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INFORMATION NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee/Council
Subject:	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) - Outcome of the European Parliament's first reading (Strasbourg, 22 to 25 April 2024)

I. INTRODUCTION

The rapporteur, Herbert DORFMANN (EPP, IT), presented a report on the above proposal for a Regulation on behalf of the Committee on Agriculture and Rural Development which contained 101 amendments (amendments 1 to 101) to the proposal.

In addition, The Left group tabled 13 amendments (amendments 102 to 114) and the Greens/EFA group tabled 27 amendments (amendments 115 to 141).

II. VOTE

When it voted on 24 April 2024, the plenary adopted amendments 1 to 101, 120 to 122, 124, 134 to 136 to the proposal for a Regulation. No other amendments were adopted.

The Commission's proposal as thus amended constitutes the Parliament's first-reading position which is contained in its legislative resolution as set out in the Annex hereto.

P9_TA(2024)0342

Production and marketing of forest reproductive material

European Parliament legislative resolution of 24 April 2024 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 2023[1],

– 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	*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 a premordial function as a carbon sink in the climate mitigation policy. High-quality, climate-adapted and ***diverse*** FRM is essential to cover these needs.	(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 premordial 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	*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. Tree species and artificial hybrids under this Regulation should be genetically suited to the local conditions and be of high quality.	(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	(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***.	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, ***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	*Amendment*
(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 flexbility 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	(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***

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

the general preparedness actions that Member States should take on a voluntary basis under the Union Civil Protection Mechanism[31].	***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 Mechanism[31]. ***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	*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.	(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	*Amendment*
This Regulation sets out rules concerning the production and marketing of forest reproductive material ('FRM') and in particular requirements for the approval of basic material intended for the production of FRM, the origin and traceability of that basic material, FRM categories, requirements for FRM identity and quality, certification, labelling, packaging, imports, professional operators, the registration of basic material and the national contingency plans.	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	*Amendment*
1. This Regulation applies to FRM of the tree species and artificial hybrids ***thereof***, listed in Annex I.	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	*Amendment*
(a) ensure the production and marketing of high-quality FRM in the Union and the functioning of the internal market in FRM;	(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	*Amendment*
(b) help create resilient forests, conserve biodiversity and restore forest ecosystems;	(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	*Amendment*
(b) any developments of technical or scientific knowledge.	(b) any ***relevant*** developments of technical or scientific knowledge.

Amendment 15
Proposal for a regulation
Article 3 – paragraph 1 – point 1 – introductory part

Text proposed by the Commission	*Amendment*
(1) 'forest reproductive material' ('FRM') means ***cones, infructescenses, fruits and seeds intended for the production of a*** planting ***stock,*** that belong to tree species and ***artificial*** hybrids thereof listed in Annex I to this Regulation and used for afforestation, reforestation and other tree planting for any of the following purposes:	(1) 'forest reproductive material' ('FRM') means ***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	*Amendment*
(b) biodiversity conservation;	(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	*Amendment*
(c) restoration of forest ecosystems;	(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	(2) 'afforestation' means establishment of forest through planting and/or deliberate seeding ***of regional adapted tree species*** on land that, until then, was

transformation of land use form non-forest to forest[36];	under a different land use implies a transformation of land use form non-forest to forest[36];
_____	_____
[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 forest[37];	(3) 'reforestation' means re-establishment of forest through planting and/or deliberate seeding ***of regional adapted tree species*** on land classified as forest[37];
_____	_____
[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 120

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

Text proposed by the Commission	*Amendment*
	(3a) 'agroforestry' means the integration of trees on agricultural land without changing the classification of that land;

Amendment 21
Proposal for a regulation
Article 3 – paragraph 1 – point 4

Text proposed by the Commission	*Amendment*
(4) 'seed unit' means cones, infructescenses, fruits and seeds intended for the production of a planting stock;	(4) 'seed unit' means cones, infructescenses, 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	*Amendment*
(7) 'production' means all stages in the generation of ***the seed*** and plants***, the conversion from seed unit to seed, and the raising of plants from a*** planting stock, with a view ***for the respective FRM*** to be marketed;	(7) 'production' means all stages in the generation of ***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	*Amendment*
(8) 'seed source' means the trees within ***an*** area, from which ***seed*** is collected;	(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	*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;	(15) 'unit of approval' means the entire area ***or individuals*** of basic material for the production of FRM that has been authorised by the competent authorities;

Amendment 25
Proposal for a regulation
Article 3 – paragraph 1 – point 16

Text proposed by the Commission	*Amendment*
(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;	(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	*Amendment*
(17) 'seed lot' means a set of seeds ***collected*** from approved basic material and processed uniformly;	(17) 'seed lot' means a set of ***extracted and/or cleaned*** seeds from approved basic material and processed uniformly;

