



Department
for Environment
Food & Rural Affairs

Due Diligence Consultation
Sustainable Commodities Team
Department for Environment, Food
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3 December 2021

Consultation on due diligence on forest risk commodities

Dear consultee,

I am writing to invite your views on Defra's proposals for implementing provisions in the Environment Act to tackle illegal deforestation in UK supply chains.

The due diligence provisions will make it illegal for larger businesses operating in the UK to use key 'forest risk' commodities (agricultural commodities associated with wide-scale deforestation) that were produced on land illegally occupied or used.

Secondary legislation is required to implement these provisions. We are launching this consultation to seek the views of interested parties to inform the effective design of this legislation and accompanying guidance. The following documents may be found on GOV.UK:

<https://consult.defra.gov.uk/international-biodiversity-and-climate/implementing-due-diligence-forest-risk-commodities>

- consultation letter
- consultation document
- consultation impact assessment
- privacy notice

Responses

To submit your consultation response complete the consultation questionnaire provided on the Citizen Space platform (Citizen Space is an online consultation tool).

If you require a copy of the consultation, email us at Due.Diligence@defra.gov.uk.

Responses or additional information or documents can also be sent to:

Consultation Coordinator at Defra
2nd Floor
Foss House
Kings Pool
1 to 2 Peasholme Green
York
YO1 7PX

Responses should be submitted by 11.59 pm on 11 March 2021.



Consultation criteria

This consultation will last for 14 weeks. It builds upon the UK Government's world-leading legislation recently introduced through the Environment Act to tackle illegal deforestation in UK supply chains.

The Environment Act provisions will make it illegal for larger businesses operating in the UK to use key 'forest risk' commodities that were produced on land illegally occupied or used. Businesses in scope will also be required to undertake a due diligence exercise on their supply chains, and to report on this annually.

To ensure transparency, information about businesses' due diligence exercises will be published. Businesses in scope that do not comply with these requirements may be subject to fines and other civil sanctions.

This is one part of the UK Government's wider package of measures to improve the sustainability of our supply chains and will contribute to global efforts to protect forests and other ecosystems.

The secondary legislation and accompanying guidance will specify:

- which commodities will be in scope of regulations
- which businesses will be subject to provisions
- what businesses in scope will be required to undertake and report on regarding their due diligence exercise
- how the requirements will be enforced

Confidentiality and data protection

You can find the Consultations Privacy Notice uploaded alongside this consultation on Citizen space.

This consultation document and consultation process have been planned to adhere to the [Consultation Principles](#) issued by the Cabinet Office.

Representative groups are asked to give a summary of the people and organisations they represent when they respond.

After the consultation, a summary of the responses will be published and placed on GOV.UK website at www.gov.uk/defra.

Information provided in response to this consultation, including personal data, may be published or disclosed in accordance with the access to information regimes. These are primarily the Environmental Information Regulations 2004 (EIRs), the Freedom of Information Act 2000 (FOIA) and the Data Protection Act 2018 (DPA).

We have obligations, mainly under the EIRs, FOIA and DPA, to disclose information to particular recipients or to the public in certain circumstances.

If you want the information that you provide to be treated as confidential, please be aware that, as a public authority, the Department is bound by the Freedom of Information Act and may therefore be obliged to disclose all or some of the information you provide.

In view of this it would be helpful if you could explain to us why you regard the information you have provided as confidential.

If we receive a request for disclosure of the information, we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances.

An automatic confidentiality disclaimer generated by your IT system will not, in itself, be regarded as binding on the department.

Defra may share your response with the Devolved Administrations (i.e. the Northern Ireland Executive, Scottish Government and Welsh Government) if it is of relevance to the areas governed by those Administrations.

This consultation is being conducted in line with the Cabinet Office's [Consultation Principles](#).

If you have any comments or complaints about the consultation process, address them to the below address, or email consultation.coordinator@defra.gov.uk:

Consultation Coordinator at Defra
2nd Floor
Foss House
Kings Pool
1 to 2 Peasholme Green
York
YO1 7PX

Thank you for your help in this matter. If you have any queries please contact us.

Yours faithfully

Sustainable Commodities Team,
Department for Environment, Food and Rural Affairs

