

## FSC Comment Form for FSC-STD-50-001 (V2-0) and Discussion Paper on On-Product Labels

Document type	Code	Version No.	Draft No.	Circulated	Program Manager	Consultation	Deadline for comment
Standard	FSC-STD-50-001	V2-0	1	16 November, 2015	Saija Hotti	Public	31 January, 2016

Comments shall be submitted to: [trademark@fsc.org](mailto:trademark@fsc.org)

Comments provided by:

Name:	<b>Matteo Favero</b> and <b>Diego Florian</b> , also collecting comments received during a <b>face-to-face and public stakeholder consultation</b> , held in Padova (Italy) on January 15 <sup>th</sup> , 2016, participated by <b>44 stakeholders</b> , and specifically: 28 Certificate Holders' representatives, 7 Certification Bodies' representatives and 9 consultants (see attached list). If not differently stated (e.g. with reference to the Discussion Paper), the following comments have to be considered as resulting from the stakeholder consultation <b>as a whole</b> , given that they have been raised, discussed and accepted on a consensus-based approach.
Organization:	FSC Italy National Office
Phone:	+39 049 8762749
Email:	<a href="mailto:consulenti@fsc-italia.it">consulenti@fsc-italia.it</a> <a href="mailto:d.florian@it.fsc.org">d.florian@it.fsc.org</a>
Date of comments submission:	29/01/2016

**50-001 (V2-0):**

Reference Part No. / Clause. No. / Note/Annex/Definition (e.g. "Introduction"; clause 3.1; p.8, line3)	Type of comment G = general; T = technical; E = editorial	Comment Justification / rationale for change	Proposed change Suggested new wording (additions, modifications, deletions)
<b>Proposed Clauses 1.1 and 5.1</b>	T	Some influent stakeholder observed that they would like to use Forest For All Forever: they really believe it can be an opportunity to better communicate their FSC-related commitment with consumers. To do that, the best choice would be having the FFF trademark somewhere else than	It has been asked to have a Forests For All Forever trademark without the tick-and-tree logo, in order to avoid to display that logo twice in a very small and close product space/area. In fact, the FFF tick-and-tree logo would be a repetition of that already present in the

<b>Reference</b> Part No. / Clause. No. / Note/Annex/Definition (e.g. "Introduction"; clause 3.1; p.8, line 3)	<b>Type of comment</b> G = general; T = technical; E = editorial	<b>Comment</b> Justification / rationale for change	<b>Proposed change</b> Suggested new wording (additions, modifications, deletions)
		the place where the product label is placed. Nonetheless, it may happen (and it actually happened!) that the only place available is close to the product label. In this case, they asked to have a Forests For All Forever trademark without the tick-and-tree logo, in order to avoid to display that logo twice in a very small and close product space/area. In fact, the FFF tick-and-tree logo would be a repetition of that already present in the product label. We FSC Italy NO think that it is very important FSC IC addresses this relevant issue.	product label. We FSC Italy NO think that it is very important FSC IC addresses this relevant issue.
<b>Proposed self-approval – Annex 3</b>	T/G	The discussion on this issue has been highly participated. Though the vast majority approved this proposed change, interesting feedbacks and suggestions have been also provided.	- Mainly Certification Bodies observed that a wide set of complementary/further information should be added, specified and/or clarified. Among the others:: <ul style="list-style-type: none"> <li>○ <b>Timeline:</b> maximum term by which 3 correct requests shall be submitted to CBs. In fact, it has been stressed that it is intuitive that 3 correct requests submitted in a time-span, just for example, of 2 years do not equal the same number of requests submitted in a couple of months.</li> <li>○ <b>Non conformities:</b> consequences for non-conformities detected during the annual audit should be specified. Furthermore, it should be noted and considered that, hopefully, non-conformities would be detected during the annual audits, but several products wrongly labelled</li> </ul>

<b>Reference</b> Part No. / Clause. No. / Note/Annex/Definition (e.g. "Introduction"; clause 3.1; p.8, line 3)	<b>Type of comment</b>  G = general; T = technical; E = editorial	<b>Comment</b>  Justification / rationale for change	<b>Proposed change</b>  Suggested new wording (additions, modifications, deletions)
			<p>could have already entered the market, with no chances to solve this issue at that point. So, it has been suggested that it could be better to introduce self-approval (many CHs in favour of this option), but at least maintaining the obligation by CHs to forward the intended uses to CBs too, for remote checking, with no need of formal approval by CBs before the actual use.</p> <ul style="list-style-type: none"> <li>○ <b>Repetitiveness:</b> the number of 3 correct submissions seems fair if high repetitiveness in the artwork, e.g. same background, same product type, same label category (with similar productive processes and related labelling thresholds). On the other hand, in some other circumstances (opposite situations, and see also the comment "timeline" above) they might be few, and/or not enough to verify the overall competence and awareness in the trademark use.</li> </ul> <p>- Some further information should be given about the training program of FSC Global Development, in order to evaluate this proposal.</p> <p>Furthermore, it has been stressed that FSC Network Partners (e.g. National Offices), CBs (others than that specifically auditing each CH) and other subjects should be allowed to provide training on trademark use as well, i.e. not only FSC Global Development. An</p>

