



Denmark



**Sustainable Biomass Program (SBP)**

# **REDIII Level A Risk Assessment for Denmark Forest**

**SBP-RED-EU-DK-FOR v1.2**



## Version v1.2

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In the case of inconsistency between translations, the official English language version shall always take precedence.

SBP welcomes comments and suggestions for changes, revisions and/or clarifications on all of its Standards documentation. Please contact: [info@sbp-cert.org](mailto:info@sbp-cert.org)

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# 1 Abbreviations

<b>AAC</b>	Annual Allowable Cut
<b>AFOLU</b>	Agriculture, Forestry and Other Land Use
<b>BISE</b>	Biodiversity Information System for Europe
<b>CBD</b>	Convention on Biological Diversity
<b>EC</b>	European Commission
<b>EU</b>	European Union
<b>FAO</b>	Food and Agriculture Organisation of the United Nations
<b>FOR</b>	Forest
<b>FPIC</b>	Free, Prior and Informed Consent
<b>HCS</b>	High Carbon Stock
<b>HCV</b>	Highly Conservation Value
<b>IUCN</b>	International Union for Conservation of Nature
<b>LULUCF</b>	Land Use, Land-Use Change and Forestry
<b>NAI</b>	Net Annual Increment
<b>NDC</b>	Nationally Determined Contribution
<b>NPP</b>	Nature Protection Purposes
<b>OGF</b>	Old Growth Forest
<b>PRF</b>	Proposed Forest Reference
<b>RED</b>	Renewable Energy Directive
<b>RIP</b>	Rights of Indigenous Peoples
<b>RRA</b>	Regional Risk Assessment
<b>SBP</b>	Sustainable Biomass Program
<b>SFM</b>	Sustainable Forest Management
<b>UN</b>	United Nations
<b>UNFCCC</b>	United Nations Framework Convention on Climate Change
<b>WDPA</b>	World Database on Protected Areas

## 2 Foreword

Voluntary schemes play an important role in demonstrating compliance with sustainability and greenhouse gas emissions savings criteria for biofuels, bioliquids, and biomass fuels. According to Directive (EU) 2018/2001, these voluntary schemes can be utilised for various purposes, including certifying that all fuels produced from biomass meet the sustainability criteria specified in the Directive. They also provide accurate information regarding the greenhouse gas emissions savings from these fuels. Additionally, voluntary schemes can help verify that economic operators input accurate data into the Union or national databases for renewable and recycled carbon fuels, as outlined in Article 31a(2) and (5) of Directive (EU) 2018/2001.

The Commission has adopted Implementing Decision (EU) 2022/1657, which recognises the 'Sustainable Biomass Program' (SBP) as a voluntary scheme that meets the compliance requirements outlined in Articles 29(2) to (5), (6), (7), and (10) of Directive (EU) 2018/2001. The SBP covers the following types of feedstock: (a) lignocellulosic materials sourced from both forest and non-forest land; (b) processing residues originating from industries related to forestry and agriculture (not located on forest or agricultural land); and (c) woody agricultural residues obtained from agricultural land.

In preparation for recognition under EU/2023/2413 (REDIII), the SBP has created and published the REDIII Level A risk assessment to assist Biomass Producers in implementing the management systems necessary for compliance with the RED sustainability criteria. As an independent document, the REDIII Level A Risk Assessment will replace the Annex 6 REDII Level A Risk Assessment from the applicable Regional Risk Assessment.

SBP is also developing Regional Risk Assessments for biomass compliance, focusing on legality and sustainability criteria using a risk-based approach. These assessments align with the requirements outlined in SBP Standard 1: Feedstock Compliance. For information on how the REDIII sustainability criteria relate to the SBP Standard 1 requirements, please refer to Section 5 of this document and the associated Regional Risk Assessment.

### 3 Introduction

The revised Renewable Energy Directive (EU/2023/2413) has strengthened the sustainability criteria for forest biomass. The so-called 'no-go areas' for agricultural biomass have been extended and apply to forest biomass.

This means that equally strict requirements shall apply to forest and agricultural biomass. As such, the prohibition to harvest from the 'no-go areas' is now applicable for forest biomass in Level A and Level B countries. When the country in which the forest biomass originates has legislation and enforcement systems in place to ensure that biomass used for energy is not sourced from these areas, then this is considered to be a low-risk situation. In those cases, Article 29 (6) (a) applies, and the relevant installations producing biomass fuels also need to provide a statement of assurance that the forest biomass does not originate from those 'no-go areas'. In other words, this means that it shall be ensured, at the Biomass Producer level, that the supply contracts include restrictions on the origin of the forest biomass (excluding no-go areas).

Biomass Producers shall not develop a national/sub-national level risk assessment (Level A).

If any sustainability criteria is designated as specified risk at the national/sub-national level (Level A risk assessment does not indicate low risk for all indicators) or there is no official national/sub-national (Level A) risk assessment available, the Biomass Producer shall implement the risk assessment and, if necessary, risk mitigation on a forest sourcing area level (Level B).

So, where evidence of compliance with one or several harvesting criteria at national or sub-national level is not available (i.e., it is not possible to justify low risk), the Biomass Producer shall demonstrate that those criteria have been complied with through management systems that are in place and implemented at the level of the sourcing area.

## 4 Summary of changes

SBP-RED-EU-DK-FOR v1.1	SBP-RED-EU-DK-FOR v1.2	Comments
<p><b>Criteria 29(6) (vi)<sup>4</sup></b> (e) Heathland - Biomass Producer shall use the official definition for Heathland used in the applicable feedstock origin country. In the absence of such a definition, then the following definition shall be applied: Vegetation with low and closed cover, dominated by bushes, shrubs, dwarf shrubs (heather, briars, broom, gorse, laburnum, etc.) and herbaceous plants, forming a climax stage of development (Source: EU Copernicus).</p> <p><b>Level B</b></p>	<p><b>Criteria 29(6) (vi)<sup>4</sup></b> (e) Heathland - Biomass Producer shall use the official definition for Heathland used in the applicable feedstock origin country. In the absence of such a definition, then the following definition shall be applied: Vegetation with low and closed cover, dominated by bushes, shrubs, dwarf shrubs (heather, briars, broom, gorse, laburnum, etc.) and herbaceous plants, forming a climax stage of development (Source: EU Copernicus).</p> <p><b>Level B</b></p>	<p>Following the clarification from the Danish Energy Agency regarding the definition of heathlands that are overgrown or in the process of overgrowing, are not considered to be in a climax state and are now excluded from the assessment scope.</p> <p>Level B is assessed only for heathlands forming a climax stage of development.</p> <p><b>(Level B maintained)</b></p>
<p><b>SBP-RED-EU-DK-FOR v1.0</b></p> <p><b>Criteria 29 (6) (iv)</b> That harvesting is carried out considering maintenance of soil quality and biodiversity in accordance with sustainable forest management principles, that avoids harvesting of stumps and roots, degradation of primary forests, and of old growth forests and harvesting on vulnerable soils, that harvesting is carried out in compliance with maximum thresholds for large clear-cuts and ecologically appropriate retention thresholds for deadwood extraction.</p> <p><b>Level B (only for retention of deadwood and clear-cuts)</b></p>	<p><b>SBP-RED-EU-DK-FOR v1.1</b></p> <p><b>Criteria 29 (6) (iv)</b> That harvesting is carried out considering maintenance of soil quality and biodiversity in accordance with sustainable forest management principles, that avoids harvesting of stumps and roots, degradation of primary forests, and of old growth forests and harvesting on vulnerable soils, that harvesting is carried out in compliance with maximum thresholds for large clear-cuts and ecologically appropriate retention thresholds for deadwood extraction.</p> <p><b>Level B</b></p>	<p><b>Comments</b></p> <p>Risk conclusion updated based on further regulatory assessment</p> <p><b>(Level B identified also for Primary and Old Growth Forest, harvesting of stumps and roots)</b></p>

