



Plenary sitting

A9-0142/2024

21.3.2024

*****I**

REPORT

on the 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))

Committee on Agriculture and Rural Development

Rapporteur: Herbert Dorfmann

Symbols for procedures

- * Consultation procedure
- *** Consent procedure
- ***I Ordinary legislative procedure (first reading)
- ***II Ordinary legislative procedure (second reading)
- ***III Ordinary legislative procedure (third reading)

(The type of procedure depends on the legal basis proposed by the draft act.)

Amendments to a draft act

Amendments by Parliament set out in two columns

Deletions are indicated in ***bold italics*** in the left-hand column. Replacements are indicated in ***bold italics*** in both columns. New text is indicated in ***bold italics*** in the right-hand column.

The first and second lines of the header of each amendment identify the relevant part of the draft act under consideration. If an amendment pertains to an existing act that the draft act is seeking to amend, the amendment heading includes a third line identifying the existing act and a fourth line identifying the provision in that act that Parliament wishes to amend.

Amendments by Parliament in the form of a consolidated text

New text is highlighted in ***bold italics***. Deletions are indicated using either the **■** symbol or ~~strikeout~~. Replacements are indicated by highlighting the new text in ***bold italics*** and by deleting or striking out the text that has been replaced.

By way of exception, purely technical changes made by the drafting departments in preparing the final text are not highlighted.

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DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

on the 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))

(Ordinary legislative procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to Parliament and the Council (COM(2023)0415),
 - having regard to Article 294(2) and Article 43(2) of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C9-0237/2023),
 - having regard to Article 294(3) of the Treaty on the Functioning of the European Union,
 - having regard to the opinion of the European Economic and Social Committee of 13 December 2023¹,
 - having regard to Rule 59 of its Rules of Procedure,
 - having regard to the opinion of the Committee on the Environment, Public Health and Food Safety,
 - having regard to the report of the Committee on Agriculture and Rural Development (A9-0142/2024),
1. Adopts its position at first reading hereinafter set out;
 2. Calls on the Commission to refer the matter to Parliament again if it replaces, substantially amends or intends to substantially amend its proposal;
 3. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

¹ OJ C, C/2024/1583, 5.3.2024, ELI: <http://data.europa.eu/eli/C/2024/1583/oj>.

Amendment 1

Proposal for a regulation Recital 2

Text proposed by the Commission

(2) Forests cover some 45% of the land area in the Union and fulfil a multifunctional role that comprises social, economic, environmental, ecological and cultural functions. Forests have a 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 functions**, 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 2

Proposal for a regulation Recital 8

Text proposed by the Commission

(8) The EU Biodiversity Strategy for 2030 aims to put Union biodiversity on the path to recovery by 2030. Within the 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 **quality and** diversity within species and seed lots. This aims to facilitate the supply of high-quality and genetically **diversified** FRM that is adapted to current and projected future climatic conditions. The conservation and improvement of biodiversity of forests, including the genetic diversity of the trees, are essential to sustainable forest management and for supporting forests' adaptation to climate change. Tree species and artificial hybrids under this Regulation should be genetically suited to the local conditions and be of high quality.

Amendment 3

Proposal for a regulation Recital 17 a (new)

Text proposed by the Commission

Amendment

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

Amendment 4

Proposal for a regulation Recital 19 a (new)

Text proposed by the Commission

Amendment

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

Amendment 5

Proposal for a regulation Recital 22

Text proposed by the Commission

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 number of** trees from a stand of trees in the forest should be kept. This is necessary to help increase the genetic diversity within a single tree species. On the other hand, only trees with superior characteristics should be selected in the case of basic material intended for the production of FRM for commercial purposes. **Professional operators** should therefore be allowed to derogate from the applicable rules as regards the approval of basic material and notify **to the competent authority** this basic material intended for the purpose of conserving forest genetic resources.

