

VFCS AND PEFC TRADEMARKS USAGE RULES - REQUIREMENT



VFCS/PEFC GD 1008:2022

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I. INTRODUCTION

Sustainable forest management and forest certification (SFM&FC) has been implemented in Vietnam since the 2000s based on the implementation of the Vietnam Forestry Development Strategy for the period 2006-2020 and most recently the Forestry Development Strategy in the period of 2021-2030, a vision to 2050. Besides, SFM&FC has been codified in Articles 27 and 27 of the Forestry Law.

The Vietnam Forest Certification Scheme (VFCS) was established on the basis of Decision No. 1288/QĐ-TTg dated October 1, 2018 of the Prime Minister approving the Plan on Sustainable Forest Management and Forest Certification. In the period of 2019-2021, the Vietnam Administration of Forestry (VNFOREST) acted as the National Governing Body (NGB) and the Vietnam Forest Certification Office (VFCO) is under the VNFOREST. During this period, Vietnam became the 51st member of the Program for the Endorsement of Forest Certification (PEFC) on May 30, 2019 and VFCS was officially endorsed by PEFC on October 29, 2020. In October 2021, the role of NGB was assigned to the Vietnamese Academy of Forestry Sciences (VAFS) and VFCO was transferred to the VAFS through the Decisions No. 3924/QĐ-BNN-TCCB and Decision No. 3925/QĐ-BNN-TCCB dated October 4, 2021 by the Minister of Agriculture and Rural Development. In this change, VFCO is a legal entity taking full responsibility to operate VFCS.

VFCS and PEFC trademarks/labels provide information and affirm that the products supplied to the market are harvested from sustainably managed forests or managed in a chain of custody for traceability, transparency and legitimacy of the source material. Customers can recognize, checking information and making decision about products selection based on contribution to environmental protection. VFCS and PEFC Trademarks Usage Rules - Requirement are built on the basis of current regulations of Vietnamese law and regulations and guidelines of PEFC.

This document replaces the Standard VFCS/PEFC ST 1008:2019 – VFCS Logo Usage Rules – Requirement.

II. NORMATIVE REFERENCES

Decision No. 3924/QĐ-BNN-TCCB dated October 4, 2021, of the Ministry of Agriculture and Rural Development (MARD) on the adjustment and supplement of Decision No. 190/QĐ-BNN-TCCB dated January 11, 2019, on assigning the task of sustainable forest management and forest certification;

Decision No. 3925/QĐ-BNN-TCCB dated October 4, 2021 of the Ministry of Agriculture and Rural Development (MARD) on the adjustment and supplement of Decision No. 191/QĐ-BNN-TCCB dated January 11, 2019 on the establishment of a Vietnam Forest Certification Office;

Decision No. 368/QĐ-KHLN-TCHC dated November 1, 2021, of the Vietnamese Academy of Forest Sciences on defining the functions, tasks, rights and organizational structure of the Vietnam Forest Certification Office;

International Standard ISO/IEC 14021:1999, revised 1:2011; Vietnamese standard

TCVN ISO/IEC 14021:2013, Environmental labels and declarations – self-declared environment claims (Type II Environmental labelling);

Standard PEFC ST 2001: 2020, PEFC Trademarkss Usage Rules - Requirement.

III. SCOPE AND APPLICATION

This document is to apply for certification bodies (CBs), accreditation organizations, individuals, and stakeholders involved in providing certification services of sustainable forest management against the Vietnam Forest Certification Schemes (VFCS) and the Program for the Endorsement of Forest Certification (PEFC).

The Vietnam Forest Certification Office (VFCO) is the authority body managing and licensing the right to use the trademarks for individuals and organizations that have certificates of forest management under the VFCS and the chain of custody of products under PEFC through a contract of trademarks usages.

IV. TERMS AND DEFINITIONS TRADEMARKS VFCS USAGE

4.1. Ownership of the VFCS Trademarks

The VFCS Trademarks is a copyrighted trademark owned by the Vietnam Forest Certification Office (VFCS), registered and protected under Vietnamese law .

Unauthorized use of the VFCS trademarks will be punished according to Vietnamese law.

4.2. Purpose of using the VFCS trademarks

4.2.1. The VFCS trademarks and related declarations provide information on materials from forests and trees outside forests that are claimed to originate from sustainably managed forests.

4.2.2. Using the VFCS trademarks represent the organization affiliation with the VFCS or the VFCS certified status.

4.3. Scope of the VFCS trademarks usage

The VFCS trademarks **is for off-product usage only**, which includes any usage not covered by on-product usage, including:

4.3.1. Communication on the VFCS certified status for sustainable forest management.

4.3.2. Communication on the accreditation of VFCS certification (certification body).

4.3.3. Communication on purchasing VFCS certified products or committing to purchase VFCS certified products (end users of VFCS certified products).

4.3.4. Communication on activities of partnership with VFCS.

4.3.5. Communicating on projects and initiatives focused on development and promotion of the VFCS systems and certifications .

4.3.6. Other educational and promotional usage of the VFCS Trademarks (certified organizations, certification bodies, accreditation bodies, etc.).

4.3.7. General communication on products made from VFCS certified materials available in stores and/or online without referring a specific product .

4.4. VFCS trademarks usage requirements

4.4.1. VFCS trademark usage license

- a) The VFCS trademarks is copyrighted in Vietnam. VFCO is the agency that manages and decides on the VFCS trademarks usage
- b) The VFCS trademarks shall be used under VFCO agreement by a trademarks usage contract. Organizations and individuals after signing a contract will be granted a licence number by VFCO to use together with the VFCS trademarks, this license number is unique.
- c) In case of using the VFCS trademarks for other purposes such as seminars, training, promotion and communication about Vietnam Forest Certification Schemes, VFCO may license one- time -use of VFCS trademarks.

4.4.2. VFCS trademarks users classification

- a) Group B: Organizations certified based on VFCS sustainable forest management standards (referred to as forest owners)

The forest owners or group of forest owners have a sustainable forest management certificate under the Vietnam Forest Certification Schemes, including:

- Group of forest owners;
- Forest owners are organizations, households, individuals and communities;
- Individuals and organizations that are not forest owners but participate in group certificates (eg: construction contractors, nursery owners,...).

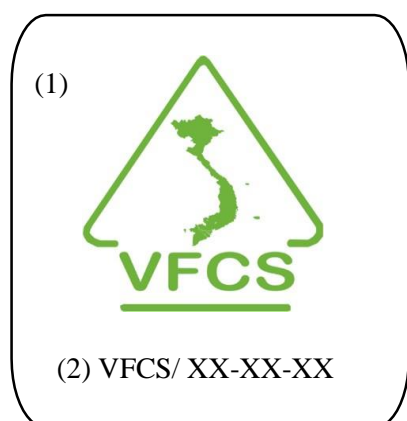
- b) Group C: Enterprises, wood and forest products processing companies

Enterprises, wood and forest products processing companies have PEFC chain of custody (CoC) certificates.

- c) Group D: Other organizations and individuals

Organizations and individuals which are not in groups B and C are allowed to use the VFCS trademarks for purposes such as training, promoting and communication about Vietnam Forest Certification Schemes .

4.4.3. Specifications of VFCS trademarks



A VFCS logo consists of a cone and a map of Vietnam with the initials “VFCS”

