



Core Group Meeting Summary

Second Session – 12 May 2026

Disclaimer: this meeting summary was prepared by the co-facilitators of the EUDR Community of Practice (CoP). It is intended to share the key points discussed in the core group with the wider community of practice. This document was not reviewed nor validated by members of the CoP core group, and it is not meant to capture all points discussed, but only consensual points. As such, its content does not necessarily reflect the views of Core Group as a whole, nor of any particular core group member.

1. Opening & context

The Chair, Duncan Brack opened the meeting and welcomed participants to the second Core Group session. He reiterated that the Core Group operates within a wider Community of Practice, which continues to grow and serves as a broader knowledge-sharing platform. The objectives of the session were outlined, emphasising interactive discussion. Participants were reminded of housekeeping rules and confirmed compliance with the antitrust statement.

2. Update: engagement with wider community of practice

An update was provided on outreach activities and engagement with the wider Community of Practice. Membership has grown to over 1,090 participants, supported by presentations at key platforms including the European Commission’s multi-stakeholder forum, Team Europe Initiative meetings, and sector-specific engagements and communities of practice.

Feedback from the wider community has been positive, with strong interest in risk-based due diligence and downstream obligations. Core group members were also encouraged to share insights they receive within their organizations and networks.

3. April review simplification package – highlights and discussion

Core Group members were provided with an overview of the simplification package released by the European Commission (see presentation), which includes:

- Report from the Commission to the European Parliament and the Council
- Updated FAQ
- Updated Guidance Document for the Regulation on Deforestation-free Products
- Delegated Regulation on EUDR list of relevant commodities and products
- Annex to Delegated Regulation on EUDR list of relevant commodities and products
- Commission Staff Working Document
- 4th edition of the EUDR Supply Chain Infographics

The package reflects both a clear commitment to meeting the implementation deadline of 30 December 2026 and an effort to reduce administrative burdens in response to stakeholder feedback.

Discussion: It was clarified that the purpose of the discussion was not to challenge policy decisions but rather to identify areas within the simplification package that may require further discussion within the Core Group, particularly those affecting practical implementation. The main points discussed in this Core Group session are described here below.

3.1. Micro and Small Primary Operators (MSPOs)

A key simplification measure involves the introduction of a new category for micro and small primary operators. MSPOs benefit from a one-time simplified declaration instead of repeated due diligence and may use postal addresses rather than geolocation coordinates. However, they must still comply with core obligations, including ensuring products are deforestation-free and legal.

To qualify, operators must be micro or small enterprises, act as primary producers, and place only their own products on the EU market. Cooperatives and associations can qualify. Eligibility is limited to those established in low-risk countries. Operator size is reviewed if thresholds are exceeded for two consecutive years.

It was noted that this measure is primarily expected to apply to smaller enterprises, particularly within certain sectors such as timber and cattle.

3.2 Downstream operators and traders

It was explained that the simplification package introduces an important clarification regarding the role of downstream operators and traders. These actors are no longer required to conduct due diligence unless non-SME downstream operators and traders

are confronted with substantiated concerns that are directly linked to their own operations.

In the absence of such concerns, their obligations are limited to retaining traceability information and, when they are first downstream operators, receiving the reference number of the due diligence statement from upstream operators (the latter holding hold the responsibility to pass on this information to the former). Participants noted that while this represents an important simplification from a regulatory perspective, it raises questions about how downstream actors will interpret their responsibilities in practice.

Re-importation: the simplification explicitly addresses re-importers as downstream operators, not upstream operators, provided they can demonstrate the product was previously placed on the EU market. Some participants asked for types of evidences that would be considered acceptable to prove that one is re-importing. The guidance has helped but there is also concern about the actual availability and accessibility of these documents across supply chains.

Additional insights on remaining issues for downstream due diligence are captured in section 4 below.

3.3 Substantiated concerns

Participants discussed the increasing importance of substantiated concerns within the regulatory framework. It was highlighted that substantiated concerns now play a central role, as they trigger additional obligations for downstream operators and traders.

Such concerns must be specific, evidence-based, and directly linked to the operations of the actor concerned. When a substantiated concern arises, downstream actors are required to notify competent authorities and, in certain cases, verify whether upstream due diligence has been conducted appropriately.

Participants raised several questions regarding the operational implications of this provision, including how substantiated concerns will be defined in practice, what level of evidence is required, and how liability will be assessed in cases of non-compliance.

3.4 Risk-proportionate approach to legality

The simplification package introduces a risk-proportionate approach to legality due diligence, whereby operators are expected to conduct more extensive checks in high-risk situations while having the option to reduce their efforts in lower-risk contexts.

However, participants highlighted that this approach requires careful implementation to avoid misinterpretation. There is a concern that operators may assume that low-risk countries (those determined by the country benchmarking) require minimal due diligence, whereas in reality, risks may still exist at a local level. Further, benchmarking risk status was based mainly on deforestation and not legality or risk of mixing. It was

emphasised that operators must be able to justify their decisions and explain the rationale behind their due diligence approach.