Amendment 6

Proposal for a regulation

Recital 31

Text proposed by the Commission

(31) Professional operators should be authorised by the competent authority to print the official label under official supervision for certain species and categories of FRM. This will give more **flexibility** to the professional operators in 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, **if all requirements defined by the competent authority are fulfilled, and after an audit of the competent authority determines they have the necessary competence, infrastructure and resources.** That authorisation is necessary due to the official character of the official label and to guarantee the highest possible quality standards for the users of FRM. **This will give more flexibility to the professional operators in relation to the subsequent marketing of that FRM.** Rules should be set out for the withdrawal or modification of that authorisation.

Amendment 7

Proposal for a regulation
Recital 34

Text proposed by the Commission

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

Amendment

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

Amendment 8

Proposal for a regulation
Recital 38

Text proposed by the Commission

(38) Each Member State should draw up and keep up to date a contingency plan to ensure a sufficient supply of FRM, to reforest areas affected by extreme weather events, wildfires, disease and pest outbreaks, disasters or any other event. Rules should be set out concerning the content of that plan, in order to ensure proactive and effective action against such risks, if they emerge. Member States should be allowed to **adapt** the content of that plan **to** the specific climatic and ecological conditions in their territories. This requirement also reflects the general preparedness actions that Member States should take on a voluntary basis under the Union Civil Protection Mechanism³¹.

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

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

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

Amendment 9

Proposal for a regulation

Recital 43

Text proposed by the Commission

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

Amendment

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

Amendment 10

Proposal for a regulation

Article 1 – paragraph 1

Text proposed by the Commission

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

Amendment

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

Amendment 11

Proposal for a regulation Article 2 – paragraph 1

Text proposed by the Commission

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

Amendment

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

Amendment 12

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

Text proposed by the Commission

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

Amendment

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

Amendment 13

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 biodiversity, **prevent the use of invasive species** and restore forest ecosystems **and their functioning, inter alia, by promoting interspecific and intraspecific genetic variation**;

Amendment 14

Proposal for a regulation Article 2 – paragraph 3 – subparagraph 1 – point b

Text proposed by the Commission

(b) any developments of technical or

Amendment

(b) any **relevant** developments of

scientific knowledge.

technical or scientific knowledge.

Amendment 15

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:

Amendment 16

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 **and enhancement**;

Amendment 17

Proposal for a regulation

Article 3 – paragraph 1 – point 1 – point c

Text proposed by the Commission

(c) restoration of forest ecosystems;

Amendment

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

Amendment 18

Proposal for a regulation

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

Text proposed by the Commission

Amendment

(ca) setting up or restoring agroforestry systems;

Amendment 19

Proposal for a regulation

Article 3 – paragraph 1 – point 2

Text proposed by the Commission

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 forest³⁶;

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

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

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

Amendment 20

Proposal for a regulation

Article 3 – paragraph 1 – point 3

Text proposed by the Commission

Amendment

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

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

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

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

Amendment 21

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

Text proposed by the Commission

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

Amendment

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

Amendment 22

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

Text proposed by the Commission

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

Amendment

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

Amendment 23

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

Text proposed by the Commission

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

Amendment

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

Amendment 24

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

Text proposed by the Commission

(15) ‘unit of approval’ means the entire

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;

Amendment 25

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

Text proposed by the Commission

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

Amendment

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

Amendment 26

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

Text proposed by the Commission

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

Amendment

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

Amendment 27

Proposal for a regulation Article 3 – paragraph 1 – point 18

Text proposed by the Commission

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

Amendment

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

Amendment 28

Proposal for a regulation

Article 3 – paragraph 1 – point 19

Text proposed by the Commission

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

Amendment

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

Amendment 29

Proposal for a regulation

Article 3 – paragraph 1 – point 30

Text proposed by the Commission

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

Amendment

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

Amendment 30

Proposal for a regulation

Article 3 – paragraph 1 – point 31 – introductory part

Text proposed by the Commission

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

Amendment

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

Amendment 31

Proposal for a regulation

Article 3 – paragraph 1 – point 42

Text proposed by the Commission

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

Amendment 32

Proposal for a regulation

Article 3 – paragraph 1 – point 43

Text proposed by the Commission

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

Amendment 33

Proposal for a regulation

Article 3 – paragraph 1 – point 45

Text proposed by the Commission

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

Amendment

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

Amendment

(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;

