when a certificate is transferred?</b></p> <p>Public summary reports are not considered confidential per definition and shall therefore be kept in the FSC database of certificates to remain publicly available.</p>	

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## **FSC-PRO-20-004 (V1-2) GENERAL REQUIREMENTS FOR AN FSC TRAINING PROGRAMME**

<b>Code</b>	INT-PRO-20-004_01
<b>Requirement (s)</b>	Clause 4.8.2
<b>Publication date</b>	15 March 2017
<b>Are all certification bodies (CBs) required to include controlled wood (CW) with regards to FSC-STD-30-010, FSC-STD-40-005 and corresponding accreditation requirements into their initial auditor training?</b>	
No, the following differentiation shall be applied:	
In the context of forest management certification (FM): Only CBs with FM CW in their accreditation scope are required to include CW according to FSC-STD-30-010 and FSC-STD-20-012 into their initial auditor training program.	
In the context of chain of custody certification (CoC): All CBs accredited for CoC shall ensure that the initial auditor training program for all CoC auditors includes general aspects of CW as covered by FSC-STD-40-004. This is to ensure that the qualified CoC auditors have sufficient awareness about the CW concept to audit aspects of CW in accordance with FSC-STD-40-004. CBs offering CoC CW certification to their clients shall additionally include FSC-STD-40-005 and corresponding requirements of FSC-STD-20-011 into their initial auditor training program for those auditors who are going to conduct CW CoC audits.	



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