3.5 Scope of legality requirements

The discussion also touched on the further clarity provided on the interpretation of legality requirements, with a particular focus on narrowing the scope to legislation directly linked to deforestation and forest degradation. This clarification aims to streamline the due diligence process, but some uncertainty remains regarding the continued relevance of other areas of law, such as labour rights, human rights, and FPIC.

Participants agreed that further clarification would be required to ensure consistent interpretation, particularly in complex supply chains where these aspects may be closely interrelated.

3.6 Repositories

Two supporting repositories will be created: one on relevant legislation in producing countries and another on applicable certification schemes. These are to be launched before implementation (by end-2026) as trade facilitation tools.

Operators can use these repositories to support compliance with information requirements, including due diligence. However, certification and third-party verification remain only supporting evidence, and operators retain full responsibility for meeting EUDR obligations. The repositories are intended to improve access to information, not to provide automatic compliance or a “green lane”.

Feedback from the EC Multistakeholder meeting indicated that the Commission is expected to provide a template to facilitate the upload of information, but the actual content will largely depend on contributions from stakeholders. Importantly, these repositories would not be limited to listing legislation but could also include analyses or interpretations of that legislation suggesting that the repositories could evolve into more dynamic tools, combining legal references with practical insights to support implementation.

It remains to be seen how these repositories will function in practice and how useful they will be for operators. Core group members highlighted that there are already many such repositories not endorsed for EUDR.

Proposed action: a proposal for the technical core group to explore how repositories can be made practically useful for companies to carry out due diligence, as a possible input to inform their design and content in alignment with real user needs.

3.7 Legal status of guidance and FAQ

A significant concern raised by some private sector members during the discussion relates to the non-binding nature of guidance documents and FAQs. While these

documents provide important clarification, they do not carry legal force, which creates uncertainty for companies.

Many core group members agreed that the guidance may not be legally binding, but it effectively shapes the standard of what good due diligence looks like, and companies are expected to take it seriously to manage risk. As an NGO member stressed, guidance is particularly relevant in the context of due diligence.

Competent authorities further clarified that the Guidance and FAQs represent the agreed interpretation of the law by competent authorities and the European Commission. In practice, authorities will apply and enforce the regulation in line with this interpretation, meaning guidance effectively shapes how the law is understood and implemented. Therefore, while not “law” in a formal sense, guidance and FAQs function as the operational reference point for both authorities and companies.

Proposed action: it was suggested that in light of the uncertainty around the legal weight of the Guidance and FAQ, the EUDR CoP could Develop practical case studies as a group to illustrate how EUDR requirements can be applied in real situations and translate these cases into “good practice” examples for both competent authorities and companies. One area of interest to focus on is on how to apply a ‘risk-proportionate’ approach to legality due diligence.

3.8 List of relevant commodities and products

A number of products have been removed from EUDR Annex 1 in the proposed revision, such as cattle skins and hides and retreaded tyres, and by introducing certain horizontal exemptions (samples, waste products). Others have been added, in particular palm oil derivatives and soluble coffee. Participants asked if there will be a transition. It was clarified that during the most recent multistakeholder platform meeting – the EC said no. However, public feedback is still ongoing on the draft Delegated Act.

A question was asked about ‘used products’ as a significant part of the newly added palm oil derivatives come from used (end of life cycle) products. This was raised in particular for used cooking oil, which can be an important biofuels feedstock, that usually comes under HS code 1518 00, which is being added to the list: does the ‘used’ exemption apply in some circumstances or not? Another question was raised about the possibility of the exemption for used products leading to genuine products being disguised as used to escape controls.

4 Downstream due diligence – key remaining challenges and possible solutions

Participants discussed the remaining complexity of downstream due diligence despite regulatory simplifications. Some remaining issues were:

- I. **Excessive demands from clients:** downstream clients (often driven by legal teams) have been requesting data beyond what is legally required, creating tension and practical difficulties. Time will be needed for the latest simplification changes to be well integrated by downstream clients. It was noted that some service providers have not yet updated their tools and solutions to the previous set of simplification measures (2025), pushing downstream clients using these solutions to ask for unnecessary information to their suppliers.
- II. **Remaining geolocation data constraints:** geolocation data is often collected under strict conditions (only to be shared with TRACES and competent authorities). Expanding access downstream in some cases or in some re-import scenarios keeps facing confidentiality and compliance issues, including sensitivities with some producing countries. The removal of the DDS referencing capability between downstream operators generates additional challenges in some scenarios (e.g., “re-importers from the UK now need our geolocation data, they can no longer just use reference numbers”). The temporary unavailability of TRACES (until June) prevents companies from testing solutions.

Proposed action: private sector Core Group members to identify key supply chain scenarios not covered in the latest version of the [EUDR supply chain infographics](#).

