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A9-0142/ 001-101

AMENDMENTS 001-101

by the Committee on Agriculture and Rural Development

Report

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A9-0142/2024

Production and marketing of forest reproductive material

Proposal for a regulation (COM(2023)0415 – C9-0237/2023 – 2023/0228(COD))

Amendment 1

Proposal for a regulation

Recital 2

Text proposed by the Commission

(2) Forests cover some 45% of the land area in the Union and fulfil a multifunctional role that comprises social, economic, environmental, ecological and cultural functions. Forests have a premordial function as a carbon sink in the climate mitigation policy. High-quality, climate-adapted and *diverse* FRM is essential to cover these needs.

Amendment

(2) Forests cover some 45% of the land area in the Union and fulfil a multifunctional role that comprises social, economic, environmental, ecological and cultural functions. Forests have, ***among other functions***, a premordial function as a carbon sink in the climate mitigation policy. High-quality, climate-adapted and ***diversified*** FRM is essential to cover these needs.

Amendment 2

Proposal for a regulation

Recital 8

Text proposed by the Commission

(8) The EU Biodiversity Strategy for 2030 aims to put Union biodiversity on the path to recovery by 2030. Within the

Amendment

(8) The EU Biodiversity Strategy for 2030 aims to put Union biodiversity on the path to recovery by 2030. Within the

framework of that strategy, Union legislation is to place emphasis on the preservation of species diversity and ensure high genetic diversity within species and seed lots. This aims to facilitate the supply of high-quality and genetically **diverse** FRM that is adapted to current and projected future climatic conditions. The conservation and improvement of biodiversity of forests, including the genetic diversity of the trees, are essential to sustainable forest management and for supporting forests' adaptation to climate change. Tree species and artificial hybrids under this Regulation should be genetically suited to the local conditions and be of high quality.

framework of that strategy, Union legislation is to place emphasis on the preservation of species diversity and ensure high genetic **quality and** diversity within species and seed lots. This aims to facilitate the supply of high-quality and genetically **diversified** FRM that is adapted to current and projected future climatic conditions. The conservation and improvement of biodiversity of forests, including the genetic diversity of the trees, are essential to sustainable forest management and for supporting forests' adaptation to climate change. Tree species and artificial hybrids under this Regulation should be genetically suited to the local conditions and be of high quality.

Amendment 3

Proposal for a regulation Recital 17 a (new)

Text proposed by the Commission

Amendment

(17a) To maintain the quality of seeds, the packages should be designed to become unserviceable once opened, thus ensuring that users are aware of any tampering with the seeds and encouraging them to use the entire content properly, thereby avoiding the seeds being stored incorrectly or used when they are likely to have become spoiled.

Amendment 4

Proposal for a regulation Recital 19 a (new)

Text proposed by the Commission

Amendment

(19a) Each Member State should establish and update a national list of issued master certificates and make that list available to the Commission and national competent

authorities of all other Member States.

Amendment 5

Proposal for a regulation

Recital 22

Text proposed by the Commission

(22) The requirements for basic material intended for the purpose of conservation and sustainable use of forest genetic resources are different from those for basic material intended for the production of FRM for commercial purposes, because of the different selection criteria applied for these two types of basic material. For the purpose of conserving and sustainably using forest genetic resources, **all** trees from a stand of trees in the forest should be kept. This is necessary to help increase the genetic diversity within a single tree species. On the other hand, only trees with superior characteristics should be selected in the case of basic material intended for the production of FRM for commercial purposes. **Member States** should therefore be allowed to derogate from the applicable rules as regards the approval of basic material and notify this basic material intended for the purpose of conserving forest genetic resources **to the competent authority**.

Amendment 6

Proposal for a regulation

Recital 31

Text proposed by the Commission

(31) Professional operators should be authorised by the competent authority to print the official label under official supervision for certain species and categories of FRM. **This will give more flexibility to the professional operators in**

Amendment

(22) The requirements for basic material intended for the purpose of conservation and sustainable use of forest genetic resources are different from those for basic material intended for the production of FRM for commercial purposes, because of the different selection criteria applied for these two types of basic material. For the purpose of conserving and sustainably using forest genetic resources, **a maximum number of** trees from a stand of trees in the forest should be kept. This is necessary to help increase the genetic diversity within a single tree species. On the other hand, only trees with superior characteristics should be selected in the case of basic material intended for the production of FRM for commercial purposes. **Professional operators** should therefore be allowed to derogate from the applicable rules as regards the approval of basic material and notify **to the competent authority** this basic material intended for the purpose of conserving forest genetic resources.

Amendment

(31) Professional operators should be authorised by the competent authority to **issue and** print the official label under official supervision for certain species and categories of FRM, **if all requirements defined by the competent authority are**

relation to the subsequent marketing of that FRM. However, professional operators can only start printing the label once competent authority has certified the FRM concerned. That authorisation is necessary due to the official character of the official label and to guarantee the highest possible quality standards for the users of FRM. Rules should be set out for the withdrawal or modification of that authorisation.

fulfilled, and after an audit of the competent authority determines they have the necessary competence, infrastructure and resources. That authorisation is necessary due to the official character of the official label and to guarantee the highest possible quality standards for the users of FRM. ***This will give more flexibility to the professional operators in relation to the subsequent marketing of that FRM.*** Rules should be set out for the withdrawal or modification of that authorisation.

Amendment 7

Proposal for a regulation Recital 34

Text proposed by the Commission

(34) Prior to the purchase of FRM, professional operators should make available to the potential buyers of their FRM all the necessary information concerning its suitability for the respective climatic and ecological conditions, in order to allow them to select the most appropriate FRM for ***their*** region.

Amendment

(34) Prior to the purchase of FRM, professional operators should make available to the ***competent authority and*** potential buyers of their FRM all the necessary information concerning its ***identity and*** suitability for the respective climatic and ecological conditions ***of the FRM***, in order to allow them to select the most appropriate FRM for ***a specific*** region.

