



**2023/0228(COD)**

12.3.2024

## OPINION

of the Committee on the Environment, Public Health and Food Safety

for the Committee on Agriculture and Rural Development

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)  
(COM(2023)0415 – C9-0237/2023 – 2023/0228(COD))

Rapporteur for opinion: Christophe Clergeau

PA\_Legam

## **SHORT JUSTIFICATION**

Forest reproductive material (FRM) is fundamental to maintaining the sustainability of European forests, which cover more than 43 % of our land. Given the specific nature of forest management, it is only reasonable to have a separate regulation for FRM than for plant reproductive material, which is used in farming.

Forests suffer greatly from climate change, with the recurring heatwaves, droughts, fires, storms, disease and pest outbreaks having a direct impact on forest stands. Being able to use different FRM that are optimally adapted to given areas and also have the ability to adapt to climate change thanks to a high level of intraspecific genetic variation is one of the key levers for tackling extreme events. Although exchanges between different regions of provenance can be of interest, especially when it comes to increasing diversity, it would be best to first focus on the genetic potential of species within a given region to avoid any risk of maladaptation.

The main achievement of this regulation is that each Member State will have to prepare a national plan to ensure they do not run out of FRM. However, the rapporteur believes that to prevent derogations from being used abusively, the best way to approach dealing with the now recurring crises is to put preventative measures in place, to boost the resilience of seed (cones, infructescences, fruits and seeds) storage facilities and nurseries.

Furthermore, the rapporteur suggests improving the criteria relating to sustainability in selection by specifying that the potential for adaptation depends primarily on the genetic diversity within the tree species concerned. In view of the high level of uncertainty over the global warming scenarios we could face, it is also important to remember that multi-species plantations clearly have a lower risk of maladaptation to climate change.

Lastly, the rapporteur proposes extending the definition of FRM to include parts of plants, sets and seedlings, creating a definition for agroforestry, and increasing the number of species in Annex I.

## **AMENDMENTS**

The Committee on the Environment, Public Health and Food Safety calls on the Committee on Agriculture and Rural Development, as the committee responsible, to take into account the following amendments:

### **Amendment 1**

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

#### **Recital 4**

*Text proposed by the Commission*

(4) The aim of the OECD Forest Seed and Plant Scheme is to encourage the production and use of seeds, parts of plants and plants that have been collected, processed and marketed in a manner that ensures a high quality and availability of FRM. Due to the length of forest cycles and the cost of plantations and long-term forest investment, it is essential that foresters get fully reliable information on the origin and on the genetic characteristics of the FRM they use in plantation. The OECD Forest Seed and Plant Scheme meets that need by means of certification and traceability. It has a major role in helping the world's forests adapt to changing climatic conditions. Emphasis is placed on preserving species diversity and ensuring high genetic diversity within species and seed lots thereby enhancing the adaptive potential of FRM for the future replanting of an area with trees ('reforestation') and the creation of new forests ('afforestation'). Reforestation may be required when parts of an existing forest have been affected by extreme weather events, wildfires, outbreaks of disease and pest outbreaks, or other disasters.

*Amendment*

(4) The aim of the OECD Forest Seed and Plant Scheme is to encourage the production and use of seeds, parts of plants and plants that have been collected, processed and marketed in a manner that ensures a high quality and availability of FRM. Due to the length of forest cycles and the cost of plantations and long-term forest investment, it is essential that foresters get fully reliable information on the origin and on the genetic characteristics of the FRM they use in plantation. The OECD Forest Seed and Plant Scheme meets that need by means of certification and traceability. It has a major role in helping the world's forests adapt to changing climatic conditions. Emphasis is placed on preserving species diversity and ensuring high genetic diversity within species and seed lots thereby enhancing the adaptive potential of FRM for the future replanting of an area with trees ('reforestation') and the creation of new forests ('afforestation'). Reforestation may be required when parts of an existing forest have been affected by extreme weather events, wildfires, outbreaks of disease and pest outbreaks, or other disasters, ***as well as when unsustainable forest management methods based on clear-cutting are still prevalent.***

