

What can a company in the wood products supply chain do to avert the risk of purchasing wood that was illegally harvested or traded?

First and foremost, exercise due care, which lies at the core of the amended US Lacey Act. Due care is the legal term for exercising the level of appropriate action that would be taken by a reasonably prudent person under the same circumstances to minimize the risk of purchasing plant products that were harvested or traded illegally.

Examples of due care in the context of purchasing wood products include:

- **Ask questions.** Ask your wood supplier questions such as: What is your supply chain? Can you trace the wood all the way back to the forest? What is the degree of illegal activity in that forest or region? What processes do you have in place to prevent illegally harvested or traded wood from entering your supply chain?
- **Assess risk and respond accordingly.** Determine the relative risks associated with the forest of origin. Is the region suspected by credible sources of having high levels of illegal logging? Are civil society campaigns currently underway that indicate this is a forest of concern? If so, compare the risk of inadvertently sourcing illegal wood to your degree of risk aversion. If responses from your supplier to the questions you ask do not meet your risk tolerance levels, consider sourcing wood from a different supplier or region.
- **Adopt a comprehensive forest product purchasing policy.** Establish a forest products purchasing policy that reflects company values and incorporates environmental and social safeguards. Such policies can be a good foundation for practicing due care. Training employees on the policy and putting in place systems and performance incentives for policy implementation can effectively reduce risk.
 - A good resource for creating and implementing the policy is the [Sustainable Forest Products](#) guide. The guide identifies and reviews issues central to procurement of wood and paper-based products, and highlights resources that can be of help.
 - Another good resource is [Sourcing Legally Produced Wood: A Guide for Businesses — 2018 Edition](#): This publication updates the [2014 version](#) of *Sourcing Legally Produced Wood*, which provides information on illegal logging and associated trade, public and private procurement policies, export country logging and log export bans, and introductory guidance to the wood products legality legislation in the United States, the EU, and Australia.
- **Purchase certified wood.** Harvesting trees legally is a common feature of third-party forest certification programs as well as timber legality verification programs. Therefore, purchasing certified wood (e.g., FSC, PEFC, SFI, ATF forest management certification and Legal Harvest and LegalSource) can be a means of demonstrating due care. But note that these certification and verification programs do not provide a guarantee that the wood is legal, especially if the systems are not robust and operate in countries with weak governance. In such circumstances, illegally harvested wood can still find its way into certified products.
- **Conduct periodic analysis tests.** Periodically test samples of wood products from your supply chain using wood forensics. There are now many labs, globally, that have the ability to identify species or origin of wood products (and in some instances, both). The [Global Timber Tracking Network](#) houses a database of international laboratories conducting wood identification.