## 5 Comparison between REDIII and REDII

REDIII Level A risk assessment	REDII Level A risk assessment	Level of update
Sustainable harvesting criteria 29(6)		
(i) The <b>legality</b> of harvesting operations	(i) The legality of harvesting operations	None
(ii) Forest <b>regeneration</b> of harvested areas	(ii) Forest regeneration of harvested areas	None
(iii) That areas designated by international or national law or by the relevant competent authority for nature protection purposes, including <b>wetlands, grassland, heathland and peatlands</b> , are protected with the aim of preserving biodiversity and preventing habitat destruction	(iii) That areas designated by international or national law or by the relevant competent authority for nature protection purposes, including in wetlands and peatlands, are protected unless evidence is provided that the harvesting of that raw material does not interfere with those nature protection purposes	Minor
(iv) That harvesting is carried out considering maintenance of <b>soil quality and biodiversity</b> in accordance with sustainable forest management principles, that <b>avoids harvesting of stumps and roots, degradation of primary forests, and of old growth forests</b> and <b>harvesting on vulnerable soils</b> , that harvesting is carried out in compliance with <b>maximum thresholds for large clear-cuts</b> and ecologically appropriate <b>retention thresholds for deadwood extraction</b>	(iv) That harvesting is carried out considering the maintenance of soil quality and biodiversity with the aim of minimising negative impacts	Major
(v) That harvesting maintains or improves the <b>long-term production capacity</b> of the forest	(v) That harvesting maintains or improves the long-term production capacity of the forest	None
(vi) <sup>1</sup> Biomass fuel shall not be made from raw material obtained from the <b>primary forest</b> (there is no clearly visible indication of human activity) and <b>old-growth forest</b> (signs of former human activities may be visible) ( <b>no-go area</b> )	N/A	New
(vi) <sup>2</sup> Biomass fuel shall not be made from raw material obtained from <b>highly biodiverse forests</b> unless evidence is provided that the production of that raw material did not interfere with those nature protection purposes	N/A	New
(vi) <sup>3</sup> Biomass fuel shall not be made from raw material obtained from <b>natural highly biodiverse grassland</b> or <b>non-natural highly biodiverse grassland</b> unless evidence is provided that the harvesting of the raw material is necessary to preserve its status as non-natural highly biodiverse grassland ( <b>no-go area for natural</b> )	N/A	New
(vi) <sup>4</sup> Biomass fuel shall not be made from raw material obtained from <b>heathland</b> ( <b>no-go area</b> )	N/A	New
(vi) <sup>5</sup> Biomass fuel shall not be made from raw material obtained from land that had the status of <b>wetlands</b> in 2008, and no longer has that status	N/A	New

(vi) <sup>6</sup> Biomass fuel shall not be made from raw material obtained from peatland unless evidence is provided that the cultivation and harvesting of that raw material does not involve drainage of previously undrained soil	N/A	New
(vii) That installations producing biomass fuels issue a statement of assurance that the forest biomass is not sourced from the lands referred to in point (vi)	N/A	New
<b>LULUCF criteria 29(7)</b>		
Is a Party to the Paris Agreement	Is a Party to the Paris Agreement	None
Has submitted a nationally determined contribution (NDC)	Has submitted a nationally determined contribution (NDC)	None
Has national or sub-national laws in place in accordance with Article 5 of the Paris Agreement	Has national or sub-national laws in place in accordance with Article 5 of the Paris Agreement	None

## 6 Level A Risk Assessment Conclusion

REDIII Level A risk assessment	Sub-scopes	
REDIII sustainability criteria	Forests covered by Danish Forest Act	Forests not covered by Danish Forest Act
Sustainable harvesting criteria 29(6)		
(i) The <b>legality</b> of harvesting operations	Level A	Level A
(ii) Forest <b>regeneration</b> of harvested areas	Level A	<b>Level B</b>
(iii) That areas designated by international or national law or by the relevant competent authority for nature protection purposes, including <b>wetlands, grassland, heathland and peatlands</b> , are protected with the aim of preserving biodiversity and preventing habitat destruction	Level A	Level A
(iv) That harvesting is carried out considering maintenance of <b>soil quality and biodiversity</b> in accordance with sustainable forest management principles, that <b>avoids harvesting of stumps and roots</b> , degradation of <b>primary forests, and of old growth forests</b> and <b>harvesting on vulnerable soils</b> , that harvesting is carried out in compliance with <b>maximum thresholds for large clear-cuts</b> and ecologically appropriate <b>retention thresholds for deadwood extraction</b>	<b>Level B</b>	<b>Level B</b>
(v) That harvesting maintains or improves the <b>long-term production capacity</b> of the forest	Level A	<b>Level B</b>
(vi) <sup>1</sup> Biomass fuel shall not be made from raw material obtained from the <b>primary forest</b> (there is no clearly visible indication of human activity) and <b>old-growth forest</b> (signs of former human activities may be visible)	<b>Level B</b>	<b>Level B</b>
(vi) <sup>2</sup> Biomass fuel shall not be made from raw material obtained from <b>highly biodiverse forests</b> unless evidence is provided that the production of that raw material did not interfere with those nature protection purposes	<b>Level B</b>	<b>Level B</b>
(vi) <sup>3</sup> Biomass fuel shall not be made from raw material obtained from <b>natural highly biodiverse grassland</b> or <b>non-natural highly biodiverse grassland</b> unless evidence is provided that the harvesting of the raw material is necessary to preserve its status as non-natural highly biodiverse grassland	Level A	Level A
(vi) <sup>4</sup> Biomass fuel shall not be made from raw material obtained from <b>heathland</b>	<b>Level B</b>	<b>Level B</b>
(vi) <sup>5</sup> Biomass fuel shall not be made from raw material obtained from <b>wetlands</b> , and no longer has that status	Level A	Level A
(vi) <sup>6</sup> Biomass fuel shall not be made from raw material obtained from <b>peatland</b> unless evidence is provided that the cultivation and harvesting of that raw material does not involve drainage of previously undrained soil	Level A	Level A
(vii) That installations producing biomass fuels issue a <b>statement of assurance</b> that the forest biomass is not sourced from the lands referred to in point (vi)	<b>Level B</b>	<b>Level B</b>
LULUCF criteria 29(7)		

Is a Party to the Paris Agreement	Level A	Level A
Has submitted a nationally determined contribution (NDC)	Level A	Level A
Has national or sub-national laws in place in accordance with Article 5 of the Paris Agreement	N/A	N/A

## 7 REDIII Level A risk assessment criteria 29(6)

### Sustainable harvesting criteria 29(6)

The country in which forest biomass was harvested has national or sub-national laws applicable in the area of harvest as well as monitoring and enforcement systems in place ensuring:

#### (i) The legality of harvesting operations

##### Step 1: Identification of applicable laws

<i>Have the applicable law(s) been identified?</i>	✓ Yes <input type="checkbox"/> No, Level B route is required
<i>List of applicable law(s)</i>	<ul style="list-style-type: none"> <li>- Forest Act</li> <li>- Nature Protection Act</li> <li>- Environmental Assessment Act (Miljøvurderingsloven)</li> <li>- Environmental Objectives Act (Miljømålsloven)</li> <li>- Executive Order on Sustainability and Greenhouse Gas Emission Savings for Biomass Fuels and Bioliquids for Energy Purposes, etc. (Bæredygtighedsbekendtgørelsen)</li> <li>- Sustainability Handbook (officially, Order on Handbook on the fulfilment of sustainability requirements and requirements for saving greenhouse gas emissions for biomass fuels for energy purposes (Bekendtgørelse om Håndbog om opfyldelse af bæredygtighedskrav og krav til besparelse af drivhusgasemissioner for biomassebrændsler til energiformål))</li> <li>- EUDR</li> </ul> <p><b>Note:</b> According to the Danish Energy Agency's assessment 20.05.2025, this criterion is met if Danish legislation is complied with.</p>
<i>Sources</i>	<p>Forest Act (26.05.2023): <a href="https://www.retsinformation.dk/eli/lta/2023/690">https://www.retsinformation.dk/eli/lta/2023/690</a></p> <p>Nature Protection Act (28.06.2024): <a href="https://www.retsinformation.dk/eli/lta/2024/927">https://www.retsinformation.dk/eli/lta/2024/927</a></p> <p>Environmental Assessment Act (03.01.2023): <a href="https://www.retsinformation.dk/eli/lta/2023/4">https://www.retsinformation.dk/eli/lta/2023/4</a></p> <p>Environmental Objectives Act (26.05.2023): <a href="https://www.retsinformation.dk/eli/lta/2023/692">https://www.retsinformation.dk/eli/lta/2023/692</a></p> <p>Executive Order on Sustainability (16.05.2025): <a href="https://www.retsinformation.dk/eli/lta/2025/494">https://www.retsinformation.dk/eli/lta/2025/494</a></p> <p>Sustainability Handbook (16.05.2025): <a href="https://www.retsinformation.dk/eli/lta/2025/495">https://www.retsinformation.dk/eli/lta/2025/495</a></p> <p>Danish Energy Agency (22.10.2025): <a href="https://ens.dk/energikilder/baeredygtighedskrav-til-faste-og-flydende-biobraendsler">https://ens.dk/energikilder/baeredygtighedskrav-til-faste-og-flydende-biobraendsler</a></p> <p>EUDR (31.05.2023): <a href="https://eur-lex.europa.eu/legal-content/DA/TXT/PDF/?uri=CELEX:32023R1115">https://eur-lex.europa.eu/legal-content/DA/TXT/PDF/?uri=CELEX:32023R1115</a></p>

##### Step 2: Description of enforcement and monitoring

<i>Description of the practical implementation of the law(s)</i>	<p>The Environmental Protection Agency under the Ministry of Environment and Gender Equality and the Nature Agency under the Ministry of Green Transition enforce the Forest Act and the Nature Protection Act. The Agency for Green Transition and Aquatic Environment (SGAV) under the Ministry of Green Transition enforces the Environmental Objectives Act, and the Environmental Assessment Act is mainly</p>
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	enforced by Municipalities. The Danish Energy Agency under the Ministry of Climate, Energy and Utilities enforces regulations related to energy. Regular monitoring of the enforcement is conducted and reported by the concerned agencies in cooperation with the municipalities.
<i>Sources</i>	Webpages of and consultation with the officials from the relevant agencies
<i>Is the enforcement and monitoring ensured for the identified law(s)?</i>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No, Level B route is required

### Step 3: Evaluation of the effectiveness of the legal framework on the legality of timber harvesting

<i>Evaluation of the practical implementation of the law(s) and explanation for the evaluation</i>	Regular monitoring of the enforcement is conducted and reported by the concerned agencies
<i>Sources</i>	Webpages of and consultation with the official from the relevant agencies
<i>Is the legal framework effective?</i>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No, Level B route is required

### (ii) Forest regeneration of harvested areas

#### Step 1: Identification of applicable laws

<i>Have the applicable law(s) been identified?</i>	<input checked="" type="checkbox"/> Yes, for Forests covered by Danish Forest Act <input checked="" type="checkbox"/> No, Level B route is required for Forests not covered by Danish Forest Act
<i>List of applicable law(s)</i>	<ul style="list-style-type: none"> <li>- Forest Act</li> <li>- Executive Order on Sustainability and Greenhouse Gas Emission Savings for Biomass Fuels and Bioliquids for Energy Purposes, etc. (Bæredygtighedsbekendtgørelsen)</li> <li>- Sustainability Handbook (officially, Order on Handbook on the fulfilment of sustainability requirements and requirements for saving greenhouse gas emissions for biomass fuels for energy purposes (Bekendtgørelse om Håndbog om opfyldelse af bæredygtighedskrav og krav til besparelse af drivhusgasemissioner for biomassebrændsler til energiformål))</li> </ul> <p><b>Note:</b></p> <p><i>Forests covered by the Forest Act must be regenerated according to the Forest Act §8, Level A is assessed for these forests.</i></p> <p><i>Forests not covered by the Forest Act are not legally required to undergo regeneration. Only the Handbook sets regeneration requirements for forests not covered by the Forest Act. However, the Handbook is a requirement for end users and not for forest owners or biomass producers. Because there are no direct requirements at the forest level concerning the regeneration in forests not covered by the Forest Act, level B is assessed.</i></p> <p><i>These assessments are aligned with the assessment made by the Danish Energy Agency 20.05.2025.</i></p>
<i>Sources</i>	Forest Act (26.05.2023): <a href="https://www.retsinformation.dk/eli/lta/2023/690">https://www.retsinformation.dk/eli/lta/2023/690</a> Executive Order on Sustainability (16.05.2025): <a href="https://www.retsinformation.dk/eli/lta/2025/494">https://www.retsinformation.dk/eli/lta/2025/494</a> Sustainability Handbook (16.05.2025): <a href="https://www.retsinformation.dk/eli/lta/2025/495">https://www.retsinformation.dk/eli/lta/2025/495</a>

	Danish Energy Agency (22.10.2025): <a href="https://ens.dk/energikilder/baeredygtighedskrav-til-faste-og-flydende-biobraendstoffer">https://ens.dk/energikilder/baeredygtighedskrav-til-faste-og-flydende-biobraendstoffer</a>
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## Step 2: Description of enforcement and monitoring

<i>Description of the practical implementation of the law(s)</i>	The Environmental Protection Agency under the Ministry of Environment and Gender Equality and the Nature Agency under the Ministry of Green Transition enforces the Forest Act. The Danish Energy Agency under the Ministry of Climate, Energy and Utilities enforces regulations related to energy. Regular monitoring of the enforcement is conducted and reported by the concerned agencies.
<i>Sources</i>	Webpages of and consultation with the officials from the relevant agencies.
<i>Is the enforcement and monitoring ensured for the identified law(s)?</i>	✓ Yes, for Forests covered by Danish Forest Act ✓ No, Level B route is required for Forests not covered by Danish Forest Act

## Step 3: Evaluation of the effectiveness of the legal framework on the legality of timber harvesting

<i>Evaluation of the practical implementation of the law(s) and explanation for the evaluation</i>	Regular monitoring of the enforcement is conducted and reported by the concerned agencies
<i>Sources</i>	Webpages of and consultation with the official from the relevant agencies
<i>Is the legal framework effective?</i>	✓ Yes, for Forests covered by Danish Forest Act ✓ No, Level B route is required for Forests not covered by Danish Forest Act

### (iii) That areas designated by international or national law or by the relevant competent authority for nature protection purposes, including in wetlands, grassland, heathland and peatlands, are protected to preserve biodiversity and prevent habitat destruction

