

Are Your Wood Products Really Certified?

WRI experts answer questions on forest certification and the Lacey Act.

By Caitlin Clarke and Adam Grant on May 4, 2011



In November 2009, federal agents raided a Gibson Guitar manufacturing facility in Tennessee as part of an investigation under the [Lacey Act](#). Agents were investigating the alleged use of illegally sourced wood from Madagascar in some of Gibson's well-known musical instruments. If proven, import or use of such wood can constitute a serious felony punishable with large fines for the company and possible jail terms for any executives involved.

Before the raid, Gibson had a reputation as a progressive company and a proponent of forest certification. The company had taken steps to make its business more sustainable through the use of the Forest Stewardship Council (FSC) certification system, yet is alleged to have bought valuable wood stolen from Madagascar's national parks. How could this happen, and what does it have to do with the certification process?

Members of the [Forest Legality Alliance](#), which WRI helped to found, have asked the following questions:

What is forest certification?

Forest certification emerged in the early 1990s as a way to promote and/or guarantee responsible management of forests. Certification is intended as a "seal of approval" to notify consumers that certified wood products came from well-managed forests and were tracked through documented supply chains, independently monitored by credible third parties. Certification offers a powerful means to encourage companies to improve forest management practices, harnessing the power of markets and consumers to support environmental and social standards.

Is it possible for companies holding FSC certification to potentially trade in illegal products?

It is possible. A company can hold FSC certificates, but that does not mean that all of its products are necessarily FSC certified. Companies can choose which product lines to certify. These may include all the products they sell, or just a small percentage. An FSC certificate for one product line guarantees nothing about other non-certified product lines manufactured and sold by the same company.

Who is in charge of forest certification programs?

Forest certification schemes are managed by NGOs, industry associations, and forest owners' federations. They are voluntary, market-based programs. The Forest Stewardship Council (FSC) is among

the best-known of these standards. Others include the Europe-led Programme for Endorsement of Forest Certification (PEFC) and the U.S.-based Sustainable Forestry Initiative, among many.

How does certification work?

Under the FSC system, two steps in the forest product supply chain can be certified: forest management (FM) and chain of custody (CoC). Forest management certification means that the forest itself from which the trees were harvested has been managed in accordance with the [FSC Forest Management Standard](#). Chain of custody certification means that the manufacturing, processing, and distribution of forest products can be documented and traced through the supply chain, and that these steps conform to the [FSC Chain of Custody Standard](#).

The Forest Stewardship Council only sets standards (forest management and chain of custody) and accredits other bodies to assess and audit against these standards. These other bodies are called certification bodies and are the organizations a company needs to contact in order to attain an FSC FM or CoC certificate. A full list of the current CBs is below.

If a company says it is certified, could I still be inadvertently buying wood of suspicious origin?

It is possible. When the certification process works as it is intended to work, illegally sourced wood is screened out of the certified supply chain.¹ Buyers then tend to think that the company itself, along with everything it sells, is therefore certified. In reality, companies may only have just a small percentage or their production certified. ***Certification normally only applies to a very specific set of products that probably comprise only a small percentage of the company's overall product line.***

A company holding only one CoC certificate may promote itself as a “certified” company, but such a claim is often misleading. It is entirely possible for a company to sell only one certified product, while at the same time selling hundreds of other products that are not certified.

In the Gibson case, the wood from Madagascar that was of interest to the U.S. government in its Lacey investigation was never covered by any type of certification, and so would not have been allowed to be used in any product labeled or sold as FSC-certified. Gibson only holds FSC certificates that apply to certain woods used in a specific line of guitars, none of which would apply to protected species purchased from Madagascar.

How can I tell what is actually certified?