<b>Reference</b> Part No. / Clause. No. / Note/Annex/Definition (e.g. "Introduction"; clause 3.1; p.8, line 3)	<b>Type of comment</b> G = general; T = technical; E = editorial	<b>Comment</b> Justification / rationale for change	<b>Proposed change</b> Suggested new wording (additions, modifications, deletions)
			<p>evaluation of the training methods and competences of each "Trading Provider" (terminology in line with the current draft of FSC-PRO-01-004) could be considered. Such evaluation could be performed by FSC IC (not by ASI, as suggested in the abovementioned procedure, as this would imply high fees for Training Providers!). This comment/suggestion/request originate from the experience and awareness (gained by NO FSC Italy as well) that face-to-face training courses have proofed to be more effective, and even preferred by several stakeholders, than those made through on-line and/or "remote" tools. One method should not exclude another one, letting stakeholders (both CHs and Training Providers) to choose their own preferred option.</p> <p>- It's not clear why self-approval could be automatically renewed if a new person is appointed as responsible for the trademark use (subjected to the training program). In fact, given that the responsibility is personal and cannot be transferred, the new appointed person might not have any experience (except the theoretical background) on the trademark use. Thus, the opportunity of submitting again a set of correct submissions should be considered, before the confirmation of the valid self-approval status is given.</p>

<b>Reference</b> Part No. / Clause. No. / Note/Annex/Definition (e.g. "Introduction"; clause 3.1; p.8, line 3)	<b>Type of comment</b>  G = general; T = technical; E = editorial	<b>Comment</b>  Justification / rationale for change	<b>Proposed change</b>  Suggested new wording (additions, modifications, deletions)
			<ul style="list-style-type: none"> <li>- CBs observed that it's not clear how many "degrees of freedom" CHs should be granted. In fact, possible uses are almost innumerable, particularly for the promotional use. To this point, misuses are particularly likely to occur, also covering issues listed in Clause 2.1, letters a)-e). CBs agreed that it would be better to exclude the promotional use from the self-approval scope. No CHs nor consultants objected to such a comment.</li> <li>- One single CH observed that self-approval may be extended even to organisations that do not comply with self-approval requisites, if other specific circumstances occur, i.e. for "basic" and specific labelling features/conditions, e.g. for a "standard" label to be applied on printed material with white background. Every change in such one (or more) specific and "basic" case(s) would still need the pre-emptive approval by CB, a valid self-approval status. Indeed, it should be noted that Clause 5.3 provides a similar possibility with reference to the promotional panel.</li> <li>- It should be given some further clarifications on the link (scope, applicability, etc.) the self-approval requirements and possible labelling agreements among different certified CHs.</li> <li>- Wording such as "outstanding" (Clause 1.2, Annex 3)</li> </ul>

<b>Reference</b> Part No. / Clause. No. / Note/Annex/Definition (e.g. "Introduction"; clause 3.1; p.8, line 3)	<b>Type of comment</b> G = general; T = technical; E = editorial	<b>Comment</b> Justification / rationale for change	<b>Proposed change</b> Suggested new wording (additions, modifications, deletions)
			<p>should be aligned with "major" or "minor". Otherwise, better clarification should be given.</p> <p>- CBs strongly and unanimously suggested/requested to simplify the "accreditation program" to obtain (CHs) and issue (CBs) a valid self-approval status. Certification Bodies suggested that one single training program should be provided/followed, in order to issue/gain one single self-approval status, valid for all the possible scopes (FSC categories + promotional use). This, in order to avoid different CHs having different self-approval scopes, that is a condition that would be really hard to manage by CBs, and possibly confusing even for CHs. In other words, a valid self-approval status should be issued "as a whole", for all the possible scopes. This comment should be considered jointly with the previous ones.</p>
<b>Proposed Clause 1.4</b>	T	<p>Some consultants asked for a clarification, i.e. whether<sup>®</sup> and <sup>™</sup> symbols should be placed in internal documents too, or not.</p> <p>On the other hand, during the discussion it has convened that in business-to-business documents symbols do have to be placed, as such communications involve Entities that are external to the CH environment. Nonetheless, a confirmation on this issue would be gladly appreciated.</p>	<p>Give clarification/confirmation</p>
<b>Previous/current Clause 2.1</b>	T	<p>Participants observed that the example under the main Clause (see image below) should be maintained.</p>	<p>- All stakeholders objected to the hypothesis that the declaration provided in the example would not be</p>

