Implementation of EUTR, a Regulator’s perspective.

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Legislation

Office of Product Safety and Standards (OPS&S)
OPS&S is the United Kingdom’s Competent Authority for the enforcement of EU Timber Regulation 995/2010

(Laying down the obligations of operators who place timber/timber products on the market.)

The Timber and Timber Products (Placing on the Market) Regulations 2013
(Outlines our powers, offences and penalties)
History of Implementation


April 2015 – March 2017 – risk based projects, intelligence led investigations. Resulting in administrative enforcement sanctions being issued.

April 2017 – February 2018 – target previously non-compliant businesses. Results in two prosecutions to date.
OPS&S approach to enforcement

➢ Enforcement projects are risk based
  • Species
  • Country of origin
  • Product

➢ Enforcement investigations are intelligence led
  • Supply chain mapping
  • Substantiated concern
  • Sharing information with other Competent Authorities
  • Collaboration with other enforcement agencies
Who do we engage with?

➢ **Operators** - HMRC data identifies who the operator’s are.

➢ **Traders** - Sometimes we buy items directly and test them.

➢ **Trade Associations** – share knowledge.

You can identify if you are an operator by looking at the C88 form (customs declaration form), this is completed by the customs clearance agent and easily available from your shipping agent.
Engagement

➢ Initial contact – identify appropriate individual to liaise with.

➢ We will request a DDS for a specific import on a specific date.

➢ If your DDS is non-compliant you will be advised why and given some advice on how to improve. You may have an opportunity to re-submit.

➢ We may purchase a product from the supply chain we have inspected.

➢ A EUTR compliant DDS should be in place prior to the import being made – if this is not the case you will have committed an offence.
Testing

➢ Anatomical — confirm genus

➢ DNA — confirm species

➢ Isotope — confirm geographical origin

This is how we prove or disprove the claims made in your due diligence system.
Supporting business

➢ Workshops

➢ Feedback

➢ Guidance tools

➢ Ensuring a level playing field
Enforcement Sanctions

➢ Warning Letter

➢ Notice of remedial action

➢ Prosecution

Following the issuing of a sanction a non-compliant business will be placed on our register of businesses to be re-engaged with to ensure the business has implemented the appropriate steps to ensure compliance.
Supporting business

➢ Workshops
➢ Feedback
➢ Guidance
➢ Tools
➢ Ensuring a level playing field
Due Diligence Systems

March 2013 – March 2015 - lack of basic information gathering and lack of knowledge of legality.

April 2015 – March 2017 – improvements in information gathering, lack of appropriate risk assessment and mitigating measures

April 2017 – February 2018 – failure to apply DDS across supply chain and address previous non-compliance.
Any Questions?

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