**Amendment 2**

**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

*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 adaptative 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 3

#### Proposal for a regulation

##### Recital 7

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

(7) The new EU Forest Strategy for 2030 has as its key objectives effective afforestation, and forest preservation and restoration in the Union, to help increase the absorption of CO<sub>2</sub>, reduce the incidence and extent of forest fires, and promote the bio-economy, in full respect of ecological principles favourable to biodiversity. Ensuring forest restoration and reinforced sustainable forest management are essential for climate adaptation and forest resilience. In this regard, the new EU Forest Strategy states that adapting forests to climate change and restoring forests following climate damages will require large quantities of appropriate FRM. This implies efforts to secure and sustainably use the forest genetic resources on which a more climate-proof forestry depends. Efforts are also needed to increase the production and availability of such FRM, to provide better information on its suitability for climatic and ecological conditions and to enhance its collaborative production and transfer across national borders within the Union. Professional operators should thus be required to provide beforehand information to the

to Climate Change is therefore to accelerate the adaptative 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.

###### *Amendment*

(7) The new EU Forest Strategy for 2030 has as its key objectives effective afforestation, and forest preservation and restoration in the Union, to help increase the absorption of CO<sub>2</sub>, reduce the incidence and extent of forest fires, and promote the bio-economy, in full respect of ecological principles favourable to biodiversity. Ensuring forest restoration and reinforced sustainable forest management are essential for climate adaptation and forest resilience. In this regard, the new EU Forest Strategy states that ***in addition to adaptive restoration and ecosystem-based management practices of forests***, adapting forests to climate change and restoring forests following climate damages will require ***also*** large quantities of appropriate FRM. This implies efforts to secure and sustainably use the forest genetic resources on which a more climate-proof forestry depends. Efforts are also needed to increase the production and availability of such FRM, to provide better information on its suitability for climatic and ecological conditions and to enhance its collaborative production and transfer across national borders within the Union. Professional

users about the suitability of FRM for climatic and ecological conditions.

operators should thus be required to provide beforehand information to the users about the suitability of FRM for climatic and ecological conditions.

#### Amendment 4

##### 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 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. ***On the contrary, an inappropriate choice of forest species composition may cause or accelerate forest calamities, turning forests that would act as carbon sinks if properly managed into a source of additional CO<sub>2</sub> emissions.*** Tree species and artificial hybrids under this Regulation should be genetically suited to the local conditions, ***taking full account of climatic changes that have already occurred,*** and be of high quality.

#### Amendment 5

##### Proposal for a regulation Recital 15

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

###### *Amendment*

(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.

(15) The aim of this Regulation is to ensure the production and marketing of high-quality FRM. To help create resilient **and productive** forests and **to increase the functioning of** 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 6

### 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 approval 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. ***For all purposes*** the FRM will be compared with standards having a good performance as regards adaptation to the local climatic and ecological conditions, ***as climate resilience is relevant for all purposes***. Following the selection of the components of basic material, the professional operator should demonstrate the superiority of the FRM by comparative testing. The competent authority should be involved in each step of this process. It should approve the experimental design and tests for the approval of the basic material, verify the records provided by the professional operator and approve the results of the tests concerning the superiority of the FRM. 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

**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.

## Amendment 7

### Proposal for a regulation

#### Recital 27

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

(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.

## Amendment 8

### Proposal for a regulation

#### Recital 28 a (new)

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

standards, and to take into account the experience gained from Directive 1999/105/EC.

##### *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 ***a pilot plot***. That approval should be granted only if the provisional results of the 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.

