



**2023/0228(COD)**

21.12.2023

# **AMENDMENTS**

## **22 - 324**

**Draft report**  
**Herbert Dorfmann**  
(PE756.013v01-00)

Production and marketing of forest reproductive material, amending Regulations (EU) 2016/2031 and 2017/625 of the European Parliament and of the Council and repealing Council Directive 1999/105/EC (Regulation on forest reproductive material)

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

AM\_Com\_LegReport

## Amendment 22

Martin Häusling

on behalf of the Verts/ALE Group

### Proposal for a regulation

#### Title 1

##### *Text proposed by the Commission*

Proposal for a  
**REGULATION** OF THE EUROPEAN  
PARLIAMENT AND OF THE COUNCIL  
on the production and marketing of forest  
reproductive material, amending  
Regulations (EU) 2016/2031 and 2017/625  
of the European Parliament and of the  
Council and repealing Council Directive  
1999/105/EC (Regulation on forest  
reproductive material)  
(Text with EEA relevance)

##### *Amendment*

Proposal for a  
**DIRECTIVE** OF THE EUROPEAN  
PARLIAMENT AND OF THE COUNCIL  
on the production and marketing of forest  
reproductive material, amending  
Regulations (EU) 2016/2031 and 2017/625  
of the European Parliament and of the  
Council and repealing Council Directive  
1999/105/EC (Regulation on forest  
reproductive material)  
(Text with EEA relevance)

Or. en

##### *Justification*

*If the law is adopted as a directive, the implementing powers should be adapted in accordance with the requirements of a directive.*

## Amendment 23

Daniel Buda

### 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 primordial 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 things**, a primordial function as a carbon sink in the climate mitigation policy. High-quality, climate-adapted and **diversified** FRM is essential to cover these needs.

**Amendment 24**  
**Irène Tolleret**

**Proposal for a regulation**  
**Recital 6**

*Text proposed by the Commission*

(6) Regulation (EU) 2021/1119 requires relevant Union institutions and Member States to ensure continuous progress in enhancing adaptive capacity, strengthening resilience and reducing vulnerability to climate change. One of the aims of the new EU Strategy on Adaptation to Climate Change is therefore to accelerate the adaptive capacity of the Union to climate change, by amending the rules on FRM, amongst others. The Union legislation should encourage the Union wide production and marketing of FRM. ***To this end, the possibility for Member States to restrict the approval of certain basic material and to prohibit the marketing of certain FRM to final users, as it is set out in Directive 1999/105/EC, should be abolished.***

*Amendment*

(6) Regulation (EU) 2021/1119 requires relevant Union institutions and Member States to ensure continuous progress in enhancing adaptive capacity, strengthening resilience and reducing vulnerability to climate change. One of the aims of the new EU Strategy on Adaptation to Climate Change is therefore to accelerate the adaptive capacity of the Union to climate change, by amending the rules on FRM, amongst others. The Union legislation should encourage the Union wide production and marketing of FRM.

Or. en

*Justification*

*By removing the possibility for Member States to restrict the approval of certain basic materials and prohibiting the marketing of certain FRMs to end users, the new Regulation will transfer a significant part of the responsibility to suppliers and the risk to the end user, who will not know whether the area of origin or the selection characteristics of the FRM are well suited to their needs.*

**Amendment 25**  
**Daniel Buda**

**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 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.

*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 **greater** genetic 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 **and regional** conditions and be of high quality.

Or. ro

**Amendment 26**

**Martin Häusling**

on behalf of the Verts/ALE Group

**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 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

*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 **quality and** 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,

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.

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.

Or. en

## **Amendment 27**

**Daniel Buda**

### **Proposal for a regulation**

#### **Recital 11**

*Text proposed by the Commission*

(11) FRM may be produced for use in afforestation/reforestation and other types of tree planting and for several different purposes such as wood and biomaterials production, biodiversity conservation, restoration of forest ecosystems, climate adaptation, climate mitigation, and conservation and sustainable use of forest genetic resources.

*Amendment*

(11) FRM may be produced for use in afforestation/reforestation and other types of tree planting and for several different purposes such as wood and biomaterials production, biodiversity conservation, restoration of forest ecosystems, climate adaptation, climate mitigation, and conservation and sustainable use of forest genetic resources. ***This holistic approach demonstrates the importance of FRM for sustainable forest management strategies and the conservation of natural resources.***

Or. ro

## **Amendment 28**

**Martin Häusling**

on behalf of the Verts/ALE Group

### **Proposal for a regulation**

#### **Recital 13**

*Text proposed by the Commission*

(13) In order to ensure a sufficient supply of FRM in response to the increased demand for FRM, ***it is necessary to remove***

*Amendment*

(13) In order to ensure a sufficient supply of FRM in response to the increased demand for FRM, ***Member States should***

*any actual or* potential barriers to trade, *which may hinder the* free movement of FRM *within the Union*. This aim can be achieved only if the respective Union rules on FRM impose the highest possible standards.

*evaluate* potential barriers to trade *and, if the FRM corresponds with their high standards, provide* free movement of FRM *to its territory*. This aim can be achieved only if the respective Union rules on FRM impose the highest possible standards.

Or. en

**Amendment 29**  
**Daniel Buda**

**Proposal for a regulation**  
**Recital 15**

*Text proposed by the Commission*

(15) The aim of this Regulation is to ensure the production and marketing of high-quality FRM. To help create resilient forests and restore forest ecosystems, users should be informed prior to the purchase of FRM about the suitability of that FRM for the climatic and ecological conditions of the area where it will be used.

*Amendment*

(15) The aim of this Regulation is to ensure the production and marketing of high-quality FRM *on the internal market*. To help create resilient forests and restore forest ecosystems, *and to increase their sustainability*, users should be informed prior to the purchase of FRM about the suitability of that FRM for the climatic and ecological conditions of the area where it will be used.

Or. ro

**Amendment 30**  
**Martin Häusling**  
on behalf of the Verts/ALE Group

**Proposal for a regulation**  
**Recital 17**

*Text proposed by the Commission*

(17) FRM should only be harvested from basic material that has been assessed and *approved* by the competent authorities in order to ensure the highest possible quality of that FRM. *Approved* basic material should be registered in a national

*Amendment*

(17) FRM should only be harvested from basic material that has been assessed and *certified* by the competent authorities in order to ensure the highest possible quality of that FRM. *Certified* basic material should *be* registered in a national

register with a unique register reference  
and with reference to a unit of approval.

register with a unique register reference  
and with reference to a unit of approval.

Or. en

*Justification*

*Only FRM which has been certified by the Competent authority should be put on the market;  
Certification by the professional operators wouldn't be sufficient.*

**Amendment 31**

**Martin Häusling**

on behalf of the Verts/ALE Group

**Proposal for a regulation**

**Recital 19**

*Text proposed by the Commission*

(19) A master certificate should be issued by the competent authorities of the respective Member States for all FRM that is derived (i.e. harvested) from **approved** basic material. Such master certificate ensures the identification of the FRM, contains information about its origin and provides the most appropriate details for its users and the competent authorities in charge of its official control. It should be allowed to issue the master certificate in an electronic form.

*Amendment*

(19) A master certificate should be issued by the competent authorities of the respective Member States for all FRM that is derived (i.e. harvested) from **certified** basic material **by the Member States**. Such master certificate ensures the identification of the FRM, contains information about its origin and provides the most appropriate details for its users and the competent authorities in charge of its official control. It should be allowed to issue the master certificate in an electronic form.

Or. en

**Amendment 32**

**Martin Häusling**

on behalf of the Verts/ALE Group

**Proposal for a regulation**

**Recital 20**

*Text proposed by the Commission*

(20) Only FRM that has been harvested from approved basic material should be

*Amendment*

(20) Only FRM that has been harvested from approved basic material should be



allowed to be subsequently certified and placed on the market. FRM should be certified as ‘source-identified’, ‘selected’, ‘qualified’ and ‘tested’ by the competent authorities and be marketed with a reference to those categories. Those types of categories show which of the characteristics of the basic material have been assessed and they indicate the quality of the FRM. For lower quality FRM (‘source-identified’ and ‘selected’ categories), basic material will be checked for basic characteristics. For higher **quality** FRM (‘qualified’ and ‘tested’ categories), parent trees will be selected for outstanding characteristics and crossing schemes designed. In the case of FRM of the ‘qualified’ category, the superiority of the FRM estimated on the basis of the characteristics of the parent trees. In the case of the ‘tested’ category, the superiority of that FRM must be demonstrated in comparison with either the basic material from which that FRM has been harvested or with a reference population. The ‘source-identified’, ‘selected’, ‘qualified’ and ‘tested’ categories of FRM should be subject to uniform production and marketing requirements, to ensure transparency, equal terms of competition and the integrity of the internal market.

allowed to be subsequently certified and placed on the market. FRM should be certified as ‘source-identified’, ‘selected’, ‘qualified’ and ‘tested’ by the competent authorities and be marketed with a reference to those categories. Those types of categories show which of the characteristics of the basic material have been assessed and they indicate the quality of the FRM. For lower quality FRM (‘source-identified’ and ‘selected’ categories), basic material will be checked for basic characteristics. For higher FRM (‘qualified’ and ‘tested’ categories) ***which is adapted to regional biotic and abiotic conditions***, parent trees will be selected for outstanding characteristics and crossing schemes designed. In the case of FRM of the ‘qualified’ category, the superiority of the FRM estimated on the basis of the characteristics of the parent trees. In the case of the ‘tested’ category, the superiority of that FRM must be demonstrated in comparison with either the basic material from which that FRM has been harvested or with a reference population. The ‘source-identified’, ‘selected’, ‘qualified’ and ‘tested’ categories of FRM should be subject to uniform production and marketing requirements, to ensure transparency, equal terms of competition and the integrity of the internal market.

Or. en

### **Amendment 33** **Daniel Buda**

#### **Proposal for a regulation** **Recital 21**

*Text proposed by the Commission*

(21) The certification rules should be clarified in the case of FRM that has been produced through innovative production

*Amendment*

(21) The certification rules should be clarified in the case of FRM that has been produced through innovative production

processes and in particular FRM production techniques for the production of a specific type of FRM, namely clones. As the place of production of those clones may be different from the location of the original tree (i.e. basic material) from which the clone(s) has been derived, the rules should be amended to guarantee traceability.

processes and in particular FRM production techniques for the production of a specific type of FRM, namely clones. As the place of production of those clones may be different from the location of the original tree (i.e. basic material) from which the clone(s) has been derived, the rules should be amended ***and updated*** to guarantee traceability.

Or. ro

**Amendment 34**  
**Daniel Buda**

**Proposal for a regulation**  
**Recital 21 a (new)**

*Text proposed by the Commission*

*Amendment*

***(21a) As technologies evolve, it is essential to adapt certification rules in order to keep pace with scientific progress and ensure accurate and proper certification of FRMs, including those produced by cloning.***

Or. ro

**Amendment 35**  
**Isabel Carvalhais**

**Proposal for a regulation**  
**Recital 22**

*Text proposed by the Commission*

*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

(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.

purpose of conserving and sustainably using forest genetic resources, **a maximum 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. 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.

Or. en

## **Amendment 36**

### **Daniel Buda**

## **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

#### *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, 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.

material and notify *in advance* this basic material intended for the purpose of conserving forest genetic resources to the competent authority.

Or. ro

### Amendment 37

**Martin Häusling**

on behalf of the Verts/ALE Group

### Proposal for a regulation

#### Recital 26

#### *Text proposed by the Commission*

(26) Basic material that is intended for the production of FRM of the tested category should be subject to the most stringent possible requirements. Determining the superiority of FRM should be made by comparing it with one or preferably several approved or pre-chosen standards. The professional operator selects those standards on the basis of the purpose for which the FRM of the tested category will be used. In this regard, if the purpose of that FRM will be climate adaptation, then the FRM will be compared with standards having a good performance as regards adaptation to the local climatic and ecological conditions (e.g. practical freedom from pests and their symptoms). Following the selection of the components of basic material, the professional operator should demonstrate the superiority of the FRM by comparative testing or estimate its superiority by evaluating the genetic components of that basic material. The competent authority should *be involved in* each step of this process. *It* should approve the experimental design and tests for the *aproval* of the basic material, verify the records provided by the professional operator and approve either the results of the tests concerning the superiority of the FRM or the genetic evaluation as

#### *Amendment*

(26) Basic material that is intended for the production of FRM of the tested category should be subject to the most stringent possible requirements. Determining the superiority of FRM should be made by comparing it with one or preferably several approved or pre-chosen standards. The professional operator selects those standards on the basis of the purpose for which the FRM of the tested category will be used. In this regard, if the purpose of that FRM will be climate adaptation, then the FRM will be compared with standards having a good performance as regards adaptation to the local climatic and ecological conditions (e.g. practical freedom from pests and their symptoms). Following the selection of the components of basic material, the professional operator should demonstrate the superiority of the FRM by comparative testing or estimate its superiority by evaluating the genetic components of that basic material. The competent authority should *authorise* each step of this process. *The competent authority* should approve the experimental design and tests for the *certification* of the basic material. *Furthermore, the competent authority should* verify the records provided by the professional operator and approve either the results of

appropriate. This is necessary, in order to align with the applicable international standards pursuant to the OECD Forest Seed and Plant Scheme and other applicable international standards, and to take into account the experience gained from Directive 1999/105/EC.

the tests concerning the superiority of the FRM or the genetic evaluation as appropriate. This is necessary, in order to align with the applicable international standards pursuant to the OECD Forest Seed and Plant Scheme and other applicable international standards, and to take into account the experience gained from Directive 1999/105/EC.

Or. en

### **Amendment 38**

**Martin Häusling**

on behalf of the Verts/ALE Group

### **Proposal for a regulation**

#### **Recital 27**

*Text proposed by the Commission*

*Amendment*

***(27) The assessment of basic material intended for the production of FRM of the tested category takes on average 10 years. In order to ensure faster market access of FRM of the tested category, while the assessment of the basic material is still ongoing, Member States should have the possibility to temporarily approve such basic material, for a maximum period of 10 years, in all or part of their territory. That approval should be granted only if the provisional results of the genetic evaluation or comparative tests indicate that that basic material will satisfy the requirements of this Regulation when the tests will be completed. This early assessment should be re-examined at a maximum interval of ten years.***

***deleted***

Or. en

#### *Justification*

*The assessment of basic material intended for the production of FRM of the tested category should be completed before bringing it to the market. This is essential in order to give consumers the certainty that the FRM can be used without risk.*

## Amendment 39

**Martin Häusling**

on behalf of the Verts/ALE Group

### Proposal for a regulation

#### Recital 28

##### *Text proposed by the Commission*

(28) Compliance of FRM with the requirements for the categories ‘source-identified’, ‘selected’, ‘qualified’ and ‘tested’ should be confirmed by ***inspections carried out*** by the competent authorities ***as appropriate*** for each category (‘official certification’) and should be attested by an official label.

##### *Amendment*

(28) Compliance of FRM with the requirements for the categories ‘source-identified’, ‘selected’, ‘qualified’ and ‘tested’ should be confirmed by ***the certification*** by the competent authorities for each category (‘official certification’) and should be attested by an official label.

Or. en

## Amendment 40

**Martin Häusling**

on behalf of the Verts/ALE Group

### Proposal for a regulation

#### Recital 29

##### *Text proposed by the Commission*

(29) Genetically modified FRM ***may*** only be placed on the market if it is safe for human health and the environment and has been authorised for cultivation pursuant to Directive 2001/18/EC of the European Parliament and of the Council<sup>27</sup> or Regulation (EC) 1829/2003<sup>28</sup> and if ***that FRM belongs to the tested category***. FRM obtained by ***certain*** new genomic techniques ***may*** only be placed on the market if it complies with the requirements of Regulation (EU) [Publications Office, please insert reference to Regulation (EU) of the European Parliament and of the Council on plants obtained by ***certain*** new genomic techniques and their food and

##### *Amendment*

(29) Genetically modified FRM ***should*** only be placed on the market if it is safe for human health and the environment and has been authorised for cultivation pursuant to Directive 2001/18/EC of the European Parliament and of the Council<sup>27</sup> or Regulation (EC) 1829/2003<sup>28</sup> and if ***clearly labelled as GMO plant***. FRM obtained by new genomic techniques ***should*** only be placed on the market if it complies with the requirements of Regulation (EU) [Publications Office, please insert reference to Regulation (EU) of the European Parliament and of the Council on plants obtained by new genomic techniques and their food and

feed<sup>29</sup> and if that FRM *belongs to the tested category*.

