

## Master compliance with the Deforestation Regulation using GS1 standards

GS1 in Europe

Online

3 September 2024



### Agenda

- Opening & Introduction
  - Jan Somers, Chair GS1 in Europe & Henk-Jan Timmerman, GS1 in Europe
- Public Policy & Regulatory Framework
  - Francesca Poggiali, GS1 Global Office
- Context and implications of the EU deforestation-free regulation (EUDR)
   Jos Joos, Executive Director, KPMG Advisory Procurement & Supply Chain
- The user stories for the actors in the supply chain Simon Eicher, GS1 France
- The importance of compliance with EUDR Anette Andersson, ICA
- Using GS1 standards to support compliance Lena Coulibaly, GS1 Sweden
- Conclusions, White Paper and Closing
  - Henk-Jan Timmerman, GS1 in Europe



### **GS1** Competition Law Caution

- GS1 operates under the GS1 Competition Law Caution. Strict compliance with competition laws is and always has been the policy of GS1.
- The best way to avoid problems is to remember that the purpose of the group is to enhance the ability of all industry members to compete more efficiently.
- This means:
  - There shall be no discussion of prices, allocation of customers, or products, boycotts, refusals to deal, or market share
  - If any participant believes the group is drifting toward impermissible discussion, the topic shall be tabled until the opinion of counsel can be obtained.
- The full caution is available via the link below, if you would like to read it in its entirety: <a href="http://www.gs1.org/gs1-competition-law-caution">http://www.gs1.org/gs1-competition-law-caution</a>



## Some practical information for the webinar

The webinar will be recorded. The recording and slides will be shared afterwards with the post-event communication.

The white paper will be shared with the post event communication and will be available on the GS1 in Europe website.

There is no time for live questions.

Please use the chat for questions.

These will be answered and shared afterwards.

Please stay muted during the meeting.

Please your name and company (by using the rename button on participants list)



## Opening & Introduction

Henk-Jan Timmerman, Programme & Operations Director, GS1 in Europe Jan Somers, Chair GS1 in Europe, CEO GS1 Belgium & Luxembourg



### GS1 in a nutshell ...



GS1 standards have been used to improve efficiency, safety and visibility of supply chains from source to consumer.



Sharing trusted quality data everywhere removes friction between business partners and improves performance and safety across the entire supply chain.

The GS1 barcode launched a digital revolution—enabling a product to be identified and connected to accurate information from the start.



GS1 enables businesses to create a digital version of a product that is a true representation of the physical one.





### Our core values

### Global

GS1 standards ensure global uniqueness



GS1 standard can be used by all stakeholders in the value chain

Open



GS1 in non-profit and sector neutral



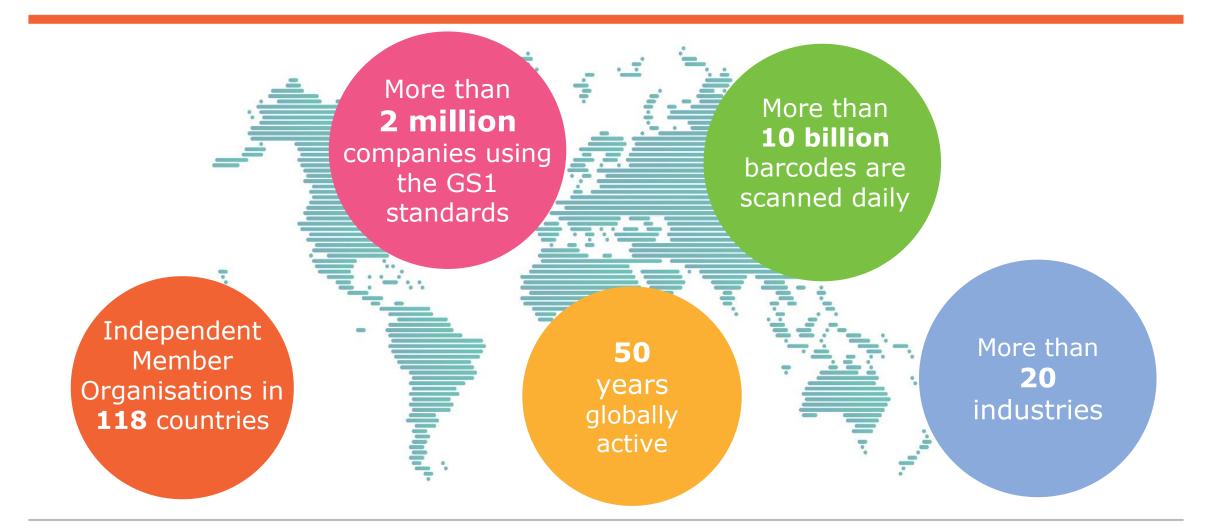
## Consensus

GS1 standards are developed and maintained together with industry





## We are a global network





## We are a regional network





## What will you learn during the webinar?

As GS1, it's our mission to support our members – to give insight in requirements

We will focus
on the EUDR,
the bigger
picture and
how GS1
standards
can support

After this
webinar you
will not be
ready, but
you will know
more and
know how to
get started

Launch white paper on how to use GS1 standards to support compliance with the EUDR

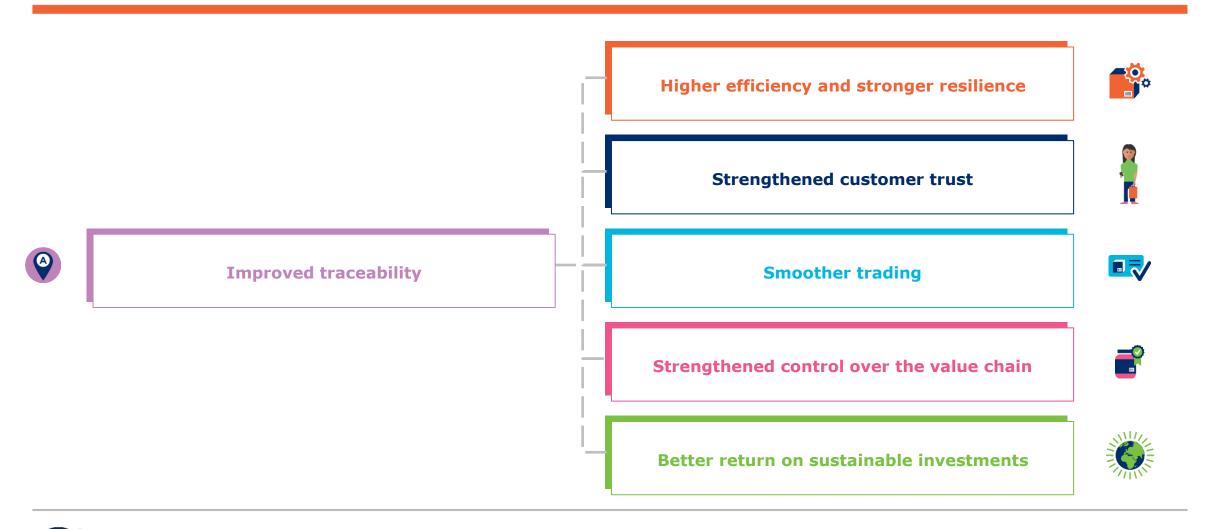


## Working together on transparency and traceability





## Standardised data collection, processing and sharing





## Public Policy & Regulatory Framework

Francesca Poggiali, Vice-President Global Public Policy, GS1 Global Office



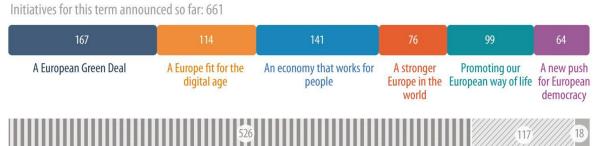
### The European Green Deal in numbers

#### The von der Leyen Commission's six priorities: Legislative and non-legislative delivery as of 2 April 2024



Proposals submitted but

subsequently withdrawn





EPRS | European Parliamentary Research Service • 2.4.2024 • More information: https://europa.eu/!QVDQgd