***(28 a) The Regulation should strive for the ‘One Health Approach’ as an integrated, unifying approach that aims to sustainably balance and optimise the health of people, animals, plants and ecosystems. It recognises that the health of humans, domestic and wild animals,***



*plants, and the wider environment including ecosystems are closely interlinked and inter-dependent.*

## Amendment 9

### 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 10

### Proposal for a regulation Recital 40

#### *Text proposed by the Commission*

#### *Amendment*

(38) Each Member State should draw up and keep up to date a contingency plan to ensure a sufficient supply of FRM, to ***complement natural regeneration, which should be prioritised in particular in protected areas and areas laid down in a national restoration plan, and to help*** reforest ***other*** areas affected by extreme weather events, wildfires, disease and pest outbreaks, disasters or any other event ***if necessary***. Rules should be set out concerning the content of that plan, in order to ensure effective action. 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).

(40) Seeds should be marketed only if they conform to certain quality standards. They should be labelled and marketed only in sealed packages, in order to enable their appropriate identification, quality and traceability, and to avoid fraud.

(40) Seeds should be marketed only if they conform to certain quality standards. They should be labelled and marketed only in sealed packages, in order to enable their appropriate identification, quality and traceability, and to avoid fraud ***and contamination.***

#### **Amendment 11**

##### **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 ***and productive*** forests, conserve ***and enhance*** biodiversity and restore forest ecosystems ***and their functioning by promoting interspecific and intraspecific genetic variation;***

#### **Amendment 12**

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

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

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

(b) any developments of technical or scientific knowledge.

###### *Amendment*

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

#### **Amendment 13**

##### **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 stock,*** cones, infructescences, fruits, 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 ***and direct seeding on land classified as forest*** for any of the following purposes:

**Amendment 14**  
**Proposal for a regulation**  
**Article 3 – paragraph 1 – point 1 – point b**

*Text proposed by the Commission*

*Amendment*

(b) biodiversity conservation;

(b) biodiversity conservation ***and enhancement;***

**Amendment 15**  
**Proposal for a regulation**  
**Article 3 – paragraph 1 – point 1 – point b a (new)**

*Text proposed by the Commission*

*Amendment*

***(b a) supporting the functioning of forest ecosystems;***

**Amendment 16**  
**Proposal for a regulation**  
**Article 3 – paragraph 1 – point 1 – point c**

*Text proposed by the Commission*

*Amendment*

(c) restoration of forest ecosystems;

(c) restoration of forest ecosystems ***and other wooded land;***

**Amendment 17**  
**Proposal for a regulation**  
**Article 3 – paragraph 1 – point 1 – point c a (new)**

*Text proposed by the Commission*

*Amendment*

***(c a) setting up or restoring agroforestry systems;***

**Amendment 18**  
**Proposal for a regulation**  
**Article 3 – paragraph 1 – point 3 a (new)**

*Text proposed by the Commission*

*Amendment*

**(3 a) ‘agroforestry’ means the integration of trees on agricultural land without changing the classification of that land;**

**Amendment 19**  
**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 pests’ means free from pests, or a situation where the presence of **pests affecting the** quality on the respective FRM is so low that those pests do not affect adversely the quality of that FRM.

**Amendment 20**  
**Proposal for a regulation**  
**Article 4 – paragraph 2 – subparagraph 8 – point e**

*Text proposed by the Commission*

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

*Amendment*

**deleted**

**Amendment 21**

**Proposal for a regulation**  
**Article 5 – paragraph 1 – point e – point iii b (new)**

*Text proposed by the Commission*

*Amendment*

**(iii b) the material is approved by the Competent Authority**

**Amendment 22**

**Proposal for a regulation**  
**Article 5 – paragraph 1 – point e – point iii c (new)**

*Text proposed by the Commission*

*Amendment*

**(iii c) it is labelled as NGT**

#### **Amendment 23**

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

##### **Article 6 – paragraph 1 – point b**

*Text proposed by the Commission*

*Amendment*

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

(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

#### **Amendment 24**

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

##### **Article 6 – paragraph 1 – point c**

*Text proposed by the Commission*

*Amendment*

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

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

#### **Amendment 25**

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

##### **Article 7 – paragraph 1 – subparagraph 1**

*Text proposed by the Commission*

*Amendment*

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

Competent authorities may temporarily authorise, ***for a period of no longer than three years***, the marketing of FRM derived from approved basic material which does not meet all the requirements of the appropriate category referred to in Article 5(1), following the adoption of the delegated act referred to in paragraph 2.

