

Committee on Technical Barriers to Trade

NOTIFICATION

The following notification is being circulated in accordance with Article 10.6.

1.	Member to Agreement notifying: <u>THE NETHERLANDS</u> If applicable, name of local government involved (Articles 3.2 and 7.2):
2.	Agency responsible: Ministry of Economic Affairs Agency or authority designated to handle comments regarding the notification shall be indicated if different from above: National Enquiry Point - EC WTO-TBT Enquiry Point
3.	Notified under Article 2.9.2 [X], 2.10.1 [], 5.6.2 [], 5.7.1 [], other:
4.	Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable): Wooden products
5.	Title, number of pages and language(s) of the notified document: Bill from Member of Parliament M. Vos Amending the Act on Environmental Protection (Sustainably Produced Timber)
6.	Description of content: With effect from 1 July 1999, persons placing a wooden product on the market for the first time will have to keep records concerning the origin of these products. With effect from 1 January 2000, wooden products placed on the market will have to bear a mark indicating whether or not the product originates from an area subject to a management plan. This management plan must be approved by a body recognized by the Council for Accreditation. A declaration made on the basis of a document issued by an organization established abroad and recognized by the Minister for Housing, Planning and the Environment shall be equated with this approval. Permission to issue a certificate conferring the right to apply a "positive" mark is also granted by the above-named body. Article 9.8 contains an equivalence clause for this permission.
7.	Objective and rationale, including the nature of urgent problems where applicable: The bill aims to protect the environment and, in particular, forests. Deforestation not only affects the country in which the forests are situated but also the global environment. The bill is closely aligned to what has been agreed in this area in the international framework, including the International Tropical Timber Agreement (1994), which has as its goal that international trade in sustainably produced timber be in place by 2000. Compared to the previously notified bill (EC Notification No. 95/0253/NL), the notification of which was withdrawn, amendments have been made which considerably reduce the effects which the measure may have on the internal market:

7.	Objective and rationale, including the nature of urgent problems where applicable (cont'd):
-	The bill was initially based on a ban which was to come into force on 1 January 2000, and which was aimed at the import, placing on the market and further trade in non-sustainably produced wood. This ban was to be preceded by a regime which would become progressively more stringent: until 1 January 1998, the import or placing on the market of wood would require a declaration of the origin of the wood; after this date, there would be an obligation to keep records; with effect from 1 January 1999, an approved management plan for the area would also be obligatory and finally, with effect from 1 January 2000, an obligatory certificate for the wood.
-	The memorandum of amendment has considerably amended the bill. In addition to the various obligations becoming effective at a later date, they have also been made less stringent. For example, the obligatory management plan has been replaced by the obligation to apply a mark to (the packaging of) the product, showing whether such a management plan is in place ("green mark") or not ("red mark"). The ban on importing or trading in wooden products if they originate from an area where production does not take place in a sustainable manner has lapsed.
8.	Relevant documents:
-	Withdrawn EC Notification No. 95/0253/NL;
-	Bill from Member M. Vos amending the Act on Environmental Protection (sustainably produced wood) (23 982), in particular Nos. 8, 9, 13, 14, 16, 17 and 23);
-	Documents of Lower House: discussion of Bill 23 982.
9.	Proposed date of adoption: } Proposed date of entry into force: } To be determined
10.	Final date for comments: 19 October 1998
11.	Texts available from: National enquiry point [X] or address, e-mail and telefax number of the other body: