

## **Annex II: PEFC US Roles & Responsibilities**

### **2015 SFI Inc. Services Agreement with ATFS as PEFC US NGB and Secretary**

The following services are currently provided by the Sustainable Forestry Initiative ® Inc (SFI®) acting as the national governing body in the United States of America of the Programme for the Endorsement of Forest Certification schemes, situated at World Trade Center 1, 10, route de l'Aéroport, CH-1215 Geneva, Switzerland to American Forest Foundation's American Tree Farm System (ATFS) program and are subject to mutual contractual agreement.

This list of roles and responsibilities is valid for the period of January 1, 2015 until December 31, 2015 provided that both parties have signed the agreement.

#### **RESPONSIBILITIES OF SFI**

##### **A. PEFC Data Collection**

- SFI Inc. created a form to collect certificate, contact and product details for forest management and chain of custody certifications that is sent to all certification bodies. This form is also updated as needed and forwarded to certification bodies for completion.
- Receiving completed forms from notified Certification Bodies, reviewing the forms to determine if all relevant information has been entered.
- All new PEFC FM and PEFC CoC certificates are registered as well as any revisions made to existing certificate information.
- Updated information is entered into the PEFC database structure, exported and sent to PEFC International on a monthly basis ([http://www.pefc.org/internet/html/pefc\\_statistics\\_interactive\\_database.htm](http://www.pefc.org/internet/html/pefc_statistics_interactive_database.htm)).
- Daily correspondence concerning PEFC certificate holders and certification bodies to confirm information received, requests for missing details and their specific enquiries.

##### **B. PEFC CB Notification**

- Maintaining a current list of accredited:
  - a. Certification Bodies (SFM Standards delivering certification audits to the SFI 2010-2014 and SFI 2015-2019 Standard and the ATFS 2010-2015 and ATFS 2015-2020 Standard);
  - b. Certification Bodies (delivering certification audits to the PEFC CoC Standard).
- Entering the list and any appropriate revisions to the PEFC International database.
- Creating, revising and updating the notification contract between PEFC US and certification bodies delivering FM and CoC audits for PEFC and sending it to the relevant certification bodies.
- Ensuring all PEFC certification bodies have been notified and have signed notification contracts with PEFC US annually.
- Frequent communication with Certification Bodies on notification contracts, current certifications, contact information, interpretations, etc.
- Collecting proof of accreditation for forest management and chain of custody certification bodies.

##### **C. PEFC Label Use**

- Creating and keeping the PEFC Logo Use Licensing Agreement up-to-date.
- Customizing the PEFC US Logo Use Licensing Agreement and designating a unique logo ID number for each PEFC-certified company requesting a logo.

- Forwarding PEFC logo use guidelines as well as the PEFC logos to certified companies.
- Approving PEFC logo use to ensure proper use of the logo in accordance with PEFC International logo/label/mark use guidelines by certified companies and organizations.
- Maintaining a database of issued PEFC logo ID numbers, PEFC logo use approvals, and PEFC logo ID contracts.

#### **D. PEFC Fees**

- Coordinating a fee schedule for transfer of PEFC International Membership and Subscription fees from ATFS to PEFC International.
- Invoicing PEFC Certified companies using the PEFC logo with an issued PEFC logo ID number based on their number of certified sites.
- Collecting PEFC logo use fees and following up with companies who have not yet paid. New letters and invoices to be sent out every two weeks.
- Invoicing PEFC certification bodies collecting notification fees from PEFC CoC certified companies on a quarterly basis.
- Communicating with certified companies on logo fees and responding to questions.
- Maintaining list of companies issued PEFC logo use fees, including information payment received.
- Coordinating appropriate distribution of collected PEFC logo use fees from SFI to ATFS.

#### **E. PEFC Endorsements**

- Review and prepare summary of assessment reports for standards applying for PEFC endorsement and provide opinion on how PEFC US should vote to ATFS/AFF, allowing at least two weeks for ATFS response and consensus process.
- Submit Postal Ballot on PEFC US decision with PEFC US Chair signature to PEFC International on behalf of PEFC US.