Amendment

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

Amendment 34

Proposal for a regulation

Article 3 – paragraph 1 – point 47

Text proposed by the Commission

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

Amendment

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

Amendment 35

Proposal for a regulation

Article 4 – paragraph 2 – subparagraph 8 – point e

Text proposed by the Commission

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

Amendment

deleted

Amendment 36

Proposal for a regulation

Article 5 – paragraph 1 – introductory part

Text proposed by the Commission

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

Amendment

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

Amendment 37

Proposal for a regulation

Article 5 – paragraph 1 – point h – point ii

Text proposed by the Commission

(ii) germination percentage of the pure seed;

Amendment

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

Amendment 38

Proposal for a regulation

Article 5 – paragraph 1 – point h – point iv

Text proposed by the Commission

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

Amendment

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

Amendment 39

Proposal for a regulation

Article 6 – paragraph 1 – point b

Text proposed by the Commission

(b) FRM shall be of origin which is 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

Amendment 40

Proposal for a regulation

Article 6 – paragraph 1 – point c

Text proposed by the Commission

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

Amendment

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

Amendment 41

Proposal for a regulation

Article 7 – paragraph 1 – subparagraph 1

Text proposed by the Commission

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

Amendment

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

Amendment 42

Proposal for a regulation

Article 7 – paragraph 2 – subparagraph 2 – point b

Text proposed by the Commission

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

Amendment

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

Amendment 43

Proposal for a regulation

Article 7 – paragraph 2 – subparagraph 2 – point c

Text proposed by the Commission

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

Amendment

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

Amendment 44

Proposal for a regulation

Article 9 – paragraph 1 – subparagraph 1

Text proposed by the Commission

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

³⁹ OJ L 347, 20.12.2013, p. 924.

Amendment

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

³⁹ OJ L 347, 20.12.2013, p. 924.

Amendment 45

Proposal for a regulation

Article 9 – paragraph 1 – subparagraph 2

Text proposed by the Commission

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

Amendment

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

Amendment 46

Proposal for a regulation

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

Text proposed by the Commission

Amendment

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

Amendment 47

Proposal for a regulation

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

Text proposed by the Commission

Amendment

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

Amendment 48

Proposal for a regulation

Article 9 – paragraph 3 – subparagraph 1 – point h

Text proposed by the Commission

Amendment

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

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

Amendment 49

Proposal for a regulation

Article 9 – paragraph 4 – subparagraph 1 – introductory part

Text proposed by the Commission

Member States shall establish a national register that:

Amendment 50

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

Text proposed by the Commission

They shall be established in the *Union*.

Amendment 51

**Proposal for a regulation
Article 10 – paragraph 2**

Text proposed by the Commission

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

Amendment 52

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

Amendment

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

Amendment

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

Amendment

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

Text proposed by the Commission

Amendment

(c) basic material;

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

Amendment 53

Proposal for a regulation

Article 12 – paragraph 3 – subparagraph 2 – point j

Text proposed by the Commission

Amendment

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

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

Amendment 54

Proposal for a regulation

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

Text proposed by the Commission

Amendment

(ja) any additional information if available.