#### Step 1: Identification of applicable laws

<i>Have the applicable law(s) been identified?</i>	✓ Yes <input type="checkbox"/> No, Level B route is required
<i>List of applicable law(s)</i>	<ul style="list-style-type: none"> <li>- Forest Act</li> <li>- Nature Protection Act</li> <li>- Environmental Objectives Act</li> <li>- Executive Order on Sustainability and Greenhouse Gas Emission Savings for Biomass Fuels and Bioliquids for Energy Purposes, etc. (Bæredygtighedsbekendtgørelsen)</li> <li>- Sustainability Handbook (officially, Order on Handbook on the fulfillment of sustainability requirements and requirements for saving greenhouse gas emissions for biomass fuels for energy purposes (Bekendtgørelse om Håndbog om opfyldelse af bæredygtighedskrav og krav til besparelse af drivhusgasemissioner for biomassebrændstoffer til energiformål))</li> </ul> <p><b>Note:</b> According to the Danish Energy Agency's assessment 20.05.2025, this criterion is met if Danish legislation is complied with.</p>
<i>Sources</i>	Forest Act (26.05.2023): <a href="https://www.retsinformation.dk/eli/lta/2023/690">https://www.retsinformation.dk/eli/lta/2023/690</a> Nature Protection Act (28.06.2024): <a href="https://www.retsinformation.dk/eli/lta/2024/927">https://www.retsinformation.dk/eli/lta/2024/927</a> Environmental Objectives Act (26.05.2023): <a href="https://www.retsinformation.dk/eli/lta/2023/692">https://www.retsinformation.dk/eli/lta/2023/692</a>

	Executive Order on Sustainability (16.05.2025): <a href="https://www.retsinformation.dk/eli/lta/2025/494">https://www.retsinformation.dk/eli/lta/2025/494</a> Sustainability Handbook (16.05.2025): <a href="https://www.retsinformation.dk/eli/lta/2025/495">https://www.retsinformation.dk/eli/lta/2025/495</a> Danish Energy Agency (22.10.2025): <a href="https://ens.dk/energikilder/baeredygtighedskrav-til-faste-og-flydende-biobraendsler">https://ens.dk/energikilder/baeredygtighedskrav-til-faste-og-flydende-biobraendsler</a>
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### Step 2: Description of enforcement and monitoring

<i>Description of the practical implementation of the law(s)</i>	The Environmental Protection Agency under the Ministry of Environment and Gender Equality and the Nature Agency under the Ministry of Green Transition enforce the Forest Act and the Nature Protection Act. Agency for Green Transition and Aquatic Environment (SGAV) under the Ministry of Green Transition enforces the Environmental Objectives Act and the Energy Agency under the Ministry of Climate, Energy and Utilities enforces regulations related to energy. Regular monitoring of the enforcement is conducted and reported by the concerned agencies in cooperation with the municipalities.
<i>Sources</i>	Webpages of and consultation with the official from the relevant agencies
<i>Is the enforcement and monitoring ensured for the identified law(s)?</i>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No, Level B route is required

### Step 3: Evaluation of the effectiveness of the legal framework on the legality of timber harvesting

<i>Evaluation of the practical implementation of the law(s) and explanation for the evaluation</i>	Regular monitoring of the enforcement is conducted and reported by the concerned agencies
<i>Sources</i>	Webpages of and consultation with the official from the relevant agencies
<i>Is the legal framework effective?</i>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No, Level B route is required

**(iv) That harvesting is carried out considering maintenance of soil quality and biodiversity in accordance with sustainable forest management principles, with the aim of preventing any adverse impact, in a way that avoids harvesting of stumps and roots, degradation of primary forests, and of old growth forests as defined in the country where the forest is located , or their conversion into plantation forests, and harvesting on vulnerable soils, that harvesting is carried out in compliance with maximum thresholds for large clear-cuts as defined in the country where the forest is located and with locally and ecologically appropriate retention thresholds for deadwood extraction and that harvesting is carried out in compliance with requirements to use logging systems that minimise any adverse impact on soil quality, including soil compaction, and on biodiversity features and habitats**

### Step 1: Identification of applicable laws

<i>Have the applicable law(s) been identified?</i>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No, Level B route is required
<i>List of applicable law(s)</i>	<ul style="list-style-type: none"> <li>- Forest Act</li> <li>- Nature Protection Act</li> <li>- Executive Order on Sustainability and Greenhouse Gas Emission Savings for Biomass Fuels and Bioliquids for Energy Purposes, etc. (Bæredygtighedsbekendtgørelsen)</li> <li>- Sustainability Handbook (officially, Order on Handbook on the fulfillment of sustainability requirements and requirements for saving greenhouse gas emissions for biomass fuels for energy purposes (Bekendtgørelse om Håndbog om opfyldelse af</li> </ul>

bæredygtighedskrav og krav til besparelse af drivhusgasemissioner for biomassebrændsler til energiformål))

**Note:**

**Harvesting of stumps and roots – Level B**

*The Forest Act does not prevent the harvesting of stumps and roots, and thus the harvesting of stumps and roots is not regulated at forest level.*

*The Executive Order on Sustainability and Greenhouse Gas Emission Savings for Biomass Fuels and Bioliquids for Energy Purposes, etc. (Bæredygtighedsbekendtgørelsen) and the Sustainability Handbook states that forest residues must not include stumps and roots.*

**Primary forest – Level B**

*At least two small forests, Draved and Suserup forests, resemble primary forest in Denmark and both are protected. In the European primary forest database v2.0, Denmark has 1,680 ha registered as Primary forest, no map is available for a clear identification <https://www.nature.com/articles/s41597-021-00988-7/tables/2>*

*According to the Energy Agency assessment 20.05.2025, Primary and Old Growth Forests in Denmark are not generally protected.*

**Old Growth Forest (OGF) – Level B**

*Old Growth Forest has been defined, but plots and areas haven't been identified, registered and mapped (2025). The Executive Order on Sustainability and Greenhouse Gas Emission Savings for Biomass Fuels and Bioliquids for Energy Purposes, etc. (Bæredygtighedsbekendtgørelsen) and the Sustainability Handbook states that biomass from Primary and OGF shall be avoided.*

*Forests likely to contain OGF are the 75,000 hectares of "Untouched Forest" (70.000 ha state forest/5000 ha private forest). "Untouched Forest" is protected in the private forest by a voluntary subsidies scheme, while in state property, the forest management plans protect the status of the "Untouched Forest."*

*Danish definition: "An old-growth forest in Denmark is a forest stand or forest area consisting of native tree species that has primarily developed through natural processes, structures and dynamics normally associated with late successional stages of development in primary or undisturbed forests of the same type. Signs of previous human activities may be visible, but they are gradually disappearing or are too limited to significantly disrupt natural processes"*

*According to the Energy Agency assessment 20.05.2025, Primary and Old Growth Forests in Denmark are not generally protected.*

**Retention thresholds for deadwood extraction – Level B**

*Retention thresholds are not defined in the Forest Act and thus the thresholds for deadwood extraction are not regulated at the forest level. The Executive Order on Sustainability and Greenhouse Gas Emission Savings for Biomass Fuels and Biofuels for Energy Purposes, etc. (Bæredygtighedsbekendtgørelsen) and the Sustainability Handbook have been updated with requirements for deadwood extraction.*

**Maximum thresholds for large clear-cuts – Level B**

*The Forest Act does not set maximum thresholds for large clear-cuts. The guidelines for the Forest Act §8 states:*

*... Extensive clear-cutting is therefore not normally within the framework of sustainable forestry.*

*... Clearing large, continuous stands that are mature for harvesting at once (clear-cutting) should be avoided as much as possible. Clear-cutting should be avoided for*