### The von der Leyen Commission's six priorities: Legislative and non-legislative delivery as of 2 April 2024



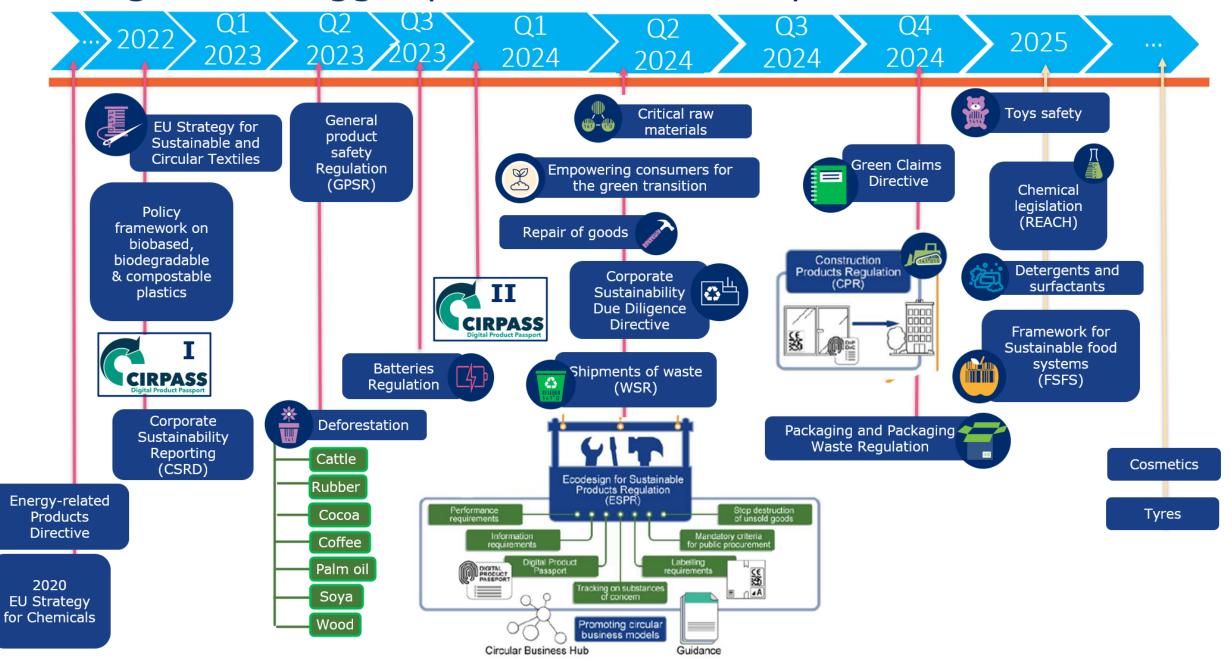




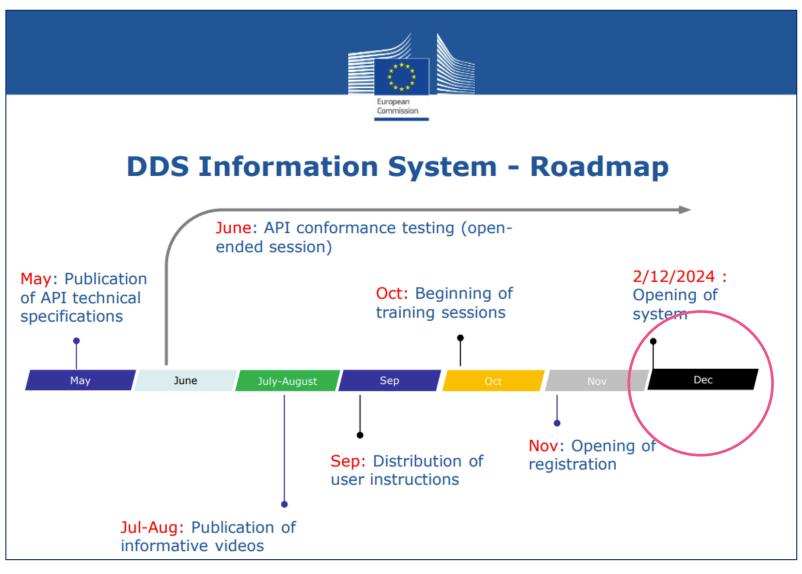
EPRS | European Parliamentary Research Service | More information: https://europa.eu/!QVDQgd



### EU legislative bigger picture: formal adoption timeline



## Timeline for the EUDR Information System



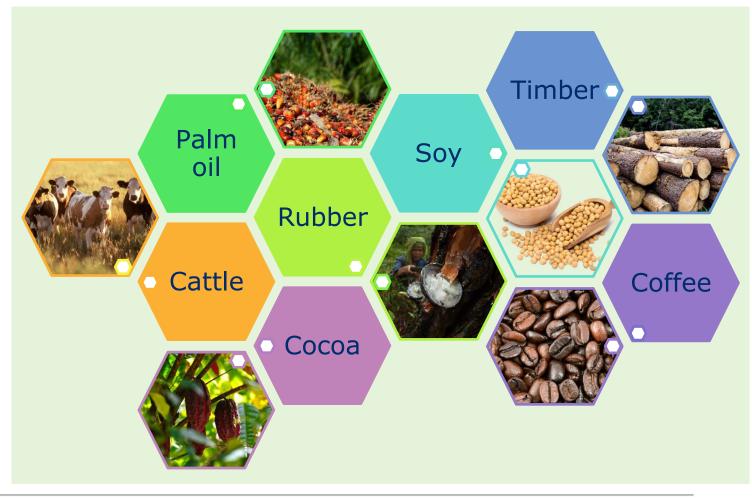
- EU Regulation on Deforestationfree products (EUDR) adopted on 31 May 2023 and entered into force on 29 June 2023.
- Operators have 18 months (until 30 December 2024) to implement the new obligations contained in this regulation, while micro and small enterprises benefit from an adaptation period of 24 months (until 30 June 2025).
- API connection has been approved in June. Testing will continue.

# EU Regulation on Deforestation-free products (EUDR)

Under the new EU rules, any operator or trader who places the 7 commodities on the EU market, or exports from it, must be able to prove that the products do not originate from deforested land.

Before products are placed on the market they must:

- (a) be deforestation-free;
- (b) have been produced in accordance with local rules; and
- (c) be covered by a due diligence statement.





# EU Regulation on Deforestation-free products (EUDR)

- The Regulation applies only to products listed in Annex I.
- Products not included in Annex I are not subject to the requirements of the Regulation, even if they contain relevant commodities in the scope of the Regulation. For example, soap will not be covered by the Regulation, even if it contains palm oil.
- See full list here: link to Annex I

- The Combined Nomenclature (CN) is a tool for classifying goods, set up to meet the requirements both of the Common Customs Tariff and of the EU's external trade statistics.
- The Harmonized System (HS) is a standardized numerical method of classifying traded products. It is used by customs authorities around the world to identify products.