#### **Amendment 26**

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

## Article 9 – title

*Text proposed by the Commission*

Contingency plan and national register

*Amendment*

***Prevention and*** contingency plan and national register

## Amendment 27

### 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, 20.12.2013, p. 924.

*Amendment*

Each Member State shall draw up one or more ***prevention and*** contingency plan to ensure a sufficient supply of FRM ***in quantity and number of species*** 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, 20.12.2013, p. 924.

## Amendment 28

### 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 ***prevention and*** contingency plan shall be prepared for those tree species and artificial hybrids thereof listed in Annex I, that are ***considered to be*** suitable for the current and projected future climatic and ecological conditions of the Member State concerned, ***in particular in view of their high level of intraspecific variation.***

## Amendment 29

### Proposal for a regulation

#### Article 9 – paragraph 1 – subparagraph 3

*Text proposed by the Commission*

*Amendment*

The contingency plan shall take into account the **projected future** distribution of the relevant tree species and artificial hybrids thereof, on the basis of national and/or regional climate model simulations for the Member State concerned.

The **prevention and** contingency plan shall take into account the **different scenarios of** distribution of the relevant tree species and artificial hybrids thereof, on the basis of **the** national and/or regional climate model simulations for the Member State concerned. **It shall prioritise the replanting of multispecies forests with FRM from a provenance suitable to enable adaptation to climate change.**

**Amendment 30**  
**Proposal for a regulation**  
**Article 9 – paragraph 2**

*Text proposed by the Commission*

*Amendment*

2. Member States shall, at an appropriate stage, consult all relevant stakeholders in the process of drawing up and keeping up to date such contingency plans.

2. Member States shall, at an appropriate stage, consult all relevant stakeholders, **in particular FRM producers, forest owners, economic actors and environmental associations**, in the process of drawing up and keeping up to date such **prevention and** contingency plans.

**Amendment 31**  
**Proposal for a regulation**  
**Article 9 – paragraph 3 – subparagraph 1 – introductory part**

*Text proposed by the Commission*

*Amendment*

Each contingency plan shall include the following:

Each **prevention and** contingency plan shall include the following:

**Amendment 32**  
**Proposal for a regulation**  
**Article 9 – paragraph 3 – subparagraph 1 – point a**

*Text proposed by the Commission*

*Amendment*

(a) the roles and responsibilities of the bodies involved in the execution of the contingency plan in case of any event

(a) the roles and responsibilities of the bodies involved in the execution of the **prevention and** contingency plan in case of

causing a major shortage of FRM, as well as the chain of command and procedures for the coordination of actions to be taken by competent authorities, other public authorities, delegated bodies or natural persons involved, laboratories and professional operators, including the coordination with neighbouring Member States and neighbouring third countries, where appropriate;

any event causing a major shortage of FRM, as well as the chain of command and procedures for the coordination of actions to be taken by competent authorities, other public authorities, delegated bodies or natural persons involved, laboratories and professional operators, including the coordination with neighbouring Member States and neighbouring third countries, where appropriate;

### **Amendment 33**

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

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

*Text proposed by the Commission*

*Amendment*

***(a a) a resilience strategy focused on pinpointing vulnerabilities that could justify the funding provided by the competent authorities for preventive measures, such as making seed storage sites and nurseries more secure, and increasing the number of storage sites and nurseries;***