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<sup>27</sup> Directive 2001/18/EC of the European Parliament and of the Council of 12 March 2001 on the deliberate release into the environment of genetically modified organisms and repealing Council Directive 90/220/EEC (OJ L 106, 17.4.2001, p. 1).

<sup>28</sup> Regulation (EC) No 1829/2003 of the European Parliament and of the Council of 22 September 2003 on genetically modified food and feed (OJ L 268, 18.10.2003, p. 1).

<sup>29</sup> Regulation (EU) .../... of the European Parliament and of the Council .... (OJ ..., p.).

feed<sup>29</sup> and if that FRM *is clearly labelled as NGT plant*.

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<sup>27</sup> Directive 2001/18/EC of the European Parliament and of the Council of 12 March 2001 on the deliberate release into the environment of genetically modified organisms and repealing Council Directive 90/220/EEC (OJ L 106, 17.4.2001, p. 1).

<sup>28</sup> Regulation (EC) No 1829/2003 of the European Parliament and of the Council of 22 September 2003 on genetically modified food and feed (OJ L 268, 18.10.2003, p. 1).

<sup>29</sup> Regulation (EU) .../... of the European Parliament and of the Council .... (OJ ..., p.).

Or. en

## **Amendment 41**

### **Daniel Buda**

## **Proposal for a regulation**

### **Recital 29**

#### *Text proposed by the Commission*

(29) Genetically modified FRM may only be placed on the market if it is safe for human health *and* the environment and has been authorised for cultivation pursuant to Directive 2001/18/EC of the European Parliament and of the Council<sup>27</sup> or Regulation (EC) 1829/2003<sup>28</sup> and if that FRM belongs to the tested category. FRM obtained by certain new genomic techniques may only be placed on the market if it complies with the requirements of Regulation (EU) [Publications Office, please insert reference to Regulation (EU) of the European Parliament and of the Council on plants obtained by certain new genomic techniques and their food and feed<sup>29</sup> and if that FRM belongs to the

#### *Amendment*

(29) Genetically modified FRM may only be placed on the market if it is safe for human health, *for animal health and for* the environment and has been authorised for cultivation pursuant to Directive 2001/18/EC of the European Parliament and of the Council<sup>27</sup> or Regulation (EC) 1829/2003<sup>28</sup> and if that FRM belongs to the tested category. FRM obtained by certain new genomic techniques may only be placed on the market if it complies with the requirements of Regulation (EU) [Publications Office, please insert reference to Regulation (EU) of the European Parliament and of the Council on plants obtained by certain new genomic techniques and their food and feed<sup>29</sup> and if



tested category.

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<sup>27</sup> Directive 2001/18/EC of the European Parliament and of the Council of 12 March 2001 on the deliberate release into the environment of genetically modified organisms and repealing Council Directive 90/220/EEC (OJ L 106, 17.4.2001, p. 1).

<sup>28</sup> Regulation (EC) No 1829/2003 of the European Parliament and of the Council of 22 September 2003 on genetically modified food and feed (OJ L 268, 18.10.2003, p. 1).

<sup>29</sup> Regulation (EU) .../... of the European Parliament and of the Council .... (OJ ..., p.).

that FRM belongs to the tested category.

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<sup>27</sup> Directive 2001/18/EC of the European Parliament and of the Council of 12 March 2001 on the deliberate release into the environment of genetically modified organisms and repealing Council Directive 90/220/EEC (OJ L 106, 17.4.2001, p. 1).

<sup>28</sup> Regulation (EC) No 1829/2003 of the European Parliament and of the Council of 22 September 2003 on genetically modified food and feed (OJ L 268, 18.10.2003, p. 1).

<sup>29</sup> Regulation (EU) .../... of the European Parliament and of the Council .... (OJ ..., p.).

Or. ro

#### **Amendment 42**

**Martin Häusling**

on behalf of the Verts/ALE Group

#### **Proposal for a regulation**

##### **Recital 30**

*Text proposed by the Commission*

(30) The official label should ***contain*** information on basic material that contains or consists of a genetically modified organism or that has been produced by ***certain*** new genomic techniques.

*Amendment*

(30) The official label should ***clearly indicate*** information on basic material that contains or consists of a genetically modified organism or that has been produced by new genomic techniques.

Or. en

#### **Amendment 43**

**Isabel Carvalhais**

#### **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 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.

*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, **after an audit of the competent authority determines they have the necessary competence, infrastructure and resources.** 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.

Or. en

**Amendment 44**

**Martin Häusling**

on behalf of the Verts/ALE Group

**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 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.

*Amendment*

(31) Professional operators should be authorised by the competent authority, **if all requirements defined by the competent authority are fulfilled**, to print the official label under official supervision for certain species and categories, **excluding FRM from genetically modified or NGT plants.** This will give more **flexibility** to the professional operators in 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 of that authorisation.

Or. en

#### **Amendment 45**

**Martin Häusling**

on behalf of the Verts/ALE Group

#### **Proposal for a regulation**

##### **Recital 32**

###### *Text proposed by the Commission*

(32) Member States should be **allowed** to impose additional or more stringent requirements for the approval of basic material produced in their own territory, subject to **authorisation granted by** the Commission. This would enable the implementation of national or regional approaches concerning the production and marketing of FRM and aimed at improvement of the quality of the FRM concerned, protection of the environment, or contribution to the protection of biodiversity and the restoration of forest ecosystems.

###### *Amendment*

(32) Member States should be **empowered** to impose additional or more stringent requirements for the approval of basic material produced in their own territory, subject **of a notification** to the Commission. This would enable the implementation of national or regional approaches concerning the production and marketing of FRM and aimed at improvement of the quality of the FRM concerned, protection of the environment, or contribution to the protection of biodiversity and the restoration of forest ecosystems.

Or. en

#### **Amendment 46**

**Martin Häusling**

on behalf of the Verts/ALE Group

#### **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

###### *Amendment*

(34) Prior to the purchase of FRM, professional operators should make available to the **competent authority** all the necessary information concerning its

concerning its suitability for the respective climatic and ecological conditions, in order to allow **them to select** the most appropriate FRM for **their** region.

suitability for the respective climatic and ecological conditions **of the FRM**, in order to allow **the competent authority to certify** the most appropriate FRM for **a specific** region.

Or. en

#### **Amendment 47**

**Daniel Buda**

#### **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 potential buyers of their FRM all the necessary information concerning its **quality and its** suitability for the respective climatic and ecological conditions, in order to allow them to select the most appropriate FRM for their region.

Or. ro

#### **Amendment 48**

**Martin Häusling**

on behalf of the Verts/ALE Group

#### **Proposal for a regulation**

##### **Recital 36 a (new)**

*Text proposed by the Commission*

*Amendment*

**(36a) Each Member State should establish and update a national list of issued master certificates and make this list available to the European Commission and national competent authorities of all other Member States. The European Commission should provide a database into which the Member States can enter their national data.**

**Amendment 49**  
**Daniel Buda**

**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 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 Mechanism<sup>31</sup>.

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<sup>31</sup> 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*

(38) Each Member State should **assess whether to** 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 **prompt** 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 Mechanism<sup>31</sup>. Where a Member State chooses to draw up and subsequently update such a contingency plan, the European Union shall, at the request of the Member State concerned, support through technical and financial assistance the drawing-up of the plan and, where applicable, its updating.

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<sup>31</sup> 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 50**  
**Isabel Carvalhais**

**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 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 Mechanism<sup>31</sup>.

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<sup>31</sup> 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*

(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 ***shall define*** the content of that plan ***in accordance with their*** specific climatic and ecological conditions in their territories ***and should be allowed to adapt its content in the face 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 Mechanism<sup>31</sup>.

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<sup>31</sup> 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).

Or. en

**Amendment 51**  
**Daniel Buda**

**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

*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.

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. ***This approach will ensure that FRM imports not only meet EU standards but also that they contribute to plant genetic diversity and sustainability.***

Or. ro

**Amendment 52**  
**Daniel Buda**

**Proposal for a regulation**  
**Recital 45**

*Text proposed by the Commission*

(45) In order to monitor the impact of this Regulation and to allow the Commission to assess the measures introduced, Member States should report every 5 years about the annual quantities of certified FRM, the adopted national contingency plans, the information available to users on where to best plant FRM through websites and/or planters' guides, the quantities of imported FRM and the penalties imposed.

*Amendment*

(45) In order to monitor the impact of this Regulation and to allow the Commission to assess the measures introduced, Member States should report every 5 years about the annual quantities of certified FRM, the adopted national contingency plans, ***where applicable***, the information available to users on where to best plant FRM through websites and/or planters' guides, the quantities of imported FRM and the penalties imposed.

Or. ro

**Amendment 53**  
**Martin Häusling**  
on behalf of the Verts/ALE Group

**Proposal for a regulation**  
**Recital 47**

*Text proposed by the Commission*

***(47) In order to adapt to the development of scientific and technical***

*Amendment*

***deleted***

*knowledge and of the OECD Forest Seed and Plant Scheme and other applicable international standards, and to take account of Regulation (EU) 2018/848 of the European Parliament and of the Council<sup>34</sup>, the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission in respect of amending (i) the requirements concerning basic material intended for the production of FRM to be certified as ‘source-identified’, ‘selected’, ‘qualified’, and ‘tested’ and (ii) the categories under which FRM from the different types of basic material may be marketed.*

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<sup>34</sup> *Regulation (EU) 2018/848 of the European Parliament and of the Council of 30 May 2018 on organic production and labelling of organic products and repealing Council Regulation (EC) No 834/2007 (OJ L 150, 14.6.2018, p. 1).*

Or. en

#### *Justification*

*The Organic Regulation 2018/848 has been applied successfully for less than two years, after lengthy negotiations between institutions with co-decision powers. The horizontal FRM legislation cannot disregard the complexity of the organic seed database systems, and undermine the ambitious objectives set out by a very newly adopted directly applicable legal act.*

#### **Amendment 54**

**Martin Häusling**

on behalf of the Verts/ALE Group

#### **Proposal for a regulation**

##### **Recital 57**

*Text proposed by the Commission*

*Amendment*

*(57) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the Commission with*

*deleted*

*respect to deciding on the organisation of temporary experiments to seek improved alternatives to the requirements of this Regulation as regards the assessment and approval of basic material and the production and marketing of FRM.*

Or. en

**Amendment 55**  
**Ulrike Müller**

**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*

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 **and exports**, professional operators, the registration of basic material, **requirements for controls** and the national contingency plans.

Or. en

**Amendment 56**  
**Clara Aguilera**

**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

*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 and the national contingency plans.

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, ***the requirements for control*** and the national contingency plans.

Or. es

#### *Justification*

*Businesses dealing with FRM are small and have small sales volumes. They cannot be asked to comply with the requirements for official controls, as this would result in many of them having to abandon their activities.*

#### **Amendment 57**

**Marlene Mortler, Norbert Lins, Peter Jahr**

#### **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*

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 ***and exports***, professional operators, the registration of basic material, ***requirements for controls*** and the national contingency plans.

Or. xm

#### *Justification*

*Reproductive material that is produced for export should also be subject to the legal framework, as it would no longer be marketable if it were not exported. Seed, in particular, could conceivably be fraudulently mixed with other batches in order to place it on the market. Since bringing the FRM under the scope of the Control Regulation has been ruled out, control*

*requirements will have to be provided for in specialised legislation.*

## **Amendment 58**

**Daniel Buda**

### **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*

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 checks* and contingency plans.

Or. ro

## **Amendment 59**

**Ulrike Müller**

### **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*

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

Or. en

## **Amendment 60**

**Marlene Mortler, Norbert Lins, Peter Jahr**

### **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*

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

Or. xm

*Justification*

*Only FRM that is to be marketed should fall under the legal framework; FRM that is not to be placed on the market should not be covered.*

## Amendment 61

Daniel Buda

### 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*

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

Or. ro

## Amendment 62

Isabel Carvalhais

### Proposal for a regulation

#### Article 2 – paragraph 2 – point b

*Text proposed by the Commission*

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

*Amendment*

(b) help create resilient forests, conserve biodiversity, **prevent the use of invasive species** and restore forest ecosystems;

Or. en

**Amendment 63**  
**Irène Tolleret**

**Proposal for a regulation**  
**Article 2 – paragraph 3 – subparagraph 3 a (new)**

*Text proposed by the Commission*

*Amendment*

***Insofar as certain species and artificial hybrids are not subject to the measures contained in this regulation, Member States may take such measures, or less stringent measures, in respect of their own territory.***

Or. en

*Justification*

*Greater subsidiarity is proposed at the Member State level to ensure adequate quality of MRFs to adapt forests to climate change.*

**Amendment 64**  
**Ulrike Müller**

**Proposal for a regulation**  
**Article 2 – paragraph 4 – point b**

*Text proposed by the Commission*

*Amendment*

***(b) propagating material of ornamental plants as defined in Article 2 of Directive 98/56/EC;***

***deleted***

Or. en

**Amendment 65**  
**Marlene Mortler, Norbert Lins, Peter Jahr**

**Proposal for a regulation**  
**Article 2 – paragraph 4 – point c**

*Text proposed by the Commission*

*Amendment*

**(c) FRM produced for export to third countries;** **deleted**

Or. xm

*Justification*

*Reproductive material of woodland origin produced for export should be subject to the legal framework for forest reproductive material at all stages of production.*

**Amendment 66**

**Ulrike Müller**

**Proposal for a regulation**

**Article 2 – paragraph 4 – point c**

*Text proposed by the Commission*

*Amendment*

**(c) FRM produced for export to third countries;** **deleted**

Or. en

**Amendment 67**

**Martin Häusling**

on behalf of the Verts/ALE Group

**Proposal for a regulation**

**Article 2 – paragraph 4 – point c a (new)**

*Text proposed by the Commission*

*Amendment*

**(ca) FRM sold or transferred in any way, whether free of charge or not, between final users for their own private use and outside their commercial activities.**

Or. en

**Amendment 68**

**Irène Tolleret**

**Proposal for a regulation**

**Article 2 – paragraph 4 – point d a (new)**

*Text proposed by the Commission*

*Amendment*

**(da) Forest reproductive material used for purposes other than those covered by this regulation.**

Or. en

*Justification*

*This would avoid different interpretations of what is considered a "forest purpose" among Member States (rephrasing the amendment from the rapporteur).*

**Amendment 69**

**Elsi Katainen**

**Proposal for a regulation**

**Article 2 – paragraph 4 – point d a (new)**

*Text proposed by the Commission*

*Amendment*

**(da) FRM used for non-forestry purposes.**

Or. en

*Justification*

*The FRM used for non-forestry purposes should also be excluded from the scope of this Regulation.*

**Amendment 70**

**Martin Häusling**

on behalf of the Verts/ALE Group

**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

(1) ‘forest reproductive material’  
(‘FRM’) means cones, infructescences,  
fruits, **parts of plants, saplings, seedlings**

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:

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, ***in the context of land management in forest***, for any of the following purposes:

Or. en

#### *Justification*

*The definition is not complete and foregoes many FRM that are routinely used.*

*It is important that tree planting outside of forest management should be clearly not included in this regulation.*