Ministros del Consejo Agropecuario del Sur (CAS) advierten que Reglamento sobre Deforestación de la Unión Europea podría afectar comercio agroalimentario y piden que se posterque su implementación







ČR Svět Ekonomika Kultur

Vládní konsolidační balíček

Invaze na Ukrajinu

### Česko chce po EK odložit nařízení o odlesňování, které ovlivní tisíce

.2024, 13:34



Buenos Aires, 29 de julio de 2024 (IICA) – Los ministros de Agricultura de los países que integran

Ban on imports including chocolate and sanitary products will hurt American producers, says Biden administration



SPEAKING FOR AMERICAN BUSINESS IN EUROPE

medianos r Los ministr trabajar en firmada dui regionales integrado p su secretar



Pres

diciembre.

negativame

### EU Deforestation regulation: re wholesale calls for delay.

EuroCommerce has today written to the president of the European Commissio concern regarding the preparation for implementation of the Regulation for products (EUDR). Reiterating our full support of its important objectives, th clarification on many important practical aspects to allow retailers and wholesalers

Retailers and wholesalers are particularly affected by the EUDR due to the broad re scope they sell, involving thousands of direct suppliers, with tens of thousands of u the large majority of which are SMEs.

Statement on the implementation process of the EU Deforestation Regulation

## Different stakeholders' opinions:

### **Southern Agricultural Council (CAS)**

The ministers of agriculture of the countries that make up the Southern Agricultural Council (CAS) have asked the European Union (EU) to postpone the implementation of Regulation 1115/2023 on deforestation, scheduled for December 30, 2024.

- Complexity and costs of the EUDR mechanisms could exclude small producers from value chains
- The classification of deforestation and forest degradation risk by countries could be incompatible with the obligations assumed before the WTO

### **EU Member States demand to postpone EUDR** implementation

The latest one being the Czech Republic at the end of August, whose Agriculture Ministry press office requested for the implementation to be postponed due to difficulties to estimate the impact on individual companies and supply chains and the need for all actors involved to have sufficient time to familiarise themselves with the key tools needed to implement the Regulation.

Few months before, also Austria, Finland, Italy, Poland, Slovakia, Slovenia, and Sweden have sought to postpone the legislation.

### **European associations** requesting clarifications

In July EuroCommerce sent a letter to the European Commission to express deep concern for the implementation of the EUDR. While fully supporting its objectives, EuroCommerce emphasised the need for clarity on practical aspects crucial for compliance by retailers and wholesalers, particularly affected by the EUDR due to the broad range of products in scope they sell, involving thousands of direct suppliers, with tens of thousands of upstream suppliers, the large majority of which are SMEs. Also highlighted were ongoing issues with the readiness of the Information System and API, which are essential for the sector's operations.











### **Articles sources:**

- CAS: Consejo Agropecuario del Sur <a href="http://consejocas.org/ministros-del-consejo-agropecuario-del-sur-cas-advierten-que-reglamento-sobre-deforestacion-de-la-union-europea-podria-afectar-comercio-agroalimentario-y-piden-que-se-postergue-su-implementacion/">http://consejocas.org/ministros-del-consejo-agropecuario-del-sur-cas-advierten-que-reglamento-sobre-deforestacion-de-la-union-europea-podria-afectar-comercio-agroalimentario-y-piden-que-se-postergue-su-implementacion/</a>
- EuroCommerce <a href="https://www.eurocommerce.eu/app/uploads/2024/07/20240724-eu-deforestation-regulation-retail-and-wholesale-calls-for-delay.pdf">https://www.eurocommerce.eu/app/uploads/2024/07/20240724-eu-deforestation-regulation-retail-and-wholesale-calls-for-delay.pdf</a>
- Czech Republic on EUDR: <a href="https://www.ceskenoviny.cz/zpravy/2560708">https://www.euractiv.com/section/politics/news/czechia-renews-calls-to-postpone-eu-anti-deforestation-law/</a>
- AmCham: Statement on the need for clarification of the implementation process of the EU
   Deforestation Regulation <a href="https://www.amchameu.eu/position-papers/statement-need-clarification-implementation-process-eu-deforestation-regulation">https://www.amchameu.eu/position-papers/statement-need-clarification-implementation-process-eu-deforestation-regulation</a>
- Letter to the European Commission in which the US urge EU to delay deforestation law: <a href="https://www.ft.com/content/1b1c7541-92f8-478a-9e18-8c0419af7714">https://www.ft.com/content/1b1c7541-92f8-478a-9e18-8c0419af7714</a>



# Context and implications of the EU deforestation-free regulation (EUDR)

Jos Joos, Executive Director, KPMG Advisory - Procurement & Supply Chain





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O1 ELDR – current state and lessons learnt from businesses

02

**ELDR** applicability

03

Key considerations for compliance





### What we have learned from our interaction with stakeholders

### **EU Commission**

- The third iteration of the Frequently Asked Questions (FAQs) has been prepared (July 23<sup>rd</sup>) and is undergoing internal review. It contains >40 new FAQs, as well as clarifications/details added to existing FAQs and will be published in the coming weeks.
- The official Guidance to assist Country Authorities and Operators in implementing the EUDR provides clarification on 11 topics. It is undergoing internal Commission procedures and will be published as soon as possible.
- The contractor for the benchmarking system (relevant to EUDR Article 29) is developing the methodology, and updates will be announced in due course.
- The Information System (IS) has undergone major developments. Dedicated user training will be provided from October and registration will open in November.

### Stakeholder considerations

- Strong calls from stakeholders to publish the Guidance and third edition of the FAQs as soon as possible, to ensure sufficient time for companies to prepare.
- Ministers of Agriculture of EU jointly asking the EU Commission requesting reconsideration of requirements for EUDR compliance.
- Letter from the US to EU Commission requesting delay of date for EUDR entry into force.
- Significant flaws in the EU Forest Observatory data has been identified – recommendation for CAs and businesses to ensure the use of accurate data during their risk assessment processes.
- **Eurocommerce** asking the Commission that the transition period is extended allowing a minimum of 6 months after the IT tools and the benchmarking system are ready, piloted and tested, and made available for data entry, together with access to the required training material to ensure optimal preparation for this important regulation

## What we have learned from our experience with businesses

### **Challenges**

**Applicability uncertainty:** Companies may face legal risks due to misinterpretation or incomplete understanding of the regulation's requirements.

**Scale and speed of compliance:** Rapid EUDR enforcement and the difficulty to engage the end-to-end compliance journey can lead to a late reaction and allocation of resources.

**Shifts in internal governance:** Sustainable procurement regulations often require different skills and therefore, a re-designed governance across functions.

**Full traceability of global supply chains**: Incomplete or inaccurate data along the supply chain can create information gaps, hindering the ability to provide verification about the deforestation-free status.

**Certification use:** Deforestation-free certifications can act as supporting evidence but cannot replace the company's due diligence duties and liability in case of inaccuracy.

### **Our point-of-view**

**Legal interpretation is critical** to clarify "grey zones" in terms of applicable derivates, stakeholder qualification in different business units/products and overall requirements.

Engage in rapid and comprehensive "no regret actions" response to ensure timely and accurate shift in processes, technologies, and supplier relationships. **Pragmatism, flexibility, and agility** should be at the core of the actions to be taken by companies.

