

Compilation of Comments Received during Public Consultation (30-days) on the MTCS GD 1002:2023 *Guidelines on Application of Requirements for Non-Timber Forest Products Certification in MTCS ST 1002:2021 Malaysian Criteria and Indicators for Sustainable Forest Management under the Malaysian Timber Certification Scheme*

Comments received from:

1. Mr Chew Lye Teng
2. Mr Harnarinder Singh
3. WWF-Malaysia
4. Sarawak Timber Industry Development Corporation (STIDC)
5. Jaya Tiasa Holdings Bhd

No.	Document Full Path	Respondent Name	Comment / Proposal / Clarification Received from Stakeholders	Response to Comment / Proposal / Clarification by MTCC
1	Title	Harnarinder Singh	Propose to amend the title as “Guidelines on <u>the</u> Application of Requirements for <u>the Certification of</u> Non-Timber Forest Products Certification in MTCS ST 1002:2021 Malaysian Criteria and Indicators for Sustainable Forest Management under the Malaysian Timber Certification Scheme	Accepted.
2	Box	Harnarinder Singh	Propose to amend “ When <u>If</u> there is inconsistency between <u>the</u> language translations, the English version of the document is <u>will be</u> the reference.”	MTCC decided to retain the wording to ensure uniformity between other approved MTCS standards and documents.

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3	Box	Harnarinder Singh	Propose to amend “MTCC welcomes feedback from readers, and comments, complaints and requests for clarification and/or interpretation can be sent forwarded to us immediately by email at info@mtcc.com.my or you could write to us at <i>Malaysian Timber Certification Council, C-8-5, Block C, Megan Avenue 2, No. 12, Jalan Yap Kwan Seng, 50450 Kuala Lumpur, Malaysia.</i> ”	MTCC decided to retain the wording to ensure uniformity between other approved MTCS standards and documents.
4	Preface	Harnarinder Singh	Propose to amend “It specifies the NTFP requirements of the MC&I SFM, which includes products or and services other than timber that are renewable and derived from the forests for human use/consumption, and encompasses both natural and plantation occurrences of NTFP.”	Not accepted as the NTFP Guidelines are for tangible products. “Services” or intangible NTFP would be under “payment for ecosystem services”.
5	Table of Contents	Harnarinder Singh	Propose to amend “Requirements for Certification of Non-Timber Forest Products Certification ”	Accepted to be consistent with document title.
6	Background	Chew Lye Teng	Propose to add “fruits” in “Tangible NTFP from plant-based sources make up the majority of NTFP and consist of rattan, bamboo, palms, fruits , biochemicals derived from plants, herbs and medicinal plants as well as ornamental plants while animal-based tangible NTFP include food, feathers, bird nests, wild meat and animal parts.”	Accepted.
7	Background	Chew Lye Teng	Propose to add “propagation, sustenance, and” in “Furthermore, intangible NTFP include ecosystem services provided by the forests such as watershed, flora	Accepted.

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			and fauna <u>propagation, sustenance and</u> protection, carbon sink, source of oxygen.”	
8	Background	Chew Lye Teng	<p>Propose to use NTFP instead of “forest goods” in “Providing companies and consumers with an alternative to the exploitative use of resources by highlighting the source and sound management practices associated with forest goods”</p> <p>If intention is to refer to forest goods, please note that this term is not defined</p>	Accepted.
9	Background	Chew Lye Teng	Propose to amend “a variety of forest produce other than timber” to “NTFPs” in “The MTCS ST 1002:2021 Malaysian Criteria and Indicators for Sustainable Forest Management (MC&I SFM) specifies the requirements for the certification of sustainable forest management system ...”	Accepted.
10	Background	Chew Lye Teng	Propose to amend “The development of this interpretation would be useful to assist users particularly forest managers to expand the scope of products covered under the certification, hence allowing industry members relevant forest-related stakeholders along the supply chain to capitalise on benefit from the certification of all forest products, including NTFP originating from certified FMUs.”	Accepted.

