

Preparing for an EUDR check in Germany: checklist 2026

Who checks, what is examined, what should be ready and which fines apply. Based on Regulation (EU) 2023/1115 as amended by 2025/2650 and the government bill for the German implementing act (Bundestag printed paper 21/8278 of 30 Sept 2026), which can still change.

Who checks

Body	Responsible for
BLE	imports, exports, processing and trade; fining authority in this area; may entrust private bodies (sections 3, 4, 14)
Federal states	first stage of German production only: own soya, own cattle, timber at felling (section 3(1))
Customs	declarant states reference number or declaration identifier (Art. 26(4)); suspension of release only once the EU interface is live, by 2029 (Art. 17, 28)

What is examined

- ☐ **Operators (Art. 18):** due diligence system with risk assessment and risk mitigation and proof that it works; documents per product and the due diligence statements.
- ☐ **If questions remain:** on-site comparison of the goods, samples on species and origin (anatomical, chemical, DNA), satellite data, spot checks, also in third countries.
- ☐ **Downstream operators and traders (Art. 19):** supplier and customer details with reference numbers, registration for non-SMEs, retention for five years.
- ☐ **Frequency (Art. 16):** each year at least 1 % (low), 3 % (standard), 9 % (high country risk, plus 9 % of the quantity), per commodity, usually unannounced.

Have ready before a check

- ☐ Per shipment: geodata, supplier details, risk assessment, risk mitigation decisions, due diligence statement, reference and verification number.
- ☐ Due diligence system in writing; risk assessments and mitigation decisions documented and reviewed at least once a year (Art. 10(4), Art. 11(3)).
- ☐ Due diligence statements and documents kept for five years (Art. 4(3), Art. 12(5)).
- ☐ Fixed for the day of a check: who gives information, opens rooms, compiles documents, accompanies sampling.
- ☐ Reporting route for new information: the authority and the customers you supplied, immediately, whether operator, downstream operator or trader (Art. 4(5), Art. 5(5)).
- ☐ Non-SME operators: annual report published (Art. 12(3)). Non-SME downstream operators and traders: registration checked.
- ☐ Dry run: complete chain of evidence for any shipment of the last quarter produced within one day.

On the day: powers and duties

- ☐ Entry to land, business premises, offices and means of transport during business hours, outside them only in urgent danger, never living quarters (section 7).
- ☐ Inspection of records and data, copies and printouts, photos, information also from employees with their own area of responsibility (section 7).
- ☐ Samples against a receipt; the sealed counterpart stays at the company and must be stored properly (section 8).
- ☐ Tolerate and support: identify and open rooms, allow sampling; right to refuse self-incriminating answers (section 9).
- ☐ Findings: deadline for correction (Art. 24); on substantiated suspicion provisional bans, seizure or an ordered test (section 6).

Fines under the bill (sections 13, 14)

Infringement	maximum	4 % of turnover above
Due diligence under Art. 8 not exercised	EUR 100,000	EUR 2.5 m
Due diligence statement missing, wrong, incomplete, late	EUR 50,000	EUR 1.25 m
Authority/customers not informed of new information	EUR 50,000	EUR 1.25 m
Simplified declaration missing, wrong, incomplete, late	EUR 50,000	EUR 1.25 m
Goods passed on without the details under Art. 5(3)	EUR 50,000	EUR 1.25 m
Operator: documents not provided on request	EUR 50,000	EUR 1.25 m
Annual report under Art. 12(3) missing or wrong	EUR 50,000	EUR 1.25 m
Statement or documents not kept for 5 years	EUR 20,000	EUR 500,000
Registration under Art. 5(2) missing	EUR 20,000	EUR 500,000
Details under Art. 5(4) not kept/provided	EUR 20,000	EUR 500,000
Check obstructed, information refused (section 13)	EUR 20,000	–

Intent and negligence; for negligence the fixed ceiling is halved (section 17(2) OWiG), and it may be exceeded to skim off gains (section 17(4) OWiG). The 4 % rule applies to legal persons and associations above the threshold (EU-wide turnover in the financial year before the decision, may be estimated).

Criminal penalties and further consequences

- ☐ Section 12: placing on the market, making available or exporting contrary to Art. 3, intent up to 5 years, gross negligence up to 3 years, catastrophic environmental damage 1 to 10 years; negligible quantities exempt except for serious damage.
- ☐ Section 15: confiscation. Section 16: exclusion from public contracts and funding up to 1 year (fine from EUR 5,000); sales ban and ban on simplified due diligence up to 1 year (from EUR 10,000 or repeated).
- ☐ Competition Register: convictions and fines from EUR 5,000. The Commission publishes final decisions against legal persons by name (Art. 25(3)).

Government bill, not yet adopted. The Bundesrat wants fines for intent only and first infringements fined only after a missed correction; the Federal Government rejects this.

Polygon One stores geodata, evidence, statement and reference number with verification number per shipment. Book a call: polygon-one.com/en/contact