Establish **clear frameworks** to ensure a comprehensive shared ownership to fulfill compliance. Engage **internal awareness and training** to onboard different departments and levels of the organization in the **EUDR governance structure**.

Implement data collection and advanced traceability technologies and activate close collaboration with stakeholders for validity and reliability of data.

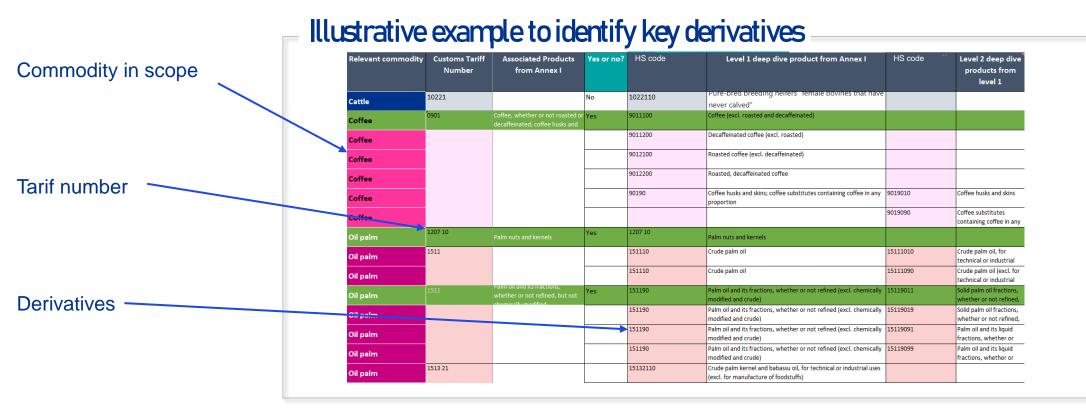
Clearly define the **company's gaps towards EUDR compliance** & in which areas of the E2E journey a certification scheme can support the process. This should be done in a case-by-case basis.





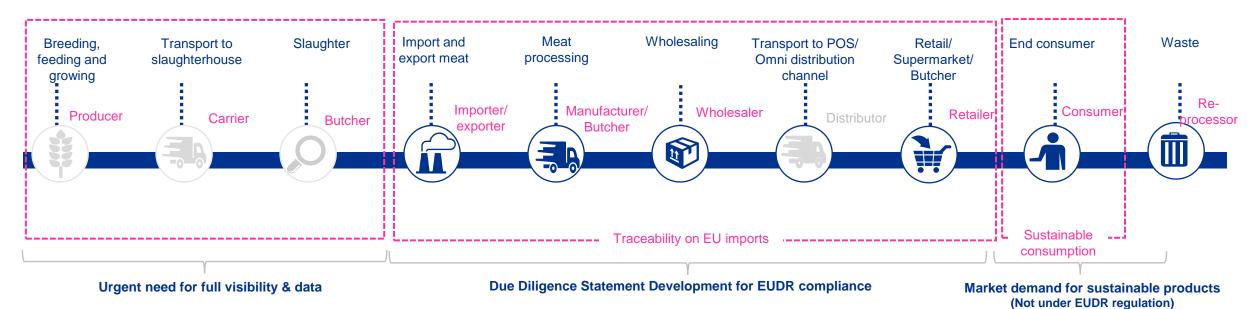
## Defining ELDR applicability

EUDR applicability is a critical first step towards EUDR compliance. A clear and straightforward approach is needed to define commodities and derivates level 1 and level 2 based on Customs Tariff Numbers.





## How does BUR impacts different sections of the value chain?

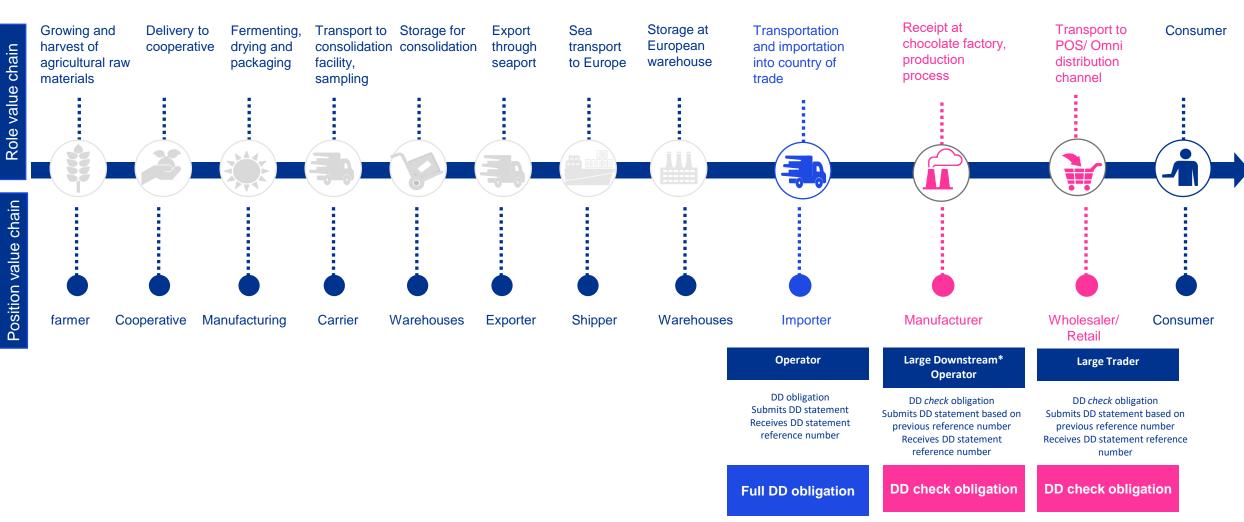


General implications
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	General implications					
01	Deforestation-free sourcing	Complete supply chain visibility and understanding of sourcing countries' laws. Identification of sourcing countries under EUDR "high, standard and low risk	04	ESG regulatory constellation	Identify where and how the implementation of the different EU regulatory evolutions (CSRD, CSDDD, etc.) can be leveraged to avoid resource duplication and inefficiencies.	
02	Import EU	Identify stakeholder that will ask or will need to provide the company with their due diligence statements	05	Internal alignment and change management	Engage multi-department collaboration, specially between procurement and sustainability.	
03	Sustainable consumption	Align publicly available sustainable sourcing commitments to EUDR timeframe		_		



## Example level of obligation in value chain Cocoa



Based on sources: CDP\_Policy\_Explainer\_Deforestation\_Regulation.pdf (thechocolatelife.com) & EUDR Cocoa factsheet\_CDI\_EN\_30May (efi.int)



03 Key considerations for compliance

# ELDR requires an in-depth understanding of tool landscape & integration Do not continue manually but choose best tool that uses GSI standards

#### **Our Aim**



KPMG evaluated EUDR tool providers with regard to the extent to which their solution fulfills the functional and technical requirements as well as the general requirements.



#### **Our Process**

In a Request for Information (RFI), we sent questionnaires to 42 EUDR tool providers, who answered questions about aspects of their tool. The responses were translated into a score for comparability.



### **Our Findings**

Of the 19 vendors that responded to the questionnaire, 10 companies offer solutions meet at least 66% of the requirements in each category.