Reference Part No. / Clause. No. / Note/Annex/Definition (e.g. "Introduction"; clause 3.1; p.8, line3)	Type of comment G = general; T = technical; E = editorial	Comment Justification / rationale for change	Proposed change Suggested new wording (additions, modifications, deletions)
<b>(removed)</b>		<p>Examples are "Wood from well-managed forests" for an FSC certified wooden item in non-FSC certified packaging (100% label) or "Packaging from responsible sources" in the case of a non-FSC certified product in FSC certified packaging (Mix label) or "Paper made from recycled material" for a publication (Recycled label).</p> <p>Otherwise, the joint removal of both Clause 2.1 and the example, could imply that the declaration provided in the example would not be allowed anymore. All stakeholders objected to this hypothesis.</p>	<p>allowed anymore. The example should be maintained</p> <p>- Disregard of whether the main Clause will be maintained or not, it should be clarified whether the example will be still valid, or not.</p> <p>Possibly, the description provided in the example might be restricted to those products/product lines only produced and sold with FSC claims.</p>
<b>Previous/current Clause 4.4 (removed)</b>	T	Stakeholders observed that the "degrees of freedom" allowed to CHs should be better defined. Particularly for the promotional scope, possible trademark uses are almost innumerable, and misuses are particularly likely to occur, specifically covering issues listed in Clause 2.1, letters a)-e).	CBs agreed that it would be better to exclude the promotional use from the self-approval scope. No CHs nor consultants objected to such a comment.
<b>Proposed Clause 3.4</b>	T	All stakeholders approved this proposed change. Nonetheless, the final standard should be better describe which are the elements of the label, as for Clauses 3.2 and 3.4 of the current standard version.	The final standard should be better describe which are the elements of the label, as for Clauses 3.2 and 3.4 of the current standard version.
<b>Proposed Clause 4.4</b>	T/G	<p>- Many CHs observed that this Clause is simply technically inapplicable, and that it would highly discourage the trademark use by many CHs. In fact, the printing drafts are legal property (by law) of the customers, and not of the typographies finally printing that material. Noteworthy, the customer(s) may be either FSC certified or non-certified. This means that, after that the CH have printed the hard copy of the material (catalogue, or whatever else), it</p>	<p><u>All</u> stakeholders, either CBs, consultants or CHs, strongly rejected and objected to this new proposed requirement, stating that it is technically inapplicable, and that it would highly discourage the trademark use by many CHs. The new requirement should be rejected.</p>

<b>Reference</b> Part No. / Clause. No. / Note/Annex/Definition (e.g. "Introduction"; clause 3.1; p.8, line 3)	<b>Type of comment</b>  G = general; T = technical; E = editorial	<b>Comment</b>  Justification / rationale for change	<b>Proposed change</b>  Suggested new wording (additions, modifications, deletions)
		<p>cannot be any more responsible, nor control, what the customer(s) will eventually do with the labelled printing drafts. This, cannot be controlled neither by CBs. Even worse, CHs would be charged by any eventual misuse made by the customer(s), as the license code in the printing drafts refer to the printing CHs, and not to the customer (as this is the case, very frequently).</p> <ul style="list-style-type: none"> <li>- <u>All</u> stakeholders, either CBs, consultants or CHs, strongly rejected and objected to this new proposed requirement, and they observed that it is not plausible that the CHs, as well as NCHs, make tremendous efforts to modify/adapt hard and digital copies. Sometimes, this would be simply impossible, e.g. for service providers (gas, electricity, telephone providers, and many others) that may give hard, digital, or both these bill accounts to their customers. For sure, this would lead to a dramatic and widespread decrease in the FSC trademarks use, and therefore a subsequent decrease in trademark visibility, as well as in the consumers' familiarity with FSC and its trademarks.</li> <li>- Some Questions &amp; Answers released after a recent webinar (January 13th, 2016) on the FSC® Trademark Use Requirements Revision support these considerations. In fact, they contain this statement:</li> </ul>	