Amendment 8

Proposal for a regulation Recital 38

Text proposed by the Commission

(38) Each Member State should draw up and keep up to date a contingency plan to ensure a sufficient supply of FRM, to reforest areas affected by extreme weather events, wildfires, disease and pest outbreaks, disasters or any other event. Rules should be set out concerning the content of that plan, in order to ensure

Amendment

(38) Each Member State should draw up and keep up to date a contingency plan to ensure a sufficient supply of FRM, to reforest areas affected by extreme weather events, wildfires, disease and pest outbreaks, disasters or any other event. Rules should be set out concerning the content of that plan, in order to ensure

proactive and effective action against such risks, if they emerge. Member States should be allowed to **adapt** the content of that plan **to** the specific climatic and ecological conditions in their territories. This requirement also reflects the general preparedness actions that Member States should take on a voluntary basis under the Union Civil Protection Mechanism³¹.

prompt proactive and effective action against such risks, if they emerge. Member States should be allowed to **define** the content of that plan **in accordance with** the specific climatic and ecological conditions in their territories **and should be allowed to adapt such content in the light of new scientific knowledge**. This requirement also reflects the general preparedness actions that Member States should take on a voluntary basis under the Union Civil Protection Mechanism³¹. **The Commission should, at the request of the Member State concerned, support through technical assistance the drawing-up of the plan and, where applicable, its updating.**

³¹ Decision No 1313/2013/EU of the European Parliament and of the Council of 17 December 2013 on a Union Civil Protection Mechanism (OJ L 347, 20.12.2013, p. 924).

³¹ Decision No 1313/2013/EU of the European Parliament and of the Council of 17 December 2013 on a Union Civil Protection Mechanism (OJ L 347, 20.12.2013, p. 924).

Amendment 9

Proposal for a regulation Recital 43

Text proposed by the Commission

(43) FRM should only be imported from third countries, if it is established that it fulfils requirements equivalent to those applicable to FRM produced and marketed in the Union. This is necessary in order to ensure that such imported FRM affords the same level of quality as the FRM produced in the Union.

Amendment

(43) FRM should only be imported from third countries, if it is established that it fulfils requirements equivalent to those applicable to FRM produced and marketed in the Union. This is necessary in order to ensure that such imported FRM affords the same level of quality as the FRM produced in the Union. ***That approach will ensure that FRM imports not only meet Union standards but also that they contribute to plant genetic diversity and sustainability.***

Amendment 10

Proposal for a regulation Article 1 – paragraph 1

Text proposed by the Commission

This Regulation sets out rules concerning the production and marketing of forest reproductive material ('FRM') and in particular requirements for the approval of basic material intended for the production of FRM, the origin and traceability of that basic material, FRM categories, requirements for FRM identity and quality, certification, labelling, packaging, imports, professional operators, the registration of basic material and the national contingency plans.

Amendment 11

**Proposal for a regulation
Article 2 – paragraph 1**

Text proposed by the Commission

1. This Regulation applies to FRM of the tree species and artificial hybrids *thereof*, listed in Annex I.

Amendment 12

**Proposal for a regulation
Article 2 – paragraph 2 – point a**

Text proposed by the Commission

(a) ensure the production and marketing of high-quality FRM in the Union and the functioning of the internal market in FRM;

Amendment 13

**Proposal for a regulation
Article 2 – paragraph 2 – point b**

Amendment

This Regulation sets out rules concerning the production and marketing of forest reproductive material ('FRM') and in particular requirements for the approval of basic material intended for the production of FRM, the origin and traceability of that basic material, FRM categories, requirements for FRM identity and quality, certification, labelling, packaging, imports, professional operators, the registration of basic material, ***official controls*** and the national contingency plans.

Amendment

1. This Regulation applies to FRM of the tree species and artificial hybrids, listed in Annex I, ***with a view to being marketed***.

Amendment

(a) ensure the production and marketing of high-quality FRM in the Union and the ***correct*** functioning of the internal market in FRM;

Text proposed by the Commission

Amendment

(b) help create resilient forests, conserve biodiversity and restore forest ecosystems;

(b) help create resilient **and productive** forests, conserve biodiversity, **prevent the use of invasive species** and restore forest ecosystems **and their functioning, inter alia, by promoting interspecific and intraspecific genetic variation**;

Amendment 14

Proposal for a regulation

Article 2 – paragraph 3 – subparagraph 1 – point b

Text proposed by the Commission

Amendment

(b) any developments of technical or scientific knowledge.

(b) any **relevant** developments of technical or scientific knowledge.

Amendment 15

Proposal for a regulation

Article 3 – paragraph 1 – point 1 – introductory part

Text proposed by the Commission

Amendment

(1) ‘forest reproductive material’ (‘FRM’) means **cones, infructescences, fruits and seeds intended for the production of a planting stock**, that belong to tree species and **artificial** hybrids thereof listed in Annex I to this Regulation and used for afforestation, reforestation and other tree planting for any of the following purposes:

(1) ‘forest reproductive material’ (‘FRM’) means **seed units, parts of plants and planting stocks** that belong to tree species and hybrids thereof listed in Annex I to this Regulation and used for afforestation, reforestation, and other tree planting **and direct seeding** for any of the following purposes:

Amendment 16

Proposal for a regulation

Article 3 – paragraph 1 – point 1 – point b

Text proposed by the Commission

Amendment

(b) biodiversity conservation;

(b) **conservation of forest genetic resources and** biodiversity conservation

and enhancement;

Amendment 17

Proposal for a regulation

Article 3 – paragraph 1 – point 1 – point c

Text proposed by the Commission

(c) restoration of forest ecosystems;

Amendment

(c) restoration of forest ecosystems *and other wooded land, and supporting their functioning*;

Amendment 18

Proposal for a regulation

Article 3 – paragraph 1 – point 1 – point c a (new)

Text proposed by the Commission

Amendment

(ca) setting up or restoring agroforestry systems;

Amendment 19

Proposal for a regulation

Article 3 – paragraph 1 – point 2

Text proposed by the Commission

(2) ‘afforestation’ means establishment of forest through planting and/or deliberate seeding on land that, until then, was under a different land use implies a transformation of land use from non-forest to forest³⁶;

Amendment

(2) ‘afforestation’ means establishment of forest through planting and/or deliberate seeding *of regional adapted tree species* on land that, until then, was under a different land use implies a transformation of land use from non-forest to forest³⁶;

³⁶ FAO (2020) Global Forest Resources Assessment Terms and definitions. <https://www.fao.org/3/I8661EN/i8661en.pdf>.