### A sample of available tools on the market

Global Traceability

Osapiens

Farmforce

**KPMG** Origins

Nadar

TOPO

Satelligence

ICE Benchmarking

Source Intelligence

Merida

Ulula

Satelligence

SarVision/Greenant

Prewave

**Integrity Nextt** 

LiveEO

Optel ServiceNow

Marble Imaging

**Swift Geospitial** 

Contacted companies without answer: Agritask, EcoVadis, Everstream, Farmforce, Impero, Interos, Jaggaer One, Kanop, Koltiva, RepRisk, Salesforce, SAP Green Token, Sedex, Sepal, Singleearth, Sphera, Sustainabill, Tacto, Telekom, TraceX, Transparancyone, Workiva, Xylem Technologies



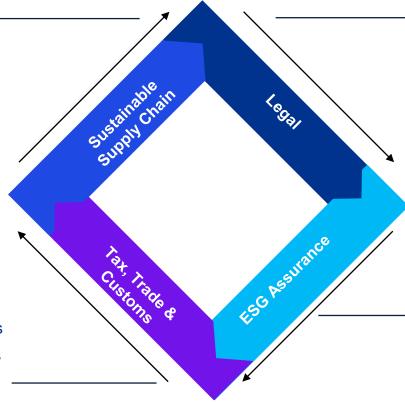
# An interdisciplinary approach is necessary for successful implementation of ELDR

#### Advice and support in the endto-end implementation of **EUDR**:

- EUDR applicability (HS codes, trader/operator, etc.)
- Supply chain considerations (incl. risk assessment frameworks. supplier onboarding, etc.)
- EUDR technology and system integration

### Advice on tax and customs considerations, incl. :

- Optimization of importing pathways
- Sourcing country scenario analysis
- DDs considerations for customs



### Support in the interpretation and understanding of:

- Applicability of EUDR regulation at group level
- Applicability at HS code level for different stakeholder groups
- Interpretation of nuances within regulation
- Local legislation in the country of origin as part of the risk assessment and mitigation processes.

### **Verification** of veracity of **EUDR** due diligence statements in:

- Verification of data from sourcing countries
- Verification of processes and controls in HQ



## Our recommended approach for ELDR readiness

KPMG has a network of global experts to assist companies in understanding the policy evolution in sourcing and trading countries and optimize business and ESG strategies in the context of the rapidly changing global environmental regulatory landscape. Our multidisciplinary roadmap jointly considers key ESG strategy, supply chain, customs, legal, data & tech and assurance expertise to support companies across sectors and geographies.

## **Current State Analysis**

Impact assessment:

- Scope brands, product and derivates subject to EURD
- Identify degree of value chain visibility
- Define gaps for EUDR compliance by 12/24

Develop EUDR roadmap towards compliance

### 02 Assess and design processes

Design EUDR Target Operating Model (TOM) Design Due Diligence processes:

- Select a technology provider
- Develop/adapt risk assessment framework
- Define measures to cease, prevent or mitigate human rights and environmental risks

Design external and internal stakeholder engagement strategy

## **Implementation** support

- Integrate selected technology with internal and external processes
- Engage suppliers for appropriate data gathering
- Roll-out of identified risks
- Set-up complaints system
- · Prepare due diligence statement

Legal and customs support





# The user stories for the actors in the supply chain

Simon Eicher, Head of Agriculture, GS1 France



## Getting ready for Deforestation Due Diligence

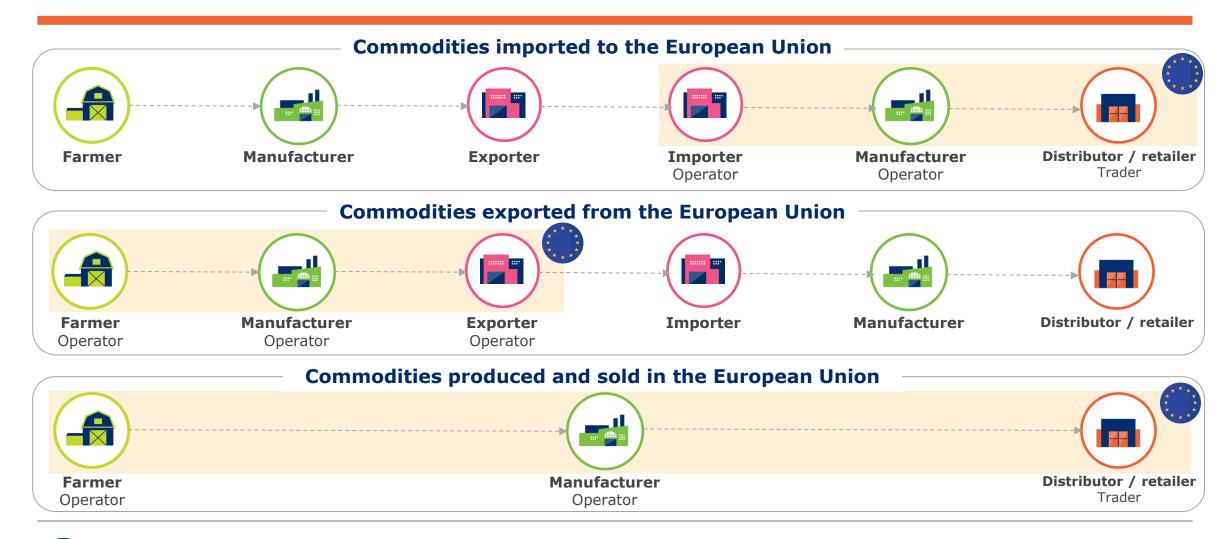
Supply chain transparency for EUDR

Data Collection and Risk Analysis

Due Diligence Statements Connecting with business partners using GS1 standards

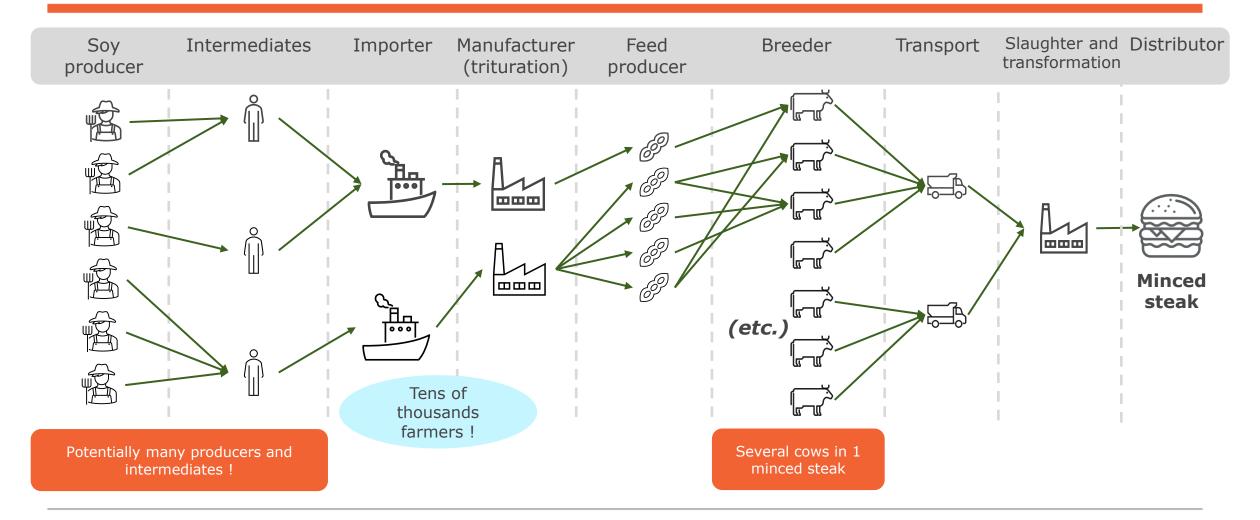


## High-level supply chains – for EUDR





# An example of the simplified supply chain of animal feed and steak production





## User stories - responsibilities



non-EU

No difference in type and size of actor

No legal responsibility, HOWEVER:

- EU business partners will demand data for the EUDR
- Data Collection is needed



EU

### Operator



### Trader

- Retailer

Distributor

- Farmer
- Exporter
- Importer
- Manufacturer

Small and medium enterprises (SME)

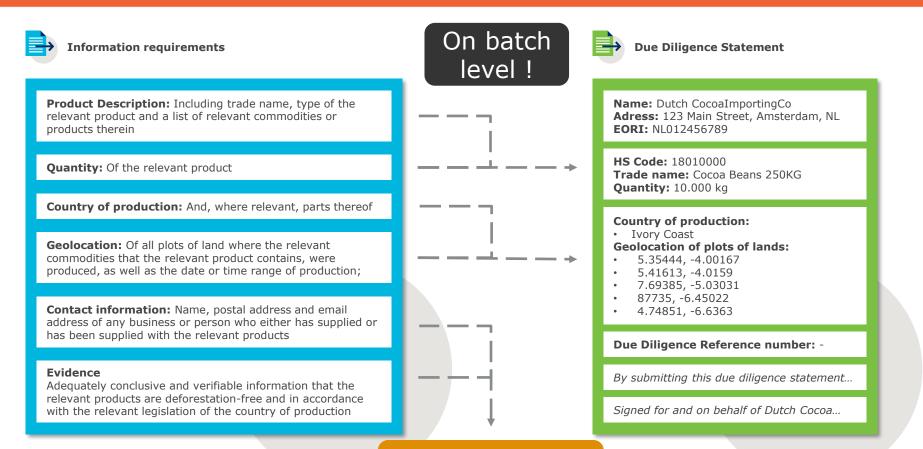


### Responsibilities for actors:

- Data collection
- Data Analysis
- Due Diligence Compliance



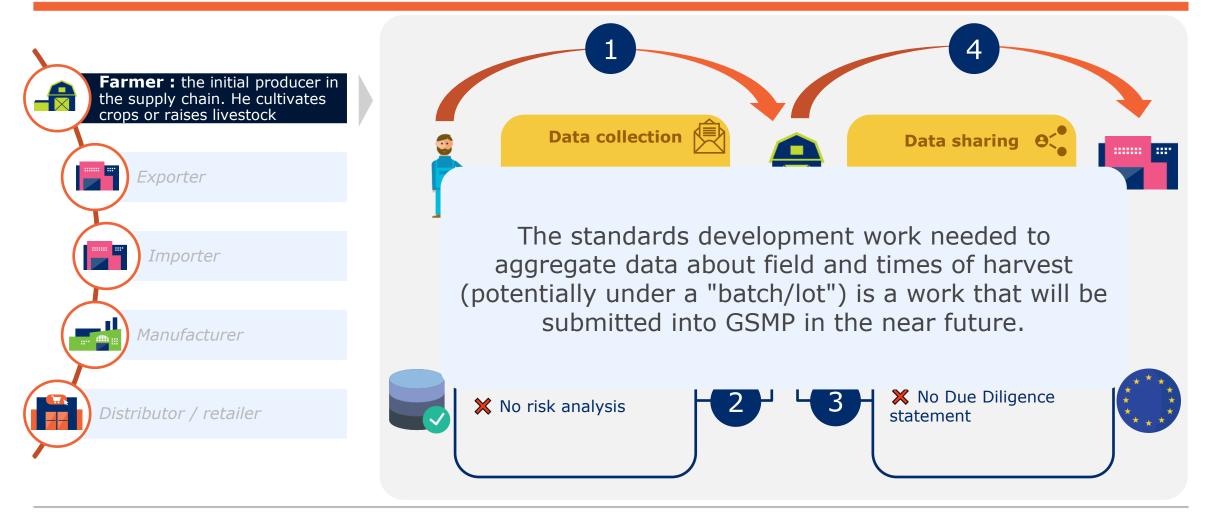
# Information Requirements and Due Diligence Statement