#### **F. Other PEFC International Requests**

- Coordinating and preparing PEFC US Governing Body's position regarding issues such as procurement policies.
- Coordinating and preparing PEFC US Governing Body's position regarding PEFC International Board and Nominations Committee nominations, allowing at least two weeks for ATFS response and consensus process.
- Coordinating and preparing PEFC US Governing Body's position regarding PEFC International voting on technical requirements and guidance and other PEFC International varied requests/inquiry's that may need American input, allowing at least two weeks for ATFS response and consensus process.
- Responding to general PEFC US issues from PEFC International.

- Submitting PEFC Governing Body's positions on all of the above.
- Reporting to PEFC US representatives of SFI and ATFS on PEFC International issues or other relevant issues involving PEFC US member organizations.

#### **G. PEFC Meetings and Committees**

- Preparing and finalizing documents for meetings on a number of issues that come up (e.g. fees, strategy, agreements, etc) as well as arranging details for the meetings/conference calls throughout the year.
- PEFC US Chair participation in the PEFC International General Assembly on an annual basis.
- PEFC US Secretary participation in the annual PEFC International Secretaries Meeting.
- Participate fully in PEFC International working groups called upon by PEFC International for PEFC development such as:
  - PEFC Membership Funding Subcommittee
  - CoC and Labeling Working Group
  - PEFC Asia
  - PEFC Packaging Working Group
  - PEFC Database Task Force
- Delivering PEFC US issues and perspectives in a timely and consistent manner.
- Providing PEFC International meeting summaries for PEFC US members.
- Organization of annual (minimum) PEFC US meetings, preparation of meeting documents, meeting summaries and minutes.

#### **H. PEFC Marketing, Development, Communications and Strategy**

- SFI maintains the PEFC North America website to be used by any of the three endorsed standards in North America and collaborates with other PEFC National Governing Bodies in tradeshows such as Ecobuild, Packaging shows and Timber Expo.
- Facilitating communication with other PEFC-endorsed standards on promotional strategy and marketing with the coordination of meetings and conference calls.
- Coordination on development, communications and strategy issues.

#### **I. Maintaining PEFC US Integrity**

- Implementation of all PEFC activities in accordance with PEFC International's policies and statutes and its integration with existing SFM programs and infrastructures related to standards development and conformity assessment in the US.
- Ensuring that the operation of the PEFC US Governing Body does not breach international and US standards, conformity assessment requirements, US and Canadian law.
- Ensuring continued conformance to PEFC International requirements and maintaining signatory status to the PEFC International mutual recognition arrangement.
- Acting liaison to ISO, CASCO, International Accreditation Forum (IAF) or any other international standardization committees as necessary.

- Ensuring that the Secretariat is a legally recognized entity, as required by PEFC International/Council, and therefore will act as the official representative of the PEFC US Governing Body on behalf of the US.

**J. Other PEFC NGB Activities benefiting ATFS**

- Responding to frequent general queries concerning PEFC in North America and Internationally.
- Strong involvement with PEFC communications work in Europe and Asia.
- Responding to PEFC International enquiries on conservation group partnerships and green building.
- Stakeholder Forum – providing information and facilitating involvement in the forum for companies such as International Paper, Weyerhaeuser, Louisiana Pacific, MeadWestvaco, Walmart, Conservation International, etc).

**Based on the outlined services listed above, the annual fee is US \$40,000.** SFI will invoice ATFS quarterly. There is a net 30 day payment policy.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed by their authorized representatives.

In Washington, DC on: March 12, 2015

In Washington, DC on: \_\_\_\_\_

Signature: Nadine Block

Signature: [Handwritten Signature]

Name: Nadine Block

Name: Tom Beavert

Title: VP and COO

Title: CEO

For and on behalf of SFI Inc.

For and on behalf of ATFS

## **Annex I:**

### **SFI Revenue Sharing<sup>1</sup> 2009**

PEFC US 2009 membership fees to PEFC International were based on two separate agreements between SFI and PEFC International and AFF and PEFC International. For this reason, dividing 2009 PEFC US membership fees based on certified area and registered PEFC certificates as at June 2008 is not possible. In 2009, SFI paid 135,373 CHF and AFF paid 48,586 CHF in development fees to PEFC International. In terms of percentages, SFI paid 74% of the development fee and AFF paid 26% of the development in 2009. Based on the above proposal for 2010 and the PEFC International 2009 fee of 114.17 CHF per PEFC CoC certificate for 68 registered PEFC US certificates in June 2008, SFI would collect 7,763.56 CHF in PEFC CoC certificate revenues before proportionately dividing CoC revenue with AFF 74%/26%. Revenue sharing would take place in early 2010 after 2009 fees have been collected.