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11	Scope	Chew Lye Teng	Propose to amend “The certification of NTFP consists of goods covers products of biological origin other than wood and services which are derived from the forests, either natural or plantations.”	Not accepted as the definition is following FAO 2017’s “Products consisting of goods of origin other than wood, derived from forests”. “Services” or intangible NTFP would be under “payment for ecosystem services”.
12	Scope	Allen Lian	Does this mean these guidelines currently do not include intangible NTFP as described above? Intangible NTFP will be subject to future guidelines to be developed, correct? Just to be clear.	Yes, this guideline is for tangible NTFPs, intangible NTFPs would be under “payment for ecosystem services” and in a future guideline.
13	Scope	Chew Lye Teng	Propose to amend “As per the feedback provided by stakeholders, the following NTFPs have been highlighted/ selected based on the existing industry practices/ and supply chain:”	Accepted.
14	Scope	STIDC	Propose to amend as “Bamboo - Any of the various woody or arborescent grasses (as of the genera <u>Bambusa, Chusquea, Dendrocalamus, Dinochloa, Gigantochloa, Phyllostachys, Racemobambos, Schizostachyum, Thyrsochloa and Yushania</u> Arundinaria of the subfamily <i>Bambusoideae</i>) of tropical and temperate regions which have hollow culms stems and thick	Accepted. However, propose to amend “...arborescent grasses (such as of the genera...” to ensure other identified bamboos in the future that is not in this list can also be used under this guideline.

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			rhizomes, shoots consumed for food and jointed <u>culm stem</u> used in building, furniture and utensils.”	
15	Scope	Chew Lye Teng	<ul style="list-style-type: none"> Latex rubber/rubber clumps - A milky juice that is extracted from any plants, and is the source of natural rubber. <p>Needs improvement: there is an apparent contradiction here because reference to ‘any plants’ whereas natural rubber which is widely used is derived from <i>Hevea brasiliensis</i></p>	Agreed. Propose to amend the definition as “Natural rubber latex / rubber clumps - A viscous, milky fluid or coagulated latex extracted from <i>Hevea brasiliensis</i> ”.
16	Scope	WWF-Malaysia	<ul style="list-style-type: none"> Honey and/or honeycomb - Natural honey and/or honey comb produced in bee hives off cliffs and <u>trees in the forest</u>, or honey and/or honey comb produced in forest plantation settings with the control of bee keepers. <p><u>Trees in the forest</u> - Does this only apply if the location is in the forest? What about the local community's honey industry in villages near the forest, such as on the border of the forest?</p>	To obtain certification, a product must fall within the scope of the certified area. Under the MC&I SFM, the certification area/scope must be clearly demarcated on both the ground and the map. If a village falls within the certification area, any honey produced there may be eligible for certification, subject to meeting all the relevant requirements outlined in both the MC&I SFM and this guideline.
17	Scope	WWF-Malaysia	<ul style="list-style-type: none"> Honey and/or honeycomb - Natural honey and/or honey comb produced in bee hives off cliffs and trees in the forest, or honey and/or honey comb produced in <u>forest plantation settings</u> with the control of bee keepers. 	

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			<u>Forest plantation settings</u> - Or if the original beehive is from the forest, but the honey produced by the villagers in their own home area. Is it still certifiable?	
18	Scope	WWF-Malaysia	<p>Propose to rephrase as indicated, as both sentences are not mutually exclusive:</p> <p>While NTFP<u>s</u> cover<u>s</u> a larger scope of products derived from the forests and are a valuable source of livelihoods for the local communities and indigenous peoples. <u>These</u> these guidelines shall not hinder the NTFP collection for sustenance by indigenous peoples as per the Indigenous Peoples' Rights in Principle 3 of the MTCS ST 1002:2021 MC&I SFM.</p>	Accepted.
19	Scope	Chew Lye Teng	<p>Propose to amend as follows:</p> <p>NTFP<u>s</u> cover a larger scope of products derived from the forests and are a valuable source of livelihoods for the local communities and indigenous peoples <u>living in and adjacent to the forests</u>, these guidelines shall not hinder the NTFP collection for sustenance by indigenous peoples as per the Indigenous Peoples' Rights in Principle 3 of the MTCS ST 1002:2021 MC&I SFM.</p>	Accepted.
20	Definition of Key Terms – Forest Worker	WWF-Malaysia	If the FMU manager hires/engages community members to collect NTFP, would the community members regarded as "forest worker"?	Yes. The community members will be regarded as forest workers. Their rights and welfare