³⁶ FAO (2020) Global Forest Resources Assessment Terms and definitions. <https://www.fao.org/3/I8661EN/i8661en.pdf>.

Amendment 20

Proposal for a regulation
Article 3 – paragraph 1 – point 3

Text proposed by the Commission

(3) ‘reforestation’ means re-establishment of forest through planting and/or deliberate seeding on land classified as forest³⁷;

³⁷ FAO (2020) Global Forest Resources Assessment Terms and definitions. <https://www.fao.org/3/I8661EN/i8661en.pdf>.

Amendment

(3) ‘reforestation’ means re-establishment of forest through planting and/or deliberate seeding ***of regional adapted tree species*** on land classified as forest³⁷;

³⁷ FAO (2020) Global Forest Resources Assessment Terms and definitions. <https://www.fao.org/3/I8661EN/i8661en.pdf>.

Amendment 21

Proposal for a regulation
Article 3 – paragraph 1 – point 4

Text proposed by the Commission

(4) ‘seed unit’ means cones, infructescences, fruits and seeds intended for the production of a planting stock;

Amendment 22

Proposal for a regulation
Article 3 – paragraph 1 – point 7

Text proposed by the Commission

(7) ‘production’ means all stages in the generation of ***the seed*** and plants, ***the conversion from seed unit to seed, and the raising of plants from a*** planting stock, with a view ***for the respective FRM*** to be marketed;

Amendment 23

Amendment

(4) ‘seed unit’ means cones, infructescences, fruits and seeds intended for the production of a planting stock ***or for direct seeding***;

Amendment

(7) ‘production’ means all stages in the generation of ***seeds, parts of plants*** and plants ***and also those necessary to obtain an adequate*** planting stock, with a view to be marketed;

Proposal for a regulation
Article 3 – paragraph 1 – point 8

Text proposed by the Commission

(8) ‘seed source’ means the trees within *an* area, from which *seed* is collected;

Amendment

(8) ‘seed source’ means the trees within *a defined* area, from which *a seed unit* is collected;

Amendment 24

Proposal for a regulation
Article 3 – paragraph 1 – point 15

Text proposed by the Commission

(15) ‘unit of approval’ means the entire area of basic material for the production of FRM that has been authorised by the competent authorities;

Amendment

(15) ‘unit of approval’ means the entire area *or individuals* of basic material for the production of FRM that has been authorised by the competent authorities;

Amendment 25

Proposal for a regulation
Article 3 – paragraph 1 – point 16

Text proposed by the Commission

(16) ‘unit of notification’ means the entire area of basic material for the production of FRM intended for the purpose of the conservation and sustainable use of forest genetic resources that has been notified to the competent authorities;

Amendment

(16) ‘unit of notification’ means the entire area *or individual(s)* of basic material for the production of FRM intended for the purpose of the conservation and sustainable use of forest genetic resources that has been notified to the competent authorities;

Amendment 26

Proposal for a regulation
Article 3 – paragraph 1 – point 17

Text proposed by the Commission

(17) ‘seed lot’ means a set of seeds *collected* from approved basic material and processed uniformly;

Amendment

(17) ‘seed lot’ means a set of *extracted and/or cleaned* seeds from approved basic material and processed uniformly;

Amendment 27

Proposal for a regulation

Article 3 – paragraph 1 – point 18

Text proposed by the Commission

(18) ‘plant lot’ means a set of **planting stock that has** been **grown** from a single seed lot or a vegetatively propagated **planting stock** which **has** been **raised** in a delineable area and processed uniformly;

Amendment

(18) ‘plant lot’ means a set of **plants that have** been **produced** from a single seed lot or a **set of** vegetatively propagated **plants** which **have** been **produced** in a delineable area and processed uniformly;

Amendment 28

Proposal for a regulation

Article 3 – paragraph 1 – point 19

Text proposed by the Commission

(19) ‘lot **number**’ means the identification **number** of the seed lot or plant lot, as appropriate;

Amendment

(19) ‘lot **code**’ means the identification **code** of the seed lot or plant lot, as appropriate;

Amendment 29

Proposal for a regulation

Article 3 – paragraph 1 – point 30

Text proposed by the Commission

(30) ‘marketing’ means the following actions conducted by a professional operator: sale, holding or offering for the purpose of sale or any other way of transferring, distribution within, or import into the Union, whether free of charge or not, of FRM;

Amendment

(30) ‘marketing’ means the following **commercial** actions conducted by a professional operator: sale, holding or offering for the purpose of sale or any other way of transferring, distribution, **including dispatching**, within, or import into the Union, whether free of charge or not, of FRM;

Amendment 30

Proposal for a regulation

Article 3 – paragraph 1 – point 31 – introductory part

Text proposed by the Commission

(31) ‘professional operator’ means any natural or legal person involved professionally in one or more of the following activities:

Amendment

(31) ‘professional operator’ means any natural or legal person involved professionally, ***with the authorisation of the competent authorities***, in one or more of the following activities, ***aimed at the commercial exploitation of the FRM***:

Amendment 31

Proposal for a regulation

Article 3 – paragraph 1 – point 42

Text proposed by the Commission

(42) ‘deployment area for seed orchards’ means the area designated by the competent authorities, in which FRM belonging to the qualified and tested categories is adapted to the climatic and ecological conditions of that area, taking into account, as appropriate, the location of the seed orchards and its components, results of progeny and provenance trials, environmental conditions and future climatic change projections;