To keep in case of control



# User stories: example of a small farm outside of Europe



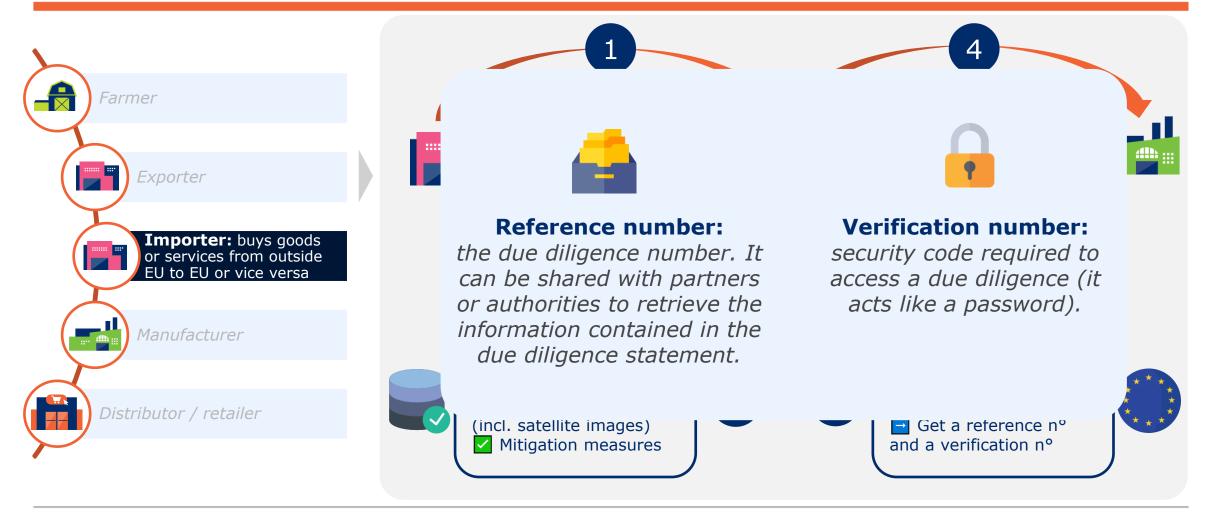


# User stories: example of an exporter (non-SME outside of Europe)



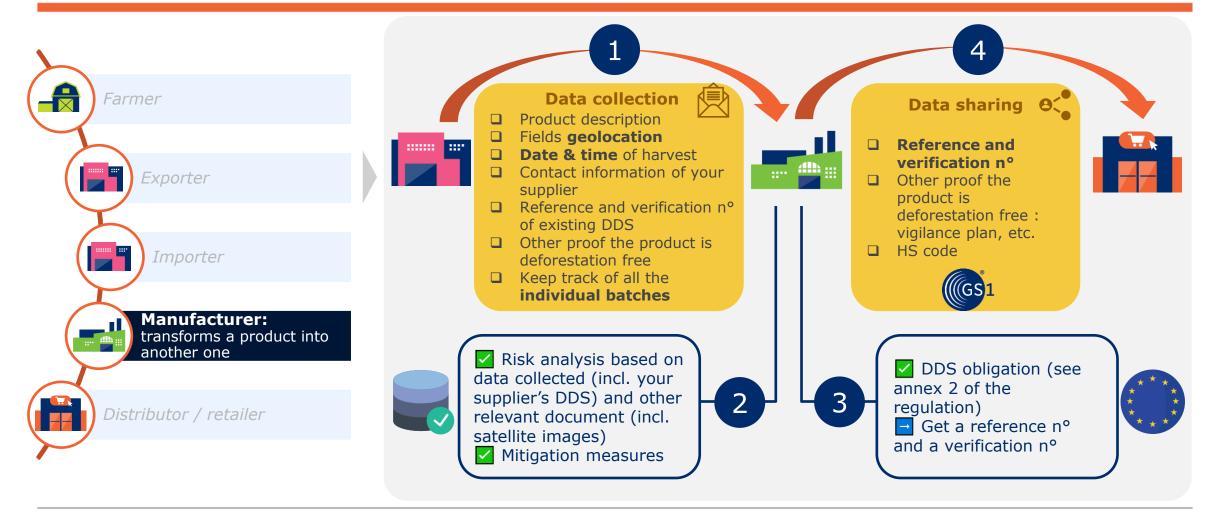


# User stories: example of an importer (non-SME, inside of Europe)



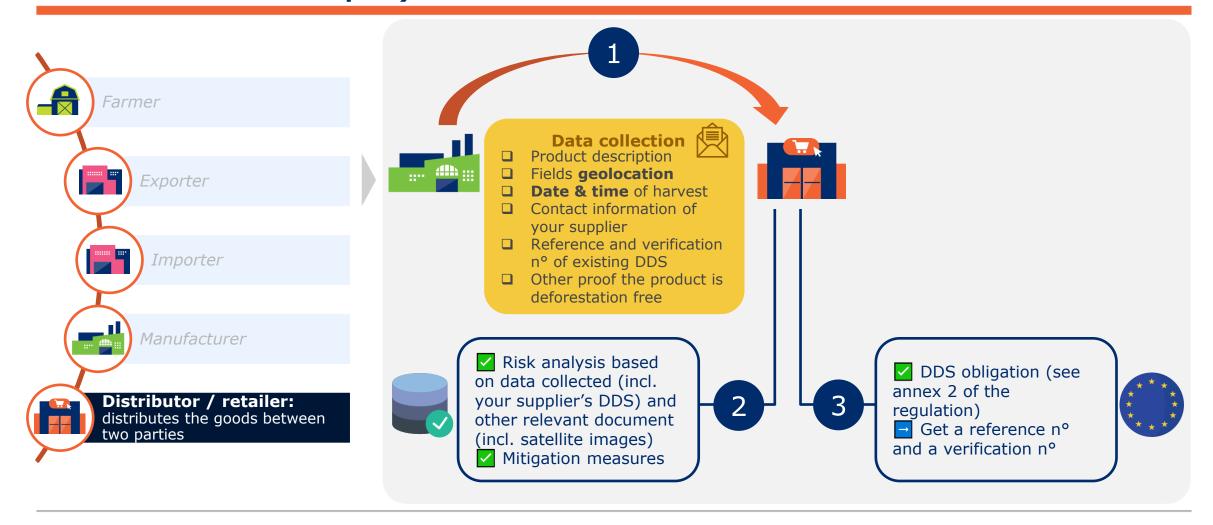


# User stories: example of a manufacturer (non-SME, inside of Europe)





# User stories: example of a retailer (non-SME, inside of Europe)

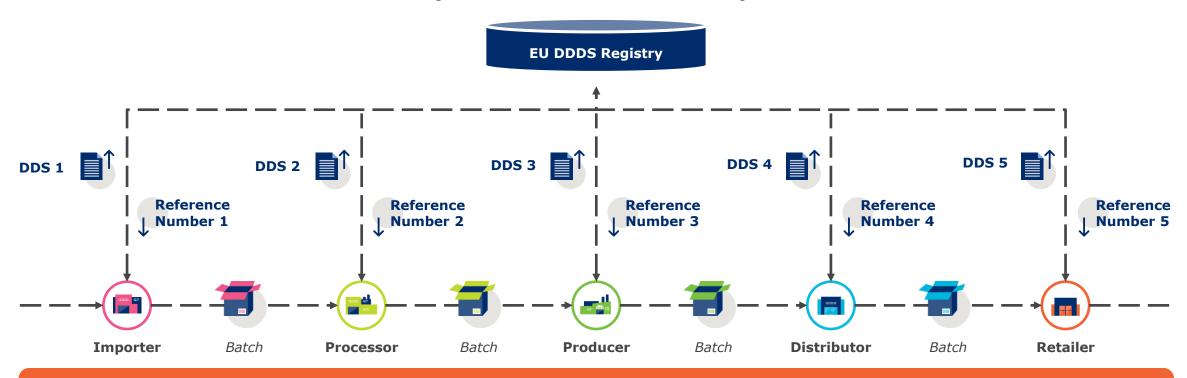




## Summary of the EUDR process (in the EU)

#### **European Union Deforestation Due Diligence Registry**

Stores and assigns reference numbers to submitted Due Diligence Statements



Data collection and Risk Analysis for Deforestation Due Diligence



## Examples of Due Diligence Statements



#### Due Diligence Statement #1

Name: Dutch CocoaImportingCo

Adress: 123 Main Street, Amsterdam, NL

**EORI:** NL012456789

**HS Code:** 18010000

Trade name: Cocoa Beans 250KG

Quantity: 10.000 kg

#### **Country of production:**

Ivory Coast

#### **Geolocation of plots of lands:**

- 5.35444, -4.00167
- 5.41613, -4.0159
- 7.69385, -5.03031
- 87735, -6.45022
- 4.74851, -6.6363

#### Due Diligence Reference number: -

By submitting this due diligence statement...

Signed for and on behalf of Dutch Cocoa...

Importer in EU Member State buys deforestation-free beans and places them on the market



#### Due Diligence Statement #2, #3 and #4

Name: Belgian CocoaProcessingCo Adress: 456 Other Street, Brussels, BE

EORI: -

**HS Code:** 18040000

Trade name: Cocoa Butter 100KG

**Quantity:** 2.500 kg

#### **Country of production:**

Ivory Coast

#### **Geolocation of plots of lands:**

- 5.35444. -4.00167
- 5.41613, -4.0159
- 7.69385, -5.03031
- 8//35, -6.45022
- 4.74851, -6.6363

#### **Due Diligence Reference number:** #1

By submitting this due diligence statement...

Signed for and on behalf of Belgian Cocoa...

Producer in EU member state processes cocoa beans to cocoa derivatives and places them on the market



#### Due Diligence Statement #5

Name: German ChocolateProducingCo Adress: 789 This Street, Berlin, DE

EORI: -

**HS Code:** 18069039

**Trade name:** ChocoCo's ChocoBars 500G

Quantity: 5.000 kg

#### **Country of production:**

Ivory Coast

#### Geolocation of plots of lands:

- 5.35444, -4.00167
- 5.41613, -4.0159
- 7 60385 -5 0303
- 87735 -6 45022
- 4.74851, -6.6363

**Due Diligence Reference Number: #2-4** 

By submitting this due diligence statement...

Signed for and on behalf of German Choco...

Chocolate manufacturer in EU member state processes cocoa derivatives into chocolate bars and places them on the market



## The importance of compliance with EUDR

Anette Andersson, GS1 Data Quality Expert, ICA



## ICA Gruppen at a glance

1,968

retailer- and Groupowned stores and pharmacies. The core business is grocery retail.