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				will be protected under the MC&I SFM, especially under Principle 4.
21	Definition of forest management and management activities	Harnarinder Singh	<p>The definition of forest management and management activities includes the provision for NTFP (see definition of <i>forest management</i> in MTCS ST 1002:2021 MC&I SFM).</p> <p>This is not clear. On page 5 of the standard, there is no definition of forest management and management activities. Definition is only for “Forest management / manager” and refers to the people responsible for the operational management of the forest resource.</p>	Accepted. Propose to amend it as “... see definition of forest management/ <u>manager</u> and <u>forest management unit</u> in MTCS ST 1002:2021 MC&I SFM.”
22	Policies or statements	Harnarinder Singh	<p>Amendment to the guidelines as follow:</p> <p>The forest manager shall include NTFP<u>s</u> in these policies or statements, <u>which should</u> made available, and are communicated throughout the organisation and its contractors, and <u>which also should</u> be are made available to the public.</p>	Not accepted. The use of the term “shall” signify that the policies pertaining to certified NTFPs are compulsory.
23	Policies or statements	Jaya Tiasa	Propose to include “The individual FMU’s SFM Policy is to be revised in the future - to state that NTFP is a non-commercial product and the FMU will conduct timber harvesting based on the RIL requirements”.	It is unnecessary for an FMU to explicitly mention this. The policy need only encompass NTFPs if the FMU chooses to incorporate

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				the NTFPs produced within their certified area as certified products.
24	Legal status	Chew Lye Teng	Propose to replace “claimed” with “designated” in the guidance: The forest manager shall ensure the availability of legal document(s) for the collection of NTFP in the claimed <u>designated</u> areas.	The term “certified” area is used for consistency.
25	Legal status	STIDC	Legal documents or consent letter... (It is because some of the areas are in the State land and don't have the land title)	An FMU must have documented and legal rights to operate in that area.
26	Legal status	Jaya Tiasa	The forest manager shall ensure the availability of legal document(s) for the collection of NTFP in the claimed area. The individual FMU is not going to harvest NTFP; will adhere to RIL requirements.	There will be instances where the FMU wants to harvest NTFP, these guidelines provide the requirements should it want to be certified under the MTCS.
27	Forest workers	WWF-Malaysia	If the FMU manager hires/engages community members to collect NTFP, would the community members regarded as "forest worker"?	Yes. The community members will be regarded as forest workers. Their rights and welfare are protected under the MC&I SFM, especially under Principle 4.

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28	Forest workers	WWF-Malaysia	How to determine the level of hazard risk notification, is it by simply informing or by a certain level of practise (such as the number of safety trainings, etc.)	The basic occupational safety and health practice, HIRARC (Hazard Identification, Risk Assessment and Risk Control), is usually conducted by the management in identifying the scale and intensity of OSH intervention.
29	Forest workers	WWF-Malaysia	It may be necessary to add species list "documentation" report by Forest management for record purposes.	The list of ERT species is available in the FMP under Indicator 7.1.1. Indicator 6.2.5 is to create awareness among forest workers and local communities on its existence.
30	Forest workers	STIDC	Comment: how about the licensee (owner of the license). Agreement between the licensee and the contractor?	The requirement of the MC&I SFM standard applies to the entity that apply for the certification, if the entity can proof that they have the long-term tenureship rights to manage the certified area.
31	Forest operations	Jaya Tiasa	Propose to add the following paragraphs: "The individual FMU is not going to harvest NTFP. However, local communities have the rights to harvest	Proposal not accepted as these guidelines is to cover the certification of NTFP. It must be