Amendment

(42) ‘deployment area for seed orchards ***and parents of family(ies)***’ means the area designated by the competent authorities, in which FRM belonging to the qualified and tested categories is adapted to the climatic and ecological conditions of that area, taking into account, as appropriate, the location of the seed orchards, ***parents of family(ies)*** and its components, results of progeny and provenance trials, environmental conditions and future climatic change projections;

Amendment 32

Proposal for a regulation

Article 3 – paragraph 1 – point 43

Text proposed by the Commission

(43) ‘deployment area for clones and clonal mixtures’ means the area designated by the competent authorities, in which FRM belonging to the qualified and tested categories is adapted to the climatic and ecological conditions of that area, taking into account, as appropriate, the origin or provenance of the clone(s), results of progeny ***and*** provenance trials, the environmental conditions and future

Amendment

(43) ‘deployment area for clones and clonal mixtures’ means the area designated by the competent authorities, in which FRM belonging to the qualified and tested categories is adapted to the climatic and ecological conditions of that area, taking into account, as appropriate, the origin or provenance of the clone(s), results of progeny, provenance ***and clonal*** trials, the environmental conditions and future

climatic change projections;

climatic change projections;

Amendment 33

Proposal for a regulation

Article 3 – paragraph 1 – point 45

Text proposed by the Commission

(45) ‘natural regeneration’ means the renewal of *a* forest by ***trees that develop from seeds which have fallen and germinated in situ***

Amendment

(45) ‘natural regeneration’ means the renewal of *the* forest by ***natural processes through natural seeding, sprouting, suckering or layering;***

Amendment 34

Proposal for a regulation

Article 3 – paragraph 1 – point 47

Text proposed by the Commission

(47) ‘practically free from pests’ means ***completely*** free from pests, or a situation where the presence of quality pests on the respective FRM is so low that those pests do not affect adversely the quality of that FRM.

Amendment

(47) ‘practically free from ***quality*** pests’ means free from ***quality*** pests, or a situation where the presence of quality pests on the respective FRM is so low that those pests do not affect adversely the quality of that FRM.

Amendment 35

Proposal for a regulation

Article 4 – paragraph 2 – subparagraph 8 – point e

Text proposed by the Commission

(e) ***FRM in accordance with the requirements of Regulation (EU) 2018/848 of the European Parliament and of the Council.***

Amendment

deleted

Amendment 36

Proposal for a regulation

Article 5 – paragraph 1 – introductory part

Text proposed by the Commission

1. FRM derived from approved basic material shall be marketed in accordance with the following rules:

Amendment

1. FRM derived from approved basic material shall be marketed in accordance with the following rules **by professional operators**:

Amendment 37

Proposal for a regulation

Article 5 – paragraph 1 – point h – point ii

Text proposed by the Commission

(ii) germination percentage of the pure seed;

Amendment

(ii) germination percentage of the pure seed; **if testing procedures are being carried out, the competent authorities may authorise the marketing before the results of tests; the supplier is obliged to communicate the results of the tests to the buyer as soon as available**;

Amendment 38

Proposal for a regulation

Article 5 – paragraph 1 – point h – point iv

Text proposed by the Commission

(iv) the number of germinable seeds per kilogram of product marketed as seed, or, where the number of germinable seeds is impossible or impractical to assess, the number of viable seeds per kilogram.

Amendment

(iv) the number of germinable seeds per kilogram of product marketed as seed, or, where the number of germinable seeds is impossible or impractical to assess, **in a limited period of time**, the number of viable seeds per kilogram, **by reference to a specific method**.

Amendment 39

Proposal for a regulation

Article 6 – paragraph 1 – point b

Text proposed by the Commission

(b) FRM shall be of origin which is

Amendment

(b) FRM shall be of origin which is

naturally adapted to the local and regional conditions; and

naturally adapted to the local and regional conditions, *or adapted to the goal of assisted migration when relevant*; and

Amendment 40

Proposal for a regulation

Article 6 – paragraph 1 – point c

Text proposed by the Commission

(c) FRM shall be collected from **all** individuals of the notified basic material.

Amendment

(c) FRM shall be collected from **a maximum number of** individuals of the notified basic material, **sufficiently numerous to preserve the genetic diversity of the species**.

Amendment 41

Proposal for a regulation

Article 7 – paragraph 1 – subparagraph 1

Text proposed by the Commission

Competent authorities may temporarily authorise the marketing of FRM derived from approved basic material which does not meet all the requirements of the appropriate category referred to in Article 5(1), following the adoption of the delegated act referred to in paragraph 2.

Amendment

Competent authorities may temporarily authorise the marketing of FRM derived from approved basic material which does not meet all the requirements of the appropriate category referred to in Article 5(1), **points (a), (b) and (c)**, following the adoption of the delegated act referred to in paragraph 2.

Amendment 42

Proposal for a regulation

Article 7 – paragraph 2 – subparagraph 2 – point b

Text proposed by the Commission

(b) the **maximum duration** of the authorisation;

Amendment

(b) the **time limit** of the authorisation;

Amendment 43

Proposal for a regulation

Article 7 – paragraph 2 – subparagraph 2 – point c

Text proposed by the Commission

(c) **obligations** as regards official controls on the professional operators applying that authorisation;

Amendment

(c) **minimum requirements** as regards official controls on the professional operators applying that authorisation;

Amendment 44

Proposal for a regulation

Article 9 – paragraph 1 – subparagraph 1

Text proposed by the Commission

Each Member State shall draw up one or more contingency plan to ensure a sufficient supply of FRM to reforest areas affected by extreme weather events, wildfires, disease and pest outbreaks, disasters or any other event, as relevant and identified in the national risk assessments develop in accordance with Article 6(1) of Decision No 1313/2013/EU³⁹.

Amendment

Each Member State shall draw up one or more contingency plan to ensure a sufficient supply of FRM to reforest areas affected by extreme weather events, wildfires, disease and pest outbreaks, disasters or any other event, as relevant and identified in the national risk assessments develop in accordance with Article 6(1) of Decision No 1313/2013/EU³⁹. ***The Commission shall, at the request of the Member State, make available technical support for the drawing-up of the contingency plan.***

³⁹ OJ L 347, 20.12.2013, p. 924.

