



Brussels, 2.10.2024  
C(2024) 7027 final

**COMMUNICATION TO THE COMMISSION**

**Approval of the content of a draft Commission Notice on the Guidance Document for  
Regulation (EU) 2023/1115 on Deforestation-Free Products**

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### **Approval of the content of a draft Commission Notice on the Guidance Document for Regulation (EU) 2023/1115 on Deforestation-Free Products**

The Commission has made the European Green Deal<sup>1</sup> a high political priority. Deforestation and forest degradation contribute to the global climate crisis in multiple ways. Most importantly, they increase greenhouse gas emissions through associated forest fires, permanently removing carbon sink capacities, decreasing the climate change resilience of the affected area and substantially reducing its biodiversity and resilience to diseases and pests. Deforestation alone accounts for 11 % of greenhouse gas emissions as stated in the Intergovernmental Panel on Climate Change (IPCC) special report on climate change and land of 2019.

After ordinary legislative procedure, Regulation (EU) 2023/1115 of the European Parliament and of the Council of 31 May 2023 on the making available on the Union market and the export from the Union of certain commodities and products associated with deforestation and forest degradation and repealing Regulation (EU) No 995/2010<sup>2</sup> entered into force on 29 June 2023.

The Regulation calls the Commission to develop guidelines in order to clarify the interpretation of definitions and facilitate its implementation including for third country partners and operators exporting to the Union. The Commission is to issue clear and easy to understand guidelines for the compliance of operators and traders, in particular SMEs, with this Regulation. Furthermore, the Commission may facilitate the harmonised implementation of this Regulation, by issuing relevant guidelines and by promoting adequate exchange of information, coordination and cooperation between competent authorities, between competent authorities and customs authorities, and between competent authorities and the Commission.

The draft Commission Notice on Guidance Document for Regulation (EU) 2023/1115 on Deforestation-Free Products contains 11 chapters that are elaborating on the provisions set out in the Regulation, together with tangible scenarios to facilitate the understanding of the readers. The purpose of the document is to provide information on certain aspects of the Regulation. This guidance document is also useful reference material for anyone who must comply with the Regulation, as it provides further guidance on application of relevant parts of the legislative text, meaning it can guide operators and traders. It can also guide national competent authorities and enforcement bodies as well as national courts in the process of implementing and enforcing the Regulation.

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<sup>1</sup> Communication from the Commission to the European Parliament, the European Council, the Council, the European Economic and Social Committee and the Committee of the Regions ‘The European Green Deal’, COM(2019) 640 final.

<sup>2</sup> OJ L 150, 9.6.2023, p. 206–247, ELI: <http://data.europa.eu/eli/reg/2023/1115/oj>

The Commission is called upon to approve the content of a draft Commission Notice on the Guidance Document for Regulation (EU) 2023/1115 on Deforestation-Free Products.

The Commission Notice on the Guidance Document for Regulation (EU) 2023/1115 on Deforestation-Free Products will be formally adopted by the Commission later, when all languages are available. It is only from that moment that the guidelines will be applicable.

The draft Commission Notice on the Guidance Document for Regulation (EU) 2023/1115 on Deforestation-Free Products is attached as Annex to this Communication.