CEO Nina Jönssson

Chairman of the Board Magnus Moberg

**Sales 2023** 

148 Bn

Whereof groceries

84%



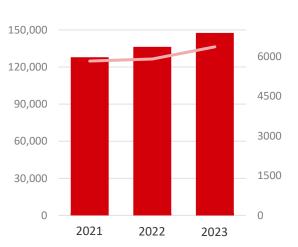


ICA Gruppen's operations are broken down into

ICA Sweden Rimi Baltic Apotek Hjärtat ICA Real Estate ICA Bank



Net sales & EBIT 2021-2023, Bn



More than

24,000

employees in ICA Gruppen and its companies

Approx.

50,000

people working in the retailer-owned ICA stores



## **EUDR at ICA**

### Involves large parts of ICA's operations

- Assortment & Purchasing
- Legal and Corporate responsible (CR)
- Digital & Tech (IT)
- Logistics
- Product Development Private Label
- ICA Stores

### All Business areas are affected

Except fruits and vegetables

# ICA have products with content/ingredient from all the EUDR commodity groups

Beef, Cocoa, Coffee, Oil palm, Rubber, Soy, Wood



## Compliance with the EUDR

### Non-compliance can lead to

- Fines up to 4% of the company's annual turnover
- Supply shortages goods can be re-called and we miss out on sales
- Lack in consumer trust

### **Main Obstacles**

- Difficult to interpret legal requirements
- The entire company must be aware of the change
- Many products from different categories
- All suppliers need to adapt to the EUDR
- ICA need to collect and store new information
- Different levels of maturity of EUDR and GS1 standard



## How can GS1 standards help

• The process need to be automated and digital

• GS1 standards are key to support

Ongoing Traceability pilot





# Using GS1 standards to support compliance

Lena Coulibaly, Senior Sales & Client Relations Manager, GS1 Sweden



## Using GS1 standards to support compliance

Access to qualitative and traceable data throughout the value chain will be critical to meet future requirements



To ensure this, all actors in the value chain need to be able to identify, track and seamlessly share information about objects and events in the value chain

#### **Identify unique objects**



Unique identities for different objects in the value chain

#### **Track individual events**



Data carriers that can be read or scanned to convey encoded information

#### Share collected data



Sharing that ensures information flows seamlessly and securely between parties



# GS1 standards – a common language to identify, capture and share data

## **TRACEABILITY** Masterdata Transactional data Event data Product/Location data Delivery data Physical event data Capture Product labelling | Logistic labelling Identify Company/Location (GLN) | Product/Batch (GTIN + batch number)



## To summarise

**Identify** 

- Global Trade Item Number (GTIN)
- Global Location Number (GLN)

All standards are up to date

**Capture** 



- Data carriers for product labelling
- Data carriers for logistic labelling

Transitition towards QR code or DataMatrix

**Share** 

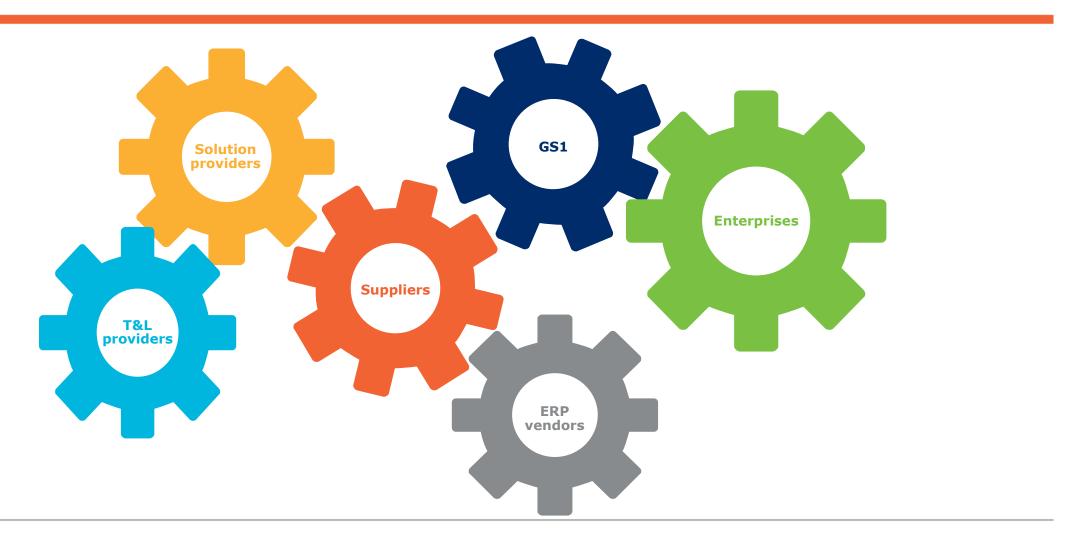


- (Master data)
- Transactional data => EDI
- Event data

Pending work requests on EDI messages and application identifiers



## Working together on transparency and traceability

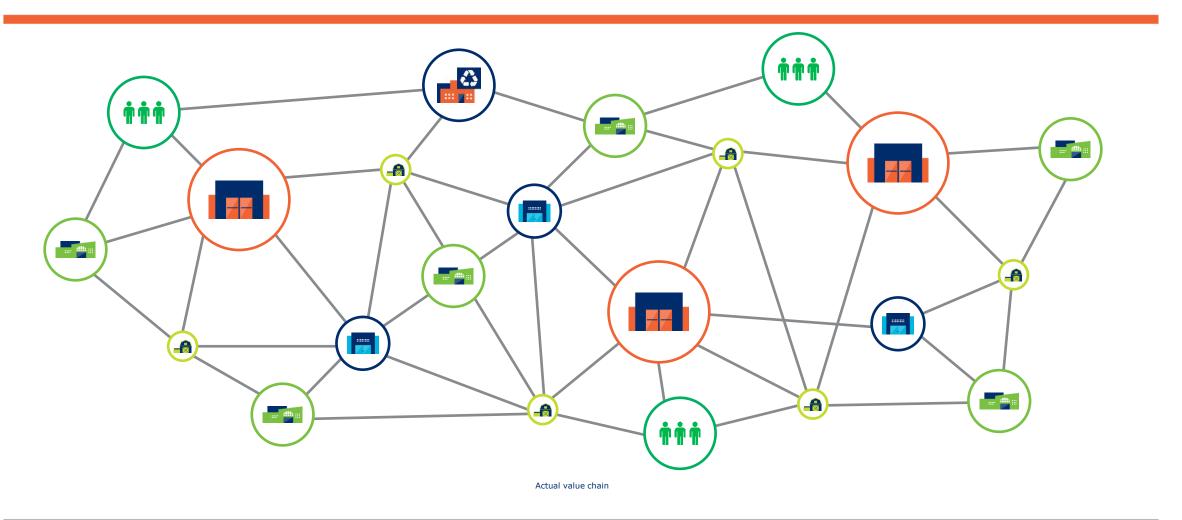




# Conclusions and White Paper



# The scale and complexity of value chains today means the task will be challenging for companies without a standardised approach





## The takeaways

### GET ORGANISED

By doing an impact assessment for your company

# PREPARE YOUR DATA

To enter data into the European DDDS Registry

# USE GS1 IDENTIFIERS

To identify your company, locations and products

### USE GS1 STANDARDS

To exchange data with your business partners



# Closing



## GS1 InterACT – 17 October – Vienna + Online