### **Amendment 34**

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

#### **Article 9 – paragraph 3 – subparagraph 1 – point b**

*Text proposed by the Commission*

*Amendment*

(b) access of competent authorities to supplies of FRM that have been maintained for the purpose of contingency planning, premises of professional operators, in particular forest nurseries and laboratories producing FRM, other relevant operators and natural persons;

(b) access of competent authorities to supplies of FRM that have been maintained for the purpose of ***prevention and*** contingency planning, premises of professional operators, in particular forest nurseries and laboratories producing FRM, other relevant operators and natural persons;

### **Amendment 35**

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

#### **Article 9 – paragraph 3 – subparagraph 1 – point h**



*Text proposed by the Commission*

*Amendment*

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

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

**Amendment 36**

**Proposal for a regulation**

**Article 9 – paragraph 3 – subparagraph 2**

*Text proposed by the Commission*

*Amendment*

Member States shall ***regularly*** review and, where appropriate, update their contingency plans to take account of the technical and scientific developments in relation to climate model simulations addressing the projected future distribution of the relevant tree species and artificial hybrids thereof.

Member States shall review ***every four years*** and, where appropriate, update their contingency plans to take account of the technical and scientific developments in relation to climate model simulations addressing the projected future distribution of the relevant tree species and artificial hybrids thereof.

**Amendment 37**

**Proposal for a regulation**

**Article 9 – paragraph 4 – subparagraph 1 – introductory part**

*Text proposed by the Commission*

*Amendment*

Member States shall establish a national register that:

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

**Amendment 38**

**Proposal for a regulation**

**Article 9 – paragraph 4 – subparagraph 1 – point b**

*Text proposed by the Commission*

*Amendment*

(b) takes account of the projected future distribution of those tree species and artificial hybrids thereof.

(b) takes account of the ***different*** projected ***potential scenarios of*** future distribution of those tree species and artificial hybrids thereof.

**Amendment 39**  
**Proposal for a regulation**  
**Article 9 – paragraph 5**

*Text proposed by the Commission*

5. Member States shall collaborate with each other and with all relevant stakeholders for the establishment of their contingency plans, on the basis of an exchange of best practices and experience gained with the establishment of those plans.

*Amendment*

5. Member States shall collaborate with each other and with all relevant stakeholders for the establishment of their ***prevention and*** contingency plans, on the basis of an exchange of best practices and experience gained with the establishment of those plans.

**Amendment 40**  
**Proposal for a regulation**  
**Article 9 – paragraph 6**

*Text proposed by the Commission*

6. Member States shall make their contingency plans available to the Commission, the other Member States and all relevant professional operators through publication in FOREMATIS.

*Amendment*

6. Member States shall make their ***prevention and*** contingency plans available to the Commission, the other Member States and all relevant professional operators through publication in FOREMATIS.

**Amendment 41**

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

*Text proposed by the Commission*

(i) genetically modified; or

*Amendment*

(i) genetically modified ***organism or containing a genetically modified organism***; or

**Amendment 42**

**Proposal for a regulation**  
**Article 12 – paragraph 3 – subparagraph 2 – point i – point ii**

*Text proposed by the Commission*

(ii) an NGT plant;

*Amendment*

(ii) an NGT plant ***or containing an***

*NGT plant;*

#### **Amendment 43**

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

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

*Text proposed by the Commission*

*Amendment*

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

#### **Amendment 44**

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

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

*Text proposed by the Commission*

*Amendment*

(i) genetically modified;

(i) ***consisting of or containing***  
genetically modified ***organisms***;

