


Procedure file

Basic information		
CNS - Consultation procedure Directive	1999/0092(CNS)	Procedure completed
Forest reproductive material: marketing (recasting Directives 66/404/EEC, 71/161/EEC)		
Subject 3.10.11 Forestry policy		

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	AGRI Agriculture and Rural Development		01/09/1999
		ELDR PESÄLÄ Mikko	
	Committee for opinion	Rapporteur for opinion	Appointed
	ENVI Environment, Public Health, Consumer Policy		22/09/1999
		ELDR OLSSON Karl Erik	
Council of the European Union	Council configuration	Meeting	Date
	Agriculture and Fisheries	2236	14/12/1999

Key events			
27/05/1999	Legislative proposal published	COM(1999)0188	Summary
13/09/1999	Committee referral announced in Parliament		
23/11/1999	Vote in committee		
23/11/1999	Committee report tabled for plenary, 1st reading/single reading	A5-0072/1999	
01/12/1999	Debate in Parliament		
02/12/1999	Decision by Parliament	T5-0134/1999	Summary
22/12/1999	Act adopted by Council after consultation of Parliament		
22/12/1999	End of procedure in Parliament		
15/01/2000	Final act published in Official Journal		

Technical information	
Procedure reference	1999/0092(CNS)

Procedure type	CNS - Consultation procedure
Procedure subtype	Recast
Legislative instrument	Directive
Legal basis	EC Treaty (after Amsterdam) EC 037
Stage reached in procedure	Procedure completed
Committee dossier	AGRI/5/12059

Documentation gateway

Legislative proposal	COM(1999)0188 OJ C 199 14.07.1999, p. 0001	27/05/1999	EC	Summary
Economic and Social Committee: opinion, report	CES0847/1999 OJ C 329 17.11.1999, p. 0015	22/09/1999	ESC	
Committee report tabled for plenary, 1st reading/single reading	A5-0072/1999 OJ C 194 11.07.2000, p. 0005	23/11/1999	EP	
Text adopted by Parliament, 1st reading/single reading	T5-0134/1999 OJ C 194 11.07.2000, p. 0016-0071	02/12/1999	EP	Summary
Implementing legislative act	32002R1597 OJ L 240 07.09.2002, p. 0034-0038	06/09/2002	EU	Summary
Implementing legislative act	32002R1598 OJ L 240 07.09.2002, p. 0039-0042	06/09/2002	EU	Summary
Implementing legislative act	32002R1602 OJ L 242 10.09.2002, p. 0018-0020	09/09/2002	EU	Summary
Implementing legislative act	32003D0122 OJ L 049 22.02.2003, p. 0015-0020	21/02/2003	EU	

Additional information

European Commission	EUR-Lex
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Final act

Directive 1999/105 OJ L 011 15.01.2000, p. 0017 Summary
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Forest reproductive material: marketing (recasting Directives 66/404/EEC, 71/161/EEC)

PURPOSE: the updating of legislation concerning the marketing of forest reproductive material. **CONTENT:** Council Directive 66/404/EEC and Directive 71/161/EEC set out the requirements relating to genetic characters and external quality to be met by forest reproductive material before it may be marketed in the Community. The legislation has not been substantially amended since 1975. The present proposal therefore aims to update the legislation to take account of accessions of new Member States since 1975, the internal market and scientific advances, including the availability of new material. Furthermore, the proposal adapts the legislation to take account of the particular situation prevailing in Sweden and Finland, both of which countries were granted transitional periods of five years in the Accession Treaty, during which they do not have to apply the legislation. The current OECD Scheme covering forestry reproductive material moving in international trade dates from 1974. It has been the subject of considerable revision in the last few years and a new updated scheme will be adopted by the OECD Council in the near future. The new OECD Scheme, whilst basically compatible with the existing EC legislation, includes two additional categories of reproductive material which may be marketed, namely 'source identified' and 'qualified'. As all Member States, with the exception of Greece and Luxembourg, participate in the OECD Scheme, the proposal has been drafted to ensure as much compatibility as possible with that Scheme, including adding these two new categories permitted within the Community, namely 'selected' and 'tested'. The proposal provides, in so far as forest reproductive material consists of genetically modified organisms, for an environmental risk assessment. Measures have been

envisaged in order to establish, through a future Council Regulation, procedures ensuring that this environmental risk assessment and other relevant elements should be equivalent to those laid down in Directive 90/220/EEC.?