	<p>environmental reasons, but also because it can cause the area to become overgrown with grass and weeds, making it difficult and expensive to re-establish forests.</p> <p>The Executive Order on Sustainability and Greenhouse Gas Emission Savings for Biomass Fuels and Bioliquids for Energy Purposes, etc. (Bæredygtighedsbekendtgørelsen) and the Sustainability Handbook have been updated with requirements for clear-cuts.</p> <p>For the whole criteria, the Energy Agency (20.05.2025) assessed Level B.</p>
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Sources	<p>Forest Act (26.05.2023): <a href="https://www.retsinformation.dk/eli/lta/2023/690">https://www.retsinformation.dk/eli/lta/2023/690</a></p> <p>Nature Protection Act (28.06.2024): <a href="https://www.retsinformation.dk/eli/lta/2024/927">https://www.retsinformation.dk/eli/lta/2024/927</a></p> <p>Executive Order on Sustainability (16.05.2025): <a href="https://www.retsinformation.dk/eli/lta/2025/494">https://www.retsinformation.dk/eli/lta/2025/494</a></p> <p>Sustainability Handbook (16.05.2025): <a href="https://www.retsinformation.dk/eli/lta/2025/495">https://www.retsinformation.dk/eli/lta/2025/495</a></p> <p>Danish Energy Agency (22.10.2025): <a href="https://ens.dk/energikilder/baeredygtighedskrav-til-faste-og-flydende-biobraendstoffer">https://ens.dk/energikilder/baeredygtighedskrav-til-faste-og-flydende-biobraendstoffer</a></p>
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## Step 2: Description of enforcement and monitoring

Description of the practical implementation of the law(s)	N/A
Sources	N/A
Is the enforcement and monitoring ensured for the identified law(s)?	<input type="checkbox"/> Yes ✓ No, Level B route is required

## Step 3: Evaluation of the effectiveness of the legal framework on the legality of timber harvesting

Evaluation of the practical implementation of the law(s) and explanation for the evaluation	N/A
Sources	N/A
Is the legal framework effective?	<input type="checkbox"/> Yes ✓ No, Level B route is required

## (v) That harvesting maintains or improves the long-term production capacity of the forest

### Step 1: Identification of applicable laws

Have the applicable law(s) been identified?	<p>✓ Yes, for Forests covered by Danish Forest Act</p> <p>✓ No, Level B route is required for Forests not covered by Danish Forest Act</p>
List of applicable law(s)	<ul style="list-style-type: none"> <li>- Forest Act</li> <li>- Executive Order on Sustainability and Greenhouse Gas Emission Savings for Biomass Fuels and Bioliquids for Energy Purposes, etc. (Bæredygtighedsbekendtgørelsen)</li> <li>- Sustainability Handbook (officially, Order on Handbook on the fulfillment of sustainability requirements and requirements for saving greenhouse gas emissions for biomass fuels for energy purposes (Bekendtgørelse om Håndbog om opfyldelse af bæredygtighedskrav og krav til besparelse af drivhusgasemissioner for biomassebrændstoffer til energiformål))</li> </ul>

	<p><b>Note:</b></p> <p>The requirement is fulfilled for biomass sourced from forests covered by the Forest Act, Level A.</p> <p>For sourcing areas containing forest that is not covered by the Forest Act, the requirement must be met at level B by a company management system that ensures compliance with the criteria.</p> <p>These assessments are aligned with the assessment made by the Danish Energy Agency 20.05.2025.</p>
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Sources	<p>Forest Act (26.05.2023): <a href="https://www.retsinformation.dk/eli/lta/2023/690">https://www.retsinformation.dk/eli/lta/2023/690</a></p> <p>Executive Order on Sustainability (16.05.2025): <a href="https://www.retsinformation.dk/eli/lta/2025/494">https://www.retsinformation.dk/eli/lta/2025/494</a></p> <p>Sustainability Handbook (16.05.2025): <a href="https://www.retsinformation.dk/eli/lta/2025/495">https://www.retsinformation.dk/eli/lta/2025/495</a></p> <p>Danish Energy Agency (22.10.2025): <a href="https://ens.dk/energikilder/baeredygtighedskrav-til-faste-og-flydende-biobraendstoffer">https://ens.dk/energikilder/baeredygtighedskrav-til-faste-og-flydende-biobraendstoffer</a></p>
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## Step 2: Description of enforcement and monitoring

Description of the practical implementation of the law(s)	The Environmental Protection Agency under the Ministry of Environment and Gender Equality and the Nature Agency under the Ministry of Green Transition enforces the Forest Act. The Danish Energy Agency under the Ministry of Climate, Energy and Utilities enforces regulations related to energy. Regular monitoring of the enforcement is conducted and reported by the concerned agencies.
Sources	Webpages of and consultation with the officials from the relevant agencies
Is the enforcement and monitoring ensured for the identified law(s)?	<p>✓ Yes, for Forests covered by Danish Forest Act</p> <p>✓ No, Level B route is required for Forests not covered by Danish Forest Act</p>

## Step 3: Evaluation of the effectiveness of the legal framework on the legality of timber harvesting

Evaluation of the practical implementation of the law(s) and explanation for the evaluation	Regular monitoring of the enforcement is conducted and reported by the concerned agencies
Sources	Webpages of and consultation with the officials from the relevant agencies
Is the legal framework effective?	<p>✓ Yes, for Forests covered by Danish Forest Act</p> <p>✓ No, Level B route is required for Forests not covered by Danish Forest Act</p>

**(vi)<sup>1</sup> That forests in which the forest biomass is harvested do not stem from the lands that have the statuses referred to in Article 29(3) points (a), (b), (d) and (e); Article 29(4), point (a), and Article 29(5), respectively under the same conditions of determination of the status of land specified in those paragraphs**

Article 29 (3): biomass fuel produced from agricultural biomass shall not be made from raw material obtained from land with a high biodiversity value, namely land that had one of the following statuses in or after January 2008, whether or not the land continues to have that status:

(a) **primary forest and other wooded land and old growth forest**, namely forest and other wooded land of native species, where there is no clearly visible indication of human activity and the ecological processes are not significantly disturbed; and old growth forests as defined in the country where the forest is located. If there is no definition of old-growth forest at the national level, then the following definition shall apply: *A forest stand or area consisting of native tree species that have developed, predominantly through natural processes, structures and dynamics normally associated with late-seral developmental phases in primary or undisturbed forests of the same type. Signs of former human activities may be visible, but they are gradually disappearing or too limited to significantly disturb natural processes.*