Amendment 55

Proposal for a regulation

Article 13 – paragraph 2

Text proposed by the Commission

Amendment

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

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

Amendment 56

Proposal for a regulation

Article 13 a (new)

Text proposed by the Commission

Amendment

Article 13a

Production from basic material

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

Amendment 57

Proposal for a regulation

Article 14 – paragraph 1 – subparagraph 2

Text proposed by the Commission

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

Amendment

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

Amendment 58

Proposal for a regulation

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

Text proposed by the Commission

Amendment

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

Amendment 59

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

Text proposed by the Commission

Amendment

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

Amendment 60

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

Text proposed by the Commission

Amendment

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

Amendment 61

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

Text proposed by the Commission

Amendment

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

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

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

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 62

Proposal for a regulation

Article 15 – paragraph 1 – subparagraph 2 – point a

Text proposed by the Commission

Amendment

(a) lot **number**;

(a) lot **code**;

Amendment 63

Proposal for a regulation

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

Text proposed by the Commission

Amendment

(aa) purpose;

Amendment 64

Proposal for a regulation

Article 15 – paragraph 1 – subparagraph 2 – point e

Text proposed by the Commission

Amendment

(e) basic material;

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

Amendment 65

Proposal for a regulation

Article 15 – paragraph 1 – subparagraph 2 – point i

Text proposed by the Commission

Amendment

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

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

kilogram and the name of the seed test station;

Amendment 66

Proposal for a regulation Article 16 – paragraph 1

Text proposed by the Commission

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

Amendment

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

Amendment 67

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

Text proposed by the Commission

Amendment

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

Amendment 68

Proposal for a regulation Article 16 – paragraph 2

Text proposed by the Commission

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

Amendment

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

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**.

infrastructure and resources.

Amendment 69

Proposal for a regulation

Article 16 – paragraph 4 – introductory part

Text proposed by the Commission

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

Amendment

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

Amendment 70

Proposal for a regulation

Article 16 – paragraph 4 – point b

Text proposed by the Commission

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

Amendment

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

Amendment 71

Proposal for a regulation

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

Text proposed by the Commission

Amendment

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

Amendment 72

Proposal for a regulation

Article 16 – paragraph 5 – subparagraph 1 – point c

Text proposed by the Commission

Amendment

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

deleted

Amendment 73

Proposal for a regulation

Article 16 – paragraph 5 a (new)

Text proposed by the Commission

Amendment

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

Amendment 74

Proposal for a regulation

Article 17 – paragraph 1

Text proposed by the Commission

Amendment

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

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

Amendment 75

Proposal for a regulation

Article 18 – paragraph 3 – subparagraph 4 – introductory part

Text proposed by the Commission

Amendment

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

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

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

Amendment 76

**Proposal for a regulation
Article 19 – paragraph 2**

Text proposed by the Commission

Amendment

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

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

Amendment 77

**Proposal for a regulation
Article 23 – paragraph 1**

Text proposed by the Commission

1. By way of derogation from Article 4, the Commission, by means of implementing acts, may authorise Member States to adopt, as regards the requirements for the approval of basic material and the 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, ***provided that those requirements do not prohibit, impede or restrict the free movement of FRM that is in conformity with this Regulation.*** Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 27(2).

Amendment 78

Proposal for a regulation

Article 23 – paragraph 3 – point a – point ii

Text proposed by the Commission

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

Amendment

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

Amendment 79

Proposal for a regulation

Article 24 – paragraph 1

Text proposed by the Commission

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

Amendment

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

quality standards and other requirements applicable to FRM.

Amendment 80

Proposal for a regulation

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

Text proposed by the Commission

Amendment

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

Amendment 81

Proposal for a regulation

Article 26 – paragraph 5

Text proposed by the Commission

Amendment

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

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

Amendment 82

Proposal for a regulation

Article 28 – paragraph 1 – point a

Text proposed by the Commission

Amendment

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

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

Amendment 83

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

Text proposed by the Commission

(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 **by Member States** to prepare for FRM supply difficulties and the time **and resources** needed to activate those contingency plans;

Amendment 84

Proposal for a regulation Annex I – table 1

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

	<i>Populus tremula</i>
	<i>Sorbus domestica</i>
	<i>Sorbus torminalis</i>
[...]	[...]
Robinia pseudoacacia L.	Robinia pseudoacacia L.
Tilia cordata Mill.	Tilia cordata Mill.
Tilia platyphyllos Scop.	Tilia platyphyllos Scop.