- III. **Concern about misinterpretation of “good faith”:** while downstream operators are only expected to act in good faith when flagging substantiated concerns, the wording may lead some to justify continuous checks and repeated data requests, increasing the burden across the chain. It was suggested that TRACES could also help inform downstream operators and traders in case of known substantiated concerns.
- IV. **Towards more clarity around enforcement practices:** there is a demand for more clarity on what competent authorities will actually check for downstream operators in practice. The discussion with competent authorities clarified that, under a risk-based enforcement approach, downstream operators and traders are not expected to be the primary focus of regulatory checks. Instead, enforcement

will prioritise upstream actors and imports, unless specific risks or irregularities are identified in downstream operations. There are now limited obligations for downstream operators; yet the product prohibition on the deforestation and legality criteria still holds. Their role is intentionally light—mainly to:

- Receive and hold the DDS reference,
- Act in good faith, and
- Only act further in case of clear substantiated concerns.

Downstream operators and traders can become a focus if issues arise, especially in cases involving large companies are seen to be using strategies to avoid responsibilities – e.g., creating small companies at the operator stage to shift from operator status to downstream operator for the large entity – or where problems are identified in the supply chain.

5 Legality – preparation for June workshop

5.1. Survey insights

Survey results are available in the presentation. They indicate that while operators can identify relevant laws, they face challenges in applying them in practice. Key difficulties include determining sufficient evidence, assessing credibility, and handling incomplete documentation.

Land tenure and land rights were identified as the most challenging area, followed by labour and human rights. External service providers play a key role in legality due diligence, with 44% of companies relying on them. However, there is a significant lack of transparency around the methodologies used—about half of respondents do not know how legality assessments are conducted.

External reports are widely used in legality due diligence, with over 90% of companies relying on NGO, media, and other external sources of information. Most companies use certification in their legality work to a varying degree (84%).

5.2 Case studies

The June session will include breakout groups by commodity (e.g. cocoa/coffee, rubber/palm oil, soy/beef, and timber) to work on tailored case studies.

The survey and discussions from the second core group meeting highlight a strong interest in using case studies and real-life examples to improve clarity. To address this, the June session will adopt a case-based approach, using realistic supply chain scenarios to simulate inspections and illustrate what good practice may look like.

Participants stressed that these case studies should reflect practical challenges, including:

- smallholder supply chains at risk of exclusion;
- low-risk countries with context-specific risk factors;
- complex legality situations with unresolved legality issues dating before 2020;
- complex traceability contexts with significant risks of mixing;
- mitigation measures with smallholder farmers who weren't aware of the EUDR before a deforestation event;
- harmonised and practical approach to using certification as part of due diligence;
- how broadly available indicators (e.g. from the World Bank) may be used in concrete cases;
- consider downstream supply chains situations in the case studies.

Participants will be invited to review and refine these cases in advance, ensuring they reflect realistic and challenging scenarios, particularly around legality and risk assessment.

During the session, smaller groups will simulate inspection situations (mini "dry runs"), with a mix of private sector, competent authorities, and NGOs. These role-play exercises are expected to provide insights on how companies may respond to regulatory questions in practice.

6. Small groups and ad hoc sessions

Small working groups will be established to explore specific topics in more depth between meetings. These groups will be voluntary and output-driven.

Topics may include smallholder data governance, downstream due diligence scenarios, and sector-specific challenges. Ad hoc sessions are also planned with certification bodies and service providers to improve alignment. It was also suggested to have a specific session on IT systems and customs at some point, with a representative from TRACES.

Participants stressed the importance of ensuring cross-sectoral learning and feeding outputs back into the Core Group. One participant presented his idea to set up a dedicated smallholder and data subgroup.

Purpose:

- Bring together practical experience from companies
- Address real challenges in collecting and managing smallholder data
- Produce concrete outputs (e.g. short report with findings and recommendations)

Core group members will be invited to join, along with a few participants from the wider community of practice.

7. Next steps and recommendations

Proposed actions from Core Group session 2:

- *Develop practical case studies as a group to illustrate how EUDR requirements can be applied in real situations and translate these cases into “good practice” examples for both competent authorities and companies. One area of interest to focus on is on how to apply a ‘risk-proportionate’ approach to legality due diligence.*
- *Private sector Core Group members to identify key supply chain scenarios not covered in the latest version of the [EUDR supply chain infographics](#).*
- *Explore how repositories can be made practically useful for companies to carry out due diligence, as a possible input to inform their design and content in alignment with real user needs.*

The Core Group June meeting will focus on practical case studies and supply chain scenarios. Further work will address substantiated concerns, risk-based legality, downstream traceability, certification use, and interpretation of indicators.

Small groups will be launched, and preparation for the June meeting will include sharing case studies and refining discussion priorities.

The Chair concluded by noting the strong engagement and constructive discussions across stakeholder groups. Participants acknowledged the value of the platform in progressing from identifying challenges towards exploring solutions.