### Step 1: Identification of applicable laws

<p><i>Have the applicable law(s) been identified?</i></p>	<p><input type="checkbox"/> Yes ✓ No, Level B route is required</p>
<p><i>List of applicable law(s)</i></p>	<ul style="list-style-type: none"> <li>- Forest Act</li> <li>- Executive Order on Sustainability and Greenhouse Gas Emission Savings for Biomass Fuels and Bioliquids for Energy Purposes, etc. (Bæredygtighedsbekendtgørelsen)</li> <li>- Sustainability Handbook (officially, Order on Handbook on the fulfillment of sustainability requirements and requirements for saving greenhouse gas emissions for biomass fuels for energy purposes (Bekendtgørelse om Håndbog om opfyldelse af bæredygtighedskrav og krav til besparelse af drivhusgasemissioner for biomassebrændsler til energiformål))</li> <li>- Executive Order on Grants for Private Untouched Forest</li> </ul> <p><b>Note:</b></p> <p><b>Primary forest</b>  <i>At least two small forests, Draved and Suserup forests, resemble primary forest in Denmark and are protected.</i></p> <p><i>In the European primary forest database v2.0, Denmark has 1,680 ha registered as Primary forest, no map available for a clear identification <a href="https://www.nature.com/articles/s41597-021-00988-7/tables/2">https://www.nature.com/articles/s41597-021-00988-7/tables/2</a></i></p> <p><b>Old Growth Forest (OGF).</b>  <i>Old Growth Forest has been defined, but plots and areas haven't been identified, registered and mapped by 2025. The Executive Order on Sustainability and Greenhouse Gas Emission Savings for Biomass Fuels and Bioliquids for Energy Purposes, etc. (Bæredygtighedsbekendtgørelsen) and the Sustainability Handbook states that biomass from Primary and OGF shall be avoided.</i></p> <p><i>Forests which are likely to contain OGF are the 75.000 hectares of "Untouched Forest" (70.000 ha state forest/5000 ha private forest). "Untouched Forest" is protected in the private forest by a voluntary subsidies scheme, while in state property, the forest management plans protect the status of the "Untouched Forest."</i></p> <p><i>Danish definition: "An old-growth forest in Denmark is a forest stand or forest area consisting of native tree species that has primarily developed through natural processes, structures and dynamics normally associated with late successional stages of</i></p>

	<p><i>development in primary or undisturbed forests of the same type. Signs of previous human activities may be visible, but they are gradually disappearing or are too limited to significantly disrupt natural processes”</i></p> <p><i>According to the Energy Agency assessment 20.05.2025, Primary and Old Growth Forests in Denmark are not generally protected.</i></p>
Sources	<p>Forest Act (26.05.2023): <a href="https://www.retsinformation.dk/eli/lta/2023/690">https://www.retsinformation.dk/eli/lta/2023/690</a></p> <p>Executive Order on Sustainability (16.05.2025): <a href="https://www.retsinformation.dk/eli/lta/2025/494">https://www.retsinformation.dk/eli/lta/2025/494</a></p> <p>Sustainability Handbook (16.05.2025): <a href="https://www.retsinformation.dk/eli/lta/2025/495">https://www.retsinformation.dk/eli/lta/2025/495</a></p> <p>Executive Order on Grants for Private Untouched Forest: <a href="https://www.retsinformation.dk/eli/lta/2017/776">https://www.retsinformation.dk/eli/lta/2017/776</a></p> <p>Danish Energy Agency (22.10.2025): <a href="https://ens.dk/energikilder/baeredygtighedskrav-til-faste-og-flydende-biobraendstoffer">https://ens.dk/energikilder/baeredygtighedskrav-til-faste-og-flydende-biobraendstoffer</a></p>

### Step 2: Description of enforcement and monitoring

Description of the practical implementation of the law(s)	N/A
Sources	N/A
Is the enforcement and monitoring ensured for the identified law(s)?	<input type="checkbox"/> Yes ✓ No, Level B route is required

### Step 3: Evaluation of the effectiveness of the legal framework on the legality of timber harvesting

Evaluation of the practical implementation of the law(s) and explanation for the evaluation	N/A
Sources	N/A
Is the legal framework effective?	<input type="checkbox"/> Yes ✓ No, Level B route is required

#### **(vi)<sup>2</sup> That forests in which the forest biomass is harvested do not stem from the lands that have the statuses referred to in Article 29(3) points (a), (b), (d) and (e); Article 29(4), point (a), and Article 29(5), respectively under the same conditions of determination of the status of land specified in those paragraphs**

Article 29 (3): biomass fuel produced from agricultural biomass shall not be made from raw material obtained from land with a high biodiversity value, namely land that had one of the following statuses in or after January 2008, whether or not the land continues to have that status:

(b) **highly biodiverse forest** and other wooded land which is species-rich and not degraded, and has been identified as being highly biodiverse by the relevant competent authority, unless evidence is provided that the production of that raw material did not interfere with those nature protection purposes.

### Step 1: Identification of applicable laws

Have the applicable law(s) been identified?	<input type="checkbox"/> Yes ✓ No, Level B route is required
List of applicable law(s)	- National Park Act - Forest Act

	<ul style="list-style-type: none"> <li>- Nature Protection Act</li> <li>- Executive Order on Sustainability and Greenhouse Gas Emission Savings for Biomass Fuels and Bioliquids for Energy Purposes, etc. (Bæredygtighedsbekendtgørelsen)</li> <li>- Sustainability Handbook (officially, Order on Handbook on the fulfillment of sustainability requirements and requirements for saving greenhouse gas emissions for biomass fuels for energy purposes (Bekendtgørelse om Håndbog om opfyldelse af bæredygtighedskrav og krav til besparelse af drivhusgasemissioner for biomassebrændsler til energiformål))</li> </ul> <p><b>Note:</b></p> <p><i>Areas registered according to §25 in the Forest Act, according to the Nature Protection Act §§3 and 33, and Natura 2000 sites expectedly contain highly biodiverse forests. In addition, Denmark has two types of national parks: Nature National Parks (expected that harvest of biomass will not be allowed), 15 parks are in the process of being created (2025).</i></p> <p><i>National Parks, 5 parks exist. Forestry and agriculture are allowed in National Parks, whereas such activities are not expected to be allowed in Nature National Parks.</i></p> <p><i>Forest Act §25 areas are classified as "Forest of special natural value - Section 25 forest" and considered to be highly biodiverse forest. The areas are identified, registered and mapped. However, mapping according to §25 of the Forest Act does not protect the areas, and it does not entail any binding obligations for the operation of the forest or restrictions for the forest owner. Nature Protection Act §§3 and 33, and Natura 2000 sites are protected.</i></p>
Sources	<p>National Park Act (26.05.2023): <a href="https://www.retsinformation.dk/eli/lta/2023/685">https://www.retsinformation.dk/eli/lta/2023/685</a></p> <p>Forest Act (26.05.2023): <a href="https://www.retsinformation.dk/eli/lta/2023/690">https://www.retsinformation.dk/eli/lta/2023/690</a></p> <p>Nature Protection Act (28.06.2024): <a href="https://www.retsinformation.dk/eli/lta/2024/927">https://www.retsinformation.dk/eli/lta/2024/927</a></p> <p>Website on 15 nature national park: <a href="https://naturstyrelsen.dk/vildere-natur/naturnationalparker">https://naturstyrelsen.dk/vildere-natur/naturnationalparker</a></p> <p>Executive Order on Sustainability (16.05.2025): <a href="https://www.retsinformation.dk/eli/lta/2025/494">https://www.retsinformation.dk/eli/lta/2025/494</a></p> <p>Sustainability Handbook (16.05.2025): <a href="https://www.retsinformation.dk/eli/lta/2025/495">https://www.retsinformation.dk/eli/lta/2025/495</a></p> <p>Agency for Green Transition and Aquatic Environment: <a href="https://sgavmst.dk/skovbrug-og-landbrug/skovbrug/naturmaessigt-saerlig-vaerdifuld-skov-25-skov">https://sgavmst.dk/skovbrug-og-landbrug/skovbrug/naturmaessigt-saerlig-vaerdifuld-skov-25-skov</a></p>

### Step 2: Description of enforcement and monitoring

Description of the practical implementation of the law(s)	N/A
Sources	N/A
Is the enforcement and monitoring ensured for the identified law(s)?	<input type="checkbox"/> Yes ✓ No, Level B route is required

### Step 3: Evaluation of the effectiveness of the legal framework on the legality of timber harvesting

Evaluation of the practical implementation of the law(s) and explanation for the evaluation	N/A
Sources	N/A

<i>Is the legal framework effective?</i>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No, Level B route is required
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**(vi)<sup>3</sup> That forests in which the forest biomass is harvested do not stem from the lands that have the statuses referred to in Article 29(3) points (a), (b), (d) and (e); Article 29(4), point (a), and Article 29(5), respectively under the same conditions of determination of the status of land specified in those paragraphs**

Article 29 (3): biomass fuel produced from agricultural biomass shall not be made from raw material obtained from land with a high biodiversity value, namely land that had one of the following statuses in or after January 2008, whether or not the land continues to have that status:

(d) **highly biodiverse grassland** spanning more than one hectare that is: (i) natural, namely grassland that would remain grassland in the absence of human intervention and that maintains the natural species composition and ecological characteristics and processes; or (ii) non-natural, namely grassland that would cease to be grassland in the absence of human intervention and that is species-rich and not degraded and has been identified as being highly biodiverse by the relevant competent authority, unless evidence is provided that the harvesting of the raw material is necessary to preserve its status as highly biodiverse grassland.