Amendment 27
Proposal for a regulation
Article 3 – paragraph 1 – point 18

Text proposed by the Commission	*Amendment*
(18) 'plant lot' means a set of ***planting stock that has*** been ***grown*** from a single seed lot or a vegetatively propagated ***planting stock*** which ***has*** been ***raised*** in a delineable area and processed uniformly;	(18) 'plant lot' means a set of ***plants that have*** been ***produced*** from a single seed lot or 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	*Amendment*
(19) 'lot ***number***' means the identification ***number*** of the seed lot or plant lot, as appropriate;	(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	*Amendment*
(30) 'marketing' means the following actions conducted by a professional operator: sale, holding or offering for the purpose of sale or any other way of transferring, distribution within, or import into the Union, whether free of charge or not, of FRM;	(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	*Amendment*
(31) 'professional operator' means any natural or legal person involved professionally in one or more of the following activities:	(31) 'professional operator' means any natural or legal person involved professionally***, with the authorisation of the competent authorities,*** in one or more of the following activities***, 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	*Amendment*
(42) 'deployment area for seed orchards' means the area designated by the competent authorities, in which FRM belonging to the qualified and tested categories is adapted to the climatic and ecological conditions of that area, taking into account, as appropriate, the location of the seed orchards and its components, results of progeny and provenance trials, environmental conditions and future climatic change projections;	(42) 'deployment area for seed orchards ***and parents of family(ies)***' means the area designated by the competent authorities, in which FRM belonging to the qualified and tested categories is adapted to the climatic and ecological conditions of that area, taking into account, as appropriate, the location of the seed orchards***, parents of family(ies)*** and its components, results of progeny and provenance trials, environmental conditions and future climatic change projections;

Amendment 32
Proposal for a regulation
Article 3 – paragraph 1 – point 43

Text proposed by the Commission	*Amendment*
(43) 'deployment area for clones and clonal mixtures' means the area designated by the competent authorities, in which FRM belonging to the qualified and tested categories is adapted to the	(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;	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 33
Proposal for a regulation
Article 3 – paragraph 1 – point 45

Text proposed by the Commission	*Amendment*
(45) 'natural regeneration' means the renewal of ***a*** forest by ***trees that develop from seeds which have fallen and germinated in situ***	(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	*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 ***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	*Amendment*
(e) FRM in accordance with the requirements of Regulation (EU) 2018/848 of the European Parliament and of the Council.	***deleted***

Amendment 36
Proposal for a regulation
Article 5 – paragraph 1 – introductory part

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

Amendment 121
Proposal for a regulation
Article 5 – paragraph 1 – point d – point iii a (new)

Text proposed by the Commission	*Amendment*
	(iiia) the material is approved by the competent authority;

Amendment 122

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

Text proposed by the Commission	*Amendment*
	(iiib) it bears a label indicating the words 'New Genomic Techniques' in accordance with Article 10 of Regulation (EU) ... [OP: please insert a reference to the upcoming NGT regulation].

Amendment 37
Proposal for a regulation
Article 5 – paragraph 1 – point h – point ii

Text proposed by the Commission	*Amendment*
(ii) germination percentage of the pure seed;	(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	*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, the number of viable seeds per kilogram.	(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	*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 40
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 124

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

Text proposed by the Commission	*Amendment*
	(ca) for species where vegetative propagation is generally used for the purpose of conservation of forest genetic resources, a mixture of a sufficiently varied array of clones in order to maintain genetic diversity shall be used.

Amendment 41
Proposal for a regulation
Article 7 – paragraph 1 – subparagraph 1

Text proposed by the Commission	*Amendment*
Competent authorities may temporarily authorise the marketing of FRM derived from approved basic material which does not meet all the requirements of the appropriate category referred to in Article 5(1), following the adoption of the delegated act referred to in paragraph 2.	Competent authorities may temporarily authorise 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	*Amendment*
(b) the ***maximum duration*** of the authorisation;	(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	*Amendment*
(c) ***obligations*** as regards official controls on the professional operators applying that authorisation;	(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	*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/EU[39].	Each Member State shall draw up one or more contingency plan to ensure a sufficient supply of FRM to reforest areas affected by extreme weather events, wildfires, disease and pest outbreaks, disasters or any other event, as relevant and identified in the national risk assessments develop in accordance with Article 6(1) of Decision No 1313/2013/EU[39]. ***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.	[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	*Amendment*
That contingency plan shall be prepared	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***.	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	(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).	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	*Amendment*
Member States shall establish a national register that:	Member States shall establish a national register ***referred to in Article 12*** that:

Amendment 50
Proposal for a regulation
Article 10 – paragraph 1 – subparagraph 2

Text proposed by the Commission	*Amendment*
They shall be established in the ***Union***.	They shall be established in the ***Member State concerned and authorised by the competent authority***.

Amendment 51
Proposal for a regulation
Article 10 – paragraph 2

Text proposed by the Commission	*Amendment*
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,	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***

planters' guides and other appropriate means.	***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***.