³⁹ OJ L 347, 20.12.2013, p. 924.

Amendment 45

Proposal for a regulation

Article 9 – paragraph 1 – subparagraph 2

Text proposed by the Commission

That contingency plan shall be prepared for those tree species and artificial hybrids thereof listed in Annex I, that are deemed suitable ***for the*** current and projected future climatic and ecological conditions ***of the Member State concerned.***

Amendment

That contingency plan shall be prepared for those tree species and artificial hybrids thereof listed in Annex I, that are deemed suitable ***by Member States for their*** current and projected future climatic and ecological conditions.

Amendment 46

Proposal for a regulation

Article 9 – paragraph 1 – subparagraph 3 a (new)

Text proposed by the Commission

Amendment

The contingency plan shall take into account the potential emergence of affected areas beyond national borders and the Member State concerned shall work with other Member States to ensure a sufficient preventive supply of FRM for cross-border affected areas.

Amendment 47

Proposal for a regulation

Article 9 – paragraph 3 – subparagraph 1 – point a a (new)

Text proposed by the Commission

Amendment

(aa) identification of the vulnerabilities and preventive measures, such as making seed storage sites and nurseries more secure, and increasing the number of storage sites and nurseries;

Amendment 48

Proposal for a regulation

Article 9 – paragraph 3 – subparagraph 1 – point h

Text proposed by the Commission

Amendment

(h) principles concerning the training of personnel of the competent authorities and, where appropriate, the bodies, public authorities, laboratories, professional operators and other persons referred to in point (a).

(h) principles concerning the training of personnel of the competent authorities and, where ***available and*** appropriate, the bodies, public authorities, laboratories, professional operators and other persons referred to in point (a).

Amendment 49

Proposal for a regulation

Article 9 – paragraph 4 – subparagraph 1 – introductory part

Text proposed by the Commission

Member States shall establish a national register that:

Amendment 50

Proposal for a regulation Article 10 – paragraph 1 – subparagraph 2

Text proposed by the Commission

They shall be established in the *Union*.

Amendment 51

Proposal for a regulation Article 10 – paragraph 2

Text proposed by the Commission

2. Professional operators shall make available to the users of their FRM *all* necessary information concerning its suitability for *current and projected future* climatic and ecological conditions. That information shall, *prior to the transfer of the FRM concerned*, be provided to the potential purchaser through websites, planters' guides and other appropriate means.

Amendment 52

Proposal for a regulation Article 12 – paragraph 3 – subparagraph 2 – point c

Amendment

Member States shall establish a national register *referred to in Article 12* that:

Amendment

They shall be established in the *Member State concerned and authorised by the competent authority*.

Amendment

2. Professional operators shall make available to the *competent authority and the* users of their FRM *the* necessary information *about the identity of FRM as well as information* concerning its suitability for climatic and ecological conditions *based on available knowledge and data*. That information shall be, *in compliance with competent authority's guidelines*, provided to the potential purchaser through websites, planters' guides and other appropriate means *prior to the transfer of the FRM concerned*.

Text proposed by the Commission

Amendment

(c) basic material;

(c) ***type of*** basic material;

Amendment 53

Proposal for a regulation

Article 12 – paragraph 3 – subparagraph 2 – point j

Text proposed by the Commission

Amendment

(j) in the case of qualified and tested categories, information about the ***place of*** production of clone(s) or clonal mixture(s), where appropriate.

(j) in the case of qualified and tested categories, information about the ***harvest area used for the*** production of clone(s) or clonal mixture(s), where appropriate.

Amendment 54

Proposal for a regulation

Article 12 – paragraph 3 – subparagraph 2 – point j a (new)

Text proposed by the Commission

Amendment

(ja) any additional information if available.

Amendment 55

Proposal for a regulation

Article 13 – paragraph 2

Text proposed by the Commission

Amendment

2. That list shall reflect the details given in the national lists referred to in Article 12(1) ***and show the area of utilisation.***

2. That list shall reflect the details given in the national lists referred to in Article 12(1).

Amendment 56

Proposal for a regulation

Article 13 a (new)

Text proposed by the Commission

Amendment

Article 13a

Production from basic material

- 1. Traceability shall be ensured from the collection of FRM up to the marketing to the end user.***
- 2. Professional operators shall notify the competent authority of their intention to harvest forest reproductive material prior to harvesting in order to allow the competent authority to organise controls.***
- 3. Professional operators shall submit to the competent authority records documenting the harvest of the FRM.***
- 4. Removal from the place of harvest is only permitted with a master certificate.***
- 5. In the interest of the highest possible genetic diversity within the entire seed lot, the seed harvester shall ensure that the seed lot undergoes intensive mixing during all stages of processing prior to marketing or seeding.***

Amendment 57

Proposal for a regulation

Article 14 – paragraph 1 – subparagraph 2

Text proposed by the Commission

The master certificate shall attest compliance with the requirements of Article 4(2).

Amendment

The master certificate shall attest compliance with the requirements of Article 4(2) ***that the FRM is derived from approved basic material.***

Amendment 58

Proposal for a regulation

Article 14 – paragraph 1 – subparagraph 3 – point c a (new)

Text proposed by the Commission

Amendment

(ca) Model master certificate for FRM that is derived from a mixture.

Amendment 59

Proposal for a regulation Article 14 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4a. In the case of a mixture, the professional operator shall announce the mixing to the competent authority in advance in order to allow the competent authority to supervise the mixing process.

Amendment 60

Proposal for a regulation Article 14 – paragraph 6 a (new)

Text proposed by the Commission

Amendment

6a. Each Member State shall establish and update a national list of issued master certificates and make that list available to the Commission and competent authorities.