#### **Amendment 45**

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

##### **Article 15 – paragraph 1 – subparagraph 2 – point k – point ii**

*Text proposed by the Commission*

*Amendment*

(ii) ***an NGT plant.***

(ii) ***consisting of or containing NGT plants.***

#### **Amendment 46**

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

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

*Text proposed by the Commission*

*Amendment*

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

#### **Amendment 47**

##### **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 spoiling or putrefaction of the FRM.***

## Amendment 48

### 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, ***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).

## Amendment 49

### Proposal for a regulation

#### Article 23 – paragraph 3 – point a – point ii

### *Text proposed by the Commission*

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

### *Amendment*

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

## Amendment 50

### Proposal for a regulation

**Annex I** *Text proposed by the Commission*

Abies alba Mill.
Abies cephalonica Loud.
Abies grandis Lindl.
Abies pinsapo Boiss.
Acer platanoides L.
Acer pseudoplatanus L.
Alnus glutinosa Gaertn.
Alnus incana Moench.
Betula pendula Roth.
Betula pubescens Ehrh.
Carpinus betulus L.
Castanea sativa Mill.
Cedrus atlantica Carr.
Cedrus libani A. Richard
Fagus sylvatica L.
Fraxinus angustifolia Vahl.
Fraxinus excelsior L.
Larix decidua Mill.
Larix x eurolepis Henry
Larix kaempferi Carr.
Larix sibirica Ledeb.
Picea abies Karst.
Picea sitchensis Carr.
Pinus brutia Ten.
Pinus canariensis C. Smith
Pinus cembra L.
Pinus contorta Loud
Pinus halepensis Mill.
Pinus leucodermis Antoine
Pinus nigra Arnold
Pinus pinaster Ait.
Pinus pinea L.
Pinus radiata D. Don
Pinus sylvestris L.
Populus spp. et hybrides artificiels de ces essences
Prunus avium L.
Pseudotsuga menziesii Franco
Quercus cerris L.
Quercus ilex L.
Quercus petraea Liebl.
Quercus pubescens Willd.
Quercus robur L.
Quercus rubra L.
Quercus suber L.
Robinia pseudoacacia L.
Tilia cordata Mill.

Tilia platyphyllos Scop.
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*Amendment*

Abies alba Mill.
<b><i>Abies bornmulleriana</i></b>
Abies cephalonica Loud.
Abies grandis Lindl.
Abies pinsapo Boiss.
<b><i>Acer campestre</i></b>
Acer platanoides L.
Acer pseudoplatanus L.
<b><i>Alnus cordata</i></b>
Alnus glutinosa Gaertn.
Alnus incana Moench.
Betula pendula Roth.
Betula pubescens Ehrh.
Carpinus betulus L.
Castanea sativa Mill.
Cedrus atlantica Carr.
Cedrus libani A. Richard
<b><i>Eucalyptus globulus</i></b>
<b><i>Eucalyptus gunni</i></b>
<b><i>Eucalyptus gunnii x dalrympleana hybrid</i></b>
<b><i>Eucalyptus nitens</i></b>
Fagus sylvatica L.
Fraxinus angustifolia Vahl.
Fraxinus excelsior L.
<b><i>Juglans major x regia</i></b>
<b><i>Juglans nigra</i></b>
<b><i>Juglans nigra x regia</i></b>
<b><i>Juglans regia</i></b>
Larix decidua Mill.
Larix x eurolepis Henry
Larix kaempferi Carr.
Larix sibirica Ledeb.
<b><i>Malus sylvestris</i></b>
Picea abies Karst.
Picea sitchensis Carr.
Pinus brutia Ten.
Pinus canariensis C. Smith
Pinus cembra L.
Pinus contorta Loud
Pinus halepensis Mill.
Pinus leucodermis Antoine
Pinus nigra Arnold
Pinus pinaster Ait.
Pinus pinea L.

Pinus radiata D. Don
Pinus sylvestris L.
<b>Pinus taeda</b>
<b>Populus nigra</b>
Populus spp. et hybrides artificiels de ces essences
<b>Populus tremula</b>
Prunus avium L.
Pseudotsuga menziesii Franco
Quercus cerris L.
Quercus ilex L.
Quercus petraea Liebl.
Quercus pubescens Willd.
Quercus robur L.
Quercus rubra L.
Quercus suber L.
Robinia pseudoacacia L.
<b>Sorbus domestica</b>
<b>Sorbus torminalis</b>
Tilia cordata Mill.
Tilia platyphyllos Scop.