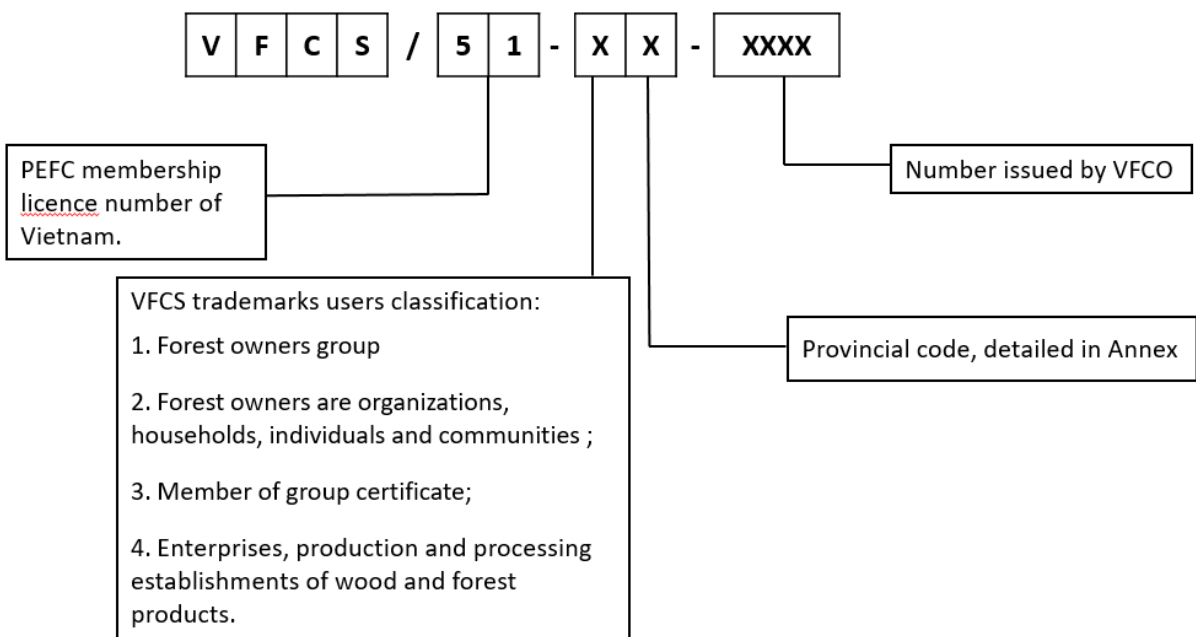
underneath. The VFCS trademarks is green color, shown in 2D or 3D shapes. The VFCS trademarks is also recognizable when printed in black on a white background. VFCS trademarks size has a ratio of 1:2 height to width. The elements shown on the VFCS trademarks (pictured above) are as follows:

(1) is the logo of VFCS

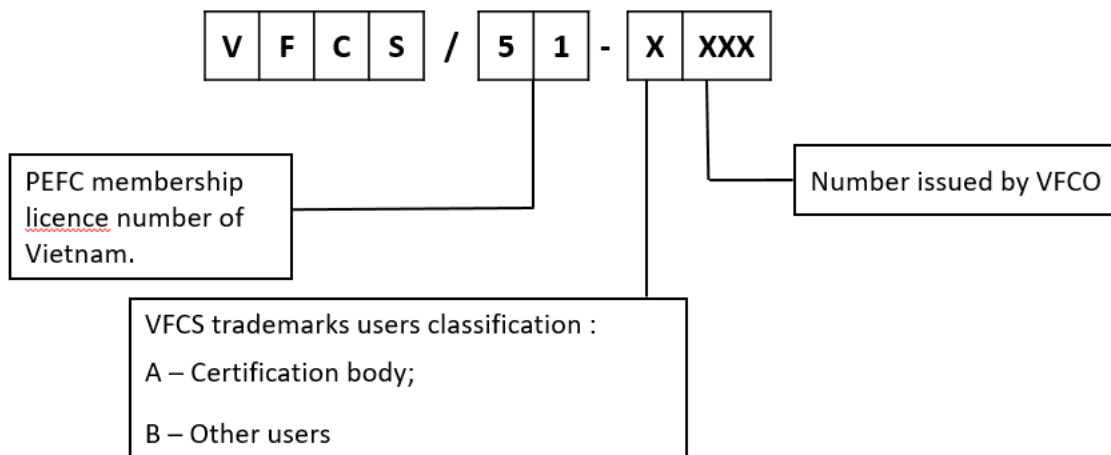
(2) is the VFCS license number. The license number must always be together with VFCS logo.

4.4.4. VFCS trademarks encoding rules

a) For groups B and C, the VFCS label is encoded as follows



b) For group D, the VFCS trademarks is encoded as follows



V. PEFC TRADEMARKS USAGE REQUIREMENTS

5.1. Ownership of the PEFC trademarks

The PEFC trademarks and its abbreviation PEFC are copyrighted material and are internationally registered trademarks owned by the PEFC Council. Vietnamese Academy of Forest Sciences (representative by VFCO) is an organization authorized by PEFC to manage and license the PEFC trademarks usage in the Vietnamese territory. Unauthorized usage of this copyrighted material is prohibited. VFCO and PEFC Council have the right to sue in cases of unauthorized use of PEFC trademarks.

5.2. PEFC usage trademarks purpose

The PEFC trademarks usage purpose complies with section 5.1 of the PEFC ST 2001:2020 Trademarks Rules – Requirements, specifically:

- 5.2.1. The PEFC trademarks and related claims indicate that the forest and tree based material contained in labelled and/or claimed products comes from sustainably managed forest, recycled and/or controlled sources.
- 5.2.2. The PEFC trademarks also show that the company that produces a product labelled or claimed as certified, is managed in compliance with a set of social requirements and has a management system in place.
- 5.2.3. The PEFC trademarks communicate an organisation’s affiliation with PEFC or PEFC certification status.