### Step 1: Identification of applicable laws

<i>Have the applicable law(s) been identified?</i>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No, Level B route is required
<i>List of applicable law(s)</i>	- Nature Protection Act §3 section 2,4  Note: Grassland within forestland is expected to be non-natural grasslands
<i>Sources</i>	Nature Protection Act (28.06.2024): <a href="https://www.retsinformation.dk/eli/lt/2024/927">https://www.retsinformation.dk/eli/lt/2024/927</a>

### Step 2: Description of enforcement and monitoring

<i>Description of the practical implementation of the law(s)</i>	The Environmental Protection Agency under the Ministry of Environment and Gender Equality and the Nature Agency under the Ministry of Green Transition enforce the Nature Protection Act. Regular monitoring of the enforcement is conducted and reported by the concerned agencies.
<i>Sources</i>	Webpages of and consultation with the officials from the relevant agencies
<i>Is the enforcement and monitoring ensured for the identified law(s)?</i>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No, Level B route is required

### Step 3: Evaluation of the effectiveness of the legal framework on the legality of timber harvesting

<i>Evaluation of the practical implementation of the law(s) and explanation for the evaluation</i>	Regular monitoring of the enforcement is conducted and reported by the concerned agencies
<i>Sources</i>	Webpages of and consultation with the officials from the relevant agencies
<i>Is the legal framework effective?</i>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No, Level B route is required

**(vi)<sup>4</sup> That forests in which the forest biomass is harvested do not stem from the lands that have the statuses referred to in Article 29(3) points (a), (b), (d) and (e); Article 29(4), point (a), and Article 29(5), respectively under the same conditions of determination of the status of land specified in those paragraphs**

Article 29 (3): biomass fuel produced from agricultural biomass shall not be made from raw material obtained from land with a high biodiversity value, namely land that had one of the following statuses in or after January 2008, whether or not the land continues to have that status:

(e) **heathland** - Biomass Producer shall use the official definition for Heathland used in the applicable feedstock origin country. In the absence of such a definition, then the following definition shall be applied: Vegetation with low and closed cover, dominated by bushes, shrubs, dwarf shrubs (heather, briars, broom, gorse, laburnum etc.) and herbaceous plants, forming a climax stage of development (Source: EU Copernicus).

### Step 1: Identification of applicable laws

<i>Have the applicable law(s) been identified?</i>	<input type="checkbox"/> Yes ✓ No, Level B route is required
<i>List of applicable law(s)</i>	<ul style="list-style-type: none"> <li>- National Park Act</li> <li>- Forest Act §28</li> <li>- Nature Protection Act §3 section 2,1</li> <li>- Regulation (EU) 2024/1991 of the European Parliament and of the Council of 24 June 2024 on nature restoration and amending Regulation (EU) 2022/869</li> </ul> <p>The EU Nature Restoration Regulation states that restoration measures put in place to restore or maintain certain habitat types listed in its Annex I, such as grasslands, heath or wetland habitat types, could, in certain cases, require the removal of forest in order to reinstall conservation-driven management, which might include activities such as mowing or grazing.</p> <p>According to Annex 3 of the Guidance on the Nature Types Protected under §3 of the Nature Protection Act, EU Annex I heath habitat definitions overlap with §3 heath nature types in Denmark. In the field, though, many smaller areas designated as §3 are not designated Natura 2000 status. The guidance states that the concept of heathland, within the meaning of the Nature Protection Act, corresponds to the general understanding of it as an uncultivated stretch of land with poor soil, usually covered with heather and various other small shrub species. It also clarifies that in this country, heathland is rarely a stable plant community, and grazing, occasional burning, and cutting are often necessary to prevent the dwarf shrubs, grasses, and lichens of the heath from being overgrown and outcompeted by bushes and trees. As a result, heath areas will often display varying degrees of encroachment.</p> <p>The Danish Energy Agency's assessment (published as a Guidance statement on "heathlands" as a "no-go area" J no. 2026-499 / 20-01-2026) is aligned with the heathland definition of this criterion, that heathland must be understood in accordance with the Copernicus definition: "Vegetation with low and closed cover, dominated by bushes, shrubs, dwarf shrubs (heather, briars, broom, gorse, laburnum etc.) and herbaceous plants, forming a climax stage of development". Therefore, heathlands that have become overgrown, or are in the process of becoming overgrown, with trees are not considered a no-go area.</p> <p>In conclusion, Danish heathland that is overgrown or in the process of overgrowing is not considered to be in a climax state and is therefore not in the scope of this assessment. Level B is assessed only for heathlands forming a climax stage of development.</p>

<i>Sources</i>	National Park Act (26.05.2023): <a href="https://www.retsinformation.dk/eli/lta/2023/685">https://www.retsinformation.dk/eli/lta/2023/685</a> Forest Act (26.05.2023): <a href="https://www.retsinformation.dk/eli/lta/2023/690">https://www.retsinformation.dk/eli/lta/2023/690</a> Nature Protection Act (28.06.2024): <a href="https://www.retsinformation.dk/eli/lta/2024/927">https://www.retsinformation.dk/eli/lta/2024/927</a> EU Nature Restoration Regulation: <a href="https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32024R1991&amp;qid=1722240349976">https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32024R1991&amp;qid=1722240349976</a> Executive Order on Sustainability (16.05.2025): <a href="https://www.retsinformation.dk/eli/lta/2025/494">https://www.retsinformation.dk/eli/lta/2025/494</a> Guidance on the Nature Types Protected under §3 of the Nature Protection Act: <a href="https://mst.dk/publikationer/2019/december/vejledning-om-naturbeskyttelseslovens-3-beskyttede-naturtyper">https://mst.dk/publikationer/2019/december/vejledning-om-naturbeskyttelseslovens-3-beskyttede-naturtyper</a> Energy Agency: <a href="https://ens.dk/energikilder/baeredygtighedskrav-til-faste-og-flydende-biobraendsler">https://ens.dk/energikilder/baeredygtighedskrav-til-faste-og-flydende-biobraendsler</a>
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### Step 2: Description of enforcement and monitoring

<i>Description of the practical implementation of the law(s)</i>	N/A
<i>Sources</i>	N/A
<i>Is the enforcement and monitoring ensured for the identified law(s)?</i>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No, Level B route is required

### Step 3: Evaluation of the effectiveness of the legal framework on the legality of timber harvesting

<i>Evaluation of the practical implementation of the law(s) and explanation for the evaluation</i>	N/A
<i>Sources</i>	N/A
<i>Is the legal framework effective?</i>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No, Level B route is required

**(vi)<sup>5</sup> That forests in which the forest biomass is harvested do not stem from the lands that have the statuses referred to in Article 29(3) points (a), (b), (d) and (e); Article 29(4), point (a), and Article 29(5), respectively under the same conditions of determination of the status of land specified in those paragraphs**

