

FESI comparative overview of the proposal to simplify the European Union Deforestation Regulation (EUDR) (Commission - Parliament – Council position)

1. Introduction

The European Commission published its proposal for the EUDR on 17 November 2021, and the Regulation was adopted on 16 May 2023. It was originally scheduled to apply to all operators and traders, starting on 30 December 2024. However, in December of that year, the EU introduced a 12-month additional transition period, postponing application to 30 December 2025 for large and medium-sized companies, and to 30 June 2026 for micro- and small enterprises. **On 21 October 2025, the European Commission issued a simplification proposal with targeted measures for micro- and small primary operators, along with a proposal for a six-month grace period for large and medium-sized companies once the Regulation becomes applicable. Council and Parliament have adopted their own positions and are now seeking to find a compromise agreement.**

2. Applicability of the new changes

If an agreement is reached, the revised Regulation is expected to enter into force on **1 January 2026**. With respect to its application, two scenarios remain possible pending the outcome of the interinstitutional negotiations:

- If the European Commission's proposal is endorsed, the Regulation would apply to large and medium-sized undertakings as of **30 June 2026** (after the application of a six-month grace period), and to micro- and small undertakings as of **30 December 2026**.

- If the Council’s and Parliament’s positions prevail, the Regulation would directly apply to large and medium-sized undertakings as of **30 December 2026**, and to micro- and small undertakings as of **30 June 2027**.

Legislative steps

The EUDR simplification proposal has already been discussed in both the Parliament and the Council. The two institutions will now have to find a compromise agreement before adopting the final legislation.

- i. The Commission published its proposal for a simplification of EUDR on 21 October (below as **“Commission Proposal”**)
- ii. At Parliament level, the proposal was discussed within the ENVI Committee with MEP Rapporteur in charge, Ms. Esther Herranz García (EPP/ES), on 10 November.
- iii. The plenary of the Parliament then voted to fast-track the discussions on the file on 13 November.
- iv. MEPs submitted amendments and voted in plenary on the revised position in November. The revised position (mostly supported by right-wing and far-right wing parties) was adopted on 26 November (below as **“Parliament position”**).
- v. In parallel, the Council reached its own negotiating mandate on 19 November: the General Approach (below as **“Council General Approach”**).
- vi. Interinstitutional negotiations between the Council and Parliament ('trilogues') are expected to officially start in the upcoming weeks and conclude by the end of 2025.

3. Proposed changes to the EUDR compared to the amendment proposal and Parliament and Council’s positions

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TOPIC	ORIGINAL TEXT	COMMISSION PROPOSAL	PARLIAMENT POSITION	COUNCIL GENERAL APPROACH
Definition of “Operator”	Operator: any natural or legal person who places relevant products on the market or exports them.	Operator: any natural or legal person who places relevant products on the market or exports them, excluding downstream operators.	/	/
Definition of “Micro- and Small Primary Operator”	/	Micro- or small primary operator: micro- or small undertaking as defined in Directive 2013/34/EU (based on their balance sheet total, net turnover and average number of employees) established in a low-risk country , which produces and places on the market or exports products that it has grown, harvested, obtained, or raised on its own plots of land.	Micro- and small primary operator: micro- or small undertaking as defined in Directive 2013/34/EU) established in a low-risk country, which produces and places on the market or exports products that it has grown, harvested, obtained, or raised on its own plots of land (or, for cattle, on its own establishment) located in that country. Includes companies that exceed at least two of the standard EU size thresholds (balance sheet total, net turnover, number of employees) but	Micro- and small primary operator: micro- or small undertaking (as defined in Directive 2013/34/EU) established in a low-risk country, which produces and places on the market or exports relevant products that it has grown, harvested, obtained, or raised on its own plots of land (or, for cattle, on its own establishment) located in that country. Includes companies that exceed at least two of the standard EU size thresholds (balance sheet total, net turnover, number of employees) but

			can show that the part of their business covered by this Regulation falls below at least two of these thresholds.	can show that the part of their business covered by this Regulation falls below at least two of these thresholds.
Definition of “Downstream Operator”	/	Downstream Operator: any natural or legal person who places on the market or exports relevant products made using relevant products, all of which are covered by a due diligence statement or by a simplified declaration.	/	/
Definition of “Trader”	Trader: any person in the supply chain other than the operator who, during a commercial activity, makes relevant products available on the market	Trader: any person in the supply chain other than the operator or downstream operator who, during a commercial activity, makes relevant products available on the market.	/	/
Due Diligence obligations for operators	By submitting a due diligence statement to the competent authorities, operators assume full responsibility for ensuring the product complies with the regulation. They must also retain records of all submitted due diligence	By making available to competent authorities the due diligence statement or, in the case of micro- and small primary operators, by submitting the simplified declaration , the operator shall assume responsibility for the compliance of the	/	/