Amendment 61

Proposal for a regulation Article 15 – paragraph 1 – subparagraph 1

Text proposed by the Commission

Amendment

FRM shall, during all stages of production, be kept separated by reference to individual units of approval of basic material to ensure traceability of the FRM to the approved basic material from which it has been harvested. FRM shall be harvested from those individual units of

FRM shall, during all stages of production, be kept separated by reference to individual units of approval of basic material ***and the master certificate, when issued,*** to ensure traceability of the FRM to the approved basic material from which it has been harvested. FRM shall be harvested from

approval and marketed in lots that shall be sufficiently homogeneous and identified as distinct from other lots of FRM.

those individual units of approval and marketed in lots that shall be sufficiently homogeneous and identified as distinct from other lots of FRM.

Amendment 62

Proposal for a regulation

Article 15 – paragraph 1 – subparagraph 2 – point a

Text proposed by the Commission

Amendment

(a) lot *number*;

(a) lot *code*;

Amendment 63

Proposal for a regulation

Article 15 – paragraph 1 – subparagraph 2 – point a a (new)

Text proposed by the Commission

Amendment

(aa) purpose;

Amendment 64

Proposal for a regulation

Article 15 – paragraph 1 – subparagraph 2 – point e

Text proposed by the Commission

Amendment

(e) basic material;

(e) *type of* basic material;

Amendment 65

Proposal for a regulation

Article 15 – paragraph 1 – subparagraph 2 – point i

Text proposed by the Commission

Amendment

(i) in the case of seed units, the year of ripening;

(i) in the case of seed units, the year of ripening, *purity, germination percentage of the pure seed, weight of 1000 pure seeds, the number of germinable seeds per kilogram and the name of the seed test*

station;

Amendment 66

Proposal for a regulation Article 16 – paragraph 1

Text proposed by the Commission

1. An official label shall be issued by the competent authority for every lot of FRM attesting compliance of that FRM with ***the requirements referred to in Article 5.***

Amendment

1. An official label shall be issued by the competent authority ***or by the professional operator under official supervision of a competent authority*** for every lot of FRM attesting compliance of that FRM with Article 5.

Amendment 67

Proposal for a regulation Article 16 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. The official label shall be printed by:
(a) the competent authority, if so requested by the professional operator; or
(b) the professional operator, under the official supervision of the competent authority.

Amendment 68

Proposal for a regulation Article 16 – paragraph 2

Text proposed by the Commission

2. ***Competent authorities shall authorise the professional operator to print the official label after the competent authority has attested compliance of that FRM with the requirements referred to in Article 5.*** The professional operator is authorised to print ***that*** label, if, on the

Amendment

2. The professional operator is authorised to ***issue and/or*** print ***the official*** label, if, on the basis of an audit, the competent authority has concluded that the operator possesses ***sufficient competence,*** infrastructure and resources.

basis of an audit, the competent authority has concluded that the operator possesses *the* infrastructure and resources *to print the official label*.

Amendment 69

Proposal for a regulation

Article 16 – paragraph 4 – introductory part

Text proposed by the Commission

4. In addition to the information required under Article 15(1), the official label shall contain all the following information:

Amendment

4. In addition to the information required under Article 15(1), the official label *or another document from the supplier with the information required under that Article* shall contain all the following information:

Amendment 70

Proposal for a regulation

Article 16 – paragraph 4 – point b

Text proposed by the Commission

(b) *name* of the professional *operator*;

Amendment

(b) *names* of the *supplying* professional operators, including their address and registration number, and names of the recipients including their address;

Amendment 71

Proposal for a regulation

Article 16 – paragraph 4 – point e a (new)

Text proposed by the Commission

Amendment

(ea) a QR code with instructions on how to take care of, store and plant FRM.

Amendment 72

Proposal for a regulation

Article 16 – paragraph 5 – subparagraph 1 – point c

Text proposed by the Commission

Amendment

(c) colour of the label for specific categories or other types of FRM;

deleted

Amendment 73

Proposal for a regulation

Article 16 – paragraph 5 a (new)

Text proposed by the Commission

Amendment

5a. If a coloured label or document is used by the professional operator in respect of any category of FRM, the colour of the supplier's label or document shall correspond with the colour indicated in Annex VI.

Amendment 74

Proposal for a regulation

Article 17 – paragraph 1

Text proposed by the Commission

Amendment

Seed units may only be marketed in sealed packages **with** that become unserviceable once the package is opened.

Seed units may only be marketed in sealed packages that become unserviceable once the package is opened. **In order to prevent putrefaction of the FRM, the packaging of the sealed package may be adapted to the needs of the respective FRM.**

Amendment 75

Proposal for a regulation

Article 18 – paragraph 3 – subparagraph 4 – introductory part

Text proposed by the Commission

Amendment

That notification shall contain the **following** information:

That notification shall contain the information **referred to in Article 12(3).**

- (a) *botanical name;*
- (b) *category;*
- (c) *basic material;*
- (d) *register reference or, where appropriate, summary thereof, or identity code for region of provenance;*
- (e) *location: a short name, if appropriate, and the region of provenance and the latitudinal, longitudinal and altitudinal range;*
- (f) *area: the size of a seed source(s) or stand(s);*
- (g) *origin: indication whether the basic material is autochthonous/indigenous, non-autochthonous/non-indigenous or whether the origin is unknown. For non-autochthonous/ non-indigenous basic material, indication of the origin if known;*
- (h) *purpose: conservation and sustainable use of genetic resources.*

Amendment 76

Proposal for a regulation Article 19 – paragraph 2

Text proposed by the Commission

That authorisation shall be **subject to approval** by the Commission.

Amendment

That authorisation shall be **notified to** the Commission.

Amendment 77

Proposal for a regulation Article 23 – paragraph 1

Text proposed by the Commission

1. By way of derogation from Article 4, the Commission, by means of implementing acts, may authorise Member States to adopt, as regards the requirements for the approval of basic material and the

Amendment

1. By way of derogation from Article 4, the Commission, by means of implementing acts, may authorise Member States to adopt, as regards the requirements for the approval of basic material and the

production of FRM more stringent production requirements, than those referred to in that Article, in all or part of the territory of the Member State concerned. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 27(2).

production of FRM more stringent production requirements, than those referred to in that Article, in all or part of the territory of the Member State concerned, ***provided that those requirements do not prohibit, impede or restrict the free movement of FRM that is in conformity with this Regulation.*** Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 27(2).