*Justification*

**Amendment 51**

**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 pests **affecting the quality** and their symptoms and show resistance to adverse **climatic and site-specific** conditions in the place where they are growing.

**ANNEXE: ENTITÉS OU PERSONNES  
DONT LE RAPPORTEUR POUR AVIS A REÇU DES CONTRIBUTIONS**

<b>Liste des entités ou personnes ayant apporté leur contribution au rapporteur</b>
UCFF - Union des Coopératives Forestières Françaises
France Bois Forêt
Office National des Forêts
Euraf - European Agroforestry Federation
Université de Picardie



## PROCEDURE – COMMITTEE ASKED FOR OPINION

<b>Title</b>	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)
<b>References</b>	COM(2023)0415 – C9-0237/2023 – 2023/0228(COD)
<b>Committee responsible</b> Date announced in plenary	AGRI 19.10.2023
<b>Opinion by</b> Date announced in plenary	ENVI 19.10.2023
<b>Associated committees - date announced in plenary</b>	19.10.2023
<b>Rapporteur for the opinion</b> Date appointed	Christophe Clergeau 24.10.2023
<b>Discussed in committee</b>	11.1.2024
<b>Date adopted</b>	11.3.2024
<b>Result of final vote</b>	+: 63 –: 3 0: 17
<b>Members present for the final vote</b>	Catherine Amalric, Mathilde Androuët, Maria Arena, Margrete Auken, Marek Paweł Balt, Traian Băsescu, Aurélia Beigneux, Sergio Berlato, Alexander Bernhuber, Malin Björk, Delara Burkhardt, Pascal Canfin, Sara Cerdas, Mohammed Chahim, Nathalie Colin-Oesterlé, Christian Doleschal, Bas Eickhout, Pietro Fiocchi, Hélène Fritzon, Andreas Glück, Catherine Griset, Anja Hazekamp, Martin Hojsík, Pär Holmgren, Jan Huitema, Adam Jarubas, Karin Karlsbro, Ewa Kopacz, Peter Liese, Javi López, César Luena, Elżbieta Katarzyna Łukacijewska, Marian-Jean Marinescu, Lydie Massard, Liudas Mažylis, Marina Mesure, Tilly Metz, Dolors Montserrat, Ville Niinistö, Ljudmila Novak, Henk Jan Ormel, Grace O’Sullivan, Jutta Paulus, Francesca Peppucci, Stanislav Polčák, Jessica Polfjård, María Soraya Rodríguez Ramos, Sándor Rónai, Maria Veronica Rossi, Laurence Sailliet, Silvia Sardone, Günther Sidl, Ivan Vilibor Sinčić, Nils Torvalds, Edina Tóth, Nikolaj Villumsen, Anders Vistisen, Mick Wallace, Pernille Weiss, Emma Wiesner, Michal Wiezik, Tiemo Wölken, Stefania Zambelli
<b>Substitutes present for the final vote</b>	Matteo Adinolfi, João Albuquerque, Stefan Berger, Biljana Borzan, Mercedes Bresso, Milan Brglez, Martin Buschmann, Cristian-Silviu Buşoi, Catherine Chabaud, Asger Christensen, Dacian Cioloş, Christophe Clergeau, Deirdre Clune, Gilbert Collard, Antoni Comín i Oliveres, Rosanna Conte, Beatrice Covassi, Gianantonio Da Re, Ivan David, Margarita de la Pisa Carrión, Anna Deparnay-Grunenberg, Estrella Durá Ferrandis, Giuseppe Ferrandino, Laura Ferrara, Cindy Franssen, Claudia Gamon, Matteo Gazzini, Jens Gieseke, Sunčana Glavak, Nicolás González Casares, Robert Hajšel, Martin Häusling, Romana Jerković, Irena Joveva, Radan Kanev, Karol Karski, Billy Kelleher, Ska Keller, Martine Kemp, Ondřej Knotek, Kateřina Konečná, Stelios Kympouropoulos, Danilo Oscar Lancini, Norbert Lins, Fulvio Martusciello, Marisa Matias, Sara Matthieu, Radka

