



Swiss draft ordinance on declaring wood and wood products - Notification 2009/9508/CH Draft CEI-Bois reaction

CEI-Bois and its members share the concerns over illegal logging with the Swiss authorities, condemn illegal logging and support all initiatives fighting against this deplorable activity.

Illegal logging damages initiatives to promote legal and sustainable forest practice and hurts the image of wood as an environmentally positive material. It also harms the people whose livelihoods depend upon forests.

However, CEI-Bois cannot agree to the proposal notified by the Swiss Federal Department of Economic Affairs.

The draft ordinance on declaring wood and wood products requires all wood and wood products supplied to the consumer to be labelled with the following information:

- The commercial name of the wood;
- Sufficient information to enable consumers to determine the scientific name of the wood;
- The origin and country of harvesting of the wood.

It goes without saying that these requirements will create additional administrative burden for an industry that has to remain competitive on an international market.

In 1972 the EU and Switzerland and the EU signed a Free Trade Agreement that is the basis for the relations between both. Article 2 of that FTA guarantees the free movement of goods originating in the EU or Switzerland. According to article 20 of the Free Trade Agreement, exceptions to the free trade between the EU and Switzerland are only possible on the condition that they are justified for the protection of health and life of humans, animals or plants.

It must however be noted that all restrictions must pass with the principles of non-discrimination, necessity and proportionality.

The measure in question has to be necessary in order to achieve the declared objective; the objective could not be achieved by less extensive prohibitions or restrictions, or by prohibitions or restrictions having less effect on intra-Community trade.

CEI-Bois believes that the Swiss objective (being the protection of the environment through the fight against illegal logging) can be reached by less extensive prohibitions.

Furthermore, CEI-Bois believes that, through a mere declaration of the origin of the wood, consumers will not be able to distinguish wood from a legal origin from wood that could have been illegally harvested.

The additional administrative burden of “Self-monitoring” (Article 5 of the Draft ordinance) and the monitoring carried out by the Federal Consumer Affairs Bureau and the Federal Customs Administration (Article 6) and associated costs affect the competitiveness of wood in comparison to other raw materials, which do not have to provide such proof.

Finally, CEI-Bois and its members would ask the Swiss authorities to align their future policy with the ongoing discussions on ‘Due Diligence’ at EU level.