#### **Amendment 71**

**Marlene Mortler, Norbert Lins, Peter Jahr**

#### **Proposal for a regulation**

#### **Article 3 – paragraph 1 – point 1 – introductory part**

##### *Text proposed by the Commission*

(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:

##### *Amendment*

(1) ‘forest reproductive material’ (‘FRM’) means ***seed units and*** 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:

Or. en

#### **Amendment 72**

**Anne Sander**

#### **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 cones, infructescences, fruits and seeds intended for the production of a planting stock, **parts of plants and sets** 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:

Or. fr

### Amendment 73 Ulrike Müller

#### Proposal for a regulation Article 3 – paragraph 1 – point 1 – introductory part

##### *Text proposed by the Commission*

(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:

##### *Amendment*

(1) ‘forest reproductive material’ (‘FRM’) means **seed units and** 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:

Or. en

### Amendment 74 Isabel Carvalhais

#### Proposal for a regulation Article 3 – paragraph 1 – point 1 – introductory part

##### *Text proposed by the Commission*

(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

##### *Amendment*

(1) ‘forest reproductive material’ (‘FRM’) means **seed units, parts of plants and** planting stock that belong to tree species and artificial hybrids thereof listed in Annex I to this Regulation and used for



listed in Annex I to this Regulation and used for afforestation, reforestation and other tree planting for any of the following purposes:

afforestation, reforestation and other tree planting for any of the following purposes:

Or. en

*Justification*

*The definition of “forest reproductive material” considering “Seed units”, “parts of plants” and “planting stock” as defined in Directive 999/105/EC should be maintained.*

**Amendment 75**

**Irène Tolleret, Elsi Katainen**

**Proposal for a regulation**

**Article 3 – paragraph 1 – point 1 – introductory part**

*Text proposed by the Commission*

(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:

*Amendment*

(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:

Or. en

*Justification*

*The definition of FRM should take into account for the definitions of the current Directive.*

**Amendment 76**

**Martin Häusling**

on behalf of the Verts/ALE Group

**Proposal for a regulation**

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

*Text proposed by the Commission*

*Amendment*

*(aa) "high quality FRM", means Forest Reproductive Material to ensure high genetic diversity within species and seed lots adapted to current and projected future climatic conditions.*

Or. en

**Amendment 77**

**Marlene Mortler, Norbert Lins, Peter Jahr**

**Proposal for a regulation**

**Article 3 – paragraph 1 – point 1 – point b**

*Text proposed by the Commission*

(b) biodiversity conservation;

*Amendment*

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

Or. en

**Amendment 78**

**Ulrike Müller**

**Proposal for a regulation**

**Article 3 – paragraph 1 – point 1 – point b**

*Text proposed by the Commission*

(b) biodiversity conservation;

*Amendment*

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

Or. en

**Amendment 79**

**Ulrike Müller**

**Proposal for a regulation**

**Article 3 – paragraph 1 – point 1 – point f**

*Text proposed by the Commission*

(f) *conservation and sustainable use*

*Amendment*

*deleted*

*of forest genetic resources.*

Or. en

#### **Amendment 80**

**Marlene Mortler, Norbert Lins, Peter Jahr**

#### **Proposal for a regulation**

#### **Article 3 – paragraph 1 – point 1 – point f**

*Text proposed by the Commission*

*Amendment*

**(f) conservation and sustainable use  
of forest genetic resources.** **deleted**

Or. en

#### **Amendment 81**

**Martin Häusling**

on behalf of the Verts/ALE Group

#### **Proposal for a regulation**

#### **Article 3 – paragraph 1 – point 2**

*Text proposed by the Commission*

*Amendment*

(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 forest<sup>36</sup> ;

(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 forest<sup>36</sup> ;

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

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

Or. en

#### *Justification*

*Alignment to the taxonomy regulation.*

## Amendment 82

Martin Häusling

on behalf of the Verts/ALE Group

### 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 forest<sup>37</sup> ;

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<sup>37</sup> 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 forest<sup>37</sup> ;

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

Or. en

#### *Justification*

*Alignment to the taxonomy regulation.*

## Amendment 83

Ulrike Müller

### 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*

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

Or. en

## Amendment 84

Marlene Mortler, Norbert Lins, Peter Jahr

## 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*

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

Or. xm

*Justification*

*FRM in the form of seed can also be used for direct seeding, in forests for instance.*

## Amendment 85

Isabel Carvalhais

## Proposal for a regulation

### Article 3 – paragraph 1 – point 5

*Text proposed by the Commission*

(5) ‘planting stock’ means ***any plant or part of a plant used in plant propagation and comprises*** plants raised from seed units, from parts of plants, or from plants from natural regeneration;

*Amendment*

(5) ‘planting stock’ means plants raised from seed units, from parts of plants, or from plants from natural regeneration;

Or. en

## Amendment 86

Isabel Carvalhais

## Proposal for a regulation

### Article 3 – paragraph 1 – point 6

*Text proposed by the Commission*

(6) ‘parts of plants’ means stem cuttings, leaf cuttings and root cuttings, explants or embryos used for micropropagation, buds, layers, roots, scions, ***sets*** and any other parts of a plant

*Amendment*

(6) ‘parts of plants’ means stem cuttings, leaf cuttings and root cuttings, explants or embryos used for micropropagation, buds, layers, roots, scions and any other parts of a plant used

used for the production of a planting stock;

for the production of a planting stock;

Or. en

## **Amendment 87**

**Irène Tolleret**

### **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*

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

Or. en

##### *Justification*

*Clarification.*

## **Amendment 88**

**Ulrike Müller**

### **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*

(7) ‘production’ means all stages in the generation of **FRM including harvest, storage, preparation and conversion of seed units and growing, multiplying, maintaining, storage and harvest of** planting stock, with a view to be marketed;

Or. en

## Amendment 89

Marlene Mortler, Norbert Lins, Peter Jahr

### 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*

(7) ‘production’ means all stages in the generation of ***FRM including harvest, storage, preparation and conversion of seed units and growing, multiplying, maintaining, storage and harvest of*** planting stock, with a view to be marketed;

Or. en

## Amendment 90

Clara Aguilera

### 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*

(7) ‘production’ means all stages in the generation of the seed, ***parts of plants*** and plants with a view for the FRM to be marketed, ***which also includes production under a service contract;***

Or. es

### *Justification*

*The text has been modified to use official forestry terminology.*

## Amendment 91

Isabel Carvalhais

### Proposal for a regulation

#### Article 3 – paragraph 1 – point 7

*Text proposed by the Commission*

*Amendment*

(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;

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

Or. en

*Justification*

*The final product is not always a plant.*

**Amendment 92**  
**Ulrike Müller**

**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;

Or. en

**Amendment 93**  
**Marlene Mortler, Norbert Lins, Peter Jahr**

**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;

Or. en

**Amendment 94**  
**Martin Häusling**



on behalf of the Verts/ALE Group

### Proposal for a regulation

#### Article 3 – paragraph 1 – point 9

*Text proposed by the Commission*

(9) ‘stand’ means a delineated population of trees **possessing** sufficient uniformity in composition;

*Amendment*

(9) ‘stand’ means a delineated population of trees ***of an ecological unit which is well adapted to regional biotic and abiotic conditions and which may possess*** sufficient uniformity in composition ***if relevant***;

Or. en

### Amendment 95

Elsi Katainen

### 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 individual(s)*** of basic material for the production of FRM that has been authorised by the competent authorities;

Or. en

#### *Justification*

*Parents of families, clones and clonal mixtures are also considered “units of approval”. These basic materials should be registered in a national list and published in FOREMATIS. The definition of units of approval should include these basic materials.*

### Amendment 96

Ulrike Müller

### Proposal for a regulation

#### Article 3 – paragraph 1 – point 15

*Text proposed by the Commission*

(15) ‘unit of approval’ means the entire

*Amendment*

(15) ‘unit of approval’ means the entire

area of basic material for the production of FRM that has been authorised by the competent authorities;

area ***or individuals*** of basic material for the production of FRM that has been authorised by the competent authorities;

Or. en

#### **Amendment 97**

**Marlene Mortler, Norbert Lins, Peter Jahr**

#### **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;

Or. en

#### **Amendment 98**

**Martin Hlaváček**

#### **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) ‘***own reproductive material***’ means the ***forest owner may use reproductive material derived from forest stands owned by him for artificial forest restoration and afforestation;***

Or. en

#### **Amendment 99**

**Elsi Katainen**

#### **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;

Or. en

*Justification*

*Parents of families, clones and clonal mixtures are also considered “units of approval”. These basic materials should be registered in a national list and published in FOREMATIS. The definition of units of approval should include these basic materials.*

### Amendment 100 Ulrike Müller

#### 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) ‘lot’ means **uniformly processed FRM, in case of:**

**a) seed unit:** a set of **seed units** collected from approved basic material **or a permitted mixture**;

**b) plant unit:** a set of **planting stock that has been grown from a single seed unit or a vegetatively propagated planting stock which has been raised in a delineable area**;

Or. en

### Amendment 101 Marlene Mortler, Norbert Lins, Peter Jahr

## 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) ‘lot’ means *uniformly processed FRM, in case of*

*a) seed unit: a set of seed units collected from approved basic material or a permitted mixture;*

*b) plant unit: a set of planting stock that has been grown from a single seed unit or a vegetatively propagated planting stock which has been raised in a delineable area;*

Or. en

## Amendment 102

Elsi Katainen

## 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 collected from approved basic material and processed uniformly;

Or. en

*Justification*

*Marketable set of seeds which can be sold to nurseries or to deliberate seeding in forest should be taken into account.*

## Amendment 103

Clara Aguilera

## Proposal for a regulation

### Article 3 – paragraph 1 – point 17

*Text proposed by the Commission*

*Amendment*

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

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

Or. es

*Justification*

*Modification using official forestry terminology.*

**Amendment 104**

**Elsi Katainen**

**Proposal for a regulation**

**Article 3 – paragraph 1 – point 18**

*Text proposed by the Commission*

*Amendment*

(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;

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

Or. en

*Justification*

*Definition is written accordingly to the OECD rules (point (1)).*

**Amendment 105**

**Clara Aguilera**

**Proposal for a regulation**

**Article 3 – paragraph 1 – point 18**

*Text proposed by the Commission*

*Amendment*

(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;

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

*Justification*

*Modification using official forestry terminology.*

**Amendment 106**

**Ulrike Müller**

**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 number of the seed lot or plant lot, as appropriate;

Or. en

**Amendment 107**

**Clara Aguilera**

**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*

*(Does not affect the English version.)*

Or. es

*Justification*

*Modification using official forestry terminology.*

**Amendment 108**

**Elsi Katainen**

**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;

Or. en

**Amendment 109**

**Marlene Mortler, Norbert Lins, Peter Jahr**

**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 number of the seed lot or plant lot, as appropriate;

Or. xm

*Justification*

*Lot letters may also be included.*

**Amendment 110**

**Isabel Carvalhais**

**Proposal for a regulation**

**Article 3 – paragraph 1 – point 25 – point b**

*Text proposed by the Commission*

(b) for a non-autochthonous seed source or stand, the place from which the seed or plants were originally introduced;

*Amendment*

(b) for a non-autochthonous seed source or stand, the place from which the seed or plants were originally introduced.  
***The origin of a stand or seed source may be unknown;***

Or. en

*Justification*

*This possibility must be considered, as it is in the "OECD Forest Seed and Plant Scheme".*

**Amendment 111**  
**Isabel Carvalhais**

**Proposal for a regulation**  
**Article 3 – paragraph 1 – point 25 – point c**

*Text proposed by the Commission*

(c) for a seed orchard, the places where its components were originally located, such as their provenances or other relevant geographical information;

*Amendment*

(c) for a seed orchard, the places where its components were originally located, such as their provenances or other relevant geographical information. ***The origin of a stand or seed source may be unknown;***

Or. en

**Amendment 112**  
**Isabel Carvalhais**

**Proposal for a regulation**  
**Article 3 – paragraph 1 – point 25 – point d**

*Text proposed by the Commission*

(d) for the parents of families, the places where their components were originally located, such as their provenances or other relevant geographical information;

*Amendment*

(d) for the parents of families, the places where their components were originally located, such as their provenances or other relevant geographical information. ***The origin of a stand or seed source may be unknown;***

Or. en

**Amendment 113**  
**Isabel Carvalhais**

**Proposal for a regulation**  
**Article 3 – paragraph 1 – point 29**

*Text proposed by the Commission*

**(29) ‘set’ means a stem cutting without roots;**

*Amendment*

***deleted***



**Amendment 114**  
**Ulrike Müller**

**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 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 export out of the Union*** or import into the Union, whether free of charge or not, of FRM;

**Amendment 115**  
**Marlene Mortler, Norbert Lins, Peter Jahr**

**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 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 export out of the Union*** or import into the Union, whether free of charge or not, of FRM;

*Justification*

*Export should be included in paragraph 30 (see also Article 1), shipping is part of distribution (see paragraph 31).*

## Amendment 116

Martin Häusling

on behalf of the Verts/ALE Group

### 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 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, ***aimed at the commercial exploitation of the*** FRM;

Or. en

##### *Justification*

*It is important to limit the scope of this regulation to commercial exploitation of FRM. Exchange of FRM (including transfer for free and in kind) among foresters and civil society conservation networks/community seed banks must remain out of the scope.*

## Amendment 117

Daniel Buda

### 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 within, or import into the Union, whether free of charge or not, of FRM;

Or. ro

## Amendment 118

Martin Häusling

on behalf of the Verts/ALE Group

**Proposal for a regulation**

**Article 3 – paragraph 1 – point 31 – introductory part**

*Text proposed by the Commission*

*Amendment*

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

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

Or. en

**Amendment 119**

**Daniel Buda, Dan-Ştefan Motreanu**

**Proposal for a regulation**

**Article 3 – paragraph 1 – point 31 – introductory part**

*Text proposed by the Commission*

*Amendment*

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

(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:

Or. ro

**Amendment 120**

**Ulrike Müller**

**Proposal for a regulation**

**Article 3 – paragraph 1 – point 31 – point c**

*Text proposed by the Commission*

*Amendment*

(c) ***storage, collection, dispatching and processing of the FRM;***

***deleted***

Or. en

#### **Amendment 121**

**Marlene Mortler, Norbert Lins, Peter Jahr**

#### **Proposal for a regulation**

**Article 3 – paragraph 1 – point 31 – point c**

*Text proposed by the Commission*

*Amendment*

**(c) storage, collection, dispatching and processing of the FRM;** *deleted*

Or. xm

*Justification*

*We can cut this down to ‘production’ and ‘marketing’, both of which are already defined.*

#### **Amendment 122**

**Ulrike Müller**

#### **Proposal for a regulation**

**Article 3 – paragraph 1 – point 41**

*Text proposed by the Commission*

*Amendment*

**(41) ‘seed transfer zones’ means an area and/or altitudinal zones designated by the competent authorities for the movement of FRM belonging to the source-identified and selected categories, taking into account, as appropriate, the origin and provenance of the FRM, provenance trials, environmental conditions and future climatic change projections;** *deleted*

Or. en

#### **Amendment 123**

**Marlene Mortler, Norbert Lins, Peter Jahr**

#### **Proposal for a regulation**

**Article 3 – paragraph 1 – point 41**

*Text proposed by the Commission*

*Amendment*

*(41) ‘seed transfer zones’ means an area and/or altitudinal zones designated by the competent authorities for the movement of FRM belonging to the source-identified and selected categories, taking into account, as appropriate, the origin and provenance of the FRM, provenance trials, environmental conditions and future climatic change projections;* *deleted*

Or. xm

*Justification*

*The paragraph should be deleted – the information is not available as only information on conditions at local level is collected. See also Article 10(2).*

**Amendment 124**

**Ulrike Müller**

**Proposal for a regulation**

**Article 3 – paragraph 1 – point 42**

*Text proposed by the Commission*

*Amendment*

*(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;* *deleted*

Or. en

**Amendment 125**

**Marlene Mortler, Norbert Lins, Peter Jahr**

**Proposal for a regulation**

**Article 3 – paragraph 1 – point 42**

*Text proposed by the Commission*

*Amendment*

(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;