	<p>Maxová, Dace Melbārde, Nuno Melo, Marlene Mortler, Dan-Ştefan Motreanu, Ulrike Müller, Dan Nica, Max Orville, Demetris Papadakis, Aldo Patriciello, Piernicola Pedicini, Lídia Pereira, Sirpa Pietikäinen, João Pimenta Lopes, Rovana Plumb, Manuela Ripa, Robert Roos, Marcos Ros Sempere, Massimiliano Salini, Christel Schaldemose, Andrey Slabakov, Vincenzo Sofo, Tomislav Sokol, Susana Solís Pérez, Nicolae Ştefănuţă, Annalisa Tardino, Hermann Tertsch, François Thiollet, Róza Thun und Hohenstein, Grzegorz Tobiszowski, Marie Toussaint, István Ujhelyi, Inese Vaidere, Idoia Villanueva Ruiz, Sarah Wiener, Jadwiga Wiśniewska</p>
<b>Substitutes under Rule 209(7) present for the final vote</b>	<p>Marie Dauchy, Sylvie Guillaume, Alessandro Panza, Rob Rooker, Dorien Rookmaker, Bert-Jan Ruissen, Evžen Tošenovský</p>

## FINAL VOTE BY ROLL CALL IN COMMITTEE ASKED FOR OPINION

63	+
ECR	Sergio Berlato, Pietro Fiocchi, Rob Rooker, Dorien Rookmaker, Robert Roos, Bert-Jan Ruissen, Evžen Tošenovský
ID	Alessandro Panza, Maria Veronica Rossi, Silvia Sardone, Anders Vistisen
NI	Edina Tóth
PPE	Traian Băsescu, Cristian-Silviu Buşoi, Nathalie Colin-Oesterlé, Christian Doleschal, Adam Jarubas, Ewa Kopacz, Peter Liese, Elżbieta Katarzyna Łukacijewska, Marian-Jean Marinescu, Liudas Mažylis, Dolors Montserrat, Marlene Mortler, Ljudmila Novak, Henk Jan Ormel, Francesca Peppucci, Stanislav Polčák, Jessica Polfjård, Laurence Sailliet, Pernille Weiss, Stefania Zambelli
Renew	Catherine Amalric, Pascal Canfin, Andreas Glück, Jan Huitema, Karin Karlsbro, Ondřej Knotek, María Soraya Rodríguez Ramos, Nils Torvalds, Emma Wiesner
S&D	João Albuquerque, Maria Arena, Marek Paweł Balt, Milan Brglez, Delara Burkhardt, Sara Cerdas, Mohammed Chahim, Christophe Clergeau, Beatrice Covassi, Heléne Fritzon, Sylvie Guillaume, Javi López, César Luena, Sándor Rónai, Günther Sidl, Tiemo Wölken
The Left	Malin Björk, Anja Hazekamp, Marina Mesure, Idoia Villanueva Ruiz, Nikolaj Villumsen, Mick Wallace

3	-
Renew	Martin Hojsík, Róza Thun und Hohenstein, Michal Wiezik

17	0
ECR	Grzegorz Tobiszowski
ID	Mathilde Androuët, Aurélia Beigneux, Marie Dauchy, Catherine Griset
NI	Ivan Vilibor Sinčić
PPE	Alexander Bernhuber
Verts/ALE	Margrete Auken, Bas Eickhout, Pär Holmgren, Ska Keller, Lydie Massard, Tilly Metz, Ville Niinistö, Grace O'Sullivan, Jutta Paulus, Manuela Ripa

Key to symbols:

+ : in favour

- : against

0 : abstention