Amendment 85

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

Text proposed by the Commission

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

Amendment

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

Amendment 86

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

Text proposed by the Commission

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

Amendment

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

Amendment 87

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

Text proposed by the Commission

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

Amendment

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

Amendment 88

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

Text proposed by the Commission

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

Amendment

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

Amendment 89

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

Text proposed by the Commission

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

Amendment

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

Amendment 90

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

Text proposed by the Commission

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

Amendment 91

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

Text proposed by the Commission

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

Amendment

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

Amendment 92

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

Text proposed by the Commission

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

Amendment

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

Amendment 93

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

Text proposed by the Commission

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

Amendment

The professional operators shall **report the material, methods and results of** tests **to the competent authority responsible** for the approval of the basic material. The results **presented shall be analysed** in accordance with the internationally recognised procedures. **In** comparative tests, one or preferably several approved or pre-chosen standards as described in point 3(b) **shall be used**.

Amendment 94

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

Text proposed by the Commission

Amendment

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

Amendment 95

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

Text proposed by the Commission

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

Amendment 96

Proposal for a regulation

Annex V – point 1 – point c – paragraph 1

Text proposed by the Commission

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

Amendment 97

Proposal for a regulation

Annex V – point 1 – point d – point i

Text proposed by the Commission

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

Amendment

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

Amendment 98

Proposal for a regulation

Annex V – point 1 – point d – point ii

Text proposed by the Commission

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

Amendment

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

Amendment 99

Proposal for a regulation

Annex V – point 1 – point e – point i

Text proposed by the Commission

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

Amendment

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

Amendment 100

Proposal for a regulation

Annex V – point 2 – point d – point i

Text proposed by the Commission

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

Amendment

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

Amendment 101

Proposal for a regulation

Annex V – point 3 – point c – point ii

Text proposed by the Commission

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

Amendment

(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.

EXPLANATORY STATEMENT

Forest reproductive material (FRM) were so far regulated by Regulations EU 2016/2031 and 2017/625 and the Directive 1999/105/EC.

With this proposal, the Commission unifies and updates the previous legal acts under a single legal framework, while taking into account new scientific and technological discoveries on FRM.

The Rapporteur agrees broadly with the proposal of the Commission and welcomes the separation of plant and forest reproductive material, which are now treated in two different regulations.

The Rapporteur appreciates the structure of the regulation as it improves the current framework and its implementation. The Rapporteur agrees with the derogations in case of supply difficulties and for research purposes. These derogations take into account the complex context of FRM and the management of forests in the European Union by respecting regional differences and existing partnerships between local authorities and research institutes. However, the Rapporteur underlines that it is not possible to collect all conservation varieties under Article 6, due to the complexity of forest material in comparison to plant reproductive materials (PRM).

With regards to the labelling regulated under Article 16, the approach, the relation and the authorization between the competent authority and the final operator is improved with this proposal. The Rapporteur suggests reinforcing the role of the competent authority and proposes a new structure for the authorization procedure regarding labelling, with reference to the current Regulation 2016/2031.

Concerning the role of the competent authority under Article 19, the Rapporteur suggests that although a derogation shall be notified to the Commission, it shall not be subject to its approval.

The Rapporteur is confident that with this proposal and the suggested amendments to it, we can achieve the goal of having a single regulation on FRM that improves the situation for producers, forest managers, market operators, researchers and competent authorities.