In the case of FSC products, the Forest Stewardship Council requires that every company holding an FSC CoC certificate maintain a list of products sold as FSC certified. This list, called a product group schedule, must detail for each product the species make-up and the percent of the wood content that is FSC certified.²

If you are buying from a company that holds an FSC certificate and you want to buy an FSC product, be sure to check the specific product you want to buy against the company's product group schedule. If the

product is not listed, it is not FSC certified, regardless of whether the company holds a certificate for other products. Buyers must be aware that certification applies only to specific products, and so not necessarily to all the products the company sells.

As a buyer of FSC certified forest products, what do I need to do?

1. **Check the certificate of the supply.** What, specifically, is being claimed as certified? You can do this by checking the FSC certificate database (<http://info.fsc.org/>) or by going directly to the certification body that issued the certificate – see the table below for contact details. To find out which certification body issued the certificate, refer to the certification code on the product or documents. The code will show the certification body’s initials. See [How to Read A Certification Code](#) below, along with a table of abbreviations and certification bodies.
2. Once you have checked the validity of the certificate, **check to see that the product you are buying is part of the company’s FSC product group schedule**, if applicable. (All such product group schedules are available as a matter of public record at <http://info.fsc.org/>.)
3. **Ask your supplier questions** such as: What is the supply chain for this product? If the product is not certified, can you trace the products all the way back to the forest? What is the degree of illegal activity in that forest or region? What processes do you have in place to prevent illegally harvested material from entering your supply? It is always helpful to document this process in writing.
4. **Determine the relative risks associated with the forest of origin.** Is the region suspected by credible sources of having high levels of illegal logging? Are you aware of serious concerns about governance in the country or region? Are civil society campaigns currently underway that indicate that this is a forest of concern? If so, compare the risk of inadvertently sourcing illegal wood products to your degree of risk aversion. If responses from your supplier to the questions you ask do not meet your risk tolerance levels, consider sourcing from a different supplier or region. Remember that simply knowing that you are taking a risk could impact your level of responsibility under the Lacey Act when determining whether you exercised due care. The UK think tank [Chatham House maintains a good aggregation of recent illegal logging news](#), which can be a good place to begin your search. You can also visit www.forestlegality.org.
5. **Establish a forest products purchasing policy** that reflects company values and risk thresholds and incorporates environmental and social safeguards. Such policies can be a good foundation for practicing due care. Training employees on the policy and putting in place systems and performance incentives for policy implementation can be a way to reduce risk effectively.

There are legal and responsible ways to harvest nearly all species, even from typically “high-risk” areas of the world. Just ensure that you’ve taken the steps necessary to ascertain the legality of your product, whether the company you are dealing with is certified or not.

How to Read a Certification Code

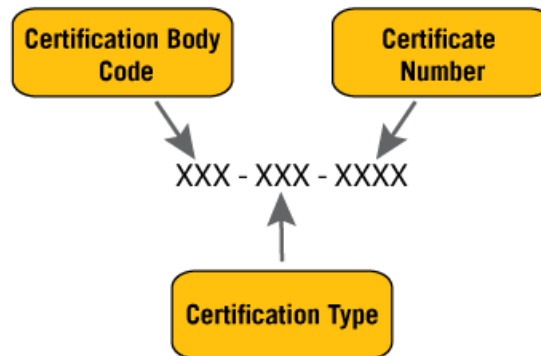


Table 1. Forest Certification Bodies

Certification Body Code	Certification Body	Type of Certification Offered	Website
TT	BM TRADA Certification Ltd	Worldwide for Chain of Custody (CoC) certification	www.bmtrada.com
BV	Bureau Veritas Certification	Worldwide for Forest Management (FM) and Chain of Custody certification	www.certification.bureauveritas.fr
RR	Certification Association "Russian Register"	Chain of Custody certification in the CIS* countries, Bulgaria, Georgia, Latvia and Lithuania excluding the certification of SLIMF operations	www.rusregister.ru
CQ	Certiquality	Worldwide for Chain of Custody certification	www.certiquality.it
CU	Control Union Certifications B.V.	Worldwide for Forest Management and Chain of Custody certification	www.controlunion.com
CTIB	CTIB-TCHN Belgian Institute for Wood Technology	Chain of Custody certification to include all countries in the EU and the European Fair Trade Association (EFTA)	www.ctib-tchn.be
DNV	Det Norske Veritas Certification AB	Worldwide for Chain of Custody certification and FSC accreditation for Forest Management limited to Sweden	www.detnorskeveritas.se
FC	Forest Certification LLC	FSC Forest Management and Chain of Custody certification in the CIS* countries excluding the certification of	www.fcert.ru