*deleted*

Or. xm

*Justification*

*The paragraph should be deleted – the information is not available as only information on conditions at local level is collected. See also Article 10(2).*

**Amendment 126**  
**Isabel Carvalhais**

**Proposal for a regulation**  
**Article 3 – paragraph 1 – point 42**

*Text proposed by the Commission*

*Amendment*

(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;

(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;

Or. en

**Amendment 127**  
**Elsi Katainen**

**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 and its components, results of progeny and provenance trials, environmental conditions and future climatic change projections;

Or. en

*Justification*

*Defining the deployment area also for parents of family(ies) should be taken into account.*

**Amendment 128**  
**Ulrike Müller**

**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 climatic change projections;

*Amendment*

**deleted**

## Amendment 129

Marlene Mortler, Norbert Lins, Peter Jahr

### Proposal for a regulation

#### Article 3 – paragraph 1 – point 43

*Text proposed by the Commission*

*Amendment*

(43) ‘deployment area for clones and clonal mixtures’ means the area **deleted** 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 climatic change projections;

Or. xm

#### *Justification*

*The paragraph should be deleted – the information is not available as only information on conditions at local level is collected. See also Article 10(2).*

## Amendment 130

Isabel Carvalhais

### Proposal for a regulation

#### Article 3 – paragraph 1 – point 43

*Text proposed by the Commission*

*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 **and** provenance trials, the

(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;

environmental conditions and future climatic change projections;

Or. en

**Amendment 131**  
**Isabel Carvalhais**

**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 a forest by ***natural processes, with the establishment of young trees through natural seeding, sprouting, suckering or layering;***

Or. en

*Justification*

*Natural regeneration by vegetative propagation is also possible.*

**Amendment 132**  
**Marlene Mortler, Norbert Lins, Peter Jahr**

**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***

Or. xm

*Justification*

*Natural regeneration can also be caused by the movement of wild animals (e.g. seed sowing by jays), so the definition should be adapted accordingly.*

**Amendment 133**  
**Ulrike Müller**

**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*

Or. en

**Amendment 134**  
**Elsi Katainen**

**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*.

Or. en

**Amendment 135**  
**Isabel Carvalhais**

**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

*Amendment*

(47) ‘practically free from *quality* 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

FRM.

quality of that FRM.

Or. en

#### **Amendment 136**

**Martin Häusling**

on behalf of the Verts/ALE Group

#### **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.

Or. en

#### **Amendment 137**

**Ulrike Müller**

#### **Proposal for a regulation**

#### **Article 4 – paragraph 2 – subparagraph 7**

##### *Text proposed by the Commission*

The approval of the basic material shall be carried out with a reference to the unit of approval.

##### *Amendment*

The approval of the basic material shall be carried out with a reference to the unit of approval **and can also be provided with ancillary provision now or at a later date.**

Or. en

#### **Amendment 138**

**Martin Häusling**

on behalf of the Verts/ALE Group

#### **Proposal for a regulation**

#### **Article 4 – paragraph 2 – subparagraph 7**

*Text proposed by the Commission*

*Amendment*

The approval of the basic material shall be carried out with a reference to the unit of approval.

The approval of the basic material shall be carried out with a reference to the **forest** unit of approval.

Or. en

*Justification*

*It should be prevented that the unit of approval can be of urban origin or an area along roads*

**Amendment 139**  
**Martin Häusling**

**Proposal for a regulation**

**Article 4 – paragraph 2 – subparagraph 8 – introductory part**

*Text proposed by the Commission*

*Amendment*

The Commission is empowered to adopt delegated acts in accordance with Article 26 **amending** Annexes II, III, IV and V, as regards requirements for the approval of basic material intended for the production of:

The Commission is empowered to adopt delegated acts in accordance with Article 26 **supplementing** Annexes II, III, IV and V, as regards requirements for the approval of basic material intended for the production of:

Or. en

**Amendment 140**  
**Martin Häusling**  
on behalf of the Verts/ALE Group

**Proposal for a regulation**

**Article 4 – paragraph 2 – subparagraph 8 – point e**

*Text proposed by the Commission*

*Amendment*

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

**deleted**

Or. en

## *Justification*

*Justification* The Organic Regulation 2018/848 has been applied successfully for less than two years, after lengthy negotiations between institutions with co-decision powers The horizontal FRM legislation cannot disregard the complexity of the organic seed database systems, and undermine the ambitious objectives set out by a very newly adopted directly applicable legal act.

### **Amendment 141**

**Martin Häusling**

on behalf of the Verts/ALE Group

### **Proposal for a regulation**

#### **Article 4 – paragraph 6**

*Text proposed by the Commission*

*Amendment*

**6. The Commission is empowered to adopt delegated acts in accordance with Article 26 amending Annexes II, III, IV and V, in order to adapt them to the development of scientific and technical knowledge, in particular regarding the use of bio-molecular techniques and to the relevant international standards.** **deleted**

Or. en

## *Justification*

*The conditions for the use of bio-molecular techniques and to the relevant international standards should be defined in the basic act and should not be a matter of changes via an empowerment of the Commission.*

### **Amendment 142**

**Ulrike Müller**

### **Proposal for a regulation**

#### **Article 5 – paragraph 1 – introductory part**

*Text proposed by the Commission*

*Amendment*

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

**1. FRM derived from approved basic material shall be marketed in accordance with the following rules *only by official***

*operators:*

Or. en

**Amendment 143**

**Marlene Mortler, Norbert Lins, Peter Jahr**

**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 ***only by official operators:***

Or. xm

*Justification*

*There is no indication that FRM may only be marketed by officially registered operators.*

**Amendment 144**

**Martin Häusling**

on behalf of the Verts/ALE Group

**Proposal for a regulation**

**Article 5 – paragraph 1 – point -a (new)**

*Text proposed by the Commission*

*Amendment*

***(-a) FRM may only be produced and placed on the market by a notified and approved operator.***

Or. en

**Amendment 145**

**Ulrike Müller**

**Proposal for a regulation**

**Article 5 – paragraph 1 – point c – point i**

*Text proposed by the Commission*

*Amendment*

(i) it is of the '**selected**', 'qualified' or 'tested' categories, and

(i) it is of the 'qualified' or 'tested' categories, and

Or. en

**Amendment 146**

**Marlene Mortler, Norbert Lins, Peter Jahr**

**Proposal for a regulation**

**Article 5 – paragraph 1 – point c – point i**

*Text proposed by the Commission*

*Amendment*

(i) it is of the '**selected**', 'qualified' or 'tested' categories, and

(i) it is of the 'qualified' or 'tested' categories, and

Or. xm

*Justification*

*Only material classed as 'qualified' or 'tested' should be vegetatively reproduced, as otherwise there is a risk of vegetatively reproducing genetically insufficiently adaptable material.*

**Amendment 147**

**Martin Häusling**

on behalf of the Verts/ALE Group

**Proposal for a regulation**

**Article 5 – paragraph 1 – point e – point iii a (new)**

*Text proposed by the Commission*

*Amendment*

**(iiia) information is available as regards:**

**(i) purity;**

**(ii) germination percentage of the pure seed;**

**(iii) weight of 1000 pure seeds;**

Or. en

**Amendment 148**

**Martin Häusling**

on behalf of the Verts/ALE Group

**Proposal for a regulation**

**Article 5 – paragraph 1 – point e – point iii b (new)**

*Text proposed by the Commission*

*Amendment*

**(iiib) the material is approved by the  
Competent Authority**

Or. en

**Amendment 149**

**Martin Häusling**

on behalf of the Verts/ALE Group

**Proposal for a regulation**

**Article 5 – paragraph 1 – point e – point iii c (new)**

*Text proposed by the Commission*

*Amendment*

**(iiic) it is labelled as NGT**

Or. en

**Amendment 150**

**Ulrike Müller**

**Proposal for a regulation**

**Article 5 – paragraph 1 – point h – introductory part**

*Text proposed by the Commission*

*Amendment*

(h) In the case of seeds, FRM of the tree species and **artificial** hybrids listed in Annex I, may only be marketed, if in addition to compliance with points (a) to (g), information is available as regards:

(h) In the case of seeds, FRM of the tree species and hybrids listed in Annex I, may only be marketed, if in addition to compliance with points (a) to (g), information is available as regards:

Or. en



## Amendment 151

Marlene Mortler, Norbert Lins, Peter Jahr

### Proposal for a regulation

#### Article 5 – paragraph 1 – point h – introductory part

*Text proposed by the Commission*

(h) In the case of seeds, FRM of the tree species and **artificial** hybrids listed in Annex I, may only be marketed, if in addition to compliance with points (a) to (g), information is available as regards:

*Amendment*

(h) In the case of seeds, FRM of the tree species and hybrids listed in Annex I, may only be marketed, if in addition to compliance with points (a) to (g), information is available as regards:

Or. en

## Amendment 152

Isabel Carvalhais

### 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 authorize 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.***

Or. en

#### *Justification*

*In several situations, as in the case of recent harvested seed lots, recalcitrant seeds or in case of dormant seeds needing long testing periods, is not possible to have the germination information in a short period of time.*

## Amendment 153

Isabel Carvalhais

### 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***.

Or. en

## Amendment 154

Marlene Mortler, Norbert Lins, Peter Jahr

### Proposal for a regulation

#### Article 5 – paragraph 1 – point h – point iv a (new)

*Text proposed by the Commission*

*Amendment*

***(iva) If the germination capacity test has not yet been completed, delivery is permitted. In this case, the supplier shall communicate the information to the purchaser immediately after the test is completed.***

Or. xm

### *Justification*

*When fresh seed is marketed, the germination capacity test is often not yet available. The seed must, however, be able to be sold as perishable goods.*

## Amendment 155

Elsi Katainen

### Proposal for a regulation

#### Article 5 – paragraph 1 a (new)

*Text proposed by the Commission*

*Amendment*

***1a. In order to make seeds of the current seasons crop rapidly available,***

*notwithstanding the fact that the examination in respect of germination as laid down in paragraph 1(h)(ii) has not been concluded, Member States may authorise marketing as far as to the first buyer. The respect of the conditions as laid down in paragraph 1(h)(ii) and 1(h)(iv) shall be stated by the supplier as soon as possible.*

Or. en

*Justification*

*Point 3 of the article 14 in the current Directive should be included in the new Regulation in order to make seeds of the current season seed crop rapidly available. This is needed for certain tree species.*

**Amendment 156**

**Ulrike Müller**

**Proposal for a regulation**

**Article 5 – paragraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

***1a. If the germination capacity test has not yet been completed, delivery is permitted. In this case, the supplier shall communicate the information to the purchaser immediately after the test is completed.***

Or. en

**Amendment 157**

**Marlene Mortler, Norbert Lins, Peter Jahr**

**Proposal for a regulation**

**Article 6**

*Text proposed by the Commission*

*Amendment*

***Article 6***

***deleted***

***Requirements for FRM derived from***

*basic material intended for the purpose of  
conserving forest genetic resources*

*In order for FRM derived from basic  
material subject to the derogation of  
Article 18 to be marketed, all the  
following conditions shall be fulfilled:*

*(a) FRM of the species listed in Annex I  
may only be marketed, if it is of the  
'source-identified' category;*

*(b) FRM shall be of origin which is  
naturally adapted to the local and  
regional conditions; and*

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

Or. xm

*Justification*

*Not required, as authorisation with a view to 'conserving forest genetic resources' can be  
granted by the authority as source-protected.*

**Amendment 158**  
**Irène Tolleret**

**Proposal for a regulation**  
**Article 6**

*Text proposed by the Commission*

*Amendment*

*Article 6*

*deleted*

*Requirements for FRM derived from  
basic material intended for the purpose of  
conserving forest genetic resources*

*In order for FRM derived from basic  
material subject to the derogation of  
Article 18 to be marketed, all the  
following conditions shall be fulfilled:*

*(a) FRM of the species listed in Annex I  
may only be marketed, if it is of the  
'source-identified' category;*

*(b) FRM shall be of origin which is  
naturally adapted to the local and*

*regional conditions; and*

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

Or. en

*Justification*

*The quality of the source material that would be registered under this article for forest genetic resource conservation purposes is not guaranteed, with potentially strong effects on the utilization of MRFs derived from this source material on the quality of future forest populations.*

**Amendment 159**

**Ulrike Müller**

**Proposal for a regulation**

**Article 6**

*Text proposed by the Commission*

*Amendment*

**Article 6**

**deleted**

***Requirements for FRM derived from basic material intended for the purpose of conserving forest genetic resources***

***In order for FRM derived from basic material subject to the derogation of Article 18 to be marketed, all the following conditions shall be fulfilled:***

***(a) FRM of the species listed in Annex I may only be marketed, if it is of the ‘source-identified’ category;***

***(b) FRM shall be of origin which is naturally adapted to the local and regional conditions; and***

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

Or. en

**Amendment 160**

**Martin Häusling**

on behalf of the Verts/ALE Group

**Proposal for a regulation**  
**Article 6 – paragraph 1 – point b**

*Text proposed by the Commission*

(b) FRM shall be of origin which is naturally adapted to the local and regional conditions; and

*Amendment*

(b) FRM shall be of origin which is naturally adapted to the local and regional conditions, ***or adapted to the goal of assisted migration when relevant***; and

Or. en

*Justification*

*The applicability of local conditions are changing with climate change. This text should include the possibility for foresters to plan ahead and extrapolate the expected impact of climate change.*

**Amendment 161**  
**Clara Aguilera**

**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 ***an appropriate number of*** individuals ***that is representative*** of the notified basic material, ***taking into account natural conditions and organisational and financial capacities***.

Or. es

*Justification*

*Assuming the availability of the genetic information needed to determine how many and also which individuals should collect material.*

**Amendment 162**  
**Martin Häusling**  
on behalf of the Verts/ALE Group

**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 sufficient number of*** individuals of the notified basic material, ***taking into account the biology of the species and natural conditions.***

Or. en

*Justification*

*In some cases collecting FRM from all the stands is impossible because of the size of the stand, or unadvisable because of the endangered status or rarity of the parents.*

### Amendment 163 Isabel Carvalhais

#### 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.***

Or. en

### Amendment 164 Martin Häusling on behalf of the Verts/ALE Group

#### Proposal for a regulation Article 6 – paragraph 1 – point c a (new)

*Text proposed by the Commission*

*Amendment*

***(ca) for species where vegetative propagation is generally used for the purpose of conservation of forest genetic resources, a mixture of a sufficiently***

*varied array of clones in order to  
maintain genetic diversity shall be used.*

Or. en

**Amendment 165**

**Martin Häusling**

on behalf of the Verts/ALE Group

**Proposal for a regulation**

**Article 6 – paragraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

*The Commission shall, by means of an  
implementing act, define the sufficient  
number of individuals in 6 (1) (c) and (ca)*

Or. en

**Amendment 166**

**Martin Häusling**

on behalf of the Verts/ALE Group

**Proposal for a regulation**

**Article 7**

*Text proposed by the Commission*

*Amendment*

*Article 7*

*deleted*

*Temporary authorisation of marketing of  
FRM derived from basic material not  
meeting the category requirements*

*1.*

*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.*

*The competent authorities of the  
respective Member State shall notify the*



*Commission and the other Member States of those temporary authorisations and of the respective reasons justifying their approval.*

2.

*The Commission is empowered to adopt delegated acts, in accordance with Article 26, supplementing this Article, by setting out the conditions for the granting of the temporary authorisation to the Member State concerned.*

*Those conditions shall include:*

*(a) the justification for granting that authorisation to ensure achievement of the objectives of this Regulation;*

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

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

*(d) the content and form of the notification referred to in paragraph 1.*

Or. en

#### *Justification*

*The article should be deleted, as the standards must not be undercut for reasons of consumer protection and a market imbalance must be prevented. Furthermore, no concrete time (temporarily) definition is given. In addition, there is a lack of minimum standards to be met.*

#### **Amendment 167**

**Irène Tolleret**

#### **Proposal for a regulation**

#### **Article 7**

*Text proposed by the Commission*

*Amendment*

*Article 7*

*deleted*

*Temporary authorisation of marketing of FRM derived from basic material not meeting the category requirements*

1.