Article 29 (4): biomass fuel produced from agricultural biomass shall not be made from raw material obtained from land with high-carbon stock, namely land that had one of the following statuses in January 2008 and no longer has that status:

(a) **wetlands**, namely land that is covered with or saturated by water permanently or for a significant part of the year (NOTE: Evidence of verification of wetlands should reflect seasonal changes within a year);

### Step 1: Identification of applicable laws

<i>Have the applicable law(s) been identified?</i>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No, Level B route is required
<i>List of applicable law(s)</i>	- Nature Protection Act §3
<i>Sources</i>	Nature Protection Act (28.06.2024): <a href="https://www.retsinformation.dk/eli/lta/2024/927">https://www.retsinformation.dk/eli/lta/2024/927</a>

## Step 2: Description of enforcement and monitoring

<i>Description of the practical implementation of the law(s)</i>	The Environmental Protection Agency under the Ministry of Environment and Gender Equality and the Nature Agency under the Ministry of Green Transition enforce the Nature Protection Act. Regular monitoring of the enforcement is conducted and reported by the concerned agencies.
<i>Sources</i>	Webpages of and consultation with the officials from the relevant agencies
<i>Is the enforcement and monitoring ensured for the identified law(s)?</i>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No, Level B route is required

## Step 3: Evaluation of the effectiveness of the legal framework on the legality of timber harvesting

<i>Evaluation of the practical implementation of the law(s) and explanation for the evaluation</i>	Regular monitoring of the enforcement is conducted and reported by the concerned agencies
<i>Sources</i>	Webpages of and consultation with the officials from the relevant agencies
<i>Is the legal framework effective?</i>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No, Level B route is required

### **(vi)<sup>6</sup> That forests in which the forest biomass is harvested do not stem from the lands that have the statuses referred to in Article 29(3) points (a), (b), (d) and (e); Article 29(4), point (a), and Article 29(5), respectively under the same conditions of determination of the status of land specified in those paragraphs**

Article 29 (5): biomass fuel produced from agricultural biomass shall not be made from raw material obtained from land that was **peatland** in January 2008, unless evidence is provided that the cultivation and harvesting of that raw material does not involve drainage of previously undrained soil. For a peatland that was partially drained in January 2008, a subsequent deeper drainage, affecting soil that was not fully drained, would constitute a breach of the criterion.

## Step 1: Identification of applicable laws

<i>Have the applicable law(s) been identified?</i>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No, Level B route is required
<i>List of applicable law(s)</i>	- Nature Protection Act §3 section 2,2 - Watercourse Act
<i>Sources</i>	Nature Protection Act (28.06.2024): <a href="https://www.retsinformation.dk/eli/lta/2024/927">https://www.retsinformation.dk/eli/lta/2024/927</a> Watercourse Act (25.11.2019): <a href="https://www.retsinformation.dk/eli/lta/2019/1217">https://www.retsinformation.dk/eli/lta/2019/1217</a>

## Step 2: Description of enforcement and monitoring

<i>Description of the practical implementation of the law(s)</i>	The Environmental Protection Agency under the Ministry of Environment and Gender Equality and the Nature Agency under the Ministry of Green Transition enforce the Nature Protection Act. Regular monitoring of the enforcement is conducted and reported by the concerned agencies.
<i>Sources</i>	Webpages of and consultation with the officials from the relevant agencies
<i>Is the enforcement and monitoring ensured for the identified law(s)?</i>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No, Level B route is required

### Step 3: Evaluation of the effectiveness of the legal framework on the legality of timber harvesting

<i>Evaluation of the practical implementation of the law(s) and explanation for the evaluation</i>	Regular monitoring of the enforcement is conducted and reported by the concerned agencies
<i>Sources</i>	Webpages of and consultation with the officials from the relevant agencies
<i>Is the legal framework effective?</i>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No, Level B route is required

**(vii) That installations producing biomass fuels from forest biomass, issue a statement of assurance, underpinned by company-level internal processes, for the purpose of the audits conducted pursuant to Article 30(3), that the forest biomass is not sourced from the lands referred to in point (vi)**

### Step 1: Identification of applicable laws

<i>Have the applicable law(s) been identified?</i>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No, Level B route is required
<i>List of applicable law(s)</i>	No Danish legislation concerning this requirement is in place for Biomass Producers
<i>Sources</i>	N/A

### Step 2: Description of enforcement and monitoring

<i>Description of the practical implementation of the law(s)</i>	N/A
<i>Sources</i>	N/A
<i>Is the enforcement and monitoring ensured for the identified law(s)?</i>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No, Level B route is required

### Step 3: Evaluation of the effectiveness of the legal framework on the legality of timber harvesting

<i>Evaluation of the practical implementation of the law(s) and explanation for the evaluation</i>	N/A
<i>Sources</i>	N/A
<i>Is the legal framework effective?</i>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No, Level B route is required

## 8 REDIII Level A risk assessment criteria 29(7)

LULUCF criteria 29(7)	
<i>Paris Agreement ratified?</i>	✓ Yes <input type="checkbox"/> No
<i>Submission of a relevant NDC</i>	✓ Yes <input type="checkbox"/> No
<i>Sources</i>	<ul style="list-style-type: none"> <li>- Paris Agreement: UNFCCC's party information about Denmark: <a href="https://unfccc.int/node/61052">https://unfccc.int/node/61052</a></li> <li>- NDC: European Commission. (2020). Update of the NDC of the European Union and its Member States. <a href="https://unfccc.int/sites/default/files/NDC/2022-06/EU_NDC_Submission_December%202020_0.pdf">https://unfccc.int/sites/default/files/NDC/2022-06/EU_NDC_Submission_December%202020_0.pdf</a></li> </ul>
<i>Brief description of how agriculture, forestry and land use are accounted for in NDC</i>	<p><b>European Commission (2020):</b></p> <p>"Accounting for emissions and removals from LULUCF follows specific rules depending on the land accounting category in accordance with Regulation (EU) 2018/841. Afforested Land and Deforested Land use baseline zero (gross-net accounting). Managed Grassland, Managed Cropland and Managed Wetland use as baseline the average emissions between 2005 and 2009 (net-net accounting). Managed Forest Land uses as baseline a Forest Reference Level based on the continuation of Forest Management Practices between 2000 and 2009 and taking into account the age-class structure of forests, projected through the compliance period. The mere presence of carbon stocks is excluded from accounting."</p>

### OR (this option below must be used if the previous point about NDC is not satisfied)

The origin country has national or sub-national laws in place, in accordance with Article 5 of the Paris Agreement, applicable in the area of harvest, to conserve and enhance carbon stocks and sinks, and providing evidence that reported LULUCF-sector emissions do not exceed removals

#### Step 1: Identification of applicable laws

<i>Have the applicable law(s) been identified?</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No, Level B route is required
<i>List of applicable law(s)</i>	
<i>Sources</i>	

#### Step 2: Description of enforcement and monitoring

<i>Description of the practical implementation of the law(s)</i>	
<i>Sources</i>	
<i>Is the enforcement and monitoring ensured for the identified law(s)?</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No, Level B route is required

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**Step 3: Evaluation of the effectiveness of the legal framework on the legality of timber harvesting**

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<i>Evaluation of the practical implementation of the law(s) and explanation for the evaluation</i>	
<i>Sources</i>	
<i>Is the legal framework effective?</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No, Level B route is required

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## 9 Public consultation report

Stakeholder	Comment	Response
-	No comments received	-
-	-	-
-	-	-
-	-	-
-	-	-