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			<p>(and process) NTFP on their own - in any part of the FMU area, but not in the active logging coupe.”</p> <p>“The FMU will participate in the FMCLC and Stakeholder Consultation; plus conflict resolution.”</p>	<p>noted that these guidelines shall not hinder the NTFP collection for sustenance by indigenous peoples.</p> <p>The requirement of FMCLC and Stakeholder Consultation is already required by the standard.</p>
32	Forest operations	STIDC	Comment: Forest operations in industrial planted forest may includes land clearing, planting, maintenance/ management/ silviculture, harvesting, transporting and processing	Comment noted. For the purpose of certification of NTFP, the activities of harvesting and processing is included under “forest operations”.
33	Forest resources	WWF-Malaysia	Will there be further guidelines for certification ecosystem services?	Yes, this guideline is for NTFPs, intangible NTFPs would be under “payment for ecosystem services” and in a future guideline.
34	Guidelines for reduced/low impact logging	STIDC	Propose to add “ecosystem” in “Forest managers shall ensure guidelines are available for the extraction/harvesting of NTFP to minimise damage to the residual stand, <u>ecosystem</u> and to minimise product wastage”.	These guidelines are for NTFPs only, ecosystem or intangible NTFPs would be covered in a future guideline.

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				The requirement for this indicator is to minimise damage to surrounding forest resources and product wastage.
35	Records of quantity of NTFP harvested	Chew Lye Teng	<p>Propose to delete “other” in “The amount of NTFP harvested in the certified area shall be at a sustainable basis whereby harvesting/collection is below the natural growth/propagation rate of that NTFP.</p> <p>The forest manager shall ensure that no timber or other NTFP not selected for extraction/harvesting is not impacted by such activities.”</p>	Accepted.
36	Records of quantity of NTFP harvested	Harnarinder Singh	Propose to include “.. particular NTFP harvested” in “The amount of NTFP harvested in the certified area shall be at a sustainable basis whereby harvesting/collection is below the natural growth/propagation rate of that <u>particular</u> NTFP <u>harvested</u> .”	Accepted.
37	Protection of rare, threatened and endangered species	Chew Lye Teng	<p>Propose to amend as follows:</p> <p>The forest manager shall ensure the protection of rare, threatened and endangered species and <u>their</u> habitats are free from exploitation for commercial purposes, including <u>their classification classifying it</u> as NTFP for extraction/harvesting and commercialisation.</p>	Accepted.

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			The forest manager shall ensure the availability and implementation of guidelines to identify and protect rare, threatened and endangered species of forest flora and fauna, including features of special biological interest in their habitats, <u>in order to ensure that they are</u> and not to be classified as NTFP for extraction/harvesting and commercialisation.	
38	Harvesting guidelines	Chew Lye Teng	Propose to delete “other” in “The forest manager shall ensure that no timber or other NTFP not selected for extraction/harvesting is not impacted by such activities.”	Accepted.
39	Rationale for rate of annual harvest and species selection	Harnarinder Singh	Replace “give” with “provide” in “The forest manager shall <u>provide give</u> a clear rationale on the rate of harvest determined for NTFP in the claimed area”.	Accepted.
40	Rationale for rate of annual harvest and species selection	Chew Lye Teng	Replace “claimed” with “designated” in “The forest manager shall provide a clear rationale on the rate of harvest determined for NTFP in the <u>designated</u> claimed area.”	The term “certified” area is used for consistency.
41	Revision of management plan	Jaya Tiasa	Propose to add: The individual FMU has to collaborate with relevant organization(s) to conduct joint-study to determine NTFP.	The proposal is not included as this requirement is available in Indicator 7.2.2 and elaborated whereby new scientific and technical information includes NTFPs.

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42	Document and claims on origin of products	Chew Lye Teng	Amend “claimed” to “designated” in “The NTFP from the claimed designated area that is leaving the FMU shall be accompanied by relevant document(s) (removal pass) so that their origin can be determined.”	The term “certified” area is used for consistency.
43	Document and claims on origin of products	Harnarinder Singh	Add “the” and “es” in “The NTFP from the claimed area that is leaving the FMU shall be accompanied by <u>the</u> relevant document(s) (removal pass <u>es</u>) so that their origin can be determined.”	Accepted.
44	Document and claims on origin of products	STIDC	Based on communication with the honey producer in <i>Acacia mangium</i> plantation, no document(s) needed to transport the honey from the plantation to the processing hub.	A form of documentation accompanying the honey produced from the <i>Acacia mangium</i> plantation to the processing hub containing information such as location, quantity, date affirming its origin can be determined will be needed.