	<p>statements for five years from the date of submission through the information system.</p> <p>SME operators do not need to carry out due diligence on products that have already undergone due diligence. In those cases, they must simply provide authorities with the reference number of the existing due diligence statement.</p> <p>However, for any parts of the product not previously covered, the SME operator must perform full due diligence.</p>	<p>relevant product with this Regulation. Operators shall keep a record of the due diligence statements for five years from the date the statement is submitted through the information system.</p> <p>Paragraphs on SME operators are deleted from this article.</p>		
Simplified regime for Micro- and small primary operators	/	<p>Micro- and small primary operators do not need to conduct Due Diligence and submit a statement.</p> <p>They must submit a one-time simplified declaration in the information system before placing on the market products or</p>	<p>Micro- and small primary operators do not need to conduct Due Diligence and submit a statement.</p> <p>They must submit a one-time simplified declaration in the information system before placing on the market products or</p>	/

		<p>exporting them. This declaration must contain the information set out in Annex III.</p> <p>If this information is already available in an existing EU or Member State database (other than the main information system), micro- and small primary operators do not need to submit the simplified declaration.</p> <p>Member States must ensure this information is made available in the information system.</p>	<p>exporting them. This declaration must contain the information set out in Annex III.</p> <p>If this information is already available in an existing EU or Member State database (other than the main information system), micro- and small primary operators do not need to submit the simplified declaration.</p> <p>Member States must ensure this information is made available in the information system.</p>	
<p>Due Diligence obligations for downstream operators and traders</p>	<p>Non-SME traders are treated as non-SME operators and must comply with all due diligence obligations for the commodities and products they place on the market.</p> <p>SME traders are not required to conduct full due diligence. They must collect and keep specific</p>	<p>Downstream operators and traders may place relevant products on the market only if they possess the required information.</p> <p>They must collect and keep the information specified in Art. 5 (information from suppliers and client companies).</p>	<p>Downstream operators and traders may place relevant products on the market only if they possess the required information.</p> <p>Information such as the reference numbers of prior due diligence statements or the declaration identifiers associated to those</p>	/

	information about the products they intend to make available, as specified in Art. 5.	<p>They must communicate to other downstream operators and traders the reference numbers of the due diligence statements or the declaration identifiers associated to those products.</p> <p>Non-SME downstream operators and non-SME traders must register in the information system before placing, making available, or exporting relevant products.</p> <p>Non-SME downstream operators and traders must verify that due diligence has been exercised and that there is no or only negligible risk associated with the relevant products.</p>	<p>products must be collected and kept only in case their supplier is an operator.</p> <p>The requirement for downstream operators to pass information on to subsequent downstream operators and traders is deleted.</p>	
Authorized representatives	Operators or traders may appoint an authorized representative to submit the due diligence statement on their behalf . The operator or trader	Operators or traders may appoint an authorized representative to submit the due diligence statement or the simplified declaration on their behalf . The	/	/

	remains responsible for compliance.	operator or trader remains responsible for compliance.		
Information requirements	Companies must report the geolocation and production dates or time ranges for all plots where commodities in a product were produced . For products sourced from multiple plots, all plot locations must be included.	For micro- and small primary operators, the geolocation may be replaced by the postal address of all plots from where the relevant commodities were produced .	For micro- and small primary operators, the geolocation may be replaced by the postal address of land or the postal address of the establishment from where the relevant commodities were produced .	For micro- and small primary operators, the geolocation may be replaced by the postal address of land or the postal address of the establishment from where the relevant commodities were produced .
Obligation to carry out Checks	Member State authorities must carry out risk-based, mostly unannounced checks to ensure operators, traders, and their products comply with the Regulation. Checks weigh factors like supply-chain complexity, commodity type, country risk, past non-compliance, and substantiated third-party concerns . Annual plans set targets (1–9% by country risk) and are regularly reviewed.	Downstream operators and traders are included in the scope of the provision about possible checks.	/	/

