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Answer given by Executive Vice-President Šefčovič
on behalf of the European Commission
(3.10.2024)

The EU Deforestation Regulation (EUDR)¹, adopted by the European Parliament and the Council, was published in the Official Journal of the EU on 9 June 2023 and entered into force on 29 June 2023. The EUDR is designed to apply in an even-handed and non-discriminatory manner, i.e. to all commodities and products produced inside as well as outside the EU. All commodities and products covered by the EUDR will be subject to the same standards and definitions.

As a regulation, the EUDR is binding and directly applicable in all Member States (Article 288 of the Treaty on the Functioning of the European Union). As an instrument of Union law, the EUDR prevails over Member States' laws. This also applies to the definition of 'forest' in Article 2(4) of the EUDR.

The EUDR does not aim to harmonise national legislation on forestry. There is no mechanism to resolve conflicts between the EUDR and national legislation on forestry foreseen, as the EUDR sets the 'deforestation-free' requirement for products placed on the Union market and national forestry law is still applicable pursuant to Article 2(40).

The definitions used in the EUDR rely on the definitions of the Food and Agricultural Organisation (FAO). These definitions are the basis for the obligations for competent authorities of the Member States, stakeholders in the EU and in third countries Pursuant to Recitals 36 and 37 of the EUDR, the Commission plans to adopt formal guidelines to provide guidance to all stakeholders.

¹ 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, OJ L 150, 9.6.2023, p. 206–247.