








# Procedure file

Basic information	
<p>COD - Ordinary legislative procedure (ex-codecision procedure) Regulation <a href="#">2023/0228(COD)</a></p>	Preparatory phase in Parliament
<p>Production and marketing of forest reproductive material</p> <p>Repealing Directive 1999/105 <a href="#">1999/0092(CNS)</a>            Amending Regulation 2017/625 <a href="#">2013/0140(COD)</a>            Amending Regulation 2016/2031 <a href="#">2013/0141(COD)</a></p> <p>Subject</p> <p>3.10.03 Marketing and trade of agricultural products and livestock            3.10.09.02 Plant health legislation            3.10.11 Forestry policy            3.70.01 Protection of natural resources: fauna, flora, nature, wildlife, countryside; biodiversity</p> <p>Legislative priorities  <a href="#">Joint Declaration 2023-24</a></p>	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	<p><b>AGRI</b> <a href="#">Agriculture and Rural Development</a></p>	<p> <a href="#">DORFMANN Herbert</a></p> <p>Shadow rapporteur</p> <p> <a href="#">CARVALHAIS Isabel</a></p> <p> <a href="#">TOLLERET Irène</a></p> <p> <a href="#">HÄUSLING Martin</a></p> <p> <a href="#">DAVID Ivan</a></p> <p> <a href="#">RUISSEN Bert-Jan</a></p> <p> <a href="#">FLANAGAN Luke Ming</a></p>	
Council of the European Union European Economic and Social Committee	Committee for opinion	Rapporteur for opinion	Appointed
	<p><b>ENVI</b> <a href="#">Environment, Public Health and Food Safety</a></p>		

Key events			
05/07/2023	Legislative proposal published	<a href="#">COM(2023)0415</a>	Summary

Technical information	
Procedure reference	2023/0228(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation
	Repealing Directive 1999/105 <a href="#">1999/0092(CNS)</a> Amending Regulation 2017/625 <a href="#">2013/0140(COD)</a> Amending Regulation 2016/2031 <a href="#">2013/0141(COD)</a>
Legal basis	Treaty on the Functioning of the EU TFEU 043-p2
Mandatory consultation of other institutions	<a href="#">European Economic and Social Committee</a>
Stage reached in procedure	Preparatory phase in Parliament

Documentation gateway					
Legislative proposal		<a href="#">COM(2023)0415</a>	05/07/2023	EC	Summary
Document attached to the procedure		SWD(2023)0410	06/07/2023	EC	
Document attached to the procedure		SWD(2023)0414	06/07/2023	EC	
Document attached to the procedure		SWD(2023)0415	06/07/2023	EC	

## Production and marketing of forest reproductive material

**PURPOSE:** to ensure a harmonised approach with regard to the production and marketing of forest reproductive material (FRM).

**PROPOSED ACT:** Regulation of the European Parliament and of the Council.

**ROLE OF THE EUROPEAN PARLIAMENT:** the European Parliament decides in accordance with the ordinary legislative procedure and on an equal footing with the Council.

**BACKGROUND:** 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 key function as a carbon sink in the climate mitigation policy. High-quality, climate-adapted and diverse FRM is essential to cover these needs.

Council Directive 1999/105/EC sets out rules on the production and marketing of forest reproductive material (FRM Directive). That Directive regulates forest reproductive material which is important for forestry purposes.

FRM refers to seeds, parts of plants and plants and is used for the creation of new forests (afforestation), the replanting of areas with trees (reforestation) and other types of tree planting for different purposes: (i) wood and biomaterials production, (ii) biodiversity conservation, (iii) restoration of forest ecosystems, (iv) climate adaptation, (v) climate mitigation and (vi) conservation and sustainable use of forest genetic resources.

In the years since its adoption, several important developments have taken place, such as the adoption of the European Green Deal, the new EU Strategy on Adaptation to Climate Change, the New EU Forest Strategy for 2030 and the EU Biodiversity Strategy for 2030; and the update of the Rules and Regulations of the Organisation for Economic Co-operation and Development (OECD) Scheme for the Certification of Forest Reproductive Material Moving in International Trade (OECD Forest Seed and Plant Scheme).

In the light of those developments, the new policy priorities of the EU in relation to sustainability, climate change adaptation and biodiversity, as well as the experience gained during the implementation of Directive 1999/105/EC, it is appropriate to revise this part of the EU legislation on the production and marketing of forest reproductive material.

**CONTENT:** the proposed Regulation lays down rules on the production and marketing of forest reproductive material (FRM) and, in particular, requirements relating to the approval of basic material intended for the production of FRM, the origin and traceability of such basic material, categories of FRM, requirements relating to the identity and quality of FRM, certification, labelling, packaging, imports, professional operators, registration of basic material and national contingency plans.

The proposed regulation replaces Directive 1999/105/EC, clarifying its scope and updating its provisions.

The proposed regulation revises the legislation applicable to the production and marketing of forest reproductive material (FRM) by replacing a marketing directive with a regulation. It is based on two pillars: (i) the harvesting of forest reproductive material from registered parent trees (i.e. basic material) to ensure traceability and (ii) the certification of FRM to guarantee the high quality of the seed.

## Scope

The proposed Regulation applies to FRM of species and artificial hybrids, which is used in afforestation, reforestation and other types of tree planting for the purposes of wood and biomaterials production, biodiversity conservation, restoration of forest ecosystems, climate adaptation, climate mitigation, and conservation and sustainable use of forest genetic resources.

Its general objectives aim to: (i) ensure a level playing field for operators across the EU; (ii) support innovation and competitiveness of the EU FRM industry; (iii) contribute to addressing sustainability, biodiversity and climate-related challenges.

It has the following specific objectives:

- to increase clarity and coherence of the legal framework through simplified, clarified and harmonised basic rules on fundamental principles presented in a modern legal form;
- to enable the uptake of new scientific and technical developments (in particular, innovative production processes, bio-molecular techniques and digital solutions);
- to ensure availability of FRM suitable for future challenges;
- to support the conservation and sustainable use of forest genetic resources.
- to harmonise the framework for official controls on FRM;
- to improve coherence of FRM legislation with the Plant health legislation.

## Basic material and categories

Only basic material approved by the competent authorities may be used to produce and market FRM. For the same reason, only FRM derived from such basic material may be placed on the market.

The competent authorities will assess the sustainability characteristics of basic material during the procedure for approving that basic material. The characteristics concern the adaptation of the basic material to the local climatic and ecological conditions and the freedom of trees from pests and their symptoms.

The procedure for approving basic material will include the use of bio-molecular techniques as a complementary method, and innovative clonal FRM production techniques.

After FRM is harvested, a master certificate will be issued by the competent authorities for all FRM derived from approved basic material. The master certificate may also be issued in electronic form.

## Registers of FRM and contingency plans

Each Member State will establish, publish and keep updated, in electronic format, (i) a national register of the basic material for the various species and artificial hybrids approved on its territory, and (ii) a national list, which should be presented as a summary of the national register. In addition, each Member State must 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, or other disasters.