5.3. Scope the PEFC trademarks use

The scope the PEFC trademarks usage includes on-product usage and off-product usage, specifically in sections 5.2 and 5.3 of PEFC ST 2001:2020 Trademarks Rules – Requirements.

5.4. PEFC trademarks usage requirements

5.4.1. The PEFC trademarks usage permission

Within Vietnamese territory, the agency competent to decide on the PEFC trademarks usage is the Vietnam Forest Certification Office.

The PEFC trademarks can only be used with the contract of Vietnam Forest Certification Office for PEFC trademarks usage. After signing a contract to use the PEFC trademarks, each organization or individual will be granted a license code by the Vietnam Forest Certification Office to use with the PEFC trademarks, this code is unique.

The PEFC labels may be used with an exception without a license number with the prior approval by VFCO under the following circumstances:

- a) Where the size of the PEFC label would result in the licence number being illegible;
- b) The applied technology would not allow the licence number to be used together with the PEFC label;
- c) In addition to that, for on-product usage, where:
 - The PEFC trademarks with the licence number is used on other parts of the product (e.g. packaging, larger boxes, a leaflet or manual on the product).
 - The user of the PEFC trademarks can be clearly and unambiguously identified from other on-product information.

5.4.2. PEFC trademarks users classification

The PEFC trademarks users are specified in section 6.3 of the PEFC ST 2001:2020, Trademarks Rules – Requirements, including:

- a) Group A: National Governing Bodies and PEFC authorised bodies. Within Vietnamese territory, Vietnamese Academy of Forest Sciences (representative by VFCO) is the only National governing body authorized by PEFC.
- b) Group B: Entities certified against a PEFC endorsed sustainable forest management (SFM) standard.
- c) Group C: Entities certified against the PEFC International Chain of Custody standard or a chain of custody standard endorsed by PEFC.
- d) Group D: Other users, including organizations not in groups A, B, C .

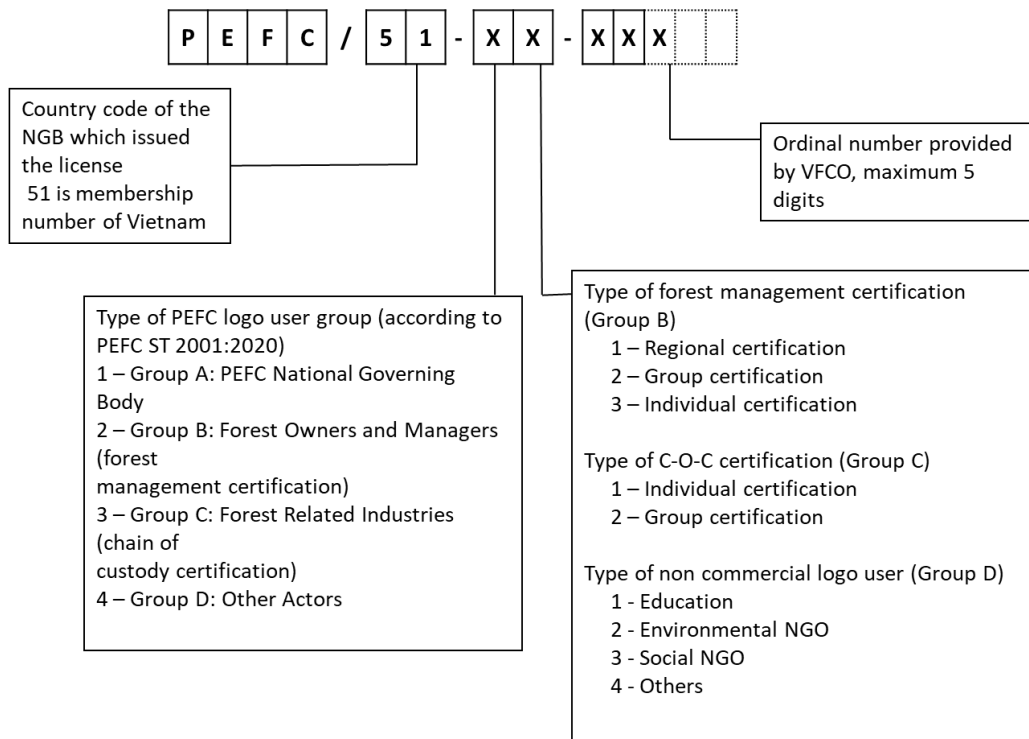
5.4.3. The PEFC trademarks usage requirements

The PEFC trademarks usage requirements fully comply with PEFC regulations, including the provisions mentioned in:

- a) PEFC ST Standard 2001:2020 Trademarks Rules – Requirements;
- b) Guide PEFC GD 1005: 2020, Issuance of PEFC Trademarks Licenses.