*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.*

*The competent authorities of the respective Member State shall notify the Commission and the other Member States of those temporary authorisations and of the respective reasons justifying their approval.*

2.

*The Commission is empowered to adopt delegated acts, in accordance with Article 26, supplementing this Article, by setting out the conditions for the granting of the temporary authorisation to the Member State concerned.*

*Those conditions shall include:*

*(a) the justification for granting that authorisation to ensure achievement of the objectives of this Regulation;*

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

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

*(d) the content and form of the notification referred to in paragraph 1.*

Or. en

#### *Justification*

*This article entails the risk that temporary marketing authorizations for MFRs derived from source materials may not meet the appropriate requirements.*

**Amendment 168**  
**Daniel Buda**

## 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/EU<sup>39</sup>.

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<sup>39</sup> OJ L 347, 12.4.2022, p. 924.

#### *Amendment*

Each Member State shall ***assess whether to*** 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/EU<sup>39</sup>. ***The European Union shall, at the request of the Member State opting to draw up an emergency plan, make available to it financial and technical support for the drawing-up and implementation of the emergency plan.***

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<sup>39</sup> OJ L 347, 12.4.2022, p. 924.

Or. ro

## Amendment 169

Isabel Carvalhais

## 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.

Or. en

## Amendment 170

Daniel Buda, Dan-Ștefan Motreanu

**Proposal for a regulation**

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

*Text proposed by the Commission*

*Amendment*

***National emergency plans 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 FRMs for cross-border affected areas.***

Or. ro

**Amendment 171**

**Martin Häusling**

on behalf of the Verts/ALE Group

**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).

Or. en

*Justification*

*The documentation obligations of MS are high and MS should not be obliged to document e.g. training not financed or carried out by the MS / competent authority.*

**Amendment 172**

**Martin Häusling**

on behalf of the Verts/ALE Group

**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*

Member States shall establish a national register ***as set out in Article 12*** that:

Or. en

**Amendment 173**

**Martin Häusling**

on behalf of the Verts/ALE Group

**Proposal for a regulation**

**Article -10 (new)**

*Text proposed by the Commission*

*Amendment*

***Article -10***

***Certification of FRM by the Member States***

***Member States shall certify FRM and may, upon application, grant permission to a professional operator, to perform certain activities required for certification of FRM.***

***The Commission shall, by means of an implementing act, define the minimum requirements in paragraph 1).***

Or. en

**Amendment 174**

**Daniel Buda**

**Proposal for a regulation**

**Article 10 – paragraph 1 – subparagraph 2**

*Text proposed by the Commission*

They shall be established in the Union.

*Amendment*

They shall be established in the Union ***and authorised by the competent authority.***

Or. ro

## Amendment 175

Martin Häusling

on behalf of the Verts/ALE Group

### Proposal for a regulation

#### Article 10 – paragraph 1 – subparagraph 2

*Text proposed by the Commission*

They shall be established in the **Union**.

*Amendment*

They shall be established in the **Member State concerned**.

Or. en

## Amendment 176

Martin Häusling

on behalf of the Verts/ALE Group

### 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*

2. Professional operators shall make available to the **Competent Authority** all necessary information concerning its suitability for current and projected future climatic and ecological conditions **of their FRM**.

***The Competent Authority may***

***a) approve the information as sufficient  
or***

***b) request further information from the  
professional operator***

***After approval of the Competent Authority, the professional operator shall provide*** that information prior to the transfer of the FRM concerned, to the potential purchaser through websites, planters' guides and other appropriate means.

***The professional operator shall record all necessary information***

Or. en

**Amendment 177**

**Marlene Mortler, Norbert Lins, Peter Jahr**

**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*

2. Professional operators shall make available to the users of their FRM all information ***about the identity of FRM.***

Or. en

**Amendment 178**

**Ulrike Müller**

**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*

2. Professional operators shall make available to the users of their FRM all information ***about the identity of FRM.***

**Amendment 179**  
**Isabel Carvalhais**

**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*

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

**Amendment 180**  
**Irène Tolleret, Elsi Katainen**

**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*

2. **Member States, in collaboration with** professional operators, shall make available to the users of their FRM all necessary **relevant** information **available** 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 181**

**Marlene Mortler, Norbert Lins, Peter Jahr**

**Proposal for a regulation**

**Article 10 – paragraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

**2a. The professional operator has to nominate a responsible natural person.**

Or. xm

*Justification*

*Traders cannot provide the consumer with all the information, as they may not even know it themselves. It is, furthermore, not their job to do so. They are only obliged to divulge the identity (incl. origin) and can refer to official websites where the information on the authorised source material is available. Traders must name a person with responsibility, as only a natural person can be held liable for any infringements.*

**Amendment 182**

**Ulrike Müller**

**Proposal for a regulation**

**Article 10 – paragraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

**2a. The professional operator has to nominate a responsible natural person.**

Or. en

**Amendment 183**

**Martin Häusling**

on behalf of the Verts/ALE Group

**Proposal for a regulation**

**Article 10 b (new)**

*Text proposed by the Commission*

*Amendment*

*Article 10b*

*Obligations of the professional operator  
during harvesting of FRM*

*1) Professional operators shall follow  
minimum requirements when harvesting  
FRM concerning*

*a) the minimum size of the area to be  
harvested, which shall be defined for each  
tree species and artificial hybrids and*

*b) the minimum number of harvested  
trees, which shall be defined for each tree  
species and artificial hybrids.*

*2) Member States may lay down more  
stringent national requirements.*

*The Commission shall, by means of an  
implementing act, define the minimum  
requirements for harvesting in paragraph  
1).*

*3) 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 prior  
to marketing or seeding.*

Or. en

**Amendment 184**

**Ulrike Müller**

**Proposal for a regulation**

**Article 12 – paragraph 3 – subparagraph 2 – point c**

*Text proposed by the Commission*

*Amendment*

(c) basic material;

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

Or. en

**Amendment 185**

**Marlene Mortler, Norbert Lins, Peter Jahr**

**Proposal for a regulation**

**Article 12 – paragraph 3 – subparagraph 2 – point c**

*Text proposed by the Commission*

*Amendment*

(c) basic material;

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

Or. en

**Amendment 186**

**Marlene Mortler, Norbert Lins, Peter Jahr**

**Proposal for a regulation**

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

*Text proposed by the Commission*

*Amendment*

***(ha) further information if available  
should be described;***

Or. xm

*Justification*

*The necessary information on the foundation stock should be made available to the consumer in the national register. This cannot, however, be information on future use as this can be provided if possible by the Member States for their own territory (see note on Art. 10). Information on the climatic conditions and, perhaps, the genetic make-up of the original stock is however available, which is why a new letter should be added between points (h) and (i) of Article 12(3). This information could be the genetic background or forest site conditions where it is grown, for instance.*

**Amendment 187**

**Ulrike Müller**

**Proposal for a regulation**

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

*Text proposed by the Commission*

*Amendment*

***(ha) further information if available  
should be described;***

Or. en

## Amendment 188

**Martin Häusling**

on behalf of the Verts/ALE Group

### Proposal for a regulation

#### Article 12 – paragraph 3 – subparagraph 2 – point j

*Text proposed by the Commission*

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

*Amendment*

(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.

Or. en

*Justification*

*it the case of qualified and tested categories precise information is needed.*

## Amendment 189

**Martin Häusling**

on behalf of the Verts/ALE Group

### Proposal for a regulation

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

*Text proposed by the Commission*

*Amendment*

***(ja) if applicable, the intellectual property rights existing on the FRM.***

Or. en

## Amendment 190

**Marlene Mortler, Norbert Lins, Peter Jahr**

### 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***

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

*utilisation.*

Or. xm

*Justification*

*The areas of utilisation cannot be provided – see also the remarks on Article 10(2) – and the reference to them should therefore be deleted.*

**Amendment 191**

**Ulrike Müller**

**Proposal for a regulation**

**Article 13 – paragraph 2**

*Text proposed by the Commission*

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

*Amendment*

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

Or. en

**Amendment 192**

**Martin Häusling**

on behalf of the Verts/ALE Group

**Proposal for a regulation**

**Article 13 – paragraph 2**

*Text proposed by the Commission*

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

*Amendment*

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

Or. en

*Justification*

*The area of utilisation is not defined by this legislation and Competent Authorities of the MS should have enough capacity to execute their duty e.g. in supervision and control*

## **Amendment 193**

**Marlene Mortler, Norbert Lins, Peter Jahr**

### **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) The professional operator shall notify the competent authority of his intention to harvest forest reproductive material at least 3 business days prior to harvesting with the appointment of a responsible person in order to allow the competent authority to organise controls.***

***(3) Professional operators shall supply the competent authority with records documenting the harvest of the FRM.***

***(4) The 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 prior to marketing or seeding.***

Or. xm

#### *Justification*

*The traceability of the FRM is essential for safe sourcing and control. Removal of the FRM from the place of harvest is not permissible without a master certificate, and a person responsible for the harvest at the harvesting company must be named. The harvest must be registered at least 3 working days in advance to enable inspection. It must also be documented. Intensive mixing of the harvested material from the various harvested trees shall ensure that the genetic diversity of the harvest is reflected in each harvest batch.*

## **Amendment 194**

**Ulrike Müller**

**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) The professional operator shall notify the competent authority of his intention to harvest forest reproductive material at least 3 business days prior to harvesting with the appointment of a responsible person in order to allow the competent authority to organise controls.***

***(3) Professional operators shall supply the competent authority with records documenting the harvest of the FRM.***

***(4) The 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 prior to marketing or seeding.***

Or. en

**Amendment 195**

**Martin Häusling**

on behalf of the Verts/ALE Group

**Proposal for a regulation**

**Article 14 – paragraph 1 – subparagraph 1**

*Text proposed by the Commission*

*Amendment*

The competent authorities shall issue, upon application of a professional operator, after harvesting the FRM from approved basic material, a master certificate of identity

The competent authorities shall issue, upon application of a professional operator, after harvesting the FRM from approved basic material, a master certificate of identity

(‘master certificate’), showing the unique register reference of basic material, for all FRM that has been harvested.

(‘master certificate’), showing the unique register reference of basic material, for all FRM that has been harvested.

***The professional operator shall notify to the Competent Authority the intended harvest at least three business days before the harvest takes place.***

Or. en

**Amendment 196**  
**Ulrike Müller**

**Proposal for a regulation**  
**Article 14 – paragraph 1 – subparagraph 1**

*Text proposed by the Commission*

The competent authorities shall issue, upon application of a professional operator, after harvesting the FRM from approved basic material, a master certificate of identity (‘master certificate’), showing the unique register reference of basic material, for all FRM that has been harvested.

*Amendment*

The competent authorities shall issue, upon application of a professional operator, ***before FRM is removed from the place of harvest*** after harvesting the FRM from approved basic material, a master certificate of identity (‘master certificate’), showing the unique register reference of basic material, for all FRM that has been harvested.

Or. en

**Amendment 197**  
**Marlene Mortler, Norbert Lins, Peter Jahr**

**Proposal for a regulation**  
**Article 14 – paragraph 1 – subparagraph 1**

*Text proposed by the Commission*

The competent authorities shall issue, upon application of a professional operator, after harvesting the FRM from approved basic material, a master certificate of identity (‘master certificate’), showing the unique register reference of basic material, for all

*Amendment*

The competent authorities shall issue, upon application of a professional operator, ***before FRM is removed from the place of harvest*** after harvesting the FRM from approved basic material, a master certificate of identity (‘master certificate’), showing the unique register reference of



FRM that has been harvested.

basic material, for all FRM that has been harvested.

Or. en

**Amendment 198**

**Martin Häusling**

on behalf of the Verts/ALE Group

**Proposal for a regulation**

**Article 14 – paragraph 1 – subparagraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

***For the harvest of the FRM the professional operator shall provide the following information to the Competent Authority:***

- 1) the place and time of the harvest***
- 2) name and address of the owner who shall supervise the harvest***
- 3) if relevant, collection point.***

Or. en

**Amendment 199**

**Ulrike Müller**

**Proposal for a regulation**

**Article 14 – paragraph 1 – subparagraph 2**

*Text proposed by the Commission*

*Amendment*

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

The master certificate shall attest ***that it is deriving from approved basic material.***

Or. en

**Amendment 200**

**Marlene Mortler, Norbert Lins, Peter Jahr**

**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 *that it is deriving from approved basic material*.

Or. en

**Amendment 201**

**Martin Häusling**

on behalf of the Verts/ALE Group

**Proposal for a regulation**

**Article 14 – paragraph 1 – subparagraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

*Each Member State shall establish and update a national list of issued master certificates and make this list available to the European Commission and national competent authorities of all other Member States.*

*The European Commission shall provide a database into which the Member States can enter their national data.*

Or. en

**Amendment 202**

**Ulrike Müller**

**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.*

Or. en

**Amendment 203**

**Marlene Mortler, Norbert Lins, Peter Jahr**

**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.**

Or. xm

*Justification*

*The master certificate must be issued prior to removal from the place of harvest. The master certificate only certifies that the material originates from an authorised source material, but not that it fulfils all the authorisation criteria. No reference is made to a model certificate for mixtures.*

**Amendment 204**

**Marlene Mortler, Norbert Lins, Peter Jahr**

**Proposal for a regulation**

**Article 14 – paragraph 4 a (new)**

*Text proposed by the Commission*

*Amendment*

**4a. In case of a mixture the professional operator has to announce at least 3 business days prior the mixing in order to allow the competent authority to supervise the mixing process.**

Or. xm

*Justification*

*Mixtures of seeds must also be announced 3 working days in advance so as to enable oversight by the competent authority.*

**Amendment 205**

**Ulrike Müller**

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

*Text proposed by the Commission*

*Amendment*

**4a. In case of a mixture the professional operator has to announce at least 3 business days prior the mixing in order to allow the competent authority to supervise the mixing process.**

Or. en

**Amendment 206**  
**Martin Häusling**  
on behalf of the Verts/ALE Group

**Proposal for a regulation**  
**Article 14 – paragraph 5 – subparagraph 1**

*Text proposed by the Commission*

*Amendment*

A master certificate may also be issued in an electronic form ('electronic master certificate').

A master certificate may also be issued in an electronic form ('electronic master certificate').

**When the master certificate is delivered in an electronic form, the professional operator shall make the master certificate available to the potential buyers, before purchasing the FRM.**

Or. en

**Amendment 207**  
**Martin Häusling**  
on behalf of the Verts/ALE Group

**Proposal for a regulation**  
**Article 14 – paragraph 5 a (new)**

*Text proposed by the Commission*

*Amendment*

**5a. The master certificate shall be subject to a traceability period of at least 10 years**

**Amendment 208**  
**Ulrike Müller**

**Proposal for a regulation**  
**Article 14 – paragraph 6 – point b**

*Text proposed by the Commission*

(b) establishment of a centralised platform that connects all the Member States and the Commission, to facilitate the processing of, access to and use of those records.

*Amendment*

(b) establishment of a centralised platform that connects all the Member States and the Commission, to facilitate the processing of, access to and use of those records. ***Each Member State shall establish and update a national list of issued master certificates and make it available to the Commission and national authorities.***

**Amendment 209**  
**Marlene Mortler, Norbert Lins, Peter Jahr**

**Proposal for a regulation**  
**Article 14 – paragraph 6 – point b**

*Text proposed by the Commission*

(b) establishment of a centralised platform that connects all the Member States and the Commission, to facilitate the processing of, access to and use of those records.