Amendment 78

Proposal for a regulation

Article 23 – paragraph 3 – point a – point ii

Text proposed by the Commission

(ii) the protection of the environment: adaptation to climate change ***or the contribution to the protection*** of biodiversity, restoration of forest ecosystems;

Amendment

(ii) the protection of the environment: adaptation to climate change, ***enhancement*** of biodiversity, ***or*** restoration of forest ecosystems ***and supporting their functioning***;

Amendment 79

Proposal for a regulation

Article 24 – paragraph 1

Text proposed by the Commission

1. FRM may be imported from third countries to the Union only if it is established, pursuant to paragraph 2, that it fulfils requirements equivalent to those applicable to FRM produced and marketed in the Union.

Amendment

1. FRM may be imported from third countries to the Union only if it is established, pursuant to paragraph 2, that it fulfils requirements equivalent to those applicable to FRM produced and marketed in the Union. ***The process of assessing and establishing equivalence shall be based on a detailed examination of the identity and quality standards and other requirements applicable to FRM.***

Amendment 80

Proposal for a regulation

Article 25 – paragraph 2 – point c a (new)

Text proposed by the Commission

Amendment

(ca) a new master certificate issued by the competent authority of the Member State of import, which shall replace the master certificate or official certificate referred to in point (a) following the import, or a certificate attesting to the existence of this new certificate.

Amendment 81

Proposal for a regulation Article 26 – paragraph 5

Text proposed by the Commission

Amendment

5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council. ***The involvement of experts designated by the Member States means that a wide range of national expertise and perspectives can be brought to the table, thus contributing to informed and balanced decision-making in respect of delegated acts.***

Amendment 82

Proposal for a regulation Article 28 – paragraph 1 – point a

Text proposed by the Commission

Amendment

(a) quantities of ***certified*** FRM per year;

(a) quantities of ***FRM per year, where a master certificate was issued;***

Amendment 83

Proposal for a regulation Article 28 – paragraph 1 – point b

Text proposed by the Commission

Amendment

(b) number of adopted national contingency plans to prepare for FRM supply difficulties and the time needed to activate those contingency plans;

(b) number of adopted national contingency plans **by Member States** to prepare for FRM supply difficulties and the time **and resources** needed to activate those contingency plans;

Amendment 84

Proposal for a regulation

Annex I – table 1

<i>Text proposed by the Commission</i>	<i>Amendment</i>
Abies alba Mill.	Abies alba Mill.
Abies cephalonica Loud.	Abies cephalonica Loud.
Abies grandis Lindl.	Abies grandis Lindl.
[...]	[...]
	<i>Abies bornmulleriana</i>
	<i>Acer campestre</i>
	<i>Alnus cordata - Juglans regia</i>
	<i>Eucalyptus globulus</i>
	<i>Eucalyptus gunnii</i>
	<i>Eucalyptus hybride gunnii x dalrympleana</i>
	<i>Eucalyptus nitens</i>
	<i>Juglans major x regia</i>
	<i>Juglans nigra</i>
	<i>Juglans nigra x regia</i>
	<i>Malus sylvestris</i>
	<i>Pinus taeda</i>
	<i>Populus nigra</i>
	<i>Populus tremula</i>
	<i>Sorbus domestica</i>
	<i>Sorbus torminalis</i>
[...]	[...]

Robinia pseudoacacia L.	Robinia pseudoacacia L.
Tilia cordata Mill.	Tilia cordata Mill.
Tilia platyphyllos Scop.	Tilia platyphyllos Scop.

Amendment 85

Proposal for a regulation Annex II – Part B – point 2 – paragraph 1

Text proposed by the Commission

The seed source or stand shall consist of one or more groups of trees. Those trees shall be well distributed and sufficiently numerous to maintain genetic diversity and ensure adequate cross-pollination between the trees in those seed sources or stands.

Amendment

The seed source or stand shall consist of one or more groups of trees ***(stands) or an individual stand***. Those trees ***of seed source or stand*** shall be well distributed and sufficiently numerous to maintain genetic diversity and ensure adequate cross-pollination between the trees in those seed sources or stands.

Amendment 86

Proposal for a regulation Annex II – Part B – point 4 – point a

Text proposed by the Commission

(a) The trees shall be well-adapted to the climatic and ecological conditions including the biotic and abiotic factors prevailing in the region of provenance.

Amendment

(a) The trees shall be well-adapted to the climatic and ecological conditions including the biotic and abiotic factors prevailing in the region of provenance ***and also marginal populations demonstrating local adaptation to more extreme biotic and abiotic factors***.

Amendment 87

Proposal for a regulation Annex II – Part B – point 4 – point b

Text proposed by the Commission

(b) The trees shall ***in*** be practically free from pests and their symptoms.

Amendment

(b) The trees shall be practically free from ***quality*** pests and their symptoms.

Amendment 88

Proposal for a regulation Annex III – Part B – point 2

Text proposed by the Commission

2. Isolation: Stands shall be situated at a sufficient distance from stands of poor quality of the same species or from stands of a related species which can form hybrids with the species in question. Particular attention shall be paid to this requirement when the stands surrounding autochthonous/indigenous stands are non-autochthonous/non-indigenous or of unknown origin.

Amendment

2. Isolation: Stands shall be situated at a sufficient distance from stands of poor quality of the same **or related** species or from stands of a related species which can form hybrids with the species in question. Particular attention shall be paid to this requirement when the stands surrounding autochthonous/indigenous stands are non-autochthonous/non-indigenous or of unknown origin.

Amendment 89

Proposal for a regulation Annex III – Part B – point 6 – point b

Text proposed by the Commission

(b) The trees shall be practically free from pests and their symptoms and show resistance to adverse **site** conditions in the place where they are growing.