<b>Reference</b> Part No. / Clause. No. / Note/Annex/Definition (e.g. "Introduction"; clause 3.1; p.8, line 3)	<b>Type of comment</b> G = general; T = technical; E = editorial	<b>Comment</b> Justification / rationale for change	<b>Proposed change</b> Suggested new wording (additions, modifications, deletions)
		<p><i>"For example, product families consisting of products in various sizes are currently required to use both the full and mini label depending on the size of the product. This may create additional costs and may prevent consistency in design across a product family."</i> The mechanisms (more costs, artworks to be adapted, prevention to trademark use, etc.) are the same, though applied to different contexts.</p>	
<b>Previous/current Clauses 4.1 and 7.3 (removed)</b>	T	All stakeholders approved this change and no other suggestions have been raised.	
<b>Proposed Clause 5.1</b>	T	During the discussion with stakeholders it has been raised the need of clarifying whether, in this case, the product type is more specific than the generic ones, i.e. "wood", "paper", etc. (refer to proposed Clause 3.7). in other words, does this "product type" refer to those listed in FSC-STD-40-004a? If this is the case, it should be better specified. Generally speaking, the wording in different standards should be aligned.	Clarification and wording alignment
<b>Proposed Clause 7.3</b>	T	n.a.	It may be specified that the promotional disclaimer is allowed even if the business card is not FSC certified. Even better, it may be asked that also the business card should be FSC certified, in order to use such disclaimer.
<b>Previous/current Clause 7.1 (removed)</b>	T/G	Some stakeholders (mainly CHs) expressed their concerns about the risk that the FSC certification could be used only as green washing/marketing strategy by some	- The Clause should be maintained, widening the time-span up to 24 months. In such a way, the time-span would be aligned with the possibility to waive the

<b>Reference</b> Part No. / Clause. No. / Note/Annex/Definition (e.g. "Introduction"; clause 3.1; p.8, line 3)	<b>Type of comment</b>  G = general; T = technical; E = editorial	<b>Comment</b>  Justification / rationale for change	<b>Proposed change</b>  Suggested new wording (additions, modifications, deletions)
		<p>others, that do not actually implement the FSC certification. In order to overcome this possible (and real) issue, some suggestions have been raised.</p>	<p>annual audit when no certified material has been produced/sold.</p> <ul style="list-style-type: none"> <li>- Even if no production, labelling or selling activities of FSC certified material occurred, at least the purchase of certified material should occur, in order to make the general promotion possible. In such a way, at least some reference to an actual certified productive process would be granted.</li> <li>- If the requirements will be hopefully maintained, maybe extending the time-span, it could be required that, if no production/selling activities took place, an active promotion (e.g. website, catalogues, etc.) of those products and/or product lines that are <i>potentially</i> certified should be compulsorily required, in order to perform the general promotion.</li> <li>- Please, note that a certified forest "produce" certified material, even though no productive processes <i>sensu stricto</i> occur. Thus, the scope of this Clause should be restricted to COC certificates, excluding FM and FM/COC certificates.</li> <li>- CW material is not actually "certified", but CHs need to be certified in order to purchase/sell it with the relevant claim. Though no trademark use is allowed with reference to CW (except the relevant declaration in selling documents), the scope of the Clause concerning the general promotion of the company</li> </ul>

Reference Part No. / Clause. No. / Note/Annex/Definition (e.g. "Introduction"; clause 3.1; p.8, line 3)	Type of comment G = general; T = technical; E = editorial	Comment Justification / rationale for change	Proposed change Suggested new wording (additions, modifications, deletions)
			may be broadened, embracing all the possible FSC-related activities.
<b>Proposed Clause 7.2</b>	T/G	<u>All</u> stakeholders, either CBs, consultants or CHs (except one), strongly rejected and objected to this proposed change, arguing that often the invoices are the first and pre-eminent way through which the company promotes itself. Theoretically, CHs should be aware that only products listed as such are certified, so general promotion would not create confusion about what is certifies, and what is not. If such confusion arises, it relates with a non-compliance by recipient CHs with those Clauses in FSC-STD-40-004 concerning the need for all relevant company staff to be trained on the FSC system – trademark use by invoicing CHs should not be affected. Furthermore, a challenging question: why should FSC decide to leave room only for trademarks of other forest certification schemes (e.g. PEFC), whilst turning down only its own trademark and visibility?	<u>All</u> stakeholders, either CBs, consultants or CHs (except one), strongly rejected and objected to this proposed change. The newly proposed requirement should be rejected.
<b>Previous/current Clause 7.5 (removed)</b>	T	In order to avoid possible misunderstandings on what is certified and what is not, current Clause 7.5 should be maintained as a recommendation, every time an invoice lists both certified and not-certified products (and not only if general promotion is present).	Current Clause 7.5 should be maintained as a recommendation, every time an invoice lists both certified and not-certified products (and not only if general promotion is present).
<b>Proposed Clause 8.12</b>	T	A specific request has been collected, i.e. to re-size also the tick-and-tree logo, allowing <10 mm dimensions. The same Clause 8.12 implicitly suggests that the readability	<10 mm dimensions should be allowed for the tick-and-tree logo, in line with the proposed comment.