*Amendment*

(b) establishment of a centralised platform that connects all the Member States and the Commission, to facilitate the processing of, access to and use of those records. ***Each Member State shall establish and update a national list of issued master certificates and make it available to the Commission and national authorities.***

*Justification*

*Access to master certificates would greatly facilitate monitoring across Member State*

*borders.*

#### **Amendment 210**

**Marlene Mortler, Norbert Lins, Peter Jahr**

#### **Proposal for a regulation**

#### **Article 15 – paragraph 1 – subparagraph 1**

##### *Text proposed by the Commission*

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

##### *Amendment*

FRM shall, during all stages of production, be kept separated by reference to ***the master certificate*** 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 approval and marketed in lots that shall be sufficiently homogeneous and identified as distinct from other lots of FRM.

Or. en

#### **Amendment 211**

**Ulrike Müller**

#### **Proposal for a regulation**

#### **Article 15 – paragraph 1 – subparagraph 1**

##### *Text proposed by the Commission*

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

##### *Amendment*

FRM shall, during all stages of production, be kept separated by reference to ***the master certificate*** 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 approval and marketed in lots that shall be sufficiently homogeneous and identified as distinct from other lots of FRM.

Or. en

**Amendment 212**  
**Ulrike Müller**

**Proposal for a regulation**

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

*Text proposed by the Commission*

*Amendment*

(-a) *purpose;*

Or. en

**Amendment 213**  
**Irène Tolleret, Elsi Katainen**

**Proposal for a regulation**

**Article 15 – paragraph 1 – subparagraph 2 – point a**

*Text proposed by the Commission*

*Amendment*

(a) lot *number*;

(a) lot *code*;

Or. en

*Justification*

*In line with the amendment 8 of the rapporteur.*

**Amendment 214**  
**Isabel Carvalhais**

**Proposal for a regulation**

**Article 15 – paragraph 1 – subparagraph 2 – point a**

*Text proposed by the Commission*

*Amendment*

(a) lot *number*;

(a) lot *code*;

Or. en

**Amendment 215**  
**Marlene Mortler, Norbert Lins, Peter Jahr**

**Proposal for a regulation**

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

*Text proposed by the Commission*

*Amendment*

(aa) ***purpose;***

Or. en

**Amendment 216**

**Ulrike Müller**

**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;

Or. en

**Amendment 217**

**Marlene Mortler, Norbert Lins, Peter Jahr**

**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;

Or. en

**Amendment 218**

**Marlene Mortler, Norbert Lins, Peter Jahr**

**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, and the number of germinable***



***seeds per kilogram (Article 5 (1)(h)) and  
name of the seed test station;***

Or. xm

*Justification*

*The FRM must be kept separately in line with the individual master certificates (harvests) and not the source material. The additional information listed for seeds is important information for both the buyer and for the purposes of checks.*

**Amendment 219**

**Ulrike Müller**

**Proposal for a regulation**

**Article 15 – paragraph 1 – subparagraph 2 – point i**

*Text proposed by the Commission*

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

*Amendment*

(i) in the case of seed units, the year of ripening, ***purity, germination percentage of the pure seed, weight of 1000 pure seeds, and the number of germinable seeds per kilogram (Article 5 (1)(h)) and name of the seed test station;***

Or. en

**Amendment 220**

**Martin Häusling**

on behalf of the Verts/ALE Group

**Proposal for a regulation**

**Article 15 – paragraph 1 – subparagraph 2 – point i**

*Text proposed by the Commission*

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

*Amendment*

(i) in the case of seed units, the year of ripening ***and furthermore, information in accordance with article 5(1)(h) ;***

Or. en

**Amendment 221**

**Martin Häusling**

on behalf of the Verts/ALE Group

**Proposal for a regulation**

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

*Text proposed by the Commission*

*Amendment*

***(iia) if applicable, the intellectual  
property rights existing on the FRM***

Or. en

**Amendment 222**

**Ulrike Müller**

**Proposal for a regulation**

**Article 15 – paragraph 3 – subparagraph 1 – introductory part**

*Text proposed by the Commission*

*Amendment*

Without prejudice to paragraph 1, the  
mixing of **FRM** shall be subject to the  
following conditions, ***as appropriate***:

Without prejudice to paragraph 1, the  
mixing of ***seeds*** shall be subject to the  
following conditions:

Or. en

**Amendment 223**

**Ulrike Müller**

**Proposal for a regulation**

**Article 15 – paragraph 3 – subparagraph 1 – point -a (new)**

*Text proposed by the Commission*

*Amendment*

***(-a) at least one purpose is matched.  
The new combined lot must be certified  
with the matching purposes and***

Or. en

**Amendment 224**

Ulrike Müller

**Proposal for a regulation**

**Article 15 – paragraph 3 – subparagraph 1 – point -a a (new)**

*Text proposed by the Commission*

*Amendment*

*(-aa) as appropriate:*

*(i) within the ‘source-identified’ or ‘selected’ categories, mixing shall apply to seeds derived from two or more units of approval within a single region of provenance;*

*(ii) in the case of mixing of seeds within a single region of provenance, from seed sources and stands in the ‘source-identified category, the new combined lot shall be certified as ‘FRM derived from a seed source’;*

*(iii) in the case of mixing of seeds derived from non-autochthonous or non-indigenous basic material with that from basic material of unknown origin, the new combined lot shall be certified as being ‘of unknown origin’;*

*(iv) in the case of mixing of seeds derived from a single unit of approval from different years of ripening, the actual years of ripening and proportion of seeds from each year shall be recorded.*

Or. en

**Amendment 225**

Ulrike Müller

**Proposal for a regulation**

**Article 15 – paragraph 3 – subparagraph 1 – point a**

*Text proposed by the Commission*

*Amendment*

*(a) within the ‘source-identified’ or ‘selected’ categories, mixing shall apply to FRM derived from two or more units of approval within a single region of* *deleted*

*provenance;*

Or. en

*Justification*

*Re-introduced as point (i) in (-aa).*

**Amendment 226**  
**Ulrike Müller**

**Proposal for a regulation**  
**Article 15 – paragraph 3 – subparagraph 1 – point b**

*Text proposed by the Commission*

*Amendment*

**(b) in the case of mixing of FRM within a single region of provenance, from seed sources and stands in the ‘source-identified category, the new combined lot shall be certified as ‘FRM derived from a seed source’;** **deleted**

Or. en

*Justification*

*Re-introduced as point (ii) in (-aa).*

**Amendment 227**  
**Ulrike Müller**

**Proposal for a regulation**  
**Article 15 – paragraph 3 – subparagraph 1 – point c**

*Text proposed by the Commission*

*Amendment*

**(c) in the case of mixing of FRM derived from non-autochthonous or non-indigenous basic material with that from basic material of unknown origin, the new combined lot shall be certified as being ‘of unknown origin’;** **deleted**

Or. en

*Justification*

*Re-introduced as point (iii) in (-aa).*

**Amendment 228**

**Ulrike Müller**

**Proposal for a regulation**

**Article 15 – paragraph 3 – subparagraph 1 – point d**

*Text proposed by the Commission*

*Amendment*

***(d) in the case of mixing of FRM  
derived from a single unit of approval  
from different years of ripening, the  
actual years of ripening and proportion of  
FRM from each year shall be recorded.*** ***deleted***

Or. en

*Justification*

*Re-introduced as point (iv) in (-aa).*

**Amendment 229**

**Ulrike Müller**

**Proposal for a regulation**

**Article 15 – paragraph 3 – subparagraph 2**

*Text proposed by the Commission*

*Amendment*

In the case of mixing in accordance with the first subparagraph, points ***(a), (b) or (c)***, the identity code for the region of provenance may be substituted for the register reference as in paragraph 1, point (f).

In the case of mixing in accordance with the first subparagraph, points ***(i), (ii) or (iii)***, the identity code for the region of provenance may be substituted for the register reference as in paragraph 1, point (f). ***The resulting lot must be mixed in such a way that it is homogeneous.***

Or. en

**Amendment 230**

**Martin Häusling**

on behalf of the Verts/ALE Group

**Proposal for a regulation**  
**Article 15 – paragraph 3 a (new)**

*Text proposed by the Commission*

*Amendment*

**3a. The Commission shall, by means of an implementing act, adopt the provisions for paragraph (1) and specify the conditions in paragraph (3) per tree species and artificial hybrids of Annex I.**

Or. en

**Amendment 231**  
**Martin Hlaváček**

**Proposal for a regulation**  
**Article 16**

*Text proposed by the Commission*

*Amendment*

**[...]**

**deleted**

Or. en

**Amendment 232**  
**Irène Tolleret, Elsi Katainen**

**Proposal for a regulation**  
**Article 16 – paragraph 1**

*Text proposed by the Commission*

*Amendment*

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.

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

Or. en

**Amendment 233**  
**Ulrike Müller**

**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. *A supplier* label shall be issued by the *responsible natural person of the professional operator* for every lot of FRM attesting that FRM *is deriving from a lot (according to Articles 5 and 15)*.

Or. en

**Amendment 234**  
**Marlene Mortler, Norbert Lins, Peter Jahr**

**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. *A supplier* label shall be issued by the *responsible natural person of the professional operator* for every lot of FRM attesting that FRM *is deriving from a lot (according to Articles 5 and 15)*.

Or. xm

*Justification*

*It is neither feasible nor necessary to issue an official label for each batch. The label should be issued by the traders themselves. Therefore, the term 'official label' should be replaced by 'supplier label' in all cases. This label can only be used to confirm that the material originates from a specific lot of seeds or plants. Traders cannot provide proof that the source stock fulfils the approval criteria.*

**Amendment 235**  
**Isabel Carvalhais**

**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. Competent authority *must determine previously, based on an audit, if the operator possesses sufficient competence, infrastructure and resources to issue the official label.*

Or. en

## Amendment 236

Marlene Mortler, Norbert Lins, Peter Jahr

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

*Amendment*

*deleted*

Or. en

## Amendment 237

Ulrike Müller

### 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*

*Amendment*

*deleted*



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

Or. en

**Amendment 238**  
**Isabel Carvalhais**

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

*Amendment*

2. *An official label shall be issued by the authorized professional operators for every lot of FRM attesting compliance of that FRM with the requirements referred to in Article 5.*

Or. en

**Amendment 239**  
**Irène Tolleret**

**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*

*Amendment*

2. *The official label shall be printed by:*

***FRM with the requirements referred to in Article 5. The professional operator is authorised to print that label, if, on the basis of an audit, the competent authority has concluded that the operator possesses the infrastructure and resources to print the official label.***

- (a) the competent authority, if so requested by the professional operator, or***
- (b) the professional operator, under the official supervision of the competent authority, or***
- (c) a third party acting under the responsibility of the professional operator.***

Or. en

**Amendment 240**  
**Isabel Carvalhais**

**Proposal for a regulation**  
**Article 16 – paragraph 3 – subparagraph 1**

*Text proposed by the Commission*

The competent authority shall carry out regular controls to check whether the professional operator complies with the requirements referred to in paragraph 2.

*Amendment*

The competent authority shall carry out regular controls to check whether the professional operator complies with the requirements referred to in paragraph ***1***.

Or. en

**Amendment 241**  
**Isabel Carvalhais**

**Proposal for a regulation**  
**Article 16 – paragraph 3 – subparagraph 2**

*Text proposed by the Commission*

Where, after having granted the authorisation referred to in paragraph 2, the competent authority finds that a professional operator does not fulfil the

*Amendment*

Where, after having granted the authorisation referred to in paragraph ***1***, the competent authority finds that a professional operator does not fulfil the

requirements referred to in that paragraph, it shall without delay withdraw, or modify as appropriate, the authorisation.

requirements referred to in that paragraph, it shall without delay withdraw, or modify as appropriate, the authorisation.

Or. en

**Amendment 242**  
**Irène Tolleret**

**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 ("the supplier's label or document") mentioning the information required in the said article*** shall contain all the following information:

Or. en

**Amendment 243**  
**Ulrike Müller**

**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 operator ***(including address and registration number of professional operator) and of the recipient (including address)***;

Or. en

**Amendment 244**  
**Marlene Mortler, Norbert Lins, Peter Jahr**

**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 operator ***(including address and registration number of professional operator) and of the recipient (including address)***;

Or. xm

*Justification*

*In order to be able to trace the travel itinerary of the FRM during a check, the recipient must also be specified.*

**Amendment 245**  
**Irène Tolleret**

**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.***

Or. en

**Amendment 246**  
**Ulrike Müller**

**Proposal for a regulation**  
**Article 16 – paragraph 4 a (new)**

*Text proposed by the Commission*

*Amendment*

***4a. The information provided must be kept permanently and forgery-proof. To this end, the information on the label must be included in full in the invoice. The invoice must be kept for at least 10 years. The period begins at the end of the year in which the documents to be***

*retained were created or incurred.  
Revisions-proof documentation of all  
FRM goods processes as well as the filling  
of all other documents that are necessary  
for the competent authority to check  
compliance with the provisions of this  
regulation.*

Or. en

**Amendment 247**

**Marlene Mortler, Norbert Lins, Peter Jahr**

**Proposal for a regulation**

**Article 16 – paragraph 4 a (new)**

*Text proposed by the Commission*

*Amendment*

*4a. The information provided must be kept permanently and forgery-proof. To this end, the information on the label must be included in full in the invoice. The invoice must be kept for at least 10 years. The period begins at the end of the year in which the documents to be retained were created or incurred. Revisions-proof documentation of all FRM goods processes as well as the filling of all other documents that are necessary for the competent authority to check compliance with the provisions of this regulation.*

Or. xm

*Justification*

*This information can only be available for the purposes of checks if it is included in the invoice.*

**Amendment 248**

**Irène Tolleret**

**Proposal for a regulation**

**Article 16 – paragraph 5 – subparagraph 1 – introductory part**

*Text proposed by the Commission*

The Commission shall, by means of implementing acts, set out the following elements concerning the official label:

*Amendment*

The Commission shall, by means of implementing acts, set out the following elements concerning the official label ***or another document from the supplier ("the supplier's label or document")*** :

Or. en

**Amendment 249**

**Anne Sander**

**Proposal for a regulation**

**Article 16 – paragraph 5 – subparagraph 1 – point c**

*Text proposed by the Commission*

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

*Amendment*

***deleted***

Or. fr

**Amendment 250**

**Martin Häusling**

on behalf of the Verts/ALE Group

**Proposal for a regulation**

**Article 16 – paragraph 5 – subparagraph 1 – point c**

*Text proposed by the Commission*

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

*Amendment*

***deleted***

Or. en

*Justification*

*Colour coding the labels will be overly burdensome for no obvious results, as all needed information is clearly stated on the label.*

**Amendment 251**

**Irène Tolleret**

**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**

Or. en

*Justification*

*This proposal is not technically feasible in a context of diversification where several species of several categories will be needed for reforestation, without any added value for the final consumer, the forest owner.*

**Amendment 252**

**Martin Häusling**

on behalf of the Verts/ALE Group

**Proposal for a regulation**

**Article 16 – paragraph 5 – subparagraph 1 – point d a (new)**

*Text proposed by the Commission*

*Amendment*

**(da) indication as to whether the material is product of genetic modification under Directive 2001/18/EC or from NGTs [insert name of reg here ..]**

Or. en

**Amendment 253**

**Daniel Buda**

**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. ***Making it a condition that the packaging become***

*unserviceable once opened ensures that users are aware of any tampering with the seeds and encourages them to use the entire content properly, thereby avoiding the seeds being stored incorrectly or used when they are likely to have spoiled.*

Or. ro

**Amendment 254**  
**Martin Häusling**  
on behalf of the Verts/ALE Group

**Proposal for a regulation**  
**Article 17 – paragraph 1**

*Text proposed by the Commission*

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

*Amendment*

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

*To prevent putrefaction of the FRM, the packaging of the sealed package may be adapted to the needs of the respective FRM.*