Amendment

(b) The trees shall be practically free from **quality** pests and their symptoms and show resistance to adverse **climatic and site-specific** conditions in the place where they are growing.

Amendment 90

Proposal for a regulation Annex IV – point 1 – point b

Text proposed by the Commission

(b) The **professional operator shall select** component clones or families for their outstanding characteristics and **shall give** due weight to the requirements set out in points 4 and 6 to 9 of Section B of Annex III, taking into account the specific purpose for which the resulting FRM will

Amendment

(b) The component clones or families **shall be selected** for their outstanding characteristics and due weight **shall be given** to the requirements set out in points 4 and 6 to 9 of Section B of Annex III, taking into account the specific purpose for which the resulting FRM will be used.

be used.

Amendment 91

Proposal for a regulation Annex IV – point 1 – point e

Text proposed by the Commission

(e) The **professional operator shall manage** seed orchards and **harvest** seed in such a way that the objectives of the orchards are attained. In the case of a seed orchard intended for the production of an artificial hybrid, the percentage of hybrids in the FRM shall be determined by a verification test.

Amendment

(e) The seed orchards **shall be managed** and seed **shall be harvested** in such a way that the objectives of the orchards are attained. In the case of a seed orchard intended for the production of an artificial hybrid, the percentage of hybrids in the FRM shall be determined by a verification test.

Amendment 92

Proposal for a regulation Annex IV – point 2 – point a

Text proposed by the Commission

(a) The **professional operator shall select** parents for their outstanding characteristics or for their combining ability. In the case of a selection based on outstanding characteristics, due weight shall be given to the requirements set out in points 4 and 6 to 9 of Section B of Annex III, taking into account the specific purpose for which the resulting FRM will be used.

Amendment

(a) The parents **shall be selected** for their outstanding characteristics or for their combining ability. In the case of a selection based on outstanding characteristics, due weight shall be given to the requirements set out in points 4 and 6 to 9 of Section B of Annex III, taking into account the specific purpose for which the resulting FRM will be used.

Amendment 93

Proposal for a regulation Annex V – point 1 – point a – paragraph 2

Text proposed by the Commission

The professional operators shall **prepare, lay out and conduct** tests **set up** for the approval of the basic material. **They shall interpret** the results **of those tests** in

Amendment

The professional operators shall **report the material, methods and results of** tests **to the competent authority responsible** for the approval of the basic material. The

accordance with the internationally recognised procedures. **For** comparative tests, **the professional operator shall compare the FRM under test with** one or preferably several approved or pre-chosen standards as described in point 3(b).

results **presented shall be analysed** in accordance with the internationally recognised procedures. **In** comparative tests, one or preferably several approved or pre-chosen standards as described in point 3(b) **shall be used**.

Amendment 94

Proposal for a regulation Annex V – point 1 – point a a (new)

Text proposed by the Commission

Amendment

(aa) A minimum number of test areas of a minimum size per tree species listed in Annex I shall be fulfilled.

Amendment 95

Proposal for a regulation Annex V – point 1 – point b – point i

Text proposed by the Commission

Amendment

(i) The **professional operator shall design** tests to assess the relevant characteristics specified in point (ii) and **shall indicate these** for each test in the test records.

(i) The tests **shall be designed** to assess the relevant characteristics specified in point (ii) and, for each test in the test records **these shall be indicated**.

Amendment 96

Proposal for a regulation Annex V – point 1 – point c – paragraph 1

Text proposed by the Commission

Amendment

The professional operator shall **keep records describing the test sites**, including the location, climate, soil, past use, establishment, management and any damage due to abiotic/biotic factors. **He** shall make those records available to the competent authority **upon request**. The competent authority shall record the age of

The professional operator shall **provide all information necessary for the evaluation of test results**, including the location, climate, soil, past use, establishment, management and any damage due to abiotic/biotic factors. **The professional operator** shall make those records available to the competent authority. The competent

the basic material and the FRM and the results at the time of the evaluation.

authority shall record the age of the basic material and the FRM and the results at the time of the evaluation.

Amendment 97

Proposal for a regulation

Annex V – point 1 – point d – point i

Text proposed by the Commission

(i) ***The professional operator shall raise, plant and manage*** each sample of FRM in an identical way as far as the types of plant material permit.

Amendment

(i) Each sample of FRM ***shall be raised, planted and managed*** in an identical way as far as the types of plant material permit.

Amendment 98

Proposal for a regulation

Annex V – point 1 – point d – point ii

Text proposed by the Commission

(ii) ***The professional operator shall establish*** each experiment in a valid statistical design ***with a sufficient number of trees***, in order that the individual characteristics of each component under examination can be evaluated.

Amendment

(ii) Each experiment ***shall be established*** in a valid statistical design, in order that the individual characteristics of each component under examination can be evaluated.

Amendment 99

Proposal for a regulation

Annex V – point 1 – point e – point i

Text proposed by the Commission

(i) ***The professional operator shall analyse*** the data from experiments using internationally recognised statistical methods and ***shall present*** the results for each characteristic examined.

Amendment

(i) The data from ***the*** experiments ***shall be analysed*** using internationally recognised statistical methods and the results ***shall be presented*** for each characteristic examined.

Amendment 100

Proposal for a regulation
Annex V – point 2 – point d – point i

Text proposed by the Commission

(i) The estimated superiority of the FRM shall be calculated against a reference population for a characteristic or set of characteristics. The **professional operator shall define the reference population in the breeding program and describe this reference population** in the test reports.

Amendment 101

Proposal for a regulation
Annex V – point 3 – point c – point ii

Text proposed by the Commission

(ii) **The professional operator shall report** if there are any characteristics of economic or environmental importance which show significantly inferior results to the standards, and their effects shall be compensated for by favourable characteristics.

Amendment

(i) The estimated superiority of the FRM shall be calculated against a reference population for a characteristic or set of characteristics. The reference population **shall be defined and described** in the test reports.

Amendment

(ii) **It shall be reported** if there are any characteristics of economic or environmental importance which show significantly inferior results to the standards, and their effects shall be compensated for by favourable characteristics.