5.4.4. PEFC trademarks coding rules

The principles of coding the PEFC trademarks are implemented according to the instructions given in Section 7 of GLI 4/2007, Internal Rules for the PEFC Registration System.



VI. TERMS ENFORCEMENT

6.1. Effective date

6.1.1. For Group B and D

The deadline for signing a new trademarks usage contract to replace the previous one is by August 2022 to comply with this document and the standards mentioned above.

6.1.2. For the Group C

- a) Organizations certified against the PEFC ST 2002:2012, Chain of Custody Standard, have time to until August 2023 to sign a contract to use the new trademarks after being re-audited and certified based on the PEFC ST 2002:2020, Chain of Custody Standard of Forest and Tree Based Products-requirements, to comply with this document and the standards mentioned above.
- b) Organizations certified against the PEFC ST 2002:2020, Chain of Custody of Forest and Tree Based Products-requirements have to sign a new trademarks usage contract immediately after being issued the chain of custody certificate to comply with this document and the standards mentioned above.

6.2. Implementation responsibility

6.2.1. Certification Bodies

- a) Use the VFCS and PEFC trademarks in accordance with the provisions specified in this document.
- b) Instructing organizations and individuals with certificates of sustainable forest management and/or chain of custody on the procedure and application documents for using the VFCS and PEFC trademarks.
- c) Monitoring the trademarks usage of organizations with certificates of sustainable forest management and/or chain of custody every year according to regulations.
- d) Reflect on shortcomings and contribute to improving the quality of Vietnam Forest Certification Schemes.

6.2.2. Vietnam Forest Certification Office

- a) Guiding, inspecting and supervising the VFCS and PEFC trademarks usage by organizations and individuals licensed to use the VFCS and PEFC trademarks.
- b) Settling and handling claims and complaints of related parties about the VFCS and PEFC trademarks usage within Vietnamese territory.

Annex. Provincial codes used in VFCS trademarks

(Provincial codes based on Citizenship Identity Law 2014)

No	Province	Code	No	Province	Code
1	Ha Noi	001	33	Quang Nam	049
2	Ha Giang	002	34	Quang Ngai	051
3	Cao Bang	004	35	Binh Dinh	052
4	Bac Kan	006	36	Phu Yen	054
5	Tuyen Quang	008	37	Khanh Hoa	056
6	Lao Cai	010	38	Ninh Thuan	058
7	Dien Bien	011	39	Binh Thuan	060
8	Lai Chau	012	40	Kon Tum	062
9	Son La	014	41	Gia Lai	064
10	Yen Bai	015	42	Đak Lak	066
11	Hoa Binh	017	43	Đak Nong	067
12	Thai Nguyen	019	44	Lam Dong	068
13	Lang Son	020	45	Binh Phuoc	070
14	Quang Ninh	022	46	Tay Ninh	072
15	Bac Giang	024	47	Binh Duong	074
16	Phu Tho	025	48	Dong Nai	075
17	Vinh Phuc	026	49	Ba Ria – Vung Tau	077
18	Bac Ninh	027	50	Ho Chi Minh	079
19	Hai Duong	030	51	Long An	080
20	Hai Phong	031	52	Tien Giang	082
21	Hung Yen	033	53	Ben Tre	083
22	Thai Binh	034	54	Tra Vinh	084
23	Ha Nam	035	55	Vinh Long	086
24	Nam Dinh	036	56	Dong Thap	087
25	Ninh Binh	037	57	An Giang	089
26	Thanh Hoa	038	58	Kien Giang	091
27	Nghe An	040	59	Can Tho	092
28	Ha Tinh	042	60	Hau Giang	093
29	Quang Binh	044	61	Soc Trang	094
30	Quang Tri	045	62	Bac Lieu	095
31	Thua Thien Hue	046	63	Ca Mau	096
32	Da Nang	048			