Or. en

**Amendment 255**  
**Ulrike Müller**

**Proposal for a regulation**  
**Article 18**

*Text proposed by the Commission*

**Article 18**

*Derogation from the obligation to be approved for basic material intended for the purpose of conserving forest genetic resources*

*1. By way of derogation from Article 4(1) and (2), the registration of basic material intended for the purpose of conserving*

*Amendment*

*deleted*



*forest genetic resources in the national register shall not be subject to approval by the competent authorities.*

*2. Any professional operator registering basic material for the purpose of conserving forest genetic resources used in forestry, shall notify that basic material to the competent authority of the Member State concerned.*

*3.*

*Basic material referred to in paragraph 1 shall be notified to the competent authorities in accordance with the format of FOREMATIS.*

*The notification of the basic material shall be carried out with reference to the unit of notification.*

*Each unit of notification shall be identified by a unique register reference in a national register.*

*That notification shall contain the following information:*

*(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.*

***4. The Commission may, by means of implementing acts, establish the specific conditions as regards the requirements and content of that notification. Those implementing acts shall take account of the development of applicable international standards and shall be adopted in accordance with the examination procedure referred to in Article 27(2).***

Or. en

#### **Amendment 256**

**Marlene Mortler, Norbert Lins, Peter Jahr**

#### **Proposal for a regulation Article 18**

*Text proposed by the Commission*

*Amendment*

#### ***Article 18***

***deleted***

***Derogation from the obligation to be approved for basic material intended for the purpose of conserving forest genetic resources***

***1. By way of derogation from Article 4(1) and (2), the registration of basic material intended for the purpose of conserving forest genetic resources in the national register shall not be subject to approval by the competent authorities.***

***2. Any professional operator registering basic material for the purpose of conserving forest genetic resources used in forestry, shall notify that basic material to the competent authority of the Member State concerned.***

***3.***

***Basic material referred to in paragraph 1 shall be notified to the competent authorities in accordance with the format of FOREMATIS.***

*The notification of the basic material shall be carried out with reference to the unit of notification.*

*Each unit of notification shall be identified by a unique register reference in a national register.*

*That notification shall contain the following information:*

*(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.*

*4. The Commission may, by means of implementing acts, establish the specific conditions as regards the requirements and content of that notification. Those implementing acts shall take account of the development of applicable international standards and shall be adopted in accordance with the examination procedure referred to in Article 27(2).*

Or. xm

## *Justification*

*Not required, as authorisation with a view to ‘conserving forest genetic resources’ can be granted by the authority as source-protected.*

### **Amendment 257**

**Irène Tolleret**

### **Proposal for a regulation**

#### **Article 18**

*Text proposed by the Commission*

*Amendment*

#### **Article 18**

**deleted**

***Derogation from the obligation to be approved for basic material intended for the purpose of conserving forest genetic resources***

***1. By way of derogation from Article 4(1) and (2), the registration of basic material intended for the purpose of conserving forest genetic resources in the national register shall not be subject to approval by the competent authorities.***

***2. Any professional operator registering basic material for the purpose of conserving forest genetic resources used in forestry, shall notify that basic material to the competent authority of the Member State concerned.***

***3.***

***Basic material referred to in paragraph 1 shall be notified to the competent authorities in accordance with the format of FOREMATIS.***

***The notification of the basic material shall be carried out with reference to the unit of notification.***

***Each unit of notification shall be identified by a unique register reference in a national register.***

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

- (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.*

*4. The Commission may, by means of implementing acts, establish the specific conditions as regards the requirements and content of that notification. Those implementing acts shall take account of the development of applicable international standards and shall be adopted in accordance with the examination procedure referred to in Article 27(2).*

Or. en

#### *Justification*

*This article could lead to the spread of MRFs whose quality would be defined unilaterally by the suppliers and without scientific validity, and therefore with a risk of quality regression compared to the current situation.*

**Amendment 258**  
**Martin Hlaváček**

**Proposal for a regulation**  
**Article 18**

*Text proposed by the Commission*

*Amendment*

**Article 18**

*deleted*

***Derogation from the obligation to be approved for basic material intended for the purpose of conserving forest genetic resources***

***1. By way of derogation from Article 4(1) and (2), the registration of basic material intended for the purpose of conserving forest genetic resources in the national register shall not be subject to approval by the competent authorities.***

***2. Any professional operator registering basic material for the purpose of conserving forest genetic resources used in forestry, shall notify that basic material to the competent authority of the Member State concerned.***

***3.***

***Basic material referred to in paragraph 1 shall be notified to the competent authorities in accordance with the format of FOREMATIS.***

***The notification of the basic material shall be carried out with reference to the unit of notification.***

***Each unit of notification shall be identified by a unique register reference in a national register.***

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

***(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.*

*4. The Commission may, by means of implementing acts, establish the specific conditions as regards the requirements and content of that notification. Those implementing acts shall take account of the development of applicable international standards and shall be adopted in accordance with the examination procedure referred to in Article 27(2).*

Or. en

## **Amendment 259**

**Martin Häusling**

on behalf of the Verts/ALE Group

### **Proposal for a regulation**

#### **Article 18 – paragraph 1**

##### *Text proposed by the Commission*

1. By way of derogation from Article 4(1) and (2), the registration of basic material intended for the purpose of conserving forest genetic resources in the national register **shall** not be subject to approval by the competent authorities.

##### *Amendment*

1. By way of derogation from Article 4(1) and (2), the registration of basic material intended for the purpose of conserving forest genetic resources in the national register **may** not be subject to approval by the competent authorities.

Or. en

### *Justification*

*Member States should be able to decide for themselves if and to whom they grant an authorisation.*

#### **Amendment 260**

**Martin Häusling**

on behalf of the Verts/ALE Group

#### **Proposal for a regulation**

##### **Article 18 – paragraph 2**

###### *Text proposed by the Commission*

2. *Any* professional operator registering basic material for the purpose of conserving forest genetic resources used in forestry, shall notify that basic material to the competent authority of the Member State concerned.

###### *Amendment*

2. ***In the case, the Competent Authority has issued an authorisation under paragraph (1), the*** professional operator registering basic material for the purpose of conserving forest genetic resources used in forestry, shall notify that basic material to the competent authority of the Member State concerned ***at least three business days before the harvest takes place.***

Or. en

#### **Amendment 261**

**Martin Häusling**

on behalf of the Verts/ALE Group

#### **Proposal for a regulation**

##### **Article 18 – paragraph 2 a (new)**

###### *Text proposed by the Commission*

###### *Amendment*

***2a. For the harvest of the FRM the professional operator shall provide the following information to the Competent Authority:***

***1) the place and time of the harvest***

***2) name and address of the owner who shall supervise the harvest***

***3) if relevant, collection point.***



**Amendment 262**  
**Martin Hlaváček**

**Proposal for a regulation**  
**Article 19**

*Text proposed by the Commission*

*Amendment*

**Article 19**

**deleted**

***Approval by professional operators of basic material intended for the production of FRM of the source-identified category***

***By way of derogation from Article 4(1) and (2), Member States may authorise professional operators to approve, for certain species, basic material intended for the production of FRM of the source-identified category, if the following conditions are fulfilled:***

***(a) the region of provenance, where the basic material is located, is subject to extreme weather conditions; and***

***(b) those weather conditions have an impact on the reproductive cycle of the basic material and decrease the frequency of harvesting FRM from that basic material.***

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

**Amendment 263**  
**Irène Tolleret**

**Proposal for a regulation**  
**Article 19**

*Text proposed by the Commission*

*Amendment*

**Article 19**

**deleted**

*Approval by professional operators of basic material intended for the production of FRM of the source-identified category*

*By way of derogation from Article 4(1) and (2), Member States may authorise professional operators to approve, for certain species, basic material intended for the production of FRM of the source-identified category, if the following conditions are fulfilled:*

*(a) the region of provenance, where the basic material is located, is subject to extreme weather conditions; and*

*(b) those weather conditions have an impact on the reproductive cycle of the basic material and decrease the frequency of harvesting FRM from that basic material.*

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

Or. en

#### *Justification*

*It is important to ensure a high level of quality, all the more so because, in the case of MRFs, the visible effects of quality only become apparent after a long time in the forest.*

#### **Amendment 264**

**Martin Häusling**

on behalf of the Verts/ALE Group

#### **Proposal for a regulation**

**Article 19 – paragraph 1 – point b – point i (new)**

*Text proposed by the Commission*

*Amendment*

*i) The professional operator shall fulfil the relevant requirements under article 10, 10 (new) and article 14 to 17.*

Or. en

**Amendment 265**  
**Martin Häusling**  
on behalf of the Verts/ALE Group

**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 subject to approval by the **Competent Authority of the Member State**.

Or. en

**Amendment 266**  
**Elsi Katainen**

**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.

Or. en

*Justification*

*The authorization shall not be subjected to the approval by the Commission since the Member States have the best knowledge when there is a need for harvesting this kind of material.*

**Amendment 267**  
**Isabel Carvalhais**

**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 by** the Commission.

Or. en

**Amendment 268**  
**Martin Häusling**  
on behalf of the Verts/ALE Group

**Proposal for a regulation**  
**Article 20**

*Text proposed by the Commission*

*Amendment*

**Article 20**

**deleted**

***Provisional approval of basic material  
intended for the production of FRM of the  
tested category***

***By way of derogation from Article 4(2),  
Member States may allow the approval,  
for a maximum period of 10 years, in all  
or part of their territory, of basic material  
intended for the production of FRM of the  
'tested' category where, from the  
provisional results of the genetic  
evaluation or comparative tests referred to  
in Annex V, it can be assumed that once  
the tests are completed, the basic material  
will satisfy the requirements for approval  
under this Regulation.***

Or. en

*Justification*

*The approval procedures for FRM are quite demanding. There is no justification for tested material which risk profile for the environment has not been assessed to be provisionally used as a seed source for FRM.*

**Amendment 269**  
**Martin Häusling**  
on behalf of the Verts/ALE Group

**Proposal for a regulation**  
**Article 21 – paragraph 1**

*Text proposed by the Commission*

*Amendment*

1. In order to overcome any temporary difficulties in the general supply of FRM

1. In order to overcome any temporary difficulties in the general supply of FRM

that occur in one or more Member States, the Commission may, at the request of at least one Member States affected, temporarily authorise the Member States to approve for marketing, by means of an implementing act, FRM of one or more species that has been derived from basic material, which satisfies less stringent requirements than the ones set out in Article 4(1) and (2).

that occur in one or more Member States, the Commission may, at the request of at least one Member States affected, temporarily authorise the Member States to approve for marketing, by means of an implementing act, FRM of one or more species that has been derived from basic material, which satisfies less stringent requirements than the ones set out in Article 4(1) and (2).

***The professional operator shall fulfil the relevant requirements under articles 10 and 10 (a) and under articles 14 to 17.***

Or. en

#### **Amendment 270**

**Martin Häusling**

on behalf of the Verts/ALE Group

#### **Proposal for a regulation**

#### **Article 22**

*Text proposed by the Commission*

*Amendment*

#### ***Article 22***

***deleted***

***Temporary experiments to seek improved alternatives to provisions of this Regulation***

***1.***

***By way of derogation from Articles, 1, 4 and 5, the Commission may decide, by means of implementing acts, on the organisation of temporary experiments to seek improved alternatives to provisions of this Regulation concerning the species or artificial hybrids it applies to, the requirements for the approval of basic material and the production and marketing of FRM.***

***Those experiments may take the form of technical or scientific trials examining the feasibility and appropriateness of new requirements compared to the ones set out***

*in Articles 1, 4 and 5 of this Regulation.*

**2.**

*The implementing acts referred to in paragraph 1 shall be adopted in accordance with the examination procedure referred to in Article 27(2) and shall specify one or more of the following elements:*

*(a) the species or artificial hybrids concerned;*

*(b) the conditions of the experiments per species or artificial hybrid;*

*(c) the duration of the experiment;*

*(d) the monitoring and reporting obligations of the participating Member States.*

*Those acts shall take into account the evolution of:*

*(a) the methods for the determination of the origin of the basic material including the use of biomolecular techniques;*

*(b) the methods for the conservation and sustainable use of forest genetic resources taking into account applicable international standards;*

*(c) the methods for reproduction, production including the use of innovative production processes;*

*(d) the methods for the design of crossing schemes of components of basic material;*

*(e) the methods for the assessment of characteristics of basic material and FRM;*

*(f) the methods for the control of the FRM concerned.*

*Those acts shall adapt to the evolution of techniques for production of the FRM concerned, and be based on any comparative trials and tests carried out by the Member States.*

**3. The Commission shall review the results of those experiments and**

*summarise them in a report, indicating, if necessary, the need to amend Articles 1, 4 or 5.*

Or. en

#### *Justification*

*Operators need to have clarity over these provisions to give them legal certainty for their business. From this perspective, it is problematic that many of the key provisions have been left to secondary legislation. There is no need to give the Commission both delegated and implementing powers with regards to production requirements related to standard PRM. Any changes to a delegated act under this article, should be subject to an impact assessment process.*

#### **Amendment 271**

**Martin Häusling**

on behalf of the Verts/ALE Group

#### **Proposal for a regulation**

#### **Article 22 a (new)**

*Text proposed by the Commission*

*Amendment*

#### **Article 22a**

##### ***Prohibition of specified reproductive material by Member States***

***1. Upon its application, a Member State may be authorised to prohibit the marketing to the end user with a view to seeding or planting in all or part of its territory of specified Forest reproductive material.***

***2. Such authorisation shall be granted only where there is reason to believe:***

***(a) that the use of the said reproductive material would, on account of its phenotypic or genetic characteristics, have an adverse effect on forestry, environment, genetic resources or biodiversity in all or part of that Member State on the basis of:***

***— evidence relating to the region of provenance or the origin of the material or,***

*— results of trials or scientific research carried out in appropriate locations, either within or outside the Community.*

*(b) on the basis of known results of trials, scientific research, or the results obtained from forestry practice concerning survival and development of planting stock in relation to morphological and physiological characteristics that the use of the said reproductive material would, on account of its characteristics have an adverse effect on forestry, environment, genetic resources or biodiversity in all or part of that Member State.*

*3. Detailed rules for the application of paragraph 2 shall be drawn up in accordance with the procedure referred to in Article 27(3).*

Or. en

#### *Justification*

*This possibility for member States to ban on their territory specific FRM that are not adapted to their national conditions exist in Directive 1999/105/EC and should be kept.*

#### **Amendment 272**

**Irène Tolleret**

#### **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 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*

##### *Amendment*

1. Member States *may*, as regards the conditions laid down in Annexes II to V and VII, impose additional or more stringent requirements for the approval of basic material and production of reproductive material in their own territory.



**Article 27(2).**

Or. en

*Justification*

*By removing the possibility for Member States to restrict the approval of certain basic materials and prohibit the marketing of certain FRMs to end users, the new Regulation will transfer a significant part of the responsibility to suppliers and the risk to the end user, who will not know whether the area of origin or the selection characteristics of the FRM are well suited to their needs.*

**Amendment 273**

**Daniel Buda, Dan-Ştefan Motreanu**

**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 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).

*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, ***and in accordance with the rules on transfer between regions of origin***. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 27(2).

Or. ro

**Amendment 274**

**Martin Häusling**

on behalf of the Verts/ALE Group

**Proposal for a regulation**

**Article 23 – paragraph 1**

*Text proposed by the Commission*

*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).

1. By way of derogation from Article 4, the Commission, by means of implementing acts, **shall** 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).