**ANNEX: List of entities or persons
from whom the rapporteur has received input**

Pursuant to Article 8 of Annex I to the Rules of Procedure, the rapporteur declares that he has received input from the following entities or persons in the preparation of the report, until the adoption thereof in committee:

Entity and/or person
IFOAM Organics Europe
Bayerische Pflanzenzucht- und Saatbauverbände
COCERAL
KWS SAAT SE & Co. KGaA
Euroseeds
CropLife Europe
ARCHE NOAH, Gesellschaft für die Erhaltung der Kulturpflanzenvielfalt und ihre Entwicklung
Copa & Cogeca
Eustafor

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

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 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.

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 CO₂, 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

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 CO₂, 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 users about the suitability of FRM for climatic and ecological conditions.

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 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

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,***

high quality.

turning forests that would act as carbon sinks if properly managed into a source of additional CO₂ 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

(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. 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

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

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 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

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 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

assessment should be re-examined at a maximum interval of ten years.

ten years.

Amendment 8
Proposal for a regulation
Recital 28 a (new)

Text proposed by the Commission

Amendment

(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

Amendment

(38) Each Member State should draw up and keep up to date a contingency plan to ensure a sufficient supply of FRM, to reforest areas affected by extreme weather events, wildfires, disease and pest outbreaks, disasters or any other event. Rules should be set out concerning the content of that plan, in order to ensure ***proactive and effective action against such risks, if they emerge***. Member States should be allowed to adapt the content of that plan to the specific climatic and ecological conditions in their territories. This requirement also reflects the general preparedness actions that Member States should take on a voluntary basis under the Union Civil Protection Mechanism³¹.

(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

Mechanism³¹ .

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

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

Amendment 10

Proposal for a regulation Recital 40

Text proposed by the Commission

(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.

Amendment

(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

(b) biodiversity conservation;

Amendment

(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

(c) restoration of forest ecosystems;

Amendment

(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

Amendment

(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.

(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

Amendment

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

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

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

Amendment

Competent authorities may temporarily authorise, **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/EU³⁹.

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/EU³⁹.

³⁹ OJ L 347, 20.12.2013, p. 924.

³⁹ 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

Amendment

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.

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

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.

Amendment

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

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.

Amendment

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 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;

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

(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).

Amendment

(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

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.

Amendment

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

Member States shall establish a national register that:

Amendment

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

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

Amendment

(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

Amendment

(i) genetically modified; or

(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

Amendment

(ii) an NGT plant;

(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

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 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

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).

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.

Amendment

Abies alba Mill.
<i>Abies bornmulleriana</i>
Abies cephalonica Loud.
Abies grandis Lindl.
Abies pinsapo Boiss.
<i>Acer campestre</i>
Acer platanoides L.
Acer pseudoplatanus L.
<i>Alnus cordata</i>
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
<i>Eucalyptus globulus</i>
<i>Eucalyptus gunni</i>
<i>Eucalyptus gunnii x dalrympleana hybrid</i>
<i>Eucalyptus nitens</i>
Fagus sylvatica L.
Fraxinus angustifolia Vahl.
Fraxinus excelsior L.
<i>Juglans major x regia</i>
<i>Juglans nigra</i>
<i>Juglans nigra x regia</i>
<i>Juglans regia</i>
Larix decidua Mill.
Larix x eurolepis Henry
Larix kaempferi Carr.

Larix sibirica Ledeb.
Malus sylvestris
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.
Pinus taeda
Populus nigra
Populus spp. et hybrides artificiels de ces essences
Populus tremula
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.
Sorbus domestica
Sorbus torminalis
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**

