



October 22, 2025

European Commission Adjusts Proposal to Amend the EUDR

On Tuesday 21 October, the European Commission published its proposal to amend the EU Deforestation Regulation. **The EC is no longer proposing a general delay to the EUDR, and the application date remains 30 December 2025.** However, there are two specific adjustments made to the timeline:

- “Micro and small” EU operators would have until 30 December 2026 to comply. This concession would apply only to EU operators with net turnover of up to EUR 8 million and average 50 employees. It would not apply to medium or large sized operators above these thresholds. (Remember, “operators” refers to the EU importer, NOT the exporter.)
- EU Member States will only begin checks on operators and applying enforcement measures after 30 June 2026. In the interim, regulators may issue warnings to operators, accompanied by recommendations to achieve compliance, where they “become or are made aware of non-compliance”, but they wouldn’t apply sanctions.

Please note this proposal still needs to be approved by both the European Parliament and the Council before it can enter into force.

Overall, the proposed changes, even if passed, fall short of expectations raised earlier in some quarters following the European Commission’s suggestion in September that EUDR would have to be delayed for another year and that the law may be amended. While significant amendments have been proposed, these appear ill-conceived and mainly benefit domestic EU producers, making few useful concessions for non-EU suppliers.

The proposed 12-month delay for “micro and small” EU operators is of little relevance to U.S. hardwood exporters since most importing companies in the EU are above the size threshold. Therefore, they are still obliged to collect and enter their due diligence data onto the EU Information System from 30 December this year.

However, AHEC welcomes the 6-month delay to enforcement as it gives more time to get the EU onside with our interpretation that the county is the most appropriate unit for reporting U.S. hardwood harvest geolocations. Overall, the proposed amendments once again highlight the need and value of all U.S. hardwood exporters signing up to the AHA Platform and to begin issuing AHA Statements as soon as possible. The more that do so, the greater the likelihood of the EU accepting this approach.

Muddled proposal around “micro and small primary operators”

The EC also proposes to remove the requirement for “micro and small primary operators” in “low risk countries” to submit a due diligence statement in the information system with each harvest and instead to submit a “one-time simplified declaration”. This one-off document would include the “geolocation or the postal address of all plots of land where the relevant commodities are produced”.

AHEC’s initial assumption based on reading the legislative text is that this simplification must refer only to primary producers inside the EU. The EU has no jurisdiction over producers in any country outside the bloc and, to date, only EU organisations have been allowed access to the EU Information System. If this is the correct interpretation, then this measure would directly benefit the around 16 million private



non-industrial forest owners in the EU, all of whom would be excluded from the existing due diligence requirement.

However, the EC press statement accompanying the EC proposal suggests that this simplification applies to “micro and small primary operators in low risk countries worldwide” (the last word does not appear in the regulation itself). Even if this is the correct interpretation, its value is severely constrained for U.S. exporters as it would apply only to products which “they (i.e. the forest owners) themselves produce”. Therefore, logs exported directly by small forest owners might conceivably meet the requirement, but no product that is processed, manufactured, or traded by any intermediary outside the EU.

If this is indeed meant to apply to all “low risk countries worldwide”, it can only be assumed either that the EC’s understanding of international supply chains is more limited even than previously believed, or that this is a cynical, not to say inept, attempt to make EUDR appear less discriminatory to non-EU suppliers.

New sub-category of “downstream operator”

The other major change proposed, and for this one there can be no pretence that it benefits only domestic EU suppliers, is the introduction of a new sub-category of operator called a “downstream operator”. Downstream operators would no longer need to undertake any due diligence or, if a SME, to enter any data on the EUDR Information System. Their obligation would extend only to passing on the reference numbers of due diligence statements or declarations received from their suppliers on to their customers.

The new “downstream operator” category would capture most existing EU operators under EUDR, being defined as those which “place on the market or export relevant products made using relevant products, all of which are covered by a due diligence statement or by a simplified declaration”.

Instead of requiring due diligence statements to be prepared at every point of transformation inside the EU (that is by mills/manufacturers of all types of lumber, pulp, paper, joinery, furniture etc), as previously required, this proposed change would give the EU manufacturing sector pretty much a free pass through the legislation. The EU’s existing non-legally binding guidance was already heading in this direction, but the introduction of a new category of ‘downstream operator’ would make explicit the shift away from any genuine due diligence for EU-produced products.

In effect therefore, all the proposed changes to EUDR aim to simplify compliance inside the EU. Their direct benefit to U.S. hardwood exporters is therefore limited. But there are indirect benefits in the sense that, if this proposal is accepted, it makes EUDR appear even more trade discriminatory than it already is. That should provide leverage to encourage the EU to be more flexible on the technical requirements imposed on imports of a confirmed negligible-risk product like U.S. hardwood.

What happens next?

There is a European Parliament plenary session in Strasbourg ongoing on 22-23 October, but the proposal arrived too late to be discussed. The next plenary session is 12-13 November 2025 in Brussels, and it is likely that the proposal will be voted on then.

Possible scenarios:

- If the European Parliament accepts the proposal (with or without amendments), the Council must confirm it in a separate vote.
- If the Parliament rejects it, the EUDR enters into force unchanged.
- If the Council amends it, a second Parliament vote will be required - potentially leading to further changes or, if negotiations fail, the EUDR entering into force unchanged