Amendment 52
Proposal for a regulation
Article 12 – paragraph 3 – subparagraph 2 – point c

Text proposed by the Commission	*Amendment*
(c) basic material;	(c) ***type of*** basic material;

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 134
Proposal for a regulation
Article 12 – paragraph 3 – subparagraph 2 – point j b (new)

Text proposed by the Commission	*Amendment*
	(jb) if applicable, the intellectual property rights existing on the FRM.

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	*Amendment*
The master certificate shall attest compliance with the requirements of Article 4(2).	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 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.	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. 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 135
Proposal for a regulation
Article 15 – paragraph 1 – subparagraph 2 – point k a (new)

Text proposed by the Commission	*Amendment*
	(ka) if applicable, the intellectual property rights existing on the FRM.

Amendment 66
Proposal for a regulation
Article 16 – paragraph 1

Text proposed by the Commission	*Amendment*
1. An official label shall be issued by the competent authority for every lot of FRM attesting compliance of that FRM with ***the requirements referred to in*** Article 5.	1. An official label shall be issued by the competent authority ***or by the professional operator under official supervision of a 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	*Amendment*
2. ***Competent authorities shall authorise the professional operator to print the official label after the competent authority has attested compliance of that FRM with the requirements referred to in Article 5.*** The professional operator is authorised to print ***that*** label, if, on the basis of an audit, the competent authority has concluded that the operator possesses ***the*** infrastructure and resources ***to print the official label***.	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,*** infrastructure and resources.

Amendment 69
Proposal for a regulation
Article 16 – paragraph 4 – introductory part

Text proposed by the Commission	*Amendment*
4. In addition to the information	4. In addition to the information

required under Article 15(1), the official label shall contain all the following 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	*Amendment*
(b) ***name*** of the professional ***operator***;	(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 136
Proposal for a regulation
Article 16 – paragraph 5 – subparagraph 1 – point d a (new)

Text proposed by the Commission	*Amendment*
	(da) indication as to whether the material is product of genetic modification under Directive 2001/18/EC.

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	*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	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).	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	*Amendment*
(ii) the protection of the environment: adaptation to climate change ***or the contribution to the protection*** of biodiversity, restoration of forest ecosystems;	(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	*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.	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	*Amendment*
(b) number of adopted national contingency plans to prepare for FRM	(b) number of adopted national contingency plans ***by Member States*** to

supply difficulties and the time needed to activate those contingency plans;	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

Text proposed by the Commission	*Amendment*
Abies alba Mill.	Abies alba Mill.
Abies cephalonica Loud.	Abies cephalonica Loud.
Abies grandis Lindl.	Abies grandis Lindl.
[...]	[...]
	Abies bornmulleriana
	Acer campestre
	Alnus cordata - Juglans regia
	Eucalyptus globulus
	Eucalyptus gunnii
	Eucalyptus hybride gunnii x dalrympleana
	Eucalyptus nitens
	Juglans major x regia
	Juglans nigra
	Juglans nigra x regia
	Malus sylvestris
	Pinus taeda
	Populus nigra
	Populus tremula
	Sorbus domestica
	Sorbus torminalis
[...]	[...]
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	*Amendment*
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.	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	*Amendment*
(a) The trees shall be well-adapted to the climatic and ecological conditions including the biotic and abiotic factors prevailing in the region of provenance.	(a) The trees shall be well-adapted to the climatic and ecological conditions including the biotic and abiotic factors prevailing in the region of provenance ***and also marginal populations demonstrating local adaptation to more extreme biotic and abiotic factors***.

Amendment 87
Proposal for a regulation
Annex II – Part B – point 4 – point b

Text proposed by the Commission	*Amendment*
(b) The trees shall ***in*** be practically free from pests and their symptoms.	(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	*Amendment*
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.	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	*Amendment*
(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.	(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	*Amendment*
(b) The ***professional operator shall select*** component clones or families for their outstanding characteristics and ***shall give*** due weight to the requirements set out in points 4 and 6 to 9 of Section B of	(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

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

Amendment 93
Proposal for a regulation
Annex V – point 1 – point a – paragraph 2

Text proposed by the Commission	*Amendment*
The professional operators shall ***prepare, lay out and conduct*** tests ***set up*** for the approval of the basic material. ***They shall interpret*** the results ***of those tests*** in accordance with the internationally recognised procedures. ***For*** comparative tests, ***the professional operator shall compare the FRM under test with*** one or preferably several approved or pre-chosen standards as described in point 3(b).	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	*Amendment*
(i) The ***professional operator shall design*** tests to assess the relevant characteristics specified in point (ii) and ***shall indicate these*** for each test in the test records.	(i) 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	*Amendment*
The professional operator shall ***keep records describing the test sites,*** including the location, climate, soil, past use, establishment, management and any damage due to abiotic/biotic factors***. He*** shall make those records available to the competent authority ***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.	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	*Amendment*
(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.	(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	*Amendment*
(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.	(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	*Amendment*
(i) ***The professional operator shall analyse*** the data from experiments using internationally recognised statistical methods and ***shall present*** the results for each characteristic examined.	(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	*Amendment*
(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.	(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	*Amendment*
(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.	(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.