Forest reproductive material: marketing (recasting Directives 66/404/EEC, 71/161/EEC)

In adopting the report drafted by Mr. Mikko PESALA (ELDR, Fin), the European Parliament approves the proposal for a Directive on the marketing of forest reproductive material. The Parliament called for the procedures ensuring that the environmental risk assessment requirements regarding risk management, labelling, monitoring as appropriate, information to the public and safeguard clauses are equivalent to those laid down in Directive 90/220/EEC be incorporated in a European Parliament and Council Regulation. Specific provisions could also be established to take account of developments under which forest reproductive material suitable for organic production may be marketed. Other amendments deal with the conservation of phylogenetic resources, an official certificate of origin, a reference to the sustainable development of forests. The Parliament also calls for the member States to specify the requirements which the reproductive material of particular species is required to meet in order to be suited to particular climatic conditions and exposed upland situations. Lastly, the Parliament calls for the deadline for the transposition of the Directive be set at 01/01/2003.?

Forest reproductive material: marketing (recasting Directives 66/404/EEC, 71/161/EEC)

PURPOSE : to update the legislation concerning the marketing of forest reproductive material. COMMUNITY MEASURE : Council Directive 1999/105/EC. CONTENT : the Directive aims to update the legislation, which has not been substantially amended since 1975, to take account of new Member States, the internal market and scientific advances. In addition, it aims to take account of the particular situation prevailing in Sweden and Finland, both of which were granted transitional periods of 5 years in the Accession Treaty. With regard to the forest reproductive material consisting of genetically modified organisms, the Directive provides that while waiting for a proposal replacing Council Directive 90/220/EEC relating to the voluntary release of GMOs in the environment and of the adoption of equivalent specific rules, Directive 90/220/EEC shall be applied, in addition to the marketing rules.?

Forest reproductive material: marketing (recasting Directives 66/404/EEC, 71/161/EEC)

COMMUNITY MEASURE : Commission Regulation 1598/2002/EC laying down detailed rules for the application of Council Directive 1999/105/EC as regards the provision of mutual administrative assistance by official bodies. CONTENT : if during the process from collection to delivery to the end user forest reproductive material moves from one Member State to another, the appropriate information on the marketing prior to the entry into the control system of the receiving Member State can be obtained by the official body of the receiving Member State only through the official body of the Member State of the supplier. To ensure that such information is communicated in a timely and efficient manner, it is appropriate to establish a standardised procedure for its exchange. ENTRY INTO FORCE : 14/09/2002.

Forest reproductive material: marketing (recasting Directives 66/404/EEC, 71/161/EEC)

COMMUNITY MEASURE : Commission Regulation 1597/2002/EC laying down detailed rules for the application of Council Directive 1999/105/EC as regards the format of national lists of the basic material of forest reproductive material. CONTENT : in accordance with Article 10(2) of Directive 1999/105/E, each Member States shall draw up a summary of the national register in the form of a national list to be made available on request to the Commission and the other Member States. This Regulation stipulates that the national list shall be drawn up by each Member State in the standardised form as detailed in the Annex. Each Member State shall make its list available on request to the Commission and other Member States in the form of an electronic spreadsheet or database. ENTRY INTO FORCE : 27/09/2002.

Forest reproductive material: marketing (recasting Directives 66/404/EEC, 71/161/EEC)

COMMUNITY MEASURE : Commission Regulation 1602/2002/EC laying down detailed rules for the application of Council Directive 1999/105/EC as regards the authorisation of a Member State to prohibit the marketing of specified forest reproductive material to the end-user. CONTENT : in accordance with Directive 1999/105/EC, Member States are to ensure that forest reproductive material which is placed on the market in accordance with the provisions of that Directive is not subject to any marketing restrictions as regards its characteristics, examination and inspection requirements, labelling and sealing other than those laid down in that Directive. Member States may in certain circumstances be authorised to prohibit the marketing to the end-user, with a view to seeding or planting in their territory, of specified forest reproductive material which is unsuitable for use in their territory. Such authorisations should be granted only where there is reason to believe that the use of the forest reproductive material would, on account of its phenotypic or genetic characteristics, have an adverse effect on forestry, environment, genetic resources or biodiversity in the territory of that Member State. In order to allow the Commission to decide in full knowledge of the facts, the application for authorisation should be accompanied by relevant evidence and information concerning, inter alia, the region of provenance or the origin of the forest reproductive material and the results of trials, scientific research and forestry practice. The information required should be specified. In order to assist a Member State to prepare its application, other Member States should provide, on request, all relevant information on the region of provenance or the origin and national lists of basic material for the production of forest reproductive material. A copy of the application should be sent at the same time to the Member State in which the region of provenance or the origin is located, in order to allow that Member State to inform the Commission of its position. The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Seeds and Propagating Material for Agriculture, Horticulture and Forestry. ENTRY INTO FOR CE : 29/09/2002.?