### **SFI Revenue Sharing 2010**

Based on the above, for 2010 the number of PEFC CoCs in June 2009 (213 certificates) will be multiplied by 130 CHF (revised CoC fee as per the last PEFC GA) for a total of 27,690 CHF. Any monies collected by SFI for PEFC CoC certificates in excess of 27,690 CHF would then be divided proportionately in the first quarter of 2011 (once collected logo use and certificate fees are in from CBs and companies) based on percentages of certified area which would be 87% for SFI and 13% for ATFS in 2010. Revenue sharing would take place in the first quarter of 2011 after 2010 fees have been collected.

### **SFI Revenue Sharing 2011**

Based on the initially agreed 2009 arrangement, for 2011 the number of PEFC CoCs in June 2010 (314 certificates) will be multiplied by 130 CHF (revised CoC fee as per the last PEFC GA) for a total of 40,820 CHF. Any monies collected by SFI for PEFC CoC certificates in excess of 40,820 CHF would then be divided proportionately in the first quarter of 2012 (once collected logo use and certificate fees are in from CBs and companies) based on percentages of certified area which would be 88% for SFI and 12% for ATFS in 2011. Revenue sharing would take place in the first quarter of 2012 after 2011 fees have been collected.

### **SFI Revenue Sharing 2012**

Based on the initially agreed 2009 arrangement, for 2012 the number of PEFC CoCs in June 2011 (355 certificates) will be multiplied by 130 CHF or a total of 46,150 CHF. Any monies collected by SFI for PEFC CoC certificates in excess of 46,150 CHF would then be divided proportionately in the first quarter of 2013 (once collected logo use and certificate fees are in from CBs and companies) based on percentages of certified area which would be 88.63% for SFI and 12.37% for ATFS in 2012. Revenue sharing would take place in the first quarter of 2013 after 2012 fees have been collected.

### **SFI Revenue Sharing 2013**

Based on the initially agreed 2009 arrangement, for 2013 the number of PEFC CoCs in June 2012 (375 certificates) will be multiplied by 130 CHF or a total of 48,750 CHF. Any monies collected by SFI for PEFC CoC certificates in excess of 48,750 CHF would then be divided proportionately in the first quarter of 2013 (after logo use and certificate fees have been collected from CBs and companies) based on percentages of certified area which would be 88.91% for SFI and 12.09% for ATFS in 2013. Revenue sharing would take place in the first quarter of 2014 after 2013 fees have been collected.

### **PEFC US Revenue Sharing 2014**

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<sup>1</sup> REVENUE SHARING: SFI communicates the financial information for revenue sharing to ATFS in the first quarter of the year according to this agreement. ATFS will issue an invoice in the amount communicated by SFI for SFI to forward payment to ATFS.

Based on the initially agreed 2009 arrangement, for 2014 the number of PEFC CoCs in June 2013 (319 certificates) will be multiplied by 136.50 CHF or a total of 43,543.50 CHF. Any monies collected by SFI for PEFC CoC certificates in excess of 43,543.50 CHF would then be divided proportionately in the first quarter of 2014 (after logo use and certificate fees have been collected from CBs and companies) based on percentages of certified area which would be 89% for SFI and 11% for ATFS in 2013. Revenue sharing would take place in the first quarter of 2015 after 2014 fees have been collected.

#### **PEFC US Revenue Sharing 2015**

Based on the initially agreed 2009 arrangement, for 2015, the number of PEFC CoCs in June 2014 (302 certificates) will be multiplied by 136.50 CHF or a total of 41,223 CHF. Any monies collected by SFI for PEFC CoC certificates in excess of 41,223 CHF would then be divided proportionately in the first quarter of 2015 (after notification fees have been collected from CBs) based on percentages of certified area for each program respectively. According to total certified area to SFI and ATFS in North America in June of 2014, this proportion was 92.25% for SFI and 7.75% for ATFS in 2014. Revenue sharing would take place in the first quarter of 2016 after 2015 fees have been collected.