SLIMF operations			
FCBA	Technological Institute (earlier called CTBA)	Chain of Custody certification, limited to 32 countries with French as official	www.fcba.fr
GFA	GFA Consulting Group GmbH	Worldwide for Forest Management and Chain of Custody certification	www.gfa-certification.de
HCA	HolzCert Austria	Worldwide for Chain of Custody certification	www.holzcert.at
ICILA	ICILA Srl.	Worldwide for Chain of Custody certification and FSC accreditation for Forest Management limited to Italy	www.icila.org
IMO	Institut für Marktökologie	Worldwide for Forest Management, FSC Controlled Wood and Chain of Custody certification. <i>Note: Terminated for FSC Forest Management certification in Chile, as of 16th May 2008.</i>	www.imo.ch
KF	KPMG Forest Certification Services Inc.	Worldwide for Forest Management and Chain of Custody certification	www.kpmg.ca
IC	LGA InterCert GmbH	Worldwide for Forest Management and Chain of Custody certification	www.lga-intercert.com
QMI	QMI-SAI Global Assurance Services	Worldwide for Forest Management, FSC Controlled Wood and Chain of Custody certification	www.qmi.com
SCS	Scientific Certification Systems	Worldwide for Forest Management, FSC Controlled Wood and Chain of Custody certification	www.scs-certified.com
SGS	SGS South Africa (Pty) Ltd.	Worldwide for Forest Management, FSC Controlled Wood and Chain of Custody certification. <i>Note: Suspended for FSC Forest Management certification in Brazil, as of 17th February 2011.</i>	www.qualifor.sgs.com
SGS NA	SGS Systems & Services Certification, North America	Chain of Custody certification for USA, Canada and Mexico	N/A
SW	SmartWood, Rainforest Alliance	Worldwide for Forest Management, FSC Controlled Wood and Chain of Custody certification	www.rainforest-alliance.org

SA	Soil Association Woodmark	Worldwide for Forest Management, FSC Controlled Wood and Chain of Custody certification	www.soilassociation.org/forestry
SKH	Stichting Keuringsbureau Hout	Chain of Custody certification for The Netherlands	www.skh.org
SQS	Swiss Association for Quality and Management Systems	Worldwide for Forest Management and Chain of Custody certification	www.sqs.ch
TUV	TÜV Nord Cert GmbH	Worldwide for Chain of Custody certification	www.tuev-nord-cert.com

Reference: [ASI – Accreditation Services International GmbH](#), *Accredited Certification Bodies for the Forest Stewardship Council (FSC) Program*, 18 February 2011.

For more information, visit www.forestlegality.org.

Disclaimer: This document is for informational purposes only. Persons and companies seeking legal advice on compliance with the Lacey Act statute should consult with a legal professional.

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1. While certification can be used as a tool to demonstrate that a company has attempted to source legally produced wood, it is important to note that the Lacey Act is a fact-based, not a document-based, statute. This means that there are no “get out of jail free” cards. Neither certification nor verification can be used to exempt a company from the underlying requirement that the products it sells must be legally produced.
2. The subject of mixed products can complicate efforts to understand what is certified and what is not. Mixed-source products are comprised of certified and non-certified components, with the non-certified components controlled by a lower standard of compliance to sustainable and/or legal standards. These standards will vary depending on the certification system used. A full discussion of mixed sources is beyond the scope of this article. To learn more about this important subject, visit the certification schemes’ websites at <http://www.fsc.org/> and <http://www.pefc.org/>.



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