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

PROCEDURE – COMMITTEE ASKED FOR OPINION

Title	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)
References	COM(2023)0415 – C9-0237/2023 – 2023/0228(COD)
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Rapporteur for the opinion Date appointed	Christophe Clergeau 24.10.2023
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Date adopted	11.3.2024
Result of final vote	+: 63 –: 3 0: 17
Members present for the final vote	Catherine Amalric, Mathilde Androuët, Maria Arena, Margrete Auken, Marek Paweł Balt, Traian Băsescu, Aurélie Beigneux, Sergio Berlato, Alexander Bernhuber, Malin Björk, Delara Burkhardt, Pascal Canfin, Sara Cerdas, Mohammed Chahim, Nathalie Colin-Oesterlé, Christian Doleschal, Bas Eickhout, Pietro Fiocchi, Helène 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 Measure, 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
Substitutes present for the final vote	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 Kypouropoulos, 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>
<p>Substitutes under Rule 209(7) present for the final vote</p>	<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 Rooken, 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 Lukacijewska, Marian-Jean Marinescu, Liudas Mažylis, Dolores 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, Helène 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

PROCEDURE – COMMITTEE RESPONSIBLE

Title	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)		
References	COM(2023)0415 – C9-0237/2023 – 2023/0228(COD)		
Date submitted to Parliament	6.7.2023		
Committee responsible Date announced in plenary	AGRI 19.10.2023		
Committees asked for opinions Date announced in plenary	ENVI 19.10.2023		
Associated committees Date announced in plenary	ENVI 19.10.2023		
Rapporteurs Date appointed	Herbert Dorfmann 29.8.2023		
Discussed in committee	30.8.2023	27.11.2023	24.1.2024
Date adopted	19.3.2024		
Result of final vote	+: –: 0:	32 1 9	
Members present for the final vote	Mazaly Aguilar, Clara Aguilera, Atidzhe Alieva-Veli, Benoît Biteau, Daniel Buda, Isabel Carvalhais, Ivan David, Paolo De Castro, Jérémy Decerle, Herbert Dorfmann, José Manuel Fernandes, Paola Ghidoni, Dino Giarrusso, Martin Häusling, Martin Hlaváček, Krzysztof Jurgiel, Jarosław Kalinowski, Elsi Katainen, Camilla Laureti, Gilles Lebreton, Norbert Lins, Colm Markey, Marlene Mortler, Maria Noichl, Juozas Olekas, Bronis Ropè, Katarína Roth Nevedálová, Bert-Jan Ruissen, Anne Sander, Petri Sarvamaa, Veronika Vrecionová, Sarah Wiener, Juan Ignacio Zoido Álvarez		
Substitutes present for the final vote	Alexander Bernhuber, Christophe Clergeau, Tilly Metz, Riho Terras, Irène Tolleret, Tom Vandenkendelaere		
Substitutes under Rule 209(7) present for the final vote	Erik Poulsen, Inma Rodríguez-Piñero, Domènec Ruiz Devesa		
Date tabled	21.3.2024		

FINAL VOTE BY ROLL CALL IN COMMITTEE RESPONSIBLE

32	+
ECR	Mazaly Aguilar, Krzysztof Jurgiel, Bert-Jan Ruissen, Veronika Vrecionová
NI	Dino Giarrusso, Katarína Roth Nevedalová
PPE	Daniel Buda, Herbert Dorfmann, José Manuel Fernandes, Jarosław Kalinowski, Norbert Lins, Colm Markey, Anne Sander, Petri Sarvamaa, Riho Terras, Tom Vandenkendelaere, Juan Ignacio Zoido Álvarez
Renew	Atidzhe Alieva-Veli, Jérémy Decerle, Martin Hlaváček, Elsi Katainen, Erik Poulsen, Irène Tolleret
S&D	Clara Aguilera, Isabel Carvalhais, Christophe Clergeau, Paolo De Castro, Camilla Laureti, Maria Noichl, Juozas Olekas, Inma Rodríguez-Piñero, Domènec Ruiz Devesa

1	-
ID	Ivan David

9	0
ID	Paola Ghidoni, Gilles Lebreton
PPE	Alexander Bernhuber, Marlene Mortler
Verts/ALE	Benoît Biteau, Martin Häusling, Tilly Metz, Bronis Ropè, Sarah Wiener

Key to symbols:

+ : in favour

- : against

0 : abstention