

Ministry of Natural  
Resources and Forestry

Office of the Minister

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April 21, 2021

Senator Elijah Reichlin-Melnick,  
Chairman of Committee on Procurement And Contracts  
The New York State Senate  
[reichlin@nysenate.gov](mailto:reichlin@nysenate.gov)

**Re: Senate Bill S5921 and Assembly Bill A6872 - enacting the New York  
deforestation-free procurement act– removal of boreal forests reference**

Dear Senator Reichlin-Melnick:

I am writing to express concern on behalf of Ontarians with respect to S5921/A6872, approved on April 19, 2021 at your committee hearing, Procurement and Contracts (P&C). While the intentions of S5921/A6872 to ensure forest sustainability are commendable, it does not consider Ontario's world class sustainable forest management practices which specifically prevent forest degradation or deforestation of the boreal forest. If passed as currently written this bill could pose an unjustified non-tariff barrier to Canadian wood products exports.

If S5921/A6872 becomes a law, then it would require:

*"...every contract entered into by a state agency or authority that includes the procurement of any product comprised wholly or in part of a forest-risk commodity shall require that the contractor certify that the commodity furnished to the state pursuant to the contract was not extracted from, grown, derived, harvested, reared, or produced on land where tropical or boreal intact forest degradation or deforestation occurred on or after January first, two thousand twenty-two."*

Ontario's and Canada's world-leading sustainable forest management is underpinned by a rigorous legislative and regulatory framework that prevents forest degradation or deforestation including the prevention of illegal forest practices, as several studies have confirmed. As a result of this robust legal and regulatory system, Ontario's forest sector is internationally recognized for its commitment to sustainability and Indigenous engagement. Approximately 77 per cent of Ontario's managed public forests are sustainably certified by independent third-party certification bodies (e.g., Forest Stewardship Council and the Sustainable Forestry Initiative).

Acknowledging this, **I ask you to amend the bill to remove references to boreal forests.** This will recognize Canada's and Ontario's commitment to sustainable forest management and that our forests supply environmentally high-quality products to customers globally. These products come from ethically and sustainably sourced forests and they are critical to supporting the goals of achieving a lower carbon economy.

If passed, S5921/A6872 would put at risk the viability of many northern and Indigenous Ontario communities dependent on forestry and could potentially affect more than 25,000 jobs and \$2.8 billion in gross domestic product here in Ontario. This is especially critical now as the world rallies around cooperative relationships to fight the devastating effects of the pandemic on the lives and livelihood of people.

As currently drafted, the bill could represent an unjustified non-tariff barrier that is inconsistent with New York's obligations under the World Trade Organization's Agreement on Government Procurement.

We would appreciate an opportunity to discuss with you how we can work together to ensure that S5921/A6872 and other future state legislation can recognize that products from Canadian forests can be trusted as being ethically and sustainably sourced, of high quality, and critical to achieving a lower carbon economy.

We commend New York's commitment to put measures for safeguarding the sustainability of forests by ensuring procurement of legally and ethically sourced wood products and look forward to an opportunity to demonstrate Ontario's commitment to producing forest products to the highest standard of sustainability.

Sincerely,



John Yakabuski  
Minister of Natural Resources and Forestry

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