<b>Reference</b> Part No. / Clause. No. / Note/Annex/Definition (e.g. "Introduction"; clause 3.1; p.8, line 3)	<b>Type of comment</b> G = general; T = technical; E = editorial	<b>Comment</b> Justification / rationale for change	<b>Proposed change</b> Suggested new wording (additions, modifications, deletions)
		can be maintained, as a minimum size of 6 mm is allowed in some particular cases. Basically, the request consists in widening such a possibility (also proposed Clause 8.6 ) gives a minimum height of 8 mm for landscape format labels).	

#### COMMENTS ABOUT THE DISCUSSION PAPER: FSC-DIS-50-003 – FSC on-product labels

<b>Reference</b> (e.g. "part 3 Proposed Options"; p.4, line 3; model A)	<b>Type of comment</b> G = general; T = technical; E = editorial	<b>Comment</b> Preference / suggestion / observation
<b>Whole document</b>	T/G	<p><b>Option (A) VS. option (B)</b></p> <ul style="list-style-type: none"> <li>- 25 stakeholders (out of 39 voting stakeholders) expressed their preference for Option (A)</li> <li>- 10 stakeholders (out of 39 voting stakeholders) expressed their preference for Option (B)</li> <li>- 4 stakeholders (out of 39 voting stakeholders) abstained from expressing their preference</li> </ul> <p><b>Suggested text</b></p> <ul style="list-style-type: none"> <li>- All stakeholders preferring Option A expressed their preference for textual options A.1 and A.2, with a slight higher (not really significant) preference for A.1.</li> <li>- All stakeholders preferring Option B clearly expressed their preference for textual option B.3</li> </ul>

Reference (e.g. “part 3 Proposed Options”; p.4, line 3; model A)	Type of comment G = general; T = technical; E = editorial	Comment Preference / suggestion / observation
		<p><b>Rationale</b></p> <ul style="list-style-type: none"> <li>- Stakeholders preferring Option (A) particularly highlighted that: <ul style="list-style-type: none"> <li>○ This option would be a basic prosecution of the current situation, thus avoiding a dramatic change in all the existing labels.</li> <li>○ It is very important to give continuity to the system, both for CHs and consumers. A relevant change in labelling requirements has already occurred in the past (e.g. “Pure” and “Mixed Sources” became “100%” and “Mix”).</li> <li>○ Consumers need to be “educated” on the FSC scheme and on the recognition of its trademarks. To this point, recent survey show encouraging results, and it’s not time to give up through this change. Some Questions &amp;Answers released after a recent webinar (January 13th, 2016) on the FSC® Trademark Use Requirements Revision support this perspective. In fact, they contain this statement: <i>“FSC is also increasing consumer communication to help explain the meaning of FSC and the label, so in the future part of the information would be transmitted through other channels as well.”</i></li> <li>○ In order to “simplify” the message and to make it easily understandable by everyone, Forests for All Forever trademarks will help: thus, it’s not necessary to further simplify also the product label elements (already done through proposed Clause 3.4).</li> <li>○ Technical aspects are important and they do not contrast with the brand strategy. In any case, the difference between “100%”, “Mix” and “Recycled” is intuitive also from the consumer’s point of view.</li> <li>○ 100% products would be discouraged, as no difference with FSC Mix or FSC Recycled product would be clearly detectable by consumers. The idea of highlighting the different categories through different optional texts is totally utopic.</li> <li>○ General texts in B have no salience at all.</li> </ul> </li> </ul>

<b>Reference</b> (e.g. "part 3 Proposed Options"; p.4, line 3; model A)	<b>Type of comment</b> G = general; T = technical; E = editorial	<b>Comment</b> Preference / suggestion / observation
		<ul style="list-style-type: none"> <li>- Stakeholders preferring Option (B) particularly highlighted that this option would simplify the labelling options, also through the lens of the final consumer.</li> </ul> <p><b>Other remarks</b></p> <ul style="list-style-type: none"> <li>- We, FSC Italy NO staff, strongly prefer Option A.</li> <li>- A request has been collected by one CH, i.e. to specify that, if labelling options will be changed, no selling constraints will be experienced by labelled products that will have been already produced with previous label versions/options.</li> </ul>