Or. en

**Amendment 275**

**Irène Tolleret**

**Proposal for a regulation**

**Article 23 – paragraph 2 – introductory part**

*Text proposed by the Commission*

*Amendment*

2. ***For the purpose of the authorisation referred to in paragraph 1, Member States shall submit to the Commission a request setting out:***

2. Member States ***may, in their territories, restrict the approval of basic material intended for the production of forest reproductive material of the category ‘source-identified’.***

Or. en

*Justification*

*By removing the possibility for Member States to restrict the approval of certain basic materials and prohibit the marketing of certain FRMs to end users, the new Regulation will transfer a significant part of the responsibility to suppliers and the risk to the end user, who will not know whether the area of origin or the selection characteristics of the FRM are well suited to their needs.*

**Amendment 276**

**Irène Tolleret**

**Proposal for a regulation**  
**Article 23 – paragraph 3**

*Text proposed by the Commission*

*Amendment*

**3. The authorisation referred to in paragraph 1 shall be granted only if all the following conditions are fulfilled:** **deleted**

**(a) the measures requested ensure at least one of the following:**

**(i) the improvement of the quality of the FRM concerned;**

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

**(b) the measures requested are necessary and proportionate to their objective pursuant to point (a); and**

**(c) the measures are justified on the basis of the specific climatic and ecological conditions in the Member State concerned.**

Or. en

*Justification*

*By removing the possibility for Member States to restrict the approval of certain basic materials and prohibit the marketing of certain FRMs to end users, the new Regulation will transfer a significant part of the responsibility to suppliers and the risk to the end user, who will not know whether the area of origin or the selection characteristics of the FRM are well suited to their needs.*

**Amendment 277**  
**Irène Tolleret**

**Proposal for a regulation**  
**Article 23 – paragraph 4**

*Text proposed by the Commission*

*Amendment*

**4. Where Member States have adopted additional or more stringent** **deleted**

*requirements pursuant to Article 7 of Directive 1999/105/EC, the Member States concerned shall, by ... [one year after the date of application of this Regulation], review those measures and repeal or amend those measures to comply with this Regulation.*

*They shall inform the Commission and the other Member States of those actions.*

Or. en

#### *Justification*

*By removing the possibility for Member States to restrict the approval of certain basic materials and prohibit the marketing of certain FRMs to end users, the new Regulation will transfer a significant part of the responsibility to suppliers and the risk to the end user, who will not know whether the area of origin or the selection characteristics of the FRM are well suited to their needs.*

#### **Amendment 278**

**Daniel Buda**

#### **Proposal for a regulation**

#### **Article 23 – paragraph 4 a (new)**

*Text proposed by the Commission*

*Amendment*

**4a. At the request of a Member State, the Commission may, as regards the requirements for the approval of basic material and the production of FRM, adopt restrictions on the use and transfer of FRM, in accordance with the rules on transfer between regions of origin and targeting different regions within the territory of two or more Member States.**

Or. ro

#### **Amendment 279**

**Daniel Buda**

#### **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.***

Or. ro

**Amendment 280**

**Martin Häusling**

on behalf of the Verts/ALE Group

**Proposal for a regulation**

**Article 24 – paragraph 3**

*Text proposed by the Commission*

3. When adopting the decisions referred to in paragraph 1, the Commission shall consider whether the systems, for approval and registration of basic material and subsequent production of FRM from that basic material, applied in the third country concerned provide the same guarantees as those provided for in Articles 4, 5 and, where applicable, Article 11, for the ‘source identified’, ‘selected’, ‘qualified’ and ‘tested’ categories.

*Amendment*

3. When adopting the decisions referred to in paragraph 1, the Commission shall consider whether the systems, for approval and registration of basic material and subsequent production of FRM from that basic material, applied in the third country concerned provide the same guarantees as those provided for in Articles 4, 5, **6** and, where applicable, Article 11, for the ‘source identified’, ‘selected’, ‘qualified’ and ‘tested’ categories.

Or. en

*Justification*

*It is important that foresters can import FRM for conservation purposes.*

**Amendment 281**

**Daniel Buda**

**Proposal for a regulation**

**Article 25 – paragraph 2 – point c – point 1 (new)**

*Text proposed by the Commission*

*Amendment*

**1) consent of the competent authority approving the import.**

Or. ro

**Amendment 282**

**Daniel Buda, Dan-Ştefan Motreanu**

**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 importation, which shall replace the master certificate or official certificate referred to in paragraph (2)(a) following the importation, or a certificate attesting to the existence of this new certificate;**

Or. ro

*Justification*

*This step is necessary to avert the risk of the import not being accepted by customs.*

**Amendment 283**

**Daniel Buda**

**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.*

Or. ro

#### **Amendment 284**

**Ulrike Müller**

#### **Proposal for a regulation**

#### **Article 28 – paragraph 1 – point a**

*Text proposed by the Commission*

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

*Amendment*

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

Or. en

#### **Amendment 285**

**Daniel Buda**

#### **Proposal for a regulation**

#### **Article 28 – paragraph 1 – point b**

*Text proposed by the Commission*

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

*Amendment*

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

Or. ro

#### **Amendment 286**

**Ulrike Müller**

#### **Proposal for a regulation**

#### **Article 31**

Regulation (EU) 2017/625

Article 1(2)

*Text proposed by the Commission*

*Amendment*

[...]

[...]

[...]

[...]

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Or. en

**Amendment 287**

**Marlene Mortler, Norbert Lins, Peter Jahr**

**Proposal for a regulation**

**Article 31**

Regulation (EU) 2017/625

Article 1

*Text proposed by the Commission*

*Amendment*

[...]

[...]

[...]

[...]

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Or. xm

*Justification*

*It has been decided not to bring the FRM under the scope of the Control Regulation Minimum standards for checks should instead be included in specialised legislation.*

**Amendment 288**

**Martin Häusling**

on behalf of the Verts/ALE Group



**Proposal for a regulation**  
**Article 33 – paragraph 2**

*Text proposed by the Commission*

It shall apply from ... [3 years after the date of entry into force of this Regulation].

*Amendment*

It shall apply from ... [5 years after the date of entry into force of this Regulation].

Or. en

*Justification*

*The implementation of the legislation must be carefully adapted in many areas. It is questionable that prudent and well thought-out implementation will be possible within only three years of the law being implemented.*

**Amendment 289**  
**Irène Tolleret**

**Proposal for a regulation**  
**Annex I – subheading 1**

*Text proposed by the Commission*

LIST OF TREE SPECIES AND  
ARTIFICIAL HYBRIDS

*Amendment*

LIST OF TREE SPECIES AND  
ARTIFICIAL HYBRIDS  
*(adding new ones)*  
*Abies bornmulleriana*  
*Acer campestre*  
*Alnus cordata - Juglans regia*  
*Eucalyptus globulus*  
*Eucalyptus gunnii*  
*Eucalyptus hybride gunnii x*  
*dalrympleana*  
*Eucalyptus nitens*  
*Juglans major x regia*  
*Juglans nigra*  
*Juglans nigra x regia*  
*Malus sylvestris*  
*Pinus taeda*  
*Populus nigra*  
*Populus tremula*  
*Sorbus domestica*  
*Sorbus torminalis*

Or. en

### *Justification*

*This annex is incomplete implying a risk of uncontrolled intra-Community imports of forestry materials that are not adapted to national climates.*

#### **Amendment 290**

**Elsi Katainen**

#### **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.

Or. en

#### **Amendment 291**

**Ulrike Müller**

#### **Proposal for a regulation**

#### **Annex II – Part B – point 3 – point b – paragraph 1 – introductory part**

##### *Text proposed by the Commission*

The **professional operator** shall determine either by historical evidence (bibliography, documentation kept by competent authorities, research institutes or any other organisations) or by other appropriate means (provenance trials), including internationally recognised bio-molecular techniques, whether the origin of the basic material is:

##### *Amendment*

The **competent authority** shall determine either by historical evidence (bibliography, documentation kept by competent authorities, research institutes or any other organisations) or by other appropriate means (provenance trials), including internationally recognised bio-molecular techniques, whether the origin of the basic material is:

Or. en

**Amendment 292**  
**Ulrike Müller**

**Proposal for a regulation**  
**Annex II – Part B – point 3 – point b – paragraph 3**

*Text proposed by the Commission*

*Amendment*

***The competent authority shall verify the information provided by the professional operator.***

***deleted***

Or. en

**Amendment 293**  
**Isabel Carvalhais**

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

*Text proposed by the Commission*

*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.

(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.***

Or. en

*Justification*

*High levels of genetic diversity increases the probability of having higher adaptation of those populations, this is particularly true at the rear edge of geographical distributions, where local conditions might already be ecologically extreme and where climate change effects are expected to be higher. FRM from these marginal populations can demonstrate local adaptation to more extreme conditions and be a valuable source of FRM for reforestation under climate change.*

**Amendment 294**  
**Isabel Carvalhais**

**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.

Or. en

## Amendment 295

Ulrike Müller

### 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.

Or. en

## Amendment 296

Martin Häusling

on behalf of the Verts/ALE Group

### 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 297**

**Martin Häusling**

on behalf of the Verts/ALE Group

**Proposal for a regulation**

**Annex III – Part B – point 6 a (new)**

*Text proposed by the Commission*

*Amendment*

**6a.     Adaptation: Adaptation to the ecological conditions prevailing in the Region of Provenance shall be evident.**

**Amendment 298**

**Martin Häusling**

on behalf of the Verts/ALE Group

**Proposal for a regulation**

**Annex III – Part B – point 8**

*Text proposed by the Commission*

*Amendment*

8.     Wood **quality**: The quality of the wood shall be taken into account. ***The quality*** of the wood ***is*** an essential criterion, ***if the FRM will be used in the forestry industry for the purpose of producing timber, furniture or pulp. In that case the competent authority shall give more weight to this criterion.***

8.     Wood **form and growth habit**: The quality of the wood shall be taken into account, ***and if relevant, the form or growth habit*** of the wood ***may be*** an essential criterion.

**Amendment 299**

**Martin Häusling**

on behalf of the Verts/ALE Group

**Proposal for a regulation**

**Annex III – Part B – point 9**

*Text proposed by the Commission*

9. Form or growth habit: Trees in stands shall show particularly good morphological features, ***especially*** straightness and circularity of stem, favourable branching habit, small size of branches and good natural pruning. In addition, the proportion of forked trees and those showing spiral grain shall be low.

*Amendment*

9. Form or growth habit: Trees in stands shall show particularly good morphological features, ***if relevant for commercial use, taking into account*** straightness and circularity of stem, favourable branching habit, small size of branches and good natural pruning. In addition, the proportion of forked trees and those showing spiral grain shall be low.

Or. en

**Amendment 300**

**Martin Häusling**

on behalf of the Verts/ALE Group

**Proposal for a regulation**

**Annex III – Part B – point 9 a (new)**

*Text proposed by the Commission*

*Amendment*

***9a. diversity: emphasis on the preservation of species diversity adopted to the particular region shall be given.***

Or. en

**Amendment 301**

**Martin Häusling**

on behalf of the Verts/ALE Group

**Proposal for a regulation**

**Annex IV – point 1 – point b**

*Text proposed by the Commission*

*Amendment*

(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

(b) The professional operator shall select ***a sufficient number of*** 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

be used.

resulting FRM will be used.

Or. en

## **Amendment 302**

**Ulrike Müller**

### **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 be used.

##### *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.

Or. en

## **Amendment 303**

**Elsi Katainen**

### **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 be used.

##### *Amendment*

(b) The component clones or families **shall be selected** 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 be used.

Or. en

## **Amendment 304**

Ulrike Müller

**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.

Or. en

**Amendment 305**  
**Ulrike Müller**

**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.

Or. en

**Amendment 306**  
**Elsi Katainen**

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



*Text proposed by the Commission*

*Amendment*

(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.

(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.

Or. en

**Amendment 307**

**Clara Aguilera**

**Proposal for a regulation**

**Annex V – point 1 – point a – paragraph 2**

*Text proposed by the Commission*

*Amendment*

**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 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).

Tests set up for the approval of the basic material shall **be prepared, set up, conducted and their results interpreted** in accordance with internationally recognised procedures. **In** comparative tests, one or preferably several approved or pre-chosen standards as described in point 3(b) **shall be used**.

Or. es

**Amendment 308**

**Ulrike Müller**

**Proposal for a regulation**

**Annex V – point 1 – point a – paragraph 2**

*Text proposed by the Commission*

*Amendment*

The **professional operators shall prepare, lay out and conduct** tests set up for the

The tests set up for the approval of the basic material shall **be prepared, laid out**

approval of the basic material. **They** shall **interpret** the results of those tests in 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).

**and conducted.** The results of those tests **shall be interpreted** in accordance with the internationally recognised procedures. For comparative tests, the **FRM** shall **be compared** under test with one or preferably several approved or pre-chosen standards as described in point 3(b).

Or. en

#### **Amendment 309**

**Martin Häusling**

on behalf of the Verts/ALE Group

#### **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.**

Or. en

#### **Amendment 310**

**Clara Aguilera**

#### **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) **Tests** shall **be designed** to assess the relevant characteristics specified in point (ii). **The results of each test shall be indicated** in the test records.

Or. es

#### **Amendment 311**

Ulrike Müller

**Proposal for a regulation**

**Annex V – point 1 – point b – point i**

*Text proposed by the Commission*

(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.

*Amendment*

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

Or. en

**Amendment 312**

Clara Aguilera

**Proposal for a regulation**

**Annex V – point 1 – point c – paragraph 1**

*Text proposed by the Commission*

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

*Amendment*

**All necessary information in respect of evaluation test results**, including the location, climate, soil, past use, establishment, management and any damage due to abiotic/biotic factors. The competent authority shall record the age of the basic material and the FRM and the results at the time of the evaluation.

Or. es

**Amendment 313**

Ulrike Müller

**Proposal for a regulation**

**Annex V – point 1 – point c – paragraph 1**

*Text proposed by the Commission*

**The professional operator** shall keep

*Amendment*

**Records** shall **be** keep describing the test

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

sites, including the location, climate, soil, past use, establishment, management and any damage due to abiotic/biotic factors. Those records **shall be made** available to the competent authority upon request. The competent authority shall record the age of the basic material and the FRM and the results at the time of the evaluation.

Or. en

#### **Amendment 314** **Martin Häusling**

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

###### *Text proposed by the Commission*

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

###### *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 . The competent authority shall record the age of the basic material and the FRM and the results at the time of the evaluation.

Or. en

#### **Amendment 315** **Ulrike Müller**

##### **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 316**  
**Elsi Katainen**

**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.

Or. en

*Justification*

*Due to the varying organizational structures among countries, the passive tense is more appropriate here.*

**Amendment 317**  
**Elsi Katainen**

**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.

Or. en

*Justification*

*Due to the varying organizational structures among countries, the passive tense is more appropriate here.*

**Amendment 318**  
**Ulrike Müller**

**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 with a sufficient number of trees, in order that the individual characteristics of each component under examination can be evaluated.

Or. en

**Amendment 319**  
**Ulrike Müller**

**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 experiments ***shall be analysed*** using internationally recognised statistical methods and results for each characteristic examined ***shall be presented***.

Or. en

**Amendment 320**  
**Elsi Katainen**

**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

*Amendment*

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

each characteristic examined.

characteristic examined.

Or. en

*Justification*

*Due to the varying organizational structures among countries, the passive tense is more appropriate here.*

**Amendment 321**

**Ulrike Müller**

**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*

(i) The estimated superiority of the FRM shall be calculated against a reference population for a characteristic or set of characteristics.

Or. en

**Amendment 322**

**Irène Tolleret**

**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*

(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.

*Justification*

*Amendment coherent with amendments from the rapporteur in Annex V. Different organizational structures may operate in the Member States.*

**Amendment 323**

**Ulrike Müller**

**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*

(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.

**Amendment 324**

**Martin Häusling**

on behalf of the Verts/ALE Group

**Proposal for a regulation**

**Annex VI**

*Text proposed by the Commission*

***CATEGORIES UNDER WHICH FRM  
FROM THE DIFFERENT TYPES OF  
BASIC MATERIAL MAY BE  
MARKETED***

***[...]***

*Amendment*

***deleted***

*Justification*

***ADD THE JUSTIFICATION***