Content of the checks on operators	Checks on operators and non-SME traders focus on reviewing their due diligence systems , including risk assessments, mitigation measures , and supporting documentation for specific products. Checks may also involve on-the-ground inspections, verification of corrective actions, and technical analyses (e.g., DNA, chemical tests, Earth observation data) to confirm product origin, species, or deforestation-free status. Spot checks and field audits , including in third countries with their cooperation, may also be conducted to ensure compliance.	Checks on the simplified declaration (small and micro-operators) or the information made available by Member States per operator in the information system are included among the aspects to be possible checked on inspections.	/	/
	Checks on SME traders focus on reviewing documentation and records demonstrating their compliance with	Downstream operators and traders are included in the scope of possible checks.	/	/

Checks on downstream operators and traders	Article 5 (collection of information from suppliers and client companies). Where necessary (especially if initial document checks raise concerns) authorities may also conduct spot checks , including field audits.			
Recovery of costs by competent authorities	Member States may allow competent authorities to recover from operators or traders the full costs of enforcement activities related to non-compliance. These costs can include testing, storage, and corrective actions for products found non-compliant before they are released for circulation, placed on the market, or exported.	Downstream operators and traders are included in the scope of this article.	/	/
Cooperation and exchange of information	Competent authorities must exchange information necessary for enforcing the Regulation, including via the	Information about downstream operators is included in the scope of this article. Simplified declarations are also	/	/

	information system. This includes sharing details on operators and traders , their due diligence statements, and the nature and results of checks with other Member States' authorities to support effective enforcement.	included in the list of possible information to be facilitated to national authorities in compliance with this article.		
Corrective action in the event of non-compliance	If competent authorities determine that an operator, trader, or product is not compliant with the Regulation, they must promptly require the operator or trader to take appropriate and proportionate corrective action within a specified, reasonable timeframe to resolve the non-compliance.	Downstream operators are included in the scope of the provision.	/	/
Penalties	Member States to establish and enforce penalties for operators and traders.	Downstream operators are included in the scope of the provision.	/	/
Controls	Before a relevant product is released for free circulation or export, its due diligence statement reference	Before a relevant product is released for free circulation or export, the reference number of its due diligence	This paragraph shall not apply to the export of a relevant product by a downstream operator.	This paragraph shall not apply to the export of a relevant product by a downstream operator.

	<p>number must be provided to customs authorities. Unless the statement is submitted through the electronic interface, the person filing the customs declaration must supply the reference number assigned by the information system.</p>	<p>statement (or the declaration identifier for micro- and small primary operators) must be provided to customs authorities. Unless the statement is submitted through the electronic interface, the person lodging the customs declaration must supply this number. This requirement does not apply when the product is exported by a downstream operator.</p>		
<p>Date of establishment of electronic interface</p>	<p>The Commission to create an electronic interface within the EU Single Window Environment for Customs to allow transmission of data between national customs systems and the information system by 30 June 2028.</p>	<p>The Commission to create an electronic interface within the EU Single Window Environment for Customs to allow transmission of data between national customs systems and the information system 1 December 2029.</p>	/	/
<p>Functionalities of the information system</p>	<p>The electronic interface will enable operators and traders to submit:</p>	<p>The electronic interface will enable operators and traders to submit:</p>	/	/

	a) Due diligence statements b) The interface will also allow transmission of these statements to the information system.	a) The registration of non-SME downstream operators and non-SME traders . b) Due diligence statements , including the communication to the operator concerned of a reference number for each due diligence statement. c) Simplified declarations and declaration identifier to the concerned operator.		
Review	By 30 June 2024 , the Commission to present an impact assessment (and, if appropriate, a legislative proposal) on extending the Regulation to cover other wooded lands environmental impact.	By 30 June 2030 and at least every five years thereafter, the Commission to carry out general review of EUDR and present a report that may include a legislative proposal.	By 30 April 2026 , the Commission shall carry out a simplification review of EUDR and present a report that may include a legislative proposal. The Commission will establish a permanent stakeholder group to ensure continued exchange with stakeholders and operators to develop best	By 30 April 2026 , the Commission shall carry out a simplification review of EUDR and present a report that may include a legislative proposal. By 30 June 2030 and at least every five years thereafter, the Commission shall carry out a general review of EUDR and present a report that may include a legislative proposal.

			practices and collect technical feedback.	
Entrance into application	For large and medium-sized undertakings: 30 December 2024 . For micro and small enterprises 30 June 2025 .	For large and medium-sized undertakings: as of 30 June 2026 (after the application of a six-months grace period). For micro and small undertakings as of 30 December 2026 .	For large and medium-sized undertakings: as of 30 December 2026 For micro and small undertakings as of 30 June 2027 .	For large and medium-sized undertakings: as of 30 December 2026 For micro and small undertakings as of 30 June 2027 .